

AGENDA

Council
Tuesday 16 June 2020 at 10.30am

Northland Regional Council Agenda

Meeting to be held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 16 June 2020, commencing at 10.30am

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

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<p>ACC - Accident Compensation Corporation</p> <p>ALGIM - Association of Local Government Information Management</p> <p>AMA - Aquaculture Management Area</p> <p>AMP - Asset Management Plan/Activity Management Plan</p> <p>AP - Annual Plan</p> <p>BOI - Bay of Islands</p> <p>BOPRC - Bay of Plenty Regional Council</p> <p>CAPEX - Capital Expenditure (budget to purchase assets)</p> <p>CBEC - Community, Business and Environment Centre</p> <p>CCO - Council Controlled Organisation</p> <p>CCTO - Council Controlled Trading Organisation</p> <p>CDEM - Civil Defence Emergency Management</p> <p>CEEF - Chief Executives Environment Forum</p> <p>CEG - Co-ordinating Executive Group</p> <p>CEO - Chief Executive Officer</p> <p>CIMS - Co-ordinated Incident Management System (emergency management structure)</p> <p>CMA - Coastal Marine Area</p> <p>CPCA - Community Pest Control Areas</p> <p>CRI - Crown Research Institute</p> <p>DHB - District Health Board</p> <p>DOC - Department of Conservation</p> <p>DP - District Plan</p> <p>E350 - Extension 350 programme</p> <p>ECA - Environmental Curriculum Award</p> <p>ECAN - Environment Canterbury</p> <p>EECA - Energy Efficiency Conservation Authority</p> <p>EF - Environment Fund</p> <p>EMA - Employers and Manufacturers Association</p> <p>EOC - Emergency Operations Centre</p> <p>EPA - Environmental Protection Authority</p> <p>ETS - Emissions Trading Scheme</p> <p>FDE - Farm Dairy Effluent</p> <p>FNDC - Far North District Council</p> <p>FNHL - Far North Holdings Limited</p> <p>FPP - First Past the Post</p> <p>GE - Genetic Engineering</p> <p>GIS - Geographic Information System</p> <p>GMO - Genetically Modified Organism</p> <p>HBRC - Hawke's Bay Regional Council</p> <p>HEMP - Hapū Environmental Management Plan</p> <p>Horizons - Brand name of Manawatu-Wanganui Regional Council</p> <p>HR - Human Resources</p> <p>HSNO - Hazardous Substances & New Organisms Act</p> <p>HSWA - Health and Safety at Work Act 2015</p> <p>IEMP - Iwi Environmental Management Plan</p> <p>ILGACE - Iwi and Local Government Chief Executives Forum</p> <p>IPPC - Invited Private Plan Change</p> <p>IRIS - Integrated Regional Information System</p> <p>KDC - Kaipara District Council</p> <p>KPI - Key Performance Indicator</p> <p>LAWA - Land, Air, Water Aotearoa</p> <p>LEA - Local Electoral Act 2001</p> <p>LGA - Local Government Act 2002</p> <p>LGNZ - Local Government New Zealand</p> <p>LGOIMA - Local Government Official Information & Meetings Act 1987</p> <p>LIDAR - Light detection and ranging</p> <p>LTI - Long time injury</p> <p>LTP - Long Term Plan</p> <p>MBIE - Ministry of Business, Innovation & Employment</p> <p>MCDEM - Ministry of Civil Defence & Emergency Management</p> <p>MFE - Ministry for the Environment</p> <p>MFL - Māori Freehold Land</p> <p>MHWS - Mean High Water Springs</p> <p>MMH - Marsden Maritime Holdings Limited</p> <p>MNZ - Maritime New Zealand</p> <p>MOH - Ministry of Health</p>	<p>MOT - Ministry of Transport</p> <p>MPI - Ministry for Primary Industries</p> <p>MSD - Ministry of Social Development</p> <p>NCMC - National Crisis Management Centre</p> <p>NDHB - Northland District Health Board</p> <p>NES - National Environmental Standards</p> <p>NFT - Northland Forward Together</p> <p>NGO - Non-Governmental Organisation</p> <p>NIF - Northland Intersectoral Forum</p> <p>NINC - Northland Inc. Limited</p> <p>NIWA - National Institute of Water and Atmosphere</p> <p>NORTEG - Northland Technical Advisory Group</p> <p>NPS - National Policy Statement</p> <p>NZCPS - New Zealand Coastal Policy Statement</p> <p>NZRC - New Zealand Refining Company (Marsden Point)</p> <p>NZTA - New Zealand Transport Agency</p> <p>NZTE - New Zealand Trade and Enterprise</p> <p>NZWWA - New Zealand Water and Wastes Association</p> <p>OPI - Opportunity for Improvement\</p> <p>OPEX - Operating Expenditures</p> <p>OSH - Occupational Safety & Health</p> <p>OTS - Office of Treaty Settlements</p> <p>PCBU - Person Conducting Business or Undertaking</p> <p>PGF - Provincial Growth Fund</p> <p>PPE - Personal Protective Equipment</p> <p>RAP - Response Action Plan</p> <p>RBI - Regional Broadband Initiative</p> <p>RCP - Regional Coastal Plan</p> <p>RFI - Request for Information</p> <p>RFP - Request for Proposal</p> <p>RLTP - Regional Land Transport Plan</p> <p>RMA - Resource Management Act 1991</p> <p>RMG - Resource Managers Group (Regional Councils)</p> <p>RMZ - Riparian Management Zone</p> <p>ROI - Return on Investment</p> <p>RP - Regional Plan</p> <p>RPMP - Regional Pest Management Plan</p> <p>RPMS - Regional Pest Management Strategy</p> <p>RPS - Regional Policy Statement</p> <p>RPTP - Regional Public Transport Plan</p> <p>RRSAP - Regional Road Safety Action Plan</p> <p>RSG - Regional Sector Group</p> <p>RSHL - Regional Software Holdings Ltd</p> <p>RTC - Regional Transport Committee</p> <p>RTO - Regional Tourism Organisation</p> <p>SIPO - Statement of Investment Policy and Objectives</p> <p>SITREP - Situation Report</p> <p>SOE - State of Environment (or) State Owned Enterprise</p> <p>SOI - Statement of Intent</p> <p>SOLGM - Society of Local Government Managers</p> <p>STV - Single Transferable Vote</p> <p>TAG - Technical Advisory Group</p> <p>Tier 1 - Site level plan or response for an oil spill</p> <p>Tier 2 - Regional level plan or response to an oil spill</p> <p>Tier 3 - National level plan or response to an oil spill</p> <p>TLA - Territorial Local Authority - City & District Councils</p> <p>TON - Top of the North (regions)</p> <p>TTMAC - Te Taitokerau Māori and Council Working Party</p> <p>TTNEAP - Tai Tokerau Northland Economic Action Plan</p> <p>TMP - Treasury Management Plan</p> <p>TOR - Terms of Reference</p> <p>TPK - Te Puni Kōkiri (Ministry of Maori Development)</p> <p>TUANZ - Telecommunications Users Association of NZ</p> <p>UNISA - Upper North Island Strategic Alliance</p> <p>WDC - Whangarei District Council</p> <p>WHHIF - Whangarei Harbour Health Improvement Fund</p> <p>WRC - Waikato Regional Council</p> <p>WSMP - Workplace Safety Management Practices</p> <p>WWTP - Wastewater Treatment Plant</p>
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TITLE: Health and Safety Report

ID: A1321836

From: Beryl Steele, Human Resources Manager

Executive summary/Whakarāpopototanga

This report provides an overview of activity in health and safety for the month of May 2020. As with the last couple of months, it has been relatively quiet in terms of incidents, near misses and hazards being reported. The lockdown has provided the opportunity to review some of our processes and documents.

Recommendation

That the report 'Health and Safety Report' by Beryl Steele, Human Resources Manager and dated 2 June 2020, be received.

Background/Tuhinga

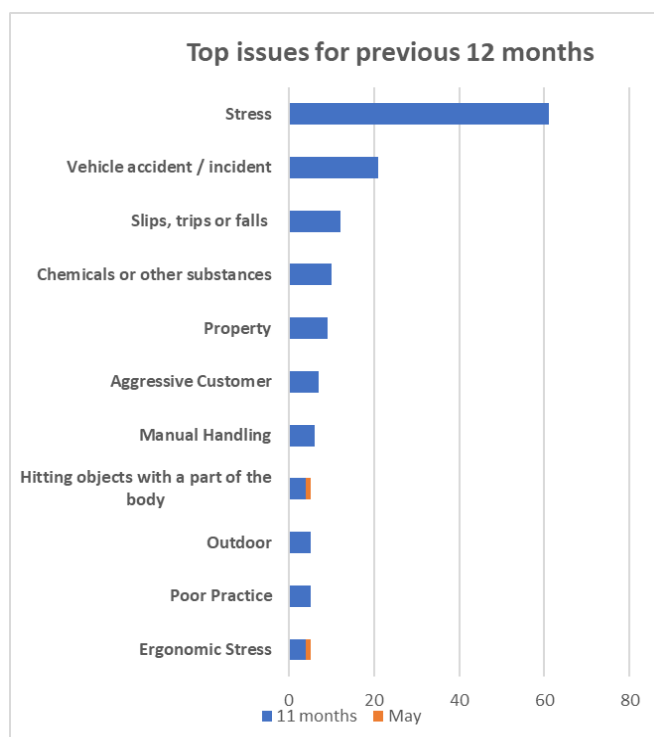
Period	Injury Related							Hazards			
	Loss time Injury (LTI)	Accident Work (ACC W)	Accident Not Work (ACC NW)	Discomfort , Pain, Injury (DPI)	Medical Treatment Incident (MTI)	First Aid Treatment Incident (FTI)	No Medical Treatment Incident (NMTI)	Near Miss	Hazard (HAZ)	Incident (INC)	Security (SEC)
2018	7	8	0	0	2	4	0	13	35	17	6
2019	1	20	1	0	0	2	1	18	15	8	1
2020	1	2	0	3	0	5	62	12	8	2	0
Apr	0	0	0	3	0	0	0	0	0	0	0
May	0	1	0	1	0	1	0	0	0	0	0

Incidents remain low. Having most of our staff working from home is likely to be the reason for this. As staff begin returning to the various offices more communication will be provided on hazard identification, and incident reporting.

Events of interest

- ACC work incident - a staff member got a piece of grit in their eye after chipping and grinding rust off an object. There was no known time of incident as the aggravation built up over a period of time until it prompted visiting a doctor. PPE was worn and a task safety plan was used. This task was not a known hazard in the health and safety risk register. A new hazard ID is being developed and a review of the PPE worn is being carried out.

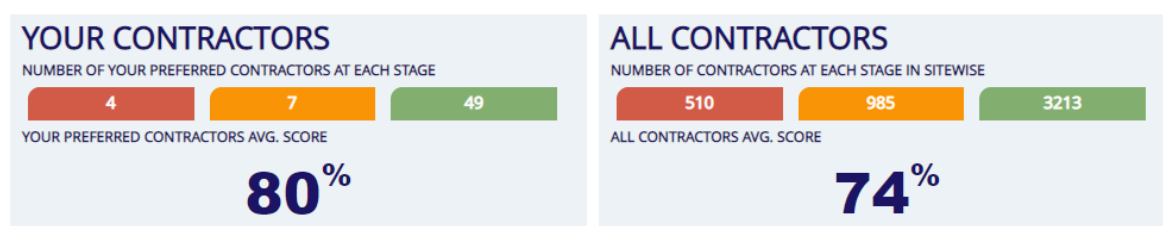
Issues register



Stress and vehicles are our most reported issues and are also the highest risks in our health and safety risk register. To help reduce incidents and mitigate the risk we will be looking at the causes of staff stress, and from there working out a plan specific to anything resulting from the work environment and also reviewing the need for driver training. Work in these areas had started but was delayed due to COVID-19.

Contractors

CONTRACTOR ASSESSMENT SCORES



We use Sitewise to assist in rating the safety procedures our contractors have in place. Our previous average contractor rating was under 74%. Due to our new procedures and training provided to managers our contractors now have an average rating of 80%. We will continue to do work in this area to improve our contractor rating. A contractor that does meet our standards (in the orange or red) is not used until they are able to provide us with more evidence that they have the required safety procedures in place. Where we are able to provide guidance in this area we do.

Legislative updates

Nil

Notifiable events

Nil

Wellbeing Committee

The Wellbeing Committee's focus has been on how to support our people during the COVID-19 outbreak and lockdown. The committee is now working on what is needed to support our staff now we are back in our offices after working at home for the last 9 weeks.

COVID-19

Level 2 protocols are in place for staff and contractors.

Completed training

No training was completed in May.

Forecasted training for June 2020 (Alert level and/or mode dependent)

Training forecasted June 2020	Pax
First Aid Revalidation	1
Total	1

As we are now at level 2, the training which was on hold will start to resume. We are currently trying to organise training for:

- The Site Traffic Management Supervisor (STMS).
- Health & Safety Rep Stage 1.
- First aid refresher courses.
- The Customer Service Manager and Chairperson for the Health and Safety Committee will attend Health and Safety Committee Member training and deliver in-house training to the Health and Safety Committee once we are able to.

Working priorities for June 2020

Working priorities for June 2020
Reviewing of significant hazard register (SHR) operating documents as per schedule in Risk Register.
Re-book/plan training which had been deferred due to COVID- 19.
Work with relevant groups (fire wardens, reps, chemical handlers) to review Promapp processes.
Finish the contractor management procedure and Cognise, then communicate to staff.
Communication on hazard identification and incident reporting.
Monitoring driving with increased use of council vehicles.
Stress – working with the Stress Group to find out where the issues are.
Finding a suitable driver training course and identifying staff who should attend.

Update on April and May working priorities

- Promapp procedures are being reviewed against other training systems (Cognise) and policies to ensure they all align. This will continue during June.

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager, Corporate Excellence
Date: 10 June 2020

TITLE: Confirmation of Minutes - 19 May 2020

ID: A1320505

From: Chris Taylor, Governance Support Manager

Recommendation

That the minutes of the council meeting held on 19 May 2020, be confirmed as a true and correct record.

Attachments/Ngā tapirihanga

Attachment 1: Council Meeting Minutes 19 May 2020 [↓](#)

Authorised by Group Manager

Name: Chris Taylor

Title: Governance Support Manager

Date: 09 June 2020

Council Meeting
19 May 2020

Northland Regional Council Minutes

Meeting held remotely
on Tuesday 19 May 2020, commencing at 10.30am

Present:

Chairperson, Penny Smart

Councillors:

John Bain

Justin Blaikie

Jack Craw

Colin Kitchen

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman

In Attendance:

Full or Part Meeting

Independent Financial Advisor

Independent Audit and Risk Advisor

Chief Executive Officer

GM - Corporate Excellence

GM – Strategy Governance and Engagement

GM – Environmental Services

GM – Regulatory Services

Finance Manager

Strategic Projects Manager

Biosecurity Manager – Partnerships & Strategy

Financial Accountant

Online Services Officer

Governance Support Manager

The Chair declared the meeting open at 10.31am. Proceedings commenced with a karakia by Councillor Craw.

Apologies (Ngā whakapahā) (Item 1.0)

Moved (Stolwerk / Robinson)

That the apologies from the Independent Financial Advisor for limited attendance and the Independent Audit and Risk Advisor for delayed arrival be received.

Carried

Council Meeting
19 May 2020

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.

Presentation - Emerging Leader of the Year Award (Item 3.0)

ID: A1314447

Report from Chris Taylor, Governance Support Manager

Moved (Yeoman/Macdonald)

That the presentation 'Emerging Leader of the Year Award' be received.

Carried

(unanimously)

Secretarial Note:

- *The GM Environmental Services acknowledged the 'outstanding achievement' of the Biosecurity Manager – Partnerships & Strategy, Kane McElrea, who had won the Brookfields Emerging Leader of the Year Award made by the Society of Local Government Managers. This award recognised an emerging leader (under 35 years) whose work had positively influenced community based control initiatives.*
- *The council commended the accomplishment, acknowledged the Biosecurity Manager as a 'true leader' and wished him all the best for the future.*

Health and Safety Report (Item 4.0)

ID: A1311465

Report from Beryl Steele, Human Resources Manager

Moved (Stolwerk/Kitchen)

That the report 'Health and Safety Report' by Beryl Steele, Human Resources Manager and dated 1 May 2020, be received.

Carried

Confirmation of Minutes - 21 April 2020 and 6 May 2020 (Item 5.1)

ID: A1311929

Report from Chris Taylor, Governance Support Manager

Moved (Yeoman/Robinson)

That the minutes of the council meeting held on 21 April 2020, and the Annual Plan Deliberations held on 6 May 2020, be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A1312046

Report from Chris Taylor, Governance Support Manager

Moved (Macdonald/Bain)

That the action sheet be received.

Carried

ID: A1315940

2

Council Meeting
19 May 2020

Matters arising from Item 5.2

- Councillors and the Well Being Committee were acknowledged for actioning the well being cards to staff. The cards had been well received and the exercise had proven a 'reverse wellbeing experience' for councillors as well.

Working Party Updates and Chairpersons' Briefings (Item 5.3)

ID: A1311973

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

Moved (Blaikie/Yeoman)

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

Carried

Matters arising from 5.3:

- The Chair of the Water and Land Working Party drew attention to the Taranaki Riparian Planting Programme which had proven the benefits of riparian planting for the ecology of streams and reduction in E.coli. He also noted that new erosion data demonstrated that the National Environmental Standards for Plantation Forestry was not reflective of the erosion risk in Northland.
- The Chair of the Planning and Regulatory Working Party stressed the benefit of having Te Taitokerau Māori and Council Working Party members represented. Key work programmes going forward included the plan change to give effect to the NPS Freshwater and implementing the rules signed off in the new Regional Plan. Progress was also being made on the ongoing issue of outstanding marine farm bonds.

Financial Report to 30 April 2020 (Item 6.1)

ID: A1312923

Report from Vincent McColl, Financial Accountant

Moved (Craw/Bain)

That the report 'Financial Report to 30 April 2020' by Vincent McColl, Financial Accountant and dated 6 May 2020, be received.

Carried

Key matters arising from Item 6.1:

- Appreciation was extended to the finance team for keeping council informed during such a rapidly evolving situation.
- The Independent Financial Advisor briefed the meeting, reiterating the 'hugely changeable environment' and stress that the finance team was facing. It was suggested that the standard practise of monthly reporting be suspended, and the finance team develop a more frequent mechanism of reporting to council. It was suggested that while council had 'bounced back' significantly during the month of April there may be another down turn in the equity markets and council must remain flexible and ready to respond.

ID: A1315940

3

Council Meeting
19 May 2020

- It was suggested that a sub group of councillors be identified to go through finances more frequently and in greater detail.
- Clarification was provided that EriksensGlobal Actuary, Jonathan Eriksen, would be addressing the Investment and Property Subcommittee the following week and councillors would have the opportunity to ask questions.
- Assurance was provided that the finance team was constantly looking for opportunities for improvement and ways to adapt to the climate of uncertainty.
- It was noted that council's cashflow was currently under pressure due to large welfare payments being made on behalf of the Crown; however, these would be reimbursed in due course. There was also uncertainty regarding the payment of quarter four rates.
- The Finance Manager provided a diagrammatic representation of the actual April results. While there was substantial improvement from the previous month, council was still \$1m less than budget.

Local Government Funding Agency - Amendments to Borrowing Documentation (Item 6.2)

ID: A1313679

Report from Simon Crabb, Finance Manager

Moved (Yeoman/Stolwerk)

1. That the report 'Local Government Funding Agency - Amendments to Borrowing Documentation' by Simon Crabb, Finance Manager and dated 7 May 2020, be received.
2. That the revised Multi-Issuer Deed and Noted Subscription Deed pertaining to Attachments 2 and 3 of Item 6.2 for the 19 May 2020 council agenda be approved.

Carried

It was further moved (Kitchen/Robinson)

3. That the CEO, and the NRC Chair and the Investment and Property Subcommittee Chair be delegated authority to sign the amending documentation.

Carried

Matters arising from Item 6.2:

- Clarification was provided that the proposed amendments to the LGFA borrowing programme currently had little impact on NRC. However, if it decided to increase its level of borrowing in the future the documentation would need 'greater scrutiny'.

Triennial Resolution to Re-form the Māori Technical Advisory Group (Item 7.1)

ID: A1312091

Report from Auriole Ruka, Kaiwhakahaere Hononga Māori

Moved (Yeoman/Macdonald)

1. That the report 'Triennial Resolution to Re-form the Māori Technical Advisory Group' by Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 4 May 2020, be received.

ID: A1315940

4

Council Meeting
19 May 2020

2. That council endorse the request to re-establish the Māori Technical Advisory Group (MTAG) for the 2019 – 2022 triennium, for the purposes of providing Māori technical advice and input for TTMAC into the development and implementation of council's plans and processes with an allocation cap of 10 meetings per annum.

Carried

Matters arising from Item 7.1:

- It was stressed that the technical advisory group provided crucial support for council and the Te Taitokerau Māori and Council Advisory Group given its ability to progress detailed work programmes.

Te Taitokerau Māori and Council Working Party - Nomination of New Member (Item 7.2)

ID: A1312992

Report from Auriole Ruka, Kaiwhakahaere Hononga Māori

Moved (Craw/Macdonald)

1. That the report 'Te Taitokerau Māori and Council Working Party - Nomination of New Member' by Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 6 May 2020, be received.
2. That council confirms Ngāti Hau hapū membership and their representatives Mike Kake and proxy Paul Strongman, as non-elected representatives on TTMAC working party.

Carried

Matters arising from Item 7.2:

- The work undertaken by the Māori Relationships Team was acknowledged.

Chair's Report to Council (Item 8.1)

ID: A1311319

Report from Penny Smart, Chair

Moved (Kitchen/Bain)

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 1 May 2020, be received.

Carried

Matters arising from Item 8.1:

- Appreciation was extended to the Chair for her hard work and leadership to support the council remotely during such a busy and challenging time.

ID: A1315940

5

Council Meeting
19 May 2020

Chief Executive's Report to Council (Item 8.2)

ID: A1311514

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Stolwerk/Blaikie)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 1 May 2020, be received.

Carried

Matters arising from Item 8.2:

- It was stressed that water and water security remained a critical issue in Northland. While there had been a short term improvement, rain levels remained well below average and unless there was significant Winter rain the region could be in a similar situation the following Summer. This message needed to be reinforced with the community and it was suggested that signage may be an effective way of achieving this to Northlanders and visitors alike.
- Appreciation was extended to the maritime team for the effective surveillance undertaken in conjunction with Police and customs during the lockdown period.
- Appreciation was also extended to the comms team for the successful social media engagement; which was particularly critical during lockdown for conveying key messages to the public.
- The GM Environmental Services undertook to circulate the NIWA Dune Lakes Review to elected members.
- Staff were looking to initiate a piece of work, in conjunction with the district councils and key industry, to look at opportunities for water conservation and resilience.
- There was general agreement that the terrestrial impacts of drought needed to be considered as 'another strand of climate change resilience'.
- Staff undertook to look at options to obtain baseline data on the dieback of native trees due to drought. Catchment groups and Facebook posts were a few options.

Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter Three of the 2019/20 Year (Item 8.3)

ID: A1313498

Report from Kyla Carlier, Corporate Planning Manager

Moved (Stolwerk/Bain)

That the report 'Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter Three of the 2019/20 Year' by Kyla Carlier, Corporate Planning Manager and dated 7 May 2020, be received.

Carried

ID: A1315940

6

Council Meeting
19 May 2020

Matters arising from Item 8.3:

- Attention was drawn to the fact that this was the third quarter reporting on KPIs but did not highlight the impact of COVID-19 on some of the performance indicators. An assessment had identified potentially 10 KPIs that had been directly impacted and as a result may not be met by the end of the financial year. These performance indicators largely related to environmental monitoring where staff had not been able to be out in the field due to lock down. There were also performance measures relating to bus passenger numbers where there was an obvious impact.
- There was general agreement that given the current pandemic event this was understandable. It was also noted that the monitoring network was under review and this would inform the redrafted KPIs within the Long Term Plan.
- In essence, KPIs were council's contract with the community and all effort would be made to articulate reasons for any non-compliance and also highlight other areas where the organisation had excelled during the pandemic response.
- Response to official information requests was one of the third quarter KPIs not achieved. Clarification was provided that while a monitoring system was in place there were on occasions extenuating circumstances that prevented response within 20 working days. The detail of this was reported monthly via the Chief Executive's Report.

Receipt of Committee Minutes (Item 9.0)

ID: A1312071

Report from Chris Taylor, Governance Support Manager

Moved (Kitchen/Bain)

That the unconfirmed minutes of the:

- Civil Defence Emergency Management Group meeting – 11 March 2020; and
- Audit and Risk Subcommittee – 15 April 2020

be received.

Carried

Matters arising from Item 9.0:

- The appointed FENZ representative on CDEM to be clarified.
- The Chair of the Audit and Risk Subcommittee advised it had been a productive first meeting addressing key programmes of work.
- Clarification was provided that the reporting back to council from committees/subcommittees was via the minutes (and any additional commentary from the respective Chair).
- The Independent Audit and Risk Advisor advised that external feedback should provide councillors confidence in the 'internal workings of audit and risk'.
- The Chair of CDEM advised the workshop concentrated on the drought response; given it was just prior to the situation with COVID-19 escalating. Appreciation was extended to the response team who had been on call for over four months due to the drought followed by COVID-19.

ID: A1315940

7

Council Meeting
19 May 2020

Business with Public Excluded (Item 10.0)

Moved (Smart/Robinson)

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
10.1	Confirmation of Confidential Minutes - 21 April 2020	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting.
10.2	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).
10.3	Acquisition Agreement for 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).
10.4	Reappointment of Northland Inc. Director	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(a).

3. That the Independent Audit and Risk Advisor be permitted to stay during business with the public excluded.

Open Meeting

Moved (Smart/Blaikie)

That the council resumes in open meeting.

Carried

Council Meeting
19 May 2020

Secretarial Note: Having resumed open meeting the council confirmed the resolutions pertaining to Confidential Item 10.4: Reappointment of Northland Inc. Director.

Reappointment of Northland Inc. Director (Item 10.4)

ID: A1314367

Report from Dave Tams, Group Manager, Corporate Excellence

Moved (Bain/Macdonald)

1. That the report 'Reappointment of Northland Inc. Director' by Dave Tams, Group Manager, Corporate Excellence and dated 11 May 2020, be received.
2. That the current Director of Northland Inc, Sarah Petersen, be reappointed for a term of one year, until 30 June 2021.
3. That the operational funding of \$18,000 be reinstated to cover this position.

Carried

Conclusion

The meeting concluded at 12.39pm.

ID: A1315940

9

TITLE: **Receipt of Action Sheet**

ID: A1322542

From: Chris Taylor, Governance Support Manager

Executive summary/Whakārapopotanga

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

Recommendation

That the action sheet be received.

Attachments/Ngā tapirihanga

Attachment 1: Council Action Sheet - June 2020 [↓](#)

Authorised by Group Manager

Name: Chris Taylor

Title: Governance Support Manager

Date: 09 June 2020

Outstanding Actions as at 9/06/2020

Id	Meeting	Target Date	Description	Request Details	Most Recent Comment
5548	Council 17/03/2020	31/03/20	LGNZ Remits	That the two remits (regarding a four year electoral cycle and video conferencing) be presented to the next Zone 1 and Regional Sector meetings and subsequently the LGNZ AGM.	The remit regarding video conferencing capability was withdrawn by the Chair. The remit regarding a four year term was supported by Zone 1 (at its meeting on 25 May 2020).
5652	Council 19/05/2020	2/06/20	Financial Report to 30 April 2020	That the finance team recommend a more frequent mechanism of financial reporting to council due to the rapidly changing environment.	The finance team have been working with the Independent Financial Advisor regarding the format of reporting.
5657	Council 19/05/2020	2/06/20	Northland drought	That consideration be given to physical signage to reinforce the message that water, and water security remained a critical issue in Northland.	The matter will be addressed at the next joint meeting of the 4 Waters and Northland Drinking Water Groups on 5 June 2020.
5660	Council 19/05/2020	2/06/20	Dieback of native trees	That staff look at options to obtain baseline data on dieback of native trees due to drought.	Plant and Food Research have a project underway that is investigating sudden collapse of native trees. NRC customer services and online services have been briefed on this issue so any reports of collapse of native trees can be reported to Plant and Food Research.

TITLE: Working Party Updates and Chairpersons' Briefings

ID: A1311976

Recommendation

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

Biosecurity and Biodiversity Working Party (Chairperson Cr Jack Crew)

The Biosecurity and Biodiversity Working Party met on 19 May 2020. The topics for discussion included:

- Work Programme overview
- Kauri Dieback National Pest Management Plan Status Update
- Regional Kauri Dieback Programme.

Following discussion, the Biosecurity and Biodiversity Working Party agreed on the following next steps:

- Investigating kiwi protection measures in addition to pest control
- Review tangata whenua aspects of draft Regional Kauri Dieback Operation Plan
- Present Kauri Dieback Operation Plan to council workshop.

Te Taitokerau Māori and Council Working Party (TTMAC) (Co-Chairs: Cr Robinson; Rudy Taylor)

The TTMAC Working Party met on 14 May 2020. The topics for discussion included:

- Economic development update from Northland Inc.
- Update on Taitokerau response to the drought and COVID-19
- Terms of Reference and Strategic Programme
- Regional marae-based hui
- Mātauranga Māori
- Tane Whakapiripiri
- Developing a draft water strategy
- Giving effect to water quality planning requirements in the National Policy Statement for Freshwater Management
- Annual Plan 2020/21
- Update on development of an inter-regional marine pest pathway plan
- Updates from other working parties.

Following discussion, the TTMAC Working Party provided advice on the following next steps:

- To endorse the proposed Terms of Reference, with the amendment that Te Roroa be included as one of the iwi authorities

- To engage MTAG to:
 - Flesh out the broad topics below that TTMAC identified as the strategic issues to progress over the coming term:
 - Water
 - Climate change
 - Economic development
 - Building capacity and capability
 - Representation
 - Planning and strategy
 - Revisit Iwi/Hapū Environmental Plans (IHEMPs) to help inform or provide a sufficient guideline to a draft Mātauranga Māori framework and bring that draft to TTMAC's 9 July meeting
 - Work on how to deliver regional-wide wananga and pilot the Tane Whakapiripiri recommendations aimed to benefit Māori capability and capacity across the region
 - Develop a draft water strategy, and to update TTMAC on progress
 - Continue working with staff on a proposed framework for engaging with iwi and hapū during the development of the plan change to the National Policy Statement for Freshwater Management (NPS-FM)
 - Continue working with staff on developing a proposal for a marine pest pathway plan under the Biosecurity Act 1993, with TTMAC being updated as to progress
 - Identify ways to support TTMAC members' full participation on working parties, and how to work cohesively across working parties in an effective way, and how to prioritise meeting kaupapa.
- To invite Northland Inc. (NINC) to return to the 9 July TTMAC meeting to discuss their Statement of Intent and how TTMAC can have input into the annual process
- Confirmation of marae-based hui for 2020
- For TTMAC to consider, as part of the LTP, a scheme where water tanks are purchased for households through a payback scheme on the rates over 5 – 10 years, and if there are other partners that may also be involved.

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 10 June 2020

TITLE: Financial Report to 31 May 2020

ID: A1322797

From: Vincent McColl, Financial Accountant

Executive Summary / Whakarāpopototanga

This report is to inform council of the year to date (YTD) financial result to May 2020. Council has achieved a YTD surplus after transfers to and from reserves of \$3.3M, which is \$991K favourable to budget. Included in this result is a \$640K net unfavourable impact for externally managed fund gains and receipt of an unbudgeted COVID-19 wage subsidy of \$1.52M.

Gains for the month of May have been estimated at \$896K based on advice from Jonathan Eriksen provided on 27 May.

Recommendation / Ngā mahi tūtohutia

That the report 'Financial Report to 31 May 2020' by Vincent McColl, Financial Accountant and dated 3 June 2020, be received.

Report

SUMMARY OPERATING RESULTS			
	000's ACTUAL YTD	000's BUDGET YTD	000's VARIANCE YTD
Revenue (including other gains)	\$ 48,761	\$ 46,642	\$ 2,119
Expenditure	\$ 43,983	\$ 44,022	\$ 40
NET (COST)/SURPLUS BEFORE TRANSFERS FROM/(TO) RESERVES	\$ 4,778	\$ 2,619	\$ 2,159
Transfer From (To) Special Reserves	\$ (1,443)	\$ (275)	\$ (1,168)
NET (COST)/SURPLUS AFTER TRANSFERS FROM/(TO) RESERVES	\$ 3,335	\$ 2,345	\$ 991

Revenue

Year to date revenue is \$48.77M, which is \$2.12M or 4.6% above budget.

YTD REVENUE VARIANCE INDICATORS BY REVENUE TYPE			
	FAV / (UNFAV)		Commentary
	\$	%	
Rates	\$70,274	0.3%	
User Fees and Sundry	\$324,316	7.8%	<ul style="list-style-type: none"> • Higher than budgeted consent monitoring fees of \$270K • Unbudgeted prosecution income of \$210K partially offset with higher than budgeted consultants and legal fees of \$168K • More than budgeted biosecurity materials sales of \$72K • Unbudgeted revenue for a mooring maintenance project of \$174K offset by higher than budgeted mooring maintenance costs of \$205K Partially offset by: <ul style="list-style-type: none"> • Lower than budgeted bus fare box revenue of \$263K. Free fares during the COVID19 period will be recovered from the NZTA at a later date. • Lower than budgeted consent application fees of \$115K • Lower than budgeted pilotage fees of \$95K due to COVID 19 related cancelled cruise ship visits
Grants and Subsidies	\$2,618,435	45.0%	<ul style="list-style-type: none"> • Unbudgeted Wage subsidy of \$1.52M • Unbudgeted COVID 19 welfare support grants of \$1.20M offset by unbudgeted welfare support payments of \$1.21M • Higher than budgeted Water Storage project subsidies of \$98K offset with higher than budgeted expenditure of \$303K • Unbudgeted income for drought response of \$201K offset with unbudgeted expenditure of \$418K (including labour of \$131K) • Higher than budgeted subsidies for GIS shared services of \$99K Offset by: <ul style="list-style-type: none"> • Lower than budgeted SHARP subsidies of \$474K offset with lower than budgeted expenditure of \$212K • Lower than budgeted FIF project subsidies of \$161K offset with lower than budgeted expenditure of \$222K
Investment Interest Income	\$34,703	6.1%	
Investment Property Income	(\$89,896)	(3.4%)	
Dividend Income	(\$165,585)	(4.5%)	<ul style="list-style-type: none"> • Marsden Maritime Holdings Limited's dividends totalled 16 cents per share compared with the budgeted 16.75 cents per share.
Short Term Fund Gains	\$18,348	44.1%	<ul style="list-style-type: none"> • Actual October YTD returns as per Eriksens Global of 0.7% (2.1% annualised) are lower than the budgeted 1.58% (4.75% annualised). Gains here remain greater than budgeted because the Short Term Fund had a higher balance than budgeted.
Property Reinvestment Fund Gains	\$374,358	227.0%	<ul style="list-style-type: none"> • Actual October YTD returns of 3.3% (9.9% annualised) are higher than the budgeted 1.73% (5.2% annualised).
Infrastructure Investment Fund Gains	\$281,865	80.1%	<ul style="list-style-type: none"> • Actual October YTD returns of 3.0% (9.0% annualised) are higher than the budgeted 1.64% (4.92% annualised)
Community Investment Fund Gains	\$291,139	106.6%	<ul style="list-style-type: none"> • Actual October YTD returns of 4.0% (12.0% annualised) are higher than the budgeted 1.78% (5.33% annualised).
Long Term Fund Gains (est. Nov 19)	(\$1,306,119)	(107.9%)	<ul style="list-style-type: none"> • Actual April YTD returns of 1.4% are lower than the budgeted 4.24% (5.09% annualised).
Short Term Fund Gains (est. Nov 19)	(\$328,728)	(102.7%)	<ul style="list-style-type: none"> • Actual April YTD returns of 2.6% are lower than the budgeted 4.14% (4.97% annualised).
Total	\$2,123,111	4.6%	

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. These accounts include an accrual for May as advised by Eriksens Global of 1.90% for the long term fund and 1.74% for the short term fund. The net impact on council's bottom line arising from the performance to date of its Managed Fund Portfolio is a surplus of \$1.69M. Compared to the corresponding budget this represents an unfavourable variance of (\$0.8M).

Expenditure

Year to date expenditure is \$43.98M, which is \$40K or 0.1% below budget.

YTD EXPENDITURE VARIANCE INDICATORS BY COUNCIL ACTIVITY			
	FAV / (UNFAV)		Commentary
	\$	%	
Regulatory Services	\$149,270	2.5%	<ul style="list-style-type: none"> Lower than budgeted salary costs within this group and other accumulated small variances Offset by: <ul style="list-style-type: none"> Higher than budgeted consultants and legal fees of \$168K relating to prosecutions income.
Environmental Services	\$1,019,255	9.0%	<ul style="list-style-type: none"> Lower than budgeted Freshwater Improvement Fund project expenditure of \$222K partially offset by lower than budgeted income Lower than budgeted SHARP expenditure of \$212K offset by lower than budgeted income Lower than budgeted pest control materials and works of \$236K Lower than budgeted stop bank and river clearance works of \$136K offset by lower than budgeted transfers from river reserves.
Governance and Engagement	\$231,656	2.6%	<ul style="list-style-type: none"> Lower than budgeted economic development grants of \$189K offset with lower than budgeted transfers from the Investment and Growth Reserve. This relates to the twin coast cycleway and footprints of Manea projects Lower than budgeted regional promotions grants of \$100k offset with lower than budgeted transfers from the Investment and Growth Reserve. Lower than budgeted salary costs within this group Lower than budgeted Maori advisory committee costs of \$47K Offset by: <ul style="list-style-type: none"> Higher than budgeted water storage projects costs of \$303K partially offset by more than budgeted grants
Customer Service and Community Resilience	(\$1,526,030)	(20.2%)	<ul style="list-style-type: none"> Unbudgeted drought response expenditure of \$279K (excluding labour) partially offset by unbudgeted recoveries. More than budgeted mooring expenses relating to a mooring maintenance project of \$204K. Unbudgeted COVID-19 welfare support payments of \$1.21M partially offset with grants. Offset by: <ul style="list-style-type: none"> Lower than budgeted NTA costs of \$45K including a credit from prior year invoices. Lower than budgeted transport advertising and promotions expenditure of \$67K partially offset with lower NZTA subsidies. Lower than budgeted Hatea Channel dredging costs of \$124K offset by lower than budgeted reserve movements.
Corporate Excellence	(\$236,616)	(3.6%)	<ul style="list-style-type: none"> Higher than budgeted IT expenditure of \$161K partially offset by higher than budgeted GIS shared services recoveries of \$99K Unbudgeted IT expenditure of \$169K including ORBICA, Teams implementations, and extra Microsoft charges 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 \$73K relating to a higher balance of the sporting facilities rate reserve than budgeted. Note that a \$1.4M grant for the Te Hiku Sports hub was expected in May but this has been delayed. Offset by: <ul style="list-style-type: none"> Unbudgeted recoveries for admin and vehicle costs for projects of \$47K Lower than budgeted HR costs of \$116K
CEO Office	\$402,235	11.5%	<ul style="list-style-type: none"> Lower than budgeted operational expenditure on the Kensington Redevelopment project of \$111K. Lower labour charged via timesheeting to the CEO department than budgeted of \$274K
Total	\$39,770	0.1%	

Note that across council there is a \$474K 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. It is likely that this variance will increase for the remainder of the year as recruitment is postponed until some time after the COVID-19 lockdown.

Transfers to reserves

For the year to date there has been a net transfer to reserves of \$1.44M compared to a budgeted net transfer to reserves of \$275K. This is predominantly due to:

- \$131K lower than budgeted transfers to externally managed fund reserves representing lower reinvestment of gains than budgeted.
- \$314K lower than budgeted transfers from the Investment and Growth Reserve predominantly due to economic development grants not occurring as budgeted.
- \$141K higher than budgeted transfers to the Whangārei and Far North bus reserves due to higher NZTA subsidies than budgeted.
- \$256K higher than budgeted transfers to river reserves predominantly due to lower than budgeted stop bank and river clearance works.
- \$136K lower than budgeted transfers from the Hātea River reserve due to the Hātea River dredging not occurring when budgeted.

Capital Expenditure

Actual capital expenditure year to date of \$3.58M is \$590K lower than budgeted capital expenditure of \$4.17M. Hydrology capex of \$150K has been identified as a carry forward and we expect additional carry forwards to be requested for the Awanui Flood Infrastructure, Water Street building reconfiguration, Far North nursery, and the Kaipara Service Centre capital projects, but the exact value of these are not yet known.

Operational expenditure carry forwards

We are currently reviewing our forecast expenditure to year end. We will critically evaluate any proposed carried forward of operational expenditure to ensure that it aligns with the work plan. At the time of writing this report we are aware of \$221,392 of operational carry forwards that will be evaluated and brought to council in August, but we expect the total amount of requested carry forwards to be higher than this at year end.

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager, Corporate Excellence
Date: 05 June 2020

TITLE: Adoption of User Fees and Charges 2020/21 | Kaupapa Here a Utu

ID: A1314750

From: Robyn Broadhurst, Policy Specialist and Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

This report presents the user fees and charges, and associated policy, contained within the User Fees and Charges 2020/21 schedule for setting and adoption by council.

Council's User Fees and Charges 2020/21 underwent a period of public consultation concurrently with the Annual Plan 2020/21.

Recommendation(s)

1. That the report 'Adoption of User Fees and Charges 2020/21 | Kaupapa Here a Utu' by Robyn Broadhurst, Policy Specialist and Kyla Carlier, Corporate Planning Manager and dated 11 May 2020, be received.
2. That council sets and adopts the User Fees and Charges 2020/21 included as Attachment 1 pertaining to Item 6.1 of the 16 June 2020 council agenda.
3. That council authorises Jonathan Gibbard, Group Manager –Strategy, Governance and Engagement to make any necessary minor drafting, typographical, rounding, or presentation corrections to the User Fees and Charges 2020/21 prior to final publication of the document.

Background/Tuhinga

Council's User Fees and Charges 2020/21 contains the charges that council is authorised to set under the various pieces of legislation that it works under. These are reviewed annually and have been reviewed and consulted on in conjunction with the process of developing the Annual Plan 2020/21.

All applicable charges in the user fees and charges schedule have been adjusted for inflation with a rate of 2.2% applied. This is the actual inflation budgeted for fees and charges within the Long Term Plan 2018-2028.

In addition to the inflationary increase, three new charges were also added for pilotage and shipping navigation and safety services fees for large ships outside of pilotage areas, the issuing of a notice of direction, and a marine biosecurity charge for large ships. Other minor changes comprised clarification to wording, minor updates to, and simplification of, existing charges, and removal of redundant charges/sections.

No further changes to the User Fees and Charges 2020/21 were made as a result of council deliberations held on 6 May 2020.

Considerations

1. Options

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 enactment, if the enactment does not authorise the local authority to charge a fee. Section

36 of the Resource Management Act 1991 authorises local authorities to fix charges and specifies that such charges must be fixed in the manner set out by section 150 of the LGA.

Council has completed a review of fees and charges and followed the relevant process for consultation required under sections 82 and 83 of the LGA.

No.		Option	Advantages	Disadvantages
1		Set and adopt the User Fees and Charges 2020/21	Policy, fees and charges can be updated for the 2020/21 financial year.	None
2		Do not set and adopt the User Fees and Charges 2020/21	None	Fees and charges will not be updated for the 2020/21 financial year, resulting in inaccurate costs, and the inability of council to recover the costs of activities.

The staff's recommended option is 1, to set and adopt the User Fees and Charges 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 the LGA requirements in relation to decisions.

Consultation on the User Fees and Charges 2020/21 has been completed, achieving compliance with council's Significance and Engagement Policy.

3. Policy, risk management and legislative compliance

The decision to confirm and adopt the User Fees and Charges 2020/21 is in accordance with section 150 of the LGA and is consistent with the policy and legislative requirements of the various pieces of legislation that council sets charges under. These are detailed in sections 2.1 – 2.6 of the User Fees and Charges 2020/21, and in addition to the LGA include the Resource Management Act, Northland Regional Council Navigation Safety Bylaw, Maritime Transport Act, the Biosecurity Act, and the Building Act.

Further considerations

4. Community views

The views of the community on the amendments and alterations in the User Fees and Charges 2020/21, were obtained during a period of consultation in accordance with sections 82 and 83 of the LGA. Community views have been provided to council by way of links to full submissions and a summary of submissions report.

Council has considered the proposals included in the User Fees and Charges 2020/21 by way of a deliberations meeting held on 6 May 2020 that centred upon the public feedback received.

5. Māori impact statement

While there were no proposals in the User Fees and Charges 2020/21 that were considered to have significant and specific impacts on Māori over and above those of the general public, the process of consultation included engagement with Māori. This occurred by way of a letter circulated via electronic direct mail to all iwi and hapū groups on council's database, along with reporting to the Te Taitokerau Māori and Council Working Party.

6. Financial implications

The User Fees and Charges 2020/21 sets out the fees and charges for the 2020/21 financial year, which make up a portion of council's income sources. An estimation of the income received from these fees and charges, that contributes to budgeted income for the 2020/21 financial year, is reflected in the financial statements set out in council's Annual Plan 2020/21.

7. Implementation issues

It is not anticipated there will be any implementation issues for the User Fees and Charges 2020/21 following adoption.

Attachments/Ngā tapirihanga

Attachment 1: User Fees and Charges 2020-21 Final [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 10 June 2020



User Fees and Charges 2020/21

Kaupapa Here a Utu 2020/21

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User Fees and Charges 2020/21
2

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.

1.2 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).

User Fees and Charges 2020/21
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Policies on charging and fees for specific activities and functions

2.1 Provision of information and technical advice

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

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

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

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

1. Staff costs related to making the information available – i.e., officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs (refer Section 3.2);
2. Any additional costs incurred, for example, photocopying, printing binding; and computer processing costs – refer to Section 3.9.10.
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 [website](#).

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

1. The fee for land use consents for earthworks and/or vegetation clearance (including mining, quarrying, forestry, bridging and gravel extraction) also includes the water and discharge permits to divert and discharge stormwater where these are required;
2. The fee for discharge permits for sewage volumes greater than three cubic metres per day (e.g. communal subdivision systems, marae etc.) includes the associated discharge to air resource consent; and
3. The fee for discharge permits to discharge stormwater includes the associated water permit to divert stormwater.

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

2.2.3.4 *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

1. The charges reflect the nature and scale of consented activities. In general, those activities having greater actual or potential effects on the environment require greater supervision and monitoring from the council. In setting these charges, the council has duly considered that their purpose is to recover the reasonable costs in relation to the council's administration, monitoring and supervision of resource consents and for undertaking its functions under Section 35 of the Resource Management Act.

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 2.2.7.2).
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 2.2.7.4 and 3.5). The general method for charging for large-scale activities is to apply the formulae in Section 2.2.8.6.

2.2.7.2 (Water take) resource user charge

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

2.2.8 Additional monitoring/supervision charges

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

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

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

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

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

2.2.8.6 The costs that make up the charge will include:

1. Labour costs; officers' actual recorded time spent, including travel time, in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Section 3.2); plus
2. Any sampling and testing costs incurred; plus any equipment costs (excluding vehicle running costs) associated with the monitoring of the non-compliance; plus
3. Any external costs incurred (e.g. external consultants, hire of clean-up equipment).
4. For consent holders only, no additional supervision charge will be applied where the annual charges for their consents are sufficient to cover the costs incurred in following up their consent non-compliance.
5. In the case of water takes, annual charges are estimated on the basis of normal summer flows and consequently during drier than normal years further monitoring may be required in the form of flow, water level and/or water abstraction measurements. The costs of this further work will be charged to the consent holder in the form of additional supervision charges as outlined above.

2.2.9 Charges for emergency works

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

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

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

Charges for labour, supply of information and the council plant and equipment are detailed in Sections 3.2 and 3.9.

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.

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

2.2.11 Charges set by regional rules

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

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

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

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

1. Staff costs – officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. (See Staff Charge Rates in Section 3.2)
2. Hearings – the costs of pre-hearing meetings and hearings will be charged to the applicant. Council members' hearing costs will be recovered as determined by the Remuneration Authority. Staff costs and committee members' fees or the actual costs of independent commissioners at formal hearings will be charged.
3. For applications relating to restricted coastal activities, the applicant will also be charged the council's costs of the Minister of Conservation's representative. Charges related to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.
4. External costs, disbursements, are additional to the above charges, for example advertising, consulting and legal advice, laboratory testing, hearing venues and incidental costs.

2.2.12 Preparing or changing a policy statement or plan

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

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

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

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

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

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

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

2.2.13 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.
2. Time spent by council staff identifying and confirming the person(s) responsible for causing or allowing the activity to take place or to have taken place.
3. Time spent by council staff alerting and informing the person(s) of their responsibilities in relation to the activity, including any guidance or advice as to how any adverse effects of the activity might be managed.
4. Staff travel time and vehicle mileage.
5. Costs of any specific testing of samples taken.
6. Costs of professional services contracted to assist in the inspection/investigation of the activity.
7. Clean up costs and materials.

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

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

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

The council is responsible for identifying and monitoring contaminated land under Section 30(1)(ca) of the RMA. Council will recover the costs of inspections plus the actual and reasonable cost of site investigations including any specific testing of samples taken. Staff charge rates, sampling and equipment costs are outlined in Sections 3.2 and 3.9.

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

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 2019/20 year. The proposal to recover only the actual costs of the function for the current (2020/21) year is considered to be an equitable and efficient means of recovering cost of the marine biosecurity function.

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
Per hour	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.

3.2.1 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-site review) under s53 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004		
• 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 permits under S10(4), 20(3) and 21(3) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 (see Note 7)		
• Notified (including limited notification)	1,068.26	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:		
<ul style="list-style-type: none"> • In cases where only the applicant requests independent commissioner(s), all the costs for the application to be heard and decided will be charged to the applicant. • In cases where one or more submitters requests independent commissioner(s), the council will charge as follows: 		

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

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

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

Please see Section 3.9.10 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)

Estimated value of work	Minimum estimated initial fee (MEC) \$ excluding GST	(MEC) \$ including GST
All applications	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.

Function	Minimum estimated initial fee \$ including GST	Hourly charge for exercise of functions or to recover additional costs
Action to be taken in respect of buildings deemed to be dangerous or insanitary		Standard labour charge rates shown below.
Issue of a Notice to Fix		Minimum charge of \$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
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. Above \$100,000 value
2. \$20,000 - \$100,000 value
3. \$0 to \$20,000 value

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 m ³ per day	113.00	0.00	113.00
ADM001 RUC001	10 – 29 m ³ per day	113.00	30.00	143.00
ADM001 RUC002	30 – 69 m ³ per day	113.00	72.00	185.00
ADM001 RUC003	70 – 199 m ³ per day	113.00	208.00	321.00
ADM001 RUC004	200 – 499 m ³ per day	113.00	521.00	634.00
ADM001 RUC005	500 – 999 m ³ per day	113.00	1,043.50	1,156.50
ADM001 RUC006	≥ 1000 m ³ 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)
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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.

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

3.5.5.1 Scale of annual charges for Moorings and Marina Berths

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge per mooring or berth \$ including GST ⁽¹⁾	Total fee \$ including GST
MOR001 MOR002 BIO001	Individual swing, pile and jetty moorings with or without resource consents.	113.00	80.50	85.00	278.50
MOR004 MOR002 BIO001	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 BIO001	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

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 \$ including GST ⁽¹⁾	Total fee \$ including GST
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 BIO001	Boatsheds	150.00	80.50	85.00	315.50
CST007 NAV002 BIO001	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 10m ² and up to 300m ²	150	80.50 ⁽³⁾	-	230.50

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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 300m ²	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 ([information can be found here](#)), 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

⁴ Gross tonnage means the gross tonnage of a ship as defined in the Navigation Safety Bylaw 2017 for Northland

	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 date of booking for pilotage	
	Change of date of booking to a date that is within one month of original booking, and given at less than one months notice	10% of pilotage charge
	(v) Ships to anchor in the Bay of Islands - public holiday 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
c.	Shipping	
	(i) Navigation and Safety Services Fee per ship visiting the Bay of Islands when the master is exempt from compulsory pilotage	
	Up to 3000 GT	\$1.17/GT
	(ii) Navigation and Safety Services Fee per ship visiting the Poor Knights Area to be avoided under Maritime NZ approval for exemption from applicable Marine Protection Rules.	

	Over 45 metres length overall	\$1.17/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

1. 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.	For water transport operators not serviced by a port company, at actual time and cost.	
c.	Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the council will recover any balance on an actual cost basis.	

3.7.5 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
<p>Maritime Rule Part 130B requires that the operator of an oil transfer site obtain the approval for a site marine oil spill contingency plan from the director of Maritime New Zealand. The power to approve these plans has been delegated by the director to the Chief Executive Officer(sub-delegated to council employees)of the Northland Regional Council in an Instrument of Delegation pursuant to Section 444(2) of the Maritime Transport Act 1994.</p> <p>A Minimum fee will apply.</p> <p>Section 444(12) of the Maritime Transport Act 1994 allows the council to charge a person a reasonable fee for:</p>		
a.	Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments.	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
<p>A minimum fee is charged and further charges may apply based on officer's actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. Should travel be required, additional costs for mileage will be charged the standard rate as approved by the Inland Revenue Department.</p>		

3.8 Biosecurity

3.8.1 Pest control products

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

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

1. 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	pH	5.22	6.00
7371	Salinity	5.22	6.00
7372	Temperature	1.30	1.50

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

3.9.2 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

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

(a) Workboat hire (per hour)	\$ 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

(b) Small launch hire (per hour)	\$ excluding GST	\$ including GST
Whāngārei Work Boat - "Ruawai"	279.13	321.00
Standby - "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

Moorings 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

Per day	\$ excluding GST	\$ 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

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.



TITLE: Adoption of the Annual Plan 2020/21 | Mahere-a-Tau 2020/21

ID: A1318940

From: Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

The purpose of this report is to present the Annual Plan 2020/21 for final adoption, following a process of development, consultation and council deliberation.

Since work began on this Annual Plan the world has changed enormously, with the impact of COVID-19 and one of the worst droughts on record felt keenly by the region. Council has indicated their confidence in the resilience and adaptability of Northlanders to get through these unprecedented events, and an awareness that there are tough times to come for the region.

Council were faced with a fall in forecast revenue from investments and other sources such as cruise ship fees, and a clear message from the community to keep rates as low as possible. But their ongoing responsibilities to maintain the services essential to keeping our environment, people and communities healthy and safe remained unchanged. It was critical to get the balance right between reducing costs and providing essential services.

Close to \$2.4 million has been cut from this 2020/21 budget, and financial reserves have been used. These adjustments have cut the previously planned rates rise virtually in half, from the consulted 8.6% increase, to one of 4.5%. Each of the reductions in budget were carefully considered by council and priority areas for re-establishment were identified, should non-rating revenue streams generate greater returns than currently forecast.

Council has indicated their determination to not lose ground on the important environmental and other critical work that is already underway and represents a very strategic, long-term investment in Northland's future.

Recommendations

1. That the report 'Adoption of the Annual Plan 2020/21 | Mahere-a-Tau 2020/21' by Kyla Carlier, Corporate Planning Manager and dated 24 May 2020, be received.
2. That council resolve to apply \$7,380,760 of funding from the Property Reinvestment Fund reserve to development of the Kaipara Service Centre, as reflected in the Annual Plan 2020/21 budgets, and in accordance with confidential item 9.4 of this agenda.
3. That council resolve not to include in the 2020/21 Annual Plan budget \$6,000,000 of funding as investment in infrastructure for a recirculated aquaculture scheme, with future funding to be confirmed by resolution of council (during the 2020/21 financial year).
4. That in accordance with section 95 of the Local Government Act 2002, the council adopts the Annual Plan 2020/21, as included as Attachment 1 pertaining to Item 6.2 of the 16 June 2020 council agenda.
5. That the council authorises Jonathan Gibbard, Group Manager – Strategy and Governance to make any necessary minor drafting, typographical, rounding, or

presentation corrections to the Annual Plan 2020/21 prior to the document going to print.

Background/Tuhinga

The Local Government Act 2002 (LGA) requires council to develop an annual plan for the second and third years following a long term plan to identify any changes from what was set out in that long term plan. The LGA outlines the process for determining if consultation is required as part of the development of an annual plan, and prescribes the process of consultation to be followed.

Several changes from the Long Term Plan 2018–2028 (LTP) were proposed in the Annual Plan 2020/21 consultation, adding an extra \$1.4 million to council's operating budget for the year and \$265,000 of capital spend. This added 4.6%, on top of the LTP-approved 4% increase in rates for the year and took the proposed total rate increase to 8.6%.

Consultation was carried out using the principles of consultation as outlined in section 82 of the LGA, over a one-month period from 26 February to 27 March 2020.

Toward the end of the public consultation process the situation with COVID-19 escalated quickly, resulting in nationwide lockdown and declaration of a state of emergency. The current and forecast economic impacts of COVID-19 are significant for council and our community. Council's economic modelling and budget re-forecasting showed an estimated nett revenue decrease for council of almost \$3.4 million, and an increased provision for bad debts was required.

In response to the re-forecast decrease in council revenue and negative economic impact on the region, council reviewed the proposals that were put forward in the annual plan consultation, paring back or removing these wherever possible. Pre-approved spend for year three of the LTP, business as usual, and recruitment budgets were also reviewed and savings were made where possible. Council's reserves and investment funds were used to supplement decreases in revenue in order to maintain our levels of service to the community wherever possible.

Where budgetary savings were made, these savings were applied to the most appropriate rate. LTP savings were applied to the original rate that they were approved to be funded by, and all other savings were applied to rates using the same logic applied to annual plan and LTP proposals, and in accordance with the definition of rates as set out in the Annual Plan 2020/21.

Council deliberated on the annual plan proposals, and the proposed response to the economic impacts of COVID-19, on 6 May 2020.

Subsequent to deliberations, and following a legal advice, staff re-adjusted the assumptions pertaining to the source of funds applied to investment in the Kaipara Service Centre development and investment in a building and core infrastructure for a recirculated aquaculture scheme with NIWA. In the supporting information to the annual plan process, funding for these projects was shown as assumed to come from borrowings from the Local Government Funding Agency.

Funding for the Kaipara Service Centre is now budgeted to be allocated from the Property Reinvestment Fund reserve in accordance with the purpose of that reserve fund. Funding for the investment in aquaculture scheme with NIWA has been deferred and is no longer included in the budgets for the annual plan 2020/21. Funding of this investment will be considered by future resolution of council during the year.

Details of the proposals approved and not approved, other savings made, and movements in reserves and investment funds, are set out in the final Annual Plan 2020/21, included as **Attachment 1** to this report.

This annual plan also contains council's funding and rates statements for the 2020/21 year.

Any content, including financial information and policies, not legally required to be located within an annual plan have not been included in this final document in an effort to avoid unnecessary

duplication and keep the document size to a minimum. Where possible, relevant information is made available on council's website.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Adopt the Annual Plan 2020/21	Council will achieve compliance with the LGA, and will have a budget and forecast financial statements in place for the 2020/21 financial year.	None
2	Do not adopt the Annual Plan 2020/21	None	Council will not achieve compliance with the LGA and will enter the 2020/21 financial year without an approved budget.

The staff's recommended option is option 1 - to adopt 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 is council's Significance and Engagement Policy, and it assists council in determining how to achieve compliance with the LGA in relation to decisions.

The proposals and content included in this annual plan resulted in the Council Services Rate exceeding a 2% increase, which triggered council's Significance and Engagement Policy. Consultation was carried out in accordance with section 82 of the LGA.

The decision to approve and adopt the Annual Plan 2020/21 following a period of consultation and further consideration of any changes made after consultation, is considered to be compliant with council's Significance and Engagement Policy.

3. Policy, risk management and legislative compliance

The adoption of an Annual Plan is a requirement of section 95 of the LGA, with the process to be followed set out in Part 6 of this Act, which encompasses the council's decision making (sections 76 to 81), planning (sections 95 to 96) and consultation (sections 82 and 82A) processes.

Adoption of the Annual Plan 2020/21 is consistent with the policy and legislative requirements outlined above.

Further considerations

4. Community views

The views of the community on the proposals included in the Annual Plan 2020/21 were obtained during a period of consultation, in accordance with section 82 of the LGA. Community views have been provided to council by way of links to full submissions and a summary of submissions report.

Council has discussed the proposals included in the Annual Plan 2020/21 by way of a deliberations meeting on 6 May 2020 that included consideration of public feedback received.

5. Māori impact statement

There were a number of proposals in the Annual Plan 2020/21 that specifically related to council's obligations to Māori. The process of consultation included engagement with Māori, and this occurred by way of pānui circulated to all iwi and hapū groups on council's database, and reporting to the Te Taitokerau Māori and Council Working Party.

6. Financial implications

This annual plan sets out the budget, forecast financial statements, and rates examples for the 2020/21 financial year.

All activities outlined in the final Annual Plan 2020/21 have been budgeted for.

7. Implementation issues

There are no anticipated implementation issues for the Annual Plan 2020/21 following adoption of the plan at this meeting.

Attachments/Ngā tapirihanga

Attachment 1: Annual Plan 2020/21 | Mahere-a-Tau 2020/21 [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 10 June 2020

Annual Plan 2020/21



Mahere-a-Tau 2020/21

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Northland 
REGIONAL COUNCIL
Te Kaunihera ā rohe o Te Taitokerau

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Moving forward Katete



Nau mai || Welcome

If the land is well

Toitū te whenua

If the sea is well

Toitū te moana

The people will thrive

Toitū te tāngata

He Mihi mo te Mahere-ā-Tau

Ko te Amorangi ki mua, ko te hāpai ō ki muri.

Otirā, ko Te Atua kei mua, kei muri iho i ngā mea katoa,

e tūmanakohia nei tātou i runga i te mata o te whenua.

Whai muri atu i tēnā, me mihi ki o tātou maha mate, e

hinga mai nei, e hinga atu rā mai Tāmaki ki Te Rerenga Wairua,

haere koutou e ngā mate, haere, haere, haere.

Ka whakahokia mai ngā kōrero ki waenganui i a tātou te kanohi ora, e noho mai ana ki ēra ō tātou marae kainga huri noa i ngā to pito katoa o Te Taitokerau, tēnā koutou, tēnā koutou, tēnā koutou katoa.

E whai ake i raro nei ngā kupu whāriki mō te Mahere-ā-Tau 2020/21

This mihi is an acknowledgement and greeting to the people of Northland and proudly introduces the Annual Plan 2020/21



Message from Chair and Chief Executive

Since this council started working on the Annual Plan in late 2019, the world has changed enormously.

We have all pulled together to meet the challenge of the COVID-19 pandemic, putting everything on hold and livelihoods on the line, and undoubtedly saving the lives of many Northlanders through our collective efforts.

We have also been through one of the worst droughts on record which, at the time of writing, is far from over.

And yet, we as a council have no doubt that the resilience and adaptability that runs deep in Northlanders will help get us through these unprecedented events.

Our council is acutely aware there are tough times to come for our region as we navigate the ongoing impacts of COVID-19 and drought on our economy. We are also faced with a big shortfall in revenue against what we had previously budgeted for the coming year.

What has not changed is our council's ongoing responsibilities to maintain the services essential to keeping our environment, people and communities healthy and safe.

It's critical to get the balance right between reducing costs to you and providing you with essential services. With this in mind council has cut close to \$2.4 million from our proposed 2020/21 budget. This was in response to the fall in forecast revenue from our investments and other sources such as cruise ship fees, and the clear message from you to keep rates as low as possible.

As well as cutting our spending we dug deep into our financial reserves, helping us to continue delivering activities which would have otherwise required rating income to continue. All these adjustments allowed us to cut the previously planned rates rise virtually in half, from the consulted 8.6% increase, to one of 4.5%.

Our council carefully considered each of the reductions in budget that were made to achieve this decrease, identifying priority areas to be reestablished should our non-rating revenue streams generate greater returns than currently forecast.

We can't afford to lose ground on the important environmental and other critical work that's already underway and effectively represents a very strategic, long-term investment in our region's future; that would end up costing more in the long run.

The decisions we have made should enable council and its ratepayers to move ahead with as much certainty as possible in the circumstances.

In a similar vein, central government's Budget 2020 is strongly focussed on growing our economy and creating jobs – including in the environmental sector – and we look forward to supporting this economic recovery work here in Northland.

While there are uncertain times ahead, our vision, strength and unity in Taitokerau will see us through – together we will thrive.

He waka eke noa: We are all in this together



Penny Smart
Chair



Malcolm Nicolson
Chief Executive Officer

Meet your locals Tūtakitakitia i te iwi kāinga



About this Annual Plan 2020/21

E pā ana ki tēnei Mahere ā tau

This, the second annual plan developed following the Long Term Plan in 2018, reflects an unprecedented period of change. It is the result of 12 months of work that began with a standard review of our activities and funding sources to make sure that we were still on track to deliver the work that we'd committed to, and that we were in a good position to plan for future change in our next Long Term Plan.

Our annual planning documents often acknowledge that change is constant, particularly when combining political and natural environments with global financial markets. However the rapid rate of change that happened in the later stages of developing this annual plan as a result of COVID-19 was unprecedented and required us to be at our most agile, and make some challenging calls.

The result is a plan that is substantially different from what was originally consulted on, but one that strikes a balance between keeping up critical work and investment in our region, and addressing the affordability of rates in a post-COVID environment.

The process

In February 2020 council finalised the proposals for the consultation of this annual plan, which comprised an extra \$1.4 million of operating spend and \$265,000 of capital spend, for a suite of new investment across our activities. This would equate to an average 8.6% increase in rates, 4.6% above the 4% previously approved for the year.

Talking to our communities is a key part of developing any plan, and this Annual Plan was no different. Our consultation document set out the changes that were proposed, and the consultation began on 26 February. By the close of the submission period on 27 March, things were looking very different with a national state of emergency declared, and financial markets were looking uncertain.

Twenty submissions were received during the consultation period, which included feedback on both consulted and non-consulted topics. In the last week of consultation submissions on the annual plan proposals changed markedly as the economic impact of COVID-19 emerged, with pressure placed on all councils across New Zealand not to increase rates as planned, or to roll out a rates freeze.

Responding to COVID-19

Suddenly having to re-assess the proposed rate increase, and the work that it would fund, was just the beginning of the challenge for council. The economic impacts of COVID-19 were significant, with economic modelling and budget re-forecasting showing an estimated nett revenue decrease for council of approximately \$3,357,000. In addition, allowance had to be made for an estimated increase in bad debts provision of \$681,000, and movements on reserve balances.

In response to this sudden decrease in revenue, a review of all consulted annual plan proposals was carried out, to determine where proposals could be deferred without significantly impacting our core work. In addition, we reviewed all work programmes that had previously been approved for the year as part of the last Long Term Plan, and removed \$453,651 of previously approved spend. We also reviewed our business-as-usual budget and our recruitment budget making cuts where we could, making savings of over a million dollars.

The proposals that are no longer able to be funded as part of this annual plan budget are still intended to be carried out at a later date depending on the economic situation and council's future investment income, or may need to be consulted on again as part of the next Long Term Plan process.

Even with the substantial cuts that were made to the proposed annual plan, Long Term Plan, and business as usual budgets, a budgetary hole remained. To help fill this, we used some of our reserves and investment funds. These are funds that earn investment income, some of which is transferred to reserves and held there to fund activities, and would not ordinarily be drawn on unless required. Due to the re-forecast decrease in council revenue as a result of recent economic downturn, and a resulting significant decrease in income that had been budgeted to subsidise rates and fund council activities, it was considered appropriate that these be drawn upon.

We allocated \$150,000 from the Equalisation Fund Reserve, \$696,838 from the Community Investment Fund, \$250,000 from the Infrastructure Investment fund, and \$123,583 from the Property Reinvestment fund to fund general operating activities. We also allocated \$1,700,000 from the Community Investment Fund to fund economic development activities.

As a result of these reviews and allocations, the rate increase for the 2020/21 year was able to drop from the 8.6% consulted on in the annual plan consultation to 4.5% - only 0.5% above the amount previously approved for 2020/21 in our Long Term Plan 2018-2028.

What we approved:

- Technology upgrades | \$300,000 of operational expenditure (*reduced by \$200,000*)
- Replacement engines for the vessel 'Ruawai' | \$35,000 of capital expenditure
- Freshwater quality accounting system | \$50,000 of operational expenditure (*reduced by \$100,000*)
- Water quality monitoring stations | \$105,000 of capital expenditure
- Aupōuri groundwater analysis | \$20,000 of operational expenditure
- Lake level sensors | \$33,000 of capital expenditure
- Expansion of poplar and willow nursery | \$78,000 of capital expenditure
- Climate change adaptation strategy | \$105,000 of operational expenditure
- Monitoring officer for Kaitia | \$70,273 of operational expenditure

What we didn't approve:

- Kaiarahi Mahere Māori - Māori technical advisor | \$101,000 of operational expenditure and \$4,700 of capital expenditure.
- Northland Māori representation on national committee 'Te Maruata' | \$7,000 of operational expenditure.
- Tangata whenua capability and capacity | \$30,000 of operational expenditure
- Campaigns and engagement coordinator | \$40,000 of operational expenditure and \$4,700 of capital expenditure
- Pest plant prevention | \$110,000 of operational expenditure
- Junior hydrology officer | \$69,000 of operational expenditure and \$4,700 of capital expenditure
- Off-site storage of consent files | \$17,000 of operational expenditure
- Data asset management | \$75,000 of operational expenditure
- Modelling highly allocated aquifers | \$100,000 of operational expenditure
- National wells database | \$20,000 of operational expenditure

What we removed from the pre-approved budget:

- Far north poplar and willow nursery manager | \$70,322
- Eastern Bays Hill country staff | \$82,206
- Project costs associated with Northern Wairoa and lakes projects | \$41,854
- Enviroschools staff and seminar costs | \$86,385
- Sponsorship, intern and environmental awards funding | \$68,880
- Painting of Water Street building, vehicle costs | \$104,004

What we approved

During their deliberations, council approved the following consulted proposals:

Technology upgrades | \$300,000 of 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 put significant pressure on our information technology systems, and we identified that we needed to invest more to implement modern enterprise systems which 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.

We originally proposed to boost investment by \$500,000 for 2020/21 and for two years following while migration to the new system was completed. During deliberations this amount was reduced to \$300,000. While this will slow implementation of the new enterprise system, the funding is sufficient to allow the project to continue to move ahead.

The \$300,000 of operational expenditure required, ongoing for three years, will predominantly be funded from the Council Services Rate.

Replacement engines for the vessel 'Ruawai' | \$35,000 of 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 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.

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

Freshwater quality accounting system | \$50,000 of 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, to ensure that quality and accurate information is available for future management of freshwater.

We originally proposed to allocate a one-off spend of \$150,000 to the system. During deliberations this amount was reduced to \$50,000.

The \$50,000 of one-off operational expenditure required will predominantly be funded from the Freshwater Management Rate.

Water quality monitoring stations | \$105,000 of capital expenditure

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. In order to upgrade the sensors and get the best data for our environmental science framework, \$105,000 of one-off capital spend was allocated. The ongoing operational costs of \$7,000 a year were able to be covered by existing budgets.

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.

Aupōuri groundwater analysis | \$20,000 of operational expenditure

We are one of a few regions with groundwater age data already available, and have a unique opportunity to participate in an independent study on detailed groundwater age analysis. \$20,000 has been allocated to carry out a more detailed analysis of 10-12 sites across the Aupōuri 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.

Lake level sensors | \$33,000 of capital expenditure

Our lake level recorders, which allow us to monitor the water level in our lakes, were due for replacement in the coming financial year and we're future-proofing 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 \$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 capital expenditure

The council-owned 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, and \$78,000 has been allocated to expand the nursery by another 4ha, allowing us to grow another 30,000 poplar and willow poles to meet future demand.

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 operational expenditure

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.

The one-off spend of \$105,000 will, in addition to existing budget and contributions from district councils, 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.

Monitoring officer for Kaitaia | \$70,273 of operational expenditure

We've experienced a marked increase in the consent monitoring workload in the Kaitaia area, as a result of avocado growing developments and the associated use of groundwater from the Aupōuri Aquifer. The drought Northland experienced during the consultation period highlighted the need for immediate increased water monitoring in the area, and after the Annual Plan 2020/21 consultation document had been released for public feedback, it became clear that an additional environmental monitoring officer was needed to service the Kaitaia area, and further north.

The \$70,273 of ongoing operational expenditure required will predominantly be funded from the Freshwater Management Rate.

What we didn't approve

During their deliberation council resolved not to fund the following consulted proposals in the 2020/21 budget, with the intention that they would be brought back to council for approval during the year if revenue was higher than anticipated.

Kaiarahi Mahere Māori – Māori technical advisor | \$101,000 of operational expenditure and \$4,700 of 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. Funding of \$101,000 was 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.

Northland Māori representation on national committee 'Te Maruata' | \$7,000 of operational expenditure.

Te Maruata is a sub-committee of the National Council of Local Government New Zealand (LGNZ), and it provides advice and support for LGNZ, as well as an opportunity for input into future national policy and legislation. Funding of \$7,000 was proposed to enable two members of Te Tai tokerau Māori and Council Working Party to represent Northland on this national committee.

Tangata whenua capability and capacity | \$30,000 of 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 hapū based Mana Whakahono ā Rohe agreement for Northland, and new funding of \$30,000 was proposed to support this commitment, and the training and capacity building that it comprises.

While council resolved not to fund this proposal, it was identified as a priority proposal to be brought back to council if revenue allowed.

Campaigns and engagement coordinator | \$40,000 of operational expenditure and \$4,700 of capital expenditure

A campaigns and engagement coordinator was proposed to help ensure that our communities can easily engage with us, and that they are aware of the work that council is carrying out, with a focus on water

and pest management engagement activities. Funding of \$40,000 was sought as a portion of the funding required to support this position.

Pest plant prevention | \$110,000 of 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 plant species from becoming established. A review of these programmes had identified the benefit of extra contract work to complete surveillance and control inspections, at a cost of \$110,000.

Junior hydrology officer | \$69,000 of operational expenditure and \$4,700 of capital expenditure

Maintaining a hydrometric network for Northland is one of our primary environmental responsibilities, and the boost in work that resulted from the last Long Term Plan put pressure on the team running this network. With health and safety standards often requiring two officers to carry out some of the work in the field, further stretching existing resources, it was proposed to employ a junior hydrology officer at a cost of \$69,000.

Off-site storage of consent files | \$17,000 of 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, and which take up physical space, cost staff time, and are not a permanent long-term method of storing information. \$17,000 was proposed to move these records to a secure off-site location, releasing valuable office space, and enabling them to be scanned into digital files.

Data asset management | \$75,000 of operational expenditure

Data is one of council's biggest assets, and managing this huge volume of data is no mean feat. We'd proposed to create an inventory of our data to fully understand its status, so that we could develop a plan to improve data quality and mitigate risks, at a cost of \$75,000.

Modelling highly allocated aquifers | \$100,000 of 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. We'd proposed \$100,000 to purchase a model to help us assess the allocation limits for the Aupōuri, Ruawai and Russell aquifers, to enable effective planning and set the scene for longer term planning and reviews.

While council resolved not to fund this proposal, it was identified as a priority proposal to be brought back to council if revenue allowed.

National wells database | \$20,000 of operational expenditure

Another piece of the groundwater management puzzle is tracking and recording the wells that are extracting groundwater. We had the opportunity to do this via a joint effort between five regional councils to develop a wells database that can provide effective data storage and reporting of well information, with the contribution costing \$20,000.



What we removed from the pre-approved budget

During their deliberation council resolved not to proceed with \$453,651 of the planned just over \$700,000 of spend that had previously been approved as part of the Long Term Plan 2018-2028 for inclusion in the 2020/21 budget. It is intended that they would be brought back to council for approval during the year if revenue was higher than anticipated.

Far north poplar and willow nursery manager | \$70,322

We'd intended to expand our production of poplar and willow poles with the development of a nursery in the far north. We haven't been able to find suitable land, and are now looking in to expanding the existing nursery instead, meaning that a manager is not immediately necessary.

Eastern Bays Hill country staff | \$82,206

Funding from central government for additional hill country work means that staffing levels are currently sufficient.

Project costs associated with Northern Wairoa and lakes projects | \$41,854

These overhead costs associated with project staffing are no longer required as the vacancies are being put on hold.

Enviroschools staff and seminar costs | \$86,385

We've been growing our successful Enviroschools programme to meet the high demand from the region. Stopping this funding will mean that the programme cannot expand as planned, but will not prevent the popular programme from being delivered in its current capacity.

Sponsorship, intern and environmental awards funding | \$68,880

Reducing this funding means that we cannot offer additional sponsorship or Māori intern role in the 2020/21 year. The environmental awards will still proceed in a more limited capacity.

Painting of Water Street building, vehicle costs | \$104,004

We're keeping up essential maintenance but deferring the painting of our Water Street building.

Using our reserves and funds

We maintain several reserves and investment funds. The money from these funds is used to earn investment income, and some of this investment income is transferred to other reserves where it is held and used to fund council activities.

Generally, investment gains are re-invested and are not drawn upon unless required. The expected decrease in council revenue as a result of COVID-19 meant it was an appropriate time to draw on these, to help fill the hole resulting from a significant decrease in our forecast revenue.

We drew \$150,000 from the Equalisation Fund Reserve to fund our operational activities. This was consistent with the purpose of the reserve, which is intended to smooth rating increases.

We also drew \$250,000 from the Infrastructure Investment Fund and \$696,838 of current year and historical gains from the Community Investment Fund, and applied this to general funding to maintain a balanced budget. To help make up for the loss of rental income we've experienced due to the economic impacts of COVID-19, we also retained \$123,583 of funding from the Property Reinvestment fund to apply to general funds.

In addition to the use of these reserves to fund our general activities, we transferred \$1.7 million of capital from the Community Investment Fund (CIF) to the Investment and Growth reserve, to fund economic activity for 2020/21. We would usually transfer the \$1.7 million from our investment income, including a contribution from the CIF, but with a significant reduction in our investment income now forecast, we opted to use capital from the CIF.

Finances Mahere ā Pūtea



Funding impact statement

Te tauākī pānga pūtea

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		Annual Plan	LTP Year 3	Variance
2019/20		2020/21	2020/21	
\$(000)		\$(000)	\$(000)	\$(000)
47,644	Operational Expenditure	50,988	45,479	(5,509)
16,744	Capital Expenditure	17,864	5,002	(12,862)
64,388	Total Gross Expenditure	68,852	50,481	(18,371)
Funded By				
8,017	Council services Rate	9,098	8,143	955
2,408	Land Management Rate	2,327	2,693	(366)
4,903	Freshwater Management Rate	5,003	5,151	(148)
4,527	Pest Management Rate	4,583	4,690	(107)
2,154	Flood Infrastructure Rate	2,236	2,220	16
1,604	Civil Defence and Hazard Rate	1,635	1,648	(13)
611	Targeted Regional Infrastructure Rate	611	611	-
1,385	Targeted Regional Sporting Facilities Rate	1,385	1,385	-
4,251	Other Targeted Rates	4,250	4,251	(1)
4,793	Grants and Subsidies	8,149	2,869	5,280
4,388	User Charges	3,989	4,492	(503)
2,996	Rental Income	3,309	2,575	734
3,340	Interest Income	2,281	4,909	(2,628)
3,708	Dividend Income	1,495	4,096	(2,601)
-	Borrowings	3,116	-	3,116
15,303	Cash Reserves from/(to)	15,385	748	14,637
64,388	Total Funding	68,852	50,481	18,371

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		Annual Plan	LTP Year 3	Variance
2019/20		2020/21	2020/21	
\$(000)		\$(000)	\$(000)	\$(000)
Sources of Operating Funding				
-	General Rates, uniform annual general charges, rates penalties	-	-	-
29,860	Targeted rates	31,128	30,792	(336)
4,793	Grants and subsidies for operating purposes	8,149	2,869	(5,280)
4,388	Fees Charges	3,989	4,492	503
7,048	Interest and dividends from investments	3,776	9,005	5,229
2,996	Local authorities fuel tax, fines, infringement fees and other receipts	3,310	2,575	(735)
49,085	Total Sources of Operating Funding	50,352	49,733	(619)
Applications of Operating Funding				
46,304	Payments to staff and suppliers	49,928	44,081	(5,846)
1,340	Finance costs	1,060	1,398	338
-	Other operating funding applications	-	-	-
47,644	Total Applications of Operating Funding	50,988	45,479	(5,508)
1,441	SURPLUS/(DEFICIT)FROM OPERATING FUNDING	(636)	4,253	4,889
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)

Finances **Mahere ā Pūtea**

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Applications of Capital Funding				
Capital expenditure				
-	- To meet additional demands	-	-	-
15,470	- To improve levels of service	11,751	3,157	(8,594)
1,274	- To replace existing assets	6,113	1,845	(4,268)
(616)	Increase/(Decrease) in reserves	(579)	1,383	1,962
(8,142)	Increase/(Decrease) in investments	(14,805)	(83)	14,722
<u>7,986</u>	Total Applications of Capital Funding	<u>2,480</u>	<u>6,302</u>	<u>3,822</u>
<u>(1,441)</u>	SURPLUS/(DEFICIT) FROM CAPITAL FUNDING	<u>636</u>	<u>(4,253)</u>	<u>(4,889)</u>
<u>-</u>	FUNDING BALANCE	<u>-</u>	<u>-</u>	<u>-</u>

Reconciliation to Statement of Comprehensive Revenue and Expense

Annual Plan		Annual Plan	LTP Year 3	Variance
2019/20		2020/21	2020/21	
\$(000)		\$(000)	\$(000)	\$(000)
16,744	Capital expenditure included above not in Comprehensive Revenue and Expense	17,864	5,002	(12,862)
(8,142)	Investment movements included above not in Comprehensive Revenue and Expense	(14,805)	(83)	14,722
-	- 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	(579)	1,383	1,962
-	- Infrastructure asset revaluation adjustments included in comprehensive income but not above	-	-	-
(1,810)	Depreciation Expense included in Comprehensive Income not above	(1,839)	(1,823)	16
(369)	Total Comprehensive revenue and expense for the year per the Statement of Comprehensive Revenue and Expense	(2,475)	2,430	4,905

Rates

Ngā Reiti

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 \$75,700 to fund the ongoing maintenance of the Hātea River channel.

How much is the rate?

The estimated total council services rate amounts to **\$10,462,778** 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	\$92.40	per SUIP
Kaipara	\$125.27	per rating unit
Whangārei	\$120.20	per SUIP

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 \$2,675,824 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	Actual land value \$(000)s	Equalised land value \$(000)s	Rate per \$100,000 of actual land value
Far North	10,252,478	10,252,478	\$8.78
Kaipara	5,073,386	5,701,343	\$9.95
Whangārei	14,261,891	14,870,732	\$9.14

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 \$5,753,546 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	Rate per \$100,000 of actual land value
Far North	10,252,478	10,252,478	\$18.87
Kaipara	5,073,386	5,701,343	\$21.37
Whangārei	14,261,891	14,870,732	\$19.66

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 \$5,270,162 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	Rate	Rateable unit
Far North	\$46.88	per SUIP
Kaipara	\$63.56	per rating unit
Whangārei	\$60.11	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 \$2,570,886 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 \$27.05.

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 \$1,880,080 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	Rate	Rateable unit
Far North	\$16.73	per SUIP
Kaipara	\$22.67	per rating unit
Whangārei	\$21.44	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 **\$1,112,941** 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 \$11.71.

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 \$16.76.

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	Actual land value \$(000)'s	Equalised land value \$(000)'s	Rate per \$100,000 of actual land value
Far North	10,252,478	10,252,478	\$2.30
Kaipara	5,073,386	5,701,343	\$2.61
Whangārei	14,261,891	14,870,732	\$2.40

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 **\$1,015,162** for the 2020/21 financial year. The rate will be set at \$23.20 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 **\$319,533** for the 2020/21 financial year. The rate will be set at \$8.60 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

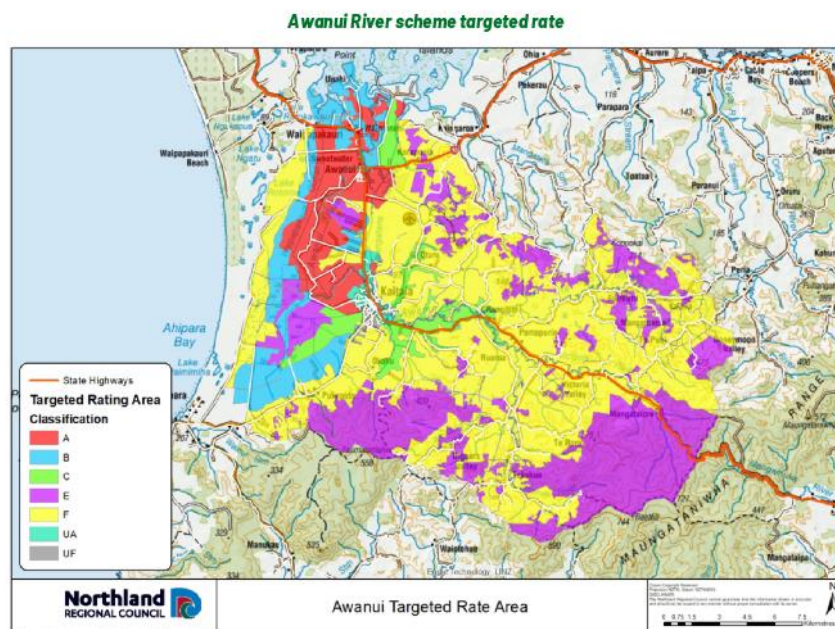
This rate funds capital and operational works on the Awanui River flood management scheme.

How it is set

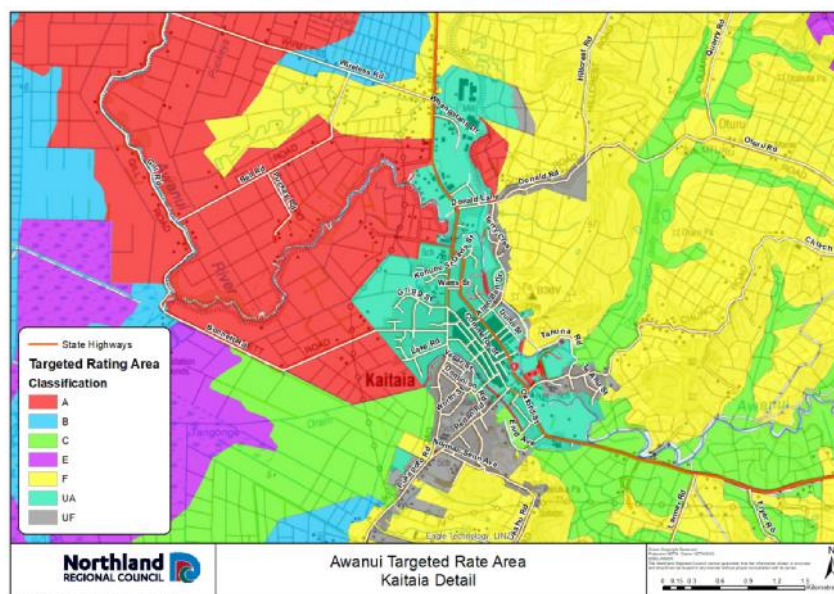
The Awanui River management rate is a targeted rate set under the Local Government (Rating) Act 2002, set differentially by location and area of benefit as illustrated by the following table and maps. The rate is set differentially as follows:

Awanui river management rate			
Category	Description	Rate	Rateable unit
1	Urban rate class UA (floodplain location) \$296.23 direct benefit plus \$29.89 indirect benefit per separately used or inhabited part of a rating unit.	\$326.12	Per SUIP
2	Urban rate classes UF (higher ground) \$29.89 direct benefit plus \$29.89 indirect benefit per separately used or inhabited part of a rating unit.	\$59.78	Per SUIP
3	Commercial differential factor applicable to urban rate classes UA and UF, and rural hectare rate classes A & B, C, E and F.	3.0 times the appropriate rate	Urban rate classes UA and UF, and rural hectare rate classes A & B, C, E and F
4	Rural rate differentiated by class, \$13.18 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 Kaitiāia flood rating district as illustrated in the following maps and table.	\$13.18	Per SUIP

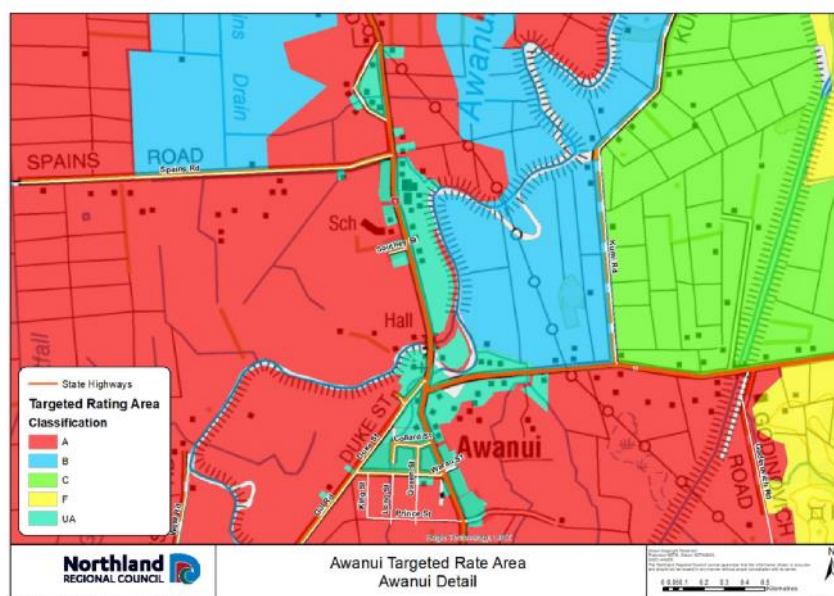
The rating classifications and the rate charged are illustrated in the following maps and table.



Awanui scheme targeted rate - Kaitiā 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
C	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 [Awanui Scheme Asset Management Plan](#), 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:

Awanui river management rate

Class	Rural or urban	Total revenue
A & B	Rural	\$139,082
C	Rural	\$17,898
F	Rural	\$20,563
Indirect benefit	Rural	\$21,466
Urban A	Urban	\$467,803
Urban F	Urban	\$39,697
Commercial differential	Majority urban	\$383,843
Total		\$1,090,352

How is the rate applied?

The rate is applied 100 percent 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.

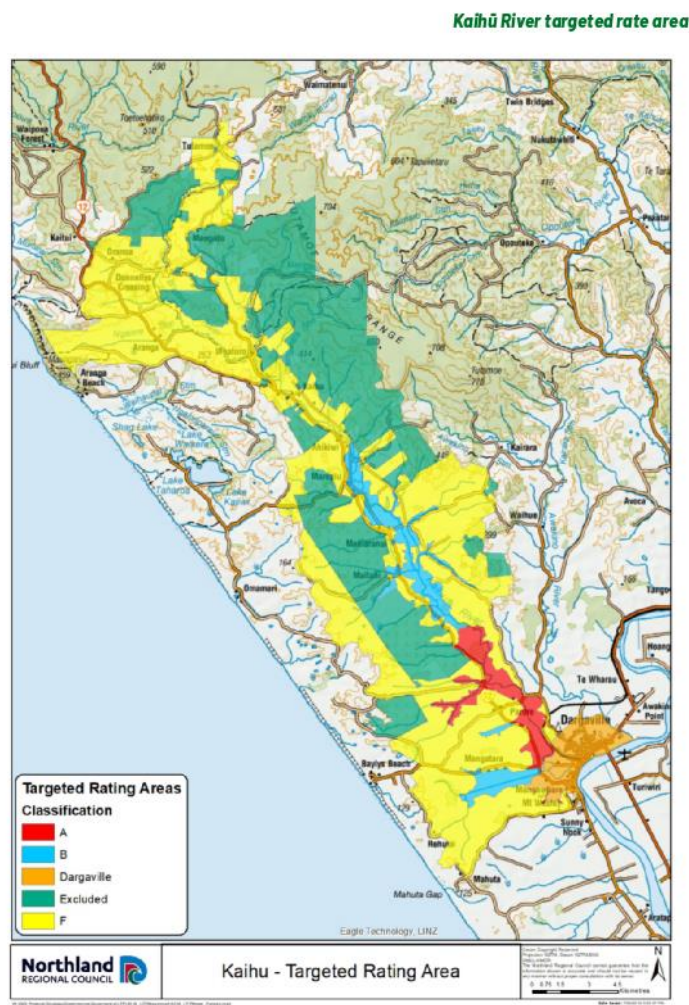
How it is set

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

Class	Description	Rate per hectare
A	Land on the floodplain and side valleys downstream of the Rotu Bottleneck.	\$23.13
B	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
F	Balance of rateable land within the Kaihū River rating area.	\$1.60
	Urban contribution	Per annum
	A contribution from Kaipara District Council instead of a separate rate per property.	\$5,015

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:

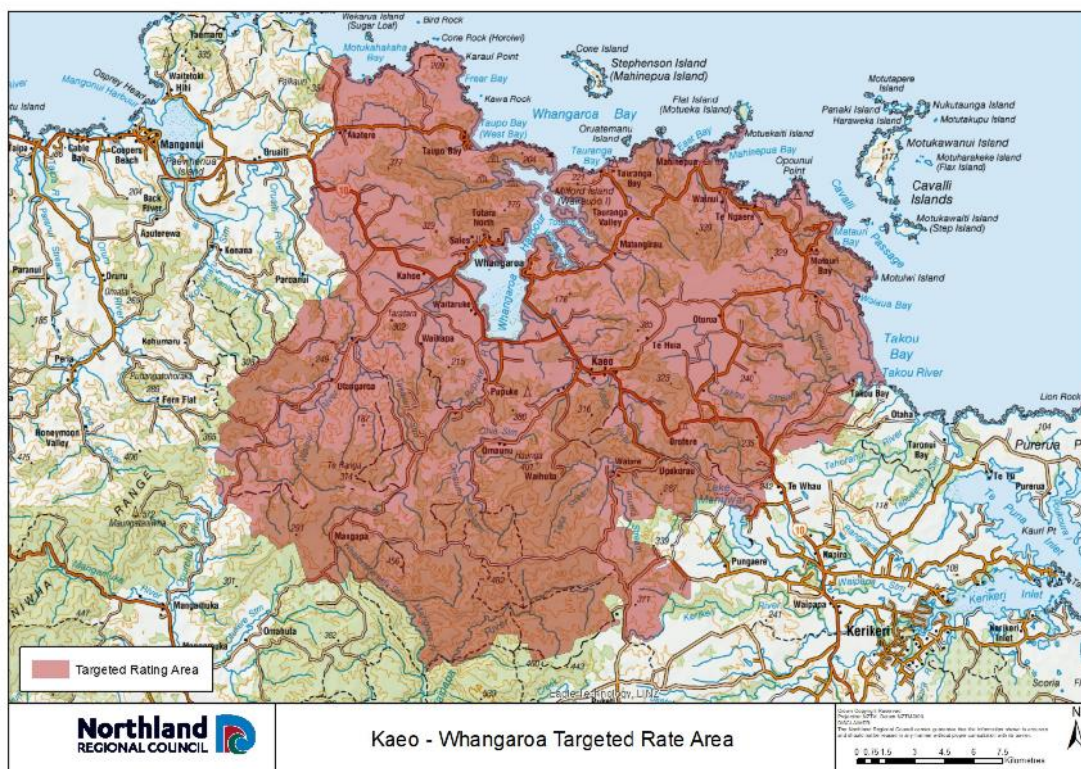
Kaihū river management rate	
Class	Total revenue
A	\$31,798
B	\$12,148
F	\$30,908
Urban contribution	\$5,015
Total	\$79,869

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 rivers management rate

Kāeo-Whangaroa River targeted rate area



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 \$51.36 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:

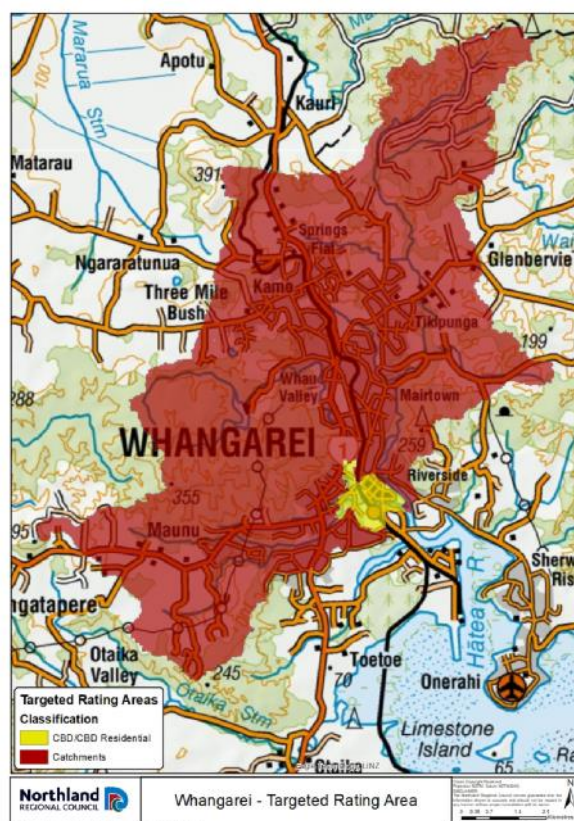
Whangārei urban rivers management rate			
Category	Description	Rate	Rateable unit
1	Commercial properties in the Whangārei CBD flood area.	\$353.75	Per SUIP
2	Residential properties in the Whangārei CBD flood area.	\$174.91	Per SUIP
3	Properties in the contributing water catchment area (including properties falling in the Waiarohia, Raumanga, Kirikiri and Hātea River catchments).	\$43.52	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:

Whangārei urban rivers management 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.

Whangārei 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 rateable 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 \$ = 0.0000914	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0001966	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.000024	(\$)	(\$)	(\$)
Residential Property (non CBD)			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	225,000	20.57	22.31
Targeted Freshwater Management Rate		44.24	45.50
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74

Targeted Regional Infrastructure Rate		5.40	5.69
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Total Regional Rates		350.68	334.08
Residential Property (in CBD area)			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	225,000	20.57	22.31
Targeted Freshwater Management Rate		44.24	45.50
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.40	5.69
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Whangārei River Management Rate - CBD Residential		174.91	174.16
Total Regional Rates		525.59	508.24
Residential Property (in stormwater catchment area)			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	225,000	20.57	22.31
Targeted Freshwater Management Rate		44.24	45.50
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.40	5.69
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Whangārei River Management Rate - General Catchment		43.52	43.34
Total Regional Rates		394.20	377.42
Farm Property			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	2,750,000	251.35	272.64
Targeted Freshwater Management Rate		540.65	556.11
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02

Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		66.00	69.60
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Total Regional Rates		1,138.47	1,158.93
Commercial Property (non CBD)			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	2,000,000	182.80	198.28
Targeted Freshwater Management Rate		393.20	404.44
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		48.00	50.62
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Total Regional Rates		904.47	913.92
Commercial Property (in CBD area)			
Targeted Council Services Rate		120.20	104.25
Targeted Land Management Rate	2,000,000	182.80	198.28
Targeted Freshwater Management Rate		393.20	404.44
Targeted Pest Management Rate		60.11	58.37
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		21.44	20.68
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		48.00	50.62
Targeted Whangārei Transport Rate		23.20	22.83
Targeted Emergency Services Rate		11.71	11.69
Whangārei River Management Rate - CBD Commercial		353.75	352.25
Total Regional Rates		1,258.22	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 \$ = 0.0000995	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0002137	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.0000261	(\$)	(\$)	(\$)
Residential Property			
Targeted Council Services Rate		125.27	112.05
Targeted Land Management Rate	225,000	22.39	23.92
Targeted Freshwater Management Rate		48.08	48.74
Targeted Pest Management Rate		63.56	63.80
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		22.67	22.61
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.87	6.08
Targeted Emergency Services Rate		11.71	11.69
Total Regional Rates		343.36	331.65
Farm Property			
Targeted Council Services Rate		125.27	112.05
Targeted Land Management Rate	2,750,000	273.62	292.38
Targeted Freshwater Management Rate		587.68	595.68
Targeted Pest Management Rate		63.56	63.80
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		22.67	22.61
Targeted Regional Sporting Facilities Rate		16.76	16.74

Targeted Regional Infrastructure Rate	71.78	74.36
Targeted Emergency Services Rate	11.71	11.69
Total Regional Rates	1,200.11	1,215.33

Additonal for Properties in the Kaihū River Catchment	Land Value	2020/21	2019/20
GST Inclusive	(\$)	Rates	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 \$ = 0.0000878	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0001887	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.000023	(\$)	(\$)	(\$)
Residential / Commercial / Other			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	225,000	19.76	26.28
Targeted Freshwater Management Rate		42.46	53.54
Targeted Pest Management Rate		46.88	46.78
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		16.73	16.58
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.18	6.68
Targeted Emergency Services Rate		11.71	11.69
Targeted Far North Transport Rate		8.60	8.68
Total Regional Rates		287.53	295.15
Farm Property			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	2,750,000	241.45	321.23
Targeted Freshwater Management Rate		518.93	654.33
Targeted Pest Management Rate		46.88	46.78
Targeted Flood Infrastructure Rate		27.05	26.02

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Targeted Civil Defence and Hazard Management Rate	16.73	16.58
Targeted Regional Sporting Facilities Rate	16.76	16.74
Targeted Regional Infrastructure Rate	63.25	81.65
Targeted Emergency Services Rate	11.71	11.69
Targeted Far North Transport Rate	8.60	8.68
Total Regional Rates	1,043.76	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 2018/19 = LV rate in the \$ = 0.0000878	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0001887	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.000023	(\$)	(\$)	(\$)
Residential & Commercial Urban			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	225,000	19.76	26.28
Targeted Freshwater Management Rate		42.46	53.54
Targeted Pest Management Rate		46.88	46.78
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		16.73	16.58
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.18	6.68
Targeted Emergency Services Rate		11.71	11.69
Targeted Far North Transport Rate		8.60	8.68
<i>Plus Awanui river management rates applicable to:</i>			
- Urban rate class UA (floodplain location)		326.12	327.96
- Urban rate classes UF (higher ground)		59.78	60.01
- Commercial Urban UA		978.36	983.88
Lifestyle Property - 10 hectares			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	450,000	39.51	52.57

Targeted Freshwater Management Rate	84.92	107.07
Targeted Pest Management Rate	46.88	46.78
Targeted Flood Infrastructure Rate	27.05	26.02
Targeted Civil Defence and Hazard Management Rate	16.73	16.58
Targeted Regional Sporting Facilities Rate	16.76	16.74
Targeted Regional Infrastructure Rate	10.35	13.36
Targeted Emergency Services Rate	11.71	11.69
Targeted Far North Transport Rate	8.60	8.68

Plus Awanui River Management Rates applicable to:

- Rural Commercial A & B	747.28	747.37
- Rural Class A & B	257.88	258.03
- Rural Class C	123.88	124.06
- Rural Class E	13.18	13.35
- Rural Class F	24.08	24.24

Farm Property - 100 hectares

Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	2,750,000	241.45	321.23
Targeted Freshwater Management Rate		518.93	654.33
Targeted Pest Management Rate		46.88	46.78
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		16.73	16.58
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		63.25	81.65
Targeted Emergency Services Rate		11.71	11.69
Targeted Far North Transport Rate		8.60	8.68

Plus Awanui River Management Rates applicable to:

- Rural Commercial A & B	7,354.18	7,354.35
- Rural Class A & B	2,460.18	2,460.08
- Rural Class C	1,120.18	1,120.45
- Rural Class E	13.18	13.35
- Rural Class F	122.18	122.22

Note: Commercial properties for the Awanui River management rate are subject to the 3:1 commercial differential: On \$326.12 for urban commercial UA class equating to \$978.36; on \$59.78 for urban commercial UF class equating to \$179.34; 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 \$13.18 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).

Far North - Kāeo-Whangaroa			
Land Management Rate 2018/19 = LV rate in the \$ = 0.0000878	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0001887	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.000023	(\$)	(\$)	(\$)
Residential / Commercial / Other			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	225,000	19.76	26.28
Targeted Freshwater Management Rate		42.46	53.54
Targeted Pest Management Rate		46.88	46.78
Targeted Flood Infrastructure Rate		27.05	26.02
Targeted Civil Defence and Hazard Management Rate		16.73	16.58
Targeted Regional Sporting Facilities Rate		16.76	16.74
Targeted Regional Infrastructure Rate		5.18	6.68
Targeted Emergency Services Rate		11.71	11.69
Targeted Far North Transport Rate		8.60	8.68
Targeted Kāeo-Whangaroa Rivers Management Rate		51.36	52.06
Total Regional Rates		338.89	347.21
Farm Property			
Targeted Council Services Rate		92.40	82.16
Targeted Land Management Rate	2,750,000	241.45	321.23
Targeted Freshwater Management Rate		518.93	654.33
Targeted Pest Management Rate		46.88	46.78

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Targeted Flood Infrastructure Rate	27.05	26.02
Targeted Civil Defence and Hazard Management Rate	16.73	16.58
Targeted Regional Sporting Facilities Rate	16.76	16.74
Targeted Regional Infrastructure Rate	63.25	81.65
Targeted Emergency Services Rate	11.71	11.69
Targeted Far North Transport Rate	8.60	8.68
Targeted Kāeo-Whangaroa Rivers Management Rate	51.36	52.06
Total Regional Rates	1,095.12	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)	Capital Value	Land Value	Capital Value	Land Value
	or SUIP (others)	or SUIP (others)						
	(gross)	(net)	\$(000)	\$(000)	\$(000)	\$(000)	(%)	(%)
Far North District	38,534	37,155	19,484,844	10,252,478	19,484,844	10,252,478	33.05%	33.26%
Kaipara District	14,759	14,130	8,936,389	5,073,386	10,045,512	5,701,343	17.04%	18.50%
Whangārei District	45,071	43,757	28,373,534	14,261,891	29,421,095	14,870,732	49.91%	48.24%
Total Valuation - Northland	98,364	95,042	56,794,767	29,587,755	58,951,451	30,824,553	100.00%	100.00%

	Rates 2020/21 (including GST)			Rates 2019/20 (including GST)		
		Total (gross)	Total (net)		Total (gross)	Total (net)
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
Targeted Council Services Rate						
Far North (per SUIP)	92.40	3,560,542	3,433,122	82.16	3,109,982	3,023,383
Kaipara (per RU)	125.27	1,848,860	1,770,065	112.05	1,631,669	1,561,189
Whangārei (per SUIP)	120.20	5,417,534	5,259,591	104.25	4,755,947	4,634,917
		10,826,936	10,462,778		9,497,598	9,219,489
Targeted Land Management Rate						
Far North (per \$ of actual LV)	0.0000878	900,168	890,067	0.0001168	906,054	895,546
Kaipara (per \$ of actual LV)	0.0000995	504,802	494,975	0.0001063	531,165	522,627
Whangārei (per \$ of actual LV)	0.0000914	1,303,537	1,290,782	0.0000991	1,400,168	1,351,234
		2,708,507	2,675,824		2,837,387	2,769,407
Targeted Freshwater Management Rate						
Far North (per \$ of actual LV)	0.0001887	1,934,643	1,914,068	0.0002379	1,845,620	1,823,491
Kaipara (per \$ of actual LV)	0.0002137	1,084,183	1,064,160	0.0002166	1,082,154	1,064,161
Whangārei (per \$ of actual LV)	0.0001966	2,803,888	2,775,318	0.0002022	2,855,984	2,751,351

		5,822,714	5,753,546		5,783,758	5,639,003
Targeted Pest Management Rate						
Far North (per SUIP)	46.88	1,806,474	1,741,826	46.78	1,770,784	1,721,475
Kaipara (per RU)	63.56	938,082	898,103	63.80	929,051	888,921
Whangārei (per SUIP)	60.11	2,709,218	2,630,233	58.37	2,663,165	2,595,393
		5,453,774	5,270,162		5,363,000	5,205,789
Targeted Flood Infrastructure Rate						
Far North (per SUIP)	27.05	1,042,345	1,005,043	26.02	984,883	957,458
Kaipara (per RU)	27.05	399,231	382,216	26.02	378,898	362,532
Whangārei (per SUIP)	27.05	1,219,171	1,183,627	26.02	1,187,074	1,156,865
		2,660,747	2,570,886		2,550,855	2,476,855
Targeted Civil Defence and Hazard Management Rate						
Far North (per SUIP)	16.73	644,674	621,603	16.58	627,428	609,957
Kaipara (per RU)	22.67	334,587	320,327	22.61	329,184	314,965
Whangārei (per SUIP)	21.44	966,322	938,150	20.68	943,619	919,606
		1,945,583	1,880,080		1,900,231	1,844,528
Targeted Regional Sporting Facilities Rate						
Far North (per SUIP)	16.76	645,912	622,797	16.74	633,474	615,835
Kaipara (per RU)	16.76	247,392	236,849	16.74	243,706	233,180
Whangārei (per SUIP)	16.76	755,486	733,461	16.74	763,523	744,092
		1,648,790	1,593,107		1,640,703	1,593,107
Targeted Regional Infrastructure Rate						
Far North (per \$ of actual LV)	0.0000230	236,208	233,640	0.0000297	230,274	227,152
Kaipara (per \$ of actual LV)	0.0000261	132,422	129,926	0.0000270	135,100	132,562
Whangārei (per \$ of actual LV)	0.0000240	342,446	338,883	0.0000253	357,469	342,735
		711,076	702,449		722,842	702,449
Targeted Emergency Services Rate						
Far North (per SUIP)	11.71	451,233	435,085	11.69	442,406	430,087
Kaipara (per RU)	11.71	172,828	165,462	11.69	170,200	162,848
Whangārei (per SUIP)	11.71	527,781	512,394	11.69	533,230	519,660
		1,151,842	1,112,941		1,145,836	1,112,595
Targeted Whangārei Transport Rate						
Rate per SUIP	23.20	1,045,647	1,015,162	22.83	1,041,703	1,015,194
Targeted Far North Transport Rate						
Far North District	8.60	331,392	319,533		328,621	319,470
Targeted Awanui River Management Rate						

Far North District - Rural	210,494	207,969	210,330	207,969
Far North District - Urban	893,471	882,383	892,878	882,383
	1,103,965	1,090,352	1,103,208	1,090,352
Targeted Kaihū River Management Rate				
Kaipara District (Kaihū river area only)	79,869	79,869	79,869	79,869
Targeted Kāeo-Whangaroa Rivers Management Rate				
Far North (Kāeo only)	51.36	123,983	116,644	123,981
Targeted Whangārei Urban Rivers Management Rate				
Rates per SUIP	1,164,148	1,154,250	1,167,409	1,154,250
TOTAL RATES				
	Gross (\$)	Net (\$)	Gross (\$)	Net (\$)
Far North District	12,781,539	12,423,780	12,106,715	11,830,850
Kaipara District	5,742,256	5,541,953	5,510,995	5,322,854
Whangārei District	18,255,178	17,831,851	17,669,291	17,185,296
	36,778,973	35,797,584	35,287,001	34,339,001

* Amount inclusive of GST

** Amount net of remissions and inclusive of GST

Financials

Mahere ā Pūtea

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

Prospective statement of comprehensive revenue and expense

Annual Plan		Annual Plan	LTP Year 3
2019/20		2020/21	2020/21
\$(000)		\$(000)	\$(000)
REVENUE			
29,860	Rates	31,128	30,792
4,388	Fees and Charges	3,989	4,492
4,793	Subsidies and Grants	8,149	2,869
1,001	Interest Revenue	552	1,480
6,704	Other Revenue	4,805	6,671
2,339	Other Gains	1,729	3,429
49,085	TOTAL REVENUE	50,352	49,733
EXPENSES			
17,623	Personnel Costs	18,959	17,776
1,810	Depreciation and Amortisation Expense	1,839	1,823
1,340	Finance Costs	1,060	1,398
-	Other Losses	-	-
28,681	Other Expenditure on Activities	30,969	26,305
49,454	TOTAL OPERATING EXPENDITURE	52,827	47,302
(369)	SURPLUS / (DEFICIT) BEFORE TAX	(2,475)	2,430
-	INCOME TAX CREDIT / (EXPENSE)	-	-
(369)	SURPLUS / (DEFICIT) AFTER TAX	(2,475)	2,430
SURPLUS / (DEFICIT) ATTRIBUTABLE TO:			
(369)	Northland Regional Council	(2,475)	2,430
-	Non-Controlling Interest	-	-
OTHER COMPREHENSIVE REVENUE & EXPENSE			
<i>Items that will be reclassified to surplus / (deficit)</i>			
-	Financial Assets at fair value through other comprehensive revenue & expense	-	-
<i>Items that will not be reclassified to surplus / (deficit)</i>			
-	Gains / (Loss) on Property Revaluations	-	-
-	Gains / (Loss) on Infrastructure Asset revaluations	-	-
-	TOTAL OTHER COMPREHENSIVE REVENUE & EXPENSE	-	-
(369)	TOTAL COMPREHENSIVE REVENUE & EXPENSE FOR THE YEAR	(2,475)	2,430

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
\$(000)		\$(000)
(369)	GAAP deficit as above	(2,475)
(3,346)	Transfers to Reserves	(4,384)
3,962	Transfers from Reserves	4,713
247		(2,146)
(716)	CIF (Recapitalisation)/Utilisation	1,900
500	CIF Funded Grant	-
-	IIF Utilisation	250
31	Balanced budget surplus /(deficit)	4

Prospective statement of financial position

Annual Plan		Annual Plan	LTP Year 3
2019/20		2020/21	2020/21
\$(000)		\$(000)	\$(000)
ASSETS			
Current Assets			
73	Cash and cash equivalents	366	44
3,930	Other financial assets	936	3,626
5,285	Receivables	4,395	6,081
3,175	Inventory	3,181	3,205
-	Assets held for sale	2,079	-
12,463	Total Current Assets	10,957	12,956
Non Current Assets			
5,900	Receivables	6,102	6,546
42,922	Other financial assets	34,402	67,366
41,376	Infrastructure, property, plant and equipment	42,426	43,908
70,449	Investment property	71,233	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	166,700	177,018
185,187	TOTAL ASSETS	177,657	189,974
LIABILITIES			
Current Liabilities			
4,602	Payables	6,015	5,616
-	Borrowings and other financial liabilities	-	-
1,792	Employee entitlements	1,910	1,749
6,394	Total Current Liabilities	7,925	7,364
Non Current Liabilities			
806	Payables and deferred revenue	668	948
27,077	Borrowings and other financial liabilities	19,902	28,571
19	Employee entitlements	20	19
27,901	Total Non Current Liabilities	20,590	29,538
34,296	TOTAL LIABILITIES	28,515	36,902

150,892	NET ASSETS	149,142	153,071
EQUITY			
137,567	Accumulated funds	141,836	131,967
3,963	Revaluation reserves	3,973	2,807
9,361	Other reserves	3,333	18,297
150,892	Total Equity	149,142	153,071
-	Non-controlling interests in subsidiary companies	-	-
150,892	TOTAL EQUITY	149,142	153,071

Prospective statement of changes in equity

Annual Plan		Annual Plan	LTP Year 3
2019/20		2020/21	2020/21
\$(000)		\$(000)	\$(000)
151,261	Balance at 1 July	151,617	150,641
(369)	Total comprehensive revenue and expense	(2,475)	2,430
150,892	Balance at 30 June	149,142	153,071
	<i>Total comprehensive revenue and expense attributable to:</i>		
(369)	Northland Regional Council	(2,475)	2,430
-	Non-controlling interests	-	-
150,892	Balance at 30 June	149,142	153,071

Prospective statement of cashflows

Annual Plan		Annual Plan	LTP Year 3	Variance
2019/20		2020/21	2020/21	to LTP
\$(000)		\$(000)	\$(000)	\$(000)
Cash flows from operating activities				
29,157	Receipts from rates revenue	27,353	30,223	2,870
11,725	Receipts from customers	8,894	9,282	388
2,278	Subsidies and grants received	8,371	2,144	(6,227)
2,938	GST received	3,076	3,763	687
3,607	Interest received	661	3,559	2,898
3,708	Other revenue received	1,495	4,096	2,601
(50,126)	Staff and suppliers	(53,792)	(48,378)	5,414
(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	(5,275)	3,016	8,291
Cash flows from investing activities				
-	Sale of infrastructure, property, plant and equipment	-	-	-
8,438	Other receipts - investing	22,712	(100)	(22,812)
(16,744)	Purchase of infrastructure, property, plant and equipment	(17,864)	(5,002)	12,862
(8,306)	Net cash provided (used) in investing activities	4,848	(5,102)	(9,950)
Cash flows from financing activities				
6,135	Other receipts - financing	10,344	12,049	1,705
-	Other payments - financing	(10,000)	(10,000)	-
6,135	Net cash provided / (used) in financing activities	344	2,049	1,705
(514)	Net increase / (decrease) in cash and cash equivalents	(83)	(37)	46
587	Cash and cash equivalents at beginning of period	449	81	(368)
73	Cash and cash equivalents at end of period	366	44	(322)

Schedule of reserves

Annual Plan		Annual Plan	LTP Year 3
2019/20		2019/20	2020/21
\$(000)		\$(000)	\$(000)
Land Management Reserve			
136	Opening Balance as at 1 July	-	-
(136)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	-
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(0)	Closing Balance as at 30 June	-	-
Awanui River Reserve			
(711)	Opening Balance as at 1 July	(614)	(436)
161	Increase /(Decrease) in Reserve throughout the year (operational transfer)	127	152
(96)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(104)	-
(645)	Closing Balance as at 30 June	(591)	(284)
Kaihu River Reserve			
61	Opening Balance as at 1 July	21	49
(11)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(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)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(108)	(17)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
111	Closing Balance as at 30 June	54	(1)
Whangarei Urban River Reserve			
(9,077)	Opening Balance as at 1 July	(8,620)	(8,708)
456	Increase /(Decrease) in Reserve throughout the year (operational transfer)	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)
380	Closing Balance as at 30 June	133	99
Flood Infrastructure Reserve			
(1,320)	Opening Balance as at 1 July	(1,467)	(2,006)

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445	Increase /(Decrease) in Reserve throughout the year (operational transfer)	375	380
(1,132)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(2,181)	(2,134)
(2,006)	Closing Balance as at 30 June	(3,273)	(3,760)
Whangarei 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
(257)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(824)	(807)
(150)	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)	19	19
(12)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(110)	(108)
30	Closing Balance as at 30 June	(61)	(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)	236	175
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(2,464)	Closing Balance as at 30 June	(2,121)	(2,821)
Property Reinvestment Fund Reserve			
15,318	Opening Balance as at 1 July	10,777	23,323
(800)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(391)	280
(12,838)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(10,386)	-
1,680	Closing Balance as at 30 June	-	23,602
Infrastructure Investment Fund Reserve			
19,603	Opening Balance as at 1 July	19,774	9,080
(278)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(250)	113
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(2,443)	-
19,324	Closing Balance as at 30 June	17,081	9,193
Equalisation Fund Reserve			
1,407	Opening Balance as at 1 July	1,048	1,001
(415)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(877)	(91)

-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
992	Closing Balance as at 30 June	171	910
Hatea River Reserve			
124	Opening Balance as at 1 July	71	64
(51)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(56)	(52)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
73	Closing Balance as at 30 June	15	12
Investment and Growth Reserve			
238	Opening Balance as at 1 July	372	534
(495)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(340)	(170)
840	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	21
582	Closing Balance as at 30 June	32	386
Whangarei Transport Reserve			
(95)	Opening Balance as at 1 July	(64)	(55)
(25)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	(2)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(120)	Closing Balance as at 30 June	(64)	(57)
Far North Transport Reserve			
40	Opening Balance as at 1 July	245	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	241	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	-	-
-	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	-
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
-	Closing Balance as at 30 June	-	-
Emergency Services Reserve			
183	Opening Balance as at 1 July	78	78
43	Increase /(Decrease) in Reserve throughout the year (operational transfer)	43	(87)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-

226	Closing Balance as at 30 June	121	(9)
9,361	Total Special Reserves Closing Balance as at 30 June	3,333	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	Annual Plan 2020/21
Affordability			
<i>Benchmark</i>			
Rates Benchmark*	i) Total Rates as % of Total Revenue	< 65%	62%
	ii) Total Average Rates Increase as %	< 10%	4.4%
Debt Benchmark	Net Debt as % of Total Revenue	< 175%	-29%
<i>Indicator</i>			
Rates Indicator**		\$	376.65
Sustainability			
<i>Benchmark</i>			
a) Balanced budget benchmark***		> 1	0.95
b) Essential services benchmark****		> 1	19.59
c) Net Interest as % of Revenue		< 10%	1.0%
d) Liquidity		> 110%	249%
Predictability			
<i>Benchmark</i>			
Operations control benchmark*****			N/A
(result to be published in the annual report)			

* Rates income complies with the limits set in the council's financial strategy

** Rates Revenue per rating unit/SUIP

*** Due to COVID-19's impact on council's revenue, this annual plan has operating expenditure exceeding revenue, excluding income from development contributions and financial contributions, revaluations and vested assets. The budgetary hole has been funded by utilising reserves and investment funds.

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Northland 
REGIONAL COUNCIL
Te Kaunihera ā rohe o Te Taitokerau

TITLE: Rates for the Year 1 July 2020 to 30 June 2021

ID: A1315872

From: Dave Tams, Group Manager, Corporate Excellence; Casey Mitchell, Assistant Management Accountant and Simon Crabb, Finance Manager

Executive summary/Whakarāpopototanga

Under sections 23, 24, 57 and 58 of the Local Government (Rating) Act 2002 (LGRA), the council is required to set its rates, due dates and penalty regime by resolution.

Under section 55 of the LGRA, the council may provide for a discount on the rates if payment is made by a specified date before the due date or dates, in accordance with a policy made under section 55.

This paper provides for the council to set its rates, due dates, penalty regime and discounts for the year commencing on 1 July 2020 and ending on 30 June 2021.

This paper has been prepared in accordance with the revenue and financing policy in the LTP 2018-2028 and rates section (including the funding impact statement) contained within the 2020–2021 Annual Plan.

Recommendation(s)

1. That the report 'Rates for the Year 1 July 2020 to 30 June 2021' by Dave Tams, Group Manager, Corporate Excellence; Casey Mitchell, Assistant Management Accountant and Simon Crabb, Finance Manager and dated 14 May 2020, be received.
2. That council notes that it has had regard to section 100T of the Biosecurity Act 1993 and confirms that its analysis of Section 100T of the Biosecurity Act 1993, as included in the Long Term Plan 2018-2028, remains appropriate in relation to setting the Pest Management Rate for 2020/21.
3. That the Northland Regional Council resolves to set the following rates under the Local Government (Rating) Act 2002 (LGRA) for the financial year commencing 1 July 2020 and ending 30 June 2021:

a. Targeted council services rate

A targeted rate as authorised by the LGRA. The rate is calculated on the total projected capital value, as determined by the certificate of projected valuation of each constituent district in the Northland region. An additional \$1.73 (including GST) per each rateable separately used or inhabited part (SUIP) of a rating unit is to be assessed across the Whangārei constituency to provide funding for the ongoing maintenance of the Hātea River Channel. The rate is differentiated by location in the Northland region and assessed as a fixed amount per each rateable separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts, and on each rateable rating unit (RU) in the Kaipara district. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$92.40 per SUIP
Kaipara District	\$125.27 per RU
Whangārei District	\$120.20 per SUIP

The Whangārei District targeted council services rate amount of \$120.20 (including GST) per SUIP **includes** funding for the Hātea River Channel amount of \$1.73 (including GST).

b. Targeted land management rate

A targeted rate as authorised by the LGRA. 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 because the rate is allocated based on projected land value, as provided for in section 131 of the LGRA. The rate is set as follows:

Including GST

Far North District	\$0.0000878 per dollar of land value
Kaipara District	\$0.0000995 per dollar of land value
Whangārei District	\$0.0000914 per dollar of land value

c. Targeted freshwater management rate

A targeted rate as authorised by the LGRA. 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 because the rate is allocated based on projected land value, as provided for in section 131 of the LGRA. The rate is set as follows:

Including GST

Far North District	\$0.0001887 per dollar of land value
Kaipara District	\$0.0002137 per dollar of land value
Whangārei District	\$0.0001966 per dollar of land value

d. Targeted pest management rate

A targeted rate as authorised by the LGRA. 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 a fixed amount, differentiated by location in the Northland region. The rate will be assessed 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 (RU) in the Kaipara District. The rate is set as follows:

Including GST

Far North District	\$46.88 per SUIP
Kaipara District	\$63.56 per RU
Whangārei District	\$60.11 per SUIP

e. Targeted flood infrastructure rate

A targeted rate as authorised by the LGRA. The rate is a fixed amount assessed 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 (RU) in the Kaipara District. The rate is set as follows:

Including GST

Far North District	\$27.05 per SUIP
Kaipara District	\$27.05 per RU

Whangārei District	\$27.05 per SUIP
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f. Targeted civil defence and hazard management rate

A targeted rate as authorised by the LGRA. 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 a fixed amount, differentiated by location in the Northland region. The rate will be assessed 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 (RU) in the Kaipara District. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$16.73 per SUIP
Kaipara District	\$22.67 per RU
Whangārei District	\$21.44 per SUIP

g. Targeted emergency services rate

A targeted rate as authorised by the LGRA. The rate is a fixed amount assessed 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 (RU) in the Kaipara District. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$11.71 per SUIP
Kaipara District	\$11.71 per RU
Whangārei District	\$11.71 per SUIP

h. Targeted regional sporting facilities rate

A targeted rate as authorised by the LGRA. The rate is a fixed amount assessed 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 (RU) in the Kaipara District. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$16.76 per SUIP
Kaipara District	\$16.76 per RU
Whangārei District	\$16.76 per SUIP

i. Targeted regional infrastructure rate

A targeted rate as authorised by the LGRA. This 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, because the rate is allocated based on projected land value, as provided for in section 131 of the LGRA. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$0.0000230 per dollar of land value
Kaipara District	\$0.0000261 per dollar of land value

Whangārei District \$0.0000240 per dollar of land value

j. Targeted Whangārei transport rate

A targeted rate as authorised by the LGRA. The rate is a fixed amount assessed on each rateable separately used or inhabited part of a rating unit (SUIP) in the Whangārei District. The rate is set as follows:

	<u>Including GST</u>
Whangārei District	\$23.20 per SUIP

k. Targeted Far North transport rate

A targeted rate as authorised by the LGRA. The rate is a fixed amount assessed on each rateable separately used or inhabited part of a rating unit (SUIP) in the Far North District. The rate is set as follows:

	<u>Including GST</u>
Far North District	\$8.60 per SUIP

l. Targeted Awanui River management rate

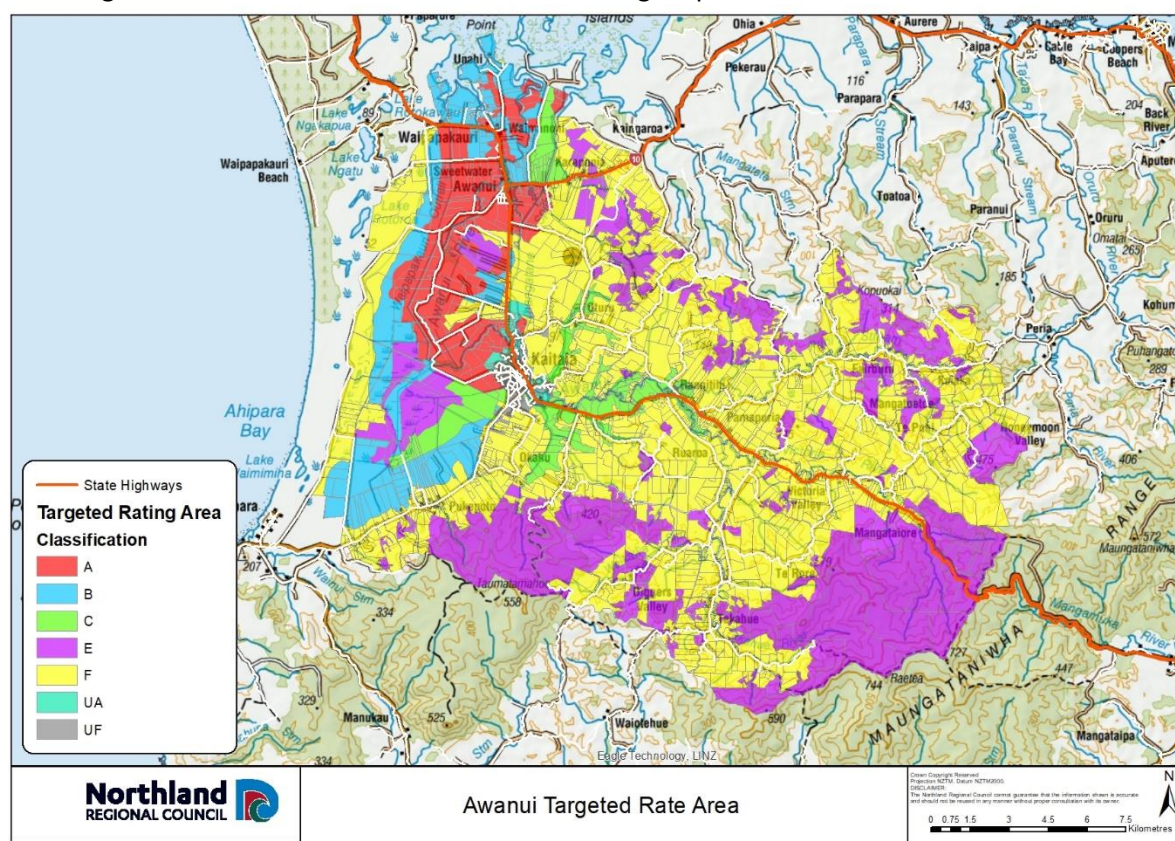
A targeted rate set under the LGRA, set differentially by location and area of benefit as defined in the Awanui River Flood Management Plan, and as defined in the following table:

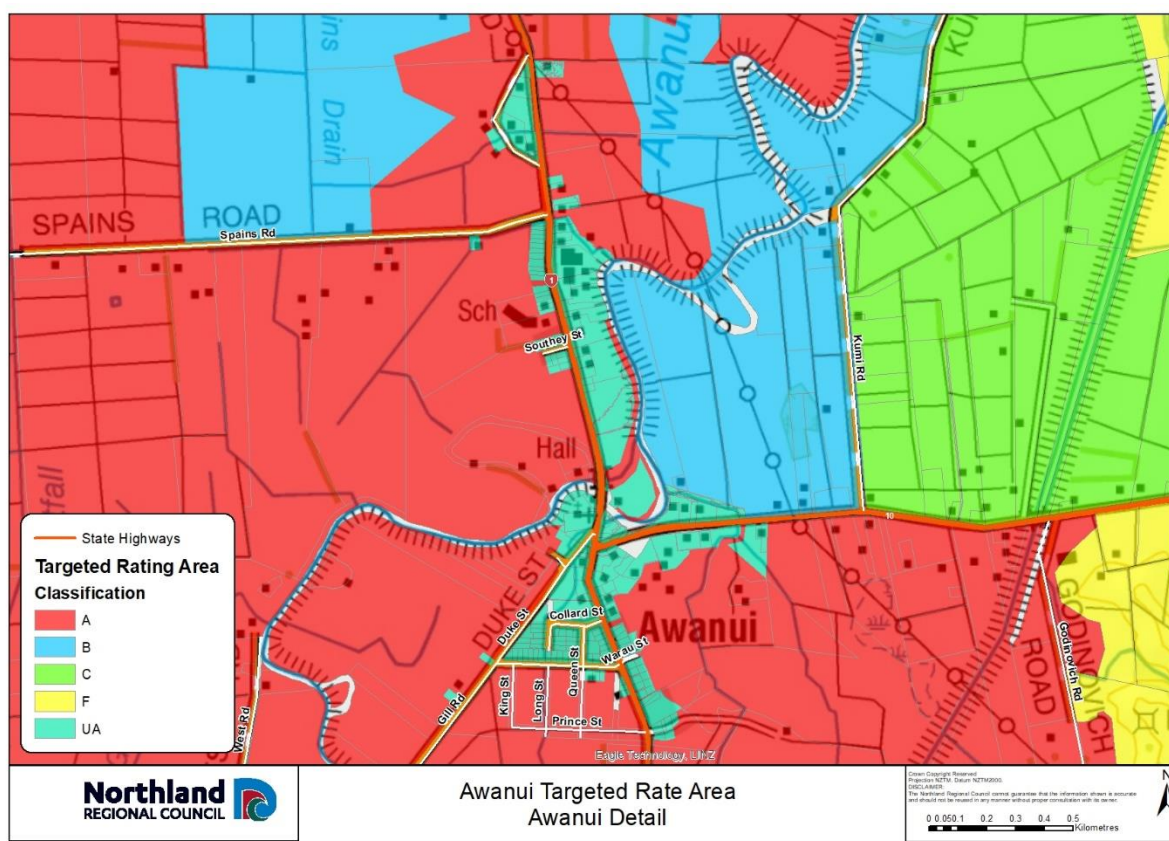
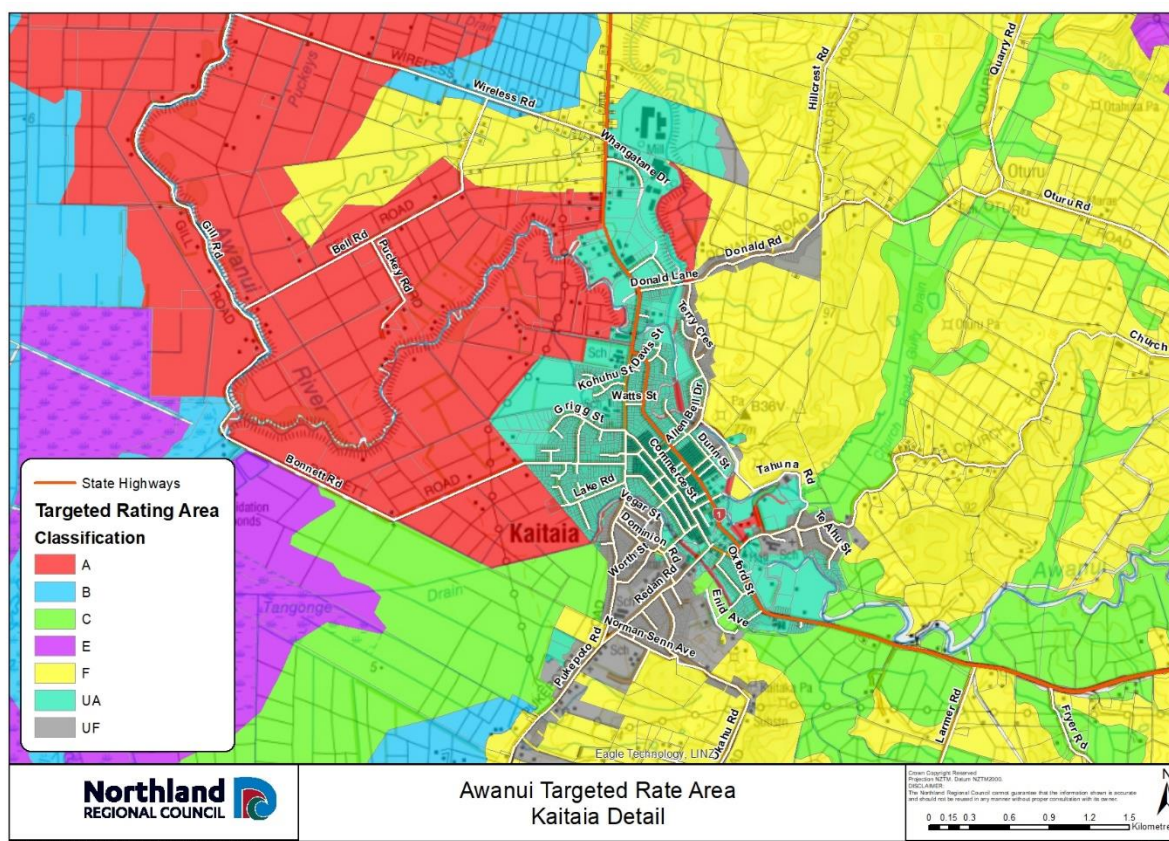
The rate is set differentially as follows:

Category	Description	Rate <u>including GST</u>
UA	Urban rate class UA (floodplain location) \$296.23 direct benefit plus \$29.89 indirect benefit per separately used or inhabited part of a rating unit (SUIP).	\$326.12 per SUIP
UA	Urban rate class UA – commercial differential.	\$978.36 per SUIP
UF	Urban rate classes UF (higher ground) \$29.89 direct benefit plus \$29.89 indirect benefit per separately used or inhabited part of a rating unit.	\$59.78 per SUIP
UF	Urban rate class UF – commercial differential.	\$179.34 per SUIP
Rural	Rural rate differentiated by class, \$13.18 per separately used or inhabited part of a rating unit (SUIP) 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.	\$13.18 per SUIP
Class	Description	Rate <u>including GST</u>
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 coastal flooding – all rateable land other than in the commercial differential.	\$24.47 per hectare
A & B commercial differential		\$73.41 per hectare

C	Moderate benefit; land floods less frequently and water clears quickly – all rateable land other than in the commercial differential.	\$11.07 per hectare
C commercial differential		\$33.21 per hectare
F	Contributes runoff waters and increases the need for flood protection - all rateable land other than in the commercial differential.	\$1.09 per hectare
F commercial differential		\$3.27 per hectare

The rating classifications are illustrated in the following maps:





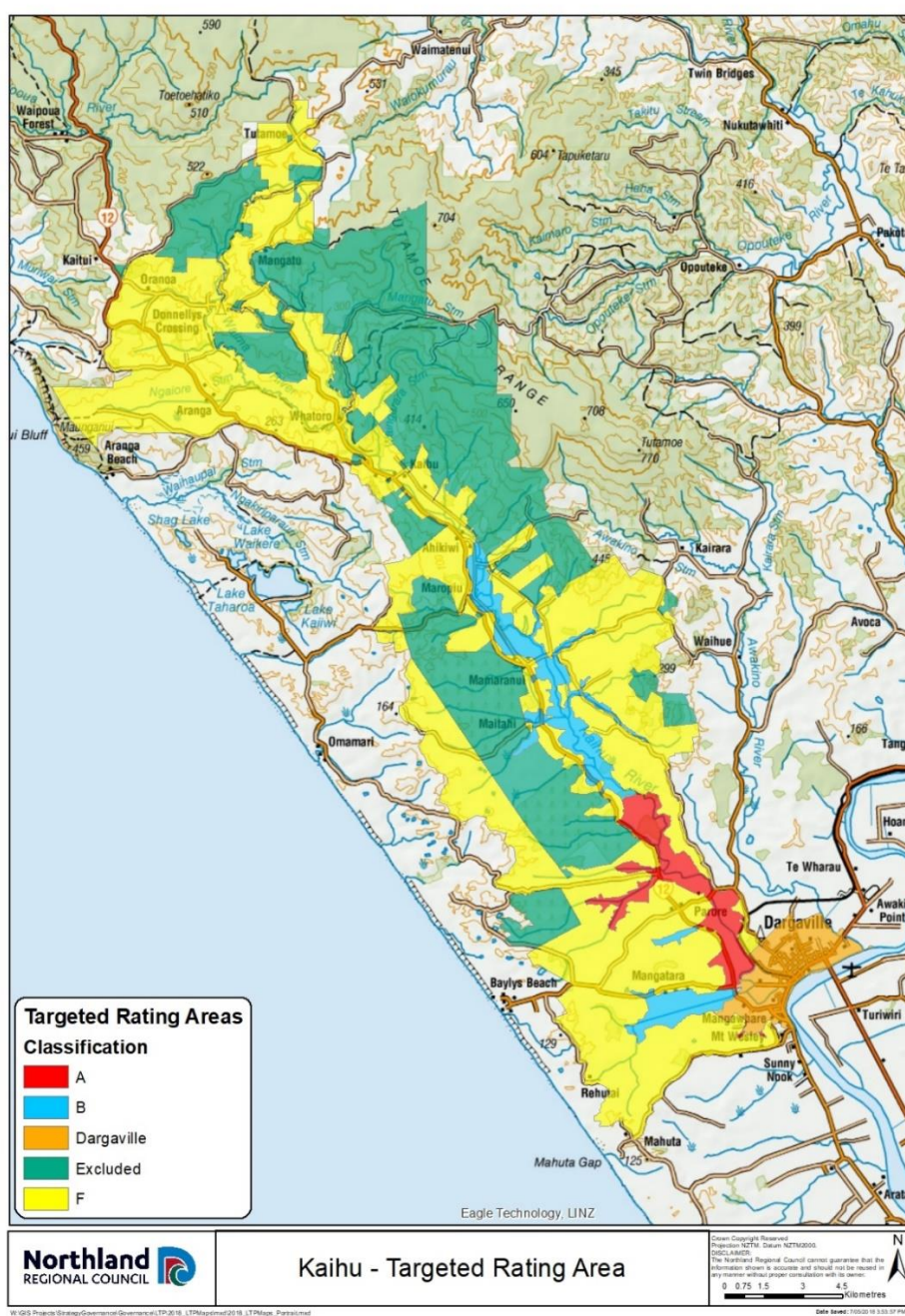
m. Targeted Kaihū River management rate

A targeted rate set under the LGRA, and set differentially by location and area of benefit as defined in the following table:

Class	Description	Rate Including GST
A	Land on the floodplain and side valleys downstream of Rotu Bottleneck.	\$23.13 per hectare
B	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 per hectare
F	Land within the Kaihū River rating area not falling within Class A and Class B.	\$1.60 per hectare

Urban Contribution – A contribution from the Kaipara District Council instead of a separate rate per property: \$5,015 per annum

The rating classifications are illustrated in the following map:



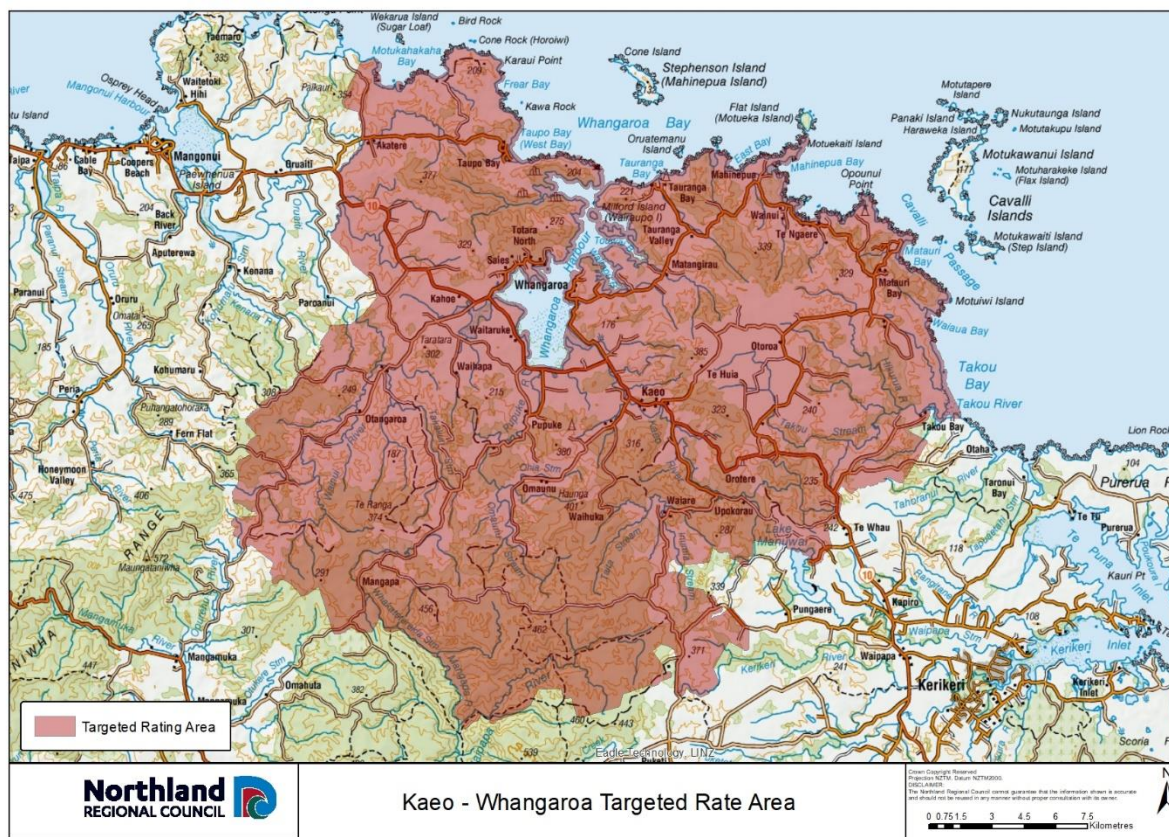
n. Targeted Kaeo-Whangaroa rivers management rate

A targeted rate set under the LGRA, set on a uniform basis in respect of each rateable separately used or inhabited part of a rating unit falling within the former Whangaroa Ward rating rolls of 100-199, as illustrated in the map below:

Including GST

Former Whangaroa Ward

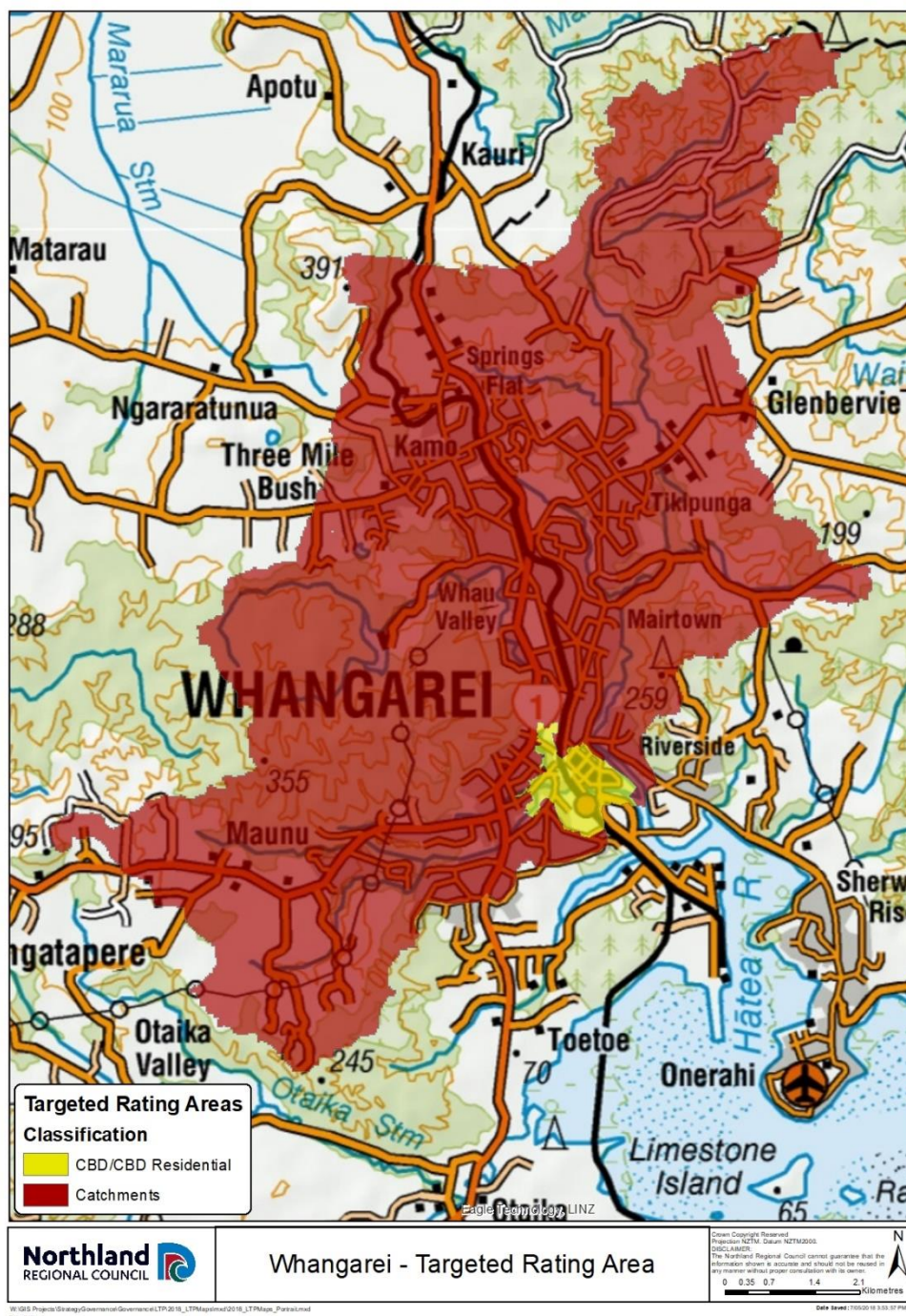
\$51.36 per SUIP



o. Targeted Whangārei urban rivers management rate

A targeted rate set under the LGRA and assessed on all rateable properties defined by reference to the differential categories and differentiated by location (illustrated in the map below) and, for some categories, land use. It is set as a fixed amount per each rateable separately used or inhabited part (SUIP) of a rating unit, as follows:

Category		Including GST
1	Commercial properties located in the Whangārei Central Business District flood area:	\$353.75 per SUIP
2	Residential properties located in the Whangārei Central Business District flood area:	\$174.91 per SUIP
3	Properties located in the contributing water catchment area (including properties falling in the Waiarohia, Raumanga, Kirikiri and Hātea River Catchments):	\$43.52 per SUIP



Differential categories for the Whangārei urban rivers management rate:

<p>Residential properties in the Whangārei central business district</p>	<p>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.</p> <p>Residential properties also includes multi-unit properties, these being all separate rating units used principally for residential purposes, and on which is situated multi-unit type residential accommodation that is used principally for temporary or permanent residential accommodation and for financial reward, including, but not limited to, hotels, boarding houses, motels, tourist accommodation, residential clubs and hostels but excluding</p>
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	any properties that are licensed under the Sale and Supply of Alcohol Act 2012.
Commercial properties in the Whangārei central business district	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.

4. Payment dates for rates, discounts, and penalty regime

That the Northland Regional Council resolves the following:

Far North District constituency:

All rates within the Far North District constituency are payable in four equal instalments, on the following dates:

Instalment	Due date for payment
Instalment 1	20 August 2020
Instalment 2	20 November 2020
Instalment 3	22 February 2021
Instalment 4	20 May 2021

The Northland Regional Council resolves to add the following penalties to unpaid Far North District constituency rates:

- In accordance with section 58(1)(a) of the LGRA, a penalty of ten percent (10%) will be added to any portion of each instalment of Far North District constituency rates assessed in the 2020/21 financial year that is unpaid on or by the respective due date for payment as stated above. These penalties will be added on the following dates:

Instalment	Date penalty will be added
Instalment 1	27 August 2020
Instalment 2	27 November 2020
Instalment 3	01 March 2021
Instalment 4	27 May 2021

Kaipara District constituency:

All rates within the Kaipara District constituency are payable in four equal instalments, on the following dates:

Instalment	Due date for payment
Instalment 1	20 August 2020
Instalment 2	20 November 2020
Instalment 3	20 February 2021
Instalment 4	20 May 2021

The Northland Regional Council resolves to add the following penalties to unpaid Kaipara District constituency rates:

- In accordance with section 58(1) (a) of the LGRA, a penalty of ten percent (10%) of so much of each instalment of the Kaipara District constituency rates assessed in the 2020/21 financial year that are unpaid after the relevant due date for each instalment will be added on the relevant penalty date for each instalment stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, or an automatic payment authority, and honours that arrangement. These penalties will be added on the following dates:

Instalment	Date penalty will be added
Instalment 1	21 August 2020
Instalment 2	21 November 2020
Instalment 3	21 February 2021
Instalment 4	21 May 2021

- In accordance with section 58(1)(b) of the LGRA, a penalty of ten per cent (10%) of the amount of all Kaipara District constituency rates (including any penalties) from any previous financial years that are unpaid on 1 July 2020 will be added on 1 July 2020.
- In accordance with section 58(1)(c) of the LGRA, a penalty of ten per cent (10%) of the amount of all Kaipara District constituency rates to which a penalty has been added under the point immediately above and which remain unpaid on 1 January 2021 will be added on 5 January 2021.

Whangārei District constituency:

All rates within the Whangārei District constituency are payable in four equal instalments, on the following dates:

Instalment	Due date for payment
Instalment 1	20 September 2020
Instalment 2	20 November 2020
Instalment 3	20 February 2021
Instalment 4	20 May 2021

The Northland Regional Council resolves to add the following penalties to unpaid Whangārei District constituency rates:

- In accordance with section 58(1)(a) of the LGA, a penalty of five percent (5%) will be added to any portion of each instalment of Whangārei District constituency rates

assessed in the 2020/21 financial year that is unpaid on or by the respective due date for payment as stated above. These penalties will be added on the following dates:

Instalment	Date penalty will be added
Instalment 1	23 September 2020
Instalment 2	25 November 2020
Instalment 3	24 February 2021
Instalment 4	25 May 2021

- In accordance with section 58(1)(b) of the LGRA, a penalty of five per cent (5%) will be added to any Whangārei District constituency rates (including any penalties) from any financial year prior to 1 July 2020 that still remain unpaid as at 1 July 2020. This penalty will be added on 5 October 2020.

The Northland Regional Council resolves to apply the following discount to Whangārei District constituency rates:

- In accordance with section 55(3) of the LGRA, where the total rates assessed for the 2020/21 year and any arrears on a rating unit in the Whangārei District constituency are paid in full on or by the due date of the first instalment, a discount of two percent (2%) of the total rates assessed on that rating unit in the 2020/21 financial year will be applied.

The district councils have advised that their rates adoption dates are as follows:

- Far North District Council – 30 June 2020
- Kaipara District Council – 24 June 2020
- Whangārei District Council – 9 July 2020.

Should their collection and/or penalty dates change through the rate setting process we will need to amend our resolution accordingly.

Background/Tuhinga

The Northland Regional Council is scheduled to adopt its 2020/2021 Annual Plan at the council meeting to be held on 16 June 2020. All formal requirements to resolve the rates for the year ended 30 June 2021 are in place and permit the following resolution to proceed.

The final rates have been calculated in accordance with the resolutions made by council on 6 May 2020; and the updated rating units, separately used or inhabited parts of a rating unit (SUIPs), capital values and land values provided by the district councils.

Under section 23 of the Local Government (Rating) Act 2002 (LGRA) the council is required to set its rates by resolution. This paper provides for the council to set rates for the year commencing on 1 July 2020 and ending on 30 June 2021.

Rates for the 2020/21 year are set out on a GST inclusive basis. This means that the amount of the rates stated includes the council's GST obligations. Penalties are added to the amount of unpaid rates.

Section 24 of the LGRA requires that the council state the due date for payment of the rates in its resolution setting rates.

Section 57 of the LGRA states that a local authority may, by resolution, authorise penalties to be added to rates that are not paid by the due date. The resolution must state how the penalty is calculated and the date the penalty is to be added to the amount of unpaid rates. Section 58 of the LGRA sets out the penalties that may be imposed.

Pursuant to section 23(5) of the LGRA, within 20 working days of the making of this resolution, a copy will be sent to the Secretary of Local Government.

Pursuant to section 28(4) of the LGRA the rating information database was made available for public inspection during May 2020.

Council carries out its pest management activities in accordance with its Northland Regional Pest and Marine Pathway Management Plan 2017–2027. Section 100T of the Biosecurity Act requires that a regional council must decide the extent to which it funds the implementation of its regional pest and/or pathway management plan from a general rate, targeted rate, or a combination of both.

Council gave full regard to Section 100T during the process of developing the Long Term Plan 2018–2028 and adopted the analysis for the purpose of setting the Pest Management Rate. The full analysis was included in the Long Term Plan.

Council also carried out an analysis of funding of the Regional Pest and Marine Pathway Management Plan and in the Cost Benefit Analysis to the plan.

No significant changes have been made to the Pest Management Rate as a result of the Annual Plan 2020/21, and the analysis adopted by council remains applicable. This report confirms council's adoption of this analysis.

The full details of the rates calculations and rates collected from each constituent district of the Northland region will be as set out in the tables below:

Table One: Valuations by district (including equalised values)

SUIP = Separately used or inhabited part of a rating unit.

	Gross no. rating units (Kaipara) or SUIPs (others)	Net no. rating units (Kaipara) or SUIPs (others)	Capital Value \$000's	Land Value \$000's	Equalised Capital Value \$000's	Equalised Land Value \$000's	Equalised CV%	Equalised LV%
Far North District	38,534	37,155	19,484,844	10,252,478	19,484,844	10,252,478	33.05%	33.26%
Kaipara District	14,759	14,130	8,936,389	5,073,386	10,045,512	5,701,343	17.04%	18.50%
Whangārei District	45,071	43,757	28,373,534	14,261,891	29,421,095	14,870,732	49.91%	48.24%
Total Valuation - Northland	98,364	95,042	56,794,767	29,587,755	58,951,451	30,824,553	100.00%	100.00%

Table Two: Northland Regional Council rates for the 2020/21 financial year

Budgeted Rates 2020/21 (including GST)	Far North District	Kaipara District	Whangārei District	Total \$ (gross)	Total \$ (net)
Targeted council services rate					
Rate per SUIP	\$92.40			3,560,542	3,433,122
Rate per RU		\$125.27		1,848,860	1,770,065
Rate per SUIP			\$120.20	5,417,534	5,259,591
				10,826,936	10,462,778
Freshwater management rate					
Rate per \$ of Actual LV	\$0.0001887			1,934,643	1,914,068
Rate per \$ of Actual LV		\$0.0002137		1,084,183	1,064,160
Rate per \$ of Actual LV			\$0.0001966	2,803,888	2,775,318
				5,822,714	5,753,546
Targeted pest management rate					

Budgeted Rates 2020/21 (including GST)	Far North District	Kaipara District	Whangārei District	Total \$ (gross)	Total \$ (net)
Rate per SUIP	\$46.88			1,806,474	1,741,826
Rate per RU		\$63.56		938,082	898,103
Rate per SUIP			\$60.11	2,709,218	2,630,233
				5,453,774	5,270,162
Targeted land management rate					
Rate per \$ of Actual LV	\$0.0000878			900,168	890,067
Rate per \$ of Actual LV		\$0.0000995		504,802	494,975
Rate per \$ of Actual LV			\$0.0000914	1,303,537	1,290,782
				2,708,507	2,675,824
Targeted flood infrastructure rate					
Rate per SUIP	\$27.05			1,042,345	1,005,043
Rate per RU		\$27.05		399,231	382,216
Rate per SUIP			\$27.05	1,219,171	1,183,627
				2,660,747	2,570,886
Targeted civil defence and hazard management rate					
Rate per SUIP	\$16.73			644,674	621,603
Rate per RU		\$22.67		334,587	320,327
Rate per SUIP			\$21.44	966,322	938,150
				1,945,583	1,880,080
Targeted regional sporting facilities rate					
Rate per SUIP	\$16.76			645,912	622,797
Rate per RU		\$16.76		247,392	236,849
Rate per SUIP			\$16.76	755,486	733,461
				1,648,790	1,593,107
Targeted regional infrastructure rate					
Rate per \$ of Actual LV	\$0.0000230			236,208	233,640
Rate per \$ of Actual LV		\$0.0000261		132,422	129,926
Rate per \$ of Actual LV			\$0.0000240	342,446	338,883
				711,076	702,449
Targeted emergency services rate					
Rate per SUIP	\$11.71			451,233	435,085
Rate per RU		\$11.71		172,828	165,462
Rate per SUIP			\$11.71	527,781	512,394
				1,151,842	1,112,941
Targeted Whangārei transport rate					
Rate per SUIP			\$23.20	1,045,647	1,015,162
Targeted Far North transport rate					
Far North District	\$8.60			331,392	319,533
Targeted Awanui River management rate					
Far North District - Rural				210,494	207,969
Far North District - Urban				893,471	882,383
				1,103,965	1,090,352
Targeted Kaihū River management rate					

Budgeted Rates 2020/21 (including GST)	Far North District	Kaipara District	Whangārei District	Total \$ (gross)	Total \$ (net)
Kaipara District (Kaihū river area only)				79,869	79,869
Targeted Kaeo-Whangaroa rivers management rate					
Far North (Kaeo only)	\$51.36			123,983	116,644
Targeted Whangārei urban rivers management rate					
Rates per SUIP				1,164,148	1,154,250
Total rates				Gross \$	Net \$
Far North District				12,781,539	12,423,780
Kaipara District				5,742,256	5,541,953
Whangārei District				18,255,178	17,831,851
TOTAL RATES				36,778,973	35,797,584

Considerations

Options

No.	Option	Advantages	Disadvantages
1	Adopt the recommendations presented in this report	Legally generate the rating revenue required to fund the council's 2020/21 work programmes.	None
2	Do not adopt the recommendations presented in this report	None	Inability to legally strike the 2020/21 rates. Consequently, unless alternative funding streams were obtained, the council would fail to deliver all its 2020/21 work programmes.

The staff's recommended option is to adopt the recommendations presented in this report.

2. Significance and engagement

The council's 2020–2021 Annual Plan has been developed in accordance with sections 93 and 93A-93G of the Local Government Act 2002 and contains details of the proposed rates.

The rates being set have been established as part of the 2020/2021 Annual Plan process that included consultation with the public who have had the opportunity to fully consider the issues and present their views to the council, which have in turn been taken into consideration.

Consequently, this resolution is required to enact previous decisions of council through the annual plan process and is an administrative decision that does not itself trigger the Significance and Engagement Policy.

The decisions in this report are in accordance with sections 76 to 82 of the Local Government Act 2002 and the Local Government (Rating) Act 2002.

The public will have access to the final 2020/2021 Annual Plan and rates resolution through the council's website

3. Policy, risk management and legislative compliance

This report has been independently reviewed by Simpson Grierson and meets all the statutory requirements under the Local Government (Rating) Act 2002 for the setting of 2020/21 rates.

Further considerations

4. Community views

The impact of the 2020/2021 Annual Plan budgets on council's rates has been consulted on with the community through the 2020/2021 Annual Plan consultative procedure in accordance with s82 of the Local Government Act 2002.

5. Māori impact statement

Targeted consultation on the council's rates funding requirement was undertaken with iwi as part of the 2020/2021 Annual Plan consultation process using existing relationship channels.

6. Financial implications

This report discusses setting of rates for the 2020/21 financial year. The financial impacts of the recommendations in this report are significant as it determines council's ability to collect rate revenue.

7. Implementation issues

There are no implementation issues that the council needs to be aware of.

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager, Corporate Excellence
Date: 10 June 2020

TITLE: Changes to delegations

ID: A1316427

From: Dave Tams, Group Manager, Corporate Excellence

Executive summary/Whakarāpopototanga

This paper proposes changing the financial delegation limits for the Group Managers.

Recommendation(s)

1. That the report 'Changes to delegations' by Dave Tams, Group Manager, Corporate Excellence and dated 18 May 2020, be received.
2. That the financial delegation limits for the Group Managers be increased to \$250,000.

Background/Tuhinga

On 17 March 2020 the Group Manager, Corporate Excellence gave an overview to changes in the Procurement Policy and process to a council workshop.

It is proposed to align the Group Managers' delegation limits to the process steps in the Procurement Policy. Above a financial limit of \$250,000 the Procurement Policy requires that tenders are evaluated by a tender committee, including the Chief Executive Officer. Below that level there are standard processes to follow with predefined financial limits. It is proposed to align the Group Managers' financial delegation with the requirement for a tender evaluation committee, i.e. spend up to \$250,000.

There are no other changes to the financial delegation limits proposed.

Attachment 1 highlights the changes to the Delegations Manual.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Agree to the changes in the financial delegations	Administratively efficient. Gives the Group Managers better financial authority to execute their work programmes. Procurement Policy and financial delegations aligned.	Chief Executive Officer relinquishes some control to the Group Managers.

2	Do not agree to the changes to the financial delegation limits	Chief Executive Officer retains control of all major spend.	Administratively inefficient. Does not empower Group Managers with the financial authority to execute their work programmes. Procurement Policy and financial delegations not aligned.
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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 of low significance when assessed against council's Significance and Engagement Policy because it is part of council's day to day activities.

3. Policy, risk management and legislative compliance

The decision is consistent with policy and legislative requirements.

Being a purely operational matter, Community Views, Māori Impact Statement, Financial Implications and Implementation Issues are not applicable.

Attachments/Ngā tapirihanga

Attachment 1: Draft changes to the Delegation manual. [↓](#)

Attachment 2: Northland Regional Council Procurement Policy and Procedures - Draft [↓](#)

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager, Corporate Excellence
Date: 10 June 2020

Schedule 1 Approved Purchasing Limits

Within expenditure limits of relevant Long Term Plan, Annual Plan and all relevant council policy and procedures. Limits are exclusive of GST.

Department	Position	Purchasing Limit \$
CEO Office	Chief Executive Officer	99,999,999 budgeted expenditure 70,000 for unbudgeted expenditure 500,000
	CEO and Chairperson Unbudgeted emergency expenditure ¹ . Must be reported to the next council meeting	
	Building and Facilities Specialist	1000
	CEO's PA	3000
	Property Officer	3000
Corporate Excellence	Strategic Projects Manager	50,000
	Accounting Assistant	1000
	Business Performance Manager – Transformation	50,000
	Business Solutions Manager	3000
	Business Support – Corporate Excellence	2000
	Personal Assistant – Corporate Excellence	2000
	Desktop and Mobile Device Support Officer	1000
	Finance Manager	50,000
	Financial Accountant	10,000
	GIS Manager	5000
	Group Manager – Corporate Excellence	250,000 150,000
	Health and Safety Specialist	5000
	Human Resources Advisor	1000
	Human Resources Manager	20,000
	Information Manager	5,000
	Information Services and Technology Manager	50,000
	Management Accountant	10,000
	Network Support Officer	5,000
	Operations Manager	10,000
	Information Administrator	500

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¹ Authority granted to CEO and Chairperson to make an emergency expenditure decision of up to \$500,000 where calling an extraordinary meeting is not warranted or not possible within a certain timeframe. "Emergency" may include (but is not limited to) civil defence and/or hazard emergencies.

Customer Services/Community Resilience	Area Manager – Kaitāia	100,000
	Civil Defence Emergency Management Advisor	1000
	Civil Defence Emergency Management Advisor – Far North	500
	Civil Defence Emergency Management Manager	50,000
	Civil Defence Emergency Management Officer – Welfare	5000
	Civil Defence Emergency Management Officer P/T	500
	Civil Defence Emergency Management Officer	10,000
	Civil Defence Emergency Management Officer – Far North	500
	Customer Relations Officer Dargaville	1000
	Customer Services Officer Kaitāia	1000
	Customer Services Officer Waipapa	1000
	Customer Services Officer Ōpua	1000
	Customer Services Manager	50,000
	Deputy Harbourmaster	10,000
	Executive Assistant Customer Services – Community Resilience	1000
	Group Manager – Customer Services – Community Resilience	250,000 150,000
	Maritime Team Admin, Ōpua	500
	Maritime Manager	10000
	Maritime Team Admin	500
	Maritime Officer	3,000
	Northland Transportation Alliance Manager	50,000 (excl. GST)
	Receptionist	500
	Regional Harbourmaster	50,000
	Transport Manager	15,000
	Transport Projects Officer	2000
	Transport Strategic Planning Officer	2000
Environmental Services	Biosecurity Manager	75,000
	Biosecurity Manager – Incursion and Response	50,000
	Biosecurity Manager – Marine and Strategy	50,000
	Biosecurity Manager – Partnerships and Strategy	50,000
	Biosecurity Manager – Weeds and Freshwater	50,000
	Biosecurity Officer – Partnerships	10,000
	Biosecurity – Team Support	1,000
	Biosecurity Incursion Management Officer	10,000
	Biosecurity Officer – Kauri Dieback	10,000
	Biosecurity Officer – Kauri Dieback Support	1,000
	Biosecurity Specialist	20,000
	Biosecurity Specialist - Partnerships	20,000
	Biosecurity Specialist – Predator Free	20,000
	Biosecurity Team Admin/Logistics	1000

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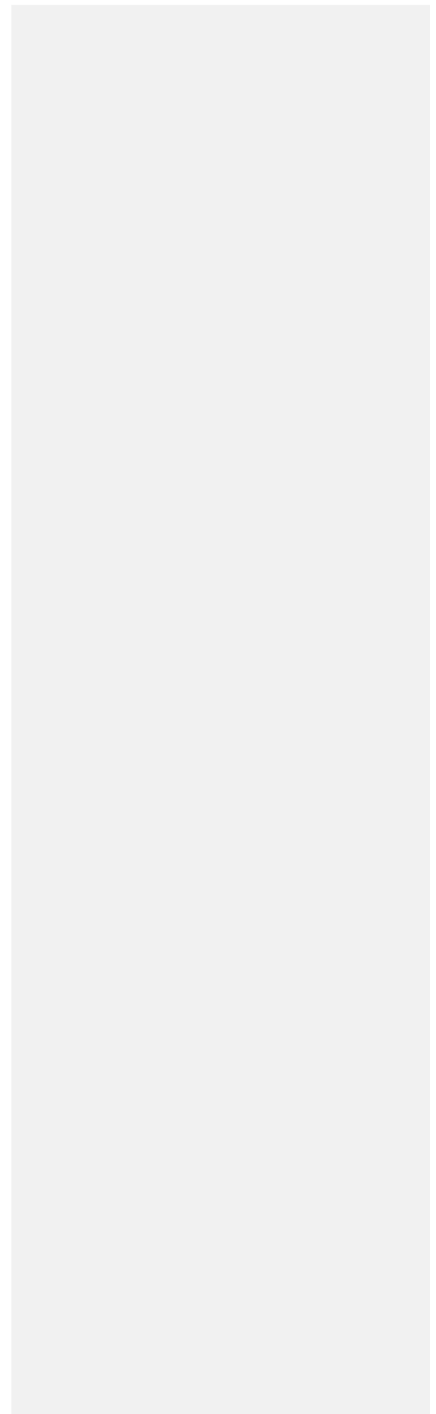
	Coast Care Co-Ordinator	5000
	Biodiversity Manager	50,000
	Eastern Coast Land Manager	20,000
	Far North Land Manager	20,000
	Group Manager Environmental Services	250,000 150,000
	Hydrology Field Operations Manager	5000
	Hydrology Monitoring Officer	3000
	Kaipara Land Manager	20,000
	Land Manager (and Deputy GM)	50,000
	Land Team Admin	1000
	Land/Rivers Team Admin/PA	1000
	MWR Project Officer	10,000
	River and Natural Hazards Engineer	500
	River Management Engineer	1000
	Rivers and Natural Hazards Manager	50,000
	Natural Resources Monitoring Manager	20,000
Regulatory Services	Coastal and Water Quality Field Operations Manager	20,000
	Compliance Monitoring Manager	50,000
	Coastal and Works Consents Manager	5000
	Monitoring Team Admin/PA	2000
	Environmental Monitoring Officer Mid North	5000
	Farm Monitoring Manager	5000
	Group Manager Regulatory Services	250,000 150,000
	Hydrology Field Operations Manager	20,000
	Monitoring Team Admin/PA	1000
	Natural Resources Data Manager	10,000
	Natural Resources Science Manager	20,000
	Natural Resources Monitoring Manager	50,000
	RMA Quality Admin	500
	Consents Manager	50,000
	Water and Waste Monitoring Manager	5000
Strategy, Governance and Engagement	Communications and Brand Coordinator	1000
	Communications Manager	20,000
	Community Engagement Manager	50,000
	Corporate Planning Manager	20,000
	Economist	20,000
	Environmental Education Officer	20,000
	Events and Engagement Co-ordinator	5000
	Governance Support Manager	20,000
	Group Manager Strategy, Governance and Engagement	250,000 150,000
	Events and Engagement Assistant	1,000

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	Maori Relationships Manager	50,000
	Marketing and Engagement Manager	20,000
	Natural Resources Policy Manager	20,000
	Online Services Manager	20,000
	Planning and Policy Team Admin/PA	1,000
	Governance and Engagement Team Admin/PA	3000
	Strategic Policy Specialist	20,000
	Strategy Policy and Planning Manager	50,000
	Chairperson's PA	3000



Northland Regional Council Procurement Policy and Procedures

Purpose

The purpose of this **procurement** policy is to detail council procedures for procuring goods or services. This policy should be referred to in conjunction with council's Tendering Policy included as Attachment 1. The policy is based on decentralised procurement controlled by managers, to maximise flexibility, timeliness and autonomy.

Scope

These policy and procurement procedures outline the approach that council will take to planning, sourcing and managing its procurement. They must be followed by all our temporary and permanent employees.

Background

Procurement covers all the business processes associated with purchasing and **subsequently managing** the goods/services/works we use to run our business and deliver our objectives. It starts with identifying our needs, then planning the best way to meet them; continues through sourcing the goods/services/works then managing the contract; and ends with expiry of either the contract or the asset's useful life.

The objective of this **procurement** policy is to ensure that procurement is done in the most effective and efficient manner that provides value for money, while providing for appropriate internal controls to ensure these objectives are met.

Policy Statement

Our procurement objectives

- Undertake procurement in the most effective and efficient manner that provides best value for money.
- Get the best results from our spending, including sustainable value for money over the life-time of the goods/services/works we buy.
- Raise performance standards through fair and effective management of our suppliers and service providers, to get the best public services for Northland.

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.



STRONG, DECISIVE
LEADERSHIP



TRANSPARENT
& ACCOUNTABLE



ONE HIGH
PERFORMING TEAM



CUSTOMER
FOCUSED



INTEGRITY
HONEST & OPEN

How we work

We will generally align with the Principles of Government Procurement and Government **Procurement Rules** when planning, sourcing and managing our procurement, as these set the standard for good practice.

The way we buy goods/services/works will vary depending on the value, complexity and risk involved. We will apply the approach best-suited to the individual purchase, within the general framework of the principles and rules – encouraging competitive tendering whenever possible.

Principles of government procurement

-  1. Plan and manage for great results.
-  2. Be fair to all suppliers.
-  3. Get the right supplier.
-  4. Get the best deal for everyone.
-  5. Play by the rules.

Government Procurement rules.

For a copy, visit <https://www.procurement.govt.nz/procurement/principles-charter-and-rules/government-procurement-rules/>

Planning

When planning procurement projects, we will:

- Use processes that are proportionate to the size, complexity and risks involved in the contract to get the best outcomes;
- Make sure we have up to date knowledge about the market and the effect our procurement has on it;
- Involve suppliers early in the process to explain our needs, learn about them and explore opportunities for new solutions before going to market; and
- Ensure we have financial approval aligned with council's financial delegation policy and approved budgets before going to market.

Sourcing

When we buy goods/services/works, we will:



- Purchase off government collaborative contracts;
- Focus on supporting Northland goods and service providers by buying locally in those situations where all other attributes are equal, and noting that we must give all suppliers a full and fair opportunity to compete;
- Choose suppliers that have demonstrated their ability to meet our requirements and offer the best value for money over the lifetime of the goods/services/works, considering:
 - all the costs of ownership over that lifetime; and
 - suppliers' ability to deliver what we need at a fair price and on time; and
- Have an approved purchase order/contract in place before the supplier starts delivering goods/services/works – except when using a Credit card.

Contract management

To get the best from our suppliers, we will:

- Set clear performance measures, then monitor and manage the contract against them;
- Encourage and recognise suppliers for delivering great results; and
- Work with suppliers to make ongoing savings and improvements for both entities.

Meeting expectations

To build effective relationships with suppliers we will:

- Treat them all fairly and with respect;
- Be consistent, transparent, fair and accountable in the way we work;
- Be clear about what we require and how we will assess them before going to market;
- Give enough response time for our requests;
- Protect their commercially sensitive information and intellectual property;
- Offer a debrief to unsuccessful bidders; and
- Pay invoices promptly.

Playing by the rules

Our decisions and practices must always be able to withstand public scrutiny. Throughout our procurement activities we will:

- Clearly record our planning, processes and decisions so they can easily be audited;
- Document and manage conflicts of interest;
- Identify risks and get the right person to manage them; and
- Act lawfully, ethically and responsibly.

Thresholds and rules

Our standard procurement processes are based on the following monetary thresholds and rules.

Purchases in excess of \$250,000 and between \$75,000-\$250,000

For purchases in excess of \$250,000, a formal tender or request for quote (RFQ) is to be invited by public advertisement and/or GETS (Government Electronic Tender Services). Please refer to the separate tendering policy.



RANGATIRATANGA



KA NOHO
HAEPAPA



HE RŌPU
WHAKĀRI TEITEI



AROTAHINGA
KIRITAKI



NGĀKAU PONO

For purchases between **\$75,001 and \$250,000**, either a formal tender or RFQ is to be invited by public advertisement or GETS in accordance with council's tendering policy.

Occasions may arise where, due to extenuating circumstances, an advantageous result would not be achieved by advertising a tender or RFQ, for purchases between **\$75,001 and \$250,000**. As a minimum, three (3) formal written quotations will be required. In these circumstances, the reasons for the extenuating circumstances must be documented in writing and authorised by the relevant group manager or CEO prior to proceeding to seek quotations. Such contracts must be authorised and signed by the relevant group manager or CEO.

Purchases between \$25,001 and \$75,000

There are several options open to council staff for goods and services of this value.

Staff can either choose to advertise a tender or RFQ for the relevant goods and services following the guidelines listed in the above clause "purchases in excess of **\$25,000** and between **\$75,000** and **\$250,000**" or obtain at least three (3) written quotations and the most advantageous to council shall be selected.

Occasions may arise where, due to extenuating circumstances, an advantageous result would not be achieved by advertising a tender or RFQ or obtaining three (3) formal written quotations for purchases between **\$25,001** and **\$75,000**. In these circumstances, the reasons for the extenuating circumstances must be documented in writing and authorised by the relevant group manager or CEO prior to proceeding to seek single quotations.

Goods and services between \$3,001 and \$25,000

At least two (2) written quotations are to be requested and the most advantageous to council shall be selected. If for some reason two (2) written quotes cannot be obtained, the reasons are to be documented and referred back to the group manager or CEO for acceptance and sign-off.

Goods and services between \$0 and \$3000

At least one (1) verbal quotation is required for goods and services at this level of order value. This verbal quotation is to be recorded on the requisition with the supplier's name, contact details and prices.

Rules applying to the above thresholds

Awarding of tenders for purchases in excess of **\$250,000** shall be referred to the Tenders Committee for an award decision – please refer to the Tendering Policy.

- Detailed specifications and "Requests for Written Quotation" are to be provided to the suppliers providing quotations.
- Documentation must be retained on file regarding the process undertaken to source the successful supplier.
- If staff are not accepting the lowest-priced bid, then the reasons must be documented and forwarded to the group manager or CEO for acceptance and sign-off.
- Staff must operate within their level of financial delegation as authorised by the staff purchasing delegations register and shall only have the ability to accept tenders or quotes within the limit of their approved financial delegation.
- Under no circumstances are orders to be split into their component parts so that the total value of the procurement is diminished to achieve a lower threshold. If the procurement



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has several stages, then the total overall expected value of all the stages of procurement is to be summed, to determine the threshold that applies.

Variations and exceptions to this policy

- The Chief Executive Officer (CEO) can authorise variations to this policy, upon receiving written application of any variations sought.
- Legal services can be obtained without the need to tender or obtain written quotations; however, the principle of value for money needs to be robustly applied when engaging legal services.
- All of government contracts/suppliers are exempt from the requirement to tender or obtain multiple written/verbal quotations.

Essential supporting information

Key relevant documents:

- Local Government Act
- Government procurement rules
- Procurement Guidance for Public Entities, office of the Auditor General
- Procedures, policies and guidance:
 - Council's tendering policy, which describes the policy and procedures for tendering. Attachment One to this policy.
 - Council's purchasing financial delegation as detailed in the "Delegations Manual".
 - Contract Management Policy
 - Project Management Policy

What is value for money?

Value for money is determined by considering all the factors, which are relevant to a particular purpose, for example, experience; quality; reliability; timeliness; service, as well as initial and ongoing costs.

These factors can have a significant impact on benefits and costs. It is important to note that value for money does not automatically mean the "lowest price" – it means the offer that is most advantageous to council after considering the above factors.

Goods and services tax (GST)

All dollar values mentioned throughout this policy are GST exclusive. This relates to levels of staff financial delegated authority as well as quotations and tenders gained for the purchase of goods and services.

Roles and responsibilities

All staff are responsible for applying our procurement policy and procedures.



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Attachment 1 - Northland Regional Council Tendering Policy

Purpose and objective

The purpose of this tendering policy is to detail council procedures when procuring goods or services via tender or request for quotation (RFQ). This policy should be referred to in conjunction with council's procurement policy. Council is required to formally tender or RFQ for goods and services where described in the procurement policy.

The objective of this tendering policy is to ensure that procurement is done in the most effective and efficient manner that provides value for money, while providing for appropriate internal controls to ensure these objectives are met.

Variations and exceptions to this policy

The Chief Executive Officer (CEO) can authorise variations to this policy, upon receiving written application of any variations sought.

Tender procedures

Calling for tenders:

1. The officer in charge of the project for which tenders are to be sought will advise the governance support manager who will record the project in a tender book, allocate a tender number and advise the information management team, who will process tenders received in the mailroom.
2. All public tenders will be advertised in appropriate newspapers or GETS, the first such advertisement being inserted a minimum of 15 working days before the tender closing date.
3. Advertisements are to call for tenders to be submitted in a sealed envelope marked "Tender – Contract No. ..." The advertisements must prominently contain the words "Highest (or lowest) or any tender not necessarily accepted."
4. Marked tenders received will immediately be deposited in the locked tender box held at the reception area in the Water Street office, Whangarei.
5. Unmarked tenders and tenders received by fax or email will be placed in an envelope, sealed and marked "unmarked tender for contract ...", and placed in the sealed tender box.
6. Tenders will close according to the details contained in the tender documentation.
7. Tenderers may be encouraged to offer alternative tenders that do not fully meet the prescriptive conditions of tendering but provide innovative solutions and better value for money. Council must specify the circumstances in which alternative tenders will be considered. Where a tenderer offers an alternative, a tender for that alternative should not be sought from other tenderers. Council should not breach confidentiality by using information contained in alternative tenders as the basis for calling subsequent tenders. Alternative tenders should not be accepted from tenderers that have not submitted a complying tender.
8. The officer in charge of the contract will place an estimate of the value of the contract in the tender box before tenders are received.
9. No tender received after the closing date and time will be accepted.
10. Late tenders are to be handed to the governance support manager unopened who will take such steps as are necessary to determine the name of the tenderer and return it with a letter advising that it was received after the close of tenders and not considered. Late tenders should be returned unopened.



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Procedure after the close of tenders

1. At the appointed time for the closing of tenders, the governance support manager (or other appropriate representative) will check that no tenders are waiting to be processed and will check with the information management team to ensure no faxed or emailed tenders were received before the closing time.
2. The tender box is to be opened in the presence of a councillor, the officer in charge of the contract and the governance support manager (or their appointed representatives).
3. As tenders are opened, the name of the tenderer and the amount of the tender will be recorded by the governance support manager in a tender book.
4. When all tenders have been opened, each tender will be initialled by the councillor present. The tender book will be signed by the councillor and the governance support manager (or other appropriate representative).

Tender evaluation and award

The governance support manager will pass all tenders to the officer responsible for the contract, who will prepare a tender evaluation report. The minimum detail to be included in the officer's report is as follows:

1. A description of the proposed work (that is, the scope of the contract).
2. Details of the tender opening (date, time, place and officers present) and a list of tenderers and tendered prices (GST exclusive) as submitted, including the officer's pre-tender price estimate.
3. A list of tendered prices (GST exclusive).
4. An evaluation of the tender prices against the estimate and a commentary on significant variations. This includes:
 - i) A statement that the contractor who has submitted the lowest tender is considered to be capable of supplying the goods or services successfully to the required standards within time and within budget.
 - ii) All valid tenders must be evaluated strictly in accordance with the terms of the tender documents and specifications. If the lowest tender is not recommended for acceptance, a similar statement is required for the recommended tenderer, together with reasons for not recommending the lowest tender or lower tenders (if more than one).
 - iii) A financial statement showing details of all expenditure required to complete the works and the actual funds available will be included.
5. The recommendation of the officer evaluating the tenders.

Below are the general key areas to be taken into consideration when evaluating a tender:

Price – while price is one of the most important aspects of procurement, it does not always follow that the lowest price will always win the contract. The requirement is for the most commercially favourable and advantageous tender to be accepted. This may not necessarily be the cheapest tender, but it may address more adequately other areas of evaluation.

Commercial considerations – these might include the ability of the supplier to deliver the goods and/or services as and when required; the capacity of the supplier to meet environmental and health and safety standards; any previous poor supply performances; inferior product quality; ability



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to meet appropriate quality standards as set by council and suitability of the product being tendered.

Financial considerations – refers to the financial viability and stability of the supplier. If there are questions in this regard, then appropriate advice should be sought.

Risk – a formal risk assessment must be conducted for all tenders over \$250,000. The resulting risk profile will be used in conjunction with analysis of other evaluation criteria.

Negotiating with tenderers

If after formal evaluation of a tender, none of the tenders are acceptable to council, negotiations may be conducted with the tenderer that submitted the most acceptable tender based on the evaluation criteria. Prior to entering into negotiations directly with one or more of the tenderers, a report must be written to council's tender committee with a recommendation for council to reject all tenders. The tender committee must then adopt a second recommendation that specifically allows council officers to negotiate directly with one or more tenderers or other parties as deemed appropriate by council.

The purpose of the negotiations will be made clear to all participants prior to the start of negotiations. The aim of this is to achieve a tender that is mutually acceptable. Written records of all negotiations, including documentation covering who does what, when and why, must be maintained by council.

Council should exhaust negotiations with the tenderer who submitted the most acceptable tender before negotiating with the next most acceptable tenderer, unless time constraints or the closeness of the tenders dictate otherwise.

In any tender related negotiations or evaluations, council must deal fairly with all tenderers in a manner that reflects the ethical principles stated below. Council officers must not in any way use the negotiation as an opportunity to trade off different tenderers' prices against others in an attempt to seek lower prices. This practice is known as 'bid shopping' and is unacceptable in any tender-related negotiations or evaluations.

Formal negotiations with a tenderer are different to gaining clarification of issues during the evaluation of a tender. Through the evaluation process, questions may arise from information provided by one or more of the tenderers. A member of the evaluation team may seek clarification on these matters from the relevant tenderer as required. The purpose of this contact is not negotiation, but for clarification purposes only – this contact is not to be used to negotiate other terms and conditions with any particular tenderer, or to allow them the opportunity to gain some advantage over other tenderers.

Awarding of contracts

1. Managers, within their purchasing delegated authority limits, have authority to accept a tender, provided that:
 - i. The tender is for less than \$250,000 and within the sum provided in the approved annual budgets.
 - ii. There are no questions as to the tenderer's ability to undertake the contract.



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2. Tenders for sums in excess of \$250,000 will be referred to the Tenders Committee, consisting of the council chairman (or in his absence the Deputy Chair) and the CEO.
3. The committee will have the power to award a tender outright or to refer tenders to council for prior approval as they see fit.
4. Unsuccessful tenderers are to be informed of the name of the successful tenderer and the successful tender price within 10 days of acceptance of a tender.
5. For tenders, staff of the department concerned will prepare the contract documents and a contract agreement.
6. When a contract is signed, one set of completed documents will be mailed to the contractor and council's set will be electronically filed in the document management system (Objective) by the information management team.

Ethical principles

The following principles will apply to all council tenders:

- Parties must conduct the tendering process with honesty and fairness at all levels.
- Parties must conform to all legal obligations.
- Parties must not seek or submit tenders without a firm intention to proceed.
- Parties must not engage in any practice, including improper inducements, which give one party an improper advantage over another.
- Tenderers must be prepared to attest to their probity, and not engage in any form of collusive practice.
- Conditions of tendering must be the same for each tenderer on any tender.
- All requirements must be clearly specified in the tender documents and criteria for evaluation must be clearly indicated.
- Evaluation of tenders must be based on the conditions of tendering and selection criteria only, as defined in the tender documents.
- Parties must not disclose confidential or proprietary information.
- Any party with a conflict of interest must declare that interest as soon as that party knows of the conflict.
- All dealings between client and tenderer are to be transparent and able to withstand public scrutiny.

These ethical principles apply to all parties in the tendering chain, both council and tenderer.

Confidentiality

All tender documents received by council will be treated as confidential if the content of the documents contain intellectual property, proprietary, commercial-in-confidence or other confidential information.

Contact person

Council must, in all tenders, nominate a person as a point of contact for any enquiries regarding the tender, the process or feedback.

Tender threshold

The tender threshold must be estimated honestly and with up to date market prices. Further, any options in the contract must be included in the estimate of the value of the contract, for example, if a contract for the first term will cost \$130,000 and an option to extend the contract for a further term is also worth \$130,000 then the tendering requirements are triggered because the value of the whole contract is possibly up to \$260,000.



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As stated earlier in the policy, the officer in charge of the tender will place an estimate of the value of the contract in the tender box before tenders are received.

Order/contract splitting

Under no circumstances is a contract to be deliberately split into two or more parts in an effort to avoid the requirement for tendering.

Tendering methods

It is the responsibility of the delegated council officer to select the most appropriate tendering method. It is common to choose the tendering method that is best suited to the procurement to be undertaken.

1. Open tenders: where council tenders by public advertisement or GETS with no restriction placed on who may tender.
2. Selective tenders: where invitations to tender for a proposed contract are made, following a public advertisement or GETS, asking for expressions of interest.
3. Selected tenders/pre-qualified tenders: where recognised contractors selected from a list prepared or adopted previously by the council are invited to tender for proposed contracts of a particular kind.

Tender documents

All tender documents should include the following information:

- Details of the tender requirements;
- Specification of the goods or services required that will provide equal opportunity for all potential tenderers to offer goods and services that satisfy council's needs;
- Give details of the work to be carried out, the goods or facilities to be provided, the services to be performed and if the proposed contract is an instalment contract;
- Give details of the instalments to be paid by or to council and the period over which the instalments are to be paid and the intervals between payment of the instalments;
- Must designate any supporting information required from tenderers;
- Must nominate a contact person for availability during the tender process;
- Must identify the selection criteria on which the assessment of tenders will be based;
- Must clearly define the contractual obligations of both parties;
- Must draw attention to any special conditions or obligations under the contract which may depart from council's normal practice;
- Include a statement that no binding contract exists until the successful tender is accepted;
- Clear instructions regarding how submissions should be lodged with council, that is, via hard copy in the tender box only, or whether electronic or faxed submissions are permissible. If electronic or faxed submissions are permissible, then detailed instructions regarding these methods of submission are to be included; and
- Include a statement about the communications protocol both during the tender period and after receipt of submissions.



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Evaluation criteria

In addition to prices tendered, evaluation criteria should contain critical factors to be used in the evaluation of tenders. All tenders being considered must have a completed "Tender Evaluation Officers Report" – (attached). Evaluation factors typically include, but are not limited to:

- Whole of life costs/value for money;
- Ability to meet council's ethical standards;
- Innovation offered;
- Any perceived risks to council in awarding this tender;
- Delivery times offered;
- Quality offered;
- Previous performance of tenderer;
- Current commitments;
- Experience of tenderer and personnel proposed;
- Capability of the tenderer, including technical expertise, management, human resources, organisational and financial capability and capacity;
- The ability of the tenderer to meet the specifications as detailed in the tender documents;
- Tenderer's health and safety management practices and performance;
- Tenderers environmental management experience and performance; and
- Conformity of tender with the stated requirements.

In most tenders there will generally be no more than five or six evaluation criteria depending on each individual tender's requirements. The decision on the specific criteria to be used will be made by the appropriate officers responsible for each tender. All evaluation criteria should be consistent with the contract requirements and aim to identify the tenderer offering the best value for money.

The weighting of all the evaluation criteria must be determined prior to the tenders being closed and shall be described in the tender. Tenderers have a right to expect good faith and efficiency from those people calling and assessing the tenders.

For expressions of interest, the main considerations for selection of prospective tenderers are their capacity and capability to perform the requirements of the proposed contract.

For all tenders and expressions of interest, detailed documentation relating to the evaluation process and the selection of the successful tenderer should be kept and filed appropriately along with other relevant documentation.

Advertisement of tenders and expressions of interest

Tenders will be advertised in a newspaper and/or placed on the GETS website.

Enquiries by tenderers and the register of communication

Council must nominate a contact person, as stated earlier in this policy. All enquiries from tenderers to the contact person should be recorded, noting time and date of receipt, the issue raised, and any response provided. Any information given to a tenderer, which clarifies any aspect of the tender, must be promptly communicated in writing to all other tenderers. This does not apply to confidential or intellectual property information.

If an enquiry leads to the discovery of a significant error, then the information should be communicated to all tenderers.



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Communication with tenderers after close of tenders

After the tender has closed and the evaluation process has begun, the following protocol should apply to contact between the tenderers and members of the evaluation panel and other council officials:

- Contact between council and a tenderer should always be in writing and only with the official contact person for that tender, as detailed in the tender documents. If a tenderer contacts a council officer by telephone, the conversation should be documented and confirmed in writing with the tenderer. This will then form part of the formal communications relating to each particular tender.
- In general, tenderer-initiated contact should not be allowed except for the notification of a mistake or anomaly.
- Council-initiated contact with a tenderer should be only for the purpose of clarification. The decision to contact a tenderer should be made by the entire evaluation panel.
- Where the evaluation panel decide to request clarification from a tenderer, all tenderers are to be given the opportunity to provide clarification on that aspect of the tender if necessary.
- Clarification can only be sought if information received in a tender is open to interpretation or is not clear and where this information is necessary to properly evaluate tenders.
- It is critical that council-initiated contact does not result in any tenderer gaining an unfair advantage over other tenderers, that is, the tenderer is not allowed to revise or enhance the original tender.
- All contact, whether council or tenderer-initiated must be well documented and records maintained.

Amendments to tender documents (addendums)

Where it becomes necessary to amend tender documents, the amendments must be advised as an addendum to all tenderers in enough time for them to properly consider the addendum before tenders close. Each addendum should state clearly that it is to be incorporated in the original tender documents. Addendums will be distributed via GETS. Consideration may need to be given to extending the tender period when an addendum is issued. If the tender period is extended, all tenderers are to be advised of the new closing date and times.

Late tenders

Council is not permitted to consider a tender unless it is received by council before the closing deadline.

Tenders submitted by facsimile or electronically, must be fully received prior to the closing time and date of the tender.

Notification of the outcome of tenders

Successful tenders After a formal report and subsequent acceptance by the manager responsible for awarding the tender, of the tender committee of a successful tender or tenderers, the responsible council officer is to notify the successful tenderer/s in writing (or by electronic means).

Unsuccessful tenders All unsuccessful tenderers should be advised in writing (or by electronic means) that their tenders were unsuccessful, only after formal resolution by the tender committee or the manager responsible for awarding the tender.



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Risk management and insurance requirements

Council will ensure that appropriate risk management practices and procedures are included in its tender documentation. All successful tenderers will be required to comply with current environmental, health and safety legislative requirements and will effect and maintain appropriate insurance policies. Following is a list of the insurances a tenderer will generally be required to have, however please note that this list is not exhaustive and is to be used as a guide only as there may be other insurances required for particular contracts that are not listed:

- Public liability insurance cover; and
- Professional indemnity insurance cover.

The tender documents will indicate the type and value of insurance that is required for contractors to hold. Tenderers will be required to supply to council copies of current “Certificates of currency of insurance” and will be contractually bound to maintain the currency of all required insurances for the term of the contract.

Contract management system

All tenders, expressions of interest and formal requests for quotation are to be recorded in council’s formal contract management system in its document management system (Objective). Objective is the central repository for all tender-related documentation and processes and allows for detailed contract management from the development of the tender documentation through to award of the contract and day-to-day contract management issues.

Details of contracts awarded will be regularly published on the council’s website as part of our commitment to transparency and the proactive sharing of information of interest to Northlanders. The contracts web report contains information about contracts valued at \$50,000 or more, awarded by the council each financial year. The staff member responsible for each contract will ensure that the Chairman’s Personal Assistant forwards information to the web team to ensure the web report is kept up to date with all new contracts awarded. This web report lists:

- A brief description of the goods and/ services being supplied
- The name of the successful supplier-Private individuals will not be published-only companies
- The contract start date
- The contract value



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Attachment 2

Northland Regional Council Tender Evaluation Officers Report

Add Project Name

Report Prepared by: Officer name, title, date

Background

Add detail as required, including tender method.

The Management Policies and Procedures Manual require that:

- Tenders in excess of \$250,000 shall be referred to a tenders committee made up of the Chief Executive Officer and NRC Chairman (or Deputy Chair).
- The tender committee shall have power to award the tender or refer the tenders to council for determination.

Description of Proposed Services/Goods

Add detail as required

Details of Tender Opening

Add who was present at tender opening and when tenders were opened.

Add names and values of tenders received, include any late tenders and state these are not to be considered.

Tender Evaluation/Discussion

Complete evaluation of tenders, include attributes and scores etc.

Identify any non-complying tenders and specific reasons for non-complying.

Identify preferred tender

Health & Safety

Is the preferred tenderer Health & Safety Pre-approved meeting requirements of NRC H & S Contract Management Manual Obj Ref : A852173

Yes / No

Is the preferred tenderer suitable for the proposed scope of works?

Yes / No

Financial Statement

Confirm budget is available and which account.

Comparison of Price With Engineers Estimates and Budget for range of tenders and preferred tender

Risk

Complete risk assessment – refer NRC Risk Framework for reference

Detail any risk items that require further consideration and mitigations.



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Confirmation of Compliance with NRC Procurement & Tendering Policies & Procedures

Add statement to confirm compliance with NRC policies and/or any variations to the P&P.

Recommendation

Add recommendation for tender, including final amount to be awarded, when services are scheduled to start/end (or goods received) and identify the officer(s) that will be responsible for managing the tender.

Council decision

Does this tender need to go to council first for prior approval? Yes / No

Tender Committee Approval

NRC Chairman

Dated:

.....

...../...../.....

NRC Chief Executive Officer

Dated:

.....

...../...../.....



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Document approval

The approval for distribution and use of this policy has been delegated as per the document information:

Document information:

	Information
Document ID:	A778458
Document name	Procurement Policy and Procedures
Approved by:	GM Corporate Excellence – Dave Tams
Date approved:	
Policy Owner:	GM Corporate Excellence – Dave Tams
Policy Author:	Bruce Howse
Group	Corporate Excellence
Date policy published:	
Date policy created:	18 November 2015
Review date:	19 March 2021

Document history:

Version	Issue date	Notes
1.0	29 March 2016	First published version
2.0	31 May 2017	Increase tender threshold & add evaluation form
3.0	20 May 2020	Changes to financial thresholds, publication of successful tender details and conversion to new template



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TITLE: GMO Appeals - Proposed Regional Plan

ID: A1320126

From: Ben Lee, Strategic Policy and Planning Manager

Executive Summary / Whakarāpopototanga

The Far North District Council and the Whangarei District Council appealed council's decision on the proposed Regional Plan. The appeals seek the inclusion of provisions to manage genetically modified organisms (GMOs) in the coastal marine area (CMA). The three parties that opposed the appeals have withdrawn. This means that council is now the only party not supporting the inclusion of the GMO provisions in the CMA.

Staff's recommendation is to actively defend council's decision (e.g. call evidence in Environment Court proceedings). This does not require a formal decision of council because it is the status quo.

It is open to the council to change its position. If council were to reconsider its position, then it should be based on sound resource management reasons.

Recommendation / Tūtohutanga

1. That the report 'GMO Appeals - Proposed Regional Plan' by Ben Lee, Strategic Policy and Planning Manager and dated 27 May 2020, be received.
2. That council maintain its decision not to include provisions in the Proposed Regional Plan regulating the use of genetically modified organisms in the coastal marine area, and that council actively defend this position in Environment Court proceedings.

Background / Tuhiinga

The Far North District Council and the Whangarei District Council appealed council's decision on the Proposed Regional Plan. The appeals seek the inclusion of provisions to manage GMOs in the coastal marine area (CMA). Various parties joined the appeals, including three parties opposing the appeals:

- Life Sciences Network
- Biotech NZ
- Federated Farmers.

In January 2020, council agreed to maintain its position as per the July 2019 council decision not to include provisions in the Proposed Regional Plan for the management of GMOs in the CMA - but signalled that it did not intend to actively defend its position in the Environment Court proceedings. This meant that the council would not (for example) put up any evidence should the appeal proceed to a hearing. A key factor in adopting this position was the fact there were interests from both sides of the argument represented by the parties, and they would provide the spectrum of arguments evidence through the proceedings.

The three parties above opposing the appeals have now withdrawn. This means that all the parties involved in the appeals support the inclusion of GMO coastal marine area provisions in the Proposed Regional Plan – except council.

If council maintains its current position of not actively defending its decisions in the Environment Court, it would mean the Court would only be provided evidence in favour of including provisions. The Court has the power to ask for evidence – but this would be unusual.

The Court (and other parties) would likely be highly scathing of council, and there is a high likelihood that costs would be awarded against council (which could be significant), should council not actively participate in the Environment Court proceedings. If no evidence was called in support of the council's decision, the Court's decision would most likely be to include provisions.

While council could continue with this approach, the risks and costs far outweigh any benefits.

If council continues to maintain its position of not including GMO provisions in the Proposed Regional Plan, then it is recommended the council actively defends this position (e.g. call evidence) in the Environment Court proceedings.

It is open to the council to change its position and agree with the appeal parties to include GMO provisions in the Proposed Regional Plan – there are no legal impediments.

Staff cannot provide advice whether council should change its position – they are constrained by the fact that there is a council decision, and as staff our role is to defend council's decision. As with any Environment Court appeals, staff would only consider recommending a significant change in position if there was any new compelling information that challenged the foundations of council's original decision – and to date staff are not aware of any such information. Staff therefore recommend council maintain and defend its decision not to include GMO provisions in the CMA.

If council were to reconsider its position, then it should be based on sound resource management reasons.

Two potential decision reports were presented to council at its July 2019 council meeting – one in support of not including GMO provisions (**Attachment 1**) and the other in support of including GMO provisions in the CMA (**Attachment 2**). The recommendation of all the expert planners (including the council's consultant planner) was to include GMO provisions in the CMA. The July 2019 council decision (Attachment 1) was finely balanced, with the Chair using his casting vote.

If council were to reconsider its position, then a basis for it could be the July 2019 alternative decision report (Attachment 2). Council could change its position on the basis that the findings of the alternative decision report was the more appropriate for achieving the purpose of the RMA and for giving effect to the high-order instruments, including the RPS and NZCPS.

The appellants have sought to include the same set of provisions as recommended in the alternative decision report (Attachment 2).

Considerations

1. Options

The following is a brief assessment of the risks, costs and benefits of the two options. It includes the key reasons from the two July 2019 decision reports.

Note: the option of maintaining the current position but not actively defending it is not included in the table as it is not a viable option. As outlined in the "Background" section, the risk and costs far outweigh any benefits.

Option	Risks and costs	Benefits
Option 1 - Agree with the appeal parties to include provisions in the Proposed Regional Plan	<ul style="list-style-type: none">• Deviates from council's original decision.• If a GMO emerges which is safe and has significant benefits (e.g. an organism that controls a marine pest) then it will require a plan change (change from prohibited) before it could be used in Northland's CMA – time and cost (estimate 2 years, staff time, and	<ul style="list-style-type: none">• Resolves the appeals without a hearing – saves staff time and costs (circa \$60 - \$80k, unbudgeted).• Inclusion of provisions relating to the management of GE / GMOS in the CMA responds to widespread community concern.• Is a highly precautionary approach.

	<p>\$50-\$100k). The evidence to date has not indicated any such GMO on the horizon.</p> <ul style="list-style-type: none"> While including provisions in the Regional Plan will not increase the council's legal liability to clean-up or otherwise address the illegal use or introduction of GMOs in the coastal marine area, it may lead to enhanced expectation from parts of the community to address adverse effects arising from unlawful or accidental use of GMOs (compared to if no provisions included in plan). No new compelling information has been provided to support a change of position, so the council could be criticised for taking an unprincipled approach to changing its position. 	<ul style="list-style-type: none"> Achieves consistency with the approach on land in Northland (under Far North and Whangarei District Plans) and with Auckland, which has GMO provisions for the coastal marine area.
Option 2 - Maintain position, proceed to hearing, and call evidence	<ul style="list-style-type: none"> Staff time and costs (circa \$60 - \$80k for legal and expert evidence). Risk that the Court may find in favour of the appeal parties and include GMO provisions. Inconsistent with approach on land in Northland and in Auckland, which have GMO provisions. 	<ul style="list-style-type: none"> Maintains integrity of council's original decision. Would be of national benefit in having an Environment Court merits decision on the inclusion (or not) of GMO coastal marine area provisions in regional plans. No requirement to change the plan if a GMO emerges which is safe and has significant benefits. Potentially reduces community expectation that the council would be responsible for addressing any unlawful or accidental release of GMOs.

Staff recommend Option 2 – that council maintains its current position and actively defends this position through the Environment Court. Staff are not aware of any new compelling information to support a recommendation to change council's original decision.

2. Significance and engagement

If council were to change position and support the inclusion of GMO coastal marine area provisions in the Proposed Regional Plan, then the decision could arguably be considered significant when assessed against council's Significance and Engagement Policy (as required by section 79 of the Local Government Act 2002). However, this decision is part of a broader Resource Management Act 1991 process for developing the Proposed Regional Plan – including significant public engagement through submissions, presentations at hearings and appeals – and council is therefore able to make this decision without any further public consultation.

3. Policy, risk management and legislative compliance

There is no legal or policy constraint if council were to change position and support the inclusion of GMO coastal marine area provisions in the Proposed Regional Plan. Provided the

decision was based on sound resource management principles, then it would be consistent with the Resource Management Act 1991.

It is considered there is low risk that a change of position would be legally questioned – if the appeal is settled between the parties, it is unlikely that the Environment Court would call a hearing. Furthermore, there are no parties to the appeal to oppose that outcome.

Further considerations

4. Community views

Community views have been expressed through the submissions, hearing and now the appeals process. Most of the submissions were in favour of including provisions in the Proposed Regional Plan to manage GMOs.

5. Māori impact statement

Māori have consistently raised concerns about genetic engineering and the release of genetically modified organisms. This is reflected in “The use of genetic engineering and the release of GMOs to the environment” being an issue of regional significance to tangata whenua in the Regional Policy Statement.

6. Financial implications

If council were to change position and support the inclusion of GMO coastal marine area provisions in the Proposed Regional Plan, the potential financial implications are:

- Resolves the appeals without a hearing – saves staff time and costs (circa \$60 - \$80k, unbudgeted).
- If a GMO emerges which is safe and has significant benefits (e.g. an organism that controls a marine pest) then it will require a plan change (change from prohibited) before it could be used in Northland’s CMA – time and cost (estimate two years, staff time, and \$50-\$100k). The evidence to date has not indicated any such GMO on the horizon.
- The possible enhanced expectation from parts of the community to address adverse effects arising from unlawful or accidental use of GMOs (compared to if no provisions included in plan) may lead to council deciding to fund any such clean-up.

7. Implementation issues

If provisions are included in the Proposed Regional Plan, council will be required to implement the provisions. There is a low likelihood that council will have to process resource consent applications for the use of genetically modified organisms in the coastal marine area (based on current evidence for demand within the life of the plan). There may be some elevated community pressure (but no legal requirement) on council to pay for the clean-up of any accidental or illegal release of genetically modified organisms in the coastal marine area.

Attachments/Ngā tapirihanga

Attachment 1: Council decision on GMO submissions to not include provisions for genetically modified organisms [↓](#)

Attachment 2: Council decision on GMO submissions - Potential council decision supporting inclusion of provisions for genetically modified organisms [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 10 June 2020

DECISION OPTION 2 – NO NEW PROVISIONS

Decisions in response to submissions on the Proposed Regional Plan for Northland Genetic Engineering and Genetically Modified Organisms

Section 1 Introduction

- [1] On 6 September 2017 the Northland Regional Council ('the Council' or 'NRC') notified the Proposed Regional Plan for Northland ('the Plan' or 'pRPFN'). This Decision relates specifically to the submissions that were received on Genetic Engineering and Genetically Modified Organisms (GE / GMO).
- [2] The hearing and consideration of submissions on GE / GMO function was a function retained by the Council and was addressed through a separate hearing process to the hearing and consideration of other submissions on the Plan. For the avoidance of doubt, the Council affirms that throughout the performance of its duties on this matter it has been objective in considering and making decisions on the submissions.

Hearings Process

- [3] A total of 83 submitters made submissions on GE / GMO¹. The relevant Council summary of submissions is Part K.1 of the Summary of decisions requested (March 2018). The pRPFN as notified did not contain provisions, including rules, of the scope sought by the primary submitters. While many submissions referred to what had occurred in Northland and Auckland Plans, and previous work that was carried out by a joint council working party, no specific s32 analysis or detailed set of proposed provisions was provided. The Hearing Panel issued Minute 1 on 30 January 2018 which requested that s32 Evaluations be prepared for provisions which were not assessed by the Council. In response to that Minute, s32 evaluations and provisions were submitted by David Badham, consultant planner on behalf of the Whangarei District Council and Far North District Council and Vern Warren, consultant planner on behalf of (originally) the Soil & Health Association, GE Free Tai Tokerau and many other submitters².

¹ Noting that there was some doubling-up of submissions in the submission's summary

² The submitters are listed in Vern Warren's s32 evaluation report.

- [4] The Council appointed Mr Peter Reaburn, an experienced and independent consultant town planner, to prepare the s42A report. Via Minute 7, the Council set in place a process by which the s42A report was made available to submitters approximately one month in advance of the date by which expert evidence on behalf of submitters was to be provided. It was also encouraged through the Minute that non-expert evidence be provided. In accordance with the Minute, a s42A Addendum report was provided approximately two weeks before the hearing.
- [5] The hearing was held at Northland Regional Council, 36 Water Street, Whangārei, on Tuesday 30 October 2018 and Wednesday 31 October 2018. The hearing was then adjourned. During the hearing, Council members asked questions of submitters to enhance the Council's understanding of their requests, the grounds for them, and advice given in the s42A reports. The Council endeavoured to conduct the hearings with a minimum of formality to an extent that allowed for fairness to all submitters.
- [6] In Minute 8 following the hearing the Council indicated that it had, after considering all relevant material, arrived at a preliminary view (that is, not the Council's final decision), that:
- The Proposed Regional Plan will not include provisions for the management of GMOs on land (outside the coastal marine area).
 - The Proposed Regional Plan will include provisions for the management of GMOs in the coastal marine area.
- [7] It was further noted that Council had received recommended provisions from each of the expert planners (Vern Warren, David Badham and Peter Reaburn) which were similar. The expert planners were directed to work together with the goal of coming up with an agreed set of provisions. These were subsequently provided to submitters for further comment prior to a reconvened hearing, which was held on 26 February 2019. The planners were invited to attend and answer questions. Submitters were also able to attend, although not to participate.
- [8] The hearing was then adjourned for Council to go into public excluded deliberations (on the same day). Following deliberations, Council requested further information and directed Council staff to facilitate them:
- Minute 10:
- i. A legal opinion to answer the question - would the inclusion of provisions in the Regional Plan to regulate GMOs increase Council's legal liability to clean-up or otherwise address the illegal use or introduction of a GMO in the coastal marine area?
 - ii. Advice from Aquaculture New Zealand on any actual or anticipated use by the aquaculture industry of genetically modified veterinary vaccines.

Minute 11:

- i. A legal opinion to answer the question: If the Regional Plan included rules regulating GMOs in the coastal marine area, what would council's responsibility be to monitor and enforce the rules?
 - ii. Would it increase Council's legal liability to clean-up or otherwise address the accidental release of a GMO resulting from an 'act of god' on an otherwise authorised use of GMOs (for example, a tsunami destroying a contained GMO field trial undertaken on a wharf)?
 - iii. What have other councils (that have GMO provisions in their respective plans) budgeted for the potential clean-up of the accidental or illegal release of GMOs and the costs (including staff time) of monitoring and enforcement of GMO use?
- [9] All responses were placed on the Council's website, and submitters who submitted on the inclusion of GMO provisions and wished to be heard, were notified of the responses.
- [10] Overall, the Council was assisted by all the requests and suggestions by submitters and their witnesses and by the s42A report author which have substantially assisted the Council in its deliberations and in the Council's decision-making. The submissions and reports have all contributed to an effective and fair process for which Part 1 of Schedule 1 of the RMA provides.

The Decisions report

- [11] The Council has no substantial disagreement with the analyses undertaken by the s42A author noting that Mr Reaburn's conclusions in relation to whether or not provisions should be introduced were "finely balanced" This Decisions report contains a summary only of the conclusions the Council has reached in relation to the issues raised in submissions and highlights matters of particular concern that have led to the decision made. To avoid further unnecessary duplication and repetition the Council affirms that, except where the detailed findings in this Decisions report vary from the s42A Reports, the Council adopts those reports, which should be read as forming part of this Decision report. Further, to the extent that the commentary is relevant to the GE / GMO matter, the Council adopts the following parts of the Hearing Panel's recommendation report³ made on all other submissions to the pRPFN.

- Section 2 The Resource Management Act

³ The hearing of all other submissions (all but the GE/GMO submissions) was delegated to a Hearing Panel to make recommendations to Council.

- Section 3 Higher Order and other Relevant Instruments
- Section 5 Council's Approach to the Plan
- Section 6 Tangata Whenua
- Section 7 Additional Objective and Policies (General Approach)

Section 2

Issues Raised in Submissions

[12] All primary submissions supported inclusion of restrictive, precautionary or prohibitive provisions into the pRPFN for managing GE / GMO in the region, or parts of the region. In summary, the submissions sought that the pRPFN be amended to:

- give effect to the GMO 6.1.2 policy in the Northland Regional Policy Statement 2016 ('RPS');
- provide a region-specific approach to managing GMOs, taking into account environmental, economic, cultural and social well-being considerations and including strong precautionary and prohibitive GE provisions, policies and rules for all environments - land, inland waterways and coastal – and all possible vectors of such organisms;
- add provisions in the Coastal, Land and Water and Tangata Whenua parts of the PRP to address concerns to tangata whenua and potential adverse effects on biosecurity, indigenous biodiversity, existing non-GM primary producers and public health from outdoor use of GMOs; and
- include provisions consistent with / align with / be the same as provisions in the Auckland Council Unitary Plan, and the Far North District Council and Whangarei District Council plan changes.

[13] With one exception, the further submissions received supported the primary submissions. The one exception was the further submission from Federated Farmers. That further submission opposed all of the primary submissions on the basis that:

- *There is no scope to include the provisions sought in the Proposed Regional Plan.*
- *Even if there was scope, there is no justification (in terms of RMA s32) for including the provisions sought in the Proposed Regional Plan.*

[14] The key questions evaluated in this Decisions Report include:

1. Is there a legal basis for including GE / GMO provisions in the Proposed Regional Plan?
2. Is there a legal constraint to including GE / GMO provisions in the Proposed Regional Plan?
3. Is there a legal obligation to include GE / GMO provisions in the Proposed Regional Plan?
4. Is there a sufficient evidential basis to include GE / GMO provisions in the Proposed Regional Plan?
5. Would the inclusion of provisions in the Regional Plan to regulate GMOs increase Council's legal liability to clean-up or otherwise address the illegal use or introduction of a GMO in the coastal marine area?

Section 3

Evaluation

Legal Basis for Regional Plan Provisions

- [16] There was a consensus amongst the parties, including from Federated Farmers, that s12(3) of the RMA provides a statutory basis for the inclusion of GE/ GMO provisions in the CMA.
- [17] There was less certainty in relation to whether GE / GMOs constituted a "contaminant" under s15 of the RMA. The evidence in general concluded that, considering the large range of circumstances that may be presented, a particular form of GE / GMO may or may not be considered a contaminant. While s15 may not apply in all cases, it is likely to in some and on that basis the Council finds that it is appropriate to refer in the provisions to s15 as being a statutory basis for the inclusion of GE/ GMO provisions in the pRPFN.

Legal constraints in relation to Regional Plan Provisions

- [18] The Council was referred to a number of Court decisions that have addressed whether there is jurisdiction to include GE / GMO provisions in a regional plan. Consistent with those Court decisions the Council is satisfied that there is no express exemption for consideration of control of new organisms under the RMA in either the RMA or the Hazardous Substances and New Organisms Act 1996 ('HSNO'). The Council notes in particular the High Court's finding that, while there was an overlap between the HSNO Act and the RMA:

“...there is nothing present in these pieces of legislation to prevent the establishment of objectives, policies and methods to achieve integrated management of natural and physical resources in the broad terms directed by the RMA.... I consider that there is a readily identifiable policy reason for that in these pieces of legislation, read together. Once having been approved for import and release into New Zealand under HSNO, regional authorities can provide for use and protection of them together with other resources in a fully integrated fashion, taking account of regional needs for spatial management that might differ around the country for many reasons, not the least of which might include climatic conditions, temperatures, soils, and other factors that might drive differing rates of growth of new organisms and/or of other organisms, as just a few of perhaps many examples. I agree with the opposition parties that the RMA and HSNO offer significantly different functional approaches to the regulation of GMOs⁴.”

- [19] In relation to the justification required under RMA s32 for including provisions in the pRPFN, the notified pRPFN s32 document did not assess GE / GMO provisions further than noting this was a matter that may be addressed at a later date. As noted in Section 1 above, the Council requested through Minute 1, s32 evaluation reports for the provisions sought to be introduced by submissions, and two s32 reports were subsequently provided. The Council has had particular regard to those Section 32 Reports.⁵ Section 32AA of the RMA requires a further evaluation of any further changes made, which can be the subject of a separate report, or referred to in the decision-making record.⁶ If it is referred to in the decision-making record, it should contain sufficient detail to demonstrate that a further evaluation has been duly undertaken.⁷
- [20] An assessment of the efficiency and effectiveness of amendments to the pRPFN must involve identifying and assessing the benefits and costs of the anticipated effects of implementing them, including opportunities for economic growth and employment. If practicable, the assessment should quantify those benefits and costs; and assess the risk of acting or not acting if there is uncertain or insufficient information about the subject-matter. This Decisions report, including the Section 32 documentation provided, the s42A reports the scientific, economic and cultural evidence provided at the hearing and Appendix A is intended to form part of the Council's decision-making record. The Council adopts this material as evaluations under s32 and s32AA.

Legal obligations in relation to Regional Plan Provisions

- [21] The Council has carefully considered the s42A report, the submissions and the evidence relating to Council's obligations under Section 67(3) of the RMA, and in particular the New

⁴ Federated Farmers of New Zealand v Northland Regional Council CIV-2015-488-0064 [2016] NZHC 2036 Paragraphs 48 and 49

⁵ RMA, s66(1)(e).

⁶ RMA, s 32AA(1)(d) and (2).

⁷ RMA, s 32AA(1)(d)(ii).

Zealand Coastal Policy Statement and the Northland Regional Policy Statement ('RPS'). A number of submitters considered that there was an obligation under these higher order documents for the regional plan to manage GMOs. However the conclusion reached by the author of the s42A report, informed by legal advice received by the Council, was that there was no legal obligation. In that respect Council notes that the EPA is legislatively mandated to control GMOs, and their role includes having regard to such matters as effects on the natural environment and on issues of concern to tangata whenua. The extent to which the EPA processes would address matters that could only be addressed by the pRPFN was the subject of some debate, including as to whether the EPA process would reach decisions that aligned with community views, or would otherwise be sufficiently robust to avoid environmental risks. Overall, the Council has found that it is for it, as the decision-maker, to consider and determine whether, after taking a precautionary approach in its considerations, it is necessary to add another layer of GMO management as part of the pRPFN.

Evidential Basis for Including Provisions in the Regional Plan

- [22] At the hearing scientific evidence was given by Professor Jack Heinemann on behalf of Whangarei District Council / Far North District Council and Professor Andrew Allan on behalf of Federated Farmers. Professor Heinemann and Professor Allan were some distance apart in their views on the risks associated with GMOs, Professor Allan being much more confident that GM is safe. Professor Allan also criticised the evidence to date as not having had regard to gene editing, an issue responded to by Professor Heinemann at the hearing. The evidence indicated that the scientific community does not have consensus on this issue. To the extent that this may suggest a precautionary approach is therefore justified, the Council finds this is a relevant, although not determining factor. Other relevant considerations include the apparent lack of urgency associated with this issue, the comfort that an EPA process must be conducted regardless of any pRPFN provisions and Council's concerns about the absence of some key information and the process that has been adopted to this point. These are all matters further addressed below.
- [23] The only expert economic evidence was from Dr John Small, on behalf of Whangarei District Council / Far North District Council. For the reasons put forward in his evidence Dr Small concluded that introducing GE / GMO provisions into the pRPFN would provide net benefits and should be approved. As a part of this analysis, Dr Small stated that there appears to be no GMO close to release for which there is a realistic prospect of release in the Northland Region over the 10-year life of the Plan. He was of the view that, if precautionary approach provisions were introduced now, the absence of any likely prospect of GMO applications meant opportunity costs would be very low. While accepting this evidence, as far as it went, Council was left with the question as to why it was necessary to introduce provisions into the pRPFN which would unlikely be used in the life of the plan, particularly considering the process by which those provisions has been arrived at. In that respect, the Council is concerned that the provisions proposed have not been developed through Council's own RMA section 32 process, are translated provisions rather than bespoke to the Northland CMA, and have not had the robust comment and analysis that may have been conducted through the normal public notification process.

- [24] An additional costs concern for Council, not recognised in Dr Small's evidence, relates to what the introduction of the proposed provisions may mean in respect of Council's monitoring, compliance and enforcement obligations.
- [25] The proposed provisions include imposition of a bond. Council agrees that this would be a key mechanism for addressing the risk of escape of GMOs from approved GMO facilities. However Council finds that calculating a bond is too speculative and could well be so high that it would make proposals untenable.
- [26] Expert cultural evidence was given by Dr Benjamin Pittman and Tui Shortland. The iwi and hapū management plans⁸ that exist in relation to Northland iwi and hapū contain a strong signal that GMOs are culturally inappropriate. Dr Pittman explained why the introduction of GE / GMO would be offensive to the principles of tikanga and seriously damage the mauri of the environment. These are relevant and important. The question remaining is the extent to which these concerns would otherwise be satisfactorily addressed as part of the EPA process. The Council finds that there may be benefits in having the opportunity for iwi and hapū input at the regional (as opposed to national) level, and that gives some justification for introducing a management regime at the regional level. This benefit must be weighed against other factors.
- [27] The expert planning evidence, from Peter Reaburn, the s42A author, David Badham, consultant planner on behalf of the Whangarei District Council and Far North District Council and Vern Warren, consultant planner on behalf of the Soil & Health Association, was largely in alignment. Informed by the other specialist evidence, all planners considered that it was appropriate to introduce GE / GMO provisions into the CMA for precautionary reasons. Mr Warren additionally referred to parts of the statutory framework, including the NZCPS and RPS, as requiring the introduction of provisions. As noted earlier in this Decision report, the planners were ultimately agreed on the wording of CMA provisions to be introduced into the pRPFN.
- [28] The evidence from Gavin Forrest on behalf of Federated Farmers, while not expert planning evidence, raised a number of questions regarding whether there should be GE / GMO provisions at this time, and the reasoning given to date for RMA provisions, at least of the type proposed, being necessary given other options available. Council has made the following findings in relation to the questions Mr Forrest raised:
1. While the pRPFN as notified did not contain provisions, including rules, of the scope sought by primary submitters the Council is satisfied that there is jurisdiction to do so. The general theme of primary submissions was clearly that provisions based on the Auckland Unitary Plan should be introduced into the pRPFN. The Council has attempted to take a careful approach to ensure that submitters and further submitters are aware of what provisions could be introduced, including through inviting submitters in Minute 1 to

⁸ As recognised under s.66(2A) RMA

provide provisions, and s32 analyses of those provisions. This was done, by two major submitter parties and was thus available for all parties from an early stage in the hearings process for the parties to consider and provide comment on. Further information and evidence was sought and provided throughout the hearings process. It is an accepted response to s32 that the process is iterative and includes information provided right up to the stage of final consideration by the decision-maker. However, while Council accepts there is jurisdiction, it also accepts that there may be some doubt as to whether the issue has been thoroughly tested with the public and in that respect greater confidence could have been gained if the pRPFN as notified had contained provisions, including rules, relating to GE / GMOs.

2. The evidence confirmed that there are no current or imminent risks that would require immediate decisions. There is no particular activity or use of GE / GMOs that is currently more than a theoretical possibility in Northland's CMA. In that respect, while Professor Heinemann identified some possibilities, there is a major question as to whether these are "real" prospects, at least in the foreseeable future. The Council finds that greater specificity of potential activities, uses, risks and effects is required so that provisions, if found to be necessary at all, are devised in a more targeted manner. On the basis of current information that there is no short term risk, the Council finds there is time to further consider whether GMO provisions need to be developed and, if there is that need, how they can be appropriately developed so that they are bespoke to Northland, and then have the robust examination enabled through the normal public notification process.
3. The use of Pest Management Plans and / or Regional Pathway Management Plans prepared under the Biosecurity Act to manage the adverse effects of GE / GMO are not a replacement for provisions considered and introduced under the RMA.
4. It is not accepted that the evidence presented by those favouring pRPFN provisions consistent with other plans is out of date, however it is accepted that the Federated Farmers evidence presents another view, and that has added to the information on which decisions have been considered and made.

[29] A number of submitters continued to seek land-based provisions throughout the hearings process. While acknowledging submitters' desire that provisions be adopted that are as comprehensive as possible, the Council has determined that it is not appropriate for land-based provisions to be included in the pRPFN, for a number of reasons:

1. As noted by the s42A author, land-based provisions would need to rely on s15 RMA as the statutory basis. Section 15 RMA would apply only if GE / GMOs was regarded as being a contaminant. The consensus in evidence was that, while some GE / GMOs could potentially be defined as a contaminant, this would be case-dependent. In order to provide a statutory basis, it would therefore be necessary to specify what forms of GE /

GMO would be a contaminant, and therefore subject to regional plan land-based management. Given the potential range of GE / GMOs (on land) is substantial this would be a very difficult exercise.

2. No submitter proposed provisions to address this concern or indeed any land-based provisions for Council's consideration.
 3. The Council agrees with submitters that concerns relating to GE / GMOs apply as much, or even potentially more, to the land as the CMA, and that GMOs do not recognise CMA / land boundaries. RPS Policy 6.1.2 (Precautionary Approach) applies to both regional and district councils. Method 6.1.5 specifically envisages district councils as taking a role in applying the policy. As an example, the Council was advised that the Auckland Unitary Plan provisions relied upon by many submitters are not regional plan provisions – they are CMA and district plan provisions. In relation to land-based concerns this strongly suggests that provisions are better addressed in district plans, where there is no question that s9 RMA provides a statutory basis. In that respect, Whangarei District Council and Far North District Council already have GE / GMO provisions and the Council was advised that the Kaipara District Council is currently considering introduction of provisions into its district plan. To the extent that land-based GMO proposals may have a potential effect within the CMA, provisions within the CMA are not necessary to ensure those effects are addressed and appropriately managed.
 4. The provisions that have been sought for inclusion in the pRPFN are essentially the same as those that have already been introduced by the Whangarei District Council and Far North District Council into their respective district plans. No submitter identified how the same land-based provisions in the pRPFN would provide any additional benefits to sustainable management of the environment. To the contrary, separate processes would be confusing, inefficient and potentially even conflicting which could result in uncertain and costly outcomes for applicants and the community.
- [30] In addition to the above, the Council has carefully considered all other evidence presented, including that by lay witnesses.
- [31] The Council recognises that it may be shown later that a particular proposal for GE / GMOs will not result in adverse effects or that the EPA process will adequately manage potential adverse effects. It is further recognised, if it is later found that it is appropriate to amend the provisions, including to provide for any GMO that may be found to have benefits without adverse effects, this will incur time and monetary costs. In any case, the evidence is that proposals for GE / GMOs is unlikely over the life of the pRPFN. Council has accordingly found it is not necessary to introduce provisions into the pRPFN at this stage. Further development of the knowledge and science associated with GMOs, and the extent to which regional control

may be required, will ensure that there is no unnecessary extra level of management in the meantime.

- [32] The response Council received from Aquaculture NZ stated that they see no need in the immediate or foreseeable uptake of GMOs or GMO based vaccines into the NZ aquaculture industry and that a precautionary approach was supported. The response has been taken into account in Council's considerations, noting that Aquaculture NZ did not make any particular comment about the form proposed provisions should take.

Council liability

- [33] The Council has obtained legal opinions from its lawyers Wynn Williams in relation to matters of legal liability on the Council arising from the introduction of GE / GMO provisions. The opinion concludes that the inclusion of provisions in the Proposed Regional Plan to regulate GMOs will not increase the Council's legal liability to clean-up or otherwise address the illegal use or introduction of GMOs in the coastal marine area.
- [34] Notwithstanding legal liability Council has remained concerned that there may be an enhanced expectation on the part of the community to address adverse effects arising from unlawful or accidental use of GMOs. This would become a "social cost". The extent to which that expectation may be enhanced through explicit regulation of GMOs in the pRPFN is a matter of serious concern to the Council, particularly as there is a separate management regime through the EPA that may prove effective itself in managing GMOs and would, in the event of an issue arising, focus responses at the national, rather than regional, level. It would also focus responsibility for monitoring and enforcement on fewer agencies, thus minimising the risk of not having a co-ordinated response.

Conclusion

- [35] In summary, the Council finds that:
1. There is no basis or justification for GE / GMOs to be managed by the pRPFN on land, particularly given the district plan management that already exists over most of Northland.
 2. The evidence shows that there is no prospect of GE / GMOs being introduced into Northland's CMA over the expected life of the pRPFN. This gives the opportunity for a more robust analysis of the need for, and means of, addressing regional level regulation of GE / GMOs.
 3. Management of GE / GMOs by the EPA, particularly in relation to the CMA, may still be shown to be sufficient, without an extra layer of regional plan management.

4. The proposed provisions have been adapted from other Council's generic provisions and are not appropriately targeted to what may be a more focused and relevant management regime for Northland's CMA. Any future plan changes that may be shown to be necessary, including in respect of a GMO that may be shown to have significant benefits, could involve significant cost and time.
 5. The proposed provisions requiring imposition of a bond to address the risk of escape of GMOs, while essential, involve significant uncertainties in relation to calculating a sufficient bond amount, and could well be so high that it would make proposals untenable.
 6. Further experience of the EPA processes, at least as they relate to the CMA, need more time to evolve to see whether they prove effective itself in managing GMOs. This will, in the event of an issue arising, focus responses at the national, rather than regional, level, including in relation to monitoring and enforcement on fewer agencies, thus minimising the risk of not having a coordinated response.
 7. Having regard to the above, and having taken a precautionary approach in its considerations, Council finds there is insufficient basis to introduce further provisions relating to GE / GMOs into the pRPFN at this time.
 8. The Council is confident that its findings are not inconsistent with Objective 2 and Policies 2 and 3 of the NZCPS 2010, or Policy 6.1.2 and Method 6.1.5 of the RPS.
- [34] In making this decision Council has given serious consideration to the considerable community interest (addressing social, economic and cultural wellbeing), exhibited by the many submissions and substantial body of evidence supporting regulation. Council recognises, that in making the decision it has, the communities represented by submitters will be disappointed. However, the Council in balancing the weight of community concern with the issues it has identified in this decision has found that there has been insufficient analysis and that there is insufficient justification to introduce further provisions relating to GE / GMOs into the pRPFN at this time. The Council will however continue to monitor this issue and is prepared to review its position in future if further information becomes available.

Section 4

Decision

- [35] The Council has considered and deliberated on GE / GMO provisions in the pRPFN; the submissions lodged on it; and the reports, evidence and submissions made and given at the public hearing. In reaching its decisions the Council has sought to comply with all applicable

provisions of the RMA. The Council has had particular regard to the evaluations and further evaluations of the amendments to the pRPFN it has decided upon. The relevant matters the Council has considered, and its reasons for them, are summarised in the s42 reports and the main body of this report. The Council is satisfied that its decision is the most appropriate for achieving the purpose of the RMA and for giving effect to the higher-order instruments, including the RPS and the NZCPS.

[36] Relief sought in submissions is not accepted for the reasons outlined in this Decisions Report.

DECISION OPTION 1 – NEW PROVISIONS

Decisions in response to submissions on the Proposed Regional Plan for Northland Genetic Engineering and Genetically Modified Organisms

Section 1 Introduction

- [1] On 6 September 2017 the Northland Regional Council ('the Council' or 'NRC') notified the Proposed Regional Plan for Northland ('the Plan' or 'pRPFN'). This Decision relates specifically to the submissions that were received on Genetic Engineering and Genetically Modified Organisms (GE / GMO).
- [2] The hearing and consideration of submissions on GE / GMO function was a function retained by the Council and was addressed through a separate hearing process to the hearing and consideration of other submissions on the Plan. For the avoidance of doubt, the Council affirms that throughout the performance of its duties on this matter it has been objective in considering and making decisions on the submissions.

Hearings Process

- [3] A total of 83 submitters made submissions on GE / GMO⁹. The relevant Council summary of submissions is Part K.1 of the Summary of decisions requested (March 2018). The pRPFN as notified did not contain provisions, including rules, of the scope sought by the primary submitters. While many submissions referred to what had occurred in Northland and Auckland Plans, and previous work that was carried out by a joint council working party, no specific s32 analysis or detailed set of proposed provisions was provided. The Hearing Panel issued Minute 1 on 30 January 2018 which requested that s32 Evaluations be prepared for provisions which were not assessed by the Council. In response to that Minute, s32 evaluations and provisions were submitted by David Badham, consultant planner on behalf of the Whangarei District Council and Far North District Council and Vern Warren, consultant planner on behalf of (originally) the Soil & Health Association, GE Free Tai Tokerau and many other submitters¹⁰.
- [4] The Council appointed Mr Peter Reaburn, an experienced and independent consultant town planner, to prepare the s42A report. Via Minute 7, the Council set in place a process by which

⁹ Noting that there was some doubling-up of submissions in the submissions summary

¹⁰ The submitters are listed in Vern Warren's s32 evaluation report.

the s42A report was made available to submitters approximately one month in advance of the date by which expert evidence on behalf of submitters was to be provided. It was also encouraged through the Minute that non-expert evidence be provided. In accordance with the Minute, a s42A Addendum report was provided approximately two weeks before the hearing.

- [5] The hearing was held at Northland Regional Council, 36 Water Street, Whangārei, on Tuesday 30 October 2018 and Wednesday 31 October 2018. The hearing was then adjourned. During the hearing, Council members asked questions of submitters to enhance the Council's understanding of their requests, the grounds for them, and advice given in the s42A reports. The Council endeavoured to conduct the hearings with a minimum of formality to an extent that allowed for fairness to all submitters.
- [6] In Minute 8 following the hearing the Council indicated that it had, after considering all relevant material, arrived at a preliminary view (that is, not the Council's final decision), that:
- The Proposed Regional Plan will not include provisions for the management of GMOs on land (outside the coastal marine area).
 - The Proposed Regional Plan will include provisions for the management of GMOs in the coastal marine area.
- [7] It was further noted that Council had received recommended provisions from each of the expert planners (Vern Warren, David Badham and Peter Reaburn) which were similar. The expert planners were directed to work together with the goal of coming up with an agreed set of provisions. These were subsequently provided to submitters for further comment prior to a reconvened hearing, which was held on 26 February 2019. The planners were invited to attend and answer questions. Submitters were also able to attend, although not to participate.
- [8] The hearing was then adjourned for Council to go into public excluded deliberations (on the same day). Following deliberations, Council requested further information and directed Council staff to facilitate them:

Minute 10:

- i. A legal opinion to answer the question - would the inclusion of provisions in the Regional Plan to regulate GMOs increase Council's legal liability to clean-up or otherwise address the illegal use or introduction of a GMO in the coastal marine area?
- ii. Advice from Aquaculture New Zealand on any actual or anticipated use by the aquaculture industry of genetically modified veterinary vaccines.

Minute 11:

- i. A legal opinion to answer the question: If the Regional Plan included rules regulating GMOs in the coastal marine area, what would council's responsibility be to monitor and enforce the rules?
 - ii. Would it increase Council's legal liability to clean-up or otherwise address the accidental release of a GMO resulting from an 'act of god' on an otherwise authorised use of GMOs (for example, a tsunami destroying a contained GMO field trial undertaken on a wharf)?
 - iii. What have other councils (that have GMO provisions in their respective plans) budgeted for the potential clean-up of the accidental or illegal release of GMOs and the costs (including staff time) of monitoring and enforcement of GMO use?
- [9] All responses were placed on the Council's website, and submitters who submitted on the inclusion of GMO provisions and wished to be heard, were notified of the responses.
- [10] Overall, the Council was assisted by all the requests and suggestions by submitters and their witnesses and by the s42A report author which have substantially assisted the Council in its deliberations and in the Council's decision-making. The submissions and reports have all contributed to an effective and fair process for which Part 1 of Schedule 1 of the RMA provides.

The Decisions report

- [11] At the conclusion to the hearing the Council notes that the expert planners had agreed on the provisions that they supported for inclusion into the pRPFN. The Council has no substantial disagreement with the analyses undertaken by the s42A author. This Decisions report contains a summary only of the conclusions the Council has reached in relation to the issues raised in submissions. To avoid further unnecessary duplication and repetition the Council affirms that, except where the detailed findings in this Decisions report vary from the s42A Reports, the Council adopts those reports, which should be read as forming part of this Decision report. Further, to the extent that the commentary is relevant to the GE / GMO matter, the Council adopts the following parts of the Hearing Panel's recommendation report¹¹ made on all other submissions to the pRPFN.

- Section 2 The Resource Management Act
- Section 3 Higher Order and other Relevant Instruments
- Section 5 Council's Approach to the Plan
- Section 6 Tangata Whenua
- Section 7 Additional Objective and Policies (General Approach)

¹¹ The hearing of all other submissions (all but the GE/GMO submissions) was delegated to a Hearing Panel to make recommendations to Council.

- [12] Appendix A shows the content of relevant parts of the pRPFN incorporating the Council's Decisions in relation to it. Having considered the evidence presented to the Council, the Council finds that the provisions recommended by the expert planners are appropriate.

Section 2

Issues Raised in Submissions

- [13] All primary submissions supported inclusion of restrictive, precautionary or prohibitive provisions into the pRPFN for managing GE / GMO in the region, or parts of the region. In summary, the submissions sought that the pRPFN be amended to:

- give effect to the GMO 6.1.2 policy in the Northland Regional Policy Statement 2016 ('RPS');
- provide a region-specific approach to managing GMOs, taking into account environmental, economic, cultural and social well-being considerations and including strong precautionary and prohibitive GE provisions, policies and rules for all environments - land, inland waterways and coastal – and all possible vectors of such organisms;
- add provisions in the Coastal, Land and Water and Tangata Whenua parts of the PRP to address concerns to tangata whenua and potential adverse effects on biosecurity, indigenous biodiversity, existing non-GM primary producers and public health from outdoor use of GMOs; and
- include provisions consistent with / align with / be the same as provisions in the Auckland Council Unitary Plan, and the Far North District Council and Whangarei District Council plan changes.

- [14] With one exception, the further submissions received supported the primary submissions. The one exception was the further submission from Federated Farmers. That further submission opposed all of the primary submissions on the basis that:

- *There is no scope to include the provisions sought in the Proposed Regional Plan.*
- *Even if there was scope, there is no justification (in terms of RMA s32) for including the provisions sought in the Proposed Regional Plan.*

- [15] The key questions evaluated in this Decisions Report include:

1. Is there a legal basis for including GE / GMO provisions in the Proposed Regional Plan?

2. Is there a legal constraint to including GE / GMO provisions in the Proposed Regional Plan?
3. Is there a legal obligation to include GE / GMO provisions in the Proposed Regional Plan?
4. Is there an evidential basis to include GE / GMO provisions in the Proposed Regional Plan?
5. Would the inclusion of provisions in the Regional Plan to regulate GMOs increase Council's legal liability to clean-up or otherwise address the illegal use or introduction of a GMO in the coastal marine area?

Section 3

Evaluation

Legal Basis for Regional Plan Provisions

- [16] There was a consensus amongst the parties, including from Federated Farmers, that s12(3) of the RMA provides a statutory basis for the inclusion of GE/ GMO provisions in the CMA.
- [17] There was less certainty in relation to whether GE / GMOs constituted a "contaminant" under s15 of the RMA. The evidence in general concluded that, considering the large range of circumstances that may be presented, a particular form of GE / GMO may or may not be considered a contaminant. While s15 may not apply in all cases, it is likely to in some and on that basis the Council finds that it is appropriate to refer in the provisions to s15 as being a statutory basis for the inclusion of GE/ GMO provisions in the pRPFN.

Legal constraints in relation to Regional Plan Provisions

- [18] The Council was referred to a number of Court decisions that have addressed whether there is jurisdiction to include GE / GMO provisions in a regional plan. Consistent with those Court decisions the Council is satisfied that there is no express exemption for consideration of control of new organisms under the RMA in either the RMA or the Hazardous Substances and New Organisms Act 1996 ('HSNO'). The Council notes in particular the High Court's finding that, while there was an overlap between the HSNO Act and the RMA:

"...there is nothing present in these pieces of legislation to prevent the establishment of objectives, policies and methods to achieve integrated management of natural and physical resources in the broad terms directed by the RMA.... I consider that there is a readily identifiable policy reason for that in these pieces of legislation, read together. Once having been approved for import and release into New Zealand under HSNO, regional authorities can provide for use and protection of them together with other resources in a fully integrated fashion, taking account of regional needs for spatial management that might differ around

the country for many reasons, not the least of which might include climatic conditions, temperatures, soils, and other factors that might drive differing rates of growth of new organisms and/or of other organisms, as just a few of perhaps many examples. I agree with the opposition parties that the RMA and HSNO offer significantly different functional approaches to the regulation of GMOs¹²."

- [19] In relation to the justification required under RMA s32 for including provisions in the pRPFN, the notified pRPFN s32 document did not assess GE / GMO provisions further than noting this was a matter that may be addressed at a later date. As noted in Section 1 above, the Council requested through Minute 1, s32 evaluation reports for the provisions sought to be introduced by submissions, and two s32 reports were subsequently provided. The Council has had particular regard to those Section 32 Reports.¹³ Section 32AA of the RMA requires a further evaluation of any further changes made, which can be the subject of a separate report, or referred to in the decision-making record.¹⁴ If it is referred to in the decision-making record, it should contain sufficient detail to demonstrate that a further evaluation has been duly undertaken.¹⁵
- [20] An assessment of the efficiency and effectiveness of amendments to the pRPFN must involve identifying and assessing the benefits and costs of the anticipated effects of implementing them, including opportunities for economic growth and employment. If practicable, the assessment should quantify those benefits and costs; and assess the risk of acting or not acting if there is uncertain or insufficient information about the subject-matter. This Decisions report, including the Section 32 documentation provided, the s42A reports the scientific, economic and cultural evidence provided at the hearing and Appendix A is intended to form part of the Council's decision-making record. The Council adopts this material as evaluations under s32 and s32AA.

Legal obligations in relation to Regional Plan Provisions

- [21] The Council has carefully considered the s42A report, the submissions and the evidence relating to Council's obligations under Section 67(3) of the RMA, and in particular the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement ('RPS'). A number of submitters considered that there was an obligation under these higher order documents for the regional plan to manage GMOs. However, the conclusion reached by the author of the s42A report, informed by legal advice received by the Council, was that there was no legal obligation. In that respect Council notes that the EPA is legislatively mandated to control GMOs, and their role includes having regard such matters as effects on the natural environment and on issues of concern to tangata whenua. However, Council finds that it is necessary to adopt a regional (albeit only CMA) layer of regional management recognising the

¹² Federated Farmers of New Zealand v Northland Regional Council CIV-2015-488-0064 [2016] NZHC 2036 Paragraphs 48 and 49

¹³ RMA, s66(1)(e).

¹⁴ RMA, s 32AA(1)(d) and (2).

¹⁵ RMA, s 32AA(1)(d)(ii).

particular social, cultural and economic concerns that apply specifically to the regional community. There is insufficient confidence that these matters can be adequately addressed solely through the EPA processes. On the basis of the considerable evidence Council heard supporting the inclusion of provisions in the CMA the Council has decided that GE / GMO provisions will be introduced into the pRPFN. While it may not be a legal requirement inclusion of those provisions is nevertheless consistent with the precautionary approach encouraged in the RPS.

Accordingly, it has not been necessary to make a definitive finding on this issue.

Evidential Basis for Including Provisions in the Regional Plan

- [22] At the hearing scientific evidence was given by Professor Jack Heinemann on behalf of Whangarei District Council / Far North District Council and Professor Andrew Allan on behalf of Federated Farmers. Professor Heinemann and Professor Allan were some distance apart in their views on the risks associated with GMOs, Professor Allan being much more confident that GM is safe. Professor Allan also criticised the evidence to date as not having had regard to gene editing, an issue responded to by Professor Heinemann at the hearing. The evidence indicated that the scientific community does not have consensus on this issue. This uncertainty in relation to scientific opinion is a basis for taking a precautionary approach consistent with the RPS and NZCPS.
- [23] The only expert economic evidence was from Dr John Small, on behalf of Whangarei District Council / Far North District Council. For the reasons put forward in his evidence Dr Small concluded that introducing GE / GMO provisions into the pRPFN would provide net benefits and should be approved. As a part of this analysis, Dr Small stated that there appears to be no GMO close to release for which there is a realistic prospect of release in the Northland Region over the 10-year life of the Plan. He was of the view that, if precautionary approach provisions were introduced now, the absence of any likely prospect of GMO applications meant opportunity costs would be very low. The Council has accepted Dr Small's evidence as appropriately balancing the opportunity costs of not using a GMO and the risks, and concluding that a precautionary approach is justified.
- [24] The proposed provisions include imposition of a bond. Council finds that this is a key mechanism for addressing the risk of escape of GMOs from approved GMO facilities. Council remains concerned that calculating a bond could well be a speculative exercise and to cover off uncertainties could be so high that it would make proposals untenable, thus having an economic consequence that at present is unclear. Council finds that the extent to which this becomes an issue may only be able to be examined through the future administration of the GE / GMO provisions, but is not a reason to not have provisions, including for bonding.
- [25] Expert cultural evidence was given by Dr Benjamin Pittman and Tui Shortland. The Iwi and Hapū Management Plans¹⁶ that exist in relation to Northland iwi and hapū contain a strong signal that GMOs are culturally inappropriate. Dr Pittman explained why the introduction of

¹⁶ As recognised under s.66(2A) RMA

GE / GMO would be offensive to the principles of tikanga and seriously damage the mauri of the environment.

- [26] The expert planning evidence, from the s42A author Peter Reaburn, David Badham, consultant planner on behalf of the Whangarei District Council and Far North District Council and Vern Warren, consultant planner on behalf of the Soil & Health Association, was largely in alignment. Informed by the other specialist evidence, all planners considered that it was appropriate to introduce GE / GMO provisions into the CMA for precautionary reasons. Mr Warren additionally referred to parts of the statutory framework, including the NZCPS and RPS, as requiring the introduction of provisions. As noted earlier in this Decision report, the planners were ultimately agreed on the wording of CMA provisions to be introduced into the pRPFN.
- [27] The evidence from Gavin Forrest on behalf of Federated Farmers, while not expert planning evidence, raised a number of questions regarding whether there should be GE / GMO provisions at this time, and the reasoning given to date for RMA provisions, at least of the type proposed, being necessary given other options available. Council has made the following findings in relation to the questions Mr Forrest raised:
1. While the pRPFN as notified did not contain provisions, including rules, of the scope sought by primary submitters the Council is satisfied that there is jurisdiction to do so. The general theme of primary submissions was clearly that provisions based on the Auckland Unitary Plan should be introduced into the pRPFN. The Council has taken a careful approach to ensure that submitters and further submitters are aware of what provisions could be introduced, including through inviting submitters in Minute 1 to provide provisions, and s32 analyses of those provisions. This was done, by two major submitter parties and was thus available for all parties from an early stage in the hearings process for the parties to consider and provide comment on. Further information and evidence was provided throughout the hearings process. It is an accepted response to s32 that the process is iterative and includes information provided right up to the stage of final consideration by the decision-maker. The Council has had sufficient information on which to decide whether further provisions should be included in the pRPFN at this stage and has taken care to ensure that the provisions introduced by this Decision are robust.
 2. While the evidence appears to confirm that there are no current or imminent risks that would require immediate decisions, it is clear from other evidence that there may well be risks “on the horizon”. The Council is satisfied, having regard to all of the evidence received, that there is a basis for introducing CMA provisions now.
 3. The use of Pest Management Plans and / or Regional Pathway Management Plans prepared under the Biosecurity Act to manage the adverse effects of GE / GMO are not a replacement for provisions considered and introduced under the RMA.

4. It is not accepted that the evidence presented by those favouring pRPFN provisions consistent with other plans is out of date, however it is accepted that the Federated Farmers evidence presents another view, and that has added to the information on which decisions have been considered and made.

[28] A number of submitters continued to seek land-based provisions throughout the hearings process. While acknowledging submitters' desire that provisions be adopted that are as comprehensive as possible, the Council has determined that it is not appropriate for land-based provisions to be included in the pRPFN, for a number of reasons:

1. As noted by the s42A author, land based provisions would need to rely on s15 RMA as the statutory basis. Section 15 RMA would apply only if GE / GMOs was regarded as being a contaminant. The consensus in evidence was that, while some GE / GMOs could potentially be defined as a contaminant, this would be case-dependent. In order to provide a statutory basis, it would therefore be necessary to specify what forms of GE / GMO would be a contaminant, and therefore subject to regional plan land-based management. Given the potential range of GE / GMOs is substantial this would be a very difficult exercise.
2. No submitter proposed provisions to address this concern or indeed any land-based provisions for Council's consideration.
3. The Council agrees with submitters that concerns relating to GE / GMOs apply as much, or even potentially more, to the land as the CMA, and that GMOs do not recognise CMA / land boundaries. It is appropriate to achieve consistency across the region. RPS Policy 6.1.2 (Precautionary Approach) applies to both regional and district councils. The NRC is solely responsible for the CMA and it is appropriate for the NRC to regulate and monitor any potential contained GMO trials there. However, Method 6.1.5 specifically envisages district councils as taking a role in applying the policy. As an example, the Council was advised that the Auckland Unitary Plan provisions relied upon by many submitters are not regional plan provisions – they are CMA and district plan provisions. In relation to land-based concerns this strongly suggests that provisions are better addressed in district plans, where there is no question that s9 RMA provides a statutory basis. In that respect, Whangarei District Council and Far North District Council already have GE / GMO provisions and the Council was advised that the Kaipara District Council is currently considering introduction of provisions into its district plan.
4. The provisions that have been sought for inclusion in the pRPFN are essentially the same as those that have already been introduced by the Whangarei District Council and Far North District Council into their respective district plans. No submitter identified how the same land-based provisions in the pRPFN would provide any additional benefits to sustainable management of the environment. To the contrary, separate processes

would be confusing, inefficient and potentially even conflicting which could result in uncertain and costly outcomes for applicants and the community.

- [29] In addition to the above, the Council has carefully considered all other evidence presented, including that by lay witnesses.
- [30] The Council recognises that it may be shown later that a particular proposal for GE / GMOs will not result in adverse effects or that the EPA process will adequately manage potential adverse effects. It is further recognised, if it is later found that it is appropriate to amend the provisions, this will incur time and monetary costs. Council finds however that this must be balanced against the risks of not introducing provisions covering the CMA, consistent with that which has already been adopted on land by two of the three district councils in Northland. In that respect it is of advantage to have, as is proposed, complementary provisions across both land and the CMA. There will always be potential for land-based releases to have consequential effects on the CMA and it is prudent to have such effects addressed in a consistent way. It is also important to note that the provisions to be introduced are based on considerable research. This includes permitting specified use of GMOs and allowing applications to be made for trials. It also provides the opportunity for the NRC to regulate future GMO trials and for the public of Northland to have a say on notified applications.
- [31] The response Council received from Aquaculture NZ stated that they see no need in the immediate or foreseeable uptake of GMOs or GMO based vaccines into the NZ aquaculture industry and that a precautionary approach was supported. The response has been taken into account in Council's considerations, noting that Aquaculture NZ did not make any particular comment about the form proposed provisions should take.
- [32] The Council finds overall that the evidence is rational and sufficient in indicating a significant degree of scientific uncertainty, including uncertainties that may not be resolved for some time. Uncertainties include whether possible adverse effects are able to be managed or contained and that there are unknowns, including a potential for irreversible adverse effects. The CMA is part of the public domain and is a threatened environment. Particular areas of the CMA will also be ecologically threatened or otherwise of special value, including to mana whenua. If rules are not included in the pRPFN to regulate the use of GMOs in the coastal marine area, most GMO activities would likely be able to be undertaken without resource consent. This would prevent the Council having any regulatory control over whether or not the activity should be approved or how the potential environmental effects of the activity should be managed. For example, the Council would not be able to assess the sensitivity of the environment in the proposed location and the conditions that might be imposed on any resource consent (including emergency response measures and performance bonds).
- [33] Accordingly, in assessing all of the evidence the Council prefers the evidence that seeks the introduction of GE / GMO provisions in the CMA. There is significant community concern, as evidenced by the universal desire for further pRPFN provisions expressed in primary submissions. Taking this into account as well as the important aspects of social, cultural and

economic wellbeing, the Council prefers the primary submitter evidence that there is a basis for RMA management through the pRPFN and that a precautionary approach is appropriate.

- [34] Having regard to s66(2)(d) of the RMA the Council finds that provisions introduced now will also achieve consistency with the adjoining region, Auckland, which has GE / GMO provisions managing its CMA. The Council further finds that the CMA provisions that have been decided upon are consistent with the statutory framework. This includes Objective 2 and Policies 2 and 3 of the NZCPS 2010, and Policy 6.1.2 and Method 6.1.5 of the RPS.

Council liability

- [35] The Council has obtained legal opinions from its lawyers Wynn Williams in relation to matters of legal liability on the Council arising from the introduction of GE / GMO provisions. The opinion concludes that the inclusion of provisions in the Proposed Regional Plan to regulate GMOs will not increase the Council's legal liability to clean-up or otherwise address the illegal use or introduction of GMOs in the coastal marine area. Council is satisfied that the potential cost of regulation and monitoring will be carried by the applicant/consent holder.
- [36] Notwithstanding legal liability Council remains concerned that there may be an expectation on the part of the community to address adverse effects arising from unlawful or accidental use of GMOs. This would become a "social cost". The extent to which that expectation may be enhanced through explicit regulation of GMOs in the pRPFN is a matter of concern to the Council, particularly as there is a separate management regime through the EPA that may prove effective itself in managing GMOs and would, in the event of an issue arising, focus responses at the national, rather than regional, level.
- [37] Council has also taken into account the substantial community interest (addressing social, economic and cultural wellbeing), exhibited by the large number of submissions and substantial body of evidence supporting regulation. This included:
- Evidence presented by both the Far North and Whangarei district councils, which both currently include GMO provisions in respective district plans, and which sought complementary supported provisions in the CMA. These councils represent the majority of ratepayers in Northland, and their district plan provisions have already been through publicly notified processes.
 - Evidence presented by Dr Benjamin Pittman regarding the Māori view of genetic engineering and GMOs, indicating that a significant proportion of Northland's population is opposed to the use of GMOs in Tai Tokerau.
- [38] Council has also considered liability from the perspective of a number of agencies potentially being involved in the management of GMOs, and the risk of conflicts and / or inadequate coverage or co-ordination of compliance, monitoring and enforcement opportunities. While recognising this concern, this situation is not unique to GMOs and Council recognises its obligations to ensure adequate co-ordination on such matters.

- [39] After considering and balancing all of the above matters, the Council has concluded that it can rely on its legal advice in relation to liability and is satisfied that having regulation through the pRPFN will unlikely result in any further responsibility or burden on the region, including in relation to “social costs”, than would exist without that regulation. The Council recognises its role as an environmental guardian, often providing leadership in like matters in the region. Marine biosecurity is one area in which NRC is leading by example and regulation adopted by the council is now being used as an opportunity for comprehensive nationwide rules.

Conclusion

- [40] In summary, the Council finds that:

1. The evidence is rational and sufficient in indicating a significant degree of scientific uncertainty, including uncertainties that may not be resolved for some time.
2. Adopting a precautionary approach to the uncertainty demonstrated in evidence, rules included in the pRPFN are necessary to enable Council to have regulatory control over whether or not an activity involving GE / GMOs should be approved, or how the potential environmental effects of the activity should be managed, including having regard to the sensitivity of the environment in the proposed location and the conditions that might be imposed on any resource consent (such as emergency response measures and performance bonds).
3. There is no basis or justification for GE / GMOs to be managed by the pRPFN on land, particularly given the district plan management that already exists over most of Northland. However, NRC is the only council body that is able to manage GE / GMOs in the CMA and it is appropriate this be done to complement the existing land-based management frameworks.
4. Inclusion of provisions relating to the management of GE / GMOS in the CMA responds to significant community concern, as evidenced by the widespread desire for further pRPFN provisions expressed in primary submissions.
5. Social, cultural and economic effects particular to the Northland community are better addressed through regional management, rather than relying on the EPA processes alone.
6. Having regard to s66(2)(d) of the RMA provisions introduced now will also achieve consistency with the adjoining region, Auckland, which has GE / GMO provisions managing its CMA.

7. The CMA provisions that have been decided upon are consistent with the statutory framework. This includes Objective 2 and Policies 2 and 3 of the NZCPS 2010, and Policy 6.1.2 and Method 6.1.5 of the RPS.

Section 4

Decision

- [40] The Council has considered and deliberated on GE / GMO provisions in the pRPFN; the submissions lodged on it; and the reports, evidence and submissions made and given at the public hearing. In reaching its decisions the Council has sought to comply with all applicable provisions of the RMA. The Council has had particular regard to the evaluations and further evaluations of the amendments to the pRPFN it has decided upon. The relevant matters the Council has considered, and its reasons for them, are summarised in the s42 reports, the main body of this report and in Appendix A. The Council is satisfied that the amendments decided upon are the most appropriate for achieving the purpose of the RMA and for giving effect to the higher-order instruments, including the RPS and the NZCPS.
- [40] The Council makes amendments to the Proposed Regional Plan for Northland contained in Appendix A for the reasons set out in the main body of this Decisions report. Relief sought in submissions is accepted or accepted in part to the extent incorporated in Appendix A.

Appendix A – Provisions to be introduced into the Proposed Regional Plan for Northland Relating to Genetic Engineering and Genetically Modified Organisms

B Definitions

<i>Genetically Modified Organism (GMO)</i>	<p>Unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:</p> <p>(a) have been modified by in-vitro techniques; or</p> <p>(b) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in-vitro techniques.</p> <p>This does not apply to genetically modified products that are not viable and are no longer genetically modified organisms, or products that are</p>
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	dominantly non-genetically modified but contain non-viable genetically modified ingredients, such as processed foods.
<i>Genetically Modified Organism Field Trials</i>	The carrying on of outdoor trials, on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials.
<i>Genetically modified organism release</i>	To allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. A Release may be without conditions (s34, HSNO Act) or subject to conditions set out in s38A of the HSNO Act.
<i>Genetically Modified Veterinary Vaccine</i>	A veterinary vaccine that is a genetically modified organism as defined in this Plan.
<i>Genetically modified medical applications</i>	The manufacture, trialling or use of viable and/or non-viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including Environmental Protection Authority approved releases, except for the outdoor cultivation of pharmaceutical producing organisms.
<i>Viable Genetically Modified Veterinary Vaccine</i>	A genetically modified veterinary vaccine that could survive or replicate in the environment or be transmitted from the inoculated recipient.

C Rules

C.1.8 Genetically Modified Organisms

C.1.8.1 Genetically modified organisms in the coastal marine area – permitted activities

The following activities in the coastal marine area involving genetically modified organisms are permitted activities:

1. research and trials within bio-contained laboratories, and

2. medical applications (including vaccines) involving the use of viable and / or non-viable genetically modified organisms, and
3. veterinary applications of genetically modified organisms (including vaccines) provided that any veterinary application of viable genetically modified organism vaccines is supervised by a veterinarian.

For the avoidance of doubt this rule covers the following RMA activities:

- Use of genetically modified organisms in the coastal marine area (s12(3)).
- Discharge of genetically modified organisms in the coastal marine area that are “contaminants” under the definition in s2 of the RMA (s15(1)).

C.1.8.2 Genetically modified organism field trials - discretionary activity

A genetically modified organism field trial in the coastal marine area is a discretionary activity provided:

1. The genetically modified organism field trial has the relevant approval from the Environmental Protection Authority and the application is consistent with Environmental Protection Authority approval conditions for the activity.
2. A Risk Management Plan is provided that addresses all matters set out in Policy D.5.33.
3. Details of a performance bond, with an approved trading bank guarantee, is provided that addresses all matters set out in Policy D.5.32.

Notification:

Any application for resource consent under rule C.1.8.2 must be publicly notified.

For the avoidance of doubt this rule covers the following RMA activities:

- Use of genetically modified organisms in the coastal marine area (s12(3)).
- Discharge of genetically modified organisms in the coastal marine area that are “contaminants” under the definition in s2 of the RMA (s15(1)).

C.1.8.3 Viable genetically modified veterinary vaccines - discretionary activity

The use of any viable genetically modified veterinary vaccine that is not a permitted activity under rule *C.1.8.1 Genetically modified organisms in the Coastal Marine Area – permitted activities*, is a discretionary activity, provided:

1. The genetically modified veterinary vaccine has the relevant approval from the Environmental Protection Authority and the application is consistent with Environmental Protection Authority approval conditions for the activity.
2. Details of a performance bond, with an approved trading bank guarantee, is provided that addresses all matters set out in Policy D.5.32.

Notification:

Any application for resource consent under rule C.1.8.3 must be publicly notified.

For the avoidance of doubt this rule covers the following RMA activities:

- Use of genetically modified organisms in the coastal marine area (s12(3)).
- Discharge of genetically modified organisms in the coastal marine area that are “contaminants” under the definition in s2 of the RMA (s15(1)).

C.1.8.4 Genetically modified organism releases – prohibited activity

Any:

1. genetically modified organism release (conditional or full), or
2. genetically modified organism field trial, or
3. use of any viable genetically modified veterinary vaccine,

that is not a permitted or discretionary activity in Section C.1.8 of this Plan, is a prohibited activity.

For the avoidance of doubt this rule covers the following RMA activities:

- Use of genetically modified organisms in the coastal marine area (s12(3)).
 - Discharge of genetically modified organisms in the coastal marine area that are “contaminants” under the definition in s2 of the RMA (s15(1)).
-

D Policies

D.5 Coastal

D.5.28 Precautionary approach to managing genetically modified organisms

Adopt a precautionary approach to assessing and managing the:

1. risks, and
2. uncertainty and lack of information, and
3. significance, scale and nature of potential adverse effects,

associated with the use of genetic engineering or the release of genetically modified organisms in the coastal marine area.

D.5.29 Adaptive approach to the management of genetically modified organism

Adopt an adaptive approach to the management of the outdoor use, storage, cultivation, harvesting, processing or transportation of a genetically modified organism, including through periodic reviews of the genetically modified organism provisions, particularly if new information on the benefits and/or adverse effects of a genetically modified organism activity becomes available.

D.5.30 Avoiding adverse effects of genetically modified organism field trials

Ensure that any resource consent granted for genetically modified organism field trials avoids, as far as can reasonably be achieved, risk to the environment, adverse effects on indigenous flora and fauna, and the relationship of tangata whenua with flora and fauna from the use, storage, cultivation, harvesting, processing or transportation of a genetically modified organism.

D.5.31 Liability for adverse effects from genetically modified organism activities

Require consent holders for a genetically modified organism activity to be liable, including financial accountability, (to the extent possible) for any adverse effects caused beyond the site for which consent has been granted for the activity.

D.5.32 Bonds for genetically modified organism activities

Require bonds as a condition of resource consents for the use of genetically modified organisms to provide for the redress of any adverse effects (including any adverse economic effects on third parties) that become apparent during or after expiration of a consent, including consideration of (but not limited to) the following:

1. (a) the significance, scale, nature and timescale of potential adverse effects, and
2. (b) the proposed measures to be taken to avoid those effects, and
3. (c) the monitoring proposed to establish whether an adverse effect has occurred or whether any adverse effect has been appropriately remedied, and
4. (d) the likely scale of costs associated with remediating any adverse effects that may occur.

D.5.33 Risk management plan for genetically modified organism field trials

A Risk Management Plan for genetically modified organism field trials must include, but is not limited to, the following:

1. The species, characteristics and lifecycle of the genetically modified organism.
2. All research undertaken that characterises and tests the genetically modified organism, and the certainty associated with the accuracy of that information.
3. The areas in which the genetically modified organism, including discharges, is to be confined.
4. Proposed containment measures for the commencement, duration and completion of the proposed field trial.
5. The actual and potential adverse effects to the environment, cultural values and economy associated with the field trial, including in the event the genetically modified organism escapes from the contained area.
6. The proposed measures, including contingency measures, that will be taken to avoid, remedy or mitigate actual and potential adverse effects.
7. Details of the monitoring to be undertaken, including how and by whom monitoring will be undertaken.
8. Reporting requirements.
9. Recommended conditions of resource consent covering the matters listed above.

10. Provision for the systematic review and approval of any amendments to the Risk Management Plan by Council.

F Objectives

F.0.15 Use of genetic engineering and the release of genetically modified organisms

The coastal marine area is protected from adverse effects on the environment associated with the use of genetic engineering and the release of genetically modified organisms.

TITLE: TTMAC Draft Terms of Reference

ID: A1321986

From: Sheila Taylor, Kaiarahi - Kaupapa Māori

Executive summary/Whakarāpopototanga

At the Tai Tokerau Māori and Council working party (TTMAC) meeting held in March 2020, members were asked to consider and endorse the TTMAC terms of reference (ToR). TTMAC agreed further consideration was required and recommended that staff facilitate a small working group (comprising non-elected TTMAC members) to undertake a comprehensive review, to ensure the ToR are fit for purpose. This review was undertaken and at the May 2020 meeting of TTMAC, members endorsed the revised draft terms of reference. The TTMAC endorsed draft terms of reference are now being presented to council for adoption.

Recommendation(s)

1. That the report 'TTMAC Draft Terms of Reference' by Sheila Taylor, Kaiārahi - Kaupapa Māori and dated 2 June 2020, be received.
2. That council resolves to adopt the Draft Terms of Reference of the Te Taitokerau Māori and Council Working Party.

Background/Tuhinga

Council has previously resolved to re-establish TTMAC as a working party of council in line with its new governance structure. Council asked TTMAC to review and recommend a terms of reference for TTMAC for the coming term. TTMAC agreed that further consideration was required to ensure the terms of reference are fit for purpose. A small working group of TTMAC non-elected members and staff was assigned the task to review these in detail and provide recommendations back to TTMAC.

The review offered the chance to discuss, define and agree the process for non-elected member nomination and acceptance onto the working party, including the process for dealing with oversubscription. Both council and Taitokerau Māori acknowledged the need to ensure fair geographical representation of Māori is achievable, to progress towards a more representative membership model of Māori on the working party. It should be noted that Te Roroa has been added to the list of iwi authorities, on the basis that they have been formally included on Te Kahu o Taonui (Iwi Chair Forum).

TTMAC non-elected members also had a desire for the terms of reference to detail the strategic focus and priorities of the working group. A shift towards strategic priorities highlights the desire of Māori to engage with council on important governance matters and underpins the improvement in the quality of the partnership between council and Māori.

Other grammatical and language was updated to better reflect translation from English into Māori that would better reflect the direction being set for the working party.

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

Considerations

1. Options

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

Staff recommend Option two.

2. Significance and engagement

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. This does not mean that this matter is not of significance to tangata 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 sought meets council practice of ensuring a current Terms of Reference guide for all of its working parties. The decision is also compliant with council's decision-making requirements as specified under the Local Government Act 2002.

Further considerations

4. Community views

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

5. Financial implications

There are no financial implications in regard to this recommendation that cannot be accommodated within existing budgets.

6. Implementation issues

There are no known implementation issues in regard to this recommendation.

Attachments/Ngā tapirihanga

Attachment 1: Draft Te Taitokerau Māori and Council Working Party Terms of Reference [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 10 June 2020



Te Tira o te Taitokerau Māori me te Kaunihera ā rohe o Te Taitokerau

Te Taitokerau Māori and Council Working Party
Ngā Kupu Pānga | Terms of Reference 2019-2022 Triennium

Date: April 2020

Author: Kaiwhakahaere Hononga Māori | Māori Relationships Manager

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1. Kupu whakataki | Background

This Terms of Reference recognises that this agreement is not intended to be a legally binding document, but rather a document that encourages and supports an enduring and long-term relationship between Northland Regional Council and the tāngata whenua of Te Taitokerau.

It also recognises that although two distinct partners, each bringing their own perspective to the table, that the tāngata whenua of Te Taitokerau and council may share common aspirations in regard to the environmental, social, cultural and economic future of our shared region.

This agreement also appreciates that it will be through goodwill and cooperation that trust will develop and therefore a relationship based on mutual respect.

2. Ngā roopū | The Parties

This agreement is between tāngata whenua of Te Taitokerau and Northland Regional Council.

Tāngata Whenua of Te Taitokerau

Tāngata whenua of Te Taitokerau are extremely passionate about their heritage and give regard to Te Tiriti o Waitangi as the founding document of this country and recognises a partnership between Māori and the Crown, for Māori, further cementing the intent of He Whakaputanga o Te Rangatiratanga o Nū Tīreni (1835 Declaration of Independence).

The statement of intent in regard to these for tāngata whenua are :

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 iwi and hapū in government, including local government.

Northland Regional Council

The Northland Regional Council (council) is the regional authority with responsibilities defined in the Local Government Act 2002, which provide for its obligations to Māori under the Treaty of Waitangi including:

- To take appropriate account of the principles of the Treaty of Waitangi; and
- To maintain and improve opportunities for Māori to contribute to local government decision making processes.

3. Te Kaupapa | Mission Statement

Te Taitokerau Māori and Council Working Party:

- Provides a forum that emphasises and advocates te Ao Māori; the Māori world view
- A means by which the Māori perspective is valued, influences and challenges processes and policy
- A stable platform for whānau, hapū and iwi to connect and communicate with each other
- A safe haven for open and forthright discussion
- Provides strong leadership in consultation with tāngata whenua and Māori communities.

4. He Tirohanga Māori | Vision Statement 2030

The working party will reflect a (true) partnership that respects the mana and authority of tangata whenua of Te Taitokerau and council. This is determined by an enduring relationship committed to the protection and preservation of our natural environment by:

- Representing the view of Māori in Te Taitokerau in council matters significant to tāngata whenua
- The application of Te Ao Māori or the Māori world view e.g. Mātauranga Māori, kaitiakitanga, mauri in council policies and processes

Please refer to Appendix 1 for council's overarching vision, mission and areas of focus (LTP).

5. Ngā Ture | Values

The following engagement principles will guide the committee in the pursuit of its purpose:

- Titiro ki ngā taumata o te moana takiri ko te ata - Always remain strategic in our approach/intent/view
- Mahi Tahi Tutuki noa – increased collaboration and completion of projects
- Me whakatau mā roto i te kōrero – a willingness to work in collaboration
- Kaitiakitanga – Dedicated stewardship of tangata whenua of Te Taitokerau
- Ngākau pono – Being true to the purpose of the partnership

6. Ngā whainga | Objectives

To advance Māori engagement that supports environmental, social, cultural and economic priorities across the region:

- Monitor and advise on council's compliance to its obligations to Māori under the Local Government Act 2002 and the Resource Management Act 1991 (assurance and compliance function)
- Provide advice to council on topics referred to it by council
- Provide advice to council on topics of strategic importance and relevance to tāngata whenua
- To develop pathways (and processes) that will achieve lasting and meaningful relationships between tāngata whenua and council
- To ensure the views of tangata whenua are taken into account in the exercise of council functions
- To provide access to specialist Māori technical advice via the Māori Technical Advisory Group.

Te Taitokerau Māori and Council Working Party members can provide advice based only on information presented and does not replace council's obligation to consult with iwi and hapū. Council also acknowledges that iwi and hapū representative members' advice does not usurp the mana of iwi and hapū of Taitokerau to make decisions and representations to council on issues of importance to them.

7. Ngā mema | Membership

The working party will comprise up to 30 members in total consisting of:

Nine elected members (councillors) and twenty-one appointed iwi and hapū members from Taitokerau Māori (one representative per iwi and hapū).

To ensure regional representation from the twenty-one appointed iwi and hapū members from Taitokerau Māori, these positions will be filled based on the geographic representation outlined in Appendix 2. In order to maintain the ability to provide geographic representation in TTMAC, should a position not be filled within a geographic area, that position will remain vacant and available to be filled in the future by iwi and/or hapū whose rohe overlaps that mapped geographic area.

Iwi representation will include one member from each of the following ten Iwi Authorities:

- Ngāti Kuri Trust Board
- Te Rūnanga Nui O Te Aupōuri
- Te Rūnanga O Ngāi Takoto
- Te Rūnanga-a-Iwi O Ngāti Kahu
- Te Rūnanga O Te Rarawa
- Te Rūnanga O Whāingaroa
- Te Rūnanga A Iwi O Ngāpuhi
- Ngātiwai Trust Board
- Te Rūnanga O Ngāti Whātua
- Te Roroa Whatu Ora Trust

Should one of the above iwi decide not to fill their position, they may choose to endorse a hapū and hapū representative to fill their position. Priority will be given to the following tāngata whenua groupings who have previously had a representative on the working party, in recognition of their early and ongoing commitment to this relationship and kaupapa listed below:

- Ngāti Hine
- Te Whakapiko Hapu
- Ngāti Manu
- Hokianga O Ngā Hapū¹
- Ngāti Rēhia
- Te Uri o Hau
- Te Waiairiki
- Ngāti Kororā
- Ngāti Takapari
- Ngāti Kuta, Patukeha
- Te Parawhau
- Ngāti Tara
- Te Whakaminenga O Te Hikutu Hapū-Whānau²
- Patuharakeke

¹ Ngāti Pakau, Mahurehure, Ngatikorokoro

² Te Hikutu/Whanau Whero/Whanautara/Ngati Kairewa/Ngati Kerewhiti/Ngati Parenga/Ngati Tuapango

Should one of the above tāngata whenua groupings not take up a position on TTMAC, and a position still be available within a geographic area (as mapped in Appendix 2), then that position can be filled by another hapū within that geographic area.

Nominations received from hapū not currently represented on the working party will be presented to council for ratification following consultation with the working party co-chairs. Such nominations must be accompanied with documentation, to the satisfaction of the co-chairs, that the nominee has formally been mandated by hapū to represent them on the working party.

The following procedure will be followed once working party membership reaches 30 and a nomination is received from hapū not currently represented on the working party:

1. Priority will be provided for one member from each group as indicated above.
2. The working party will seek to achieve as wide and even representation as possible.
3. Once full representation is achieved from all priority groups listed above, then new membership is only available by attrition.

Iwi/hapū can nominate an alternate/proxy representative to act on behalf of an absent primary representative.

8. Ngā mema tangohia| Removal and replacement of members

Iwi and hapū will undertake their own selection and mandating process to identify their representative and proxy for the working party.

When selecting its representative, iwi/hapū are encouraged to consider gender equality, and the range of skills and experience required for the working party to adequately perform their role.

Changes to an iwi/hapū nominated representative needs to be formally notified to council however does not require council endorsement. For clarity, section 8 above relates to iwi and hapū who don't already have representation on the working party.

Membership of the group shall cease if a member:

- resigns, or
- fails to attend at least three consecutive meetings over the period of one year without tabling a request for leave of absence.

A member can be removed from the working party by council, following receipt of a recommendation passed by 75% of members of the working party present and voting, under exceptional circumstances where the behaviour of the member is considered detrimental to the effective operation of the working party.

If a member resigns or is removed from the working party, all efforts will be made to fill any vacancies as soon as possible.

9. Ngā Heamana | Co-Chair's

Provision has been made for this working party to have a Co-Chair arrangement. The following process will be undertaken to fill the position of Co-Chairs.

Council will appoint one elected member (and proxy) as their representative to act as Co-Chair. The non-elected members of the working party will appoint a Co-Chair (and proxy), from the non-elected members. Both recommendations are to be endorsed by council.

At least one Co-Chair must be present at the formal meetings and marae-based hui of the working party.

Besides chairing meetings, the Co-Chairs (or proxy) will be responsible for:

- attending agenda preview meetings and reviewing working party actions prior to circulation
- be available to vet prospective applications for membership onto the working party
- assist in mediation when required, in the first instance.

10. Te Wahanga | Term of appointment

The standard term of appointment will be three years – consistent with the term of local and territorial authorities – in this case, the 2019-2022 local body triennium. The term of appointment can be less than three years if a representative:

- resigns
- is replaced by the representatives nominating iwi/hapū
- misses three consecutive meetings, or
- the working party is disbanded.

A member can be appointed as many times as their nominating iwi / hapū re-endorse their selection.

11. Whakamahinga | Operation

Council's Chief Executive Officer (CEO) and Group Manager – Strategy, Governance and Engagement are the senior managers responsible for this working party and shall attend all meetings and hui in this capacity.

The CEO or such person as he may from time to time appoint, and other council staff designated by him, will be responsible for the maintenance and servicing of the working party (provision of venue, minute-taking, catering).

Support for the working party extends to council's controlled organisation, Northland Inc through the CEO and staff.

12. Arataki tangata | Member induction

All new members joining the working party will receive an induction pack which will include the Terms of Reference, relevant policies and procedures and information outlining the council's function and processes.

13. Papā o te pānga | Conflict of interest

Members will be asked to complete a conflict of interest form at the beginning of each year they sit on the group. A conflict of interest log will be maintained by the officer responsible for liaising with the group and members are asked to declare a potential conflict of interest at each meeting.

14. Hokohitanga o ngā hui | Frequency of meetings

The working party will meet up to a maximum of 10 times a year. These will alternate between a formal meeting of the working party which will be held at the council's office in Whangārei and workshops at marae focusing on local issues (i.e. up to five formal meeting and five marae-based workshops.)

While any working party member is welcome to attend the marae-based workshops, these workshops will not constitute a formal working party meeting and therefore no working party actions can be agreed. All working party members attending council approved marae-based hui are eligible for meeting fee allowances and mileage.

When the full working party meets at the Whangārei office of the regional council a meeting room will be made available before or after the meeting of the working party in order for the Māori members of the working party to meet.

15. Kotahitanga | Quorum

The following quorum will apply:

- At least a third of the elected members (councillors), and
- At least a third of non-elected members.

This ratio will apply to those seats that are currently filled and not include vacant positions.

16. He utu | Payment

Payments for non-elected members of the working party (iwi and hapu representatives) for meeting attendance and mileage will be in accordance with the councils 'Appointed Members Allowance Policy' and in accordance with this Terms of Reference.

Payments include:

- Meeting allowance for meetings of the working party
- Mileage (one claim per vehicle)
- Attendance at Other working parties, as endorsed by council.

17. Whakaoti raruraru | Conflict resolution

Should conflict occur, the Co-Chairs and the working party will be responsible for working together to resolve the conflict in the first instance. If the conflict persists, the council will only intervene at the request of the majority of the working party members.

18. Ngā purongo | Reporting - accountability

The working party, through the Co-Chairs will provide a summary report to the council following each meeting.

Working party members are expected to report back to and liaise regularly with their respective nominating iwi / hapū communities – providing information to their constituents and seeking their feedback.

Officers of council will be responsible for promoting the working party and any initiatives developed (once considered and approved by council), to the wider public through a range of media including print and radio promotion, the council's website and social media.

19. Arotakenga | Review

The Terms of Reference will subsequently be reviewed as required. All changes to the Terms of Reference will be subject to the approval of Northland Regional Council through a recommendation made by the working party.

20. Tuku mahi | Delegations

The working part has no delegated authority from council.

Appendices

Appendix 1

Council Vision, mission and areas of focus (Long Term Plan 2018-28)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- 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 tāngata whenua

Appendix 2

TTMAC Iwi/Hapū geographic representation



Northland Regional Council

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TITLE: Appointed Members' Allowance Payment to Iwi Representatives on the Northland CDEM Coordinating Executive Group

ID: A1322448

From: Evania Arani, Executive Assistant Customer Services - Community Resilience

Executive summary/Whakarāpopototanga

The purpose of this report is to seek council's approval for the payment of the 'Appointed Members Allowance' to the two iwi representatives who were co-opted onto the Northland Civil Defence Emergency Management Executive Coordination Group at its meeting on 16 April 2020 as per the Northland Regional Council's 'Appointed Members Policy' with an allocation cap of four meetings and two workshops per annum.

Recommendation(s)

1. That the report 'Appointed Members' Allowance Payment to Iwi Representatives on the Northland CDEM Coordinating Executive Group' by Evania Arani, Executive Assistant Customer Services - Community Resilience and dated 2 June 2020, be received.
2. That council approve the payment of the 'Appointed Members' Allowance' to the two iwi representatives on the Northland Civil Defence Coordinating Executive Group with an allocation cap of four meetings and two workshops per annum.

Background/Tuhinga

The Civil Defence Emergency Management Act, section 20 outlines the appointment and functions of Civil Defence Emergency Management (CDEM) Coordinating Executive Groups (CEG) and Section 20 (1)(e) of the Act permits that a CDEM Group can co-opt whomever it considers necessary onto the CEG. The CDEM Group, at its establishment, delegated the authority to the CEG to co-opt members.

As part of its review of emergency management the Government identified that engagement and inclusion of iwi in emergency management needed to be substantially improved.

The Government in its response to the Technical Advisory Group's recommendations (August 2018) stated "we recognise that iwi bring a great deal of capability in relation to emergency management. We want greater recognition, understanding and integration of iwi/Māori perspectives and tikanga in emergency management – before, during, and after an event."

While the Government indicated it would "legislate to enable iwi to participate in planning for and responding to a natural disaster or other emergency, and to bring more clarity to their role", it has yet to proceed with legislation. However, it also undertook to have "officials engage with iwi and Groups to explore iwi representation on the CEG of each Group, to ensure iwi input into advice to the Group on governance and planning" and further "how iwi are represented in areas where multiple iwi are present will also need to be worked through".

The Northland CDEM Group has previously discussed improving engagement with iwi and agreed that it should be progressed as a matter of priority. The Group was actively investigating options for engagement, including obtaining iwi representation on the CEG.

The recent COVID-19 and drought responses have led to the Group engaging with and developing response coordination arrangements with Te Tai Tokerau iwi runanga chairs through Te Kāhui O

Taonui Rōpū. Te Kāhui O Taonui is supporting and coordinating iwi responses and coordination with government agencies, councils and CDEM. In order to have iwi input into response planning and operations and promote response coordination it was agreed that Te Kāhui O Taonui would put forward two representatives to be included in the Group Emergency Coordination Centre (GECC).

At the Extraordinary CDEM Coordinating Executive Group Meeting held on 16 April 2020, Victor Goldsmith (Te Aupōuri) and Hone Dalton (Ngāpuhi) were co-opted onto the group as iwi representatives.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Council endorse the recommendations	Support Māori engagement.	Minor cost.
2	Council does not endorse recommendations	Minor cost saving.	Does not support Māori engagement.

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. This does not mean that this matter is not of significance to tangata 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

This report and the recommendations are consistent with the Northland CDEM Coordinating Executive Group Terms of Reference and Appointed Members' Policy.

Further considerations

4. Community views

No community views have been sought on this decision.

5. Māori impact statement

This recommendation supports and improves Māori engagement and inclusion in Northland Civil Defence Emergency Management group activities.

6. Financial implications

There are sufficient allocated funds within the current budget to accommodate the co-opted members.

7. Implementation issues

There are no known implementation issues associated with this decision.

Attachments/Ngā tapirihanga

Attachment 1: Appointed Members Allowance Policy [↓](#)

Authorised by Group Manager

Name: Tony Phipps

Title: Group Manager - Customer Services - Community Resilience

Date: 03 June 2020

Appointed Members' Allowances Policy

1. Statement of Purpose

This policy explains the circumstances in which the Northland Regional Council will pay allowances to Appointed (non-elected) Members¹ who are appointed to its standing committees, subcommittees, working parties, working groups and external bodies, and sets out the conditions that must be met for a claim to be paid.

2. Policy Goal

The goal of this policy is to ensure the council's position and procedures for the payment of allowances to appointed members is transparent, accountable, and fair.

3. Key principles

- a. The council recognises that appointed members from time to time incur personal expense as a result of participating in standing committees, subcommittees, working parties, working groups and external bodies.
- b. The council wishes to ensure appointed members are not financially disadvantaged by their participation, or that the financial impact of their participation acts as a disincentive to participation.
- c. The council also recognises that a commitment to public service motivates appointed members to participate.
- d. The application of a transparent, fair and balanced policy on the payment of allowances to appointed members promotes public confidence in the council's financial stewardship.

4. Eligibility

Subject to the restrictions noted below, appointed members are eligible to claim allowances for attendance² at the following:

- a. Standing Committee Meetings: i.e. a permanent committee appointed by the council (only) that meets on a regular basis to address specific issues covered by the committee's delegations
- b. Subcommittee/Working Party Meetings if their appointment and the meeting schedule has been approved by council resolution.
- c. Standing Committee/Subcommittee/Working Party Workshops if the membership and workshop schedule have been approved by council resolution.
- d. Meetings of any other sub-ordinate bodies set up by Standing Committees/Subcommittees/Working Parties if the membership and meeting schedule has been approved by council resolution.
- e. Scheduled meetings of External Bodies; provided council has approved by resolution that the appointed member will represent council at these meetings.³

or otherwise:

¹ Elected members' remuneration, expenses and allowances are governed by the Remuneration Authority. The Authority does not concern itself in a council's methods or policies for rewarding or recompensing non-elected members.

² For completeness, it should be noted that appointed members are eligible to claim travel and meeting allowances if a meeting lapses due to lack of a quorum.

³ External Body is defined as a government agency, local authority or private/public interest group.

ID: A940688

- f. The Chair of the Regional Council has granted them an exception under Section 8 of this policy.

5. Restrictions

Allowances will not be paid:

- a. To council's independent financial advisor, as that member is paid a fixed annual fee.
- b. To any appointed member whose participation on a committee, subcommittee, working party or external body is remunerated by another organisation). This will be determined by a declaration statement included on the claim form. To avoid doubt, the council will reimburse the member (unless otherwise advised by the member); any issues regarding remuneration in these cases are a matter to be resolved between the member and the organisation concerned.
- c. To any appointed member of a Working Group (for the avoidance of doubt this includes all Catchment Working Groups and River Working Groups)
- d. For any mileage that is not associated with travel between a member's primary residence and properly scheduled meetings of a committee, subcommittee or working group, in the member's own vehicle, and by the most direct route that is reasonable in the circumstances.
- e. If a meeting/workshop is cancelled.

6. Meeting (workshop) Allowance

The council will pay a maximum daily meeting (workshop) allowance of \$170 subject to the provisions of this policy. For clarity, if a member attends two meetings (workshops) on the same day, the allowance may only be claimed once for that day. Members may choose to not claim this allowance.

7. Vehicle Mileage Allowance

The council will pay the 'the vehicle mileage allowance as set out in its current Elected Members' Expenses and Allowances Policy, subject to the provisions of this policy. For clarity, the annual cap and minimum distance requirements of the Elected Members' Expenses and Allowances Policy apply. Eligible appointed members may choose to not claim mileage.

8. Exceptions

The Chief Executive will consider the following applications for exception, based on the particular circumstances detailed in an appointed member's written application, and the Auditor-General's 2007 good practice guide on "Controlling Sensitive Expenditure: Guidelines for Public Entities", and make a recommendation for decision by the Chair of the regional council:

- a. From appointed members who are otherwise ineligible for the travel and meeting allowances. Allowances provided must not exceed those provided for in this policy.
- b. From appointed members who seek an allowance or reimbursement for an expense not detailed in this policy.

As a guiding principle, the meeting and travel allowances should only be exceeded in exceptional circumstances.

ID: A940688

TITLE: Draft NRC Submission - Extension to Manganui Bay Temporary Fisheries Closure

ID: A1322867

From: Justin Murfitt, Strategic Policy Specialist

Executive summary/Whakarāpopototanga

The Ministry for Primary Industries has received a request from Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti to extend the current fisheries closure at Manganui Bay (Deepwater Cove) Bay of Islands for a further two years. The Ministry has called for submissions on the request. It is recommended that council lodge a submission in support of the extension to the closure. A draft submission is **attached** for consideration by Council. Submissions close on 22 June 2020.

Recommendation(s)

1. That the report 'Draft NRC Submission - Extension to Manganui Bay Temporary Fisheries Closure' by Justin Murfitt, Strategic Policy Specialist and dated 3 June 2020, be received.
2. That council approve the draft submission attached pertaining to Item 6.8 of the 16 June 2020 council agenda (subject to any amendments directed by council).
3. That the Chief Executive Officer be authorised to sign the submission on behalf of council prior to it being lodged with the Ministry for Primary Industries.

Background/Tuhinga

Manganui Bay (Deepwater Cove) in the Bay of Islands, has been under temporary fisheries closure since 2010. Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti (who have mana moana in the area) placed a rahui over the area in 2010. The rahui has been given legal force by a temporary fisheries closure under section 186A of the Fisheries Act 1996. This temporary closure prohibits the taking of any species except kina but must be renewed every two years. The temporary fisheries closure has been reinstated every two years since 2010 when they came into force. The current closure expires in October 2020.

The Ministry for Primary Industries has called for submissions on a request to extend the temporary fisheries closure at Manganui Bay for a further two years from October 2020. The request was made by Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti. It is recommended that council lodge a submission in support of the request to extend the closure for a further two years given:

- It has been effective in improving biodiversity and cultural values in the area and the removal of the closure would put these gains at risk.
- A very small percentage of Northland's coastal marine area is currently protected from fishing activity – extending the closure at Manganui Bay while small, adds to the area of marine habitat under protection in Northland. The biodiversity gains under the closure will demonstrate the benefits of full protection and add to the evidence base for such measures.
- It provides legal support and enforceability for the rahui placed on Manganui Bay by Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti both of whom have mana moana.
- The closure is also understood to have significant local community support and there is little evidence of undue impact on commercial or recreational fishers as a result of the closure.

- The temporary closure while not ideal, due to repeated renewals required, is the most appropriate means to achieve cultural and biodiversity outcomes for the area under the current marine protected area legislative framework.

A draft submission is attached for consideration by council. Submissions close on 22 June 2020.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Council does not submit in support of the closure	None	Council support is not provided despite having signalled an interest in supporting locally led marine protection.
2	Council lodges a submission in support of extending the closure	The council maintains its position that it intends to support locally led marine protection initiatives.	Staff time to draft and lodge a submission (minor).

The staff's recommended option is Option 2

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 tangata 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 and the Fisheries Act 1996 allows for submissions.

Further considerations

4. Community views

There are likely to be a range of community views on the matter, however, council has already signalled an interest in supporting locally initiated marine protection initiatives and allocated resource for this in its 2018 Long Term Plan. The submission is consistent with this position.

5. Māori impact statement

Māori are likely to have a range of views on the closure, however, those with mana moana over the area are understood to have requested the extension of the fisheries closure and the draft submission by council supports their request.

6. Financial implications

There are no financial implications as a result of a council decision to lodge a submission.

7. Implementation issues

There are no implementation issues arising from council lodging a submission.

Attachments/Ngā tapirihanga

Attachment 1: Draft NRC submission - Manganui Bay extension to fisheries closure (June 2020) [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 10 June 2020

Submission



To: Spatial Planning and Allocations
Fisheries Management
Fisheries New Zealand
PO Box 2526
Wellington 6140
By email: FMSubmissions@mpi.govt.nz

By: Northland Regional Council

On: Further Temporary fishing Closure – Manganui Bay, Bay of Islands

1. Introduction

- 1.1. Northland Regional Council (NRC) is grateful for the opportunity to comment on the application by Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti for a further two-year fishing closure (the rahui) at Manganui Bay. 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.

2. Background

- 2.1. NRC has an interest in the management and protection of the marine environment within its jurisdiction and recognises the inestimable value marine biodiversity provides for the region in terms of environmental, social, cultural and economic well-being. While NRC's role in this area has largely been through a 'resource management act' lens, we have also been aware of efforts by various Northland communities to protect highly valued marine environments through other means (such as marine protected area legislation or cultural methods such as rahui). These community led efforts have at times been frustrated by process / procedural hurdles, this is particularly so with proposals to establish marine reserves under the Marine Reserves Act 1971. Given this issue, NRC allocated funds in its 2018 Long Term Plan to support such protection initiatives where there is strong community / tangata whenua buy-in and a robust rationale and evidence for the protection measures proposed. We consider the closure / rahui at Manganui Bay falls into this category and we therefore support the extension of the closure sought. More detail is provided below.

3. Submission

- 3.1. NRC supports extending the temporary fisheries closure under Section 186A of Fisheries Act 1996 for a further two years on the basis of the following:
- We understand there is evidence of significant biodiversity improvement under the fisheries closure applied at Manganui Bay and would be concerned if these restrictions were now lifted thereby risking the gains made to date.

- There is a relatively low percentage of the north-eastern bioregion that is currently protected from fishing (0.2% in Marine Reserve and 0.06% in Marine Park¹⁷). Council supports the development of further marine protected areas to ensure our marine biodiversity is maintained – this is especially important given the effects of climate change and the other growing threats to marine life (such as pollution and resource extraction). The proposal to extend the protection under s186A achieves this albeit temporarily and for a small area.
- We are not aware of any evidence of undue impact on commercial or recreational fishers as a result of the closure / rahui to date, nor would expect any such impacts as a result of the extension for a further two years. In fact, we consider it is likely that there are benefits for these interests as a result of extending the protection applied for another two years given the further improvement in fish stocks likely to result. In addition, the rahui and fisheries closure appears to have a significant degree of support from the community to date.
- We consider that Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti and others involved in monitoring the effectiveness of the rahui in terms of cultural and biodiversity outcomes are best placed to assess whether the time is right to remove the protection afforded under the Fisheries Act temporary closure – we support their position that the temporary closure should be extended.
- NRC sees legal enforceability using the temporary closure provisions available under s186 of the Fisheries Act 1996 as a necessary safeguard to support the rahui on Manganui Bay. Ideally, more adaptive, culturally appropriate and enduring protection measures would be applied and enforced to achieve cultural and environmental outcomes, however we see the use of s186A as the most appropriate solution to support the rahui in the short term.
- NRC considers extending the closure will recognise and provide for the use and management practises of tangata whenua and will improve the biodiversity and cultural values of the area. We consider the Minister can therefore be confident that extending the temporary closure will meet the purpose of S186A of the Fisheries Act 1996.

4. Conclusion

- 4.1. NRC thanks the Ministry for the opportunity to comment on the proposal. As stated, we strongly support the extension to the temporary closure for the reasons outlined above. We would encourage the Minister to consider in partnership with Te Kupenga o Ngati Kuta and Patukeha ki Te Rawhiti whether there are any more enduring measures that could applied to protect the area in an a more certain and enduring way. Please do not hesitate to contact us should you require further information or wish to discuss.

Signed on behalf of Northland Regional Council

Malcolm Nicolson (Chief Executive Officer)

Dated: XX / XX /2020

¹⁷ <https://www.doc.govt.nz/Documents/conservation/marine-and-coastal/marine-protected-areas/coastal-marine-habitats-marine-protected-areas.pdf>

TITLE: Regional Economic Development: Progress Towards a Joint Delivery Model

ID: A1323190

From: Darryl Jones, Economist and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement

Executive summary/Whakarāpopototanga

The purpose of this paper is to seek council approval of the recommendations put forward by the Northland Mayoral Forum for the future delivery of regional economic development services in Northland. These recommendations are listed in this paper and the full proposal and recommendations can be found in **Attachment One**. All four Northland councils are being asked to approve these recommendations and proposed way forward.

For the coming financial year 2020/21, the Mayoral Forum is proposing an enhancement of the current model, whereby financial support is provided from the three district councils for Northland Inc. Limited (NInc) in return for an opportunity to have input into the development of the NInc Statement of Intent for 2021–2024, and the appointment of directors.

The major change will occur from 2021/22 onwards. It is proposed that Northland Inc. will be jointly owned by the four councils with an equal shareholding. Councils' legislative governance oversight responsibilities will be undertaken through our appointment of councillor representatives onto a Joint Committee of Council (which would also include representatives from each district council). Funding from the three district councils for economic development activities will be increased over a six-year period to reach a 40/60 split in funding between total district council contribution and regional council's current forecast commitment. This additional funding will be used to support both the operations of the jointly owned council-controlled organisation (CCO) and project investment through the Investment and Growth Reserve (IGR). It is proposed that the Joint Committee will be responsible for the allocation of funding from the IGR.

The proposal does not require any additional funding commitment from council, with the exception of co-funding for the development of a regional economic development strategy. The scope of this strategy and the quantum of funding still needs to be worked out in more detail.

Staff recommend that council approve the recommendations of the Mayoral Forum.

Recommendation(s)

1. That the report 'Regional Economic Development: Progress Towards a Joint Delivery Model' by Darryl Jones, Economist and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 4 June 2020, be received.
2. That council approve the recommendations of the Mayoral Forum for the delivery of regional economic development services as set out in Attachment One of Agenda Item 6.9 of the 16 June 2020 Council Meeting. This approval is given subject to:
 - a. District council approval of the same recommendations / proposal;
 - b. Consideration be given to increasing the number of councillor representatives on the Joint Committee from one to two for each council;

- c. Progress the Regional Economic Development Strategy as a priority and, if funding allows, ahead of the formal establishment of the joint CCO (i.e. during the 2020/21 financial year); and
- d. Public consultation on the establishment of Northland Inc. as a jointly owned CCO, through council's 2021–2031 Long Term Plan process, and council's subsequent decision-making process.

Background/Tuhinga

In 2017, MartinJenkins completed a review of economic development activities carried out jointly by the four Northland local authorities in accordance with section 17A of the Local Government Act 2002. A key recommendation of this review was that NInc, currently a council-controlled organisation (CCO) that is 100% owned by council, transition to become a CCO jointly owned and governed by all four Taitokerau local authorities. The full report and summary of the MartinJenkins review is available online at <https://www.nrc.govt.nz/your-council/economic-development/northland-inc/>.

Since that time, the Northland Mayoral Forum and the Chief Executives of their respective local authorities have been developing the most appropriate form and structure of a joint ownership model, considering, among other things, the current and potential levels of funding able to be provided. This process has also included updates and feedback sought from respective councils' governance through council specific workshops and the Northland Forward Together forum.

At its meeting on 24 February 2020, the Mayoral Forum endorsed the proposed regional economic development service delivery model set out in detail in **Attachment One** which is prepared as a standard agenda paper going to each respective council for endorsement. A high-level summary of the proposal is also provided in **Attachment Two**.

The attachments cover the rationale for joint ownership, the key costs and risks, and sets out a two-stage process: an initial enhanced model in 2020/21 that moves to joint ownership from 2021/22 onwards after a process of public consultation as part of the 2021–2031 Long Term Plan (LTP).

Council is being requested to approve the recommendations of the Mayoral Forum. These are outlined below and cover the main elements of the proposal, highlighting the funding and joint governance arrangements (details of the proposal are provided in Attachment One):

1. *That Council approve the proposal that recommends Northland Regional Council share the appointment of directors and input to the Statement of Intent process with Whangarei, Far North and Kaipara District Councils, in return for agreed funding for the 2020/2021 Annual Plan Year. The agreed funding for the 2020/2021 Annual Plan is:*
 - a. *Northland Regional Council – Continue to fund Northland Inc. and the IGR per their current Long Term Plan*
 - b. *Whangarei District Council – One hundred and five thousand dollars (\$105K) plus the contribution of up to one FTE to Northland Inc.*
 - c. *Kaipara District Council – Twenty-five thousand dollars (\$25K)*
 - d. *Far North District Council – Eighty-two thousand dollars (\$82K)*
2. *And support the proposal that recommends Northland Inc. be modified to become a joint regional CCO;*
 - a. *with a formal joint committee to provide oversight;*
 - b. *a funding arrangement that Northland Regional Council contribute 60% and Whangarei, Far North and Kaipara District Councils contribute 40%;*

- c. *this is achieved over a six-year time frame aligned to the 2021–2031 Long Term Plan Cycle; and*
 - d. *public consultation to establish Northland Inc. as a joint regional CCO is included and aligned to the 2021–2031 Long Term Plan consultation process of each Northland council.*
3. *And support, in principle, the development of a Regional Economic Development Strategy for inclusion in the 2021–2031 Long Term Plan Cycle, subject to scope, resources and funding.*

Approving these recommendations will enable staff from all four councils to fully develop the details of the proposal so that public consultation can occur through the 2021–2031 LTP process to progress the jointly owned CCO and put in place interim procedures for the coming financial year.

Council have been briefed on the development of the proposal at several workshop sessions, most recently on 3 June 2020. During this session, councillors requested that in refining the details of the proposal that consideration be given to: (a) increasing the number of councillor appointments to the Joint Committee from one to two for each council; (b) providing for increased funding in the IGR to ensure that future investment into projects can occur; and (c) ensuring the development of the regional economic development strategy is prioritised and progressed at pace.

It should be noted that the Mayoral Forum recommendations were developed prior to the COVID-19 crisis. The regional economic recovery group, stood up as part of the COVID-19 emergency response in Northland, is looking to develop an economic strategy for the region to help guide the economic recovery. The group, which is co-chaired by Northland Inc. and Te Taitokerau iwi leaders, is seeking to complete this in the next few months. The outcome of this process will need to be considered in developing the proposed Regional Economic Development strategy referred to in recommendation 3 of the Mayoral Forum paper (Attachment One).

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Approve recommendations from the Mayoral Forum	<p>Significantly strengthens inter-council coordination and alignment on regional economic development.</p> <p>Provides additional funding for regional economic development in 2020/21 and potential beyond.</p> <p>Allows staff to further prepare the proposal with some certainty of political commitment.</p>	Begins a process through which council control over Northland Inc. and the IGR will be reduced.
2	Not approve recommendations from the Mayoral Forum	Council maintains complete control over Northland Inc. and the	Reduces the chance of developing a joint council economic development delivery mechanism (it

		allocation of funding from the IGR.	<p>has taken three years to develop the current proposal).</p> <p>Reduces the likelihood of the development of a single coordinated Regional Economic Development Strategy.</p> <p>Reduces the likelihood of increase district council financial contribution to economic development activities – through Northland Inc.</p>
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The staff's recommended option is **Option 1**, to approve the recommendations from the Mayoral Forum on the future delivery of regional economic development services. However, staff recommend that this approval be subject to the following conditions:

- a) Agreement from other councils to the proposal;
- b) Consideration to increase respective council representation on the joint committee from one to two;
- c) Consideration to progress the Regional Economic Development Strategy in the 2020/21 financial year; and
- d) Consultation on the establishment of Northland Inc. as a joint CCO through the 2021–2031 LTP development process.

2. Significance and engagement

Section 56 of the Local Government Act 2002 requires local authorities to undertake public consultation before establishing, or becomes a shareholder in, a CCO. While district councils will need to undertake public consultation to comply with section 56, technically, council is unlikely to have to undertake public consultation. Council is already delivering economic development activities through a CCO and transitioning Northland Inc. to a jointly owned CCO is unlikely to trigger our Significance and Engagement Policy and hence does not require public consultation prior to making this decision. Staff, however, recommend that council agree, at this point, to progress this proposal on the basis that it will undertake public consultation, regardless of whether there is a statutory requirement to do so or not. This is because there will likely be considerable public interest in this decision, and it will be important to communicate a coordinated approach to the community, through respective councils' LTP consultation material.

On this basis, this report presents a decision in principle to establish a jointly owned Northland Inc. and that the actual decision to do so will follow public consultation through the LTP process.

Therefore, in relation to section 79 of the Local Government Act 2002, the decisions in this report are of low significance when assessed against council's Significance and Engagement Policy. This does not mean that this matter is not of significance to tangata whenua and/or

individual communities, but that council is able to make decisions relating to this matter without undertaking further consultation or engagement.

The actual decision being made, through this report, is to approve the interim 2020/21 (Stage 1) proposal and approve the proposal and intention to establishment of a jointly owned Northland Inc. (this being subject to public consultation through the 2021–2031 LTP consultation process).

3. Policy, risk management and legislative compliance

This decision complies with council's policy and legislative requirements (as outlined elsewhere in this report). However, future changes to council policies will be required if the proposals are implemented, including but not limited to council's policy for appointing directors and the settings for the IGR as outlined in council's Financial Strategy.

Further considerations

4. Community views

While council has received ongoing support for providing regional economic development functions provided through Northland Inc., community views have not previously been sought on a jointly owned CCO model for regional economic development in Northland. As previously discussed, it is proposed that community views be specifically sought through the 2021–2031 LTP consultation process.

5. Māori impact statement

Economic development and prosperity for Taitokerau is a significant issue of importance to Māori, as evidenced by the release of *He Tangata, He Whenua, He Oranga*, an economic growth strategy for the Taitokerau Māori economy produced by the Iwi Chief Executives' Consortium in 2015. Māori are likely to have a strong interest, among other things, in providing direction on the activities of the joint CCO and the scope, content and direction of the proposed Regional Economic Development Strategy.

While Māori have not been engaged in the development of the detail of this proposal, feedback from Māori leaders and Te Taitokerau Māori and Council Working Party (TTMAC) was sought during the Section 17A assessment of local government's provision of economic development activities. The results of the Section 17A report, including the proposal to establish a joint economic development agency, were presented back to TTMAC with no opposition to the proposal recorded at that time.

It is recommended that, should council approve the proposal to establish joint ownership of Northland Inc., that specific input is sought from TTMAC and other Māori leaders, in addition to council's LTP consultation process, to inform council's final decision.

In addition, Northland Inc. has also recently undertaken a review of Māori economic development in Te Taitokerau. It is anticipated that this report will be available shortly and may provide further valuable input into this decision.

6. Financial implications

It is anticipated there will be some specific expenditure required to progress the proposal to establish a jointly owned CCO, for example legal advice, however staff consider that these can be met within existing budgets.

The proposal does not envisage any change to council's current funding commitments from 2021/22 onwards apart from an as yet unconfirmed quantum of additional co-funding required to support the development of a regional economic development strategy. The scope of this work and the quantum of funding required will need to be considered as part of a separate council decision once these details are further refined.

7. Implementation issues

The development of the joint economic development delivery proposal into a form for public consultation by four councils through the 2021–2031 LTP process and eventual implementation (assuming positive public support and council future decisions) will require significant staff time and resource. While it is proposed that this can be met from within existing resources, it will necessitate giving priority to this project above other activities.

Attachments/Ngā tapirihanga

Attachment 1: Mayoral Forum - Standard Agenda Item [↓](#)

Attachment 2: Mayoral Forum - Regional Economic Development on a page [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 10 June 2020

TITLE: Standard Agenda Paper - Proposal for Future Regional Economic Development Service Delivery for Northland

ID: {Objective ID}

To: Council Meeting of Individual Councils

From:

Date: 20th May 2020

Executive Summary

This purpose of this report is to propose a Regional Economic Development service delivery model, governance arrangements and indicative funding model to the Northland Regional Council, Whangarei District Council, Kaipara District Council and Far North District Council following endorsement by the Mayoral Forum at their meeting on the 24th February 2020.

The Mayoral Forum tasked the Chief Executives of Northland's four Council's to develop an appropriate business model for consideration by Northlands' Councils following the formal S17A Service Delivery Review completed by Marin Jenkins Consultants in XXX.

Over the course of 2019 to February 2020, the Chief Executives proposed a two staged approach for the future delivery of regional economic development services:

1. An enhanced Northland Inc. with the District Councils having input into Northland Inc's Statement of Expectations and input in the appointment of directors in return for a modest investment that is aligned to the 2020 – 2021 Annual Plan year.
2. A joint regional CCO, with equal shareholding, governance via a joint committee, with 60% of funding from Northland Regional Council and 40% from the three District Councils, that is aligned to the 2021-2031 Long Term Plan Cycle.

The proposal considers the level funding by the Northland and District Councils, the timing of public consultation and the consideration of the development of a regional economic development strategy be completed under Northland|Forward Together.

The proposed regional economic development service delivery model considers:

- a. The structure of each service delivery model.
- b. The governance features of each model.
- c. The proposed funding from Northland Regional Council targeting 60% contribution over six years, whilst targeting a 40% funding contribution from the District Councils over six years.
- d. The advantages, disadvantages and overall benefits.
- e. An indicative timeline for implementing both stages and the alignment to the 2020-2021 Annual Plan Cycle and the 2021-2031 Long Term Plan Cycle which will incorporate the special consultation process required to establish a joint CCO.

The Mayoral Forum endorsed their support of the proposal at the Mayoral Forum on the 24th February 2020.

The proposed recommendation for the future delivery of regional economic development services is for Northland Regional Council and Whangarei, Kaipara and Far North District Councils' consideration and approval for inclusion and community consultation in the 2021-2031 Long Term Plan.

Recommendation

That Council approve the recommendations listed below for the future delivery of regional economic development services:

1. That Council approve the proposal that recommends Northland Regional Council share the appointment of directors and input to the Statement of Intent process with Whangarei, Far North and Kaipara District Councils, in return for agreed funding for the 2020-2021 Annual Plan Year. The agreed funding for the 2020-2021 Annual Plan is:
 - a. Northland Regional Council – Continue to fund Northland Inc. and the IGR per their current Long-Term Plan
 - b. Whangarei District Council – One hundred and five thousand dollars (\$105K) plus the contribution of up to one FTE to Northland Inc.
 - c. Kaipara District Council – Twenty-five thousand dollars (\$25K)
 - d. Far North District Council – Eighty-two thousand dollars (\$82K)
- 1.
2. And support the proposal that recommends Northland Inc. be modified to become a joint regional CCO;
 - a. with a formal joint committee to provide oversight,
 - b. a funding arrangement that Northland Regional Council contribute 60% and Whangarei, Far North and Kaipara District Councils contribute 40% and
 - c. this is achieved over a six-year time frame aligned to the 2021-2031 Long Term Plan Cycle and
 - d. public consultation to establish Northland Inc. as a joint regional CCO is included and aligned to the 2021-2031 Long Term Plan consultation process of each Northland Council.
3. And support, in principle, the development of a Regional Economic Development Strategy for inclusion in the 2021-2031 Long Term Plan Cycle, subject to scope, resources and funding.
- 2.

Background

Martin Jenkins Consultants undertook the review of Northland Council economic development functions and activities in 2017. The subsequent report highlighted:

- There are no major gaps in the types of economic development activities provided by Northland Councils and Northland Inc.
- There is little overlap of economic development activities
- There are five key opportunities for the Councils to work more efficiently and effectively together to increase the collective impact.
 - A regional economic development strategy, goals and priorities that would provide clear guidance on the activities that should be delivered in the region.
 - Regional destination marketing
 - Regional events promotion guided by a regional visitor and events strategy
 - Maori/Iwi economic development
 - Greater reach of services into the Far North and Kaipara through a hub and spoke delivery model

The Martin Jenkins report recommended that Northland Inc. currently a Council Controlled Organisation (CCO) of Northland Regional Council, become a jointly owned CCO, with a joint shareholding across the four Councils and a Joint Committee to provide direction and oversee Northland Inc.'s performance and resourcing.

The Martin Jenkins report highlighted the key benefits of the recommendation are:

- Greater alignment of economic development priorities and outcomes across Councils and Northland Inc.
- Better opportunity to leverage the resources of all to achieve common goals and objectives
- Minimal disruption to Northland Inc, or Council operations and delivery as a result of the changes.
- Opportunity to implement a hub and spoke business model with presence in the Far North and Kaipara.
- Increased flexibility / agility to being able to make decisions about changes to activities across Councils and Northland Inc. through a joint committee structure.
- Ability for individual Councils to have input into the Expectation of Purpose and Statement of Intent process.
- Ability for individual Councils to have input into the programme of work and projects being delivered by Northland Inc, via the Statement of Intent process.
- Increased opportunity to identify efficiencies in the delivering activities across all Councils and Northland Inc. as a result of increased engagement.

There are key costs and risks associated with the implementation of a jointly owned CCO.

- Time and costs associated with public consultation on the changes to the existing CCO arrangements.
- The legal re-arrangement
- An increase in staff and elected members time required to develop and agree on: priorities with Northland Inc., the Shareholders Agreement, the Joint Committee role and structure, out-put and out-come framework and the performance and reporting framework.
- An increase in Northland Inc. staff to work with individual Councils to achieve the outcomes and outputs determined by the formal Joint Committee.

- Costs with extending Northland Inc's services into the districts (set-up and co-ordination costs), although some costs could be minimised by sharing with others.

To date Northland Regional Council and Northland Inc. have implemented recommendations from the Martin Jenkins review regarding the operations of the Investment and Growth Fund, the process for developing the statement of intent, improved reporting and connection with the District Councils. Minimal progress has been made on the five opportunities for Councils to work together.

The Mayoral Forum tasked the Chief Executives to develop an appropriate business model for consideration by all Councils. For clarification, this proposal has not been presented to the Northland Regional Council or Northland Inc. for consideration.

The Chief Executives and senior management held a workshop on the 23rd January 2019 and took a fresh approach to developing a regional delivery model, building on the success of Northland Inc. and incorporating the recommendations of the Martin Jenkins Review. The Chief Executives agreed:

- The principles for the development of a model and subsequent report
- The key drivers and priorities for economic development in Northland
- The report will recommend a preferred service delivery option to the Mayoral Forum prior to the October Local Body election.
- The new Councils and Mayoral Forum will make any decisions to implement or otherwise, post the October Local Body elections.

A cross- council team has been brought together to propose a service delivery model for consideration by all Councils and build on the strengths of Northland Inc. and the recommendations of the Martin Jenkins Review.

The cross-council team undertook a short study of three regional economic entities and arrived at the same conclusions as the Martin Jenkins study, that a joint regional CCO is the most suitable vehicle to deliver a regional service.

The first draft of the Regional Economic Development Service Delivery Options Report was presented to the CEs Forum May 2019 and the Mayoral Forum May 2019. However, the recommendations of the report were left on the table and further work was required.

Several workshops and discussions with the CEs Forum and the Mayoral Forum post October 2019 elections discussed support for regional economic development and the development of a regional economic development strategy.

Key points are:

- The final entity must be stable for performance not to be compromised
- The CEs to propose a long-term vision regarding funding and representation
- Commitment from all four Councils to be actively participating and contributing for regional economic development to be successful
- Commitment to one economic development services agency in Northland

Discussion

At present, the main economic development services being delivered by Northland Inc. and Northland Councils are:

3. Delivered by Northland Inc. for the Region	4. Delivered by Councils for respective districts
5. Business development, business start-up advisory	6. Event and tourism promotion - WDC
7. Promotion of innovation, including the digital enablement plan and broadband extension	8. Business attraction – industry, developers, regulatory advice
9. Investment attraction and facilitation including investment in Northland focused events, Provincial Growth Fund infrastructure and district and regional projects	10. Community Development – Community and district focused support, funding and facilitation
11. Skills support, provision of support for IGR applications and funding	12. I-Sites (WDC and FNDC)
13. Destination marketing and management re international trade and tourism	14. Provincial Growth Fund initiatives and applications
15. Industry development and support to major projects and TTNEAP projects	16.

17.

At this point in time, further work would be required to determine what functions and services would be undertaken by the joint CCO and the District Councils.
I.e. whether (any) district focused development, event and tourism promotions, PGF and funding applications would be better being a function of the joint CCO.

Northland Inc. have recently commissioned two studies to be completed regarding:

- Feasibility of increasing the level of delivery of Northland Inc. to the Far North and West Coast
- Maori Economic Development

A new Board is in place chaired by Sarah Peterson and Murray Reade joined Northland Inc. as Chief Executive in 2019, with a wealth of leadership experience, tourism sector experience and a strong history of working with community and stakeholders.

Given the combination of the newly appointed Northland Inc. Board of Directors and a recently appointed Chief Executive for Northland Inc. coupled with new Councils and elected members, it's time to consider what the future delivery of regional economic development services has the potential to be over the next three to four months in order to meet the 2021/2031 Long Term Plan timeframes.

Post the 2019 local government elections, progress has focused on:

- The equitability and affordability of financial contributions from the District Councils.
- Shareholding and Voting Rights
- Timeframes and 2021-2031 Long Term Plan consultation
- Risks, obstacles and issues from preventing progress

The proposal builds on the Martin Jenkins recommendation that a joint regional CCO is the most suitable business model to deliver economic development services to Northland. Not only does this follow best practice, but would also likely gain support from Central Government, where government would be communicating at a regional level and Northland effectively harnessing available central government funding and support.

Funding of Northland Inc.

Currently Northland Regional Council fund Northland Inc. and the Investment Growth Reserve Fund (IGR) through their commercial activities and Whangarei District Council fund a cash contribution of circa \$105,000 per annum plus up to one FTE that is seconded to Northland Inc. Far North and Kaipara District Council currently do not make any contribution but have done in the past.

The proposal recommends Northland Regional Council continue to fund Northland Inc. and the IGR in line with the level of funding committed in the 2018-2028 Long Term Plan. From the commencement of the 2021-2031 Long Term Plan Cycle the District Councils will progressively build up their contribution until it represents 40% of the total funding allocation made to these two functions.

The IGR was established in 2011-2012 to help fund economic projects that will increase jobs and economic performance in Northland. The reserve is financed by income from Northland Regional Council's various investments and potential projects are scoped and assessed by Northland Inc.

The objective of the IGR is to provide a fund that enables Northland Regional Council make strategic investments that lift the long-term growth of Northland. Allocations from the fund must be one of the following:

- Operational expenditure for Northland Inc.
- Project development
- Enabling investment

The option of the District Councils building their contribution to 40% over a three-year time period was deemed unaffordable in such a short timeframe, despite their being less risk if the transition is completed in one Long Term Plan cycle. To ease the impact of economic development expenditure on the District Councils a six-year transition is recommended.

Joint Regional CCO – Aligned to the 2021-2031 LTP and a transition period of six years

- Target Funding: NRC funding 60% of Northland Inc. and the IGR from commercial activity and the balance of 40% would be funded by the District Councils
- The methodology for the proportion of funds that will be funded from each Council was also given further thought. The proposed funding ratio for the District Councils is based on population numbers in each district.

18.

19.

Council	Current Population	Percentage of Contribution
Whangarei District Council	91,400	51%
Far North District Council	64,400	36%
Kaipara District Council	23,200	13%

These proportions will be reviewed at each Long-Term Plan Cycle. Based on the above table the proposed contribution required from each Council over a six-year period would be:

		51%	36%	13%	
Year	NRC	WDC	FNDC	KDC	Total
Population		91400	64400	23200	179000
2021/22	89%	6%	4%	1%	100%
2022/23	80%	10%	7%	3%	100%
2023/24	74%	13%	9%	3%	100%
2024/25	68%	16%	12%	4%	100%
2025/26	64%	18%	13%	5%	100%
2026/27	60%	20%	14%	5%	100%

Whilst Northland Regional Council maintain funding Northland Inc. per their current Long-Term Plan commitments, it's proposed the three District Councils contribute a further 40% over the six-year transition period. The indicative share of financial contribution would be:

Year	NRC	WDC	FNDC	KDC	Total
2021/22	\$1.811M	\$117K	\$82K	\$29K	\$2,082M
2022/23	\$1.852M	\$241K	\$169K	\$61K	\$2,357M
2023/24	\$1.937M	\$349K	\$246K	\$89K	\$2,632M
2024/25	\$1.984M	\$475K	\$335K	\$121K	\$2,910M
2025/26	\$2.033M	\$587K	\$413K	\$149K	\$3,191M
2026/27	\$2.084M	\$709K	\$500K	\$180K	\$3,473M

The six-year transition period represents two LTP cycles and two election cycles. Maintaining political support through this transition period, whilst progressively increasing financial contributions, may be challenging and does represent a risk to the longevity of the model. However, a three-year transition period was deemed unaffordable by the District Councils.

The allocation of the total level of funding provided from the District Councils and Northland Regional Council between Northland Inc. operations and the IGR will determined by requirements of the Northland Inc's Statement of Intent and supporting budgets, with the differences being transferred to the IGR and available to support the priorities and projects agreed by the four Councils.

Shareholding and Governance Arrangements

The Martin Jenkins report recommends establishing a formal joint committee across the four Councils to provide direction to Northland Inc. and jointly recommend Northland Inc's Board appointments. The report also recommends establishing a Shareholders Agreement between the four Councils to govern the relationship and developing a joint Statement of Intent and service agreements with individual Councils. Further consideration has been given to options for shareholding and voting rights based on:

- **Weighted Rights Model Based on the level of financial contribution from each Council**

20. This is where a formal joint committee is established, and the representation and votes are based on the level of financial contribution.

21.		22. Formal Joint Committee Membership	23. NRC	24. FNDC	25. WDC	26. KDC
27. Years 1 - 3		28. 7 members	29. 4	30. 1	31. 1	32. 1
33. Years 4 - 6		34. 11 members	35. 6	36. 2	37. 2	38. 1

39.

40. With this model Northland Regional Council retains the deciding vote as the District Councils contribute 40% of the financial contribution and Northland Regional Council 60%.

Or in the alternative

- **Consensus Model: Based on equal shareholding across the four Councils**

41. This is based on the shareholding being equal i.e. each Council having an equal shareholding in Northland Inc. and the formal joint committee membership is made up of one representative from each Council (one vote).

42. Decision making is to be consensus building. In the event that consensus cannot be reached then a vote would be taken with votes weighted proportional to the funds provided in that particular year.

43.

The proposed governance model features are:

Equal shareholding by Northland Regional Council selling twenty-five shares at one dollar each to Whangarei, Far North and Kaipara District Councils. This will provide the four Councils with an equal shareholding of 25 shares each.
Governance would be via a formal Joint Committee
The Formal Joint Committee would appoint the commercial focused Northland Inc. Board of Directors on merit.
All Councils to contribute and have input through setting the Statement of Expectations regarding, the objectives, priorities, deliverables, performance and reporting framework and outcomes for the region
Allocation of Investment Growth Reserve delegated to the formal Joint Committee. This would enable the District Councils input into the decision making around the allocation of the IGR from the outset.

Consultation

Establishing Northland Inc. as a joint regional CCO will require public consultation, therefore this is proposed to be aligned with the 2021-2031 Long Term Plan process across the region provided the four Northland Councils give agreement to do so.

44.

Obstacles and Sensitivities Preventing Progress

An assessment has been completed regarding the obstacles and sensitivities preventing progress at an individual Council level.

The main issues are:

- The new entity must have stability to last a decade or more and the need for a secure financial baseline
- Political buy-in, Councils must agree to the “new” Northland Inc. being the provider of economic development services in Northland
- The lack of a regional economic development strategy
- Building trust and stability, monitoring effort and distribution of benefit
- Equitability by medium term equitable distribution in proportion to contribution

The proposal addresses each of these issues, either through the business model being proposed, the long-term funding contributions from NRC and the District Councils, the commitment from Northland Councils that the ‘new’ Northland Inc will be the one organisation that delivers economic development services for the region.

The Councils also have input to the Statement of Intent process via the formal Joint Committee, and the Consensus Voting model promotes building trust. The out-put out-come framework together with the performance and reporting framework enable the monitoring of effort and measurement of the distribution of benefit.

Regional Economic Development Strategy

The Martin Jenkins report highlighted the lack of an overarching regional economic development plan that brings together TTNEAP, NorthlandForward Together, He Tangata, Northland Councils Plans and Northland Inc. priorities. The aim should be for the strategy and plan to be more aspirational about the future of the region and to provide greater direction about how economic development activities will support the future vision.

The development of a regional strategy is estimated to be a two-year process, that will require external consultants together with funding and resources from Northland Councils. The development of the strategy should be led by Northland Councils, rather than Northland Inc. and be completed under Northland Forward Together. A scope of work, together with funding and resourcing requirements will need to be completed to inform the 2021-2031 Long Term Plan process.

The Future

The proposed regional joint CCO together with the proposed governance and funding model provides a greater level of stability, where the individual Councils are actively engaged via a joint committee and coupled with the development of a regional economic development strategy that would underpin the objectives, priorities, funding requirements and outcomes to be delivered by Northland Inc.

By converting Northland Inc. into a regional joint CCO it should enable:

- Greater reach of services into the Far North and Kaipara via a hub and spoke model in accordance with contribution, where economic investment is most needed to lift the economy and standard of living for the community.
- Greater engagement and participation of Maori/Iwi. This is a priority for all four Northland Councils.
- Central Government will be communicating with one agency for Northland, and this would likely gain support from Central Government, where government would be communicating at a regional level and Northland Inc. effectively harnessing available central government funding and support.
- The District Councils would have greater control and insight into the monitoring of performance and the distribution of benefit throughout the region. This could be done by: regular meetings between Northland Inc. and the formal Joint Committee, Annual strategy sessions with individual Councils, regular meetings between CEs of Councils and CE of Northland Inc., and overall reporting of progress to Northland Councils.
- There should be greater alignment of economic development priorities and outcomes across Councils and Northland Inc. even more so with the development of the regional economic development strategy.
- Specialisation/centre of excellence approach regional economic development that could potentially be more attractive.
- Support the Covid-19 state of emergency economic recovery

Some examples of specific tangible benefits associated with increased economic development funding are:

- Greater ability to help councils develop funding applications for projects
- Development of a regional destination marketing and event strategy
- Resourcing to champion and improve digital (broadband and mobile phone) connectivity
- Increased funds in the IGR to be able to allocate as Project Investment co-funding for new initiatives

The proposal means that there will be a call on resources and funding:

- The conversion of the existing Northland Inc. to a regional joint CCO, would require public consultation, but it should have little disruption to Northland Inc. and Council operations. The implementation will require increased resources regarding the governance arrangements i.e.
 - Shareholders Agreement
 - Joint Committee role
 - Performance and reporting framework
 - Output and Outcome framework
- The time and costs associated with public consultation via the 2021-2031 Long Term Plan
- The costs associated with extending Northland Inc's services into the Far North and Kaipara

The Martin Jenkins report discusses that the costs and risks are manageable and will not outweigh the benefits of the proposal.

Recommendation

1. Stage One – Aligned to the 2020/2021 Annual Plan

The proposal recommends Northland Inc. should increase its governance participation with the District Councils, in return for a commitment to funding and resourcing.

The proposal recommends:

- Shared appointment of directors by a formal Appointment Board made up of four representatives from NRC and one representative each from WDC, FNDC and KDC.
- Each representative to the Appointment Board will have one vote, thus the majority vote is with NRC.
- Each Council would appoint their representative to the Appointment Board for a term of one year, commencing 1 July 2020.
- WDC, FNDC and KDC would have input into the Statement of Intent process.
- Contribution of funding:
 - Whangarei District Council \$105K p.a.
 - Far North District Council \$82K p.a.
 - Kaipara District Council \$25K p.a.
 - WDC will continue to contribute up to one FTE to Northland Inc.
 - NRC will continue to fund Northland Inc. and the IGR Fund per their current Long-Term Plan

2. Stage Two – Regional Joint CCO – Aligned to the 2021/2022 LTP Cycle

The proposal recommends that Northland Inc. be converted to a jointly owned CCO, overseen by a Formal Joint Committee of council representatives.

The proposal recommends:

- Equal shareholding by NRC selling 25 shares at one dollar each to WDC, FNDC and KDC, providing the four Northland Council with an equal shareholding of 25 shares each.
- Governance via a formal Joint Committee with representation from each of the four Councils, by each Council having one representative.
- Formal Joint Committee to appoint Directors to Northland Inc. based on merit.
- Retainment of the current policy of rotation for appointment of directors.
- Northland Councils all have input into the Statement of Intent process via the Joint Committee.

- Allocation of the Investment Growth Reserve delegated to the Joint Committee
- Decision making on the Joint Committee to be made by consensus and failing that by vote proportionally weighted to the funds provided in that particular year.

The proposal recommends funding the regional joint CCO over a transition period of six years, whereby Northland Regional Council maintain funding levels per their 2018-2028 Long Term Plan, and the District Councils increase their funding contributions to a total combined value of 40% over the same period.

The development of a regional economic strategy would better inform the priorities, deliverables and outcomes to be achieved by Northland Inc. The proposal recommends the strategy is developed under Northland Forward Together and to develop a brief including resources, funding and timeframes for consideration.

The proposal recommends that total funding of Northland Inc. and IGR progresses to \$3.473M by 2026/2027.

Year	NRC	WDC	FNDC	KDC	Total
2021/22	\$1.811M	\$117K	\$82K	\$29K	\$2,082M
2022/23	\$1.852M	\$241K	\$169K	\$61K	\$2,357M
2023/24	\$1.937M	\$349K	\$246K	\$89K	\$2,632M
2024/25	\$1.984M	\$475K	\$335K	\$121K	\$2,910M
2025/26	\$2.033M	\$587K	\$413K	\$149K	\$3,191M
2026/27	\$2.084M	\$709K	\$500K	\$180K	\$3,473M

Note: 2% inflationary adjustment has been applied.

Timeframes

An indicative timeline is included in Attachment One, page 2. There are key timeframes that would need to be met regarding:

- Individual Council approval for Stage One funding to be included in the 2020/21 Annual Plans
- Individual Council approval to support Stage Two, the development of a regional economic development strategy and the required funding go to each Council for their approval to be included in the 2021-2031 Long Term Plan consultation process.
- The 2021-2031 Long Term Plan consultation process
- Planning for the transition and have all preparation in plans to implement prior to July 2021 (Subject to consultation and individual Council adoption)

45.

Next Steps

Should the recommendations be supported by the Mayoral Forum at their meeting on the 24th February 2020, then discussion with Northland Inc. and Northland Regional Council in the first instance, followed by a standard agenda paper will be prepared for each Council. This is to consider the merits of the proposed service delivery model and the development of a regional economic development strategy, funding and resourcing for inclusion in the 2021-2031 Long Term Plan process.

Authorised by: (Each Northland Council)

Attachment One	Summary on a page of proposed Northland Regional Economic Development Delivery
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10 June 2020	Attachm																																																			
Stages	Proposed Regional Economic Development Service Delivery Models	Governance Features	Proposed Funding Requirements	Advantages/Dis-advantages																																																
Stage One	Enhancing the governance participation with the existing Northland Inc.	*Shared Appointment of Directors, by a formal Appointment Board made up of four NRC representatives and one representative each from WDC, KDC and FNDC. *Each representative will have one vote *Each Council would appoint their representative to the Appointment Board for a term of one year commencing 1.07.20 *WDC, KDC and FNDC would have input into the Statement of Intent process	Financial commitment required from all Councils. NRC would continue to fund Northland Inc. per the 2018/19 to 2021 Statement of Intent. The proposed funding is highly discretionary, and individual Councils may need to make a greater financial commitment subject to the specific projects that the being delivered by Northland Inc. <table><tr><td>WDC</td><td>\$105,000</td></tr><tr><td>FNDC</td><td>\$82,000</td></tr><tr><td>KDC</td><td>\$25,000</td></tr><tr><td>NRC</td><td>\$1,935,000</td></tr></table> WDC also contribute up to 1 FTE seconded to Northland Inc.	WDC	\$105,000	FNDC	\$82,000	KDC	\$25,000	NRC	\$1,935,000	Advantages *First step to continuum of change, easy to implement at minimal cost and minimal change to Northland Inc. structure. *No disruption to existing services *District Councils have input and voting rights re appointment of directors. *NRC have the controlling vote *District Councils have input into Statement of Intent process *NRC agree and approve the Statement of Intent *District Councils can put forward specific projects relative to their specific priorities *Opportunity to extend reach in return for a relatively small investment Dis-advantages *Lack of sustained commitment from District Councils – Opt-in Opt-out a short-term option *Benefits of projects may not be visible *May be a higher cost for Northland Inc.																																								
WDC	\$105,000																																																			
FNDC	\$82,000																																																			
KDC	\$25,000																																																			
NRC	\$1,935,000																																																			
Stage Two	Extending Northland Inc. to a Joint Regional CCO	*Equal shareholding by NRC selling 25 shares, at one dollar each to WDC, FNDC and KDC thus providing the district Councils with a 25% shareholding each in Northland Inc. *Governance via a formal joint committee with representation from the four Northland Councils, each Council having one representative. *Formal Joint Committee to appoint Board of Directors on merit. *Retention of current policy of rotation to appoint directors. * Individual Councils input into the statement of intent process via the Formal Joint Committee	*NRC propose to maintain its current 2018-2028 LTP contribution, which over a six-year period will be 60% of the total Northland Inc/IGR funding. *WDC, FNDC and KDC would contribute the remaining 40% that is apportioned by population statistics. *A six-year transition period for WDC, FNDC and KDC to fully fund the 40% share. Below sets out the targeted financial contributions over a six-year transition period for the proposed funding requirements of Northland Inc and the IGR. Indicative Share of Contribution <table><tr><td></td><td></td><td>51%</td><td>36%</td><td>13%</td><td></td></tr><tr><td>Year</td><td>NRC</td><td>WDC</td><td>FNDC</td><td>KDC</td><td>Total</td></tr><tr><td>Population</td><td></td><td>91400</td><td>64400</td><td>23200</td><td>179000</td></tr><tr><td>2021/22</td><td>89%</td><td>6%</td><td>4%</td><td>1%</td><td>100%</td></tr><tr><td>2022/23</td><td>80%</td><td>10%</td><td>7%</td><td>3%</td><td>100%</td></tr><tr><td>2023/24</td><td>74%</td><td>13%</td><td>9%</td><td>3%</td><td>100%</td></tr><tr><td>2024/25</td><td>68%</td><td>16%</td><td>12%</td><td>4%</td><td>100%</td></tr><tr><td>2025/26</td><td>64%</td><td>18%</td><td>13%</td><td>5%</td><td>100%</td></tr></table>			51%	36%	13%		Year	NRC	WDC	FNDC	KDC	Total	Population		91400	64400	23200	179000	2021/22	89%	6%	4%	1%	100%	2022/23	80%	10%	7%	3%	100%	2023/24	74%	13%	9%	3%	100%	2024/25	68%	16%	12%	4%	100%	2025/26	64%	18%	13%	5%	100%	Advantages *True arms-length with individual Council influence via Formal Joint Committee, the appointment of directors and input into the development of the statement of intent. *Governance by Formal Joint Committee *Regional decision making re Investment Growth Reserve via the Formal Joint Committee. *Best model practice – Martin Jenkins Reviews and other regional initiatives in NZ Dis-advantages *Commitment required from all Northland Councils *Substantially less opportunity to opt in and out - affordability
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1 July 2020 to 30 June 2021																																																				
1 July 2021 to 30 June 2024 And 1 July 2014 to 30 June 2027																																																				

10 June 2020

Attachment

	Benefits of Northland Inc. moving to a Joint Regional CCO <ul style="list-style-type: none">Provides a greater level of stability, formal governance, individual councils actively engaged via a formal joint committeeFormal Joint Committee appoints the directors, allocates the IGR Fund, negotiates the Statement of Intent, monitors performance and is the key communication link between individual Councils and Northland Inc.Enables a reach of services into the Far North and KaiparaUndertakes all economic development services on behalf of the Northland CouncilsAttractive model to central government – dealing with a regionRegional engagement with Maori/IwiGreater alignment of prioritiesThe District Council would have greater insight into performance, outcomes and spread of benefitSpecialisation/centre of excellence being more attractive to potential employeesDelivery of a regional economic development strategy	*Allocation of the Investment Growth Reserve delegated to the Formal Joint Committee	2026/27	60%	20%	14%	5%	100%	*Subject to public consultation aligned with the 2021-31 LTP cycle *Lack of political appetite *Ease and cost of implementation, * Staff re-location *Affordability for District Councils regarding funding																																						
			Indicative Target Share of Financial Contribution <table><tr><th>Year</th><th>NRC</th><th>WDC</th><th>FNDC</th><th>KDC</th><th>Total</th></tr><tr><td>2021/22</td><td>\$1.811M</td><td>\$117K</td><td>\$82K</td><td>\$29K</td><td>\$2,082M</td></tr><tr><td>2022/23</td><td>\$1.852M</td><td>\$241K</td><td>\$169K</td><td>\$61K</td><td>\$2,357M</td></tr><tr><td>2023/24</td><td>\$1.937M</td><td>\$349K</td><td>\$246K</td><td>\$89K</td><td>\$2,632M</td></tr><tr><td>2024/25</td><td>\$1.984M</td><td>\$475K</td><td>\$335K</td><td>\$121K</td><td>\$2,910M</td></tr><tr><td>2025/26</td><td>\$2.033M</td><td>\$587K</td><td>\$413K</td><td>\$149K</td><td>\$3,191M</td></tr><tr><td>2026/27</td><td>\$2.084M</td><td>\$709K</td><td>\$500K</td><td>\$180K</td><td>\$3,473M</td></tr></table>							Year	NRC	WDC	FNDC	KDC	Total	2021/22	\$1.811M	\$117K	\$82K	\$29K	\$2,082M	2022/23	\$1.852M	\$241K	\$169K	\$61K	\$2,357M	2023/24	\$1.937M	\$349K	\$246K	\$89K	\$2,632M	2024/25	\$1.984M	\$475K	\$335K	\$121K	\$2,910M	2025/26	\$2.033M	\$587K	\$413K	\$149K	\$3,191M	2026/27	\$2.084M
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Timeline for the Implementation of Stages One and Two – Taking Northland Inc. from their current governance and funding model structure to a full joint regional CCO and proportional funding over a transitional six-year period

Date	Action	Forum		Date	Action	Forum
3 February 2020	Agreement of recommendations, funding, shareholding and timeline	CEs Forum		June 2020	Adoption of each Council Annual Plans re: Stage Two – Joint Regional CCO for public consultation in 2021-2031 LTP and the development of a regional economic development strategy and associated funding	
25 February 2020	Agreement from Mayors and Chair for Stage One inclusion in draft Annual Plans and support for Stage Two to be included in the 2021-2031 LTP Process	Mayoral Forum		July 2020 – August 2020	Agreed message/wording and information for regional consultation Funding requirements for each Council to be included in the draft 2021-2031 LTP	
March/April 2020	Discussion with NRC and Northland Inc.	Northland Inc Board and NRC Council Meeting		September 2020 to March 2021	Consultation period	
March/April 2020	Draft TOR, project brief for the development of a Regional Economic Development Strategy	CEs Forum Mayoral Forum		By November 2020 By March 2021	Transition Plan for moving Northland Inc to Joint Regional CCO All transition preparation completed ready to put in place for 1 July 2021.	CEs Forum
April 2020	Discussion and approval by individual Councils for Stage 1, Stage 2, and ED Strategy and inclusion in the 2021-2031 LTP	Each Council		April 2021 - May 2021	Feedback from consultation	CEs Forum
April May 2020	Transition Plan Developed Stage One including Northland Inc. involvement *Appointment Board *Expectations of Purpose input	Northland Forward Together Team		June 2021	Adoption of 2021-2031 LTP by Councils Joint Regional CCO and Development of a Regional Economic Development Strategy	Individual Councils
June 2020	Annual Plan adoption for WDC, KDC and FNDC re funding	KDC and FNDC Council meetings		July 2021	Joint CCO be established, Transition and Engagement of Consultants re regional strategy	

	July	Transition	Northland Inc. NRC						
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TITLE: Chair's Report to Council

ID: A1320214

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 month of May 2020.

Recommendation

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 29 May 2020, be received.

Strategic issues

Meet the Tū i te ora Scholarship winners

Congratulations to the four winners of Northland Regional Council's inaugural Tū i te ora Scholarships programme, who will each receive \$3,000 towards their studies.

The scholarships support study or training in areas that align with the council's focus areas of environment, economy and community.

Blessing of the Kaipara Service Centre NRC building site in Dargaville

The new Kaipara office building will continue NRC's satellite service centre roll out in Northland. It will mean more access for the Kaipara District and a lift in the visibility of the important environmental work that NRC does.

Councillors back in the council chamber

Councillors will be back in the council chamber on 9 June 2020 – the first time since COVID-19 lockdown. Going forward it is likely that some council meetings will still be held remotely. Taking advantage of the technology to reduce travel time and travel expenses and emissions.

Long term planning

Councillors and staff have made a good start to our internal long term planning discussions with a facilitated strategic workshop. While we will be constrained fiscally for the next year or two, we are not short on ideas to progress the improvement and enhancement of Northland's environment and economy.

Fire and Emergency Northland Community Board

Congratulations to Cr Colin Kitchen for his appointment onto the Fire and Emergency Northland Community Board.

Meetings/events attended

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

- Meetings attended with the council's CEO, Malcolm Nicolson:
 - LGNZ Regional Sector meeting.
 - NEMA and Local Government Response Unit calls.
 - Mayors, Chair, CEOs and other agencies catch up meetings.
 - Kaipara remediation project – government funding.
 - LGNZ infrastructure meeting.
 - Mayors/Chair/CEOs – align messaging to Minister Jones.
 - Meeting with Ben Dalton in the absence of Minister Jones.
 - UNISA Mayors and Chairs meeting.
 - Geoff Henley – councillors' strategic workshop.
 - Northland Mayoral Forum.
- Regular Mayors and Chair catch up meetings.
- Weekly catch up for Regional Sector Chairs and Mayors.
- TTNEAP Advisory Group meeting.
- TTNEAP Advisory Group catch up – keeping momentum.
- Meeting with Luke Beehre and Vaughan Cooper, Northland Inc.; Deputy Chair, Justine Blaikie and Councillor Jack Crow – Extension 350.
- Geoff Henley – decision making.
- Recovering from COVID-19 – the Green perspective with Minister James Shaw.
- LGNZ Zone 1 meeting.
- Introductory meeting with Refining NZ new CEO.

Correspondence

During May I sent out the following correspondence:

Date	Addressed To	Subject
22.05.20	Sarah Petersen Northland Inc.	Confirmation of director term
28.05.20	David Crewe	Resignation from Northland Inc. Board

Attachments/Ngā tapirihanga

Nil

TITLE: Chief Executive's Report to Council

ID: A1319422

From: Malcolm Nicolson, Chief Executive Officer

Recommendation

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 31 May 2020, be received.

7.2.1 HIGHLIGHTS

NATIONAL INITIATIVES – HEALTHY WATERWAYS

The Government has announced decisions on action for healthy waterways designed to stop further degradation of freshwater and reverse past damage. As previously signalled, the national direction on freshwater is to be delivered through a revised National Policy Statement for Freshwater Management (NPS-FM), National Environmental Standards (NES) and regulations requiring certain classes of stock be excluded from waterways.

Changes to the RMA are also proposed to include requirements for freshwater modules in farm plans and a new freshwater planning process. Actual text of the NPS-FM, NES and stock exclusion regulations have yet to be released but key features announced for each are summarised below:

The **National Environmental Standard** (NES) includes measures to:

- prevent further loss of natural wetlands and streams
- preserve connectivity of fish habitat
- address high-risk farming activities including intensive winter grazing, stock-holding areas/feedlots, agricultural intensification and nitrogen fertiliser use
- require councils to monitor levels of synthetic nitrogen fertiliser use reported by dairy farms, and assess consent applications for fertiliser use above a new cap of 190 kg N/ha/year.

The NES is expected to be gazetted in July 2020 and to take effect 28 days after gazettal.

The **NPS for Freshwater Management** (NPS-FM) includes:

- requirement for all components of ecosystem health be managed
- new compulsory values for threatened species and mahinga kai
- prevention of further destruction of wetlands and stream loss and that new structures provide for fish passage
- 22 attributes/indicators of freshwater health to be maintained or improved (including new attributes for fine sediment and tighter standards for E.coli at bathing sites)
- strengthened requirements relating to Te Mana o Te Wai.

Regional councils will have to notify new or updated regional policy statements and plans to give effect to the NPS-FM by December 2024.

Stock Exclusion Regulations include:

- All dairy cattle (except dairy support cattle) and pigs must be excluded from lakes and rivers more than a metre wide (bank-to-bank) by 1 July 2023, regardless of land slope.
- All dairy support cattle must be excluded from lakes and rivers more than a metre wide (bank to-bank) by 1 July 2025, regardless of land slope.
- All cattle and deer must be excluded from lakes and rivers more than a metre wide (bank-to-bank) where land is used for fodder-cropping, break-feeding or grazing on irrigated pasture by 1 July 2023, regardless of land slope

- On land less than 10-degrees slope, beef cattle and deer must be excluded from lakes and rivers more than a metre wide (bank-to-bank) by 1 July 2025.
- All cattle, deer and pigs to be excluded from wetlands already identified in a regional or district plan by 1 July 2023 (once additional wetlands are identified in regional plans, stock are to be excluded from these by 2025).
- Dairy and beef cattle and pigs will be prohibited from crossing waterbodies more than twice per month unless they cross by way of a dedicated culvert or bridge.

For all stock exclusion, there must be a minimum setback of three metres from the edge of the waterway, except where an existing permanent fence or existing riparian planting already effectively excludes stock. This means existing permanent fences will not have to be moved under the new regulations.

Changes to the RMA include:

- A new freshwater planning process
- New regulations setting out mandatory requirements for freshwater modules in farm environment plans (to be developed over the next 12 months).

More detail on the proposals, including a summary by sector is available here:

<https://www.mfe.govt.nz/action-for-healthy-waterways>

CUSTOMER SATISFACTION MONITORING

Almost no customer feedback has been recorded, although all teams have been working throughout the lockdown period.

Compliments received	Total
Service provided by a specific person / people <ul style="list-style-type: none">• V Lepper, W Morunga, K McElrea, P Graham – Biosecurity	1
Total compliments recorded	1

The compliment (as shown below) spoke of the support provided by the Biosecurity team throughout lockdown.

"Hi Don,

I just wanted to say thankyou to you, Viv, Warren, Kane and Pete for all their work through Covid and for supporting us. You have been a breath of fresh air amongst an awful lot of other people who have just laid down more and more barriers and over complicated the situation. I am sure there are also a bunch of other staff there behind the scenes that have been helping as well.

The team has been agile, intuitive, flexible and pragmatic throughout. NRC has been the first agency to get work up and running again during challenging times and it is a credit to your teams resolve to stay on their feet and adapt.

*Cheers again
Glen"*

7.2.2 CEO'S OFFICE

Council Property Update

- The total commercial tenant rent and outgoing relief extended over the Alert Level 3 and 4 periods was approximately \$63,500 + GST. The opportunity for ground lease tenants to submit applications for rent relief for their subtenants have closed. Council's rent relief policy has received exceptionally positive feedback from both commercial and ground lease tenants.
- Kensington Crossing construction work is well underway again. An official opening of the medical hub is likely in August 2020.

- The Kaipara Service Centre Head Contract tender has closed with five companies providing submissions. The building consent is due late June 2020.
- The final design, budget and KDC lease is now being finalised (refer Item 9.4).
- Kiwirail and the Chief Executive are in the final agreement stages on the transfer of Marsden Point Rail Link properties from Council to full Kiwirail ownership.

Current Legal Proceedings

Department	Description	Status
Consent decision appeal	Replacement consents for, and new consents for an expansion of, Doug's Ōpua Boat Yard in Walls Bay, Ōpua.	The court has asked for a set of agreed conditions. The case has been handed to a new Judge who will determine whether a hearing is required, or a decision can be made on the papers.
Consent decision appeal	Replacement discharge consents for East Coast Bays Wastewater Treatment Plant (Taipā)	No further update.

7.2.3 CORPORATE EXCELLENCE

Cyber Security

Council's security software detected thirty events during May, mainly caused from the distributed working from home configuration increasing the risk. Twenty-six events were classified as actual threats and three categorised with a severity of high.

Some small tactical security measures have been applied to address immediate risks during the COVID-19 period.

Fraud Declaration

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

Rogan Update

Mr and Mrs Rogan have settled all outstanding rates and charges to the Kaipara District and Northland Regional Councils. Consequently, council has authorised the release of the charging orders against their property.

7.2.4 REGULATORY SERVICES

Consents in Process

During May 2020, a total of 58 decisions were issued. These decisions comprised:

- Moorings 3
- Coastal Permits 27
- Air Discharge Permits 0
- Land Discharge Permits 11
- Water Discharge Permits 1
- Land Use Consents 4
- Water Permits 10
- Bore Consents 2

The processing timeframes for the May 2020 consents ranged from:

- 591 to 11 calendar days, with the median time being 33 days;

- 274 to 4 working days, with the median time being 20 days.

Thirty-seven applications were received in May 2020.

Of the 115 applications in progress at the end of May 2020:

- 57 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);
- 45 less than 6 months.

Appointment of Hearing Commissioners

No commissioners were appointed in May 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 May 2020 is (by number):

- Applications Publicly/Limited Notified During Previous Month 3
- Progress on Applications Previously Notified 5
- Hearings and Decisions 0
- Appeals/Objections 2

COMPLIANCE MONITORING

The results of compliance monitoring for the period 1 – 31 May 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	23	12	7	2	0	2
Coastal permit	154	78	41	23	5	7
Discharge permit	91	56	20	5	0	10
Land use consent	50	37	3	1	0	9
Water permit	106	71	26	7	0	2
Total	424	254	97	38	5	30
Percentage		59.3%	22.9%	9.0%	1.2%	7.1%
YTD	7,721	5,842	790	494	240	355
Percentage		75.7%	10.2%	6.4%	3.1%	4.6%

Coastal

The consents monitored during the reporting period related to coastal discharges and coastal structures.

Water, Waste, Air and Land Use (WWALU) compliance monitoring

- *Water use*

Staff were still very busy monitoring streams and low flows; however, base flows are starting to pick up which is relieving pressure in most areas.

- *Aupōuri groundwater monitoring*

Staff were able to fly into the wetland toward the end of May to retrieve data from the sentinel bore located there. The data is important because it enables another review to confirm the interim trigger levels for the existing consents to take groundwater for avocado developments.

- *Wastewater*

Wastewater site visits resumed in May with staff able to get out and about more freely.

- *Forestry and Earthworks*

Over the past two weeks staff have conducted around 30 visits to forestry sites. In general, the standard of compliance has been high. The dry conditions experienced this summer, while not favourable for water supply, provided favourable conditions for earthworks and forestry, with most sites coming through the COVID-19 lockdown in pretty good shape.

Visits to other higher risk earthworks sites were also undertaken to ensure contractors are securing their sites prior to winter or putting in the necessary controls in preparation to enable ongoing work. Winter works extensions are being granted for sites that have adequate controls in place for the work contractors are requesting to do.

- *Waste management*

Three incidents involving the discharge of hazardous substances and 13 enquiries regarding contaminated land were received and responded to. 608kg of hazardous waste was disposed of during the reporting period.

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

The following enforcement actions were taken during the period:

Nature of Offence	Infringement Notice		Abatement Notice		Total*	
	No. Offences	No. Notices	No. Offences	No. Notices	No. Offences	No. Notices
Burning & smoke nuisance	0	0	1	2	1	2
Illegal activity in coastal marine area	1	1	1	1	2	2
No offence	0	0	1	1	1	1
Other air discharge	0	0	1	3	1	3
Total	1	1	4	7	5	8

*An infringement notice and an abatement notice may be issued for the same offence. This means that in the above table, Column 5 (Total No. Offences) is not necessarily the sum of Column 1 (Infringement Notice No. Offences) + Column 3 (Abatement Notice No. Offences).

Other Enforcement

- *Farm dairy effluent – Pūrua*

Charges were laid against a farm owner and his company, as well as the farm manager and his company, for offences which occurred in August 2019. There are five charges against each of the four defendants. The farm has a poor history of compliance with regional rules for animal

effluent disposal. The first appearance date in the Whangārei District Court has been adjourned to 2 June 2020.

- *Sand dune removal – Tokerau Beach*

Charges have been laid against two parties – an individual and his company, for offending which occurred in July 2019. The alleged offences include the removal of a sand dune at Tokerau Beach. There are four charges against each of the two defendants. The first appearance date in the Kaitāia District Court was on 22 May 2020. Pleas were not entered, and the case has been adjourned until 4 June 2020.

- *Timber treatment plant*

Charges were filed in court on 12 March 2020 for a company and an individual for discharges from a timber treatment processing plant. The plant has a history of poor compliance with resource consent conditions. Disclosure has not yet been done. The first appearance date in the Whangārei District Court is set down for 2 June 2020. Our lawyer and the Counsel for the defence are filing a joint memorandum in court seeking a case review hearing and administrative adjournment for the appearance on 2 June 2020.

- *Earthworks without erosion and sediment controls – Totara North*

Council arranged for the installation of erosion and sediment controls under Section 330 of the RMA. A decision on prosecution is pending legal advice. Recuperation of costs will be sought under RMA provisions, either in conjunction with a prosecution or separately.

- *Water Shortage Directions (WSDs)*

WSDs were issued during May in relation to the following water resources. (Those in italics are not being reissued at this stage).

- *Far North district east coast coastal catchments*
- *Whangārei district east coast coastal catchments*
- Awanui River (Kaitāia public water supply)
- *Okahu stream (Kaitāia public water supply)*
- Wairoro Stream (Kaikohe public water supply)
- Waiotemarama and Waiarohia Streams (Opononi and Ōmāpere public water supply)
- Petaka Stream (Rāwene public water supply)
- Hātea River (Whangārei city public water supply)
- Tirohanga Stream/bores (Kawakawa public water supply)
- *Mangaharuru Stream (Fonterra Kauri site water supply and Piano Hill domestic water supply)*

Another WSD for the Piroa Stream (Maungaturoto public water supply/Fonterra plant) was requested by KDC but is on hold due to recent rain raising the level of the stream.

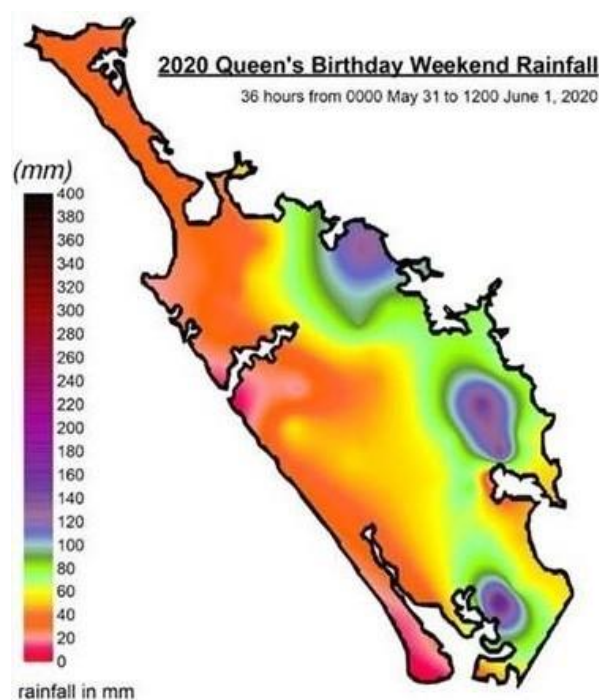
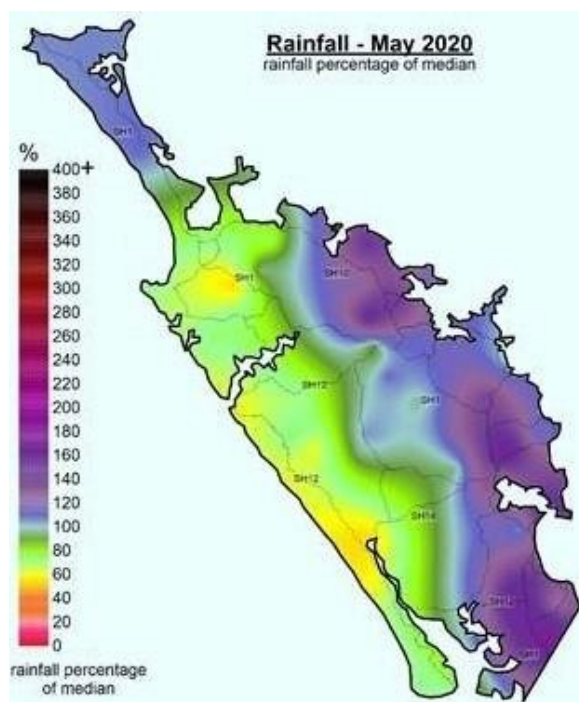
COASTAL / WATER QUALITY FIELD OPERATIONS

- State of the Environment monitoring resumed when COVID-19 Level 3 restrictions came into force, with all thirteen river-water quality/periphyton runs, four coastal runs and the quarterly lake sampling being undertaken.
- Artificial spawning habitat was placed in the Ngunguru River as part of the īnanga spawning monitoring programme. The use of these helps validate the location of the spawning site, allowing for better protection.
- The quarterly coastal litter monitoring programme was undertaken at Pohe Island, Whangārei Harbour. As with previous results, plastics account for the majority of the litter collected.

HYDROLOGY

Rainfall

- There was a large contrast in rainfall from east to west during May, with the west coast receiving a lot less rainfall than typically for the month, while the east received near normal rainfall, and in some areas, much higher than normal rainfall.
- The areas with higher than normal rainfall are all due to the rainfall that fell during the Queen's Birthday weekend. The deep low-pressure system delivered some high rainfall to Maungaturoto (180mm), Glenbervie / Whakapara (150mm) and Touwai near Kāeo (130mm).
- Some very intense rainfall was recorded during this event, with provisional 1-hour totals at our Hakuru gauge equating to a 1:50 year event and at the Maungaturoto gauge, a 1:100-year event. This is the kind of weather event our region needed to bring it out of drought.



River Flows

- The rainfall over Queen's Birthday weekend gave a big reprieve to Northland's low river flows. No major flood flows were observed, with most rivers recording their highest water levels so far this calendar year and all rivers were well above MALF.

Weather Forecast

- Another low approaches New Zealand from the Tasman on Wednesday (3 June 2020), which should deliver further rain across the region, which is unlikely to reach the rainfall totals recorded recently over Queen's Birthday.
- The high-pressure systems have finally given way for lows to pass over the country, so frequent rain events thorough the month are likely. However, it is noted that the NIWA seasonal outlook suggests that rainfall will be below normal for the three months June to August 2020.

Hydrology Projects

- Flow data processing for steady-state modelling continued and 17 out of 29 sites had been completed by the end of May.
- Testing is underway for a flow camera that will enable flow measurements to be carried out remotely by video image processing, allowing the capture of measurements in locations difficult for staff to access during a flood event

- Contractors undertook survey work on groundwater bores in Taipā, Taupo Bay, Russell, Kaikohe and Ōākura to validate and update existing level measurements.

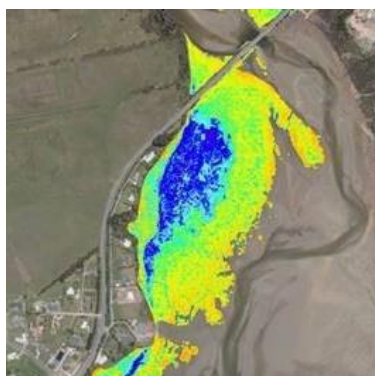
NATURAL RESOURCES DATA

- The Data Team is processing a number of large data requests linked to the drought response and the Aupōuri aquifer model update 2020.
- At a national level, the “Data Mobility (Electronic Field Capture) Working Group” was formed as part of RECOCO projects to improve New Zealand’s environmental data.
- The Data Team is working with the Online Services Team to update the platform for displaying environmental data on council’s website.
- The water use reporting season has begun, and an increasing number of records are received via the online water meter system and telemetry. The new NPSFM, released on 28 May 2020, highlights that water users with consents taking more than five litres per second must install a telemetry unit on their water meters to electronically record water use every 15 minutes and then transmit this data to council daily. The council already has a system set up to receive the records real-time.
- The implementation of the ecological database (KiEco) progressed and a consultant will be providing further training to staff on the use of the database in June 2020.
- LAWA is now live with the new “Groundwater Quality” module.

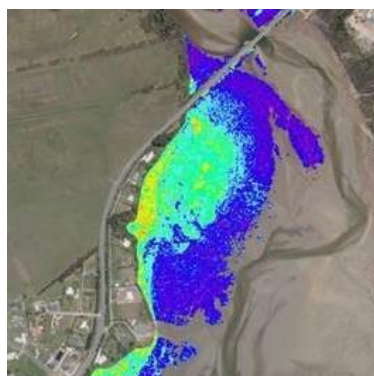
NATURAL RESOURCES SCIENCE

Marine

- The last “Takou awa” water quality samples were collected by Ngāti Rehia. The “*Te Awa o Takou Water Monitoring Programme*” is a year-long joint project between Ngāti Rehia and the council investigating water quality in the Takou Estuary. Now that sampling is complete, Council staff will work with Ngāti Rehia to analyse the data and create a report card on the health of the estuary.
- Our remote sensing project to map all saltmarsh and mangrove habitat in the Northland is now complete. We used an enhanced vegetation index (EVI) algorithm and LiDAR intensity data to identify different vegetation features and improve the quality of spatial intertidal habitat data available. A total of 14,750 hectares of mangrove and 3,893 hectares of saltmarsh has been mapped. The outputs from this project will be made publicly available later this year – see the following examples for Mangawhai Harbour:



An enhanced vegetation index raster layer of saltmarsh and mangrove habitat



A LiDAR intensity raster image of saltmarsh and mangrove habitat



An oblique aerial image of saltmarsh and mangrove habitat

Air Quality

- Ambient PM₁₀ monitoring results for April 2020 for the Whangārei and Marsden Point airsheds and Kawakawa township show that compliance was met with the National Environmental

Standards for Air Quality. Ambient PM_{2.5} monitoring results for Whangārei were within the ambient air quality guideline value.

FRESHWATER QUALITY AND ECOLOGY

- COVID -19 restrictions have impacted on several ecological monitoring programmes. The laboratory which processes our macroinvertebrate samples has indicated that there will be a delay in receiving the results this year due to staff working from home under lockdown. Likewise, Chlorophyll-a test results for the periphyton monitoring programmes are slightly behind schedule. The fish monitoring programme, which had just got underway prior to lockdown, was unable to be completed. This is likely to impact on our reporting ability, particularly as the data would have been beneficial in completing a comprehensive assessment of the ecological impact of the drought.
- The National Environmental Monitoring Standards (NEMS) macroinvertebrate working group has nearly completed and a draft NEMS-macroinvertebrates document is to be submitted to the NEMS Steering Group on 1 June 2020 for feedback, revision and final approval.
- The focus of the working group has been on current SoE and NPSFM requirements and providing best practice guidelines (for sampling, processing, quality assurance and quality coding) as well as providing brief commentary on considerations for non-wadeable streams, biodiversity monitoring, impact assessments, and potential future monitoring needs.
- Its work highlighted several areas needing further research and/or development. In particular, the original macroinvertebrate index was developed almost 20 years ago for Taranaki streams as a measure of organic enrichment and needs to be updated to reflect advances in scientific knowledge and acknowledge variations between different ecosystems and regions.

Water Quality Modelling

- NIWA and Land & Water Science (L&WS) are in the process of finalising their reports on Northland's current state water quality model after considering feedback from staff. The Northland current state model by L&WS is also getting externally reviewed by Dr Ton Snelder, a nationally renowned water quality modelling and statistician expert.
- NIWA has started working on developing Northland specific CLUES (Catchment Land Use for Environmental Sustainability) future state nutrient loading model by incorporating regional point source discharge data (ie. farm dairy effluent ponds and wastewater treatment plants) and regionally calibrated E. coli parameters from earlier regional modelling. NIWA will use the most recent land use layer LCDB5 (landcover database version 5), which will enable them to calibrate the model to up to date land use data. A future state model in terms of catchment nutrient loads will be developed by using different land management practices or mitigation scenarios. As part of the future state model, NIWA will also collate the Northland SedNet model and NZ Sediment Estimator sediment load estimates for creation of erosion mitigation scenarios. A draft report of the CLUES model is due to be ready by the end of November 2020.

NIWA Recommendations on Northland Dune Lakes

- NRC received the final report on Northland dune lakes review from NIWA in April 2020. The report has made some strong recommendations, including:
 - Prioritising our efforts on high value lakes;
 - Detailed lake catchment mapping for those focus catchments with high value lakes;
 - Frequent (monthly) monitoring of temperature and dissolved oxygen profile for high value lakes;
 - Refine our understanding on relationships between lake water quality and ecological indicators;
 - Investigate risks associated with pine forest;

- Focus catchment remediation activities in high risk areas including monitoring run-off from ephemeral gullies;
- Prioritising reduction of phosphorus (P) over nitrogen (N), but at the same time managing both P and N; and
- Trialling dynamic lake-catchment and in-lake nutrient load modelling for some of our high value lakes.
- Staff are currently discussing and prioritising some of these NIWA recommendations.

Network Review for River and Lake Monitoring

- More progress was made on the network review for our surface water quality monitoring.

Freshwater Quantity

- Meteorological and hydrological drought indication maps for May 2020 and July 2018 – May 2020 are due to be delivered shortly pending the availability of the input data.
- A prediction module of the drought system is currently being scoped, with plans to be operational by late spring 2020.
- Current water allocation enquiries indicate the need to better understand naturalise flow. There are significant issues with estimation of allocation limits and availability in catchments with complex water uses.
- Envirolink project proposals are being prepared for the potential use of remote sensing for environmental and natural hazard monitoring, and to re-run hydrological models for Awanui using rain radar.

Groundwater

- The Ruawai Drought Risk Assessment Report has been finalised. Key findings of this report are that the public drinking water supply is unlikely to be at immediate risk due to the current drought. However, there may be potential for reduced water quality in the moderate to long term if there is an increase in demand or if the low recharge rainfall trend continues. The report makes several recommendations that should be implemented to reduce this risk in the future.
- The Russell Drought Risk Assessment Report has also been finalised. The key findings of this report also indicate that existing water supply bores are not being adversely impacted by the current drought conditions. This report recommends a future drought management plan for the aquifer which is based around trigger levels in existing monitoring bores.

7.2.5 ENVIRONMENTAL SERVICES

LAND MANAGEMENT

Farm Plan and Environmental Fund Update

Farm Environment Plans 2019/2020		Environment Funds 2019/2020	
FEP's Commenced 2019/20	FEP's Completed 2019/20	No of Environment Funds Granted	Amount Granted
125	147	147	\$1,010,755*

**This includes MfE fund proportion of Hātea projects*

Waimā Waitai Waioira – Freshwater Improvement Fund

Objective	Status
Te Kawa Waioira	<ul style="list-style-type: none"> Research project plan and associated budget change request has been accepted by NRC. Extended timeframes to new start date 1 January 2020 and finish date 31 December 2021. Associated budget savings reallocated to data collection.
Farm Environment Plans	<ul style="list-style-type: none"> 50 Farm Environment Plans (FEP's) have been completed, exceeding the 40 FEP annual KPI.
Landowner grants	<ul style="list-style-type: none"> Tender for planting 65,000 natives across six sites has closed and contract awarded. Planting will begin 1 July 2020
Communication and engagement	<ul style="list-style-type: none"> Video series – on track. Signed contract in place for web page development - due late Sept
Water quality monitoring	<ul style="list-style-type: none"> Signed contract in place with Manaaki Whenua for mātauranga monitoring app development. Set to establish more monitoring sites to further monitor mātauranga, feeding information into app development.

Sustainable Hill Country and Regional Priorities

Milestones	Status
Research	
Coastal erosion buffers	A research plan has been approved by MPI and a coastal erosion tool utilising remote sensing and LiDAR data is in development.
Mature poplar / willow	A research plan has been approved by MPI and poplar is being milled into a range of products for treatment and mechanical testing.
Farm Environment Plans	
	All 112 plans (100%) have been completed in the 2019 - 20 year.
Stakeholder Engagement	
	A project engagement strategy has been approved by MPI. Promotional material is in development including a 'planting hub' on the NRC website.
Land Treatments	
Retirement fencing	Sixteen fencing projects with retirement fencing of highly erodible land have been approved. The \$84k budget is fully allocated.
Contractor capacity development	A list of contractors interested in planting work has been prepared. Contractor training is delayed until next financial year due to COVID-19.

Hātea Project

The new deed confirming the extension of the project to 30 September 2020 and final milestone spends is due within the next three weeks. Site preparation for two new riparian planting projects on properties previously fenced has begun for planting in July.

Flyger Road Nursery

The harvest and planting tender has now been awarded. Harvest postponed for two weeks due to drought - set to begin harvest 8 June 2020. Orders and contracts set in place to deliver 3,000 poplar poles and 1,000 willow poles to 35 properties across the region, which is an average of 100 poles per property. Reducing the amount of landowners we were working with this year has been a strategic

decision. We wanted to target efforts into larger, higher risk areas to create a more meaningful impact.

After audit was carried out this year, it was identified there were a possible 7,000 poles in total that could be harvested. Due to this year's drought conditions, a lack of external subsidies pushing pole prices up and the COVID-19 situation, interest in poles has been slightly lower than previous years. With this in mind, it was decided to carry smaller poles over that would still be viable for next year's harvest, reducing total numbers to 4,000. Approximately 10,000 poles should be available for harvest next year.

BIODIVERSITY

FIF Dune Lakes Project

Objective	Status
Aquatic weed and pest fish control	<ul style="list-style-type: none"> Grass carp removal has been put on hold until Spring Other pest fish removal operations have been postponed until June 2020, weather dependent
Sediment and nutrient mitigation	<ul style="list-style-type: none"> A draft resource consent has been developed and discussion with stakeholder agencies is underway and ongoing Research towards plan development has included contacting and learning from other councils who have recently completed constructed wetlands
Māori Lakes Strategy	<ul style="list-style-type: none"> Iwi partners were updated on the progress with the project during lockdown COVID-19 restrictions forced a cancellation of a planned hui which will be rescheduled in June once restrictions lift.
Fencing	<ul style="list-style-type: none"> The section of fence at Lake Ngatu is awaiting a licence to occupy agreement between Far North District Council and DoC DoC are working with the landowner to gain agreement
General	<ul style="list-style-type: none"> An Herbicide Post Operation Monitoring Plan for three lakes has been written and peer reviewed by NIWA

CoastCare

The Karikari Peninsula Kaitiaki ranger programme has been re-started due to concerns of environmental damage caused by the high level of activity seen since moving into Alert Level 2.

Wetlands

Biodiversity information was provided to *'Te Papa Paorooro – the echoing wetlands of Kawakawa'* project on the top wetlands and significant natural areas within the Taumarere / Kawakawa catchment.

This collaborative project between Ngāti Hine Health Trust, Kawakawa Hundertwasser Memorial Park Charitable Trust and Ngāti Hine Forestry aims to restore wetlands, through connecting the health and wellbeing of local community and mauri of the awa and waterways.

BIOSECURITY

Wild Animal Control

• Sika Deer Response

The deer response team conducted a search and destroy operation in Russell Forest. One sika deer was destroyed on a private property where landowner permission had been obtained.

- *Deer Incursion – Oruawharo and Kaiwaka*

Follow up of the deer incursions around Oruawharo and Kaiwaka has seen the deer response team destroy five fallow deer.

PARTNERSHIPS

Kiwi Coast Trust

The Trust has successfully completed their first version of the Kiwi Coast Kiwi Listening App – just in time for the 2020 Annual Northland Kiwi Call Count Survey which is now underway. The app upgrades and simplifies a pencil- and paper-based monitoring method into an electronic, easy to use application. It also removes the subsequent transfer of data from paper sheets to an electronic spreadsheet as required by the Department of Conservation, dramatically reducing the data entry burden on community groups.

The app is free for groups and projects linked into Kiwi Coast and has been met with widespread approval. More information is available at this link <https://kiwicoast.org.nz/new-kiwi-coast-listening-app-now-out/>

Predator Free Whangārei

Council has secured a six-year, \$6 million grant from Predator Free 2050 Limited to deliver the Whangārei Predator Free Project. Whangārei Predator Free will be working alongside well-established community led predator control groups, mana whenua / tangata whenua, Department of Conservation, Kiwi Coast Trust and the Whangārei District Council. The programme will build on the region's success to date in predator control and further strengthen efforts to remove and eradicate possums, rats and mustelids from the Whangārei Heads and wider Whangārei area. This is scheduled to officially start over the coming months follow further community consultation and engagement

MARINE BIOSECURITY

Hull Surveillance Programme

In the month to 25 May 2020, the 2019/2020 Hull Surveillance Programme was completed – refer Table 1 for results. Vessel checks were conducted in Ōpua, Tutukaka and Doves Bay marinas and in mooring fields around the inner Bay of Islands.

Three incidents of Mediterranean fanworm occurred in Tutukaka; all worms were immature, and the vessels were cleaned within 24 hours. The remaining seven incidents occurred in and adjacent to

Ōpua marina and all vessels were cleaned within three working days - either in-water by an approved dive contractor or by owner directed haul-outs.

Compliance with the Pathway Plan was lower than expected because the COVID-19 related lockdown meant vessels were unable to move for several weeks.

Table 1: Hull Surveillance Programme Results (25/04/2020 – 25/05/2020)

Hull Surveillance Programme Results (25-04 to 25-05-2020)	Total this period	Total YTD
Pathways Plan Compliance		
Number of vessels surveyed this period	521	2,002
% Pathways Plan Compliance*	43%	49.6%
Vessels found with Marine Pests		
Sabella spallanzanii (fanworm)	10	105
Styela clava (clubbed tunicate)	29	200
Undaria pinnatifida (Japanese kelp)	0	1
Eudistoma elongatum (Australian droplet tunicate)	5	7
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.

RIVERS AND NATURAL HAZARDS

Long Term Plan Projects

Rivers	Comments
Awanui	<ul style="list-style-type: none"> Earthworks recommenced on 28 April. Great progress was made with nearly 85% of works completed. Archaeology authority, resource consenting, detailed design work and landowner engagement continues under Level 2.
Rivers	Comments
Awanui	<ul style="list-style-type: none"> Problem tree removal has been progressing under the MPI contact.
Panguru	<ul style="list-style-type: none"> The job has reached practical completion.
Kerikeri-Waipapa	<ul style="list-style-type: none"> Desktop analysis work is progressing, field work will commence after restriction are lifted.

NATURAL HAZARDS

Work Streams	Status	Comments
Awanui and Kerikeri Flood Model	95%	The review is complete, and maps have been sent to GIS for formatting and release in June.
Coastal erosion hazard mapping	80% complete	Erosion assessments and updates are underway by Tonkin and Taylor
	75% complete	Auckland University is mapping Northland historic shorelines and erosion risk
Coastal flood hazard mapping	Kaipara Project is 80% complete	DHI developing flood model for the Northern Kaipara Harbour

Work Streams	Status	Comments
	Regional coastal flood project - 30% complete	Tonkin and Taylor are doing region-wide coastal flood hazard assessment. Tide gauge processing and sea level rise contours now complete.
Region-wide flood mapping	Design storm project - 20% complete	Project to develop area-specific design storm rainfall characteristics to improve the accuracy of flood models is being led by Auckland University.
	Hydro-enforced DEM project - 10% complete	The tender for a hydro-enforced digital elevation model awarded to Water Technology, and work is underway.
	Region-wide flood model - tender phase	The tender for a region wide river flood model was advertised on GETS; project to be awarded early June.

CLIMATE CHANGE RESPONSE

Climate Adaptation Te Taitokerau (Regional joint adaptation group)

- Adaptation Planning*

Cost estimates for adaptation planning costs for NRC and TA's are being developed (70% complete).

- Regional Climate Adaptation Strategy*

Components of strategy on track to be delivered August 2020. Components being developed by NRC staff include a Regional risk assessment (60% complete) and Adaptation Options Framework (70% complete). Consultants working on GIS climate risk analysis (50% complete).

Climate Change Strategy

NRC climate change strategy proposal in early stages of development

Northland Light Detection and Ranging (LiDAR) Capture

Final dataset was received by NRC on 15 May 2020. The Team is conducting final QA/QC before releasing the data.

7.2.6 STRATEGY, GOVERNANCE AND ENGAGEMENT

PROPOSED REGIONAL PLAN

During May, the presiding Judge approved 14 "consent orders" and these have now been received by council. A consent order is an Environment Court order that endorses agreements reached by appellants and s274 parties during mediation and any subsequent negotiations on appeals to a plan. Each consent order contains the specific provisions (in each topic) that have been agreed between the parties. When a consent order contains rules, these rules must now be treated as operative (and any previous rule as inoperative).

The consent orders are available to view here: <https://www.nrc.govt.nz/newregionalplan>

ECONOMIC DEVELOPMENT

Investment and Growth Reserve – Projects Report

Project	Update	Future developments/ reporting
Northland Water Storage and Use	Selection of technical provider completed, additional funding request and programme of work developed for central government, development of public information documentation.	Continue preparing for next phase, including the transition from NRC to a new project delivery vehicle and governance structure.

Project	Update	Future developments/ reporting
REL	Worked with legal representation to prepare for court hearing.	Court hearing set for Tuesday 23 June.
Hundertwasser Art Centre (Whangārei)	Updated project report received.	
Extension 350	Attended project evaluation meeting.	

Other work undertaken

- Letter to Northland Inc. Ltd. informing them that the Project Development budget for 2020/21 has been cut.
- Analysis of impact of COVID-19 crisis on Northland economy for a variety of audiences including councillors, trainers and TTNEAP working group.

ONLINE CHANNELS

As a result of COVID-19 restrictions, Council live-streamed several of its meetings over the period. Several meetings are scheduled for live-streaming in the coming weeks, as feedback from the public showed appreciation for the format.

Most popular content on Facebook – Media release outlining the extent of the drought in Northland and how much more rain is needed this coming winter to get the region back on its feet. The post reached more than 1,000 people and engaged with over 200.

*Engaged – number of people who ‘reacted’, commented or shared the post

Key Performance Indicators	Jan-20	*Feb-20	Mar-20	Apr-20	May-20
WEB					
# Visits to the NRC website	31,900	35,500	30,300	25,100	27,900
E-payments made	5	12	8	5	6
# subscription customers (cumulative)	1,172	1,176	1,171	1,182	1,210
SOCIAL MEDIA (CUMULATIVE)					
# Twitter followers	1,503	1,515	1,523	1,525	1,517
# NRC Facebook fans	9,231	9,976	9,553	9,599	9,627
# NRC Overall Facebook Reach	250,500	327,700	172,300	60,300	75,400
# NRC Engaged Daily Users	6,132	23,500	14,900	6,529	5,164
# CDEM Facebook fans	17,400	18,000	17,900	18,000	18,000
# CDEM Overall Facebook Reach	75,500	404,200	161,900	172,800	114,300
# CDEM Engaged Daily Users	5,969	42,500	20,600	19,200	11,800
# Instagram followers	1,033	1,103	1,137	1,163	1,172

NOTES:

* February 2020 - Significant increase in usual Facebook reach and engagement due to the number of posts communicating key messages about drought management.

ENVIROSCHOOLS / EDUCATION

Dune Lakes Education Presentation

On 14 May an online presentation was made to Enviroschools regional co-ordinators and facilitators throughout Aotearoa. The presentation entitled '*Let's get to know our dune lakes!*' explained the education events held as part of the Freshwater Improvement Fund Dune Lakes Project.

WaiFencing Assessment Workshops

On 28 and 29 May WaiFencing assessment workshops were held at Donagh Farms in Waiotira, Whangārei. Fifty-three senior students from Dargaville High, Otamatea High, Tauraroa Area School, Whangarei Boys' and Whangarei Girls' High attended. Farm owner, Sue Skelton, gave a heart-warming speech regarding the importance of fencing off waterways and native bush.

School Communities Facilitated

Within COVID-19 protocols, Enviroschools facilitators are in contact with all their schools and early childhood centres, with 40 on-line specific supports taken place during May.

MARKETING AND ENGAGEMENT

Environmental Leaders Fund

The Environmental Leaders Fund closed on Friday 29 May. This year the fund was extended to include Early Childhood Education centres. A total of 48 applications have been received, significantly up on the 27 applications submitted in 2019. Applications will be processed and a further update provided in the July work report, detailing the amount applied for by schools and the number of schools who successfully received some of the remaining \$20,000 fund.

MĀORI ENGAGEMENT

Our team are involved in several projects and strategies across the organisation and are providing Māori technical advice and leadership as listed below:

- Regional Climate Change Adaptation Strategy and assisting to develop the strategy so it accounts of the significant impact of climate change on Māori communities
- Regional Fresh Water Strategy and the incorporation of the Māori world view
- Māori Engagement Wilding Pine Project – Te Rewa Rewa (Whenua Māori – Whanau Led) and supporting the bio-security team to build relationships with hapū, iwi, Māori landowners and industries
- Continued investigation and discovery of council models across the country to inform a consistent approach of Mātauranga Māori to council programmes of works and operations
- Organisational Development Strategy and shaping the new normal and uphold our values of Manaakitanga, Kotahitanga and Whanaungatanga within Te Whāriki (Māori Responsiveness Strategy)
- Kawa Waiora Research project in partnership with Reconnecting Northland being led by Dr. Charles Royal and Professor Te Kawehau Hoskins

In response to COVID-19 and the drought we are working with Te Puni Kokiri and other agencies to investigate how we can share data and GIS mapping information to gain an understanding of a more regionalised approach. This incorporates the discussions of how we configure data and reports so it can be shared at an aggregate level internally and with Te Kahu o Taonui.

Our team continue to respond to issues raised by iwi and hapū through the resource consents processes. We work closely with the Resource Consents team to address challenges whilst providing information to those that represent mana whenua. Our priorities in this area continue to focus on the Assessment of Environmental Effects and the CIA process, PRP D.1.1. Tāngata Whenua, the relevance of IHEMPs and how tāngata whenua are engaged or consulted. There are concerns about the fast-tracking of resource consent processes and how this impacts consultation with mana whenua.

Positive relationships continue with TTMAC and MTAG as we commenced documenting high-level timelines / processes for key TTMAC information flows (ie. Terms of Reference review) and have identified the strategic priorities and work programmes for this triennium. Tāngata whenua members have adapted well to the virtual meetings.

LOCAL GOVERNMENT OFFICIAL INFORMATION (LGOIMA) REQUESTS

Month	LGOIMA requests received 2018/19	LGOIMA requests received 2019/20
July	15	15
August	20	22
September	7	16
October	5	29
November	10	11
December	9	12
January	11	14
February	15	21
March	9	13
April	12	12
May	19	13
June	11	
TOTAL LGOIMA REQUESTS RECEIVED	143	178
LGOIMA requests not responded to within 20 working days*	1	17

* REQ599300 – Request for information on what Northland Shovel Ready Projects were submitted to Infrastructure Reference Group. This correspondence was not originally registered as a LGOIMA when it came through the Mailroom.

* REQ598780 – Request for information on roads blocked, or checkpoints by individuals re COVID-19. Response delayed in amongst COVID-19 activities.

7.2.7 CUSTOMER SERVICE – COMMUNITY RESILIENCE

CUSTOMER SERVICES

Telephone Inbound Call Statistics & Enquiries

	May 2020 (as at 28 May)	Target
Call volume via Customer Services	1,923	
Conversion rate	98.2%	> 95%
Average wait time	6 sec	
Calls answered in under 30 sec	97.0%	> 90%

Full inbound phone service was maintained throughout lockdown by customer services officers working remotely. Daily call volumes have been gradually increasing since moving to Level 2, but overall call numbers are approximately 75% of the same month last year.

Satisfaction Monitoring

- *Feedback Cards, Compliments and Complaints*

Complaints received	Total
No complaints received	0
Total complaints recorded	0

COVID-19 Response

The Water Street reception re-opened to the public the day restrictions moved to Level 2 and the regional offices re-opened the following Monday. Contact tracing, social distancing and cleaning protocols are in place in all public facing areas.

CIVIL DEFENCE EMERGENCY MANAGEMENT

The Northland CDEM Group are transitioning from the COVID-19 response into recovery. This transition to recovery will be mostly complete by close of business on Friday 29 May 2020. Several CDEM response operations will transition to partner agencies business as usual operations, some operations will cease and several response workstreams will become recovery workstreams of which Northland CDEM will be a partner agency supporting recovery arrangements moving forward.

The Northland CDEM Group has contingency planning in place if COVID-19 Alert Levels return to 3 or 4 and response operations are resumed. The final COVID-19 sitrep for the Northland region was distributed, together with a COVID-19 transition pathway to recovery plan, on Friday 29 May.

The welfare and household goods and services 0800 number will remain active in Northland until 3 June 2020. Call numbers have become increasingly low as the change in Alert Levels progressed and the number has now transitioned to MSD who are the lead agency for social recovery.

Throughout the COVID-19 response the Northland CDEM Foodbanks and Community support fund has distributed \$1,434,970 to foodbanks and community organisations. The funding is fully reimbursable from central government and there are strict guidelines about how the funding has been distributed and used.

With regard to the drought response, central government has made funding available to pay costs associated with filling and cleaning tanks in the rural community. As at 29 May, 305 deliveries had been completed with 105 tank cleans completed at a total cost of ~\$150,000.

To date, four claims for reimbursement of costs associated with the drought and COVID-19 have been forwarded to central government, with two claims having been settled. Further claims are being prepared for processing.

The next meeting of the Northland CDEM Group and CEG is scheduled for 17 June.

TRANSPORT

Regional Transport Planning

Work on both the Regional Land Transport Plan (RLTP) and the Regional Public Transport Plan (RPTP) continues on schedule. A progress report on both plans will be tabled at the 10 June 2020 Regional Land Transport (RTC) meeting.

NZTA have indicated that there may be a delay in their Transport Agency Investment Proposal (TAIP). This may impact on the ability of the RTC to have early input into this document.

The Investment Logic Mapping workshop has been planned for 10 June 2020 following the RTC meeting.

PASSENGER TRANSPORT ADMINISTRATION

Bus Link stats for May (revenue ex GST)	Actual	Budget	Variance	Year/Date Actual	Year/Date Budgeted
CityLink Passengers	14,448	36,888	-22,440	281,181	319,040

CityLink Revenue	\$13,349	\$49,799	-\$36,450	\$354,387	\$430,704
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Promotions – BusLink services

Now that bus services have resumed normal timetabled operations, there is a strong focus on advertising the BusLink services to increase passenger numbers.

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
Mar 2020	1,612	\$13,858	\$25,000	-\$11,142	\$171,062	\$225,000	-\$53,938
Apr 2020	1,621	\$2,612	\$25,000	-\$22,388	\$173,674	\$225,000	-\$76,326

COVID- 19 Response

Total Mobility trips increased once the country went from Level 4 to Level 3. NZTA have made the decision to continue free travel on Total Mobility till 30 June 2020. With the introduction of Level 2, along with free travel, there has been a marked increase in travel.

National Total Mobility Card

Northland continues to lead the way in designing a new national Total Mobility card, in conjunction with the other Total Mobility Coordinators around New Zealand. On 8/9 June 2020 the new card will come into circulation in Whangārei for new clients and replacement cards.

Ridewise TWO Testing

Ridewise Two UAT (User Accepting Testing) has started – Northland is part of the testing team with Otago and Greater Wellington Regional Council. The UAT testing team is working with Eyde - our software development company - to improve our current electronic swipe card system Ridewise One.

ROAD SAFETY UPDATE

Motorcycle Safety

- *Ride Forever (R4E) Rider Training Update:*

Ride Forever training courses were cancelled during the COVID-19 lockdown. They are planned to resume under Alert Level 2. For the 2019/20 financial year (up to and including April), 217 riders participated in the Ride Forever (R4E). These included: -

- Bronze course 54
- Silver course 107
- Gold course 56

- *Motorcycle Awareness Month (MAM):*

Motorcycle Awareness Month planning for September 2020 has started. This project will focus on the importance of motorcycle rider training and motorcycle maintenance. This is important as increasing numbers of motorcyclists return to the road as the weather improves and the long Labour Weekend which is historically a popular motorcycling weekend.

Road Safety Week

Work has commenced on the planning activities for the national 'Road Safety Week' scheduled to take place from 9-15 November 2020. Because of COVID-19, this annual event had to be postponed from May 2020 until November 2020. Australia will also be promoting Road Safety Week during this time.

The theme of this year's road safety week is 'Step Up for Safe Streets' and the road safety week's colour is 'Yellow'. The 'Not for Profit' road safety charity 'Brake', is the key driver promoting this annual event nationally and encourages local road safety partnerships to engage in local promotions and events helping raise awareness about road safety.

Road Safety Planning

The Northland Road Safety Issues 2015-2019 document is currently being updated.

National Radio Award: Best Radio Creative

Northland Road Safety had three of its road safety radio messages selected as finalists in two categories of the Annual National Radio Awards. The two categories were – 'Best Commercial Production' and 'Best Single Commercial'. '12 Days' a pre-Christmas radio commercial campaign targeting distraction as the road safety message won the 'Best Commercial Production' category.

Northland Road Safety radio messages have now won national Awards four years running including an International Safety Award in Bangkok two years ago, and many more finalist placings over a much longer period.

Road Safety Promotion

Road safety promotion work is presently centred on supporting Police with road safety promotional items for the increasing numbers of motorists returning to the region's roads. The promotional material highlights the need for:

- Safe driving / riding practices;
- Awareness;
- Courtesy; and
- Reinforcing the importance of seatbelt wearing.

Road Trauma Update: 2020 Year to Date Road Death Statistics

National 106 deaths compared to 156 in 2019

Northland 14 deaths compared to 13 in 2019

Whilst the national level has reflected a positive reduction in deaths and casualties, Northland unfortunately has bucked this trend.

It is unfortunate that during the Alert Level 4 and 3 lockdown period with fewer vehicles on the roads, Police were busy with both crashes and breaching of road rules across the network. This resulted in four fatal crashes during this period in Northland.

MARITIME

Seven incidents were received during the month of May - most notably the Whale Rock Beacon breaking free and washing ashore in seven metre swells. This was recovered safely the next day. The remainder of the incidents were minor in nature, comprising of offenses against the bylaw, abandoned and derelict vessels and minor oil spills.

Challenges continue around the management of mooring piracy, and non-compliance regarding those living aboard their vessels and spending extended periods at anchor in one position. One vessel affected being a large square-rigged sailing vessel which is unable to leave under the current COVID -19 situation, due to refusal of entry into foreign ports. The vessel is cooperating and working with Harbourmaster and Coastal Monitoring staff.

Field project work is ongoing, the contract for maintenance to AtoN was awarded to NRC for the Portland Channel with work currently in progress. The usual rolling maintenance regime for AtoN throughout the remainder of the region has been ongoing. Surveying of the Hātea River has been completed in-house by the Maritime Team with dredging work commencing on 18 May. Tagging of moorings within the Whangārei Harbour is ongoing.

The Whangārei Harbour Safety Meeting continues to be held via video conferencing. The simulator model for the Bay of Islands has been completed and is ready for initial testing. Several tankers remain at anchor off Marsden Point waiting for available tank space at the refinery. An updated

Harbourmaster's Advisory has been sent out containing advice for vessels anchoring for prolonged periods of time whilst awaiting berths. The self review of the Safety Management System and risk assessments have been completed for both Whangārei and the Bay of Islands. A meeting is to be scheduled with Northport and North Tugz stakeholders to finalise the review.

Maritime staff continue to assist the Civil Defence response for both the drought and COVID-19. The Maritime team are back working from the offices in both Ōpua and Whangārei as of Monday 25 May.

Attachments/Ngā tapirihanga

Nil

TITLE: Northland Inc. Limited: Reporting Against Statement of Intent - Quarter Three 2019/20

ID: A1322952

From: Darryl Jones, Economist

Executive summary/Whakarāpopototanga

The purpose of this report is to present Northland Inc. Limited's progress against its Statement of Intent (SOI) 2019–2022 for the nine months ended 31 March 2020 (**Attachment 1**). Staff have reviewed the material supplied and confirm that all 16 key performance indicators (KPIs) set out in section 9 of Northland Inc. Limited's SOI 2019–2022 are listed. Section 11 requires a formal report on progress at the end of the first and third quarters.

Northland Inc. Limited is on target (green) to meet the majority (nine) of the KPIs. Three KPIs are identified as amber and four as red. The four red KPIs relate to the number of inward delegations hosted (0 actual / 4 target), Orchard occupancy rate (80% / 85%), visitor spend from target markets (\$1,119M / \$1,175M) and value of industry investment in regional promotion activity (\$175K / \$350K). These KPIs are unlikely to be met due to the disruption caused by the COVID-19 crisis. Northland Inc. has provided additional commentary at the end of the report on this.

Staff from Northland Inc. Limited will be available to speak to their report.

Recommendation

That the report 'Northland Inc. Limited: Reporting Against Statement of Intent - Quarter Three 2019/20' by Darryl Jones, Economist and dated 3 June 2020, be received.

Background/Tuhinga

Not applicable.

Attachments/Ngā tapirihanga

Attachment 1: Northland Inc SOI Report 2019/20 - Quarter Three to 31 March 2020 [↓](#)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 June 2020

Northland Inc 3rd quarter KPI report.

*Work program area	How we measure	2018/19 Result *	2019/20 Target	Actual Mar 20	Comment	GAR
Investment and PGF	Percentage of IGR business case decisions (by the Board) made within 90 days of receiving application	100%	100%	100%	Achieved - 2/2 - Mokau Quarry - Northland Water Storage Applications for business case and feasibility have declined due to projects focusing on securing funding through the Provincial Growth Fund. There are pipeline projects that will be applying in the next quarter.	
	Number of inward delegations hosted	4	4	0	Due to Covid 19 we do not expect any inward delegations for the rest of the year	
	Investment recommendations are accompanied by a robust business case	100%	100%	n/a	None to date but likely before year end.	
	Number and value of high impact projects that are implemented	3	3	3	Achieved Rail investment \$94.8m Northland Soft Berryfruit \$2.37m Kingfish \$6M	
Māori Economic Development	Number of unique Māori businesses assisted	33	50	30	There has been a lift in engagement due to Covid-19 and additional growth advisor resources, which means we will surpass KPIs by the end of April.	
	Number and value of high impact projects that are implemented	1	1	0	We are optimistic that the PGF will fund high impact projects but are unsure if they will be announced prior to 30 June.	

Northland Inc 3rd quarter KPI report.

*Work program area	How we measure	2018/19 Result *	2019/20 Target	Actual Mar 20	Comment	GAR
	Value of NZTE and Callaghan Innovation grant funding facilitated for Māori businesses	\$56,350	\$25,000	\$65,436	Achieved	
	Client satisfaction (Net Promoter Score for Māori businesses)	Not Available	75% (NPS 50)		Surveys are anonymous, we are not able to identify Māori responders. We are reviewing how this can be measured.	
Engagement Collaboration and Visibility	Number of unique businesses assisted (by TA and industry)	263	230	137	This reflects the number just after the lockdown commenced. The lift in engagement due to Covid-19 and additional growth advisor resources means we will surpass KPIs by the end of April for engagements.	
	Value of NZTE and Callaghan Innovation grant funding facilitated	\$842,672	\$1M	\$862,216	A strong Callaghan pipeline is in play and with additional resource, we are forecasting a strong last quarter for Callaghan investment.	
	Client satisfaction (as measured by Net Promoter Score)	91% (NPS 53)	90% (NPS 50)	97% (NPS 72)	Tracking well and likely to be achieved.	
	Orchard occupancy rate	84.2%	85%	80.26%	The Orchard is currently closed and will not open until we are at alert level 2. This will impact on the occupancy in the 4 th Quarter. This KPI is unlikely to be achieved. However, in September we increased the number of desks from 29 permanent desks to 47. Given that	

Northland Inc 3rd quarter KPI report.

*Work program area	How we measure	2018/19 Result *	2019/20 Target	Actual Mar 20	Comment	GAR
					increase there has been a substantial increase in occupancy of the Orchard. Last year average was 24.4 desks occupied per day. This year's average is 37.7 desks per day. This has resulted in higher income and therefore we do not expect the Q4 occupancy to impact on the overall financial position.	
Regional promotion and tourism	Visitor spend from target markets	\$1,115M	\$1,175M	\$1,119M	Rolling 12-month figure to March 2020.	
	Value of industry investment in regional promotion activity	\$418,538	\$350,000	\$175,808	The postponement of TRENZ and most of the famils due to Covid19 means we are unlikely to achieve this KPI.	
	Equivalent Advertising Value achieved from destination marketing	\$28.2M	\$16.5M	\$14.6M	This has increased considerably since the last report which is consistent with previous annual cycles. We are still anticipating we will achieve this KPI as there is generally a delay in reporting EAV.	
	RTO Net Promoter Score: 6 or less are detractors, 7-8 neutral, 9,10 are promoters. NPS subtracts % detractors from % promoters.	44	45	44	In this climate there is some uncertainty as to the projected full year result.	

* Prior year figures provided for reference only.

These KPI metrics reflect activity until 31 March, being consistent with the timing of the Level 4 lock-down. Accordingly, they reflect activities prior to, and up until lockdown. We provide a further update below as to the effects of Covid-19 on our business activity.

Northland Inc 3rd quarter KPI report.

- Covid19 update / impact
 - An additional RBP contract was allocated to NInc from 16 March through to June 30 2020 (The Covid-19 Response Period). This contract value was \$59,823 (+GST) to support additional growth advisor resource (38k) and an administration fee (22k)
 - Additional support is available for seminars and event activity reimbursed on a cost basis
 - The KPI is 43 Additional businesses. This target is a target for the Covid-19 Response Period, and not an annual target
 - Additional growth Advisor resource was contracted from 17 March (Kayla Tattley) to support our response.
 - We launched the Covid19 Business response service 24 March. This includes
 - 0800 line + dedicated information channels (web / social media)
 - Expanded growth advisor support
 - The funded resource above + seconded support as follows:
 - Lisa Cunningham and Sarah Archer from the destination team
 - Jade Williams from WDC
 - Lisa Williams from FNDC
 - Carolyn Easton – Investment and Infrastructure team
 - Andrea Primrose – corporate services team
 - In the first 2 weeks we were live with the response service, the following are our reporting stats:
 - 177 inquiries – 22% through the hotline, 22% direct through email and 50% through RBP website
 - 55% (97 businesses) are new to Northland Inc.
 - We have achieved the additional resource KPI
 - The main issues are Financial (40%) with HR (10%) and Regulatory (10%) the next strongest categories
 - The main support sought is business continuity advice (30%) followed by Wage subsidy advice (20%)
 - The industries most using the service are Retail (15%), Construction (13%), Food and beverage (11%) and Tourism (8%)

TITLE: **Receipt of Committee Minutes**
ID: A1321159
From: Chris Taylor, Governance Support Manager

Recommendation

That the unconfirmed minutes of the Civil Defence Emergency Management Group – Extraordinary meeting 16 April 2020 be received.

Attachments/Ngā tapirihanga

Attachment 1: Northland Civil Defence Emergency Management Group - Unconfirmed Extraordinary Meeting Minutes 16 April 2020 [↓](#)

Authorised by Group Manager

Name: Chris Taylor
Title: Governance Support Manager
Date: 09 June 2020

Extraordinary Civil Defence Emergency Management Group Meeting
16 April 2020

Extraordinary Civil Defence Emergency Management Group Meeting Minutes

Meeting held via ZOOM Video Conference
on Thursday 16 April 2020, commencing at 11.00am

Present:

Chairperson, NRC Councillor Rick Stolwerk
KDC Mayor Jason Smith
WDC Mayor Sheryl Mai and Councillor Nicholas Connop
FNDC Councillor Ann Court
NZ Police Representative Superintendent Tony Hill
FENZ Representative Mr Commander Brad Mosby
MCDEM Representative, Ms John Titmus (Observer Status)

In Attendance:

Full Meeting
Northland CDEM – Graeme MacDonald
Northland CDEM/NRC – Tony Phipps
Northland CDEM – Claire Nyberg
Committee Secretary - Evania Arani (minute taker)

The Chair declared the meeting open at 11.00am.

Apologies (Ngā whakapahā) (Item 1.0)

Moved (Mosby/Mai)

That the apologies from FNDC Councillor Dave Collard 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.

Monthly update from Director, Ministry of Civil Defence & Emergency Management (Item 3.1)

ID: A1305836

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Stolwerk/Hill)

That the report 'Monthly update from Director, Ministry of Civil Defence & Emergency Management' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 14 April 2020, be received.

Carried

ID: A1306078

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Extraordinary Civil Defence Emergency Management Group Meeting
16 April 2020

Secretarial notes from 3.1:

National Emergency Management Agency has been in response mode since Whakaari White island. There is no further updates to report from what has already been provided in the agenda (see agenda – item 3.1).

Northland CDEM Group, CEG and Group appointments (Item 4.1)

ID: A1305828

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Stolwerk/Mosby)

That the report 'Northland CDEM Group, CEG and Group appointments' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 14 April 2020, be received.

Carried

Secretarial notes from 4.1:

The current Covid response has promoted the engagement of CDEM and Iwi. Part of this response engagement has been through the Iwi Runanga roopu Te Kahu o Taonui which has mandate from the Iwi Runanga chairs. The Northland CDEM Coordinating Executive Group at their meeting on 16 April 2020 co-opted Hone Dalton and Victor Goldsmith as members to the group.

Action for Committee Secretary: The newly appointed CEG members Hone Dalton and Victor Goldsmith to be added to the next appointments report.

CEG Chair's Report - Tsunami Siren Testing, COVID-19 & Drought Responses (Item 5.1)

ID: A1305805

Report from Tony Phipps, Group Manager - Customer Services - Community Resilience

Moved (Mai/Court)

That the report 'CEG Chair's Report - Tsunami Siren Testing, COVID-19 & Drought Responses' by Tony Phipps, Group Manager - Customer Services - Community Resilience and dated 14 April 2020, be received.

Carried

Secretarial notes from 5.1:

Tsunami testing

Northland CDEM hope to have testing done at a later date during the year.

Covid-19 Response

Members of the committee commended the move to have iwi representation on the Northland CDEM Coordinating Executive Group and by having the co-opted members involved in the Group Emergency Coordination Centre (GECC).

Conclusion

The meeting concluded at 11.55am.

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 - 19 May 2020	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting.
9.2	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).
9.3	Land and Leaseholders' Easement and Covenant Requests	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).
9.4	Kaipara Service Centre	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).

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