



Far North District Council



AGENDA

COUNCIL ORDINARY MEETING

**COUNCIL CHAMBER
MEMORIAL AVENUE
KAIKOHE**

**THURSDAY 22 JUNE 2017
COMMENCING AT 10:00 AM**

Council Membership

His Worship the Mayor John Carter
Deputy Mayor Tania McInnes

Councillors

Ann Court
Colin Kitchen
Felicity Foy
Mate Radich

Dave Hookway
Sally Macauley
Willow-Jean Prime
John Vujcich

FAR NORTH DISTRICT COUNCIL

ORDINARY COUNCIL MEETING

THURSDAY 22 JUNE 2017 COMMENCING AT 10:00 AM IN THE COUNCIL
CHAMBER, MEMORIAL AVENUE, KAIKOHE

A G E N D A

Item

1.0 PRAYER

2.0 APOLOGIES AND DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Governance Support (preferably before the meeting).

It is noted that while Members can seek advice the final decision as to whether a conflict exists rests with the Member.

3.0 MAYORAL ANNOUNCEMENTS

4.0 CONFIRMATION OF PREVIOUS MINUTES

Document number A1867506

5.0 DEPUTATION

At the time the agenda was printed, no requests for Deputations had been received.

6.0 STRATEGY COMMITTEE

6.1 Policy Review Programme 2017-18

Document number A1867497

6.2 Bylaw Review Programme 2017-18

Document number A1867498

6.3 Review of Maritime Facilities Bylaw

Document number A1867499

6.4 Proposed Control of Public Places Bylaw Fireworks Amendment

Document number A1867500

6.5 Hearings Commissioner's Recommendations on Submissions to Proposed Plan Change 20 – Traffic, Parking and Access

Document number A1869288

6.6 Kerikeri Domain Reserve Management Plan
Document number A1867501

7.0 OPERATIONS COMMITTEE

7.1 Road Stopping Koutu Loop Road
Document number A1869315

7.2 Ground Lease Red Cross Society INC
Document number A1869320

7.3 Kaitaia Wastewater; Reducing Raw Sewage Overflows
Document number A1869326

8.0 STRATEGIC POLICY AND PLANNING GROUP

8.1 Kaitaia Business Improvement District Updated Memorandum Of Understanding
Document number A1871649

8.2 Adoption of Annual Plan 2017/18
Document number A1873636

9.0 CORPORATE SERVICES GROUP

9.1 Setting of Rates 2017-18
Document number A1874488

9.2 Far North Holdings Limited - Draft Statement of Intent 2017 to 2020
Document number A1872844

9.3 Procurement Board Quorum
Document number A1859181

9.4 Voting System For The 2019 Local Body Elections
Document number A1875297

9.5 Elected Member Training and Conference Attendance Report
Document number A1875094

9.6 Audit of Procurement Practises
Circulated under separate cover

10.0 CHIEF EXECUTIVE OFFICER

10.1 Chief Executive Officer's Report - Period: April / May 2017
Document number A1874300

11.0 PUBLIC EXCLUSION

11.1 Resolution to exclude the public:

THAT the public be excluded from the meeting pursuant to section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of the proceedings would be likely to result in the disclosure of information for which good reason for withholding exists, while the matters listed below are being dealt with for the reason as set out below;

1.0 Confirmation of Previous Minutes

Reason: To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.

2.1 Water Wastewater Service Delivery Review

Reason: To enable the local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiation).

2.2 Maromaku Netball Courts

Reason: To enable the local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiation).

3.1 Twin Coast Cycle Trail Governance

Reason: To enable the local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiation).

3.2 Directors for Far North Holdings Limited

Reason: To enable the local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiation).

3.3 Appointment of Independent Corporate Committee Member

Reason: To enable the local authority holding the information to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiation).

AND THAT Adele Gardner - Chairperson Te Hiku Community Board; Mike Edmonds - Chairperson Kaikohe-Hokianga Community Board; and Terry Greening - Chairperson Bay of Islands-Whangaroa Community Board be permitted to remain at this meeting after the public has been excluded, because of their knowledge of local wards. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because they advocate for and represent local community views.

12.0 CONFIRMATION OF DECISIONS AND INFORMATION IN OPEN MEETING

Recommendation

THAT Council confirms that the following information contained in the part of the meeting held with the public excluded is/is not to be restated in public meeting.

AND THAT Council confirms that the following decisions contained in the part of the meeting held with the public excluded are/are not to be restated in public meeting.

13.0 CLOSE OF MEETING

MEETING: COUNCIL - 22 JUNE 2017
Name of item: CONFIRMATION OF PREVIOUS MINUTES
Author: Aisha Huriwai - Meetings Administrator
Date of report: 02 June 2017
Document number: A1867506

Executive Summary

The minutes are attached to allow Council to confirm that the minutes are a true and correct record of the previous meeting.

Recommendation

THAT Council confirm the minutes of the Council meeting held 11 May and 18 May 2017 as a true and correct record.

1) Background

Local Government Act 2002 Schedule 7 Section 28A states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2) Discussion and options

The minutes of the meetings are attached.

Far North District Council Standing Orders Section 3.17.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

3) Financial implications and budgetary provision

There are no financial implications or the need for budgetary provision as a result of this report.

4) Reason for the recommendation

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meetings.

Manager: Caroline Wilson - Manager District Administration Services

Attachment 1: Council Minutes - 11 May 2017 - Document number A1849294

Attachment 2: Council Minutes - 18 May 2017 - Document number A1867342

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Not applicable.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	None
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Yes
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Not applicable.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no financial implications or the need for budgetary provision arising from this report. The Chief Financial Officer has not reviewed this report.

MINUTES OF THE MEETING OF THE FAR NORTH DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE ON 11 MAY 2017 COMMENCING AT 10:00 AM

PRESENT

His Worship the Mayor John Carter
Deputy Mayor Tania McInnes

Councillors

Ann Court
Sally Macauley
Willow-Jean Prime
Colin Kitchen
John Vujcich
Mate Radich
Dave Hookway

APOLOGIES

Felicity Foy	Councillor
Adele Gardner	Chairperson Te Hiku Community Board
Mike Edmonds	Chairperson Kaikohe-Hokianga Community Board

IN ATTENDANCE

Terry Greening	Chairperson Bay of Islands-Whangaroa Board
Shaun Reilly	Member Kaikohe-Hokianga Community Board

STAFF PRESENT

Shaun Clarke	Chief Executive Officer
Steve Little	General Manager- Infrastructure and Asset Management (Acting)
Roger Ackers	General Manager - Corporate Services Group (Acting)
Kathryn Ross	General Manager - Strategic Planning and Policy
Dr Dean Myburgh	General Manager - District Services
Samantha Edmonds	Chief Information Officer (Acting)
Richard Edmondson	Manager - Communications
Mark Osborne	Assets Manager
George Swanepoel	In-House Counsel
Jill Coyle	Manager - People and Capability
Ruben Wylie	Manager - Infrastructure Planning
Neil Miller	Team Leader - Policy and Research
Kate Barnes	Team Leader - Governance Support
Melissa Wood	Meetings Administrator

1.0 PRAYER

His Worship the Mayor commenced the meeting with a prayer.

2.0 APOLOGIES AND DECLARATIONS OF INTEREST

Agenda item 2.0 refers.

Reason for the resolution

Council may grant leave of absence to a Member from a meeting upon application by the Member. If a Member has not obtained a leave of absence an apology may be tendered on behalf of the Member and the apology may be accepted or declined by Council. Acceptance of the apology shall be deemed to be granting of a leave of absence for that meeting.

Resolved His Worship The Mayor/Deputy Mayor McInnes

THAT the apology from Councillor Foy and Chairpersons Gardner and Edmonds be accepted.

Carried

3.0 MAYORAL ANNOUNCEMENTS

His Worship The Mayor addressed the Council regarding the following matters:

- Passing of Phil Cross - former Councillor
- A Welcome to the new Chief Executive Officer Shaun Clarke
- The birth of Councillor Foy's son Lachlan James Foy
- Councillor Prime's placing on the Labour Party list
- Deputy Mayor McInnes' place as a finalist in the Women in Governance Awards
- The attendance of Councillor Macauley to the Sister Cities Conference
- The bi-monthly ward infrastructure newsletters
- The issue of myrtle rust in the district

4.0 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.0, document number A1857491, pages 1-9 refers.

Reason for the resolution

To confirm the minutes of the previous Council meeting as a true and correct record.

Resolved

His Worship The Mayor /Vujcich

THAT Council confirm the minutes of the Council meeting held 30 March 2017 as a true and correct record.

Amendment moved

His Worship The Mayor /Vujcich

THAT Council confirm the minutes of the Council meeting held 30 March 2017 as a true and correct record.

AND THAT item 11.1 of the previous minutes "Representation at LGNZ Community Board Conference" be amended to read THAT any Community Board members be allowed to attend in accordance with Policy #2115.

Carried

Attendance: Deputy Mayor McInnes left the meeting at 10:17 am and rejoined the meeting at 10:19 am.

5.0 DEPUTATION

Agenda item 5.0 refers.

Andy Nock, Chief Executive Officer from Far North Holdings Ltd presented an update to Council in regards to the Kawakawa Hundertwasser Park Centre.

6.0 STRATEGY COMMITTEE**6.1. Kawakawa Hundertwasser Park Centre - Te Hononga Update**

Agenda item 7.2, document number A1857604, pages 55-75 refers.

Reason for the resolution

A draft Memorandum of Understanding (MoU) has been agreed in principle by the Kawakawa Hundertwasser Park Community Trust (KHPCT) Trustees and Stakeholders at their meeting held 14 March 2017. They have appointed Tania McInnes, Far North District Council and Pita Tipene, Ngāti Hine as Co-Chairs of the Stakeholder Partnership Governance Group (SPGG). The MoU outlines the roles and relationship of the parties to provide high level strategic governance oversight and input for the development, building and funding of the project.

Resolved

His Worship The Mayor/Macauley

THAT Council supports the Draft MoU which has been agreed in principle by the Kawakawa Hundertwasser Park Trustees and Stakeholders at their meeting held 14 March 2017.

AND THAT Council approves Councillor Tania McInnes and Community Board Member Kelly Stratford to represent Council on the Stakeholder Partnership Governance Group.

AND THAT Council supports the appointment of Councillor Tania McInnes, along with Pita Tipene Ngāti Hine, as Co-Chair.

Carried

7.0 **BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD**

7.1 **Kerikeri Plantation Reserve (Redwoods) Revocation of Reserve Status from Reserve - Panhandle Only and Sale of Panhandle to Kerikeri Village Trust)**

Agenda item 6.2, document number A1855001, pages 19-41 refers.

Reason for the resolution

To revoke the reservation of the panhandle and sell the land to the Kerikeri Village Trust, provided that the KKVT undertakes to grant a pedestrian/cycling right of way through the KKVT's property between Kerikeri Road and the remainder of the plantation reserve in a location to be subject to the approval of the General Manager Infrastructure and Asset Management.

Resolved

Deputy Mayor McInnes/Macauley

THAT pursuant to section 24 Reserves Act 1977 and subject to the consent of the Minister of Conservation, the Far North District Council in its role as administering body of the reserve hereby revokes the reservation over the panhandle portion of the Plantation Reserve described in the schedule hereto, and declares that the said land may be disposed of to the Kerikeri Village Trust (KKVT) on such terms and conditions as the Council shall determine;

AND THAT as part of the process of seeking the Minister's consent to this proposal, the attached summary of submissions and objections, showing the extent to which they have been allowed or disallowed, shall be forwarded to the Minister's delegate.

Schedule

North Auckland Land Registration District

Plantation Reserve Lot 4 DP 79582 1747 square metres NA35D/880

Panhandle portion of Plantation Reserve (the area over which the reservation is proposed to be revoked): 378 square metres (approximately)

AND THAT a report be presented to the Bay of Islands-Whangaroa Community Board on options to retain the unformed road at the cul-de-sac on the southern end of Hawking Crescent.

Carried

8.0 SUPPLEMENTARY AGENDA**8.1. Notice of Motion by Councillor Radich**

Supplementary Agenda item 1.0, document number A1862378, pages 1-23 refers.

Reason for the Resolution

Councillor Radich lodged a notice of motion to revoke a decision made by Council in July 2016 regarding funding a road at Warawara.

Moved

His Worship The Mayor /Radich

THAT the Far North District Council rescind the delegated authority to make \$100,000 plus of unbudgeted expenditure;

AND reverse the decision to fund the Warawara Forest Road.

Lost

9.0 OPERATIONS COMMITTEE**9.1. Kerikeri Domain Pavilion**

Agenda item 8.1, document number A1860964, pages 95-139 refers.

Councillor Kitchen requested it be noted his daughter is employed by NZ Squash.

Reason for the resolution

To seek further information in regard to the consideration of the recommended demolition of the Kerikeri Domain pavilion in respect of partial settlement of the insurance claim, making the area safe and enable future options to be developed and consulted upon with the community.

Moved

His Worship The Mayor/Court

THAT Having received the requested information (clarity around the insurance payout, provision of a domain plan, provision of sports needs assessment, timeline and costs around the development of a reserve management plan) Council recommends that the Kerikeri Domain Pavilion be demolished.

AND THAT any additional insurance proceeds be used to transition squash facilities to the Kerikeri Sports Complex;

AND THAT a Kerikeri Domain Reserve Management Plan be developed;

AND THAT the additional information tabled at the meeting be noted.

Amendment moved

Hookway/His Worship The Mayor

THAT the motion is withdrawn pending further information being provided to members and the public.

Vote by Division requested by Councillor Hookway

For

Against

Macauley

Court

Vujcich

Prime

Hookway

Deputy Mayor McInnes

Radich

Kitchen

His Worship The Mayor

Amendment moved

Hookway/His Worship The Mayor

THAT the motion is withdrawn pending further information being provided to members and the public, and the matter is brought back to the next Council meeting.

Vote by Division requested by Councillor Hookway

For	Against
Macauley	Court
Vujcich	Prime
Hookway	Deputy Mayor McInnes
Radich	Kitchen
His Worship The Mayor	
The amendment became the substantive motion Hookway/His Worship The Mayor	
<i>THAT the motion is withdrawn pending further information being provided to members and the public, and the matter is brought back to the next Council meeting.</i>	
Carried	

The meeting was adjourned at 12:01 pm and resumed at 12:06 pm.

10.0 **SUPPLEMENTARY AGENDA (Continued)**

10.1. **Provisional Local Alcohol Policy - Appeals**

Supplementary Agenda item 4.0, (under separate cover).

Councillor Macauley requested her position as a member of the Northland District Health Board be noted.

Reason for the resolution	
Council's Provisional Local Alcohol Policy (PLAP) was adopted on 27 August 2015. Five appeals were lodged and these are before the Alcohol Regulatory Licensing Authority (ARLA). Council is meeting with appellants to try and reduce the determinations required from ARLA and to lessen the cost to ratepayers. This meeting took place on 5 May 2017. The Counsel or advisor of each appellant is seeking agreement from their organisations for proposed agreement for elements contained in their appeals. The Council is required to advise ARLA by 19 May 2017 whether agreement has been reached to revise all or any elements in the PLAP which are under appeal, or whether the appeals are proceeding to hearing.	
Moved	Deputy Mayor McInnes/His Worship The Mayor
<i>THAT Council endorse the proposed changes negotiated in good faith with appellants; AND THAT Council endorse lodging the changes with ARLA as required by 19 May 2017.</i>	
Amendment moved	Deputy Mayor McInnes/His Worship The Mayor
<i>THAT the chair of the District Licensing Committee, GM District Services, and In House Counsel continue to negotiate with the appellants to create a response to the Alcohol Regulatory and Licensing Authority to reduce issues on appeal.</i>	
The amendment became the substantive motion	
Deputy Mayor McInnes/His Worship The Mayor	
<i>THAT the chair of the District Licensing Committee, GM District Services, and In House Counsel continue to negotiate with the appellants to create a response to the Alcohol Regulatory and Licensing Authority to reduce issues on appeal.</i>	
Carried	
Councillor Radich abstained from voting.	
Councillor Hookway requested his vote against the motion be recorded.	

The meeting was adjourned at 1:06 pm and resumed at 1:33 pm.

11.0 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD (Continued)

11.1. Recommendation for Road Renaming by the Board (Public Roads)

Agenda item 6.1, document number A1857491, pages 11-18 refers.

Reason for the resolution

Community Boards have the delegated authority to recommend to Council name changes of previously named roads, reserves and community facilities subject to consultation with the community.

Resolved

His Worship The Mayor/Macauley

THAT Council pursuant to Section 319(j) of the Local Government Act 1974 recommend that Council rename the public roads:

- ***Shepherd Road (southern portion only) to be renamed Limelight Lane;***
- ***Otangaroa (Side) Road to be renamed Te Ranga Road;***
- ***Richardson Street (western portion only) to be renamed Lemons Bay Lane.***

Carried

12.0 STRATEGY COMMITTEE (Continued)

12.1. Proposed Trade Waste Bylaw

Agenda item 7.1, document number A1857602, pages 43-54 refers.

Reason for the Resolution

To propose a new Trade Waste Bylaw for public consultation. A Trade Waste Bylaw is the most appropriate way of managing and mitigating the impact of contaminants from trade premises entering the wastewater network. The proposed Bylaw allows for a consistent regulatory approach across the District's 17 wastewater schemes.

Resolved

His Worship The Mayor /Court

THAT Council adopt the Statement of Proposal for a Trade Waste Bylaw for public consultation.

Carried

12.2. Service Delivery Review Programme

Agenda item 7.3, document number A1857609, pages 77-83 refers.

Reason for the resolution

To receive an updated progress report of the Service Delivery Review Programme. Under S17A Local Government Act 2002, there is a statutory requirement to periodically undertake service reviews and actively seek efficiencies that will benefit Council and the community. Council has approved a service delivery review programme for the 2016-2017 year, which involves the review of nine specific services Council delivers to the community and public.

Resolved

Deputy Mayor McInnes/Vujcich

THAT Council receives the Service Delivery Review Programme - Progress Update report;

AND THAT Council places the i-SITES Service Delivery Review on hold until precursor strategies and service delivery reviews are completed.

Carried

12.3 Rates and Revenue Review

Agenda item 7.4, document number A1857611, pages 85-90 refers.

Reason for the resolution

Although Council is only required to review its rating policies on a regular basis, staff recommend going further by investigating available rating mechanisms to determine whether our rating system and its impact on ratepayers can be improved.

Moved Deputy Mayor McInnes/Kitchen

THAT Council agrees to carry out a full review of its existing rates system, including:

Review the Revenue and Financing Policy to ensure splits between ratepayer and user pays are appropriate.

- *Review/add to current Remission and Postponement policies, including a policy to enable the economic development of Māori Freehold Land;*
- *Model and consider adjustments such as:*
 - *Alternate rating categories and additional differentials.*
 - *Capped or abolished SUIPs.*
 - *Capped pan charges.*
 - *Increased/decreased UAGC.*
 - *Change the roading rate differentials or absorb it into the general rate.*
 - *Moving from scheme-based to district-wide water and wastewater.*
 - *Using Capital Value as a basis for the general rate.*

Amendment moved His Worship The Mayor/Macauley

THAT the report entitled "Rates and Revenue Review" dated 28 April 2017 be left to lie on the table until further information is provided.

The amendment became the substantive motion His Worship The Mayor/Macauley

THAT the report entitled "Rates and Revenue Review" dated 28 April 2017 be left to lie on the table until further information is provided.

Carried

Deputy Mayor McInnes and Councillors Court and Prime requested their votes against the motion be recorded.

12.4 Events Funding Assessment

Agenda item 7.5, document number A1857612, pages 91-94 refers.

Reason for the resolution

To agree the approval process for the funding of district events. The Strategy Committee at its meeting of 26 April 2017 considered the paper and thought it important that elected members made the funding decisions given the importance of events to the district and the need for continuity in decision making.

Resolved Deputy Mayor McInnes/Vujcich

THAT the Operations Committee be granted delegated authority to make events funding decisions on the basis of assessments and staff recommendations prepared in alignment with the Events Strategy.

Carried

13.0 OPERATIONS COMMITTEE (Continued)**13.1. Ahipara Landfill and Transfer Station - Deed of Lease**

Agenda item 8.2, document number A1858749, pages 141-144 refers.

Reason for the resolution

To authorise Council to enter into a proposed new Deed of Lease for property located near Ahipara, upon which Council operates a Refuse Landfill and Refuse Transfer Station. This approval addresses the continuing need for the Ahipara Landfill and Refuse Transfer Station and will enable operations at the Ahipara Landfill and Refuse Transfer Station to continue without disruption. The Ahipara location, in its present form and operation, is considered the most cost-effective option currently available to Council.

Resolved

Court/Kitchen

THAT Council, pursuant to its powers under section 12(2) of the Local Government Act 2002, enters into a lease of two parcels of the property at Ahipara legally described as Lot 2 DP 206372 Pt Allot M20 Parish of Ahipara, for the purpose of the continued operation of the existing landfill (until it reaches capacity in an estimated 24 to 30 months from now) and refuse transfer station, for a term of 20 years commencing 1 April 2017, at an annual rental of \$22,000 plus GST reducing to \$6,000 plus GST when the landfill reaches capacity and only the refuse transfer station remains in operation.

Carried

13.2. Draft Government Policy Statement on Land Transport 2018/19-2027/28

Agenda item 8.3, document number A1858751, pages 145-173 refers.

Reason for the resolution

The endorsement of Council's submission to the Draft Government Policy Statement on Land Transport 2018/19-2027/28.

.Resolved

His Worship The Mayor/Court

THAT Council retrospectively endorses a submission to the Ministry of Transport on the Draft Government Policy Statement on Land Transport 2018/19-2027/28.

Carried

14.0 CORPORATE SERVICES GROUP**14.1. Council Financial Report 31 March 2017**

Agenda item 9.1, document number A1856652, pages 175-200 refers.

Reason for the resolution

This report is for information only. to provide an overview and evaluation of the current financial position and performance of the Far North District Council as at the 31 March 2017.

Resolved

His Worship The Mayor/Vujcich

THAT Council note the report "Council Financial Report - 31 March 2017" dated 20 April 2017

Carried

14.2. 2016 Triennial Elections Report

Agenda item 9.2, document number A1847651, pages 201-215 refers.

Reason for the resolution

This report is for information only. To provide Council with information regarding the Triennial Election conducted in October 2016.

Resolved

Kitchen/Deputy Mayor McInnes

THAT Council receive the report "2016 Triennial Elections report" dated 12 April 2017

Carried

14.3. Attendance at the Local Government New Zealand Conference 2017 and Annual General Meeting

Agenda item 9.3, document number A1857348, pages 217-218 refers.

Reason for the resolution

That Council authorises councillor attendance at the LGNZ Conference 2017 and Annual General Meeting in Auckland 23-25 July 2017..

Resolved

His Worship The Mayor/Vujcich

THAT Deputy Mayor McInnes and Councillor Kitchen be authorised to attend the LGNZ Conference 2017 and Annual General Meeting;

AND THAT the Deputy Mayor be authorised to vote at the Annual General Meeting.

Carried

14.4 Call for Nominations - LGNZ President and Vice President

Agenda item 9.4, document number A1853768, pages 219-221 refers.

Reason for the resolution

To nominate a candidate for the roles of President of Local Government New Zealand.

Resolved

His Worship The Mayor/Vujcich

THAT Dave Cull be nominated for the role of President of Local Government New Zealand.

Carried

Deputy Mayor McInnes requested her vote against the motion be recorded.

15.0 SUPPLEMENTARY AGENDA (Continued)**15.1. Endorsement of Gisborne District Council's Remit to Local Government NZ's Annual General Meeting**

Supplementary Agenda item 3.0, document number A1862711, pages 39-44 refers.

Reason for the resolution

To support the Gisborne District Council's proposed remit to the Local Government New Zealand Annual General Meeting regarding the return of Goods and Service Tax to the region in which it was generated to pay for tourism infrastructure.

Resolved

His Worship The Mayor/Vujcich

THAT Council agree in principle to support the Gisborne District Council proposal regarding GST;

AND THAT the Mayor and Chief Executive Officer be delegated authority to endorse the final remit on behalf of Council.

Carried

16.0 CORPORATE SERVICES GROUP (Continued)**16.1 Proposed Remit for LGNZ 2017 Annual General Meeting**

Agenda item 9.5, document number A1857641, pages 223-225 refers.

Reason for the resolution

The purpose of the report was to allow Council to consider putting a remit to the 2017 Local Government New Zealand Annual General meeting regarding fireworks.

Moved

His Worship The Mayor/Vujcich

THAT staff investigate the feasibility of submitting a remit on the sale and use of fireworks to the Local Government New Zealand 2017 Annual General Meeting;

AND THAT the Mayor and Chief Executive Officer be authorised to sign off a remit proposal if they deem it appropriate for submission.

Lost

Councillor Hookway requested his vote against the motion be recorded.

16.2 Councillor Training and Conference Attendance Report

Agenda item 9.6, document number A1857482, pages 227-238 refers.

Reason for the resolution

To provide information to the Council on the consequential travel expenses, feedback on what elected members have learned and the value to the organisation from attendance at the conference that is the subject of this report. The aim is to provide transparency and confidence to the public that ratepayer funds are being used effectively.

Resolved

Court/Deputy Mayor McInnes

THAT the report attached entitled "Report to Council - Road Controlling Authorities Forum and Special Interest Group Low Volume Roads (SIGLVR) March 2017" dated 19 March 2017;

AND THAT the report attached entitled "Report To Council - Special Interest Group Low Volume Roads (SIGLVR) and Dust Working Group April 2017" dated 22 April 2017:

be received.

Carried

17.0 SUPPLEMENTARY AGENDA (Continued)**17.1. Far North District Council and Tus-Holdings Co Ltd**

Supplementary Agenda item 2.0, document number A1862778, pages 25-37 refers.

Reason for the resolution

The purpose of the report is to advise council of the joint memorandum of intent entered into with Tus Holdings Co. Ltd on 27 March 2017, and the statement of intent for the development of a friendship city relationship with Tengchong City.

Resolved

Vujcich/Macauley

THAT Council adopts the Joint Memorandum of Intent with Tus-Holdings Co. Ltd and adopts the Statement of Intent with Tengchong City;

AND THAT the Mayor, Corporate Committee Chairperson and CEO be appointed to negotiate on behalf of Council, as set out in the joint statement of intent, and report back to Council on decisions made.

Carried

Deputy Mayor McInnes and Councillors Court, Prime and Hookway requested their votes against the motion be recorded.

18.0 PUBLIC EXCLUSION

Agenda item 12.0 refers.

18.1. Resolution to Exclude the Public

Resolved

His Worship The Mayor/Kitchen

THAT the public be excluded from the meeting pursuant to Sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of the proceedings would be likely to result in the disclosure of information for which good reason for withholding exists, while the matters listed below are being dealt with for the reasons as set out below:

1.0 Confirmation of Previous Minutes

Reason: To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial);

2.1 Maromaku Netball Courts

Reason: To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial);

3.1 Lease 25 Homestead Road, Kerikeri

Reason: 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; and to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);

4.1 Coopers Beach Christian Youth Camp - RA2407677

Reason: To protect the privacy of natural persons including that of deceased person;

5.1 Te Ahu Governance

Reason: To enable the Council to carry out commercial activity without prejudice or dis-advantage;

Public Exclusion Supplementary Agenda:**1.0 Mediation Between Bridgewater Body Corporate And Others V Far North District Council And Others Held On 20 April 2017**

Reason: To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.

2.0 Road Repair - Okahu Road

Reason: To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

AND THAT Terry Greening - Chairperson Bay of Islands-Whangaroa Community Board be permitted to remain at this meeting after the public has been excluded, because of his knowledge of local wards. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because he advocates for and represents local community views.

Carried

Councillor Hookway abstained from voting.

19.0 CONFIRMATION OF DECISIONS AND INFORMATION IN OPEN MEETING

Agenda number 13.0 refers.

Reason for the resolution

Having considered the information and made decisions with the public excluded on the matters specified, Council confirms its decision as to which information and decisions should now be disclosed to the public.

Resolved

His Worship The Mayor/Vujcich

THAT Council confirms that the information and decisions contained in the part of the meeting held with the public excluded are not to be restated in public meeting;

AND THAT Council confirms that the following information and decisions contained in the part of the meeting held with the public excluded are to be restated in public meeting;

5.1 Te Ahu Governance

THAT the ground lease between Council and the Te Ahu Charitable Trust on the terms and conditions set out in that document is approved and executed;

AND THAT the lease of building space within Te Ahu to the Council on the terms and conditions set out in that document is approved and executed;

AND THAT the draft service level agreement is received as information;

AND THAT the total grant of \$115,000 identified in the 2017 - 2018 Annual Plan be used to employ staff, progress the outcomes of the Trust Deed, progress the responsibilities and accountabilities of Te Ahu as landlord, manager and operator;

AND THAT \$25,000 of the total grant is specifically used for marketing and promotion of Te Ahu.

Carried

20.0 CLOSE OF MEETING

The meeting closed at 2:35 pm

Chairperson

/ /

MINUTES OF THE MEETING OF THE FAR NORTH DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE ON 18 MAY 2017 COMMENCING AT 1:00PM

PRESENT

His Worship the Mayor John Carter

Councillors

Ann Court
Willow-Jean Prime
Colin Kitchen
John Vujcich

Video Conference

Felicity Foy	Councillor
Mate Radich	Councillor

APOLOGIES

Dave Hookway	Councillor
Sally Macauley	Councillor
Tania McInnes	Deputy Mayor

IN ATTENDANCE

Terry Greening	Chairperson Bay of Islands-Whangaroa Board
Adele Gardner	Chairperson Te Hiku Community Board
Mike Edmonds	Chairperson, Kaikohe-Hokianga Community Board

STAFF PRESENT

Shaun Clarke	Chief Executive Officer
Dr Dean Myburgh	General Manager District Services
Kathryn Ross	General Manager Strategic Planning and Policy
Roger Ackers	General Manager Corporate Services (Acting)
Steve Little	General Manager Infrastructure and Asset Management (Acting)
Sheryl Gavin	Team Leader - Corporate Business & Planning
Simon Millichamp	Facilities Technical Officer
Richard Edmondson	Manager – Communications
George Swanepoel	In-House Counsel
Janice Smith	Chief Financial Officer
Kate Barnes	Team Leader Governance Support

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

Reason for the resolution

Council may grant leave of absence to a Member from a meeting upon application by the Member. If a Member has not obtained a leave of absence an apology may be tendered on behalf of the Member and the apology may be accepted or declined by Council. Acceptance of the apology shall be deemed to be granting of a leave of absence for that meeting.

Resolved His Worship the Mayor/Kitchen

THAT the apologies from Dave Hookway, Tania McInnes, and Sally Macauley, be accepted.

Carried

2.0 MAJOR ITEM NOT ON THE AGENDA

Resolved His Worship the Mayor/Vujcich
THAT the "Update on the Provisional Local Alcohol Policy" be considered by Council as a matter for urgent consideration as provided for in Section 46A(7) of the Local Government Official Information and Meetings Act 1987 on the grounds that information was not available until the date of the meeting, and it cannot be deferred until a later date as legal negotiations are in progress.
Carried

3.0 UPDATE ON THE PROVISIONAL LOCAL ALCOHOL POLICY

Reason for the resolution
To receive the latest information regarding legal proceedings before the Alcohol Regulatory and Licensing Authority.
Resolved His Worship the Mayor/Prime
THAT the verbal report by Councillor Ann Court, the latest version of the draft Provisional Local Alcohol Policy, and the Memorandum of Counsel be received.
Carried

4.0 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 3.0 refers.

Reason for the resolution
To confirm the minutes are a true and correct record of the previous meetings.
Resolved Kitchen/Court
THAT Council confirm the minutes as amended of the Council Hearing held 01 May 2017 as a true and correct record.
Carried

5.0 2017/18 ANNUAL PLAN FINAL DECISION MAKING

Agenda item 4.0 refers.

Reason for the resolution
To finalise budgets for the 2017/18 Annual Plan ahead of adoption on June 22.
Resolved His Worship the Mayor/Vujcich
THAT the additional information providing a reconciliation of 4.28% rates increase be noted
Carried
Resolved His Worship the Mayor/Vujcich
THAT operational funding of \$40,000 be included in the Annual Plan for Kaikohe and Districts Sportville provided a suitable Contract for Services can be developed and approved by Council in the 2017-18 financial year.
AND THAT capital funding of \$200,000 for the Te Kao water supply project be re-timed from 2018/19 to 2017/18 and capital funding of \$2 million be re-timed from 2019/20 to 2018/19.
AND THAT Council agrees to proceed with a 4.28% rates increase for the 2017/18 financial year.
Carried

Councillor Radich requested his vote against the motion be recorded.

Council noted that staff are working on a report regarding stormwater capital works.

6.0 ADOPTION OF 2017-18 FEES AND CHARGES

Agenda item 5.0 refers.

Reason for the resolution

To confirm the minutes are a true and correct record of the previous meetings.

Moved His Worship the Mayor/Vujcich

THAT Council consider the submissions received on the fees and charges consulted on;

AND THAT Council adopt the 2017-2018 Schedule of Fees and Charges.

Amendment moved Court/Prime

THAT Council consider the submissions received on the fees and charges consulted on;

AND THAT Council adopt the 2017-2018 Schedule of Fees and Charges, with the exception of the proposed changes to library fees

Carried

Amendment moved Radich/Kitchen

THAT Council consider the submissions received on the fees and charges consulted on;

AND THAT Council adopt the 2017-2018 Schedule of Fees and Charges, with the exception of the proposed changes to library fees

AND THAT the rubbish bag fee remains at \$3.00

Carried

The amendment became the substantive motion

THAT Council consider the submissions received on the fees and charges consulted on;

AND THAT Council adopt the 2017-2018 Schedule of Fees and Charges, with the exception of the proposed changes to library fees

AND THAT the rubbish bag fee remains at \$3.00.

Carried

Council noted that a Government imposed carbon tax will have an impact on waste management costs for Council.

7.0 ADOPTION OF THE 2017-23 WASTE MANAGEMENT AND MINIMISATION PLAN

Agenda item 6.0 refers.

Reason for the resolution

The Waste Management and Minimisation Plan is a statutory requirement under the Waste Minimisation Act 2008. Council's current Waste Management and Minimisation Plan expires at the end of May 2017.

Resolved His Worship the Mayor/Kitchen

THAT Council notes the submissions received on the Statement of Proposal for the WMMP:

AND THAT the 2017-2023 Waste Management and Minimisation Plan be adopted with the following changes:

1. That the following action be amended in Section 3.1 - What We Will Do Table B3-1

Modified Action: Campaign for the introduction of a refundable container deposit levy, mandatory produce stewardship and increasing Central Government's waste levy.

Implementation timeframe - Yr: 2017-2023

Contribution to the NZWS Goals/Waste Hierarchy:

Reduction, Reuse, Recycling, Recovery

Improving efficiency of resource use

Reducing harmful effects of waste.

Funding Source/10 Year Plan Provision: Rates / Waste levy

2. That the following action is included in Section 3.1 - What We Will Do Table B3-1

New action:

Liaise regularly with Community by holding annual waste minimisation meetings in each ward.

Implementation timeframe - Yr: 2017-2023

Contribution to the NZWS Goals/Waste Hierarchy:

Reduction, Reuse, Recycling, Recovery

Improving efficiency of resource use

Reducing harmful effects of waste

Funding Source/10 Year Plan Provision: Rates / Waste levy

Carried

8.0 CLOSE OF MEETING

The meeting closed at 2.57 pm

Chairperson

/ /

MEETING: COUNCIL - 22 JUNE 2017

Name of item: POLICY REVIEW PROGRAMME 2017- 2018

Author: Neil Miller - Team Leader Policy & Research
Leslie Trussler - Policy Advisor

Date of report: 08 June 2017

Document number: A1867497

Executive Summary

The purpose of the report is to advise on the outcome of policy reviews in 2016/17 and propose a programme for 2017/18.

The Council currently has 50 external policies to be reviewed at least every five years. These are policies that have been adopted by resolution of Council.

The proposal is to review all Council external policies by end June 2018.

This report was submitted to the Strategy Committee meeting held 7 June 2017. The Committee makes the following recommendation to Council:

Recommendation:

THAT the 2017/18 Policy Review Programme be adopted:

2017/18		
Quarter	Number	Policy
July – Sep	2115	Elected Members Allowances & Reimbursements
	2117	Appointment & Remuneration of Directors For COs
	2123	Appointment of Elected Members as Directors of COs
	3212	Community Sport and Recreation Loan Scheme
	5106	Use of the Hundertwasser Fund Scoping for Stormwater Policy
Oct – Dec	2112	Election Hoardings
	3116	Alfresco Dining
	3119	Dangerous, Insanitary & Earthquake-Prone Buildings
	4110	Street Lighting
Jan – Mar	2125	Road Naming and Property Numbering
	3211	Equity and Access for People with Disabilities
	4103	Limits of Council responsibility for Formation Maintenance of Roads
	4105	Private Roads and Rights of Way
	4106	Road Maintenance
	4112	Community Initiated Infrastructure - Roading Contribution Policy
	4113	Road Speed Limits
	4114	Road Mirrors
5004	Footpaths	

1) Background

2016/17 Reviews

Reviews to date have included updating existing policies. All policies have been formatted to a consistent template and legislative references have been updated. All Council policies are now in the same template and are consistently formatted with errors corrected and references updated.

Some policies had been incrementally changed over time and had inconsistencies or were repetitive. The approach has been to try to reduce the length of policies so that the policy guidance is as clear and concise as possible. Staff have also ensured that forms, guidelines and related documents are consistent with the policies.

On 15 June 2016, Council resolved that the following policies be reviewed in 2016/17: Abandoned Land, Infrastructure Disaster Funding, Local Halls and Community Centres, Building Permits - Māori Land, Quarry Ownership and Management, Road Maintenance, Bulk Supply of Water - Commercial Operators, Private Roads and Rights of Way, Limits of Council Responsibility for Formation Maintenance of Roads, Rates Remission for Sports Clubs.

Reviews have taken place of all of these policies but not all the reviews are complete and have not been reported back to Council for the following reasons:

- Rates Remissions for Sports Clubs is best considered wither alongside other polices or as part of the LTP.
- Building Permits - Māori Land is best considered alongside other polices and procedures relating to Māori Freehold Land.
- Private Roads and Rights of Way and Limits of Council Responsibility for Formation Maintenance of Roads and best considered as a part of a comprehensive review of Roding related polices that could potentially be amalgamated.

On 15 June 2016 Council also resolved that the following policies be considered at the same time as related Bylaws in 2016/17:

a) Dog Policy;

b) Grazing Leases/Management of Animals on Reserves;

- The Dog Policy has been reviewed and consulted upon under the Special Consultative Procedure. It is due to be reported back to Council alongside the Dog Control Bylaw.
- The issue of animals on reserves is covered within the Reserves Act 1977. Where there is primary legislation there is no requirement that a Council policy repeat the legislation. The Reserves Act sets out that animal can only be released on a reserve, fed or grazed on that reserve by the expressed permission of the administering authority. Therefore there is no requirement for a separate policy.

On 08 September 2016 Council adopted a revised Policy #5003 Community Facilities and Community Halls.

Rescindment

A policy may be rescinded because:

- The policy is not required and is redundant,
- The policy sets out operational guidelines at a lower level
- The policy could be amalgamated so that similar policies are together in a single document.

Council further resolved on 15 June 2016 that a review of all other Council external policies would be completed in 2016/17 to identify those that are no longer required and could be rescinded.

On 16 March 2017, the Strategy Committee resolved that the following redundant policies be rescinded:

- a) Abandoned Land;
- b) Infrastructure Disaster Funding;
- c) Library Policy;
- d) Designation of Maori Reserves;
- e) Bonds and Undertakings;
- f) Public Notices;
- g) Advertising Signs;
- h) Quarry Ownership and Management;
- i) Community Board Terms of Reference;
- j) Town Maintenance;
- k) Council as an Affected Party to Neighbouring Resource Consents
- l) Subdivisions - Public Coastal Access; and
- m) Use of Reserve Contributions.

On 16 March 2017, the Strategy Committee also resolved that the amended Graffiti Removal Policy be adopted and that the amended Museum Services Policy be adopted.

On 7 June 2017, the Strategy Committee resolved that the following redundant policies be rescinded:

- a) Bulk Water Supply
- b) Disposal of Septage

Amalgamation

On 16 March 2017, the Strategy Committee further resolved to amalgamate the following policies:

No.	Policy	Action
2121	Library Services	Rescinded and amalgamated into Library Policy
2122	Library - Standards of Behaviour	
3209	Community Funds	Rescinded and amalgamated into Community Grant Policy
3210	Community Facility Partnerships	
3213	Community Assistance Framework	
3214	Community Funds – District	
4400	Voluntary Rubbish & Litter Collection	Rescinded and amalgamated into Reserves Policy
5007	Reserves and Parks	
5011	Reserve Management Committees	

5014	Smokefree Parks, Playgrounds, & Reserves	
5016	Naming Reserves and walkways	
5018	Subdivisions - public coastal access	
5100	Use of Reserve Contributions	
5101	Preservation of Reserves	
5102	Management of Trees on Council Land	
5108	Encroachments on Council administered land	
5105	Art in Public Places	Rescinded and amalgamated into Art and Memorials in Public Places Policy
5019	Memorials in Public Places	

Work is currently underway on the following policies:

- Significance and Engagement (consulting with Community Boards)
- Building Permits - Māori Land (consulting with partner organisations)
- Procurement & Procedures for Community Projects
- Dust Management

The difference between policies (external and internal) and operational guidelines is contained in Appendix 1.

2) Discussion and options

The table below provides a summary of the proposed 2017/18 policy review programme:

2017/18 Quarter	Number	Policy
July – Sep	2115	Elected Members Allowances & Reimbursements
	2117	Appointment & Remuneration of Directors For COs
	2123	Appointment of Elected Members as Directors of COs
	3212	Community Sport and Recreation Loan Scheme
	5106	Use of the Hundertwasser Fund Scoping for Stormwater Policy
Oct – Dec	2112	Election Hoardings
	3116	Alfresco Dining
	3119	Dangerous, Insanitary & Earthquake-Prone Buildings
	4110	Street Lighting

Jan – Mar	2125	Road Naming and Property Numbering
	3211	Equity and Access for People with Disabilities
	4103	Limits of Council responsibility for Formation Maintenance of Roads
	4105	Private Roads and Rights of Way
	4106	Road Maintenance
	4112	Community Initiated Infrastructure - Roothing Contribution Policy
	4113	Road Speed Limits
	4114	Road Mirrors
	5004	Footpaths

Note that policies for rates remissions and postponements included in the Long Term Plan and are best considered as part of the LTP development process.

The proposed review programme groups together policies that relate to similar activities so far as possible.

- The first quarter would be focused on representation.
- The second quarter would be focused on public spaces.
- The third quarter would be focused on roading. Roading policies have been reviewed internally and staff advised that a preferred option would be to consider all roading policies as a group with the potential for an amalgamated roading policy.

To deliver this programme would result in all Council policies having been reviewed by the end of June 2018.

There is further work required to ensure that the Council has a comprehensive policy framework. For example, the amalgamated Reserves Policy is only the first stage in the process and further policy development is advised. There may be a requirement for substantially new policies, either in response to legislation or local issues.

The intention is that in quarter 4 there would be the opportunity to add to existing or propose new policies as a result of a full gap analysis of the up-to-date set of external Council policies. An alternative option would be to amend the draft programme to include specific topics of interest to Elected Members.

3) Financial implications and budgetary provision

There are no financial or budgetary implications that arise directly this policy review programme. Individual policy changes may or may not have budgetary implications which should be addressed in any corresponding report.

4) Reason for the recommendation

To proceed with the policy review programme in order to have reviewed all of Council's existing policies by July 2018 and to then undertake the process of identifying and filling gaps in the overall policy framework.

Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	This is a review of existing policies.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	The policy review programme in itself has no specific implications. However, individual policies may have a specific impact on Māori to be considered at the time that policy is reviewed.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	The policy review programme would provide for consultation with the community where appropriate.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No the review programme is not significant. However, individual policy changes may be significant.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Council policies are District-wide policies (unless specified otherwise).
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There is no financial impact from the recommendations. The Chief Financial Officer has reviewed this report.

External Policies, Internal Policies and Operational Guidelines

External policies (also known as Council policies) are those decided by resolution of the Council. These policies set out how Council conducts external affairs, e.g. when Council will or will not allow encroachments on public land, or the rules to which a member of the community must adhere when using public libraries. These are policies that govern the Council as a whole.

Internal Policies and operational guidelines are generally made under delegation to the Chief Executive, who under [Section 42 of the LGA 2002](#) is responsible for ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the Council, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and ensuring the effective and efficient management of the activities of the Council.

Internal Policies (also known as staff policies) regulate the behaviour of staff within the organisation and determine how Council conducts its internal affairs. For example, what vetting processes are required when hiring employees who will be working with children or the standard of dress to which staff must adhere.

Operational guidelines outline the procedures that staff follow when implementing policy. For example, how an application is processed or the steps that staff follow when completing a particular task. These are subject to change in order to ensure efficient and effective administration.

Many existing external policies had not consistently applied these distinctions which can lead to policies being detailed. Policies adopted by Council are not as adaptable to individual circumstances because they cannot easily be changed by staff in the light of experience. External policies are there to provide a framework for Council decisions and operations. The administration of those policies is the next level down and can be under delegation and therefore adapted. For example, application forms to apply a policy are best delegated so that if there is a need to adapt a field in a form it does not require a resolution of Council but can be approved by a manager at the appropriate level. It is to be noted that internal policies and operational guidelines can be and are made available to the public.

Community Boards can also make resolutions to guide their decisions and staff. These are best recorded as a resolution of that Board as they are not Council-wide policies and can be changed by future resolutions of that Community Board.

MEETING: COUNCIL - 22 JUNE 2017
Name of item: BYLAW REVIEW PROGRAMME 2017 - 18
Author: Neil Miller - Policy Advisor
Date of report: 08 June 2017
Document number: A1867498

Executive Summary

The Council currently has 23 bylaws, which have to be reviewed at least every ten years. The purpose of the report is to propose a bylaw work programme for the 2017/18 financial year. It is proposed that the priority is to adopt new Dog Control, Wastewater Drainage, Trade Waste and Maritime Facilities Bylaws.

This report was submitted to the 7 June 2017 Strategy Committee meeting. The Committee makes the following recommendation to Council:

Recommendation:

THAT the 2017/18 Bylaw Review Programme include the Dog Control, Wastewater Drainage, Trade Waste, Maritime Facilities and Mooring Charges Bylaws.

1) Background

Legislation

Bylaws have been an important regulatory instrument for Councils since the Bylaws Act 1910. They are a form of local legislation. Many existing bylaws are required by primary legislation, or respond to primary legislation.

The Council currently has 23 bylaws. Most but not all of these bylaws are enacted under the Local Government Act (LGA) 2002. Section 145 generally empowers Council to make bylaws for its district to:

- (a) protect the public from nuisance
- (b) protect, promote, and maintain public health and safety
- (c) minimise the potential for offensive behaviour in public places.

Section 145 specifically empowers Council to make bylaws to regulate and manage:

- on-site wastewater disposal systems
- waste management
- trade wastes
- solid wastes
- keeping of animals, bees, and poultry
- trading in public places
- water races
- water supply
- wastewater, drainage, and sanitation
- land drainage
- cemeteries
- reserves, recreation grounds, or other land under the control of the territorial authority.

Section 156 provides that the Council must use the Special Consultative Procedure when making, amending, or revoking a bylaw. That requires a public notice, a Statement of Proposal and an opportunity for people to present their views to Elected Members. Note that there is not a requirement for formal hearings as the Local Government Act was amended by central Government to ensure that the process was more responsive to the community and the context.

Bylaw Reviews

Bylaws under the LGA 2002 have to be reviewed every 5 years initially and then every 10 years. A bylaw is revoked on the date that is 2 years after the last date on which the bylaw should have been reviewed. Bylaws that are not made under the LGA 2002 do not necessarily require review within a set time.

A full list of Council Bylaws is in attachment 1 together with the dates for reviews to be completed. It is to be expected that there will be at least 2 or 3 bylaw reviews every year.

A bylaw review under the [LGA 2002 sections 155-160](#) requires determining:

1. The perceived problem that the proposed bylaw is regulating;
2. That a bylaw is the most appropriate mechanism to regulate the activity;
3. That the proposed draft bylaw is the most appropriate form of bylaw to regulate the specified activity; and
4. That the proposed draft bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

Bylaw Programme

In the 2016/17 financial year Council has:

1. Adopted a new Pou Herenga Tai Twin Coast Cycle Trail Bylaw
2. Consulted on a Dog Control Bylaw - due to be presented for adoption
3. Reviewed three bylaws:
 - Wastewater Drainage - Statement of Proposal adopted
 - Trade Waste – Statement of Proposal recommended to Council
 - Maritime Facilities - to be considered by Strategy Committee
4. There has also been discussion of a clause to restrict the use of fireworks which could be via an amendment to the Control of Public Place Bylaw.

Council has developed its consultation processes to make better use of online survey mechanisms, for example, by asking the strength of opinion instead of a yes or no response. In some cases, those strongly for or against a proposal can dominate the public discourse even when more people are neutral or hold less strong views. Council has also recognised an entitlement to confidentiality under the Privacy Act 1993 and the benefits for submitters, many of whom request that their personal details not be published.

Consultation to over the year has identified barriers to effective enforcement include:

- Bylaw rules are not known and/or are too complicated
- A lack of community reporting of breaches of the rules
- A perception that the rules are not enforced

The option of warranting enforcement officers more widely, including staff of other agencies, is being explored.

A May 2013 report by the [NZ Productivity Commission, Towards Better Local Regulation](#), identified that “the current regulatory system is not working as well as

can reasonably be expected. Some of the problems stem from the design of regulations at the central government level, some are problems with the way regulation is implemented and administered by local government and, lastly, there are generic weaknesses with the regulatory system as a whole” (page 4). The report identified, “A recurring theme during this inquiry was the poor state of the relationship and interface between central and local government, across all aspects of the regulatory system. Within local government, there is considerable dissatisfaction with central government agencies, with frequent claims that central government agencies lack respect for, and understanding of, local government’s role and purpose... On the other hand, central government points to problems with monitoring and enforcement, delays and inconsistency as symptomatic of broader deficiencies within the local government sector ” (page 6). In short, effective co-regulation between central and local government requires a closer partnership and more effective implementation.

National Bylaw Review

A joint Working Group of central and local government policy officials was established in late 2016 to undertake a national review of bylaws as a local regulatory tool. The Department of Internal Affairs is seeking to identify opportunities to improve the effectiveness and efficiency of bylaws as a regulatory tool. There are issues of inconsistent regulation across NZ. The Working Group will define good performance for bylaw regimes and develop criteria for assessing regulatory performance and make recommendations to improve the efficiency and effectiveness of bylaw regimes.

Over 25 Councils have contributed to this national bylaw review programme. The Far North District has been an active participant. The first priority was an assessment of the effectiveness and efficiency of the freedom camping regulatory regime and a range of regulatory and non-regulatory responses have been developed, including social media campaigns and a voluntary code with vehicle hiring companies. It is clear that there is more to be gained from closer partnership working to encourage responsible behaviour. Central government is currently working in partnership with Councils on dog control with a programme to promote neutering of menacing dogs.

2) Discussion and options

At the beginning of 2016, there was a backlog of bylaw reviews with several bylaws due to review. Council is now up-to-date with its review programme and has an review programme underway. There are five bylaws for which preparatory work is taking place. These are Earthworks; the Keeping of Animals, Poultry and Bees; Mooring Charges; Reserves; and Vehicles on Beaches. This preparatory work is necessary to be able to implement the 2018/19 programme from July 2018.

Other mechanisms can be used instead of bylaws. For example, earthworks can be regulated through the District Plan and mooring charges could be part of the Schedule of Fees and Charges adopted by resolution of Council. That may mean that both respective bylaws can be rescinded.

Lastly, there is significant work to do to catalogue and categorise reserves. The development of key Reserve Management Plans is a first priority. Management Plans are being progressed for Lindvart Park and the Kerikeri Domain, as these are significant assets which require some upgrades.

It is not recommended to have more than 4 bylaws in a public process at any one time as each bylaw requires a considerable programme of work to review, draft, consult, adopt, and implement. The timeframe for a full bylaw review is likely to be a minimum of 6 to 12 months, from first review to final adoption of a revised bylaw.

Option 1: Adopt the 2017/18 programme

For the 2017/18 financial year, the bylaws for adoption are as listed in the table below:

Bylaw	Action	Complete by
Dog Control	Adopt	August 2017
Wastewater Drainage	Consult and adopt	Dec 2017
Trade Waste	Consult and adopt	June 2018
Maritime Facilities	Consult and adopt	Dec 2017

All of these bylaws are already under review or consultation. The proposed programme gives priority to the Long Term Plan in the first half of 2018.

In addition, the Mooring Charges Bylaw could be rescinded and charges made by resolution of Council. Also Council is currently considering whether to regulate fireworks through a bylaw. However, as they are not statutory requirements neither of these are priorities and both could occur at a later date, or not at all.

Option 2: Adopt an alternative programme

Below is a list of the Bylaws due for review in the next 3 years:

1.	Dog Control	2017/18
2.	Trade Waste	
3.	Wastewater	
4.	Earthworks	2018/19
5.	Mobile Shops and Hawkers	
6.	Vehicles on Beaches	
7.	Water Supply	
8.	Control of Amusement Devices and Entertainment Premises	
9.	Reserves	
10.	Keeping of Animals, Bees and Poultry	
11.	Control of the Use of Public Places	2019/20
12.	Parking and Traffic Control Bylaw	
13.	Speed Limits	
14.	Control of Vehicle Crossings	
15.	Control Of On-Site Wastewater Disposal Systems	
16.	Land Drainage	
17.	Public Places Liquor Control	
18.	Skating and Cycles	

Option 1 is recommended by Council staff in order to progress the bylaw review programme and complete reviews within the statutory timeframes required.

3) Financial implications and budgetary provision

No significant financial implications have been identified arising from these recommendations. The costs of consultation are accounted for within existing budgets. Under the LGA 2002, public notification in newspapers is required prior to consultation under the Special Consultative Procedure and after adoption of a new or amended bylaw. The cost of two adverts is between \$750 and \$1500. If there are other public meetings or notices, then those costs are additional. In some cases there is a need to write (by post or email) to those most impacted by a decision.

4) Reason for the recommendation

The recommendation ensures that Council has an up-to-date set of bylaws that have been reviewed within the statutory timeframe set by the LGA 2002 sections 158-160.

Manager: Kathryn Ross General Manager Strategic Planning and Policy

Attachment 1: Council Bylaw Review Deadlines - Document number A1875267

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Bylaws apply generally to the delivery of Council policies and outcomes
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Bylaws can have significant implications for Māori.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	The views of those who have expressed preferences have been taken into account. The community in bylaw consultations have indicated that bylaws need to be more consistently applied and easier to understand.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	The recommendation is not significant
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The proposal is of District wide relevance.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There is no direct financial impact arising from the recommendations. The Chief Financial Officer has reviewed this report.

Far North District Council – List of Council Bylaws – December 2016

	Subject / Title Bylaw	General description	When made	Date of last review	Review required by
1.	Cemeteries & Crematoria	Controls and regulates burials in the District, including fees payable, hours of burial, digging of graves, vehicles in cemeteries, and rules of conduct, etc.	30/01/1991	N.A.	N.A.
2.	Control of Amusement Devices and Entertainment Premises	Regulates premises or places where the public are admitted and which are used for the discharge of missiles by firearms or otherwise, or a merry-go-round, swing, ferris wheel, or other riding device, by way of licence.	16/10/2009 (after review)	-	16/10/2019
3.	Control of the Use of Public Places	Regulates the use of public places to avoid conflict between users and inappropriate use of public open spaces.	16/10/2009 (after review)	-	16/10/2019
4.	Control of Brothel Premises Location and Advertising Signs	Controls where brothel premises and businesses are located within the District, and the type, size and location of related advertising signage.	2004	N.A.	N.A.
5.	Control of Earthworks	Regulates excavations and provides for penalties for non-permitted works or damage to public property as a result of earthworks.	26/11/2009 (after review)	-	26/11/2019
6.	Control of On-Site Wastewater Disposal Systems	Aims to ensure that all on-site wastewater disposal systems that are in operation or proposed to be installed anywhere in the District are installed, operated and maintained, in a safe and sanitary manner, with no, or minimum adverse effects on the surrounding natural environment.	26/11/2009 (after review)	-	26/11/2019
7.	Control of Vehicle Crossings	Regulates the use, construction and maintenance of vehicle crossings giving access from public roads to properties located within the District.	26/05/2010 (after review)	-	26/05/2020
8.	Cycle Trail	Regulate the use of the Pou Herenga Tai – Twin Coast Cycle Trail, to protect, promote and maintain the health and safety of cycle trail users, to protect from nuisance those using the trail and to minimise damage to the Trail.	08/09/2016		01/10/2021

9.	Dog Control	Regulates the keeping of dogs in the District.	14/09/2006 (after review)	15/06/2016	Ten years after adoption
10.	Keeping of Animals, Poultry and Bees	Regulates the keeping of animals, poultry or bees so they do not cause a danger, nuisance or health risk to any person or property.	13/09/2007 (after review)	-	13/09/2017
11.	Land Drainage	Enables regulation of land drainage assets within the District.	16/10/2009 (after review)	-	16/10/2019
12.	Maritime Facilities	Regulates the use of wharves and other landing places, grids, pontoons, and trailer-boat launching ramps, either owned or controlled by the Far North District Council.	2002	07/06/2017	N.A.
13.	Mobile Shops & Hawkers	Regulates the licensing and conduct of persons involved in the sale of goods, including hawker (door-to-door) sales and mobile shops.	29/07/2010 (after review)	-	29/07/2020
14.	Mooring Charges	Imposes charges payable by persons who use or have the right to use pile or swing moorings within any coastal marine area that adjoins the District.	2002	N.A.	N.A.
15.	Nuisances	Controls and regulates harm caused by nuisances as defined under Section 29 of the Health Act 1956.	1991	N.A.	N.A.
16.	Parking & Traffic Control	Regulates use of public parking areas and sets out parking restrictions for these areas.	17/06/2010 (after review)	-	17/06/2020
17.	Public Places Liquor Control	Enhances public safety and minimises the potential for offensive behaviour in public places, by providing for liquor control in specified public areas.	02/11/2003	29/07/2010	29/07/2020
18.	Reserves	Regulates use of and conduct in parks and reserves.	09/12/2010 (after review)	-	09/12/2020
19.	Skating and Cycles	Prohibits the riding of skateboards, roller-blades, roller-skates and similar devices in certain defined public places.	12/07/2007 (after review)	13/12/2012	13/12/2022

20.	Speed Limits	Protects the public from nuisance and protects, promotes and maintains public health and safety by imposing appropriate enforceable speed limits.	24/10/2008 (after review)	-	24/10/2018
21.	Solid Waste	Promotion & delivery of effective and efficient waste management and minimisation; implementation of waste management and minimisation plan; regulation of collection and disposal of waste from public places; protection of the health & safety of waste collectors, operators and public; management of litter and nuisance in public places.	17/06/2010 (after review)	01/06/2016	01/06/2026
22.	Trade Waste	Controls the discharge of trade wastes to the sewerage system to ensure the appropriate legislation is complied with.	16/10/2009	05/05/2016	Ten years after adoption
23.	Vehicle on Beaches	Restricts vehicular access to Coopers Beach	24/03/2015		24/03/2020
24.	Water Supply	Controls and regulates supply of water in the District including fittings, materials and installations, protection of supply, and prevention of waste and contamination.	16/10/2009 (after review)	-	16/10/2019
25.	Wastewater Drainage	Regulates the installation, use and maintenance of connections to public wastewater collection systems.	16/10/2009	05/05/2016	Ten years after adoption

N.A. = not applicable (not required by legislation)

Notes

1. Sections 155-160 of the Local Government Act 2002 are relevant to the procedure for reviewing bylaws. This includes:
 - Determining the activity / perceived problem that the proposed bylaw is regulating or addressing;
 - Determining that a bylaw is the most appropriate mechanism to regulate the specified activity;
 - Determining that the proposed draft bylaw is the most appropriate form of bylaw to regulate the specified activity; and
 - Determining that the proposed draft bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.
2. Section 156 provides that the Council must use the special consultative procedure when making, amending, or revoking a bylaw made under the Local Government Act. Sections 83 and 86 of the Act describe the special consultative procedure.
3. The review described in note no. 1 above is the review that has to be completed by the date shown in the right-hand column of the above table. The rest of the process of making or amending or revoking a bylaw (e.g. the special consultative procedure, the hearing [if any], and the making of the final decision) can occur before or after the date shown.
4. The resolutions relating to the review and the commencement of the special consultative procedure can all be passed at the same Council meeting and could be drafted as follows:
 1. That pursuant to section 155(1) of the Local Government Act 2002, a bylaw is the most appropriate mechanism to [insert activity to be regulated by the Bylaw].
 2. That pursuant to section 155(2)(a) of the Local Government Act 2002, the proposed draft [insert title of new Bylaw] Bylaw is the most appropriate form of bylaw to [insert activity to be regulated by the Bylaw].
 3. That pursuant to section 155(2)(b) and section 155(3) of the Local Government Act 2002, the Council is of the view that the proposed Draft [insert title of new Bylaw] Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.
 4. That a special consultative procedure pursuant to sections 83 & 86 of the Local Government Act 2002 be commenced, using the proposed Draft [insert title of new Bylaw] as part of the statement of proposal, with a view to amending, or revoking and replacing, the existing [insert title of current bylaw].

MEETING: COUNCIL - 22 JUNE 2017
Name of item: REVIEW OF MARITIME FACILITIES BYLAW
Author: Neil Miller - Team Leader Policy & Research
Leslie Trussler - Policy Advisor
Date of report: 08 June 2017
Document number: A1867499

Executive Summary

The purpose of the report is to complete the review of the existing Maritime Facilities Bylaw. Council resolved in June 2015 that the Maritime Bylaw 2002 be amended due to issues arising from the commercial use of recreational facilities.

Changes proposed include:

- Definitions of landing facilities are clarified
- The Schedule of ramps, wharves, grids is updated
- Charges are separated from the Bylaw to allow for regular review by Council
- Commercial operators must apply for the use of any recreational maritime facility.

The next step is to seek feedback from Community Boards on the Statement of Proposal for the revised Maritime Facilities Bylaw attached to this report.

This report was submitted to the 7 June 2017 Strategy Committee meeting. The Committee makes the following recommendation to Council:

Recommendation

THAT the Maritime Facilities Bylaw is the most appropriate form of bylaw;

AND THAT Community Boards be consulted upon the Statement of Proposal for a Maritime Facilities Bylaw.

1) Background

The Far North District Council's Maritime Facilities Bylaw came into force on 10 August 2002. The Maritime Facilities Bylaw applies to wharves and other landing places, grids, pontoons, and trailer-boat launching ramps, either owned by Far North District Council or controlled by Far North District Council under a management agreement with the person(s) owning or leasing such land or facilities.

Opito Bay Recreational Ramp

On 11 December 2014 Council resolved:

THAT the Maritime Bylaw 2002 be amended to remove the right to use Opito Bay boat ramp for commercial purposes and to clarify the distinction between boat ramps and wharves in the Bylaw;

AND THAT the report goes to the Bay of Islands-Whangaroa Community Board for comment, if Council decides it wishes to proceed to amend the Bylaw;

AND THAT consultation proceeds under the requirements of Section 82 of the Local Government Act 2002 with the affected parties.

The review of the Maritime Facilities Bylaw is in part due to complaints made to Council by Opito Bay residents in regards to a commercial oyster operator making use of the Opito Bay recreational ramp twice a year during their harvesting seasons

(twice a year). The complaints included public safety, the space they occupy, the length of time they occupy the ramp, and interruption of the view of Opito Bay. Opito Bay residents have been asking Council to prohibit commercial operators' use of the ramp, which is listed under the current Bylaw as recreational, through enforcement of our Maritime Facilities Bylaw. The Bylaw refers to commercial fish operators, and oyster operators claim to be outside of this definition. In addition, some provisions of the Bylaw refer to wharves only, which is not an accurate reflection of the Opito Bay ramp. Both of these issues are addressed in the Proposed Bylaw.

Outside of the Bylaw provisions, commercial operators contend that there are no other available or adequate commercial wharves/ramps. Therefore, they require use of the Opito ramp to operate their business. In the meantime, the immediate presenting issues at Opito Bay have been partly resolved by the commercial operation submitting Health and Safety and Traffic Management plans as required by Council.

On 5 June 2015, Council resolved:

THAT the part of the resolution adopted by Council on 11 December 2014;

“THAT the Maritime Bylaw 2002 be amended to remove the right to use Opito Bay boat ramp for commercial purposes and to clarify the distinction between boat ramps and wharves in the Bylaw;” be rescinded;

AND THAT consultation under the requirements of Section 82 of the Local Government Act 2008 proceeds with affected parties on changes to the Maritime Bylaw 2002 in the following regards;

- 1. Change the Bylaw to exclude Commercial users from the Opito Bay boat ramp; or, Change the Bylaw to include controls that will enable Council to keep the public safe from harm during the periods the boat ramps and wharves are used by Commercial operators;*
- 2. Clarify the distinction between boat ramps and wharves in the Bylaw;*
- 3. Provide a definition of commercial users of wharves and/or boat ramps.*

This report actions that resolution and proposes an amended Bylaw for consultation which addresses the issues raised by affected parties to date.

Charges for use of Maritime Facilities

The proposed Bylaw restricts the use of recreational facilities by commercial operators, with the intent to charge for this use, which will go towards the upkeep of the facilities. Fees and charges are set by resolution of the Council usually, though not always, as part of the Annual and Long Term Plans. To apply that process to Maritime Facilities is a change from the existing Bylaw which includes charges as part of the Bylaw itself.

The advantage of not including charges as part of the Bylaws is that the fees and charges can be set by Council resolution. If a commercial operator is making commercial advantage from the use of a recreational facility, then it is to be expected that they would pay a corresponding fee or charge.

2) Discussion and options

Local Government Act 2002 Section 155 Determination

This legal determination requires answering the three questions below:

1. Is a bylaw the most appropriate way of addressing the problem?

Yes. A bylaw is the most appropriate way of regulating Maritime Facilities because there is no other regulatory instrument for this purpose. A bylaw can protect public health and safety and protect the public from nuisance. A bylaw can be a deterrent and empower the Council to prosecute for serious breaches or to issue an injunction to prevent a potential breach.

2. Is this the most appropriate form of bylaw?

Yes. The Maritime Facilities Bylaw is the most appropriate form of bylaw because it regulates the safe and equitable use of maritime assets provided by the Council for public benefit.

3. Are there any implications under the New Zealand Bill of Rights Act 1990?

There are no known Bill of Rights implications.

Therefore it is proposed that the Maritime Facilities Bylaw is the most appropriate way to manage the problems arising from the operation of maritime facilities.

Option 1 Recommend adoption of the Maritime Facilities Bylaw Statement of Proposal.

The Proposed Bylaw review has resulted in the restricted use of recreational ramps by commercial operators, as well as the removal of fees and charges from the bylaw and clarification of relevant maritime facility definitions.

The bylaw now provides clear definitions of maritime facilities to incorporate all maritime facility types within our District including but not limited to wharf, boat ramp and launching facility.

The removal of fees and charges from the Proposed Bylaw and insertion into the Schedule of Fees and Charges will allow Council to review the charges on an annual basis and make amendments that reflect current use and affordability for all maritime facility users without the requirement of a bylaw review.

The insertion of the definition of a commercial operator provides for all maritime commercial types.

The Proposed Bylaw also provides for provisions for which a commercial operator may use a recreational ramp. This will only be permitted upon a full application to Council and subsequent approval of that application. Approval would be reviewed annually and subject to the fee set by Council. Health and safety and traffic management plans may be required. Other conditions may be set by Council.

Option 2 Status quo

The Maritime Facilities Bylaw remains as is, and issues around the Opito Bay recreational ramp, commercial use, and the definition of wharves and ramps is left unaddressed.

Option 1 is the preferred option recommended by staff.

Consultation and decision-making process

The Maritime Facilities Bylaw is significant under the Council's Significance and Engagement Policy, because it has a high impact upon some households, visitors and operators. Therefore, LGA 2002 s 156 states that a Special Consultative Procedure is required to propose an amended new Bylaw.

A summary of the process proposed is set out in the diagram below:



3) Financial implications and budgetary provision

There are no direct financial implications to the Bylaw review process. Costs associated with the review of this consultation have been budgeted for.

4) Reason for the recommendation

A Maritime Facilities Bylaw is the most appropriate way of managing the problem.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management

Attachment 1: Statement of Proposal Maritime Facilities Bylaw 2017 Tracked Changes - Document number A1875273

Attachment 2: Draft Maritime Facilities Bylaw 2017 - Document number A1875274

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 s 77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,-
 - a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) assess the options in terms of their advantages and disadvantages; and
 - c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Maritime Facilities impacts upon the outcome: Safe, healthy, resilient places and people.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	No direct implications identified. Council facilities enable access to the water.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	The community may be significantly impacted by changes in an area where there is a ramp, wharf or equivalent facility. There is strong community interest in some areas, particularly Opito Bay where there have been issues with the commercial use of a wharf conflicting with community use.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	The matter is of high significance.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The matter has District-wide relevance.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	Cost associated with this Bylaw and consultation (SCP) have been budgeted for. The Chief Financial Officer has reviewed this report.



STATEMENT OF PROPOSAL THE FAR NORTH DISTRICT COUNCIL

MARITIME FACILITIES BYLAW 2017

Pursuant to Section 145 of the Local Government Act 2002 and every other enabling power and authority.

To come into force: XXXX

For the purpose of: regulating the use of wharves, boat ramps, grids, pontoons and other landing facilities, places, grids, pontoons and other facilities, either owned by the Far North District Council, or controlled by the Council under a management agreement with Far North Holdings Limited owning or leasing land on which such facilities are situated.

To be reviewed by: XXXX

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1. 1. INTRODUCTIONPURPOSE

- 1.1 This bylaw is made by the Far North District Council in accordance with the provisions of the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992, section 16 of the Local Government Amendment Act (no.2) 1999, and every other enabling power and authority.
- 1.2 The purpose of this bylaw is to enable the regulation of the use of wharves, boat ramps, grids, pontoons and other landing facilities, places, grids and pontoons, either owned by the Council or controlled by the Council under a management agreement with Far North Holdings Limited owning or leasing land on which such facilities are situated, and where applicable to impose charges for the use of piles and swing moorings. for the use of maritime facilities (refer Far North District Council Schedule of Fees and Charges).

2. COMMENCEMENT AND APPLICATION

- 2.1 This bylaw comes into force on 01 July 2017.
- 2.2 This bylaw applies to those facilities and places described in the Schedule hereto.

3. INTERPRETATION

“Agent” means any person or company appointed by the Council to collect charges on behalf of the Council.

“Animal” has the same meaning as in the Animal Products Act 1999.

“Authorised Person” means any person authorised in writing by the Council or by the Council’s chief Executive Officer to carry out and enforce the obligations and requirements of this Bylaw.

“Boat Ramp” means an even-surfaced concrete or similarly constructed ramp sloping from the land a public road into the sea for the purpose of launching a vessel into the sea from the back of a trailer or for landing a vessel back onto a the trailer.

“Coastal marine area” means a coastal marine area as defined in section 2 of the Resource Management Act 1991.

“Coastal marine area” means a coastal marine area as defined in section 2 of the Resource Management Act 1991.

“Commercial wharf” means any wharf listed in part of the Schedule hereto.

“Commercial operator” – means a person who operates a vessel for hire or reward of any kind. other than for tourism.

“Commercial vessel” means any vessel used to produce income other than by charter for tourism.

“Council” means the Far North District Council.

“East Coast wharf” means any wharf other than a wharf located within the Hokianga Harbour.

“Fees” includes any due, fee, or charge payable or able to be levied under this Bylaw. Fees and charges applicable to this Bylaw are incorporated in the Far North District Council Schedule of Fees and Charges, reviewed annually.

“Fish” is given the same meaning as in the Fisheries Act 1996.

“Goods” includes wares and merchandise of every description and all chattels, livestock, and other articles.

“Grid” means any grid listed in the First Schedule hereto.

“Launching Facility” means any facility constructed and used for the launching and landing of vessels and includes wharves, boat ramps and grids and any other such man-made construction.

“Master” means the person, not being a pilot, having command or charge of any ship.

“Mooring” means anchoring or making fast to the shore, dock, sea bed or foreshore; the securing or confining of a vessel in a particular station, as by cables, anchors, line or chain. any weight or article placed in or on the foreshore, or the bed of a harbour, navigable lake, navigable river, or the sea for the purpose of securing a vessel, raft, aircraft, or floating structure; and includes any wire, rope, buoy, or other device attached or connected to such weight or article, but does not include an anchor which is normally removed with a vessel, raft, aircraft, or floating structure when it leaves a site or anchorage.

“Non-commercial vessel” means any vessel other than a commercial vessel.

“Non-commercial wharf” means any non-commercial wharf listed as such in the First Schedule hereto.

“Pilot” means any person not belonging to a ship who has the conduct thereof.

“Publicly notified” means notified or published in one or more newspaper(s) circulating at or near the wharf or place in relation to which that expression is used.

“Ship” includes every description of vessel.

“Vessel” means a ship, boat, hovercraft, or any other description of vessel used or designed to be used in navigation.

“Wharf” means a wooden structure extending from the land into the sea, supporting a footpath or vehicle accessway leading to a means of access to board a vessel moored to the structure.

34. VESSELS COMING ALONGSIDE WHARVES

43.1 The master of any vessel coming alongside any wharf shall be responsible for the proper and safe berthing of that vessel, and the master and owner of the vessel shall be responsible for any damage done to any wharf in connection with that vessel. The Council may repair any such damage and charge the cost of doing so against the master or owner of the vessel which did the damage, such cost being recoverable by action in the appropriate court.

5. BERTHING DIRECTIONS AS TO BERTHING

5.1 The master of any vessel requiring to berth at any wharf launching facility, wharf, grid or ramp, shall obey the instructions of the Council or any authorised person, as to where that vessel is to be berthed.

5.2 No vessel shall remain berthed at any wharf launching facility, wharf, grid or ramp, longer than is necessary to load or discharge passengers or goods, provided that no vessel shall remain berthed at any wharf for more than 30

minutes other than for an unavoidable and necessary purpose, unless the prior permission of the Council or any authorised person has been obtained and the prescribed fee has been paid.

- 5.3 Any master required by the Council or any authorised person to move any vessel from any wharf launching facility, wharf, grid or ramp, must do so immediately.

6. USE OF LAUNCHING FACILITIES

- 6.1 No person shall make fast any vessel to any wharf launching facility or part of any launching facility wharf set aside for the use of commercial vessels or rental vessels or allow any vessel to be so near to any launching facility wharf as to obstruct the approach of other vessels, or allow any vessel to lie alongside any launching facility wharf or any part of any launching facility wharf required for embarking or landing of any passengers except as otherwise provided in this Bylaw.

- 6.2 No person shall fish, nor swim from, nor engage in any underwater swimming or underwater activity from or near any part of any launching facility while that part is in use for the purpose of embarking or landing passengers or while any vessel is approaching or departing from such part of any launching facility.

- 6.3 No person shall commit a nuisance on, under or about any launching facility, or engage in any activity or unsafe practice on, under or about any launching facility, which is likely to cause injury to any person or damage to any property.

- 6.4 No person shall leave on or near any launching facility any vessel, trailer or motor vehicle so as to obstruct the reasonable use of such launching facility by any other person.

- 6.5 The master or owner of every commercial fishing vessel wishing to load or unload fish shall only use a commercial facility owned or leased by Far North Holdings Ltd or Paua (Te Pua) and Opononi wharves for that purpose and then only upon payment of the prescribed fee as set out in the Second Schedule.

- 6.5 The permitted use of recreational launching facilities listed in the Schedule is limited to recreational users only.

- 6.6 Commercial users are permitted to use recreational launching facilities if approved by Council and will be subject to:

- completion of an application to Council;
- fees as specified by resolution of Council;
- health and safety and traffic management plans approved by Council if required
- annual review by Council;
- any other local conditions specified in a letter of approval.

- 6.7 In relation to any vessel the master or owner thereof shall seal all waste water discharge seacocks with the exception of bilge, refrigeration and engine cooling system discharge points and shall permit officers of the Northland Regional Council, Far North District Council or their agents to board vessels at any time to inspect the vessel and/or to check any discharges.

7. CLEANING WHARVES

- 7.1 Before any vessel is removed from any launching facility the master shall ensure that all dirt and rubbish is cleared from that part of the launching facility occupied by the vessel and deposited as directed by the Council or any authorised person.

8. ANIMALS ON LAUNCHING FACILITIES

- 8.1 No person shall permit any animal to remain on any launching facility for any time longer than is necessary for loading or unloading of that animal.

9. DANGEROUS GOODS ON LAUNCHING FACILITIES

- 9.1 Any person landing or causing to be landed from any vessel on to any launching facilities any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character shall cause the same to be removed from the landing facility immediately on being landed, and any omission to do so constitutes an offence.
- 98.2 No person shall load any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character on to any vessel from any launching facility other than in sealed containers unless prior approval has been obtained from the Council or any authorised person.
- 98.3 Fuel bunkering on landing facilities is prohibited unless approved by Council or by its agent. and a Tier 1 plan is required for any approval to be given. No bunkering will be approved on wharves which have an operating on-site fuel service.

10. GOODS LANDED ON LAUNCHING FACILITIES

- 10.1 All goods landed or loaded at any launching facilities shall be at the risk of the person loading the goods or causing the goods to be landed, and the Council shall be under no responsibility to deliver the goods to the consignee.
- 10.2 Any goods placed on any launching facilities shall be placed there at the consignor's own risk, and the consignor shall be responsible for the safety of the goods until accepted by the master, owner or agent of the vessel on which they are to be shipped.
- 10.3 Goods shall not be left unattended on any launching facilities.

11. VEHICLES ON LAUNCHING FACILITIES

- 11.1 No person shall move any vehicle on any launching facility at a speed exceeding 10 km per hour.

12. OBSTRUCTION ON LAUNCHING FACILITIES

- 12.1 No person shall in any way obstruct or impede traffic on any wharf.
- 12.2 No person shall park a vehicle on any launching facility other than in accordance with instructions of the Council or any authorised person.

13. POWERS OF COUNCIL OR ANY AUTHORISED PERSON

- 13.1 The Council or any authorised person shall have power to close all or part of any launching facility whenever it is considered advisable to do so, and no person shall enter upon any launching facility so closed without the consent of the Council or authorised person.
- 13.2 Any authorised person may require the owner or master of any vessel to comply with this bylaw. If the owner or master of such vessel does not comply as required or cannot readily be located, an authorised person may authorise the removal of the vessel to another place of reasonable safety provided that neither the Council nor the authorised person shall be responsible for any loss of or damage to such vessel or its equipment sustained for any reason during the course of or subsequent to its removal. Any expense incurred by the Council during such removal may be recovered from the owner or master in the appropriate court.

1. CLAIMS AGAINST COUNCIL

- 1.1 No person shall be entitled to claim against the Council for the loss of any goods landed or placed on any launching facility or in any wharf shed, but nothing in this clause shall relieve the Council from liability for negligence on the part of any servant of the Council acting within the scope and in the course of his or her employment.

14. REMOVAL OF GOODS

- 14.1 Where any goods remain on any launching facility for more than 4 hours, or where any such goods hinder the loading or unloading of any vessel, or are an impediment to the approaches of any launching facility, the Council or any authorised person may have the goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt of the goods.

15. POWER TO SELL GOODS

- 15.1 In default of payment of any fees or payment due in respect of any goods under clause 14, the Council or any authorised person may sell the goods.

16. USE OF GRIDS AND BOAT RAMPS AND WHARVES

- 16.1 No person shall use any launching facility, public grid, or boat ramp or wharf otherwise than in accordance with the requirements of this Bylaw.

17. FEES PAYABLE

- 17.1 The master or owner of every vessel using any launching facility, shall pay such fees as are prescribed by the Far North District Council Schedule of Fees and Charges. Council from time to time by resolution publicly notified.
Upon payment of the prescribed fee the Council or Agent shall issue a maritime

17.2 facilities licence to the master or the owner of the vessel. The licence shall be carried by the master or owner whenever the vessel uses any launching facility, and shall either be displayed in a visible position or shown to any Council agent or authorised person upon request.

18. OFFENCES AND PENALTIES

18.1 Every person commits an offence against this Bylaw who:

- (a) Refuses to carry out the lawful instructions of the Council or any authorised person; or
- (b) Permits the remains of fish offal or other offensive matter to be placed on or about any launching facility; or
- (c) Without the consent of the Council or any authorised person, uses any launching facility for a purpose other than embarking or disembarking passengers or loading or unloading goods; or
- (d) Does any act in contravention of or fails to comply with any provision of this Bylaw.

18.2 Every person who breaches this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable on summary conviction to a fine not exceeding \$20,000.00 under section 242(42) of the Local Government Act 2002.

18.3 The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw. Any person who commits an offence against this Bylaw is liable to the penalty prescribed by the Local Government Act 2002; a fine not exceeding \$20 000.

19. CHANGES TO SCHEDULE

20.1 The Council may from time to time by resolution publicly notified make additions to, deletions from, or alterations to the Schedule to this Bylaw.

SCHEDULE

LAUNCHING FACILITIES (WHARVES, BOAT RAMPS and GRIDS) TO WHICH THE MARTIME FACILITIES BYLAWS APPLIES

Those grids situated at:

Mill Bay, Mangonui Harbour (adjacent to the trailer-boat ramp)
Rawene, Hokianga Harbour
Unahi Wharf grid, Rangaunu Harbour

Those recreational boat ramps situated at:

Russell, Bay of Islands	Hihi Beach, Doubtless Bay
Tapeka, Bay of Islands	Kohukohu, Hokianga Harbour*
Kaimarama Bay (Te Rawhiti), Bay of Islands	Horeke, Hokianga Harbour
Opito Bay, Bay of Islands	Opononi, Hokianga Harbour
Rangitane, Bay of Islands	Rawene, Hokianga Harbour*
Waipapa Landing, Bay of Islands	Omapere, Hokianga Harbour
Te Haumi, Bay of Islands	Waitapu (Rangi Point), Hokianga Harbour
Ratcliffe Bay, Whangaroa Harbour	Houhora Heads, Houhora
Totara North, Whangaroa Harbour	Unahi ramp, Rangaunu Harbour
Mill Bay, Mangonui Harbour	Waitangi, Bay of Islands
Taipa, Taipa River	Pukenui, Houhora Harbour

*** The Hokianga Ferry terminals are separate facilities operated as part of the roading network.**

Those commercial wharves situated at:

Paua (Te Pua), Parengarenga Harbour
Opononi, Hokianga Harbour
Mangonui Wharf (Mangonui Harbour)
Totara North Wharf, Whangaroa Harbour
Opua Wharf, Bay of Islands
Russell Wharf, Bay of Islands
Pukenui Wharf, Houhora Harbour

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Those recreational wharves situated at:

Stone Store Kerikeri Landing, Bay of Islands

Waipapa, Bay of Islands

Whangaroa (Clansman), Whangaroa Harbour

Whangaroa (Marlin), Whangaroa Harbour

Mill Bay, Mangonui Harbour

Mangonui Jetty, Mangonui Harbour

Te Hapua, Parengarenga Harbour

Tangaoke Landing, Parengarenga Harbour

Kohukohu, Hokianga Harbour

Horeke, Hokianga Harbour

The Narrows, Hokianga Harbour

Rawene Jetty, Hokianga Harbour

Rawene Pontoon, Hokianga Harbour

Te Karaka, Hokianga Harbour

Mangungu, Hokianga Harbour

Omapere, Hokianga Harbour

Motuti Walkway, Hokianga Harbour

Unahi wharf, Rangaunu Harbour

Paua (Te Pua), Parengarenga Harbour

Taipa Jetty, Doubtless Bay



STATEMENT OF PROPOSAL THE FAR NORTH DISTRICT COUNCIL

MARITIME FACILITIES BYLAW 2017

Pursuant to Section 145 of the Local Government Act 2002 and every other enabling power and authority.

To come into force: XXXX 2017

For the purpose of: regulating the use of wharves, boat ramps, grids, pontoons and other landing facilities, either owned by the Far North District Council, or controlled by the Council under a management agreement with Far North Holdings Limited owning or leasing land on which such facilities are situated.

To be reviewed by: XXXX

I N D E X

Clause

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|-----------|---|
| 1 | Purpose |
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| 16 | Use of Grids, Boat Ramps and Wharves |
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| 19 | Changes to Schedule |

1 Purpose

- 1.1 The purpose of this bylaw is to enable the regulation of the use of wharves, boat ramps, grids, pontoons and other landing facilities, either owned by the Council or controlled by the Council under a management agreement with Far North Holdings Limited owning or leasing land on which such facilities are situated, and, where applicable, to impose charges for the use of maritime facilities (refer Far North District Council Schedule of Fees and Charges).

2. Commencement and Application

- 2.1 This Bylaw comes into force on 01 October 2017.
- 2.2 This Bylaw applies to those facilities described in the Schedule hereto.

3 Interpretation

AGENT means any person or company appointed by the Council to collect charges on behalf of the Council.

ANIMAL has the same meaning as in the Animal Products Act 1999.

AUTHORISED PERSON means any person authorised in writing by the Council or by the Council's Chief Executive Officer to carry out and enforce the obligations and requirements of this Bylaw.

BOAT RAMP means a concrete or similarly constructed ramp sloping from the land into the sea for the purpose of launching a vessel into the sea from the back of a trailer or for landing a vessel back onto a trailer.

COASTAL MARINE AREA means a coastal marine area as defined in section 2 of the Resource Management Act 1991.

COMMERCIAL OPERATOR means a person who operates a vessel for hire or reward of any kind.

COUNCIL means the Far North District Council.

FEES includes any due, fee, or charge payable or able to be levied under this Bylaw. Fees and charges applicable to this Bylaw are incorporated in the Far North District Council Schedule of Fees and Charges, reviewed annually.

FISH is given the same meaning as in the Fisheries Act 1996.

GOODS includes wares and merchandise of every description and all chattels, livestock, and other articles.

GRID means any grid listed in the Schedule hereto.

LAUNCHING FACILITY means any facility constructed and used for the launching and landing of vessels and includes wharves, boat ramps and grids and any other such man-made construction.

MASTER means the person, not being a pilot, having command or charge of any ship.

MOORING means anchoring or making fast to the shore, dock, sea bed or foreshore; the securing or confining of a vessel in a particular station, as by cables, anchors, line or chain.

PILOT means any person not belonging to a ship who has the conduct thereof.

PUBLICLY NOTIFIED means notified or published in one or more newspaper(s) circulating at or near the wharf or place in relation to which that expression is used.

SHIP includes every description of vessel.

VESSEL means a ship, boat, hovercraft, or any other description of vessel used or designed to be used in navigation.

WHARF means a wooden structure extending from the land into the sea, supporting a footpath or vehicle accessway leading to a means of access to board a vessel moored to the structure.

4. Vessels Coming Alongside Wharves

4.1 The master of any vessel coming alongside any wharf shall be responsible for the proper and safe berthing of that vessel, and the master and owner of the vessel shall be responsible for any damage done to any wharf in connection with that vessel. The Council may repair any such damage and charge the cost of doing so against the master or owner of the vessel which did the damage, such cost being recoverable by action in the appropriate court.

5. Berthing Directions

5.1 The master of any vessel requiring to berth at any launching facility, wharf, grid or boat ramp shall obey the instructions of the Council or any authorised person as to where that vessel is to be berthed.

5.2 No vessel shall remain berthed at any launching facility, wharf, grid or boat ramp longer than is necessary to load or discharge passengers or goods, provided that no vessel shall remain berthed at any wharf for more than 30 minutes other than for an unavoidable and necessary purpose, unless the prior permission of the Council or any authorised person has been obtained and the prescribed fee has been paid.

5.3 Any master required by the Council or any authorised person to move any vessel from any launching facility, wharf, grid or ramp must do so immediately.

6. Use of Launching Facilities

6.1 No person shall make fast any vessel to any launching facility or part of any launching facility set aside for the use of commercial vessels or rental vessels or allow any vessel to be so near to any launching facility as to obstruct the approach of other vessels, or allow any vessel to lie alongside any launching facility or any part of any launching facility required for embarking or landing of any passengers except as otherwise provided in this Bylaw.

- 6.2 No person shall fish, nor swim from, nor engage in any underwater swimming or underwater activity from or near any part of any launching facility while that part is in use for the purpose of embarking or landing passengers or while any vessel is approaching or departing from such part of any launching facility.
- 6.3 No person shall commit a nuisance on, under or about any launching facility, or engage in any activity or unsafe practice on, under or about any launching facility which is likely to cause injury to any person or damage to any property.
- 6.4 No person shall leave on or near any launching facility any vessel, trailer or motor vehicle so as to obstruct the reasonable use of such launching facility by any other person.
- 6.5 The freely permitted use of recreational launching facilities listed in the Schedule is limited to recreational users only.
- 6.6 Commercial users may be permitted to use recreational launching facilities if approved by Council and will be subject to:
- completion of an application to Council;
 - fees as specified by resolution of Council;
 - health and safety and traffic management plans approved by Council if required
 - annual review by Council;
 - any other local conditions specified in a letter of approval.
- 6.7 In relation to any vessel the master or owner thereof shall seal all waste water discharge seacocks with the exception of bilge, refrigeration and engine cooling system discharge points and shall permit officers of the Northland Regional Council, Far North District Council or their agents to board vessels at any time to inspect the vessel and/or to check any discharges.

7 Cleaning Wharves

- 7.1 Before any vessel is removed from any launching facility the master shall ensure that all dirt and rubbish is cleared from that part of the launching facility occupied by the vessel and deposited as directed by the Council or any authorised person.

8 Animals on Launching Facilities

- 8.1 No person shall permit any animal to remain on any launching facility for any time longer than is necessary for loading or unloading of that animal.

9 Dangerous Goods on Launching Facilities

- 9.1 Any person landing or causing to be landed from any vessel on to any launching facilities any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character shall cause the same to be removed from the landing facility immediately on being landed, and any omission to do so constitutes an offence.
- 9.2 No person shall load any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character on to any vessel from any launching facility

other than in sealed containers unless prior approval has been obtained from the Council or any authorised person.

- 9.3 Fuel bunkering on landing facilities is prohibited unless approved by Council or by its agent. No bunkering will be approved on wharves which have an operating on-site fuel service.

10 Goods Landed on Launching Facilities

- 10.1 All goods landed or loaded at any launching facilities shall be at the risk of the person loading the goods or causing the goods to be landed, and the Council shall be under no responsibility to deliver the goods to the consignee.
- 10.2 Any goods placed on any launching facilities shall be placed there at the consignor's own risk, and the consignor shall be responsible for the safety of the goods until accepted by the master, owner or agent of the vessel on which they are to be shipped.
- 10.3 Goods shall not be left unattended on any launching facilities.

11 Vehicles on Launching Facilities

- 11.1 No person shall move any vehicle on any launching facility at a speed exceeding 10 km per hour.

12 Obstruction on Launching Facilities

- 12.1 No person shall in any way obstruct or impede traffic on any wharf.
- 12.2 No person shall park a vehicle on any launching facility other than in accordance with instructions of the Council or any authorised person.

13 Powers of Council or Any Authorised Person

- 13.1 The Council or any authorised person shall have power to close all or part of any launching facility whenever it is considered advisable to do so, and no person shall enter upon any launching facility so closed without the consent of the Council or authorised person.
- 13.2 Any authorised person may require the owner or master of any vessel to comply with this Bylaw. If the owner or master of such vessel does not comply as required or cannot readily be located, an authorised person may authorise the removal of the vessel to another place of reasonable safety provided that neither the Council nor the authorised person shall be responsible for any loss of or damage to such vessel or its equipment sustained for any reason during the course of or subsequent to its removal. Any expense incurred by the Council during such removal may be recovered from the owner or master in the appropriate court.

14 Removal of Goods

- 14.1 Where any goods remain on any launching facility for more than 4 hours, or where any such goods hinder the loading or unloading of any vessel or are an impediment to the approaches of any launching facility, the Council or any authorised person may have the goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt of the goods.

15 Power to Sell Goods

- 15.1 In default of payment of any fees or payment due in respect of any goods under clause 14, the Council or any authorised person may sell the goods.

16 Use of Grids, Boat Ramps and Wharves

- 16.1 No person shall use any launching facility, grid, boat ramp or wharf otherwise than in accordance with the requirements of this Bylaw.

17 Fees Payable

- 17.1 The master or owner of every vessel using any launching facility, shall pay such fees as are prescribed by the Far North District Council Schedule of Fees and Charges.
- 17.2 Upon payment of the prescribed fee, the Council or Agent shall issue a maritime facilities licence to the master or the owner of the vessel. The licence shall be carried by the master or owner whenever the vessel uses any launching facility, and shall either be displayed in a visible position or shown to any Council agent or authorised person upon request.

18 Offences and Penalties

- 18.1 Every person commits an offence against this Bylaw who:
- (a) Refuses to carry out the lawful instructions of the Council or any authorised person; or
 - (b) Permits the remains of fish offal or other offensive matter to be placed on or about any launching facility; or
 - (c) Without the consent of the Council or any authorised person, uses any launching facility for a purpose other than embarking or disembarking passengers or loading or unloading goods; or
 - (d) Does any act in contravention of or fails to comply with any provision of this Bylaw.
- 18.2 Every person who breaches this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable on summary conviction to a fine not exceeding \$20,000.00 under section 242(4) of the Local Government Act 2002.
- 18.3 The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw.

19 Changes to Schedule

- 19.1 The Council may from time to time by resolution publicly notified make additions to, deletions from, or alterations to the Schedule to this Bylaw.

SCHEDULE

LAUNCHING FACILITIES (WHARVES, BOAT RAMPS and GRIDS) TO WHICH THE MARTIME FACILITIES BYLAW APPLIES

Those grids situated at:

Unahi, Rangaunu Harbour

Those recreational boat ramps situated at:

Russell, Bay of Islands
Tapeka, Bay of Islands
Kaimarama Bay (Te Rawhiti), Bay
of Islands
Opito Bay, Bay of Islands
Rangitane, Bay of Islands
Waipapa Landing, Bay of Islands
Te Haumi, Bay of Islands
Ratcliffe Bay, Whangaroa
Harbour
Totara North, Whangaroa
Harbour
Mill Bay, Mangonui Harbour

Taipa, Taipa River
Hihi Beach, Doubtless Bay
Kohukohu, Hokianga Harbour*
Horeke, Hokianga Harbour
Opononi, Hokianga Harbour
Rawene, Hokianga Harbour*
Omapere, Hokianga Harbour
Waitapu (Rangi Point), Hokianga
Harbour
Houhora Heads, Houhora
Unahi ramp, Rangaunu Harbour
Waitangi, Bay of Islands
Pukenui, Houhora Harbour

* The Hokianga Ferry terminals are separate facilities operated as part of the roading network.

Those commercial wharves situated at:

Mangonui Wharf (Mangonui Harbour)
Totara North Wharf, Whangaroa Harbour
Opua Wharf, Bay of Islands
Russell Wharf, Bay of Islands
Pukenui Wharf, Houhora Harbour

Those recreational wharves situated at:

Stone Store Kerikeri Landing, Bay
of Islands
Waipapa, Bay of Islands
Whangaroa (Clansman),
Whangaroa Harbour
Whangaroa (Marlin), Whangaroa
Harbour
Mill Bay, Mangonui Harbour
Mangonui Jetty, Mangonui
Harbour
Te Hapua, Parengarenga Harbour
Kohukohu, Hokianga Harbour
Horeke, Hokianga Harbour

The Narrows, Hokianga Harbour
Rawene Jetty, Hokianga Harbour
Rawene Pontoon, Hokianga
Harbour
Te Karaka, Hokianga Harbour
Mangungu, Hokianga Harbour
Omapere, Hokianga Harbour
Motuti Walkway, Hokianga
Harbour
Unahi wharf, Rangaunu Harbour
Paua (Te Pua), Porengarenga
Harbour
Taipa Jetty, Doubtless Bay

MEETING: COUNCIL - 22 JUNE 2017
Name of item: PROPOSED CONTROL OF PUBLIC PLACES BYLAW
FIREWORKS AMENDMENT
Author: Neil Miller - Team Leader Policy & Research
Date of report: 8 June 2017
Document number: A1867500

Executive Summary

The purpose of the report is to consider options to reduce the risk of fires caused by fireworks in periods of drought, which can occur at times when fireworks are popular such as New Year's Eve.

Community Boards were asked by the Committee to give feedback on a proposed amendment to the Control of Public Places Bylaw for public consultation. An amendment could restrict the use of fireworks in public places to be only by the written permission of the Council or its agents. There was little support for a restriction to apply to private land. Further research has been undertaken to determine if there is an alternative option.

Under the preferred option, the primary responsibility will rest with Fire and Emergency New Zealand (FENZ). FENZ can introduce a temporary prohibition or restriction on fireworks when fire risk conditions exist or are likely to exist in the area; and the prohibition or restriction is necessary or desirable for fire control.

This report was submitted to the 7 June 2017 Strategy Committee meeting. The Committee makes the following recommendation to Council:

Recommendation

THAT the Control of Public Places Bylaw is not the most appropriate form of Bylaw to manage the problems caused by fireworks.

AND THAT Council request Fire and Emergency New Zealand consider specifying fireworks when introducing any prohibition or restriction on fires in the open air in the District.

1) Background

The lighting of fireworks is not currently regulated by the Far North District Council. Increasingly dry conditions have resulted in a total fire ban across the district, but this ban does not apply to fireworks. Fire is used in legislation in its ordinary meaning but that meaning cannot be extended to fireworks as they are clearly defined in the Hazardous Substances (Fireworks) Regulations 2001:

“Firework means an object containing small quantities of hazardous substances with explosive properties enclosed in a case of paper or similar material of such a strength, construction, and character that the ignition or explosion of one such firework will not cause the explosion en masse of similar fireworks kept or carried with it, and whose sole or principal effect is not percussive or vertical or horizontal flight.”

On 31 December 2016, a fire started on the Karikari Peninsula that was estimated to have been caused by fireworks. It took three days to contain and burned an area of approximately 10 hectares. Therefore, with the support of current Principal Rural

Fire Officer and the Chief Fire Officer for the Kaitaia Fire Brigade, the Strategy Committee was asked to consider the option of a Fireworks Bylaw clause.

On 16 March 2017, the Strategy Committee resolved:

- THAT the matter of the Control of Public Places Bylaw being the most appropriate form of Bylaw to manage the problems caused by fireworks be referred to the Community Boards for consideration and comment.

On 5 April 2017, the Kaikohe-Hokianga Community Board resolved:

- THAT the Kaikohe-Hokianga Community Board make the following recommendation to the Strategy Committee:
- THAT the preference of the Kaikohe-Hokianga Community Board is the retention of the status quo, that no permission would be required to light fireworks in the district.

On 10 April 2017, the Bay of Islands-Whangaroa Community Board resolved:

- THAT the Community Board recommend to the Strategy Committee:
- THAT the Control of Public Places Bylaw is the most appropriate form of Bylaw to manage the problems caused by fireworks:
- AND THAT the Statement of Proposal to amend the Control of Public Places Bylaw be adopted for public consultation.

On 20 April 2017, the Te Hiku Community Board resolved:

- THAT the Te Hiku Community Board recommend to the Council:
- THAT the Council strongly consider proposing a remit at the LGNZ Annual Conference regarding the control of firework use and supply.

In response to the Te Hiku Board, a report to propose a LGNZ remit was considered by Council on and that resolution was not carried. Members of the Te Hiku Community Board were of the opinion that limiting the sale of fireworks would be a more effective approach than limiting the display of fireworks. This reasoning stems in part from the fact that some of those who set off fireworks in the Far North are non-residents and are generally unaware of our bylaws. There are further matters that are relevant to consider in response:

- An offence would still be taking place of breach of a bylaw, even if the person committing the offence was not aware of the bylaw. A person committing an offence may simply be asked to stop on being told about the Bylaw. Indeed an initial warning is a standard operational procedure for minor breaches.
- There are ways of ensuring that non-residents are aware of bylaws, including the placing of notices. Notices could be targeted at high risk areas at high risk times of the year.
- There are identifiable times of high risk when there are drought conditions and in the summer period 2 to 3 months after legal sales. New Year's Eve is likely to be the highest risk time. Targeted communications and organised public displays could be provided as an alternative option.
- The sale of fireworks is regulated at a central government level by the [Hazardous Substances \(Fireworks\) Regulations 2001](#). In 2007 and 2008, amendments to the Regulations restricted the sale of fireworks to those over 18, only during the period 2 – 5 November and, restricted the limitation on noise.
- The current government considered a petition to Parliament to ban the sale of Fireworks in 2015. The [Government Administration Select Committee](#) considered the evidence and did not recommend any changes to the law.

- The Select Committee noted that legislation already covers setting off fireworks in a manner likely to cause injury or alarm to any person, wilfully or recklessly ill-treating animals, and intentionally or recklessly damaging property through fire or explosives are all offences under the Summary Offences Act 1981, the Animal Welfare Act 1999, and the Crimes Act 1961, respectively.
- Also the Select Committee raised concerns about maintaining cultural traditions: “In our view, deciding whether to ban the private use of fireworks requires competing interests to be carefully balanced. We acknowledge the negative effect fireworks can have, particularly when they are used inappropriately. We also recognise the frustration people feel about the unpredictability of private fireworks use. On the other hand, we note that many New Zealanders value backyard fireworks as a nostalgic family tradition and that most people who use fireworks do so safely and responsibly.”
- The Select Committee wondered how enforceable a ‘ban’ on private premises would be, but did not consider how a bylaw could be enforced.

Other Councils have moved to regulate fireworks. For example Auckland Council has a clause in its Public Safety and Nuisance Bylaw 2013: “A person must not set off fireworks, flares or any other explosive material in a public place, except with the prior written approval of the council or a council controlled organisation; and in any other place, in a way that does or is likely to create a nuisance or endanger any person, property, dog or other animal in a public place.” However, the second clause is already covered by other regulations and possibly reflects the issues related to a densely populated urban environment

The views of Community Boards differ considerably, but all three Boards expressed concern that a fireworks clause in the Control of the Use of Public Places Bylaw could be difficult and costly for Council to enforce. However, a Bylaw may not be notably costly or difficult to enforce for the following reasons:

- Fire Officers can be warranted as enforcement officers. This would need to be discussed with FENZ which is due to be established in July 2017.
- Fireworks are readily observable as are the traces left from the use of fireworks. Therefore an offence is detectable and evidence can be provided.
- Council can issue an Injunction to prevent the use of fireworks under [Local Government Act section 162](#) to prevent a display of fireworks.
- Enforcement officers can ask those committing an offence to stop and if they persist, seize and impound any materials that may be used to commit an offence under the [Local Government Act section 164](#).
- A warranted enforcement officer may enter land for the purpose of detecting a breach of a bylaw or the commission of an offence against this Act if the officer has reasonable grounds for suspecting that a breach of the bylaw or the commission of the offence has occurred or is occurring on the land under the [Local Government Act section 172](#). The officer must, if practicable, give reasonable notice to the occupier of the land of the intention to exercise the power, unless the giving of notice would defeat the purpose of entry.
- A warranted enforcement officer may enter occupied land or buildings without giving prior notice if there is a sudden emergency causing or likely to cause loss of life or injury to a person; or damage to property; or damage to the environment; or there is danger to any works or adjoining property under the [Local Government Act section 173](#).
- If an enforcement officer believes on reasonable grounds that a person is committing or has committed an offence under this Act, the officer may direct the person to give his or her name and address; and the name and address and

whereabouts of any other person connected in any way with the alleged offence under [Local Government Act section 178](#).

- Council can take proceedings to the District court which can issue a fine of up to \$5,000 for obstruction of an enforcement officer and/or of a fire officer under the [Local Government Act section 229](#).
- Council take proceedings to the District Court which can issue a fine up to \$20,000 under the [Local Government Act section 242](#).

Auckland Council is currently reviewing its Bylaw. The preliminary findings of staff were:

- The bylaw prohibits the discharge of fireworks in a public place without authorisation. Nevertheless, this behaviour is widespread throughout the region during key times, most notably November 5th, the New Year, and cultural festival times (Chinese New Year, and to a degree Diwali).
- Major problems associated with the public discharge of fireworks include threats to public safety from reckless discharge; litter from discharged firework cartridges; the risk of fire in wooded areas; the threat to stock, horses etc. which may be startled by fireworks; damage to public property; and noise complaints.
- Existing restrictions on the sale of fireworks do not appear to restrict their availability and use due to the common practice of stockpiling fireworks when they are available for sale.
- The discharge of fireworks in public places occurs on a large scale at certain times (as referred to above) and consequently, capacity to enforce compliance with the bylaw is very limited.
- Council has in the past publicised the existence of the ban on fireworks in public places. There is a concern though that this raises expectations amongst members of the public that the ban will be actively enforced.
- Future management strategies are to consider better signage in those locations where the discharge of fireworks is common and managing public areas for the discharge of private fireworks.

In summary, Parliament has determined through a cross-party Select Committee that there will not be further restrictions on the sale of fireworks in the immediate future. There are barriers to effective enforcement as well as a range of potential enforcement tools. Enforcement is an issue for Council in relation to regulations in general. The approach can be to have regulations in place to enable enforcement when it is deemed to be necessary. Effective regulation is in the first instance by promoting voluntary compliance. The next step is assisting compliance by providing information, or directing people to comply. Enforcement is the last option (unless infringement fines are enabled by primary legislation in which case a fine is a common first sanction). Auckland Council's experience raises some doubts as to how effective a bylaw would be and whether there are better mechanisms to alert the public to a high risk of fires due to fireworks.

On June 7 2017, it was resolved:

THAT the Strategy Committee recommend to Council:

THAT the Control of Public Places Bylaw is not the most appropriate form of Bylaw to manage the problems cause by fireworks.

AND THAT Council request Fire and Emergency New Zealand consider specifying fireworks when introducing any prohibition or restriction on fires in the open air in the District.

2) Discussion and options

Section 145 of the LGA gives Council the power to make bylaws for its district for the purpose of preventing the spread of fires.

Local Government Act 2002 Section 155 Determination

This means answering the three questions below:

1. Is a bylaw the most appropriate way of addressing the problem?

Maybe not.

On the one hand, a Bylaw can protect the health and safety of the public and protect the public from nuisance. A Bylaw is a deterrent and allows the Council to prosecute for serious breaches or to issue an injunction to prevent a potential breach. The draft Bylaw states that no person shall light fireworks in any place, at any time without the written permission of Council. Council is able to assess the current conditions and determine whether the lighting of fireworks poses a threat to public safety.

On the other hand, section 145(c) of the LGA states "...a territorial authority may make bylaws for its district subject to sections 20 to 22 of the Forest and Rural Fires Act of 1977, of preventing the spread of fires involving vegetation." That Act has now been superseded by the Fire and Emergency New Zealand Act which gained Royal Assent on 11 May 2017. This new Act repeals the Forest and Rural Fires Act 1977, to give effect to a single, unified fire services organisation for New Zealand.

Section 49 states that:

"(1) FENZ may, in the circumstance described in subsection (2),—

(a) prohibit the lighting of fires in open air in an area:

(b) prohibit or restrict any other activity in an area, including access to the area, that FENZ considers may cause a fire to start or to spread.

(2) The circumstance referred to in subsection (1) is that FENZ considers that—

(a) fire risk conditions exist or are likely to exist in the area; and

(b) the prohibition or restriction is necessary or desirable for fire control.

(5) FENZ may—

(a) publicly notify a prohibition or restriction:

(b) provide notice of the prohibition or restriction directly to any person."

The consideration is whether there should be a restriction that applies generally or whether there should only be a restriction at the behest of the Principal Fire Officer (or equivalent). The frequency of drought conditions during the summer could be interpreted to suggest that a general restriction is to be preferred. The FENZ responsible officer must ensure that fireworks are specifically included in stating a fire restriction.

On balance the legislation appears to make this matter one for FENZ to determine and lead and it is the organisation with the appropriate expertise.

2. Is this the most appropriate form of bylaw?

Yes. If a bylaw was proposed, the Control of the Use of Public Places Bylaw is the most appropriate form of bylaw because it is concerned with public safety and contains restrictions on the lighting of fires. There are no other existing Council bylaws that could include rules for the lighting of fireworks. As the Bylaw already

contains a section on Public Safety and Nuisances, and one of the clauses within specifically regulates the lighting of fires in public places, it would be appropriate to include a clause regulating fireworks in this section of the Bylaw.

3. Are there any implications under the New Zealand Bill of Rights Act 1990?

There are no known implications under the Bill of Rights Act 1990 to the amended Bylaw. However, it could be argued that any attempt to prevent the use of fireworks on private property may have implications, particularly given that letting off fireworks is a legally permitted activity and a Parliamentary Select Committee has recently determined not to ban fireworks from sale or public use.

Therefore it is not clear that a bylaw is the most appropriate mechanism, as there are other legislative mechanisms that could be applied. However, a Bylaw could be proposed if it was determined that the problem was not merely when there are extreme weather conditions, but one that was present year on year.

Option 1 Adopt a Statement of Proposal

A proposal could be to add to the Control of the Use of Public Places Bylaw Clause 3216.6: “No person shall light any fireworks in any public place at any time without the written permission of Council.”

The proposal above is different from that originally presented to the Strategy Committee due to advice that a prohibition of fireworks on private land is disproportionate to the risk of harm from fireworks; could be hard to enforce consistently; may not be widely supported by the public; and is not in accordance with the findings of the Government Administration Select Committee.

Such an amendment would require that written permission be obtained from the Council by anyone wishing to light fireworks in any public place in the District. This would allow Council to take into account the level of risk (such as whether there are drought conditions and the location of a proposed display) when considering these requests. Public displays could be permitted. FENZ could be asked to advise on applications or indeed be delegated to handle them directly. There may or may not be a fee required depending upon identifying any additional costs and the respective roles of Council and FENZ.

Such a Bylaw Amendment would be significant under the Council’s Significance and Engagement Policy because it is of significant interest to the community. Therefore, LGA 2002 s 156 states that a Special Consultative Procedure would be required to propose a Bylaw amendment.

This approach could be used to restrict fireworks in public places to approved public displays only. It would not impact on private premises provided that their use of fireworks does not contravene other regulations. A lack of restriction on private land would limit the effectiveness of a bylaw as the risk of fire is not necessarily any less on private than on public land.

Enforcement of any proposed Bylaw would depend in part upon the support and co-operation of FENZ.

Option 2 Status quo (plus approach to FENZ)

No change to Council bylaws means that no permission would be required to light fireworks in the district, regardless of the fire risk and animal welfare issues. However, the responsible Fire Officer could explicitly issue a prohibition or restriction notice to include fireworks as well as fires when there are extreme weather conditions (droughts). Such a prohibition or restriction could include private land.

Option 2 is the preferred option recommended by staff to prevent fires caused by fireworks. It means that any restriction would only be in place when there are fire risk conditions identified and would be managed and enforced by FENZ. Staff consider approaching FENZ to specify fireworks when introducing any prohibition or restriction is a sensible enhancement to the status quo option.

3) Financial implications and budgetary provision

There are no direct financial implications to the Bylaw review process. There is no cost to the preferred option 2.

If Option 1 was adopted, costs associated with this Bylaw and consultation, have been budgeted for. The main cost would be public notices in newspapers which would not exceed \$1500 in total.

4) Reason for the recommendation

Further investigation and new legislation has clarified that FENZ has the power to specifically restrict fireworks alongside any fire prohibition or restriction. That approach can be adopted by FENZ in the first instance.

A Control of the Use of Public Places Bylaw Fireworks Amendment is not necessarily the most appropriate way of managing and preventing the problems that can be caused by fireworks in the Far North District.

Manager: Dr. Dean Myburgh - General Manager District Services

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 s 77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,-
 - a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) assess the options in terms of their advantages and disadvantages; and
 - c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Fireworks impacts upon the outcome: Safe, healthy resilient places and people.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Restrictions on fireworks help protect the whenua and wildlife.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Restricting the use of fireworks is of significant community interest.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No, the preferred option is not significant. However, a Bylaw amendment to restrict fireworks is of high significance.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The matter has District-wide relevance.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no financial implications to the preferred option. The Chief Financial Officer has reviewed this report.

MEETING: COUNCIL - 22 JUNE 2017

Name of item: HEARING COMMISSIONER'S RECOMMENDATIONS ON SUBMISSIONS TO PROPOSED PLAN CHANGE 20 - TRAFFIC, PARKING AND ACCESS

Author: Tammy Wooster - Senior Policy Planner

Date of report: 15 May 2017

Document number: A1869288

Executive Summary

The purpose of the report is to provide the Strategy Committee with the recommendations made by the Independent Hearing Commissioner for Proposed Plan Change 20 – Traffic, Parking and Access and to request that the recommendations of the Commissioner be accepted.

The plan change hearing was held on 27 February 2017. The plan change specifically relates to Chapter 15.1 (Traffic, Parking and Access), Appendix 3, Part 2 and Chapter 18 Zones of the Operative Far North District Plan.

The Commissioner has generally recommended that the plan change proceed, except for the proposed parking exemption overlay for the town centres of Kerikeri, Kaikohe, Kaitaia, Paihia, Rawene, Kawakawa, Russell, Kaeo and Mangonui. Other minor changes were recommended to improve the clarity, workability, and efficiency of the proposed provisions.

This report was submitted to the 7 June 2017 Strategy Committee meeting. The Committee makes the following recommendation to Council:

Recommendations

THAT pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991, the recommendations of the Commissioner to allow, allow in part or not allow submissions and further submissions on Proposed Plan Change 20 - Traffic, Parking and Access be adopted, such that the Proposed Plan Change is approved subject to consequential amendments arising from the decisions on submissions and further submissions;

AND THAT Council proceeds to notify the decision on Plan Change 20 - Traffic, Parking and Access.

1) Background

PPC20 was prepared as part of a “Rolling Review” of the Operative Far North District Plan (“**the Plan**”). This approach was to review individual chapters of the Plan, based on a program of works, rather than review the entire document. It has now been determined by the Far North District Council (“**the Council**”) that a more consolidated approach will provide an integrated and holistic approach to evaluating and analysing resource management issues for the district. It was determined that it would be inappropriate not to continue with this this plan change.

The proposed change was aimed at improving the management of traffic, parking and access through amendments to the existing provisions within Chapter 15.1 (Traffic, Parking and Access), Appendix 3 and Traffic Intensity rules within all zones. The significant changes associated with the proposed plan change included:

- Increasing consideration and awareness of sustainable transportation options, such as cycling and walking, and access for those with disabilities through amendments to the policy framework and by introducing new rules;
- Reducing parking regulation within the Commercial Zone, with the introduction of a parking exemption overlay for town centres in Kaikohe, Kaitaia, Kerikeri, Paihia, Kawakawa, Russell, Mangonui, Rawene and Kaeo;
- Removing the Traffic Intensity rules from individual zones and combining them into a table within Chapter 15.1 – Traffic, Parking and Access;
- The introduction of the term ‘Gross Business Area’ for use within Appendix 3A (Traffic Intensity Factors) and Appendix 3C (Parking Spaces Required) and amendment to those appendices; and
- Amendments to the Access provisions to ensure consistent and clear terminology, in particular the introduction of a diagram which illustrates where each term applies.

Council resolved to publicly notify PPC20 at its meeting on 23 April 2015. Council passed a resolution, pursuant to section 86B of the RMA, to delay the legal effect of rules for Plan Change 20. That means that the rules in PC20 would apply once the proposed plan change becomes operative in accordance with Clause 20 of Schedule 1 of the RMA.

Following Council’s resolution, PPC20 was subsequently notified with public submissions closing on 19 June 2015 and further submissions closing on 27 August 2015. Council received 16 primary submissions and 10 further submissions.

Council passed a resolution to delegate its powers to hear and make recommendations on PPC20. The hearing was held on the 27 February 2017 with Commissioner William (Bill) Smith as Chairperson.

2) Commissioner not supportive of the Proposed Parking Exemption Overlay

Submitters and Commissioner Smith raised concerns over the proposed parking exemption overlay maps and associated provisions. There were also submitters in support of the proposed exemption. Commissioner Smith adjourned the hearing and allowed Council to provide a written response to all issues raised at the hearing. The planning response identified that the issue focused on the criteria relied on for selecting properties included in the parking exemption overlay and the consistency in adhering to the criteria in the exemption overlay.

The planner’s response suggested that the criteria specified in the Section 32 Report was more a guideline determining what properties should be included in the exemption overlays, and as such was open to personal interpretation, and had not been applied in a consistent manner across the settlements. The proposed maps and provisions were also not adaptive if development occurred in these areas, and users of the plan would not have understood why the maps excluded some properties. The planner’s response concluded that the exemption overlay be removed.

The Commissioner accepted all submissions requesting the removal of the parking exemption overlays and rejected all submission in support.

It should be noted that one of the new provisions promoted by this Plan Change will achieve to a large extent, ends sought by the parking exemption. The proposed new provision 15.1.6.B.1.1, Exemption clause (b) provides that:

“in the commercial zone, no additional on-site car parking spaces are required where the nature of a legally established activity changes, provided that:

- (i) the gross business area of the site is not increased; and
- (ii) activities are not identified as residential or causal accommodation in Appendix 3C

This proposed provision will still relatively enable development in town centres, and provide for adaptive reuse of existing sites. From reviewing consents required for parking breaches in 2016, half of the applications located in the Commercial zone would not have required consent. Most development in the central business areas of the towns nominated for the parking exemption overlay would be re-using existing buildings, rather than removing existing buildings and re-developing the sites. This is especially the case in settlements like Rawene and Kaikohe. Therefore it is still considered that this Plan Change enables development within suitable locations, encourages sustainable development, minimises unnecessary regulatory intervention and better urban design.

The parking exemption overlay can be refined as part of the Consolidated Review. The Abley Transportation Consultants Peer Review Report supported the inclusion of a parking exemption overlay in the nominated town centres. However they also recommended a comprehensive parking strategy and ongoing monitoring of parking use in each town centre to ensure an appropriate level of public parking is available (both on and off-street). At this point in time Council has not adopted a parking strategy as it is still underdevelopment, and there has been no ongoing monitoring of parking use in the nominated towns.

3) Discussion and options

The Commissioner’s recommendations and any proposed text changes have been received and the report is now available for consideration by the Committee (Attachment 1 & 2). The Commissioner has recommended:

“That pursuant to Clauses 29 and 10 of Schedule 1 of the Resource Management Act 1991,

- *That Proposed Plan Change 20 to the Far North District Plan be approved with amendments/modifications; and*
- *Those submissions and further submissions which support Proposed Plan Change 20 are accepted to the extent that the Proposed Plan Change is approved with amendments/modifications; and*
- *Those submissions and further submissions which seek further changes to Proposed Plan Change 20 are accepted to the extent that the Proposed Plan Change is approved with amendments/modifications; and*
- *Except to the extent provided above, all other submissions and further submissions are rejected.”*

Council can approve the Commissioner’s recommendations but cannot modify them. A decision by Council to not approve the Commissioner’s recommendations would need to be supported by adequate reasons and those matters would need to be reheard.

If approved by Council, the decisions will be publicly notified. If a party who made a submission to PPC20 disagrees with the decision they are able to lodge an appeal with the Environment Court within 30 working days of being notified.

4) Financial implications and budgetary provision

The cost associated with the implementation of this proposed plan change and related public notifications and appeals is covered by the District Planning Department operational budget.

5) Reason for the recommendation

It is recommended that the Committee adopt the Commissioner's recommendations as to do otherwise would delay implementation of the changes and at the worst necessitate a repeat of the hearing.

Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group

Attachment 1: Commissioner's Recommendation Report - Document number
A1875593

Attachment 2: Appendix A of the Report - Document number A1875594

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	The proposed plan change is consistent with existing policy and outcomes.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	No implications identified.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	All potentially affected landowners were informed about the plan change prior to notification and during the notification stages. Where submission or comments were received these were taken into consideration.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The local Community Board was informed of the plan change
Financial Implications and Budgetary Provision. Chief Financial Officer review.	As identified above, there is adequate budget to continue processing the proposed plan change. The Chief Financial Officer has reviewed this report.

IN THE MATTER of the Resource Management Act 1991

AND **Proposed Plan Change 20**
To the Far North District Plan
Relating to Traffic, Parking and Access.

RECOMMENDATION REPORT:

WITH A RECOMMENDATION TO THE FAR NORTH DISTRICT COUNCIL ON THE PROPOSED PLAN CHANGE

1.0 INTRODUCTION AND SUMMARY OF RECOMMENDATION

This report identifies the recommendation that the appointed Independent Hearings Commissioner (“**the Commissioner**”) has made to the Far North District Council (“**the Council**”) in relation to its Proposed Plan Change 20 (“**the Plan Change**”) to the operative Far North District Plan (“**the District Plan**”) in accordance with the Resource Management Act 1991 (“**the RMA**”).

This report provides an account of the hearing process leading through to the recommendation to the Council on the plan change.

2.0 MY RECOMMENDATION

My recommendation to the Council is that the plan change be approved, with some amendments and minor modifications, and that the submissions be accepted, accepted in part, or rejected in line with that recommendation. This report should be read in full for the reasons to approve the Plan Change and set out below is a brief summary of those reasons:

- I have concluded that the benefits of the proposed Plan Change provisions outweigh the costs and the risks of not acting are considered to be greater than the risks of acting.
- The proposed provisions, to address the issues as shown in the Plan Change and documentation, are the most appropriate method to achieve Part 2 of the RMA.
- The Section 32 report underpinning the Plan Change appropriately and adequately identified and assessed the pros and cons of the chosen methods.
- I consider that the proposed objectives are the most appropriate means to achieve the purposes of the RMA and that the proposed policies, rules and methods (as amended/modified) are the most appropriate way to achieve the objectives.
- Generally the submissions and evidence did support the Plan Change principles of wanting to consolidate the provisions in one area, remove inconsistencies and to improve the application and implementation of the existing provisions.

- The Plan Change as proposed and subject to the amendments and modifications will fit into and will form part of the District Plan in the future.

3.0 BACKGROUND

A report addressing details of the plan change and the submissions was prepared by Council's Senior Policy Planner, Tammy Wooster, in accordance with Section 42A of the RMA. The report is hereinafter referred to as "**the s42A report**". The s42A report included all the relevant statutory considerations. The recommendation in the s42A report was that the Plan Change be approved with some modifications as a consequence of the submissions.

4.0 THE PLAN CHANGE IN MORE DETAIL

I was told that the Plan Change was one of the last changes to be prepared outside of the consolidated District Plan review which is now in process but if implemented will form part of the District Plan.

When notified, the Proposed Plan change contained a range of amendments to Chapter 15.1 (Traffic, Parking and Access), Appendix 3 and the Traffic Intensity rules within all zones. The key elements associated with the proposed plan change included:

- Increasing consideration and awareness of sustainable transportation options, such as cycling and walking, and access for those with disabilities through amendments to the policy framework and by introducing new rules
- Reducing parking regulation within the Commercial Zone, particularly the introduction of a parking exemption overlay for town centres in Kaikohe, Kaitaia, Kerikeri, Paihia, Kawakawa, Russell, Mangonui, Rawene and Kaeo
- Removing the Traffic Intensity rules from individual zones and combining them into a table within Chapter 15.1 – Traffic, Parking and Access
- The introduction of the term 'Gross Business Area' for use within Appendix 3A (Traffic Intensity Factors) and Appendix 3C (Parking Spaces Required) and amendment to those appendices and
- Amendments to the Access provisions to ensure consistent and clear terminology, in particular the introduction of a diagram which illustrates where each term applies.

In her report Ms Wooster outlined the background to the preparation of the Plan Change and her comments are shown below:

*"PPC20 was prepared as part of a "Rolling Review" of the Far North District Plan ("**the Plan**"). This approach was to review individual chapters of the Plan, based on a programme of work, rather than review the entire document. It has now been determined by the Far North District Council ("**the Council**") that a more consolidated approach will provide an integrated and holistic approach to evaluating and analysing resource management issues for the district. It was determined that it would be inappropriate not to continue with this this plan change.*

Council resolved to publicly notify PPC20 at its meeting on 23 April 2015. Following Council's resolution, PPC20 was subsequently notified with public submissions closing on 19 June 2015 and further submissions closing on 27 August 2015. Council received 16 primary submissions and 10 further submissions. PPC20 is scheduled to be heard on the 27 February 2017."

5.0 APPOINTMENT

The Council appointed me (William (Bill) Smith) as Independent Hearings Commissioner to hear the submitters and the Council's representatives and to make a recommendation on the plan change and recommendations on the submissions to the Plan Change.

Prior to the hearing I had the opportunity to consider the details of the Plan Change and the submissions (including the further submissions received to submissions on the plan change) and the s42A Report.

6.0 THE HEARING

The hearing took place on Monday, 27 February 2017 in the Council's Chambers at Kaikohe. On the 28 February I carried out a site visit to Paihia to view the commercial area and the extent of the parking exemption overlay area for the town centre as this was one of the issues raised in submissions and in evidence presented at the hearing. Appearances were from:

6.1 Submitters

- Bay of Islands Planning Limited and Carrington Jade LP represented by Jeff Kemp who called Dale Pullen of the Bay of Islands Swordfish Club from Paihia as a witness.
- Paihia Centre Limited and UP Management Ltd represented by Ross Porter.
- Horticultural New Zealand (HNZ) represented by Lynette Wharfe, Planning Consultant with the AgriBusiness Group.
- Disability Action Group FNDC represented by David Senior (via video conferencing from Kaitaia).
- Vision Kerikeri and Paihia & Districts Resident and Ratepayers Association represented by Jane Johnston and Rod Brown.

In addition to the above appearances on the 27 February I received written information as detailed below:

- Apology and tabled letter of evidence dated 24 February 2017 from Sarah HO on behalf of the New Zealand Transport Agency (NZTA).
- Apology and tabled letter from M J Foster of Zomac Planning Solutions Ltd on behalf of Progressive Enterprises Limited (PEL).
- Apology from M Dissanayake and apology and tabled letter from L Dissanayake of LMD Planning Consultancy (LMD).
- Apology from D Truscott.

6.2 Council Representatives

- Greg Wilson, Manager, District Planning.
- Tammy Wooster, Senior Policy Planner and Reporting Officer.
- Steve Sanson, Policy Planner.
- Jeanette Bosman, Hearings Administrator.

The Council had appointed me as Independent Hearings Commissioner to consider the Plan Change and the submissions to it given that it is a Council initiated Plan Change.

I took the s42A report prepared by Ms Wooster as read at the hearing. It had also been pre-circulated to submitters. I asked Ms Wooster to present an introduction to the Plan Change.

6.3 Late Submissions

As part of the hearing report Ms Wooster referred in Section 7 of her report to some late submissions being received and provided me with an explanation about the submissions and how late they were and a recommendation that I accept the submissions. After hearing from Ms Wooster I decided that:

Submissions 12/1-2 and FS/26/1 be accepted in accordance with Section 37A of the Act for the following reasons:

- There are no persons who would be adversely affected by the extension / waiver.
- It is in the best interests of the community to have consideration to the matters raised within these submissions, especially as one of the submitters is responsible for the management of the districts State Highways
- Having regard to and considering these submissions does not create any unreasonable delay.

6.4 Evidence

As well as the tabled evidence mentioned above I received evidence including planning evidence at the hearing from:

- Mr Kemp of Bay of Island Planning Limited (BIPL) on behalf of BIPL and Carrington Resort Jade LP (CRJLP) who also called on Mr Cullen of the Swordfish Club in Paihia to give evidence.
- Mr R Porter, Asset Manager of Urban Partners on behalf of Paihia Centre Limited (PCL).
- Mr D Senior (via visual link from Kaitaia) on behalf of Disability Action Group FNDC (DAGFNDC).
- Ms Lynette Wharfe of AgriBusiness Group on behalf of HNZ.
- Ms J Johnston and Mr R Brown on behalf of Vision Kerikeri (VKK) and Paihia & Districts Residents and Ratepayers Association.
- Ms Wooster and Mr Wilson on behalf of the Council.

New Zealand Transport Agency (NZTA)

In regards to the tabled letter from NZTA, Ms Ho who had indicated that she was available for questioning via telephone if needed, stated that NZTA:

- supported the policy framework to provide for the ongoing safe and efficient operation of the transport network and consolidation of the Traffic, Parking and Access matters in one Chapter.
- supported the recommendations of the Council's Reporting Planner in respect of the relief sought from the primary and further submissions.

Progressive Enterprises Limited (PEL)

Mr Foster's letter stated that having read the officer's report in relation to the submissions from PEL, particularly section 214 "Appendix 3C: Parking Spaces Required" that PEL supports the recommendations and it was not necessary for him to attend the hearing on behalf of PEL.

LMD Planning Consultancy (LMDPC)

Mr Dissanayake apologised for being unable to attend the hearing and stated that:

- having reviewed the hearing report he was pleased that most of his submission points had been accepted or accepted in part.
- there were about 6 submission points which are not supported in the report and he did not agree with the planners discussion and recommendations on those 6 points.

Bay of Islands Planning Limited & Carrington Resort Jade LP represented by Jeff Kemp (10.16am)

Mr Kemp tabled and read his statement of evidence (copy on Council file) and during his evidence I was able to question him on some of the issues he raised. At the start I advised Mr Kemp that I had agreed that Ms Wooster will be giving her Right of Reply (Response) in writing.

In summary his evidence and my questioning was briefly:

- confirmation that he was representing BOI Planning and Carrington but not Waipapa Pine at this time.
- in relation to Paragraph 5 of his evidence Ms Wooster advised me that she was not aware of the availability of the Clearway Report but that she was busy finding out about it. The 'Further Parking Analysis' as Attachment 2 was not part of another report and had been created by the transport planner and consisted of only the one page. The Abley Report was a peer review report undertaken as part of the plan change and has been publicly available.
- in regards to paragraph 14 and my question as to whether Mr Kemp was suggesting that the plan change be withdrawn, Mr Kemp said that it should be abandoned.
- in his paragraph 18 Mr Kemp clarified that he considered collectively, PC 15 and PC 20 were trying to prevent "out of zone activities"

- paragraph 31 “Gross Business Area”: Mr Kemp stated that he couldn’t say whether other plans have a similar definition.
- in regards to paragraph 55 Mr Kemp said that if the “Kent” report stated that there was excess parking in Kerikeri and Paihia, why the exemption area was not increased.
- following paragraph 58, Mr Kemp introduced Mr Pullen to give some evidence of what is being faced now by applicants/owners of properties in Paihia. Mr Pullen was representing the Bay of Islands Swordfish Club which was in the process of making a resource consent application. Mr Kemp said that the Club property adjoins the parking exemption area in Paihia and the Club wanted to remove the restriction on walk-in customers. Their primary market is tourists. In reply to my question Mr Kemp said that Mr Pullen was presenting evidence to support his submission that, from a land use perspective, the plan change was not going to work.

Mr Pullen indicated where the Club was sited in Paihia and stated that he is the manager of the Bay of Islands Swordfish Club in Russell and Paihia. The problem for the Club was that they were a Club open to members only and not to the public. The application was for a change of licence so that they could become a restaurant and allow entry to the general public, similar to the RSAs. He stated that the customers would mostly be tourists staying in hotels/motels and that most traffic now was foot traffic. The Club had tourists visiting already because the Club was a museum during the day.

In response to how this plan change would affect the application, Mr Pullen stated that in 1991 they had permission to develop as it is. Car parks were conceded at the time, originally 57 car parks were required but reduced to the 15 they have now, with the provision that if the licence was changed in future then the number of carparks would have to be reviewed.

- in reply to a questions from me regarding clarification that whether the plan change went ahead or not the BOI Swordfish Club would still have the same problem because the Club is not within the exemption area, Mr Kemp agreed and said that the purpose of this submission was to have the exemption area reassessed and extended.
- Mr Kemp replied that the first option was that the plan change be withdrawn, if not, then to have the plan change amended and in the case of Paihia the exemption area reassessed and the exemption overlay area expanded. The Club was an example of the practical effects of where these [exemption areas] had been placed.
- Mr Kemp further noted that if new evidence did come forward: the new car parking report which he has not seen displayed in any communications from Council - it had come to light in the hearings process but not through the resource consent process.
- in relation to paragraph 83 I advised Mr Kemp that the title of the Engineering Standards had been raised earlier and Ms Wooster would be following up to ensure consistent use of the correct title. Mr Kemp commented that Council is required to have hardcopies available at principal offices according to a court case.
- in regards to Mr Kemp’s question whether I had been given a timeline for the district plan I replied that I had not but a discussion on the matter was held earlier in open meeting and at this stage there is no definite timeline.
- as a result of my question to Mr Kemp enquiring whether the overlays were the main concern giving rise to the request for the plan change withdrawal Mr Kemp replied that the overlays, the new definition, green space and the cycling matters were the four

principal issues. He agreed that putting all the factors under one heading would be a good idea.

- in reply to my comment that other professionals have submitted and supported the plan change including the green space and cycling, Mr Kemp stated that he was not opposed to the green space and cycling, but that he was concerned with the methodology the Council had adopted – one of cherry picking. He also agreed that the bigger issues should be part of the review so that there was more time to think about them because they will influence changes across zones.
- he agreed that having the provisions consolidated into one area would make it easier for members of the public.
- in regards to his comments in paragraph 94 Mr Kemp confirmed that if any reports had been withheld he was happy to receive the reports, read through them and that he would be happy to return to a re-convened hearing if necessary.

In response to my question as to whether Ms Wooster had any points of clarification of Mr Kemp's evidence Ms Wooster said:

- that Keith Kent had simply compiled an email. The other report referred to was the Clearway Report.
- that she did not recall in Mr Kemp's submission a request to alter the exemption overlay area in Paihia.

I enabled Mr Kemp to respond and he said that he wanted the exemption to be applied to industrial zones and not picking which property got the overlay or not and on that basis he considered that the request to extend the overlays was within the scope of his submission and that the BOI Swordfish Club was providing evidence to support the submission. Mr Kemp confirmed that he had been given the Abley Report prior to making his submission.

I thanked Mr Kemp for his participation and stated that once I had received the information on the reports that I would decide what to do.

Paihia Centre Limited & UP Management Ltd – Ross Porter (11.32am)

Mr Porter tabled and read his written evidence (copy on Council file). In response to questions Mr Porter said:

- in relation to the extent of the exemption overlay area in Paihia that it would not be unreasonable to include the BOI Swordfish Club and other areas and that it should apply to those two properties NW on Marsden Road and Selwyn Road but that backpacker properties may not be appropriate to apply the same principles too.
- that he wouldn't be opposed to its expansion as long as the same principles applied, but would probably have an issue with it going to the Maritime area across the road, given that it is owned in conjunction with the carpark (pointed out in map). Mr Porter confirmed that he meant that as long as it was for retail/commercial on the same side of the road he would not be opposed to the expansion of the overlay area.

I thanked Mr Porter for his participation and confirmed that if the reports (discussed in Mr Kemp's evidence) had not been sent out previously, these would be sent to submitters.

Disability Action Group FNDC – David Senior (via video conferencing from Kaitaia at 11.40am)

Mr Senior stated that the Disability Action Group FNDC was pleased with the changes that provided for safe pedestrian access and disability carparks taking mobility issues into consideration. The only issue of concern he had was the limited amount of disabled car parks that Council is responsible for but which are not compliant. He said that the majority of these car parks are parallel car parks and are not safe enough for people to get out because they have to get out on the street and this does not allow space to get out of vehicle. Also some of the parking spaces are not wide enough. Another issue was the unauthorised use of the disabled car parks although he acknowledged that this was an enforcement issue.

I thanked Mr Senior for his participation.

At this stage I then continued to discuss (in open meeting) with Ms Wooster issues I had identified regarding the S42A Report and evidence which included:

- the tabled letter from LMD Planning Consultancy regarding submission point '9/23': lettering to be corrected and this was accepted by Ms Wooster, as well additional comment '9/24' 'by natural hazard' should be in yellow.
- submission points '9/34' and '9/35' which Ms Wooster said she could not respond until she has consulted with the resource consents engineer.
- the "Typographic errors" which were all accepted by Ms Wooster.
- response to BOIP and Carrington Jade LP evidence which Ms Wooster said she would provide once she had received technical input.
- the response from Ms Wooster that at no point were requests for reports declined. I accepted this and stated that since documents had been found, for natural justice to be done, the reports would need to be circulated to submitters.

At this stage I was also given a copy of the Abley Report consisting of 17 pages and dated 16/03/15 and was told that this was always publicly available.

Horticulture NZ represented by Lynette Wharfe (2.20pm)

Ms Wharfe tabled and read her statement of evidence (copy on Council file) and stated that in regards to paragraph 5.18 it should read "in inappropriate areas" not "in appropriate areas".

As a result of questions from me Ms Wharfe said:

- in regards to the question of Mr Kemp wanting the plan change withdrawn or abandoned she considered that this plan change may assist with some of the effects the Growers [HortNZ] are dealing with (paragraph 5.18).
- on the question of the parking overlay exemption areas Ms Wharfe stated that HortNZ use the rural part of the plan TIF's, etc and that it would probably better to have it all together and cross referenced appropriately throughout the plan.

I thanked Ms Wharfe for presenting her evidence and reiterated the agreement reached regarding Ms Wooster's response in writing and that this would be circulated to submitters.

Vision Kerikeri & Paihia & Districts Residents and Ratepayers Association represented by Jane Johnston and Rod Brown (3.04pm)

Ms Johnston tabled and referred to her written evidence (copy on Council file) and confirmed that she was representing both organisations and that the submissions were essentially the same as was the evidence.

Ms Johnston highlighted the following points from her evidence:

- the basis of the challenge of the plan change is on the research and analysis which she considered flawed – this and reference to the Section 32 analysis were repeated throughout her evidence.
- the plan change provides opportunities to some but not others.
- the technical tweaks are a good idea but other matters such as urban form and function have not been included.
- the process used to undertake change based on survey of parking and taking Paihia as an example: survey done in 2013/14 parking analysis. Peak season 23 December to 14 January. Survey taken between 9am to 6pm – for tourism does not consider hours.
- the data does not capture the metadata e.g. cruise ships, craft market on village green etc and does not cover peak time or the context to the days surveyed.
- 2007 to 2013 the population fell, from the 2013 census number of tourists 50% less than 2006. Now it has all turned around.
- the Business Association also hired primary school fields for staff parking.
- the reduction/use of parking in the area such as parking on deck over marine area and waterfront development – 30 parking spaces less, new education facility, new fire station, new supermarket (was temporary and volunteer fire workers used to park where this supermarket is) have all meant less parking.
- new backpackers with 48 beds.
- in other words a lot of developments that have parking associated with them have taken place, council did not charge parking contributions to build new parking areas.
- there has been no counting/surveys of vacant commercial properties and there were some.
- the count is inaccurate.
- there were no 10 minute parking spaces included yet there are some in Paihia.
- Far North Holdings Limited (FNHL) lease a whole lot of the 'Parking & Display' spaces. Ms Wooster confirmed that 158 spaces have to be available to the public.
- there has been no estimates of parking spaces associated with the backs of buildings and as an example the area behind Marsden Road has a lane with private parking and private parking onsite is not included and tagged for exemption overlays.

As a result of a question from me regarding whether Ms Johnston had an idea or opinion on the state of parking in Paihia, she replied that she had anecdotal evidence that Fullers had to refund pre-booked tickets because parking could not be found.

- incorrect parking.
- other towns may not have had the same development pressures as Paihia and Kerikeri.

As a result of questions from me as to what Vision Kerikeri and Paihia Residents' and Ratepayers' Association wanted; were they asking for an adjournment? Ms Johnston replied that site coverage, flood hazard, urban design should be considered and had not been taken into account and asked what the Council was designing for. In regards to the full District Plan Review Ms Johnston said that she wanted the parking overlay exemption to be revisited during the review; why some properties were in and others not.

As a result of a question from as to whether the submitters supported the rest of the plan change, Mr Brown replied that the population had increased in the last year and the survey was not likely to be representative of 2017. VKK had wanted the Structure Plan implemented, there was an increase of intensity around CBD and the Structure Plan should be considered in the review.

- Ms Johnston wanted to know what would be expected in future. Decrease in 2009. Increase in population but not new businesses. Kerikeri has a hot property market now but commercial spaces have not been taken up. Increase has been due to FNDC and Top Energy taking up more commercial space. The planning keeps looking at the past – Kerikeri Structure Plan and Paihia Master Plan (Focus Paihia have the new road running through fire station). All properties in School Road not allowed to build within 10m of stream – lack of forward planning.
- in regards to a question about the overlay areas, Ms Johnston replied that a residential unit has to have 2 parking spaces onsite but what was the requirement if it is a multi-unit property and referred to page 83 of the current plan.
- Ms Johnston said that if there is a suggestion to change some and no need to provide a rationale for not changing other – there should be a case/justification for retention.
- as a result of a question whether this meant that during the district plan review she considered everything has to be redone including justification for what changes as well as for what stays the same, Ms Johnston replied that there has to be a reason for things staying in the plan as well as for changes.
- in reply to my statement that I could only allow what was in the scope of the plan change; cannot allow for future plan update, or what isn't in the plan change, Ms Johnston replied that the long term plan should consider issues, such as flood risk, it hasn't taken into account flood surge providing into next 20 years, status quo, cruise ship schedule, no connection between public transport, more buses and why no hub for buses. Noise e.g. helicopters arriving every couple of minutes had not been taken into account.
- in regards to Disability access; the context is that this is the fastest growing group – 65+.
- in reply to a question as to whether Ms Johnston wanted the plan change abandoned or withdrawn or were there parts that were supported, Ms Johnston stated that she agreed with parts of the plan change but that it needed more work.

As a point of clarification and in reply to a question from Ms Wooster, Ms Johnston replied that she considered the peak time was from the 23/24th of December for 3 weeks and this is when the parking survey should have been done.

Mr Brown stated that the community of interest is very different when looking at settlements such as Kerikeri and Paihia and others and writing a general plan change is very difficult bearing in mind declining towns etc. Development is not about population growth.

I thanked Ms Johnston and Mr Brown for presenting their evidence and advised them about the Right of Reply (Response).

7.0 PRELIMINARY MATTERS

7.1 Introductory Statement

As a result of reading the s42A report Ms Wooster give a brief introductory statement outlining the details of her s42A report and confirmed that there were no changes to it since it had been circulated and that her recommendations were as shown. At the start of the hearing there were no submitters in attendance so after outlining the process for the hearing and after tabling the written letters of apology and tabled evidence I went through (in open meeting) the s42A report and raised a number of issues (shown below) with Ms Wooster:

- Typographical errors on page 60 to 78.
- Reference to Engineering Standards and Guidelines should be the same as for a previous plan change "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009)".
- Section 32 – Ms Wooster stated that the hearing was on hold to relook at data and that she had been advised by the in house expert that the information was still appropriate.
- Paragraph 12 to be amended as follows:

"A consolidated version of the proposed plan change text and associated maps, incorporating all proposed amendments by Council is provided as Attachment 1 – **Consolidated Final Version** to this report. In this report, the text shown in red represents what was notified. Where changes to the proposed plan change text are recommended in addition to what was notified this it is highlighted yellow. A ~~strike through~~ demonstrates text being deleted and new text is shown as underlined. This relates to the dialogue boxes following each recommended change."
- Paragraph 20: reference to "pre-mediation hearing" should be removed.
- Paragraph 211: Two submitters seem to be out of scope and Mr Sanson is present to deal with "urban design" issues.
- Paragraph 261: Ms Wooster reported that in her experience at the John Butler Centre in Kerikeri there was evidence of cyclists and I commented that I had also noticed cyclists on the way to Kaikohe.

Ms Wooster also confirmed that the statements of evidence for Paihia Residents' and Ratepayers' Association and Vision Kerikeri were to be presented by the same person and that the submissions from both parties were almost identical.

After discussing her opportunity to provide the Right of Reply (Response) I agreed that it could be in writing but that a timeline should be agreed. Ms Wooster said that she may require input from in house experts and so was unable to give a definite date at present but would be able to do so fairly soon after the hearing of submissions.

After hearing from the submitters representatives and/or experts Ms Wooster requested the opportunity to provide me with a written commentary on the submissions that had been heard and/or tabled and I later agreed to give her until 4pm on Friday, 24 March 2017 to provide it. She subsequently requested an extension until 29 March 2017 and her response was received by me on the 29 March 2017. In my reply to the extension I did indicate that if the response did provide any new evidence that there may be a need for the response to be circulated to all parties and the parties given the opportunity to submit any evidence on the response and if requested given the opportunity of being heard – all in accordance with fair process and natural justice. After reading the response, reviewing the evidence and deciding that I had enough information for me to make my recommendation to Council I closed the hearing on 5 April 2017 and requested that the submitters be advised of the closing of the hearing. Her response affirmed that subject to some amendments and modifications to her original recommendations to me that the plan change, with some amendments/modifications, be recommended to the Council for approval with the submissions determined in accordance with that recommendation.

Ms Wooster's written response covered the issues raised and discussed at the hearing and I have carefully read and reviewed her response, the submissions, the evidence from the experts and the evidence from submitters and have formed the view that I agree with the evidence from Ms Wooster that some of the suggested amendments and modifications from submitters should be accepted in full, some in part, some rejected and the result of this is shown in the amended Plan Change attached as Appendix A. I also formed the view that I did not need to reconvene the hearing.

Ms Wooster's response (which covered 28 pages) and the attachment were circulated to all parties and they covered a number of topics/issues and a general summary of her response is shown below. The summary covers the main headings of Ms Wooster's Right of Reply and in some areas has been shown in full. The main issue that Ms Wooster recommended to be amended was in regards to the parking exemption overlay areas (shown in Appendix F) which she originally recommended remain in the Plan Change but which she was now recommending that they be removed. However, in changing her recommendation on this issue she still considered that the Plan Change should proceed. As I have said I generally agree with the amendments/modifications recommended by Ms Wooster.

Withdrawing the Plan Change –

- the request by both Ms Johnson and Mr Kemp that the Plan Change be abandoned or withdrawn for various reasons, the history behind the Plan Change and consultation that had been undertaken, why she considered that the Plan Change should not be left until the consolidated review of the District Plan is undertaken, comment on the expert evidence to support the Plan Change and her recommendation to me that the Plan Change should proceed.

Section 32 Report –

- comments on the Section 32 Report from both Mr Kemp and Ms Johnston, the survey/analysis that forms part of the Section 32 Report not being up to date, the Plan Change not meeting the requirements of the Act, the review work carried out by Mr Kent and her opinion that she did not consider that the hearing needs to be reconvened.

Parking Exemption Overlay Areas Rule and Appendix F –

- issued raised by Mr Truscott, Mr Kemp and Ms Johnson, how the areas were selected, the counting of parking spaces and commentary on the various issues raised by Ms Johnson about when counts were done and what was/wasn't taken into account, her full review of how the parking exemption areas were created and the criteria used, the involvement of community groups and consultation was undertaken, her concerns about how the criteria was applied and how she could not establish a consistent approach of how it was applied and her recommendation to me that the parking exemption overlay areas and reference to Appendix F be removed from the Plan Change and that those submissions requesting the removal of the parking exemption overlay areas be accepted and those in support of their retention be rejected. In addition Ms Wooster commented that:

“Changing my recommendation regarding the parking exemption overlays does not change my position that the Plan Change should proceed. The remaining provisions and overarching amended policy framework combine to promote the sustainable management purpose of the Act. One of the new provisions promoted by this Plan Change will achieve to a large extent, ends sought by the parking exemption. The proposed new provision 15.1.6.B.1.1, Exemption clause (b) provides that:

“in the commercial zone, no additional on-site car parking spaces are required where the nature of a legally established activity changes, provided that:

- (i) the gross business area of the site is not increased; and*
- (ii) activities are not identified as residential or causal accommodation in Appendix 3C*

It is considered that this will still help direct development to town centres, and provide for adaptive reuse of existing sites.”

- Ms Wooster said that the parking overlay areas issue could be refined as part of the consolidated review of the draft plan, that a proposed parking strategy should be completed prior to the completion of the draft plan and further monitoring could be undertaken.

Concern over Omission of Engineering reports –

- reference to issues raised by Mr Kemp and the possibility of the hearing needing to be reconvened, commentary on the two reports referred to in her S42A report being the Abley Consultants Peer review and the Clearway Consultant Report referred to by Mr Kent, Council's Transport Planner in his evidence, the availability of the reports and her opinion that the hearing does not need to be reconvened.

Chapter 3: Definitions and Gross Business Area (GBA) –

- reference to Mr Kemp stating (upon his experience) that there is no evidence to sustain the inclusion of this new proposed definition, which he considers creates additional controls beyond the ability of the existing Plan, concerns raised over the examples referred to in her Report her opinion that the examples demonstrate that traffic movements should be determined on the area of land used to support a activity rather than just a building for example, reference to the current Plan not capturing any traffic movements for a park and sale business (and other examples) as there is no building associated with this type of activity unlike a traditional car yard.

- The creation of the definition and associated rules having been in response to activities in the district generating adverse traffic effects but not triggering resource consent requirements due to GFA being the assessment criteria in most calculations for traffic movements and support for the proposed definition from Mr Kent, Councils Senior Resource Consent Engineer Rex Shand, and Councils Resource Consents Planners and Monitoring Officers. Evidence from Ms Wharfe who has submitted on behalf of Horticulture NZ in support of the retention of the rule. The new proposal also provides for a developer to submit an engineer's report to demonstrate that their activity will not generate the level of traffic effects anticipated by the Plan. This is in lieu of applying for resource consent, which would normally require an engineer's traffic assessment to be provided. Therefore, while there are some new rules placing additional controls to achieve better environmental outcomes for the district, the proposed frame is also enabling where appropriate.
- Reference to The Abley Transportation Consultants Peer Review Report not highlighting any concern over using GBA to determine traffic movements, the link between this definition which is required to support rule 15.1.6B.1.1(b) On-site Car Parking Spaces and if the definition was removed this rule would need to be linked to GFA, which would negate the purpose of this rule, which is to enable a change in land use to continue to use the existing foot print of the existing business, without triggering the need to reconsider parking requirements. Confirmation that her position has not changed and she still recommends rejecting all submissions that seek to remove the proposed definition.

Chapter 15.1: Traffic, Parking & Access –

- reference to submission (9/12) and evidence from Mr Dissanayake and acceptance of the submission.

Chapter 15.1: Traffic -

- firstly reference was made to Mr Kemp stating that he considers that his submission is within scope of the Plan Change to alter the Traffic Intensity Thresholds (removing any threshold for Commercial and Industrial zones), due to the Plan Change modifying the appendix with reference to the various zones through amending the definitions, and due to the Plan Change clearly centring on enabling economic growth and wellbeing within the district. Mr Kemp considers that if it is determined that this submission is outside the scope of the Plan Change then this in turn supports his position that the Plan Change should be abandoned as altering the Traffic Intensity Factors for various activities and introducing a new definition requires regard to be given to the impacts on the zones.
- Secondly, Ms Wharfe who had supported Mr Kemp's submission to remove the Traffic Intensity Factor Thresholds from the Commercial and Industrial Zones also stated that the "zoning implies that the land has the necessary services for activities that can be undertaken in the zone, including an adequate roading network". She considers that this would be an incentive for commercial and industrial activities to locate in appropriate zones versus the Rural Environment. Ms Wharfe disagreed with Ms Wooster's position that altering the zone thresholds is outside the scope of the Plan Change due to Table 15.1.6A.1 being notified as part of the overall Plan Change. However, Ms Ho's evidence on behalf of the NZTA, had accepted Ms Wooster's position that altering the thresholds was not within the scope of this Plan Change and should be considered as part of the

Consolidated District Plan Review. NZTA submission also sought to reduce the thresholds for the Industrial and Commercial Zones.

- Ms Wharfe stated that the reason she had not provided any evidence is that the land with commercial and industrial zoning are anticipated as having adequate services to enable the land to be used for its zoned purpose and concluded that the provisions could make a distinction where the access is via a state highway and the traffic thresholds could be higher if an activity seeks to locate in a different zone. This approach would be consistent with the provisions in the Plan Change where farming and forestry are exempt from the rule. She proposed the following:

Exemption in Rule 15.1.6A.2.1

- (a) Commercial activities locating in Commercial Zones
- (b) Industrial activities locating in Industrial Zones

Unless there is direct access onto a state highway, in which situation a lesser threshold would apply.

- Ms Wooster still consider that submissions seeking to alter the Traffic Intensity Thresholds in the Commercial and Industrial Zones were outside the scope of the Plan Change and referred to the Section 32 Report which clearly states that the Plan Change was not considering changes to the zone threshold values, and that this would be dealt with as part of the Consolidated Review. This was due to the need to have regard to all provisions within the zones, rather than just looking at traffic thresholds in isolation. She considered that Mr Kemp and Ms Wharfe were proposing to remove the existing threshold without providing evidence that the roading network is formed to a standard that can cope with no traffic movement controls and that based on her experience processing resource consents for traffic threshold breaches in the district, it is standard for conditions to be imposed to mitigate traffic effects created and that Mr Shand had advised me that he considers the roads are not adequately constructed to meet the existing demands. The evidence from Ms Ho is that land adjoining the state highway can't cope with the existing thresholds. Therefore removing any standards for the Commercial and Industrial Zones would create additional adverse effects.
- Ms Wooster opinion was that in order for Council to consider removing, retaining or changing the figures an audit of the Commercial and Industrial Zoned land in the district would need to be undertaken, in close consultation with the Council Infrastructure and Asset Management Group and where appropriate NZTA. Appropriate environmental outcomes will not be achieved by just removing the provisions in the Commercial and Industrial Zones without first understanding what effects could be generated and if we get it wrong the community will have to bear the costs of the health and safety issues created.
- Ms Wooster also referred to the Section 32 Report stating that threshold values in the zones were not part of the Plan Change, this may have resulted in members of the public not participating in the process and whilst she accepts that submissions were received requesting this change, and this information was available to the public, how many people in reality understand the formal Schedule 1 plan making process, and would have reviewed the submissions and considered that most lay persons would rely on the Section 32 Report information to determine if this plan change affected them. Her position had not changed and she still considered the submissions to be outside the

scope of the Plan Change but if I did not agree with her position, she recommended that the submissions are rejected for the reasons given in this report.

Assessment Criteria 15.1.6A.7 –

- reference to Mr Dissanayake and his submission 9/23 and also minor error on the s42A Report. Ms Wooster acknowledged Mr Dissanayake concerns and minor errors recommended to be corrected.

Appendix 3A: Traffic Intensity Factors –

- reference to Mr Kemp comments about the Abley Transportation Consultants Report and his opinion that the context of that report would not support any modification to the Traffic Intensity Factors at this point in time via the changes to the definitions, along with introducing new assessment thresholds which is being proposed in this Plan Change. Her comments on reviewing the Abley Transportation Consultants Peer Review Report and all correspondence with them, and confirmation that at no point did they advise that the Plan Change should not proceed and her opinion, that Abley Transportation Consultants are referring to the NZTA Research Report 453 rather than to any Council report.
- comments on concerns raised by Mr Kemp over the TIFs being altered without having consideration of the thresholds for the zones. Her opinion that the majority of the proposed changes are more enabling or balance out the change to GBA, examples of reduction and her opinion that she considers that the proposed changes reflects an appropriate balance to managing traffic effects while still enabling development in the district. Comment on Mr Kemp stating that he still considers that the rule should only apply to new activities on a site whilst not providing any additional reasoning.
- comments when determining what Traffic Intensity Factor should be applied, reference to Mr Kemp still considering it appropriate to make reference to the dominant activity to simplify the assessment process and examples of how the rule is being applied. Comments on Home Occupations.
- her opinion that has not changed in relation to Mr Kemp's submissions on the proposed changes to Appendix 3A: Traffic Intensity Factors and that she still considers the submissions should be rejected.

Apportioning of zone threshold values –

- comment on Mr Kemps' submission requesting that larger sites be given additional development rights, for example a 100ha should have a higher traffic threshold than a 1ha site and this is warranted as it should be linked to subdivision potential although he has not provided any new evidence other than advising traffic effects would be addressed through other rules capturing inappropriate development.
- her opinion that she does not consider sufficient reasoning to alter the way in which the Traffic Threshold values are determined.
- comment on Ms Wharfe opposition to Mr Kemp's position as she considers it's the effects of access to the roading network that need to be assessed regardless of the size of the site.

- comment that although Mr Kemp has restated that he considers it inappropriate to apportion one set of Traffic Intensity Thresholds to a site that contains more than one title he has not provided any additional evidence to demonstrate why giving a site, additional allowances is appropriate if it contains more than one title.
- her opinion that effects are not linked to whether you have 1 or 5 titles, contained within a site; it is influenced by the scale and intensity of the development. If you have 5 titles and you are undertaking an activity over all the titles, it is anticipated that you will have a larger scale development, which should be managed appropriately. Ms Wooster had not changed her opinion in relation to the matters raised by Mr Kemp in how to apportion the zone thresholds and she still recommended rejecting Mr Kemp's submission.

Rule 15.1.6A.5 Discretionary Activities –

- comments on Mr Kemp stating that the rule would not apply to the following Zones - Commercial, Industrial and Horticulture Processing due to there being no upper limit within the Restricted Discretionary Activity thresholds and as such there will never be the opportunity to breach the Restricted Discretionary Activity threshold as specified in the Rule. Her view that the Plan Change is consistent with the format of the Plan where in some instances zones such as Commercial do not have a discretionary activity standard and you would apply the rule in this context. She maintained her recommendation that the submissions are rejected.

Chapter 15.1: Access – Rule 15.1.6C.1.1-

- comments on evidence from Ms Ho on behalf of NZTA and some suggested amendments to the wording which Ms Wooster considered could be misunderstood by users of the plan, difficulty for most people to prove or understand how to apply and therefore she recommended that wording remain as notified.

Rule 15.1.6C.1.2 –

- comment on submissions from Mr Dissanayake regarding private accessways in urban zones and her opinion that submission 9/34 should still be rejected and that as a result of submission 9/35 some wording in table (a) should be amended to make it clearer to users of the plan.

Chapter 15.1: Parking – On-site Parking Spaces -

- acceptance of an error with regards to reference to submissions 9/32-34 which should read 9/32-33.
- comment on Mr Kemp stating that Council has not in past applications applied an assessment to a manager's residence when determining car parks required.
- comment on the representative of the BOI swordfish club speaking at the Hearing to the in relation to their operation and present parking issue, the fact that no submission had been received from the swordfish club, nor did Mr Kemp submit a submission on their behalf and her view that it is unclear if consideration can be given to this evidence, due to the swordfish club not participating in the submission process. However regardless of that point consideration will still be given to the matters they presented at the hearing as it is for me to decide on the legality of their evidence.

- comment on some of the history of the site and parking, the request that if the Plan Change goes ahead that the exemption overlay for Paihia is altered to include their site and confirmation that as stated previously in her response she is recommending that the parking exemption overlay provisions are rejected and are not included in this Plan Change.
- in regards to Mr Kemps position regarding the treatment of managers residences this is not reflective of her own personal experience when processing consents for Council, Plan does not exempt manager's residences, and it would be expected that two car parks would be provided for the proposed residential activity. This would apply whether it was a building designed as a traditional house, or a smaller building reflective of the motel units. It is not appropriate to consider it in the context of the overall development as it generates different parking demands due to users of the manager's resident being permeant vs transit occupiers and that she still maintained her recommendation that the submission is rejected.

Appendix 3C: Parking Spaces Required –

- comment on submission 14/75 which referred to altering thresholds for restaurants, bars and cafes and her opinion that she does not support altering the thresholds for a number of reasons and that the submission should be rejected.

Car Parking Space Standards -

- this relates to submissions/evidence from Mr Kemp regarding the ability for a landowner to stack vehicles over the day e.g. staff, when these car parks do not interfere with other parking allows better use of the site and has no off site effects and whilst the Plan Change does not differentiate between staff and public car parks there is nothing to stop the Plan Change allowing for opportunities that enhance social and economic wellbeing. He also raised concerns over the wording 'satisfaction of Council' and stated a common jurisprudence that a permitted rule shall not contain any discretion.
- Ms Wooster considered that there would have to be significant changes to the Plan Change to facilitate Mr Kemps submission regarding stacked car parking, consideration would have to be given to breaking down staff parking versus customer parking, areas would then need to be designated for the different users, to facilitate stacked parking versus visitor parking and this is not considered within the scope of the plan change, as it would not be fair and reasonable to alter the entire premise of how parking is calculated without giving business operators and the community an opportunity to participate in whether this how they want to determine parking requirements.
- Ms Wooster's opinion was that is considered practical to use the wording 'satisfaction of Council' as different standard are applicable depending on the site. By writing it in a more prescriptive form, it would unduly penalise the community to have to form car parking areas to a higher standard than Council would actually require for that site.

Loading Spaces –

- this was in reference to comments about evidence not being provided at the hearing, but Ms Wooster said that what she had meant to say was that the Plan Change had been developed with support from in-house experts and had been peer reviewed by Abley

Transportation Consultants and as no evidence had been provided by the submitter she was not in a position to change her recommendation.

Cycling and Green Spaces -

- this relates to comments from Mr Kemp that currently if you breach the parking provisions the status of your application is restricted discretionary and if you do not provide the required cycling facilities or green space, it becomes a discretionary activity. He considers that this is a punitive rule and removes the development rights of a land owner. Mr Kemp considers that poor outcomes will result by adopting this rule, it is a disincentive to an applicant and focuses on matters which, as detailed appears to be taken out of some other district plan. He considers that if Council wants to promote economic welling along with developing urban design then this is the wrong way.
- in regards to Mr Kemp's view that the cycling facilities rule is a blunt instrument which taken within the context of a dispersed range of urban areas that create the Far North appears to have no purpose, he considers that applicants will breach this rule to avoid consideration of the cycling rule. He also states a number of issues which he is not supportive of.
- Mr Kemp also has similar concerns over the green space provisions and considers that the desirability of embedding green space in various commercial areas within the district must be assessed within an overall context of each particular area to ensure continuity in terms of open space, access, retail frontage including interconnecting veranda's and security black spots for example. Each individual and successive application under this rule, unless within a wider framework can't result in efficiencies in design, resource use or economic wellbeing. This can only be achieved through forward planning. He considers that without an overall plan for the area, that this rule should be deleted.
- Ms Wooster commented that providing these facilities has not been written as a permitted activity status due to the diversity of the district and it not being a case where these facilities should be provided in all instances. However it is reasonable to require developers to have consideration to these matters if they do not meet the permitted standards of the Plan. If they either cannot achieve these proposed standards or do not wish to, then they can apply for a discretionary activity status consent. If the applicant meets all the appropriate tests then whether it has a restricted or discretionary status should not matter.
- She agrees with Mr Kemp that alternative transport options in the district are not easily assessable such as buses or even taxi's and it is likely that the use of a cycle is the most assessable alternative option, due to the low cost of purchasing a cycle and its running costs and referred to likely cycle use Kaikohe versus Kerikeri. As these rules are not proposed as a permitted activity, then we should be interested in how the resource consent assessment process will be undertaken. She also confirmed that the rule only applies to properties in the Commercial Zone. Her opinion is that the rule relating to green space is considered an appropriate tool to achieve better urban design when having consideration to the transportation rules of the Plan. Her opinion was that as the Plan Change is not reviewing the Commercial Zone provisions the forward planning sought by Mr Kemp is outside the scope of this Plan Change.
- As stated in the Section 32 Report promoting provision of cycling facilities in lieu of car parking encourages a more sustainable transportation option, this also encourages healthier lifestyles and the use of green / open space in lieu of parking can improve

management of stormwater within urban areas, reducing pressure on Council infrastructure. In additional green open space in town centres, breaking up built structures, are believe to improve mental wellbeing for those working and living in urban areas. Providing cycle parking or open spaces will cost less than providing car parks. This option sets asides land that could be developed for future car park or other buildings if required. Having greenbelts can improve biodiversity in urban areas, it also provides areas for workers to take breaks in outdoor settings and encouraging cycling and walking can reduce traffic emissions and traffic congestion.

- The Abley Transportation Consultants Peer Review Report supported having these two provisions in the Plan and actually suggested that Council went further with these provisions. However this was not supported as there needs to be adequate facilities, infrastructure and promotion by Council to ensure that mandatory provision of cycle parking will be utilised by the community. It was considered that requiring developers to provide cycle parking without the demand or supporting facilities/infrastructure may result in unnecessary cost and unused facilities. It was also not considered appropriate to alter the proposed green space provisions due to not wanting to create green space that was either not required or would not be utilised, for example some commercial areas of the district do not have any mixed uses which would benefit for this provision. It is the first step towards creating better urban environments in our district as our population becomes more urban based overtime.
- She maintained her recommendation that the submissions are rejected.

Access -Vesting of land & Service Lanes -

- this is in regards to Mr Kemp stating that the promotion of vesting of land for service access in lieu of car parks is a method he has worked with other councils on, the approach proposed was proactive, created incentives to undertake development and centred on what were the pressing issues in the various commercial areas. It is not a new approach but practical and can achieve results if managed and implemented in a coordinated manner and he was disappointed that by reason of not fitting the Plan Change mix it has been dismissed.
- Mr Kemp states that to achieve better urban design then incentives and encouragement for applicants should be provided to implement service access and remove servicing from the road frontage. The opportunity for Council to provide for service access where it currently does not exist can be remediated via applications where the provision of car parks cannot be attained. By example the provision of land to create interconnecting service lanes would better serve the community than trying to develop car parks when an oversupply in Kerikeri already exists.
- Ms Wooster stated that Mr Kemp is proposing to vest land to Council, this would result in Council having to maintain the service lane and this is not supported by Mr Kent, as where there is no significant community benefit, the rate payer should not have to bear the cost of maintaining these facilities. Also while there may not be a shortage of car parks in Kerikeri this would not be viable option in other towns that do not have sufficient parking. However she did consider there is merit in having consideration to the creation of service lanes to provide better connectivity when undertaking the review of the urban environment zones and mapping of priority areas could also be considered in consultation with the Mr Kent and his wider group.

Private Accessways in Urban Zones -

- In regards to Mr Kemp stating that the width of the access will cause problems as written. A one way system providing access to an aisle of car parks, for example at right angles each side of the access, cannot be undertaken by reason the width cannot accommodate the vehicle tracking curves. That will therefore require a resource consent. He states he is surprised that Council needs to get to this level of detail when the Plan as it is currently written is not known to have created any issues.
- in relation to the new rule he is proposing he was trying to indicate that the standards would only apply if the private access was serving required car parks. A property owner may seek to develop additional car parks beyond the Plans requirements and should not be required to comply with the Plan rules.
- Ms Wooster stated that the purpose of having a maximum width for private accessways in urban zones, is for traffic safety purposes that Mr Shand has advised her that manoeuvring areas are considered to be distinct from accessways and if the developer wished to create parking along the sides of the private accessway this should trigger the requirement to apply for consent, as it may not be suitable to have vehicles reversing into the accessway. She still maintained her recommendation that the submissions are rejected.

Appendix 3B-1: Standards for Private Access –

- In regards to Mr Kemp stating that the Carrington Estate Zone should not be included in the provisions Ms Wooster stated it is in relation to development of the site outside the approved resource consents. Parking and access is already addressed within the zone provision and any development outside of the overall resource consent approval would in any event be deemed a non complying activity. She considered appropriate to include reference to the Carrington Estate Zone in the provisions, it provides clarity to any users of the Plan that this zone is captured by these provisions, as they may not understand or be aware of the history of the site and she maintained her recommendation that the submission is rejected.

General Access Standards –

- This related to the submission requesting exemption for the reversing of vehicles onto a road as it was designed to make the Plan easier to read and considered that it reflected the existing provision in the Plan which allows reversing onto local roads. The requirement to form grass areas between the formed access and the legal boundary as required in the Plan Change is onerous and inappropriate, he does not consider cycle ways, walkways or the like can be developed as the rule does not accommodate such factors and he considers that the rule will create problems between Council and an applicant.
- Mr Kemp commented on the rule applying to all zones not just the urban areas and that he would have difficulty explaining to a client owing a rural site where a subdivision has been undertaken that they must grass the areas between the formed access and the legal boundary.
- Ms Wooster opinion was that the proposed rules have been written to better regulate reversing of sites, for health and safety reasons, the provision to create grass areas

provides for better stormwater management as well as for the reasons stated in the Report.

Affected Party Status and having regard to certain Parties –

- Mr Kemp raised a concern over the NZTA being given affected party status and that written approval will be required from them in relation to rule 15.1.6C.2 Discretionary Activities and 15.1.6C.3 Affected Persons and stated that this approach is inconsistent to what has been approved under Plan Change 15, which has the wording:

Note: Where an application is required because of non-compliance with this rule and the access is off a State Highway or nearby (up to 90m of an intersection) with a State Highway) the New Zealand Transport Agency may be considered an affected party for notification purposes.

- A similar issue was raised with Rule 15.1.6A.4 Restricted Discretionary Activities having specific reference to the Department of Conservation (DoC), restated the same matters raised in his submission and also raised issue with Rule 15.1.6A.7 and Chapter 11 Assessment Criteria having reference to certain parties.
- Ms Wooster opinion was that having regard to DoC was consistent with other restricted discretionary assessment criteria in the Plan. Therefore, she does not recommend removing this criteria. However, after reviewing the Environment Court consent order for Plan Change 15, she confirmed the wording provided by Mr Kemp was correct and recommended that the wording be altered to be consistent with Plan Change 15.

Engineering Standards -

- Mr Kemp advised that the engineering standards referenced in the Plan Change are not reflective of the engineering standards available on Council's website. The standards are referenced ENGINEERING STANDARDS & GUIDELINES 2004 – Revised March 2009.
- At the start of the Hearing session the Commissioner raised a question over the correct reference for the Council Engineering Standards as the wording in this Plan Change was not reflective of Plan Change 19 – Signs and Lighting which he had recently heard. Ms Wooster acknowledged that this was an error, the proposed plan change text, referred to the incorrect version of the engineering standards and therefore this should be correct as appropriate throughout the proposed text and recommended accordingly that the wording be as follows:

“Engineering Standards and Guidelines” (June 2004 – Revised 2009)

Typographical Errors -

- Ms Wooster confirmed that paragraph 20 of the Report refers to pre- hearing mediation in error. There was no pre-hearing mediation for this Plan Change.
- It has been identified that there are typographical errors in the Final Text Version due to track changes not being accepted and in some instances and underlining still showing. These should be removed as appropriate.
- *15.1.5 Methods* - The Commissioner has raised concern over the grammar of method 15.1.5.4. He is concerned that there is a word missing before “provisions”. The

Commissioner has also raised concern over the Commentary below this method. The word “arises” should be “arising”. From reviewing this method and commentary it is considered that the wording could be improved and Ms Wooster recommend changing the wording (**shown in bold**) in relation to method 15.1.5.4 in Chapter 15.1 and Attachment 1 of the Report to the following

15.1.5.4 Council will endeavour to increase **the provisions** of integrated walking and cycling facilities throughout the Far North District, particularly where they will provide the greatest benefit.

- She also recommended changing the wording (**shown in bold**) in relation to the first sentence of the Commentary in Chapter 15.1 and Attachment 1 of the Report to the following:

COMMENTARY

*Traffic is an integral part of the operation of most activities, and can be one of the more significant adverse effects of any activity **arising** from its traffic generating capacity.*

15.1.6 Rules -

- The Commissioner has highlighted that clause (b) of Rule 15.1.6A.3 has an inconsistent format compared to other provisions within the Plan. From reviewing this section, it is agreed that the format is incorrect and needs to refer to the full title of the provision. It has also been identified that the word “with” is missing and she recommended changing the wording (shown in bold) in relation to clause (b) of Rule 15.1.6A.3 in Chapter 15.1 and Attachment 1 of the Report to the following:

(b) it complies with **Rule 15.1.6A.3.1 Traffic Intensity** below; and

- The Commissioner has highlighted that clause (b) of Rule 15.1.6A.4 is also inconsistent with other provisions within the Plan. From reviewing this clause, it is agreed that the format is incorrect and needs to refer to the full title of the provision. It has also been identified that the word “with” is missing and therefore she recommended changing the wording (showing in bold) in relation to the clause (b) of Rule 15.1.6A.4 in Chapter 15.1 and Attachment 1 of the Report to the following:

(b) it complies **with Rule 15.1.6A.4.1 Traffic Intensity** below; and

- The Commissioner has identified that the letters of the clauses in Rule 15.1.6A.4.1 Traffic Intensity are incorrect. From reviewing the format of the clauses in error clause (k) has been referenced (j) and recommended that clause (j) of Rule 15.1.6A.4.1 Traffic Intensity of Chapter 15.1 and Attachment 1 of the Report is updated to (k).
- The Commissioner has highlighted that the word with is missing from clause (b) of Rule 15.1.6A.5 and that the lettering of the clauses are incorrect. I have also identified that in error clause (b) is not referring to the Rules full title. These errors should be corrected and recommended updating Rule 15.1.6A.5 of Chapter 15.1 and Attachment 1 of the Report.
- The Commissioner has identified that clause (b) of Rule 15.1.6A.6 has incorrect wording as “the with” has been repeated in error. This is an error and she recommended updating the wording of Rule 15.1.6A.6 in Chapter 15.1 and Attachment 1 of the Report.
- It has been identified that Rule 15.1.6B.1 clause (a) is not correctly referencing all the permitted standards. It should refer to 15.1.6B.1.6 instead it states 15.1.6B.4.7. This

should be corrected and recommended updating the wording of Rule 15.1.6B.1 in Chapter 15.1 and Attachment 1 of the Report.

- The Commissioner has raised concern over the grammar of clause (c) of Rule 15.1.6B.1.5 Car Parking Standards. From reviewing the second sentence it is considered that “which” should be deleted to improve grammar and recommend removing the word “which” from clause (c) of Rule 15.1.6B.1.5 of Chapter 15.1 and Attachment 1 of the Report.
- The Commissioner has identified that the clauses of 15.1.6B.5 Assessment Criteria are incorrect and out of sequence. From reviewing the format it is agreed that after clause (i) the sequence becomes incorrect and should be updated and recommended that all the clause in 15.1.6B.5 of Chapter 15.1 and Attachment 1 of the Report are updated to refer to clause (a) to (q)
- The Commissioner has stated that there appears to be an error with the numbering of the rules for the access section of Chapter 15.1. From reviewing the text in error 15.1.6C Access was shown as 15.1.6C.1. This should be corrected and recommended that Rule 15.1.6C in Chapter 15.1 and Attachment 1 of the Report.
- The Commissioner has raised a question over the formatting of the text in Rule 15.1.6C.1.2 Parking Accessways in Urban Zones. From reviewing the text it is inconsistent with the use of lower case and capitals. Therefore it should be updated for consistency and recommended that Rule 15.1.C.1.2 in Chapter 15.1 and Attachment 1 of the Report.
- It has been identified that there are inconsistencies in the format of Rules 15.1.6C.1.5 and 15.1.6C.1.6 Vehicle Crossings. At the start of some clauses it says “For” and others it starts with “Private”. The wording should be updated to be consistent and recommended updating the wording of Rule 15.1.6C.1.6 of Chapter 15.1 and Attachment 1 of the Report.
- It has been identified that the word “and” is missing from clause (f) of Assessment Criteria 15.1.6C.4.1. This should be updated and corrected and recommended updating the wording of clause (f) of Assessment Criteria 15.1.6C.1.6 in Chapter 15.1 and Attachment 1 of the Report.

Conclusion and Recommendations

In her conclusion and recommendations at Section 18 Ms Wooster stated that:

- a) *“That all outstanding matters identified in this right of reply, are amended to the extent detailed in this report as illustrated in the recommendations and Attachment 1 – Consolidated Final Version attached to this report. That those submissions and further submission that requested the recommended changed be accepted in whole, and all other submission be rejected to enable the amendments recommended in this report.*
- b) *Any consequential amendments or minor error amendments as required to ensure consistency in numbering, terminology and formatting.”*

8.0 SUBMISSIONS

The s42A report included a summary of the submissions received to the Plan Change and also included a copy of each submission. I had read all the submissions and the summary attached to the s42A report that outlined what the submitters had requested. There were 16 primary

submitters and 10 further submitters. The submissions could be generally categorised as being in support of the Plan Change subject to amendments. However, I do acknowledge that some submitters did request that the Plan Change be abandoned or withdrawn as well as suggesting some amendments/changes if I decided not to recommend that course of action.

The s42A report that had been prepared by Council staff had been pre-circulated to submitters and me. The s42A report was structured under headers of the different issues. It provided a tabulated reference to the issues. Under each issue the details in the submissions (and allied further submissions) was followed by a discussion on the submissions and a recommendation to me. I was able to question the reporting officer and submitters representatives and experts during the hearing.

When making my recommendations to the Council, and when it makes its subsequent decisions, under Clause 10 of the First Schedule of the RMA, it is necessary to give reasons for allowing or not allowing any submissions (grouped by subject matter or individually) either in part or wholly. This requirement also applies to any matter raised during pre-hearing mediation. The decisions of the Council may also include consequential alterations arising out of submissions and pre-hearing mediation and any other relevant matters it considered relating to matters raised in submissions and pre-hearing mediation. The recommendations and the Council decision may also include consequential alterations arising out of submissions and any other relevant matters considered relating to matters raised in submissions.

I wish to acknowledge the appearance of the submitter's representatives, and also the tabled information from the submitters, at the hearing, both in support and opposition to parts of the plan change. The information that was provided from the submitters assisted me in understanding the issues and indeed, I note that Ms Wooster fairly acknowledged a number of those points in her response and final recommendations. I have found that I am largely in agreement with the recommendations made by the reporting officer, subject to the matters listed in this report. The final recommended version of the proposed plan change provisions are attached as Attachment A to this recommendation report.

9.0 STATUTORY CONTEXT

Section 74 of the RMA sets out the matters to be considered by a territorial authority in preparing or changing its district plan. These matters include doing so in accordance with its functions under Section 31, the provisions of Part 2 and its duty under Section 32. Further, also having regard to other documents, including regional planning documents, management plans and strategies prepared under other Acts and iwi planning documents.

Section 75 of the RMA, in addressing the contents of district plans, requires that a district plan must give effect to any national policy statement, any New Zealand Coastal Policy Statement any regional policy statement and must not be inconsistent with a regional plan.

Section 31 addresses the functions of territorial authorities under the RMA and includes:

- (a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district;*
- (b) the control of any actual or potential effects of the use, development, or protection of land,...*

Section 32 RMA provides for the consideration of alternatives, benefits, and costs and requires that an evaluation must be carried out and that an evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

For the purposes of this examination, an evaluation must take into account the benefits and costs of policies, rules, or other methods. A Section 32 Report had been prepared and was notified with the Plan Change. Any evaluation in terms of Section 32 is ongoing and must be undertaken to confirm the appropriateness of the Plan Change. I have read the analysis and was told that the changes are appropriate, efficient and effective also taking into account the scale and significance of the changes recommended.

Part 2 of the RMA, being the purpose and principles of the statute, is the overarching part of the RMA. Regard is to be given to all matters within it. Part 2 includes:

- The purpose of the RMA as contained in Section 5;
- Section 6 - Matters of National Importance that are required to be recognised and provided for;
- Section 7 - Other Matters that require particular regard in achieving the purpose of the Act; and
- Section 8 - Treaty of Waitangi.

Part 1 of Schedule 1 to the RMA applies to plan changes by local authorities. Clause 10 states a local authority must give a decision on the provisions and matters raised in the submissions received to the plan change and must include the reasons for accepting or rejecting any submissions. In doing so a local authority may address the submissions by grouping them according to the provisions of the plan change to which they relate or the matters to which they relate and, may include matters relating to any consequential alterations necessary to the plan change arising from the submissions. A local authority is not required to give a decision that addresses each submission individually. A local authority may also withdraw its plan change in which case that action is to be notified and reasons given for doing so (Clause 8D).

10.0 PRINCIPAL ISSUES IN CONTENTION AND FINDINGS

Having read the submissions and s42A report and listened to and read the evidence presented at the hearing I consider the principle issues in contention and my findings in respect of each issue.

10.1 The Overall Purpose and Scope of the Plan Change

The overall purpose and scope of the Plan Change was aimed at removing inconsistencies and improving the application and implementation of existing provisions. In addition it is also intended to enable development within suitable locations, encourage sustainable development and better urban design. The proposed plan change contained a range of amendments to Chapter 15.1 (Traffic, Parking and Access), Appendix 3 and Traffic Intensity rules within all zones.

The amendments also intended to increase consideration and awareness of sustainable transportation options, such as cycling and walking, and access for those with disabilities through amendments to the policy framework and by introducing new rules, reducing parking regulation within the Commercial Zone, particularly the introduction of a parking exemption overlay area for a number of town centres throughout the district, removing the Traffic Intensity rules from individual zones and combining them within Chapter 15.1, the introduction of the term 'Gross Business Area' and amendments to Appendices 3A and 3C, and amendments to the access provisions to ensure consistent and clear terminology.

As previously stated there had been general support amongst the submitters for inclusion of the plan change amendments although I acknowledge that some did submit that the plan change should be abandoned or withdrawn whilst at the same time suggesting amendments/modifications if I choose not to accept their submission. Ms Wooster had taken a collaborative approach to dealing with the submissions and the issues raised in the submissions in the Section 42A report and then after considering the evidence and did, where she considered appropriate, address the concerns of some submitters through suggested amendments/modifications to the plan provisions. One of her recommendations related to the parking exemption overlay areas which she had originally recommended should stay in the Plan Change but after listening to the evidence, the concerns raised by some submitters and myself and after reviewing the criteria and application of it to come up with the parking exemption overlay areas she had changed her recommendation to me which was that the areas, any reference to them and Appendix F should be removed from the plan change provisions. Her reasoning is clearly shown in her Right of Reply and I agree with her reasoning and recommendation.

Another issue that was raised in regards to the parking exemption overlay areas was the evidence called by Mr Kemp via Mr Cullen of the BOI Swordfish Club and whether this was within scope of the submissions lodged by Mr Kemp on this issue and I believe that the evidence was within scope and would have allowed the evidence which has now been overtaken by the recommendation to remove the parking exemption overlay areas from the Plan Change provisions.

In regards to another issue (removing any threshold for Commercial and Industrial zones) and whether the submissions from Mr Kemp and Ms Wharfe were within scope of the plan change I have carefully read the S32 report, submissions and evidence of all parties who had submitted on this issue and have decided that the submissions are not within scope and quote below one section from the S32 Report shown on page 112 of Hearing Report:

"This review of the transportation provisions addresses the workability of the Traffic, Parking and Access provisions. The specific zone thresholds for the Traffic Intensity rules have not been reviewed as it is considered unsuitable to identify the appropriate levels of development within each zone without reviewing the other rules applicable in the zone. Each zone requires calibration of the applicable rules to ensure that sustainable management outcomes are achieved. The zone thresholds will be revised during the consolidated review of the District Plan, which is currently underway."

In my view anyone reading the S32 Report would not expect the zone thresholds to be altered through this Plan Change process and the wording may have lead them not to participate in the process. Even if I had decided that they were in scope I would have rejected the submissions for the same reasons as given by Ms Wooster.

My overriding conclusion on the Plan Change and my assessment of the submissions and evidence is that the Plan Change should be approved subject to amendments/modifications in line with the comments contained in this report and the S42A Report.

10.2 Scope of the Context Statements, Issues, Objectives and Policies

A number of submitters requested some amendments/modifications to the objectives, policies and rules of the plan.

I note that the purpose of the Plan Change is aimed at removing inconsistencies, combining rules from individual zones into one table within Chapter 15.1 and improving the application and implementation of some existing provisions, enabling development within suitable locations, encourage sustainable development and better urban design, the introduction of parking exemption overlays areas (now recommended to be removed) and consider that subject to amendments/modifications to the Plan Change that the Context Statements, Issues, Objectives and Policies are appropriate.

10.3 Will the Plan Change achieve what it set out to achieve

I find, from the submissions, the evidence given at the hearing and the Officer's response and my observations that the Plan Change with amendments/modification will achieve the purposes set out in the proposed objectives. The purpose of the Plan Change is clear and there was general support from the majority of submitters and even those who suggested that it be either withdrawn or abandoned also provided evidence for amendments/modifications to the Plan Change if I choose not to recommend that course of action.

In regards to the Plan Change being withdrawn or abandoned I was informed that the overall review of the Plan is some time away, a draft may be available in mid-2018, notification could be in 2019 and this would mean the transportation provisions of the Plan not being reviewed for over 20 years.

Based on the submissions and evidence before me I recommend that the Plan Change be approved subject to the amendments/modifications identified in the S42A Report, some of the requested amendments given in submissions and evidence, some of the issues raised by me and by Ms Wooster in her Right of Reply as I consider that (subject to the amendments/modifications) the scope, issues, objectives, policies and rules are appropriate.

11.0 Why I Find The Plan Change Will Achieve What It Sets Out To Achieve

I find, from the submissions, the evidence at the hearing and the Officer's response that the Plan Change with amendments/modifications will achieve what is set to achieve.

12.0 Sections 31 and 32 RMA

Before a plan change is publicly notified an evaluation must be carried out by the Council that must examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the RMA; and

- Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

An evaluation must take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

A report is required to be prepared summarising the evaluation and give reasons for that evaluation.

These Section 32 “tests” are fundamental to the consideration of any plan change and when discussed reference is usually made to relevant case law that is the Environment Court decisions relating to Nugent, Eldamos and Long Bay.¹ Those decisions have considered the Section 32 process in detail and serve to highlight the importance of it as the basis on which any plan change proceeds.

The Plan Change was accompanied by a Section 32 evaluation which leads through to recommendations at page 174 of the s42A report which referred to the options considered in section 9 of the report and determined that the approach is the most appropriate to address the resource management issues whilst also having determined them to have minor impacts on the environment.

I have had the opportunity to examine that report and although some submitters did (briefly) refer to the s32 Report in submissions and/or evidence I did not hear any detailed expert planning evidence expressed about the Section 32 Report. I have come to the view that the Plan Change is necessarily, or has been demonstrated satisfactorily to be, the most effective means of achieving the objectives of the Plan Change.

The Section 31 RMA functions include requiring the control of any actual or potential effects of the use, development, or protection of land. The range of actual or potential effects arising from the Plan Change has been addressed in the Plan Change documentation and in the Council’s s42A report.

I am satisfied that all actual and potential adverse effects associated with the Plan Change have been taken into account in preparing it and I have made some amendments/modifications to the Plan Change provisions to address some submitter’s concerns.

I have come to the view that the range of actual or potential effects arising from the Plan Change has been addressed in the Plan Change documentation and in the Council’s s42A report. Some of the potential effects have been highlighted by submitters to the Plan Change and I have reviewed the Section 32 report and have also considered the submissions and evidence raising issues about the rigorousness of the Section 32 assessment. I am satisfied that all actual and potential adverse effects associated with the Plan Change have been taken into account in preparing the Plan Change provisions and some amendments/modifications have been made which in my view improve the Plan Change.

¹ *Nugent Consultants v Auckland City Council*, NZRMA 481, 1996; *Eldamos Investments v Gisborne District Council*, Decision WO47/05; and *Long Bay Okura Great Park Society Incorporated & Others v North Shore City Council*, AO78/2008.

In the circumstances, I conclude from the Section 32 evaluation that the approach adopted in the Plan Change meets the Section 32 tests of the RMA.

13.0 Approach of District Plan

The Plan Change continues the innovative approach adopted by the Council to the District Plan which has been prepared as an effects-based document that allows people to more freely exercise land choices than the traditional identification of land uses in other district plans. This approach is supported by the Statements of Principle in the District Plan with Principle 1.2.6 stating:

“The Plan sets effects-based parameters which allow people to more freely exercise land use choices and plan for the future with reasonable security”.

I note that the Plan Change (the final change to be heard) has occurred, for a number of reasons highlighted in the s42A report and the Right of Reply, outside of the consolidated District Plan review which is underway but I am of the view that the plan change will support and is in line with the above Statement of Principle and can be incorporated into the consolidated review of the District Plan which I was informed may not be notified until 2019.

14.0 Reporting Planner’s Amendments/Modifications to the Plan Change

The reporting planner recommended a number of amendments/modifications to the Plan Change provisions following the consideration of the submissions prior to the hearing. At the end of hearing submissions on 27 February 2017 Ms Wooster, as I have said earlier, requested time to consider all the submissions and evidence that had been heard and/or tabled and requested an opportunity to put her response in writing at a later date. I have carefully considered the recommendations/modifications made to me by Ms Wooster and those requested by submitters and I am in general support with the amendments/modifications recommended by Ms Wooster which did, in some areas, take cognisance of submitters’ requests.

15.0 STATUTORY CONSIDERATIONS

15.1 Northland Regional Policy Statement (“RPS”)

In considering the Plan Change Section 74 and Section 75 RMA require me to have regard to the operative RPS administered by the Northland Regional Council. I note that a district plan must give effect to any regional policy statement (Section 75(3) RMA) and as such those regional planning provisions have been taken into account in the preparation of the District Plan.

I received information in the Plan Change documents and in evidence addressing the RPS and other regional documents. From my consideration of these provisions, and the information and evidence that was put before me, I come to the conclusion that the Plan Change is consistent with the RPS and other Plans.

15.2 Other Management Plans and Acts

I am not aware of any other relevant management plans and any other Acts that are of relevance.

15.3 Section 31 RMA

The Plan Change does not conflict with the Council's functions under Section 31 RMA.

15.4 Section 32 RMA

I have found above that the Section 32 RMA evaluation does satisfy this section of the RMA.

15.5 Part 2 RMA

All plan changes and the Section 32 evaluation must be considered in terms of Part 2 of the RMA.

I did not receive any information relating to concerns by tangata whenua in relation to Section 6, 7 and 8 matters.

The Plan Change clearly sets out to be consistent with the purpose and principles of the RMA and I am able to find that it is consistent and in line with the purpose and principles of the RMA.

16.0 CONCLUSIONS ON THE PLAN CHANGE

My principal finding is that the Plan Change should be approved, in accordance with the recommendations of the Reporting Planner and with my commentary above and the recommendations/modifications as shown in Appendix A.

17.0 THE COMMISSIONER'S RECOMMENDATION ON THE PLAN CHANGE

Having had regard to the provisions of the RMA and in particular to Section 74, Section 75, Section 31 and Section 32; and,

Having considered the actual and potential effects on the environment of the Plan Change and the avoiding, remedying and mitigating of those effects; and

Having considered the details of the proposed plan change, the submissions, the further submissions, the submissions and the evidence in support of those submissions and further submissions, and the s42A Report and Right of Reply from the Council's reporting planner at the hearing of the Plan Change and submissions; and

Acting under a delegation from the Council to hear and recommend to it decisions on the Plan Change and the submissions and further submissions; and

For the reasons set out in the text of this recommendations report my recommendation is as follows:

That pursuant to Clauses 29 and 10 of Schedule 1 of the Resource Management Act 1991,

- **That Proposed Plan Change 20 to the Far North District Plan be approved with amendments/modifications; and.**

- Those submissions and further submissions which support Proposed Plan Change 20 are accepted to the extent that the Proposed Plan Change is approved with amendments/modifications; and
- Those submissions and further submissions which seek further changes to Proposed Plan Change 20 are accepted to the extent that the Proposed Plan Change is approved with amendments/modifications; and
- Except to the extent provided above, all other submissions and further submissions are rejected.

18.0 The Commissioner's Consequential modifications to the Plan Change

The consequential amendments/modifications to the text of the Plan Change as a result of the plan change being approved is attached as **Appendix A**.

Independent Hearings Commissioner:

A handwritten signature in black ink, appearing to read 'W Smith', with a stylized flourish at the end.

W Smith

Date: 26 April 2017



Far North
District Council

FAR NORTH DISTRICT PLAN 2009

PLAN CHANGE 20

TRAFFIC, PARKING AND ACCESS

PLAN CHANGE TEXT

26 APRIL 2017

1. Definitions

GROSS BUSINESS AREA means (for land where business activity is being undertaken):

- a) the gross floor area of any building measured from the outside faces of the exterior walls; plus
- b) the area of any part of the site used solely or principally for the storage, sale, display or servicing of goods or the provision of services on the site but not including permanently designated vehicle parking, manoeuvring, loading and landscaped areas.

The “gross business area” will exclude the area of network infrastructure including pipes, lines and installations, roads, water supply, wastewater, and stormwater collection and management systems, but will include the area of buildings occupied by network service providers, including offices, workshops, warehouses and any outside areas used for carrying out their normal business.

2. Part 2 – Zone Provisions

2.1 Urban Environment – Issues

- 7.1.7 Increasing the intensity of urban development may generate more traffic and a demand for roads and access to them.

2.2 Residential Zone

- 7.6.4.7 That residential activities have sufficient land associated with each household unit to provide for outdoor space, planting, parking and manoeuvring.

2.3 Traffic Intensity Zone Rules

These changes apply to all Traffic Intensity rules in all zones.

TRANSPORTATION (permitted)

Refer to **Chapter 15 – Transportation** for Traffic, Parking and Access rules.

TRANSPORTATION (controlled, restricted discretionary, discretionary and non complying)

Refer to **Chapter 15 – Transportation** for Traffic, Parking and Access rules.

2.4 Chapter 11 – Assessment Criteria

11.1 RESIDENTIAL AND SCALE OF ACTIVITIES ASSESSMENT CRITERIA

(a) – (q) ...

- (r) With respect to access to a State Highway (SH) that is a Limited Access Road, the effects on the safety and/or efficiency on any SH and its connections to the local roading network and the provision of written approval from the NZ Transport Agency

11.12 TRAFFIC INTENSITY

- (a) The extent by which the expected traffic intensity for a proposed activity exceeds the assumed value set by the Traffic Intensity Factor contained in **Appendix 3A** in **Part 4** of the Plan.

(b) – (k) ...

- (l) the effects on the safety and/or efficiency on any State Highways, its connections to the local road network and the provision of written approval from the NZ Transport Agency.

- (m) The effects of the activity where it is located within 500m of reserve land administered by the Department of Conservation upon the ability of the Department to manage and administer that land.

15 TRANSPORTATION

15.1 TRAFFIC, PARKING AND ACCESS

CONTEXT

The main emphasis in this chapter is on the provision of parking and access in association with land uses on private property. Associated public transportation facilities, such as footpaths and cycleways, are generally provided for at the time subdivision of land is approved. However this chapter also aims to encourage sustainable transportation.

The number of vehicles using a site (traffic intensity) may lead to significant adverse effects created by activities on that site; e.g. there is a direct link between vehicle numbers and noise generation. Rules and assumptions about typical traffic intensity of various activities (used as a basis for determining the application status of an activity) are located within this chapter and **Appendix 3**.

The Council will continue to make provision for new roading and roading improvements through the Annual Plan, 30 Year Infrastructure Plan and the Long Term Plan. There are also other controls on traffic, parking and access provided through other regulatory instruments such as Council Bylaws (Parking, Speed Limits) and Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009).

15.1.1 ISSUES

- 15.1.1.1 Activities in the District generate a significant amount of traffic and create the need for associated facilities such as parking and loading spaces, but these facilities can create or increase adverse effects on other activities.
- 15.1.1.2 Development in locations with limited space for provision of adequate car parking space can cause a significant adverse effect in popular tourist destinations, particularly in summer.
- 15.1.1.3 Traffic access to property can interfere with traffic flow and can affect public safety.
- 15.1.1.4 In terms of the environmental effects of activities, traffic is often the most obvious. Consequently controls on the effects of traffic are an important component of the sustainable management of resources.
- 15.1.1.5 Sustainable transportation options, such as cycling and buses, are limited and often used ineffectively within the District.
- 15.1.1.6 People with disabilities often have difficulty navigating safe and efficient access routes due to fragmented footpaths and inappropriate car parking layout.

15.1.2 ENVIRONMENTAL OUTCOMES EXPECTED

- 15.1.2.1 Appropriate provision of car parking and loading facilities for all activities generating vehicle trips, particularly within business areas.
- 15.1.2.2 Safe and efficient access within the District for pedestrians, cyclists and motorists, including those with disabilities while minimising disruptions to the amenities of the surrounding environment.
- 15.1.2.3 In situations where it is practicable, improvements to and effective use of sustainable transportation options.

15.1.3 OBJECTIVES

- 15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.
- 15.1.3.2 To provide sufficient parking spaces to meet seasonal demand in tourist destinations.
- 15.1.3.3 To ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site.
- 15.1.3.4 To ensure that appropriate and efficient provision is made for loading and access for activities.
- 15.1.3.5 To promote safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, including for those with disabilities.

15.1.4 POLICIES

- 15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.
- 15.1.4.2 That the need to protect features of the natural and built environment be recognised in the provision of parking spaces.
- 15.1.4.3 That parking spaces be provided at a location and scale which enables the efficient use of parking spaces and handling of traffic generation by the adjacent roading network.
- 15.1.4.4 That existing parking spaces are retained or replaced with equal or better capacity where appropriate, so as to ensure the orderly movement and control of traffic.
- 15.1.4.5 That appropriate loading spaces be provided for commercial and industrial activities to assist with the pick-up and delivery of goods.
- 15.1.4.6 That the number, size, gradient and placement of vehicle access points be regulated to assist traffic safety and control, taking into consideration the requirements of both the New Zealand Transport Agency and the Far North District Council.
- 15.1.4.7 That the needs and effects of cycle and pedestrian traffic be taken into account in assessing development proposals.
- 15.1.4.8 That alternative options be considered to meeting parking requirements where this is deemed appropriate by the Far North District Council.

15.1.5 METHODS

DISTRICT PLAN METHODS

- 15.1.5.1 Rules in the Plan impose controls on parking and vehicle access. The Rules must be read in conjunction with Appendix 3 (3A – 3F).

OTHER METHODS

- 15.1.5.2 The Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009) are referred to in the rules for **Chapter 15**. These standards and guidelines are applied to the provision of access, parking spaces and manoeuvring areas, and the construction of service lanes, accessways and roads.
- 15.1.5.3 Provision of signs to adequately identify public parking areas to ensure more effective and efficient use, particularly in business areas and tourist destinations.
- 15.1.5.4 Council will endeavour to increase the provision of integrated walking and cycling facilities throughout the Far North District, particularly where they will provide the greatest benefit.

COMMENTARY

Traffic is an integral part of the operation of most activities, and can be one of the more significant adverse effects of any activity arising from its traffic generating capacity. In particular, motorised vehicular traffic creates noise, visual disruption and safety issues. It also creates a need for parking and loading space, manoeuvring space and adequate access to and from public roads. In those areas of the District subject to seasonal tourism pressure, provision of adequate parking to meet peak demand is a challenge, particularly in settlements that have limited space available, such as Paihia. Pedestrian and bicycle traffic is generally less problematic but nevertheless also needs to be provided for, as do the needs of those with disabilities.

Providing proper facilities for traffic enables activities to operate in an efficient and convenient manner, while avoiding or minimising adverse effects.

All activities in all zones generate traffic however some locations, such as central business districts or town centres, have different requirements, particularly with regard to parking. It is therefore appropriate that objectives, policies and methods relating to parking and access are put together in one chapter but some exemptions are included to differentiate between varying requirements in specified areas.

The reason for the objectives, policies and methods of this chapter is that they are necessary in order to ensure that adequate provision is made for traffic, in any development proposal. Without such provision, activities could be constrained in their operation and/or adjoining activities could be adversely affected.

*The methods in this chapter complement the Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009) that are concerned more with the technical detail of the work required to provide for traffic.*

15.1.6 RULES

Activities affected by this section of the Plan must comply not only with the rules in this section, but also with the relevant standards applying to the zone in which the activity is located (refer to **Part 2 Environment Provisions**) and with other relevant standards in **Part 3 – District Wide Provisions**.

Particular attention is drawn to:

- (a) **Chapter 12 Natural and Physical Resources** (and the **District Plan Maps**);
- (b) **Chapter 13 Subdivision**;
- (c) **Chapter 14 Financial Contributions**;
- (d) **Chapter 16 Signs and Lighting**;
- (e) **Chapter 17 Designations and Utility Services** (and the **Zone Maps**).

15.1.6A TRAFFIC

Table 15.1.6A.1 MAXIMUM DAILY ONE WAY TRAFFIC MOVEMENTS

The table below provides the Traffic Intensity threshold values and relevant classes of activity for all zones in the District Plan. This table must be used in conjunction with the permitted, controlled, restricted discretionary, discretionary and non-complying Traffic Intensity rules located in **Rules 15.1.6A.2 through 15.1.6A.6**.

Zone	Permitted Activity	Controlled Activity	Restricted Discretionary Activity	Discretionary Activity	Non-Complying Activity
Urban Environment					
Residential	20	-	21 – 40	More than 40	-
Commercial	200	201 – 500	More than 500	-	-
Industrial	200	201 – 500	More than 500	-	-
Rural Environment					
Rural Production	60 or 30 if access is via a State Highway	-	61 – 200 or 31-200 if access is via a State Highway	More than 200	-
Rural Living	20	-	21 – 40	More than 40	-
Minerals	200	-	-	More than 200	-
Recreation/Conservation Environment					
Recreational Activities	200	-	201 – 400	More than 400	-
Conservation	-	-	-	-	-
Coastal Environment					
General Coastal	30	-	-	120	More than 120
Coastal Living	20	-	21 – 40	More than 40	-
Coastal Residential	20	-	21 – 40	More than 40	-
Russell Township	20	-	21 – 40	More than 40	-
South Kerikeri Inlet	20	-	21 – 40	More than 40	-
Special Areas					
Waimate North	60 or 30 if access is via a State Highway	-	61-200 or 31-200 if access is via a State Highway	More than 200	-
Horticultural Processing	200	201 - 500	More than 500	-	-
Point Veronica	20	-	21 - 40	More than 40	-
Orongo Bay Special Purpose	200	201 - 500	-	-	More than 500

15.1.6A.2 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards set out in **Rule 15.1.6A.2.1**; and
- (b) it complies with the relevant standards for permitted activities in the particular zone in which it is located set out in **Part 2 of the Plan – Environment Provisions**; and
- (c) it complies with all other relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

15.1.6A.2.1 TRAFFIC INTENSITY

The Traffic Intensity threshold value for a site shall be determined for each zone by **Table 15.1.6A.1** above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted above) on site need to be taken into account in order to address cumulative effects.

Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

15.1.6A.3 CONTROLLED ACTIVITIES

An activity is a controlled activity in the Commercial, Industrial, Horticultural Processing and Orongo Bay Special Purpose Zones if:

- (a) it does not comply with the applicable permitted activity traffic intensity threshold value set out in **Rule 15.1.6A.2.1 Traffic Intensity**; but
- (b) it complies **Rule 15.1.6A.3.1 Traffic Intensity** below; and
- (c) it complies with the relevant standards for permitted or controlled activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (d) it complies with the relevant standards for permitted or controlled activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council must approve an application for a land use consent for a controlled activity but it may impose conditions on that consent.

15.1.6A.3.1 TRAFFIC INTENSITY

The Traffic Intensity threshold value for a site shall be determined for each zone by **Table 15.1.6A.1** above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account in order to address cumulative effects.

Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

In assessing an application for a controlled activity, the Council will restrict exercise of its control to the following matters:

- (a) the time of day when the extra vehicle movements will occur;
- (b) the distance between the location where the vehicle movements take place and any adjacent properties;
- (c) the width and capability of any street to be able to cope safely with the extra vehicle movements;
- (d) the location of any footpaths and the volume of pedestrian traffic on them;
- (e) the sight distances associated with the vehicle access onto the street;
- (f) the existing volume of traffic on the streets affected;
- (g) any existing congestion or safety problems on the streets affected;

- (h) with respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur;
- (i) with respect to the effects on through traffic on arterial roads with more than 1000 vehicle movements per day, the extent to which Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009) are met;
- (j) the provision of safe access for pedestrians moving within or exiting the site.

15.1.6A.4 RESTRICTED DISCRETIONARY ACTIVITIES

An activity is a restricted discretionary activity in any zone if:

- (a) it does not comply with the applicable permitted or controlled activity traffic intensity threshold value set out in **Rules 15.1.6A.2.1 Traffic Intensity** or **15.1.6A.3.1 Traffic Intensity** but
- (b) it complies with **Rule 15.1.6A.4.1 Traffic Intensity** below; and
- (c) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (d) it complies with all other relevant standards for permitted, controlled or restricted discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent.

15.1.6A.4.1 TRAFFIC INTENSITY

The Traffic Intensity threshold value for a site shall be determined for each zone by **Table 15.1.6A.1** above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account in order to address cumulative effects.

Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the following matters:

- (a) the time of day when the extra vehicle movements will occur;
- (b) the distance between the location where the vehicle movements take place and any adjacent properties;
- (c) the width and capability of any street to be able to cope safely with the extra vehicle movements;
- (d) the location of any footpaths and the volume of pedestrian traffic on them;
- (e) the sight distances associated with the vehicle access onto the street;
- (f) the existing volume of traffic on the streets affected;
- (g) any existing congestion or safety problems on the streets affected;
- (h) with respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur;
- (i) with respect to the effects on through traffic on arterial roads with more than 1000 vehicle movements per day, the extent to which Council's "*Engineering Standards and Guidelines*" (2004) are met;
- (j) effects of the activity where it is located within 500m of reserve land administered by the Department of Conservation upon the ability of the Department to manage and administer that land;
- (k) the provision of safe access for pedestrians moving within or exiting the site.

15.1.6A.5 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity in any zone if:

- (a) it does not comply with the applicable permitted, controlled or restricted discretionary activity traffic intensity threshold value set out in **Rules 15.1.6A.2.1 Traffic Intensity, 15.1.6A.3.1 Traffic Intensity, or 15.1.6A.4.1 Traffic Intensity**; but
- (b) it complies with **Rule 15.1.6A.5.1 Traffic Intensity** below; and
- (c) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (d) it complies with all other relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

15.1.6A.5.1 TRAFFIC INTENSITY

The Traffic Intensity threshold value for a site shall be determined for each zone by **Table 15.1.6A.1** above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account in order to address cumulative effects.

Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application, the Council will have regard to the assessment criteria set out under **Section 15.1.6A.7** and, where appropriate, **Chapter 11**.

15.1.6A.6 NON-COMPLYING ACTIVITIES

An activity is a non-complying activity in the General Coastal and Orongo Bay Special Purpose Zones if:

- (a) it does not comply with the applicable permitted, controlled, restricted discretionary or discretionary activity traffic intensity threshold value set out in **Rules 15.1.6A.2.1 Traffic Intensity, 15.1.6A.3.1 Traffic Intensity, 15.1.6A.4.1 Traffic Intensity or 15.1.6A.5.1 Traffic Intensity**; but
- (b) complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may impose conditions of consent on a non-complying activity or it may refuse consent to the application. When considering a non-complying activity application, the Council will have regard to the assessment criteria set out under **Section 15.1.6A.7** and, where appropriate **Chapter 11**.

15.1.6A.7 ASSESSMENT CRITERIA

The matters contained in s104 and s105, and in Part II of the Act, apply to the consideration of all resource consents for land use activities.

- (a) The extent by which the expected traffic intensity for a proposed activity exceeds the assumed value set by the Traffic Intensity Factor contained in **Appendix 3A** in **Part 4** of the Plan.
- (b) The time of day when the extra vehicle movements will occur.
- (c) The distance between the location where the vehicle movements take place and any adjacent properties.
- (d) The width and capability of any street to be able to cope safely with the extra vehicle movements.
- (e) The location of any footpaths and the volume of pedestrian traffic on them.
- (f) The sight distances associated with the vehicle access onto the street.

- (g) The existing volume of traffic on the streets affected.
- (h) Any existing congestion or safety problems on the streets affected.
- (i) With respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur.
- (j) With respect to the effects on through traffic on arterial roads, strategic roads and State Highways, any measures such as right-turn bays, flush medians, left turn deceleration tapers, etc. proposed to be installed on the road as part of the development to accommodate traffic turning into and out of the site.
- (k) The extent to which the activity may cause or exacerbate natural hazards or may be adversely affected by natural hazards, and therefore increase the risk to life, property and the environment.
- (l) Whether providing or having access to bicycle parking, shower/changing facilities or alternative transportation would reduce the number of vehicle movements associated with the proposed activity.
- (m) the provision of safe access for pedestrians moving within or exiting the site.

15.1.6B PARKING

15.1.6B.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards set out in **Rules 15.1.6B.1.1 to 15.1.6B.1.6**; and
- (b) it complies with the relevant standards for permitted activities in the particular zone in which it is located set out in **Part 2 of the Plan – Environment Provisions**; and
- (c) it complies with all other relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

15.1.6B.1.1 ON-SITE CAR PARKING SPACES

Where:

- (i) an activity establishes; or
- (ii) the nature of an activity changes; or
- (ii) buildings are altered to increase the number of persons provided for on the site;

the minimum number of on-site car parking spaces to be provided for the users of an activity shall be determined by reference to **Appendix 3C**, unless an activity complies with the exemptions below.

Exemption:

- (a) In the Commercial Zone, no additional on-site car parking spaces are required where the nature of a legally established activity changes, provided that:
 - (i) the gross business area of the site is not increased; and
 - (ii) activities are not identified as residential or casual accommodation in **Appendix 3C**.

Note: Additional parking requirements apply in Kerikeri and Paihia in accordance with **Rules 15.1.6B.1.2** and **15.1.6B.1.3** below.

Note: Accessible car parking spaces are required for people with disabilities in accordance with **Rule 15.1.6B.1.4** below.

15.1.6B.1.2 WILLIAMS ROAD ON-SITE CAR PARKING SPACES

For Lot 34 DP 11040, Lot 2 DP 477161 and Pt Lot 2 DP 83548 (known as Williams Road Car Park, Paihia) the minimum number of on-site car parking spaces to be provided in addition to those required in **Rule 15.1.6B.1.1** above shall be no less than 221, with at least 158 allocated to the public.

15.1.6B.1.3 KERIKERI ROAD ON-SITE CAR PARKING SPACES

Where:

- (i) an activity establishes; or
- (ii) the nature of an activity changes; or
- (iii) buildings are altered

on a site with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive, none of the required public on-site car parking spaces shall be located within that part of the site between the Kerikeri Road boundary and a parallel line 2m therefrom.

Note: This rule does not apply to minor additions or alterations of existing buildings; provided that these additions or alterations do not in themselves result in a requirement for additional car parking spaces. This rule only applies to new commercial and industrial activities, or extensions to existing commercial and industrial activities, established after 6 September 2001.

15.1.6B.1.4 ACCESSIBLE CAR PARKING SPACES

Where onsite parking is provided or is to be provided for all buildings and activities in accordance with **Rule 15.1.6B.1.1**, except dwellings, car parking spaces for those with disabilities will be provided as follows:

- (a) Accessible car parking spaces shall be provided at the following ratio:

Number of General Car Parking Spaces Provided	Number of Accessible Car Parking Spaces Required
20 or less car parking spaces provided	One accessible car parking space
21 – 50 car parking spaces provided	Two accessible car parking spaces
Every additional 50 car parking spaces where more than 50 spaces are provided	One additional accessible car parking space

- (b) Accessible car parking spaces shall connect to an accessible route at the closest building entrance.
- (c) Accessible car parking spaces shall have clear ground marking in accordance with the international symbol of access.
- (d) All accessible car parking spaces must have a minimum width of 3.5m and a minimum depth of 5m,

Note: The Building Code may require car parking spaces for people with disabilities. The size and location requirements for these spaces may be found in the Building Code or NZS 4121.

Note: The number of car parking spaces required in (a) above are in accordance with NZS 4121.

15.1.6B.1.5 CAR PARKING SPACE STANDARDS

- (a) The required size of off-street car parking spaces, the manoeuvring space between, and the vehicle circulation routes providing access to them, shall be as set out in **Appendix 3D**.
- (b) Stacked parking will be permitted for one of two spaces associated with a specific residential unit. In determining the extent of area required for manoeuvring space, the Council will be guided by the Tracking Curve diagrams as shown in **Appendix 3E**.
- (c) All parking, loading, access drives and manoeuvring areas shall be formed and provided with an all weather surface, drained, marked out and maintained to the satisfaction of the Council, and shall be kept free and available for the uses intended. Where a parking area provides four or more car parking spaces is adjacent to a road, a kerb or a barrier shall be provided to prevent direct access except at the designated vehicle access point.

15.1.6B.1.6 LOADING SPACES

- (a) Loading spaces are required where activities established within a Commercial or Industrial Zone at the following ratio:

Building Gross Floor Area	Number of Loading spaces required
No greater than 200m ²	No loading space
Between 200m ² and 500m ²	One loading space
Between 500m ² and 5,000m ²	Two loading spaces
Exceeding 5,000m ²	Three loading spaces

- (b) Where buildings are serviced only by courier vans, loading spaces shall be no less than 6m long by 3m wide and 3.2m high. Other loading spaces shall be designed to accommodate the largest size of truck expected to use them.
- (c) All loading areas shall be formed and provided with an all weather surface, drained, marked out and maintained to the satisfaction of the Council, and shall be kept free and available for the uses intended.

15.1.6B.2 RESTRICTED DISCRETIONARY ACTIVITIES

An activity is a restricted discretionary activity if:

- (a) it does not comply with **Rule 15.1.6B.1.1 Onsite Car Parking Spaces** above; but
- (b) it complies with all other standards for permitted activities in **15.1.6B.1** above; and
- (c) it complies with **Rules 15.1.6B.2.1 Cycling Facilities** or **15.1.6B.2.2 Green Space** below; and
- (d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (e) it complies with all other relevant standards for permitted, controlled or restricted discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent.

In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the matters specified in the relevant rule.

Where an application is made for development adjoining or accessible from a State Highway (including those State Highways with a Limited Access Road classification) the New Zealand Transport Agency may be considered an affected party.

15.1.6B.2.1 CYCLING FACILITIES

In the Commercial Zone where permanent on-site cycling facilities are provided in lieu of car parking spaces as required by **Rule 15.1.6B.1.1(a)**, the application will be assessed as a restricted discretionary activity where:

- (a) A maximum of 50% of the car parking spaces required by **Appendix 3C** are substituted by bicycle parking; and
- (b) Each car parking space is substituted by adequate space to park at least two bicycles.

In assessing an application under this provision, the Council will restrict the exercise of its discretion to:

- (i) The extent to which the cycling facilities are located so that the entrance is clearly visible and accessible from a public space;
- (ii) The provision of signage to identify the cycling facilities entrance, the hours of operation and availability of the facilities to the public;
- (iii) The level of security provided for the entrance of the cycling facilities, including lighting, passive surveillance or CCTV coverage, and the ability for personal bicycle locks to be used;
- (iv) The extent to which the bicycle parking design presents a hazard to pedestrians and allows for bicycle manoeuvring;
- (v) The degree to which dimensions of cycle parking is in accordance with Annexure 9 - Austroads Guide to Traffic Engineering Practice Part 14: Bicycles;
- (vi) Whether the cycle facilities will adequately mitigate the effects of a reduced number of car parking spaces provided on-site;
- (vii) The accessibility of the site from cycle lanes or trails;
- (viii) The provision of changing rooms with toilet and shower facilities;
- (ix) The extent to which the proposed cycling facilities adequately cater to the number of cycle parks provided; and
- (x) Whether an encumbrance on the title is appropriate to ensure the effectiveness of the mitigation measure.

15.1.6B.2.2 GREEN SPACE

In the Commercial Zone where green space is provided in lieu of car parking spaces as required by **Rule 15.1.6B.1.1(a)**, the application will be assessed as a restricted discretionary activity where:

- (a) A maximum of 50% of the car parking spaces required by **Appendix 3C** are substituted by green space; and
- (b) Each car parking space is substituted by 12m² of green space; and

- (c) Green space is landscaped; and
- (d) Areas of green space which substitute car parking spaces are to be contiguous.

In assessing an application under this provision, the Council will restrict the exercise of its discretion to:

- (i) The proximity of any green space to pedestrian links or footpaths, thereby providing accessibility for the public;
- (ii) The extent to which the location and design of any green space provides for security and passive surveillance;
- (iii) Whether any ecological benefits will result from the provision of green space;
- (iv) The ability for any green space to be utilised for car parking spaces should the car parking demand of the site increase;
- (v) The extent to which the proposal attracts pedestrian traffic in lieu of vehicle traffic;
- (vi) Whether adequate parking alternatives, such as public on-street parking, are available within proximity of the site;
- (vii) The functionality of the site for public use and enjoyment, such as provision of seating;
- (viii) The extent to which the green space will mitigate the effects of stormwater run-off; and
- (ix) Whether an encumbrance on the title is appropriate to ensure the effectiveness of the mitigation measure.

15.1.6B.3 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity if:

- (a) it does not comply with one or more of the standards for permitted and restricted discretionary activities set out in **Rules 15.1.6B.1** and **15.1.6B.2** above; and
- (b) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (c) it complies with all other relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

15.1.6B.3.1 ANY ACTIVITY ON WILLIAMS ROAD CAR PARK, PAIHIA

Any activity on Lot 34 DP 11040, Lot 2 DP 477161 and Pt Lot 2 DP 83548 (Williams Road Car Park, Paihia) that does not comply with the permitted activity standard in **Rule 15.1.6B.1.1** shall be a discretionary activity and will be treated by Council as a notified application.

15.1.6B.4 NON-COMPLYING ACTIVITIES

Any activity on Lot 34 DP 11040, Lot 2 DP 477161 and Pt Lot 2 DP 83548 (Williams Road Car Park, Paihia) which does not comply with **Rule 15.1.6B.1.2** shall be a non-complying activity and will be treated by Council as a notified application.

15.1.6B.5 ASSESSMENT CRITERIA

In assessing an application for a discretionary activity, the Council will consider the matters listed below:

- (a) Whether it is physically practicable to provide the required car parks on site.
- (b) Whether there is an adequate alternative supply of parking in the vicinity, such as a public car park or angled road parking.
- (c) Whether there is another site nearby where a legal agreement could be entered into with the owner of that site to allow it to be used for the parking required for the application.
- (d) Whether it can be shown that the actual parking demand will not be as high as that indicated in **Appendix 3C**.
- (e) Adequacy of the layout and design of the car parking areas in terms of other recognised standards, including the provision made to mitigate the effects of stormwater runoff, and any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties.

- (f) Degree of user familiarity with the car park and length of stay of most vehicles.
- (g) Total number of spaces in the car park.
- (h) Clear space for car doors to be opened even if columns, walls and other obstructions intrude into a car parking space.
- (i) For sites with a frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive:
 - (i) the visual impact of hard surfaces and vehicles on the natural environment;
 - (ii) the effectiveness of any landscape plantings in screening hard surfaces and vehicles associated with parking areas.
- (j) Whether cycling facilities or open green space have been considered or are appropriate as an alternative to car parking.
- (k) Whether adequate consideration has been given to providing accessible car parking spaces for those with disabilities, the location of these spaces and regulating inappropriate use of the spaces.
- (l) The extent to which the site can be accessed by alternative transport means such as buses, cycling or walking.
- (m) The extent to which the reduced number of car parking spaces may increase congestion along arterial and strategic roads.
- (n) The degree to which provision of on-site car parking spaces may have resulted in adverse visual effects or fragmented pedestrian links.
- (o) Whether a financial contribution in lieu of car parking spaces is appropriate.
- (p) Consideration given to shared parking options between adjacent sites and activities that have varying peak parking demands.
- (q) The varying parking requirements for staff and customers.

15.1.6C ACCESS

15.1.6C.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards set out in **Rules 15.1.6C.1.1 to 15.1.6C.1.11**; and
- (b) it complies with the relevant standards for permitted activities in the particular zone in which it is located set out in **Part 2 of the Plan – Environment Provisions**; and
- (c) it complies with all other relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

The rules below apply to access to fee simple title allotments, cross or company leases, unit titles, leased premises and Maori land.

Appendix G – Access Standards Terminology identifies and defines the terminology utilised in with **15.1.6C.1, Appendix 3B-1 – Standards for Private Access** and **Appendix 3B-1 – Standards for Roads to Vest (Public Roads)**. **Appendix G** must be used in conjunction with the following rules.

15.1.6C.1.1 PRIVATE ACCESSWAY IN ALL ZONES

- (a) The construction of private accessway, in addition to the specifics also covered within this rule, is to be undertaken in accordance with **Appendix 3B-1 in Part 4** of this Plan.
- (b) Minimum access widths and maximum centreline gradients, are set out in the **Appendix 3B-1** table except that the grade shall be:

All urban zones; excluding the Commercial and Industrial Zones	No steeper than 1:8 adjacent to the road boundary for at least 5m.
Commercial and Industrial Zones	No steeper than 1:20 adjacent to the road boundary for a length of at least 6m.

- (c) A private accessway may serve a maximum of 8 household equivalents.
- (d) Where a subdivision serves 9 or more sites, access shall be by public road.

- (e) Access shall not be permitted:
- (i) onto a State Highway or a Limited Access Road;
 - (ii) onto an arterial or collector road within 90m of its intersection with an arterial road or a collector road;
 - (iii) onto an arterial or collector road within 30m of its intersection with a local road;
 - (iv) onto a local road within 30m of its intersection with an arterial or collector road;
 - (v) onto Kerikeri Road (both sides of the road along the portion between Maraenui Drive and Cannon Drive). This rule does not apply to sites with lawfully established access points (as at 6 September 2001) onto Kerikeri Road.

Note 1: For the purposes of this rule, a Limited Access Road includes State Highways that have been declared Limited Access Roads by the New Zealand Transport Agency plus other roads that the Council has determined shall have limited access. The roading hierarchy is described in the Council’s *“Engineering Standards and Guidelines” (June 2004 – Revised 2009)* and related documents.

Note 2: A Limited Access Road (LAR) declaration is used to maintain the level of property access along a section of road, and to progressively reduce the number of potential points of conflict between turning and through traffic.

Note 3: Access to or from roads that have been declared Limited Access Roads under Part IV of the Government Roothing Powers Act 1989 are subject to separate procedures under that Act.

Note 4: LAR provisions allow the New Zealand Transport Agency to have an input, with any subdivision or property development, into the number, location and design of accesses on a particular section of LAR. In situations where an alternative road is available for property access, the New Zealand Transport Agency will encourage the property to have all its access to and from that alternative road. The approval of the New Zealand Transport Agency and the Minister of Transport will be required for any subdivision and change in land use if land adjoins a LAR. Applicants are encouraged to contact the New Zealand Transport Agency, prior to lodging applications with the Council, to discuss how their proposal may be affected.

Note 5: For the purpose of this rule, non-State Highway Limited Access Roads include roads identified and gazetted by Council as a Limited Access Road.

15.1.6C.1.2 PRIVATE ACCESSWAYS IN URBAN ZONES

- (a) Private accessways in all urban zones, excluding the Commercial and Industrial Zones, shall comply with the following:

Where: (i) The private accessway serves no more than four residential units; and (ii) Visibility is not restricted; and (iii) The access is less than 60m long; or 60m long or longer and passing bays are provided at intervals not exceeding 60m.	The private accessway from the road boundary to any parking or loading space shall be: <ul style="list-style-type: none"> • not less than 3m wide; and • a minimum overhead clearance of 4m.
Where any one of (i) through (iii) above are not complied with.	The private accessway shall be 5m wide.

Note 1: The entrance standards from the road shall comply with the entrance standards detailed in **Rules 15.1.6C.1.4** and **15.1.6C.1.5**, as applicable.

- (b) Private accessways in the Commercial and Industrial Zones shall comply with the following:

(i) One-way operation, excluding service stations. Note: A one-way operation is a 3m wide private accessway that provides entry to the site at one point and exit from the site at a different point.	The private accessway from the road to any parking or loading space shall: <ul style="list-style-type: none"> • not less than 3m or more than 4m in width; and • have a minimum overhead clearance of 4.2m.
(ii) Two-way operation, excluding service	The private accessway from the road to

stations. Note: A two-way operation is a 6m wide private accessway that provides entry and exit from the site at the same point.	any parking or loading space shall: <ul style="list-style-type: none"> not be less than 6m or more than 7m in width; and have a minimum overhead clearance of 4.2m.
(iii) Service stations	The private accessway from the road to any parking or loading space shall: <ul style="list-style-type: none"> have a maximum width for one-way and two-way operations of 9m; and have a minimum overhead clearance of 4.2m.

- (c) All private accessways in all urban zones which serve two or more activities are to be sealed or concreted.

15.1.6C.1.3 PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES

- (a) Where required, passing bays on private accessways are to be at least 15m long and provide a minimum usable access width of 5.5m.
- (b) Passing bays are required:
- (i) in rural and coastal zones at spacings not exceeding 100m;
 - (ii) on all blind corners in all zones at locations where the horizontal and vertical alignment of the private accessway restricts the visibility.
- (c) All accesses serving 2 or more sites shall provide passing bays and vehicle queuing space at the vehicle crossing to the legal road.

15.1.6C.1.4 ACCESS OVER FOOTPATHS

The following restrictions shall apply to vehicle access over footpaths:

- (a) no more than two crossings per site; and
- (b) the maximum width of a crossing shall be:

All activities; except service stations	6m
Service stations or supermarkets	9m

Note: Consideration should be given to the location of crossings and the potential for signage to ensure pedestrian safety.

15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES

- (a) Private access off roads in the rural and coastal zones the vehicle crossing is to be constructed in accordance with Council’s *“Engineering Standards and Guidelines” (June 2004 – Revised 2009)*.
- (b) Where the access is off a sealed road, the vehicle crossing plus splays shall be surfaced with permanent impermeable surfacing for at least the first 5m from the road carriageway or up to the road boundary, whichever is the lesser.
- (c) Where the vehicle crossing serves two or more properties the private accessway is to be 6m wide and is to extend for a minimum distance of 6m from the edge of the carriageway.

Note 1: Refer to Appendix 3G for a visual representation of what a vehicle crossing is and how it works in relation to a private access.

15.1.6C.1.6 VEHICLE CROSSING STANDARDS IN URBAN ZONES

- (a) Private access off streets in the urban zones the vehicle crossing is to be constructed in accordance with Council’s *“Engineering Standards and Guidelines” (June 2004 – Revised 2009)*.
- (b) Where the vehicle crossing serves two or more properties the vehicle crossing is to be widened to provide a double width vehicle crossing.

Note 1: Refer to Appendix 3G for a visual representation of what a vehicle crossing is and how it works in relation to a private access.

15.1.6C.1.7 GENERAL ACCESS STANDARDS

- (a) Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road.
- (b) All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle.
- (c) Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed.
- (d) Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads.

15.1.6C.1.8 FRONTAGE TO EXISTING ROADS

- (a) Where any proposed subdivision has frontage to a road or roads that do not meet the legal road width standards specified by the Council in its *“Engineering Standards and Guidelines” (June 2004 – Revised 2009)*, road widening shall be vested in the name of the Council.
- (b) Where any proposed subdivision has frontage to a road or roads that are not constructed to the standards specified by the Council in its *“Engineering Standards and Guidelines” (June 2004 – Revised 2009)*, then the applicant shall complete the required improvements.
- (c) Where a site has more than one road frontage or frontage to a service lane or right-of-way (ROW) in addition to a road frontage, access to the site shall be in a place that:
 - (i) facilitates passing traffic, entering and exiting traffic, pedestrian traffic and the intended use of the site;
 - (ii) is from the road or service lane or ROW that carries the lesser volume of traffic.
- (d) Where any proposed subdivision has frontage to a road on which the carriageway encroaches, or is close to the subject lot or lots, the encroachment or land shall vest in Council such that either the minimum berm width between the kerb or road edge and the boundary is 2m or the boundary is at least 6m from the centreline of the road whichever is the greater.

15.1.6C.1.9 NEW ROADS

All new public roads shall be laid out, constructed and vested in accordance with the standards set out in the *Council’s Engineering Standards and Guidelines (June 2004 – Revised 2009)*.

Note: Refer also to the Designation and Utility Services rules within **Chapter 17**.

15.1.6C.1.10 SERVICE LANES, CYCLE AND PEDESTRIAN ACCESSWAYS

- (a) Service lanes, cycle and pedestrian accessways shall be laid out and vested in accordance with the standards set out in the Council’s *“Engineering Standards and Guidelines” June (2004 – Revised 2009)*.
- (b) All access reserved for pedestrians only shall be a footpath, formed and concreted (or an alternative surface) to Councils satisfaction.

15.1.6C.1.11 ROAD DESIGNATIONS

Where any frontage to an existing road is shown on the **Zone Maps** as being subject to designation for road acquisition and widening purposes, provision shall be made to enable the Requiring Authority to acquire such land, by separately defining the parcels of land. Where the Requiring Authority is not in a position to acquire such parcels immediately, they shall be held in conjunction with adjoining land, with consent notices registered in accordance with **Rule 13.6.7**.

15.1.6C.2 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity if:

- (a) it does not comply with one or more of the standards for permitted activities set out in **Rules 15.1.6C.1.1 to 15.1.6C.1.11**; but

- (b) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities in the particular zone in which it is located set out in **Part 2 of the Plan - Environment Provisions**; and
- (c) it complies with all other relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

Vehicle access to and from land adjoining a State Highway that is a Limited Access Road is subject to restrictions and is controlled by the New Zealand Transport Agency under the Government Roadway Powers Act 1989. Accordingly any change to form or intensity of land use on such land is subject to the approval of the New Zealand Transport Agency.

15.1.6C.3 AFFECTED PERSONS

Where an application is required because of non compliance with a rule within this Chapter and the access is off a State Highway or nearby (up to 90m of an intersection with a State Highway) the New Zealand Transport Agency may be considered an affected party for notification purposes.

15.1.6C.4 ASSESSMENT CRITERIA

In assessing an application for a discretionary activity, the Council will consider the matters listed below:

15.1.6C.4.1 PROPERTY ACCESS

- (a) Adequacy of sight distances available at the access location.
- (b) Any current traffic safety or congestion problems in the area.
- (c) Any foreseeable future changes in traffic patterns in the area.
- (d) Possible measures or restrictions on vehicle movements in and out of the access.
- (e) The adequacy of the engineering standards proposed and the ease of access to and from, and within, the site.
- (f) The provision of access for all persons and vehicles likely to need access to the site, including pedestrian, cycle, disabled and vehicular.
- (g) The provision made to mitigate the effects of stormwater runoff, and any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties.
- (h) For sites with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive:
 - (i) the visual impact of hard surfaces and vehicles on the natural character;
 - (ii) the cumulative effects of additional vehicle access onto Kerikeri Road and the potential vehicle conflicts that could occur;
 - (iii) possible use of right of way access and private roads to minimise the number of additional access points onto Kerikeri Road;
 - (iv) the vehicle speed limit on Kerikeri Road at the additional access point and the potential vehicle conflicts that could occur.
- (i) The provisions of the roading hierarchy, and any development plans of the roading network.
- (j) The need to provide alternative access for car parking and vehicle loading in business zones by way of vested service lanes at the rear of properties, having regard to alternative means of access and performance standards for activities within such zones.
- (k) Any need to require provision to be made in a subdivision for the vesting of reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land; future connection of pedestrian accessways from street to street; future provision of service lanes; or planned road links that may need to pass through the subdivision; and the practicality of creating such easements at the time of subdivision application in order to facilitate later development.

- (l) Enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available (consent notices shall be registered on such Certificates of Title pursuant to **Rule 13.6.7**).
- (m) With respect to access to a State Highway that is a Limited Access Road, the effects on the safety and/or efficiency on any SH and its connection to the local road network and the provision of written approval from the New Zealand Transport Agency.

15.1.6C.4.2 FRONTAGE TO EXISTING ROADS

- (a) Measures to avoid, remedy or mitigate the effects of not complying with the Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009).

15.1.6C.4.3 NEW ROADS

- (a) Whether the new road complies with the "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009).

15.1.6C.4.4 SERVICE LANES, CYCLEWAYS AND PEDESTRIAN ACCESSWAYS

- (a) Whether the lanes and accessways comply with the Council's "*Engineering Standards and Guidelines*" (June 2004 – Revised 2009).

15.1.6C.4.5 ROAD DESIGNATIONS

- (a) Whether adequate provision has been made to protect the Requiring Authority's interest in acquiring land that has been designated for roads.

APPENDIX 3A: TRAFFIC INTENSITY FACTORS

(Reference: **Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access** and **Zone Maps**)

The Traffic Intensity Factor (TIF) establishes a value for determining the activity status. It is a means of assessing the likely traffic effects from a particular new activity and is based on the average daily one-way vehicle movements for that activity. TIFs are anticipated values and consequently, in any particular example, may not represent the amount of traffic that is actually generated by a land use. **Appendix 3A** sets out the Traffic Intensity Factor which has been calculated for a variety of activities. This is not the same as the Traffic Intensity threshold which has been determined for each zone-based on an assessment of what traffic effects are appropriate in the zone.

- 3A.1:** The Traffic Intensity Factor (TIF) does not apply to, or limit, existing activities already established and operating on a site, and does not limit future increases in traffic generation from a site unless:
- (a) this is the subject of a condition in a resource consent; or
 - (b) the effect of an increase in traffic is such that the scale, intensity, or character of the activity changes, in which case existing use rights no longer apply.
- 3A.2:** A TIF has been worked out for a limited number of activities. If there is no TIF in **Appendix 3A** for the activity that is being considered, the TIF for the activity in **Appendix 3A** that is closest in scale, intensity and character to the activity being considered may be used.
- 3A.3:** Where the traffic intensity threshold attributed to an activity in the table below is considered inappropriate, a report detailing the anticipated traffic intensity factor of the proposed activity may be provided for Council’s consideration and approval. This report must demonstrate the likely daily one way traffic movements for the proposed activity and must be prepared by a suitably qualified person.
- 3A.4:** Having established the TIF for a particular activity from **Appendix 3A**, reference must be made to the rules for the zone in which the activity is to be located, refer to Rule Table 15.1.6A.1. The rules state the Traffic Intensity threshold value for the zone. If the TIF for the particular activity, as listed in **Appendix 3A**, is less than the Traffic Intensity threshold value for the zone, the activity is permitted. If the Traffic Intensity threshold value is exceeded resource consent approval is required.
- Example:** A motel with 6 units has a TIF of 18 (refer to **Appendix 3A**). If it is proposed in the Residential Zone, which has an allowable Traffic Intensity threshold value of 20, it is, in terms of traffic intensity, a permitted activity.
- 3A.5:** A vehicle travelling to a site = one vehicle movement. A vehicle travelling to a site and then leaving to go elsewhere = two vehicle movements.
- 3A.6:** Where there is more than one activity on a site the TIF is calculated separately for each activity, then added together. This not only applies where there are two or more new activities proposed, but also means that if an existing activity on a site has a TIF of, e.g. 20, and the zone permits a TIF of 40, any new activity may have a TIF of 20 before it is subject to a resource consent.

(GFA = Gross Floor Area – see **Chapter 3 Definitions**)

(GBA = Gross Business Area – see **Chapter 3 Definitions**)

LAND USE ACTIVITY	TRAFFIC INTENSITY FACTOR (based on average daily one-way vehicle movements)
Residential	
Standard Residential Unit	10 per unit
Home Unit / Town House	7 per unit / house
House on Papakainga	5 per house
Kuia / Kaumatua housing on Papakainga	2 per house
Home Occupations	10 per unit
Pensioner Housing	2 per unit
Boarding Houses	2 per person accommodated

LAND USE ACTIVITY	TRAFFIC INTENSITY FACTOR (based on average daily one-way vehicle movements)
Casual Accommodation	
Home Stay/Bed & Breakfast	2 per person accommodated
Camping Grounds/Motor Camps	3 per unit and/or 2 per camp site
Motel	3 per unit
Hostel / Backpackers	2 per bed
Tourist Hotel	2 per room
Retail	
Shops (including TAB facilities) / Shopping Centres	50-per 100m ² GBA
Supermarkets	100 per 100m ² GBA
Garden or Hire centres	50 per 100m ² GBA
Building Supply Outlets	10 per 100m ² GBA
Service Stations/ Convenience Stores / Dairy	225-per 100m ² GBA
Large Format Retail / Bulk Retail (includes but is not limited to furniture and whiteware stores)	10 per 100m ² GFA
Vehicle repair, service	30 per 100m ² GBA
Vehicle Sales	1 per 100m ² GBA
Office and Commercial	
Commercial premises (includes but is not limited to offices, catteries and kennels and hair dressers)	10 per 100m ² GBA
Restaurants / Bars	
Fast Food with Drive-In	350-per 100m ² GBA
Restaurants, Bars, Cafes	30-per 100m ² GBA
Industry	
Industrial Activities (includes but is not limited to industrial units, distribution centres, bulk warehousing, contractors depots, manufacturing, packhouses and port/sea terminals)	10 per 100m ² GBA
Health and Education	
Hospitals	50 per 100m ² GFA
Home for the Aged	2 per bed
Doctors Rooms / Medical Centres	50 per 100m ² GFA
Veterinary Clinics / Dentist / Physiotherapist	20 per 100m ² GFA
Tertiary Education facility	30 per staff member
Schools	30 per staff member
Child Care Centres	75 per 100m ² GBA

LAND USE ACTIVITY	TRAFFIC INTENSITY FACTOR (based on average daily one-way vehicle movements)
Recreation	
Boat Ramps	200 per ramp
Gymnasiums	50 per 100m ² GFA
Tennis, squash, basketball, badminton	50 per court
Golf courses / Golf Driving Ranges /	175 per course
Sports Fields	100 per playing field or 60 per 100 spectator seats
Places of Entertainment	2 per every person facility is designed for
Places of Assembly	2 per every person facility is designed for
Other Buildings used for Social, Cultural or Recreational purposes (including Grandstands)	2 per every person facility is designed for
Marinas/moorings	2 per berth
Rural	
Farming	Exempt from Traffic Intensity provisions
Forestry	Exempt from Traffic Intensity provisions
Renewable Energy Use and Development Activities – includes Renewable Energy Use and Development Activities associated with all land use activities listed above (refer Section 12.9)	
	Exempt from Traffic Intensity provisions

APPENDIX 3B-1: STANDARDS FOR PRIVATE ACCESS

(Reference: *Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access and Zone Maps*)

Zone	No. of H.E.s	Legal Width	Carriageway Width	Maximum Gradient		Kerb	Foot-path	Storm-water Drain ¹
				Unsealed	Sealed			
Residential	1	-	3.0	1:6	1:4	-	-	Yes
Coastal Residential	2	5.0	3.0	-	1:4	-	-	Yes
Russell Township	3 - 4	7.5	3.0 with passing bays	-	1:4	-	-	Yes
Point Veronica	5 - 8	7.5	5.0	-	1:4	Yes	-	Yes
Commercial	1	-	3.0	1:8	1:5	-	-	Yes
Industrial	2 - 4	8.0	6.0	-	1:5	-	-	Yes
Orongo Bay Special Purpose	>5	8.0	6.0	-	1:5	-	-	Yes
Rural Production	1	-	3.0	1:5	1:4	-	-	Yes
Rural Living	2	5	3.0	1:5	1:4	-	-	Yes
Waimate North Horticultural Processing	3 - 4	7.5	3.0 with passing bays	1:5	1:4	-	-	Yes
Carrington Estate General Coastal Coastal Living South Kerikeri Inlet Recreational Activities	5 - 8	7.5	5.0	1:5	1:4	-	-	Yes

¹ All private access must have stormwater drainage measures such that adverse effects are not created on adjoining properties or the public road, in accordance with Council's "Engineering Standards and Guidelines" (June 2004 – Revised 2009)

Note 1: H.E. = Household Equivalent represented by 10 vehicle movements

Note 2: Refer to **Rules 15.1.6B.1.1(c) and (d)**.

Note 3: Access for more than 8 Household Equivalents shall be by public road and constructed to a standard identified in **Appendix 3B-2**.

Note 4: Access carriageways in urban zones that serve two or more users shall be sealed or concreted, refer **Rule 15.1.6B.1.2(c)**.

APPENDIX 3B-2: STANDARDS FOR ROADS TO VEST (PUBLIC ROADS)

(Reference: *Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access* and *Zone Maps*)

Area	Description of Road	Carriageway (metres)	Formation (metres)	Minimum legal width (Metres)	Kerb	Lights to NZS 6701	Footpath And Berm
Rural	Type A: ultimate development 5 to 15 H.E.	6.0	8.5	16.0			
Rural	Type B: ultimate development greater than 15 H.E. All collector roads	6.5	8.5	20.0			
Rural	Type C: all arterial and strategic roads	7.5	9.5	20.0			
Urban	Type A: ultimate development 5 - 15 H.E. All service lanes	6.5	9.0	16.0	Yes	Yes (Minor Road)	Footpath one side, no berm
Urban	Type B: ultimate development > 15 H.E. (except service lanes)	8.0	12.5	16.0	Yes	Yes (Minor Road)	One side
Urban	Type C: (see notes)	12.0	18.0	20.0	Yes	Yes (Minor Road)	Both sides
Urban	Type D: roads with cycle paths (see notes)	14.0	20.0	22.0	Yes	Yes (Intermediate Road)	Both Sides

Note 1: H.E. = Household Equivalent represented by 10 vehicle movements

Note 2: The legal width is the width that has been declared road in accordance with Section 114 of the Public Works Act. Legal widths shall be greater than those shown as necessary to accommodate earthwork cuts and fills

Note 3: **Type A** roads are local roads with traffic volumes up to 150 daily vehicle movements

Note 4: **Type B** roads are local and collector roads with traffic volumes in excess of 150 daily vehicle movements

Note 5: **Type C** roads are collector roads outside normal commercial or industrial areas that:

- (a) Do not have significant cycle or pedestrian movements or;
- (b) For which cyclists and pedestrians can easily use alternative routes (e.g. a nearby parallel minor street).

Note 6: **Type D** roads are roads of any classification where cycle paths are required.

Note 7: The standards for roads to vest above are reflective of the requirements within *Council's Engineering Standards and Guidelines (June 2004 – Revised 2009)*.

APPENDIX 3C: PARKING SPACES REQUIRED

(Reference: **Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access**)

- 3C.1:** Where there is more than one activity on a site the parking requirement is calculated separately for each activity and then added together.
- 3C.2:** If a particular activity is not referred to in this Appendix, use the closest, most similar activity for the proposal - calculating the most appropriate parking requirement to apply.
- 3C.3:** Where an assessment results in a fractional space, any fraction under half shall be disregarded and any fraction of a half or more shall be counted as one space.

(GFA = Gross Floor Area – see **Chapter 3 Definitions**)

(GBA = Gross Business Area – see **Chapter 3 Definitions**)

LAND USE ACTIVITY	CAR PARKING SPACES REQUIRED
Residential	
Standard Residential Unit	2 per unit
Home Unit / Town House	2 per unit
Home Occupations	1 per non residential employee
Pensioner Housing	1 per unit
Boarding Houses	1 per 2 persons accommodated
House on Papakainga	1 space for the first house plus one space per 2 additional houses
Kuia / Kaumatua housing on Papakainga	1 per house
Casual Accommodation	
Home Stay/Bed & Breakfast	1 per 2 persons accommodated
Camping Grounds/Motor Camps	1 per unit / camp site, plus 1 per 2 employees
Motel	1 per unit plus 1 per 2 employees
Tourist Hotel	1 per 2 rooms plus 1 per 2 employees
Hostel / Backpackers	0.5 per bed
Retail	
Shops (including TAB facilities) / Shopping Centres / Large Format Retail / Bulk Retail	1 per 25m ² GBA
Supermarkets	1 per 20m ² GFA
Garden or Hire centres	1 per 100m ² space open to public
Building Supply Outlets	4 per 100m ² of GBA
Service Stations / Convenience stores / Dairy	1 per 35m ² GFA shop plus 2 for every 3 employees present on site at any one time
Vehicle sales, repair, service	1 per 150m ² vehicle display area plus 4 for each repair / lube bay plus 1 per each remaining 50m ² GBA
Office and Commercial	
Commercial premises	1 per 40m ² GBA
Catteries/kennels	1 per 10 animals which can be accommodated
Restaurants / Bars	
Fast Food with Drive-In	1 per 10m ² GBA
Restaurants, Bars, Cafes	1 per 10m ² GFA plus 1 per 15m ² outdoor area or 1 space for every 4 persons the activity is designed to accommodate, whichever is greater

LAND USE ACTIVITY	CAR PARKING SPACES REQUIRED
Industry	
Industrial Activities (includes but is not limited to industrial units, distribution centres, bulk warehousing, contractors depots, manufacturing and packhouses)	1 per 100m ² GBA
Port / Sea Terminal	1 per 2 employees
Health and Education	
Hospitals	1 per every 3 beds plus 5 per operating theatre plus 1 per remaining 25m ² GFA
Home for the Aged	1 per every 5 people facility is designed for plus 1 per 2 employees
Doctors Rooms / Medical Centres	1 per 20m ² GFA
Veterinary Clinics / Dentist / Physiotherapist	1 per 20m ² GFA
Tertiary Education facility	1 per 3 persons facility is designed for
Schools	2 per classroom
Child Care Centres	1 per every 4 children
Recreation	
Boat Ramps	15 (for car & trailer) per each 3m width of ramp
Gymnasiums	3 per 100m ² GFA
Tennis, Squash, basketball, badminton	3 per court
Golf courses	2.5 per 1ha
Golf driving range	1 per tee
Sports Fields	12.5 per 1ha devoted to the activity
Bowls	125 per 1ha devoted to the activity
Places of Entertainment	1 per every 4 persons designed to be accommodated
Places of Assembly	1 per every 5 persons facility is designed for, provided that where a church and hall are erected on the same site the maximum requirement shall be the maximum requirement for the church or hall, which ever is the greater.
Other Buildings used for Social, Cultural or Recreational purposes (including Grandstands)	1 per every 4 persons facility is designed for
Marinas	0.8 per every 1 berth
Swing/Pile Moorings	0.5 per every 1 mooring
Rural	
Farming	Exempt from parking requirements
Forestry	Exempt from parking requirements
Renewable Energy Use and Development Activities – includes Renewable Energy Use and Development Activities associated with all land use activities listed above (refer Section 12.9)	
	Exempt from parking requirements

APPENDIX 3D: MANOEUVRING & PARKING SPACE DIMENSIONS

(Reference: *Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access*)

(all dimensions in metres)

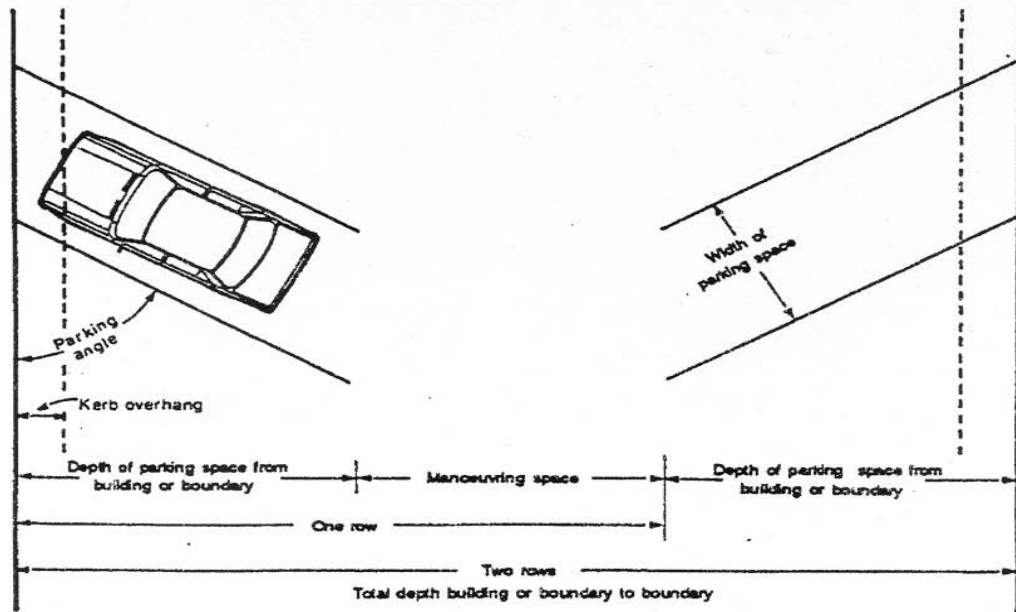
Parking Angle	Width of Parking Space	Kerb Overhang	Depth of Parking Space	Manoeuvring Spaces	Total Depth One Row	Total Depth Two Rows
90° Regular Users ⁽¹⁾	2.4 ⁽²⁾	1.0	4.9	7.1	12.9	16.9
	2.5	1.0	4.9	6.7	11.6	16.5
	2.6	1.0	4.9	6.3	11.2	16.1
	2.7	1.0	4.9	5.9	10.8	15.7
	≥2.75	1.0	4.9	5.9	10.8	15.7
90° Casual Users ⁽¹⁾	2.5	1.0	4.9	8.1	13.0	17.9
	2.6	1.0	4.9	7.1	12.0	16.9
	2.7	1.0	4.9	6.7	11.6	16.5
	≥2.75	1.0	4.9	6.6	11.6	16.4
75°	2.4 ⁽²⁾	1.0	5.2	6.5	11.7	16.9
	2.5	1.0	5.2	6.0	11.2	16.4
	2.6	1.0	5.2	5.7	10.9	16.1
	2.7	1.0	5.2	5.0	10.2	15.4
	≥2.75	1.0	5.2	4.3	9.5	14.7
60°	2.4 ⁽²⁾	1.0	5.2	4.6	9.8	15.0
	2.5	1.0	5.2	4.1	9.3	14.5
	2.6	1.0	5.2	3.5	8.7	13.9
	2.7	1.0	5.2	3.3	8.5	13.7
	≥2.75	1.0	5.2	3.2	8.4	13.6
45°	2.4 ⁽²⁾	0.8	4.9	2.9	7.8	12.7
	2.5	0.8	4.9	2.7	7.6	12.5
	2.6	0.8	4.9	2.5	7.4	12.3
	2.7	0.8	4.9	2.4	7.3	12.2
	≥2.7	0.8	4.9	2.3	7.2	12.1
30°	2.4 ⁽²⁾	0.6	4.0	2.4	6.4	10.4
	2.5	0.6	4.0	2.4	6.4	10.4
	2.6	0.6	4.0	2.4	6.4	10.4
	2.7	0.6	4.0	2.3	6.3	10.3
	≥2.75	0.6	4.0	2.3	6.3	10.3
Parallel	5.9	0.4	2.5	3.6	6.1	8.6
	6.1	0.4	2.5	3.3	5.8	8.3
	6.3	0.4	2.5	3.0	5.5	8.0

- (1) Regular users are people whose regular use gives them a familiarity with the building that permits smaller safe clearances between vehicles and parts of buildings. Casual users are people (usually short-term visitors) who would not be familiar with the building layout.
- (2) Stall widths of 2.4m should generally only be used where users are familiar with the car park. This stall width does not meet the requirements of the Building Code for Casual Users.

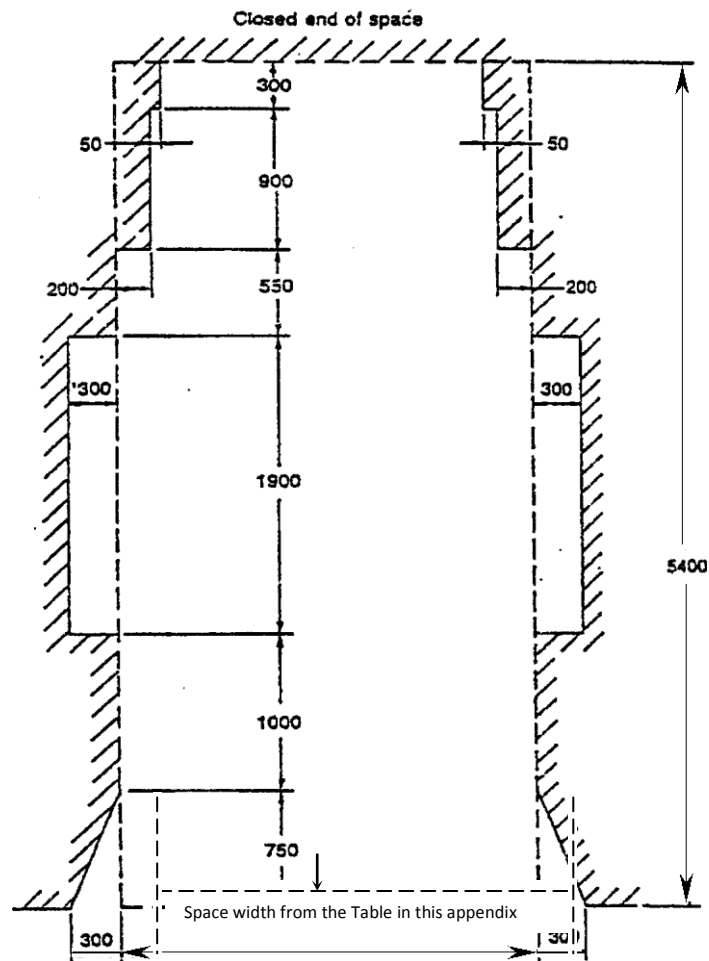
Notes:

- (a) Minimum aisle widths are 3.6m for a one-way aisle, and 5.5m for a two-way aisle. Where an aisle serves more than 50 spaces, it should be designed as a circulation route in which case the minimum width for a two-way aisle increases to 6.5m. Note that the Building Code requires an extra 0.8m width where pedestrians use a vehicle circulation route.
- (b) Stall widths shall be increased by 0.3m where they abut obstructions such as columns or walls.
- (c) All overhang areas shall be kept clear of objects greater than 150mm in height.
- (d) Where parallel end spaces have direct access through the end of the stall the length of the stall may be reduced to 5.4m.
- (e) One-way traffic is assumed for angle spaces.
- (f) Car park height shall be at least 2.3m over the full area of the space, except where special provision is made to divert over height vehicles, in which case the minimum height may be reduced to 2.1m.
- (g) Note that the Building Code may require car park spaces to be provided for people with disabilities. Details of the requirements for these spaces may be found in NZS 4121.
- (h) Linear interpolation is permitted for stall width, parking angle and aisle width.
- (i) Car park spaces which comply with the preferred design envelope shown below are deemed to comply with the dimensions in this Appendix.

Manoeuvring and Parking Space Dimensions:



Preferred Design Envelope around Parked Vehicle to be kept clear of Columns, Walls and Obstructions:

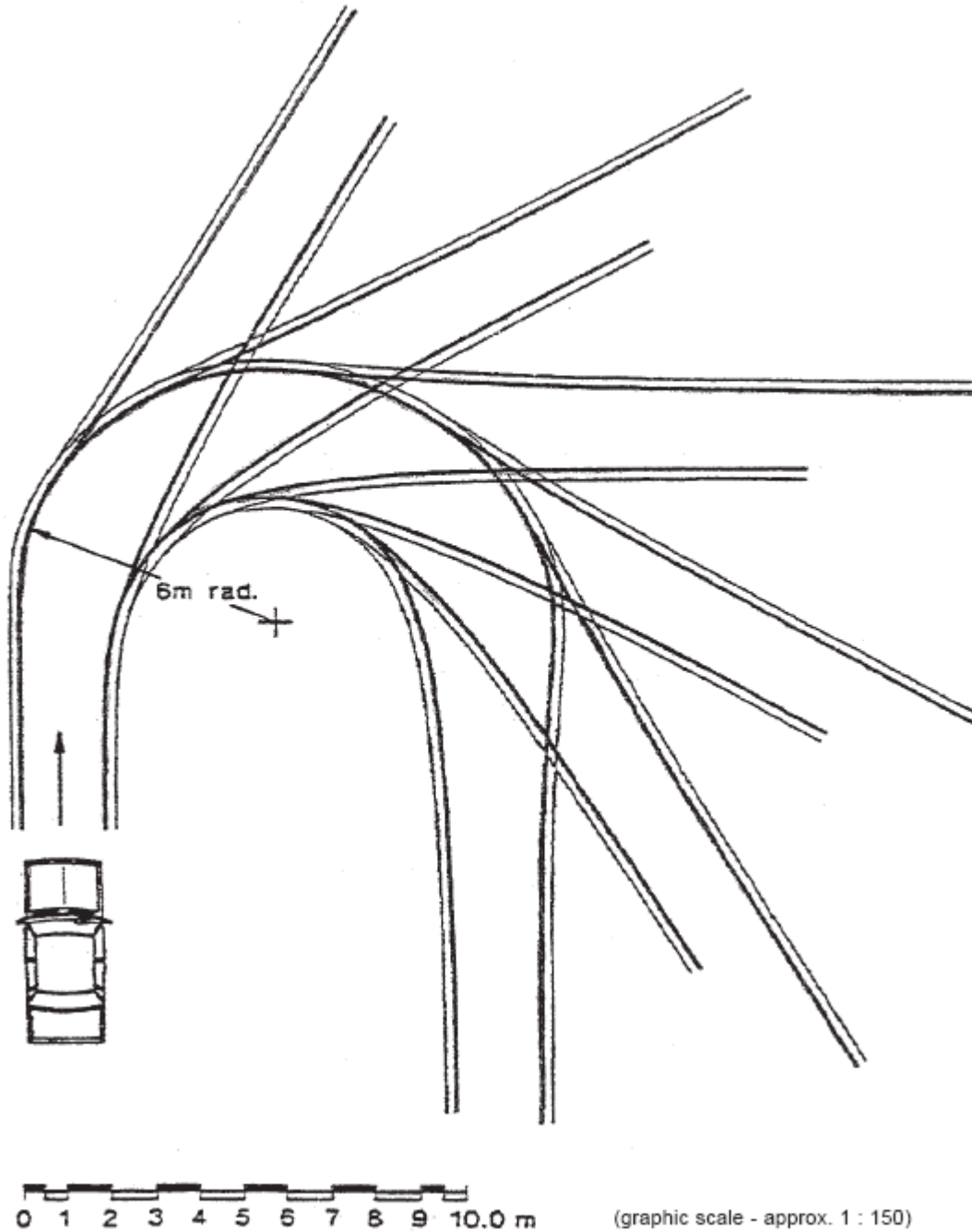


DIMENSIONS IN MILLIMETRES

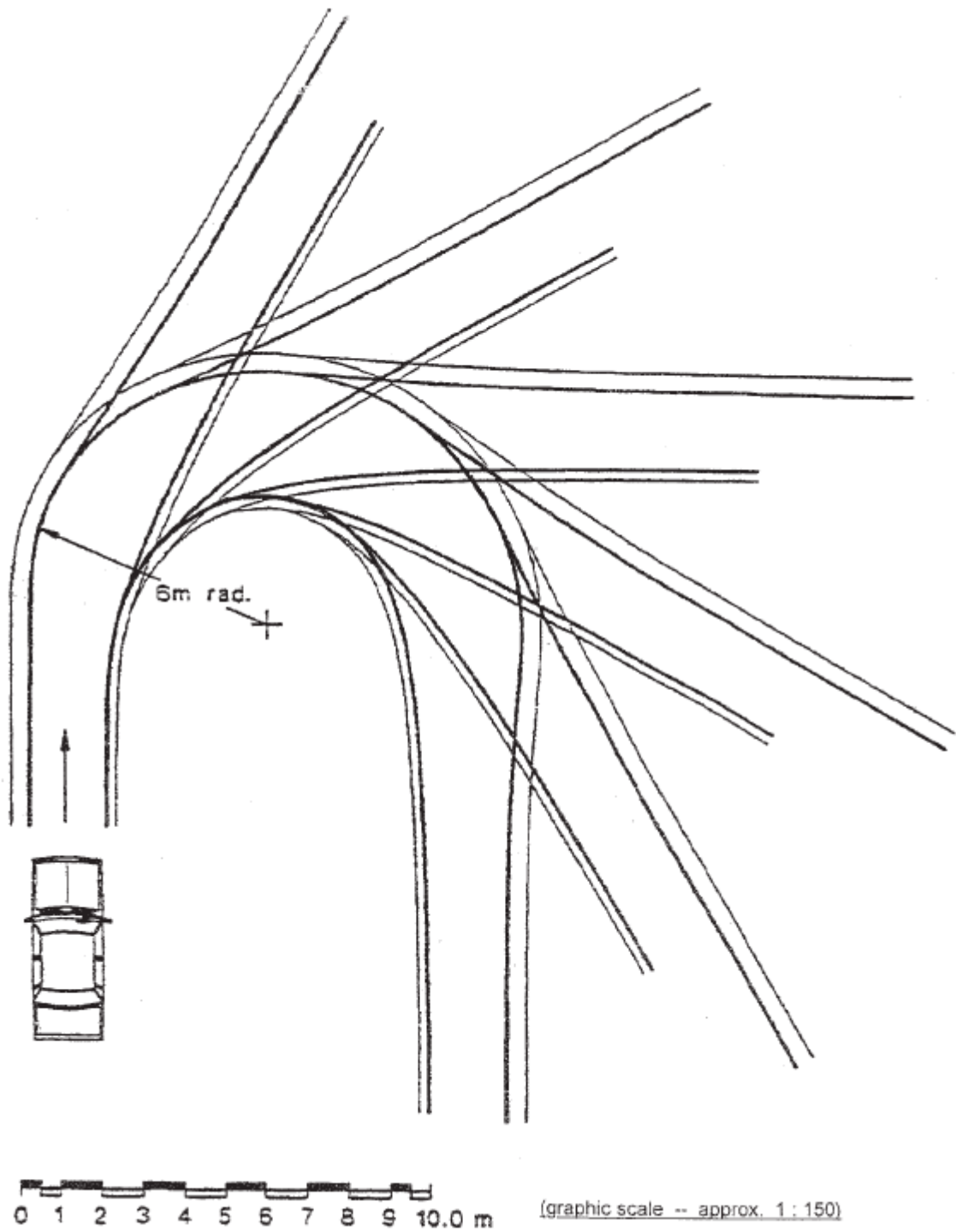
Note: The preferred design envelope provides for structural elements to be clear of all four side doors whereas the standard provides for the opening of the front door only (when nose in).

APPENDIX 3E: VEHICLE TRACKING CURVES

85 Percentile Motor Car:

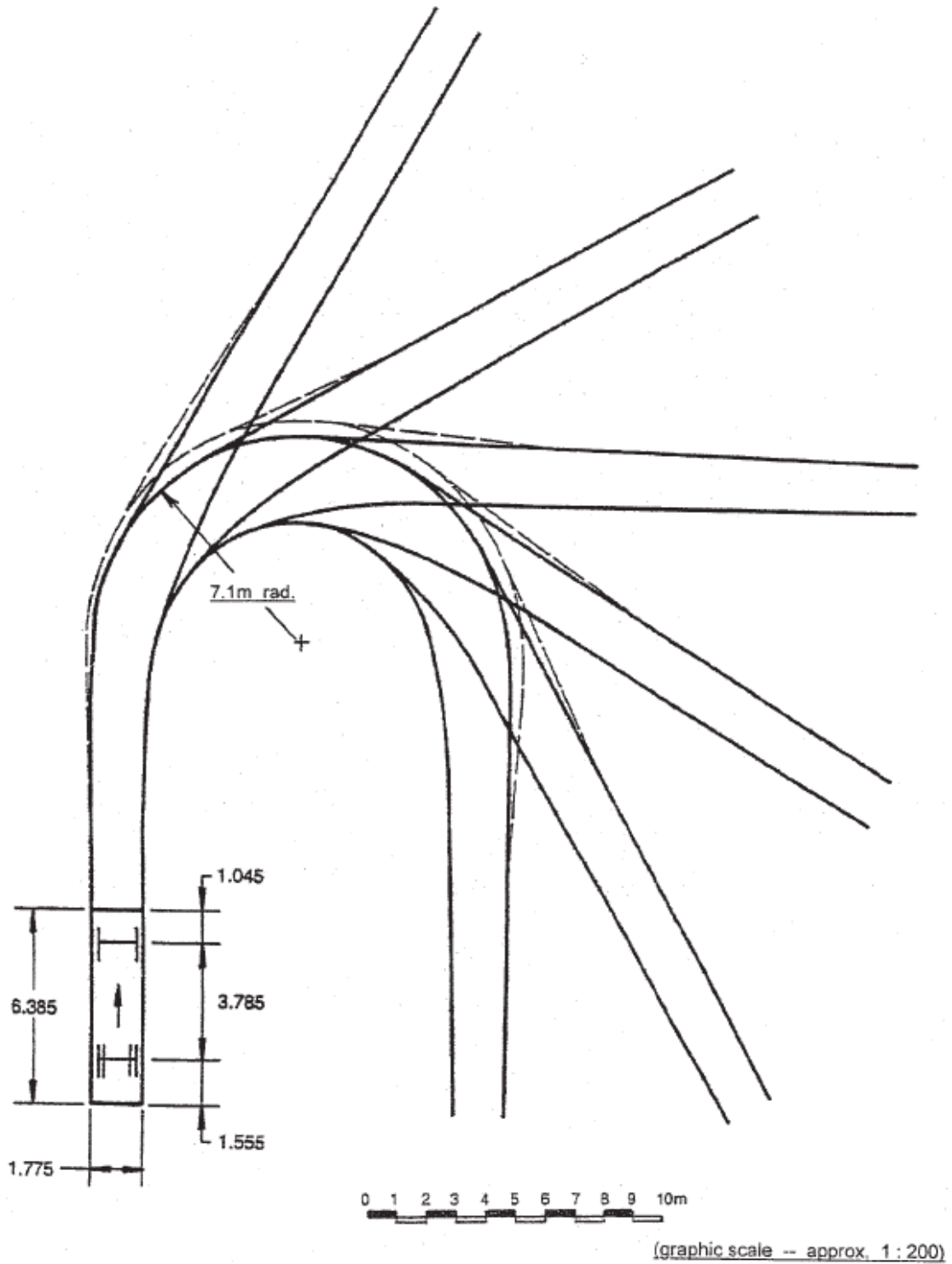


99 Percentile Motor Car:



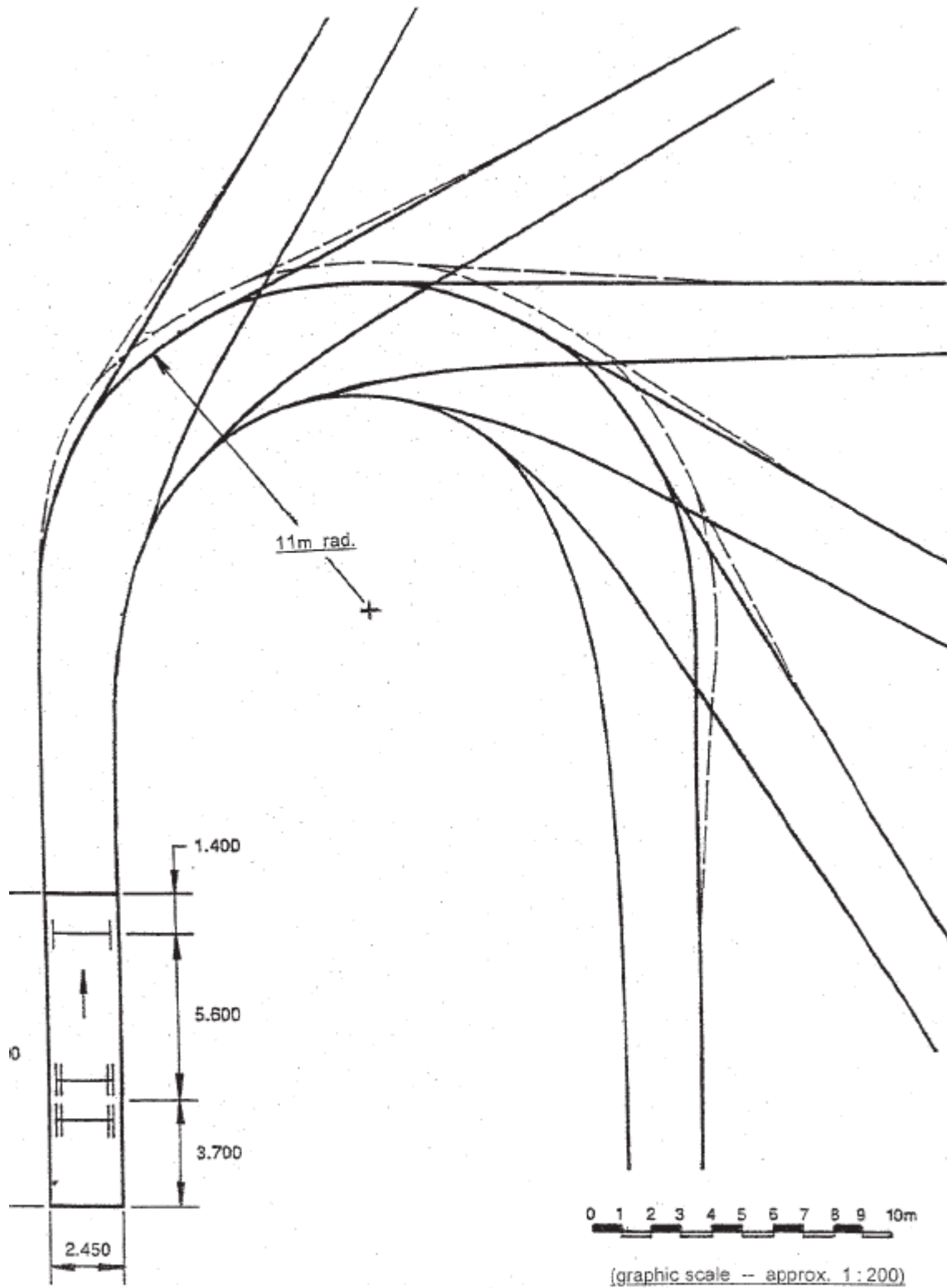
- denotes the B99 base dimension swept path.
- denotes the B99 design template which includes manoeuvring and circulation clearances. 300mm on the inside and 600mm on the outside

Tangential Curve Template – Small Rigid Vehicle (Radius 7.1m):



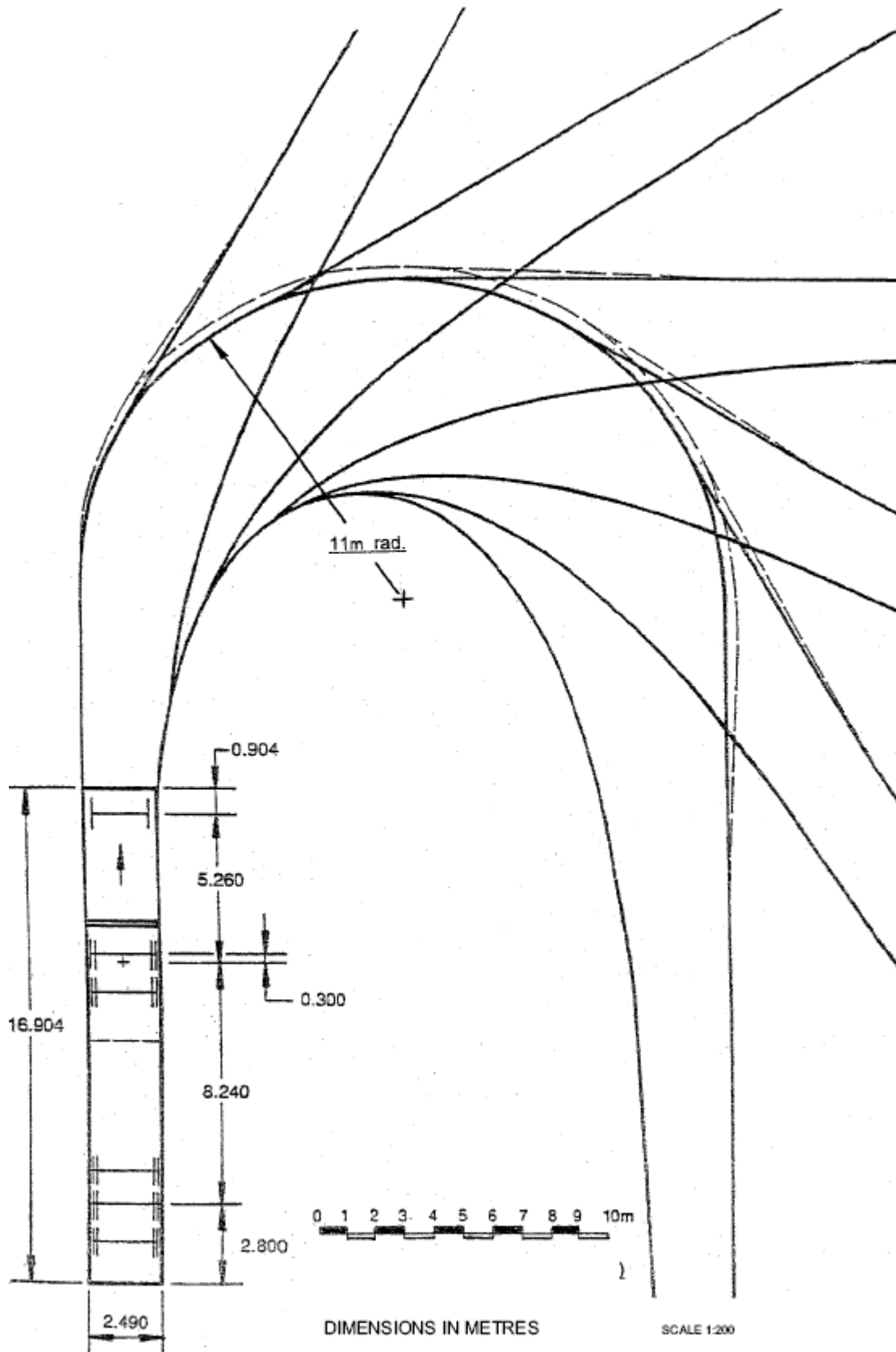
DIMENSIONS IN METRES

Tangential Curve Template – Heavy Rigid Vehicle (Radius 11m):



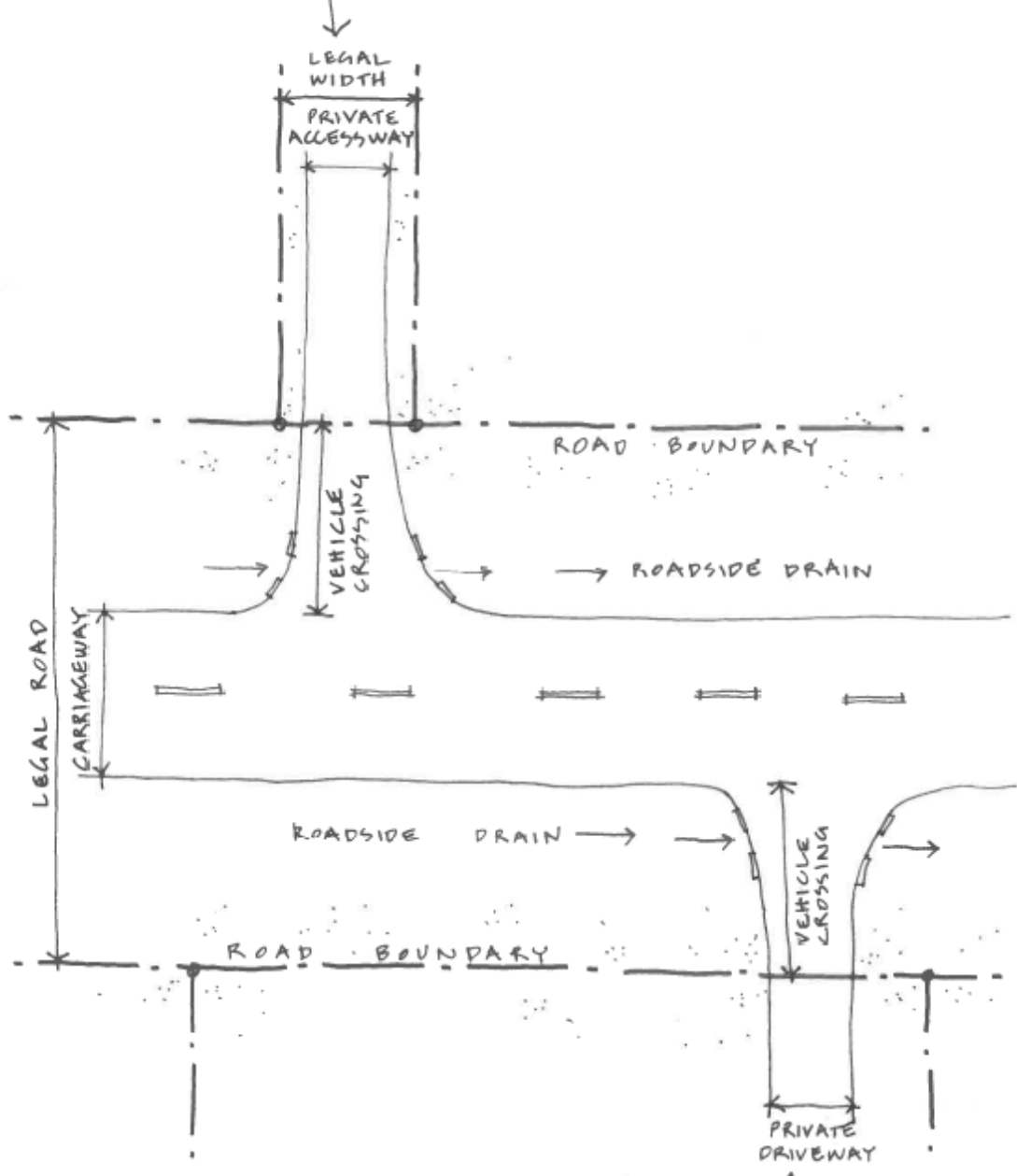
DIMENSIONS IN METRES

Tangential Curve Template – Articulated Vehicle (Radius 11m):



APPENDIX 3F: ACCESS STANDARDS TERMINOLOGY

ACCESS SERVING MULTIPLE SITES - RIGHT OF WAY OR ACCESS LOTS



ACCESS SERVING A SINGLE SITE

MEETING: COUNCIL - 22 JUNE 2017
Name of item: KERIKERI DOMAIN PARK RESERVE MANAGEMENT PLAN
Author: Neil Miller - Team Leader Policy and Research
Date of report: 08 June 2017
Document number: A1867501

Executive Summary

The purpose of the report is to propose that a Reserve Management Plan for Kerikeri Domain be commenced. Kerikeri Domain is the central park for the growing township used for recreational purposes. There is currently no Management Plan in place to guide the future development of the reserve.

The development of a Management Plan involves community consultations in two stages. The first stage is to hear suggestions and comments and the second stage is to hear comments and objections to a draft Plan.

This report was submitted to the 7 June 2017 Strategy Committee meeting. The Committee makes the following recommendation to Council:

Recommendation

THAT Council notify the Kerikeri Domain Reserve Management Plan for community consultation.

1) Background

The Reserves Act 1977 requires that Council reserves, unless they are classified as a local purpose reserve, have a reserve management plan and review the plan every 5 years. A fully notified management plan under the [Reserves Act 1977 section 41 Management Plans](#) requires a 3 stage process for community consultation:

1. Before preparing a management plan, the Council shall invite persons and organisations interested to send *written suggestions* on the proposed plan, and in preparing that management plan, give full consideration to any such comments received.
2. Council shall prepare a *draft management plan* and any person or organisation that wants will be given *2 months* to make a written objection or written comments.
3. Every person or organisation will be given a *reasonable opportunity to be heard* by appearing before the Council or a nominated committee in support of his or her or its objection or comments.

In 2007 a sports needs assessment was completed. Unmet needs were identified for rugby league, netball and squash. After extensive community consultation, a decision was taken to relocate sports to a dedicated site near the new Heritage Bypass. Council determined to provide funds and facilities, with squash to be accommodated as part of a general purpose building at the new site. The community advised that they wanted passive recreation on the Domain. The Domain Trust Board was then established. Funds of \$166,000 have been allocated for 2019/20 through the 2015-25 Long Term Plan for a purpose-built squash facility planned and designed to be located at the new sports hub Kerikeri Sports Complex. This consultation can still be taken into account when developing a Management Plan.

Community groups can participate in the development of a draft plan for the second stage of consultation.

On 10 April 2017 the Bay of Islands and Whangaroa Community Board Bay of Islands-Whangaroa Community Board resolved to recommend to Council that a Kerikeri Domain Reserve Management Plan be developed.

2) Discussion and options

Option one: Develop a Management Plan for the Kerikeri Domain with full community consultation

The table below shows the quickest that a full consultation under the requirements of the Reserves Act can be completed within Council reporting deadlines. These dates are provisional and depend upon the community feedback and decisions of Council through the process.

Provisional Consultation Timeline	Date
Report to Council "THAT Council review Kerikeri Domain Reserve Management Plan on a full notified basis"	22 June
Community consultation, including Kerikeri Domain Trust and Vision Kerikeri	26 June – 21 July
Report to Bay of Islands – Whangaroa Community Board	25 September
Report to Council "THAT the proposed Kerikeri Domain Reserve Management Plan be adopted for consultation."	26 October
Community Consultation on Draft Reserve Management Plan (2 months required)	6 November – 31 January
Hear community views	February 2018
Report to Council to approve Final Kerikeri Domain Reserve Management Plan	March or April 2018

Option two: Develop a Management Plan for Kerikeri Domain under limited public consultation

The Reserves Act section 41(5A) sets out that it can be determined by a Council resolution that written suggestions are not required on a proposed management plan if they would not materially assist in its preparation.

Option three: Status Quo

This would mean that the Domain Trust would continue to have delegated responsibility for the management of the Domain with Council. Decisions would continue to be taken on a case-by-case basis.

Staff recommend option one because there is a high level of interest in the Kerikeri Domain and community suggestions for the Domain will inform the development of a draft Management Plan. It is also consistent with the Reserves Act requirement to adopt a Plan.

3) Financial implications and budgetary provision

There are no direct financial implications to the recommendation that are not budgeted for under existing resources. Any planned expenditure would be a matter to be considered as part of the 2018-28 Long Term Plan.

4) Reason for the recommendation

The development of a Management Plan will guide the future use of the Domain and fulfils statutory requirements.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<p>Relationship with existing policies and Community outcomes.</p>	<p>Our residents and ratepayers engage with us, understand and have confidence in our decision making.</p> <p>Safe, healthy, resilient places and people.</p> <p>Sustainable, affordable, equitable infrastructure that contributes to the economic progress and social wellbeing of the district.</p>
<p>Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.</p>	<p>None identified at present.</p>
<p>Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.</p>	<p>Community views or preferences are to be considered as part of the reserve management plan consultation process.</p>
<p>Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?</p>	<p>The commencement of the Management Plan is a decision of low significance. The Plan itself is significant; therefore, full notification is recommended.</p>
<p>If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?</p>	<p>The Bay of Islands and Whangaroa Community Board resolved that a Management Plan be developed.</p>
<p>Financial Implications and Budgetary Provision.</p> <p>Chief Financial Officer review.</p>	<p>There will be no immediate financial implications as a result of this proposal. The new reserve management plan that will ensue as a result of this process is likely to signal substantial refurbishment of the existing Kerikeri Domain facilities, the budget for which is already allocated in the 2015-25 Long Term Plan.</p> <p>The Chief Financial Officer has reviewed this report.</p>

MEETING: COUNCIL - 22 JUNE 2017
Name of item: ROAD STOPPING: KOUTU LOOP ROAD
Author: Mark Lagerstedt - Land Title Specialist
Date of report: 02 June 2017
Document number: A1869315

Executive Summary

The purpose of the report is to gain the support for a parcel of legal road to be stopped and vested in the owner of land from which land has already been acquired for road; i.e. a land exchange.

This report was submitted to the 5 April 2017 Kaikohe-Hokianga Community Board and the 8 June 2017 Operations Committee. The Committee added a further and that, to make the following recommendation to Council:

THAT the portion of Koutu Loop Road shown as Section 1 SO 485870 be stopped and vested in the owner of CFR 478825, subject to an easement in gross being granted to Chorus Ltd;

AND THAT an application be filed for the land to be set aside by the Māori Land Court as a Māori reservation, as directed by the Court;

AND THAT the CEO ensures the conditions stipulated by the Maori Land Court be met.

Recommendation:

THAT the portion of Koutu Loop Road shown as Section 1 SO 485870 be stopped and vested in the owner of CFR 478825, subject to an easement in gross being granted to Chorus Ltd;

AND THAT an application be filed for the land to be set aside by the Māori Land Court as a Māori reservation, as directed by the Court

AND THAT the CEO ensures the conditions stipulated by the Maori Land Court be met.

1) Background

Section 1 SO 375805, a strip of land on the north-eastern side of Koutu Loop Road, was vested in the Council as road by the Maori Land Court in an order dated 3 September 2014 (88 TTK 189-190).

This order was subject to an equivalent area of road on the south- western side of the road being stopped and vested in the owner as a Maori reservation. This area of land is described as Section 1 SO 485870.

This road stopping is being undertaken pursuant to the Local Government Act 1974.

Pursuant to the Tenth Schedule of the Act, the road stopping was twice advertised publicly between 13 April and 23 April 2016.

No objections were received by the closing date of 27 May 2016.

2) Discussion and options

The vesting of Section 1 SO 375805 as road was to legalise parts of the road formation and bridge as legal road.

The Maori Land Court judge turned down the Council's offer of compensation at valuation for the road acquisition and ordered the Council to provide equivalent land as the compensation.

Accordingly there is no alternative to the judge's order.

3) Financial implications and budgetary provision

There are no financial implications of this recommendation other than the costs associated with advertising the final stopping and the professional fees of an agent to prepare and lodge the gazette notice. These costs are covered by an existing legalisation budget.

4) Reason for the recommendation

The recommendation is a necessary part of the process of stopping a portion of legal road under the Local Government Act 1974, in exchange for land already acquired from the previous owner and vested as road.

Approval of the recommendation by the Community Board, and subsequently the Operations Committee and the Council, is a legal formality required for compliance with an order of the Maori Land Court.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management Group

Attachment 1: SO 485870 - Document number A1869316

Attachment 2: 85 TTK 189-190 - Document number A1869317

Attachment 3 Aerial photograph - Document number A1869318

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	This type of road legalisation promotes the efficient use of existing infrastructure in accordance with the 2015-25 LTP.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Stopped road will be vested by the Maori Land Court as a Tauranga (boat landing) Reserve
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	No objections resulted from public notification
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The Community Board's views are being sought.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	These costs are covered by an existing legalisation budget.



Title Plan - SO 485870

Survey Number SO 485870
Surveyor Reference 868 Koutu Loop Road
Surveyor Mark Richard Lagerstedt
Survey Firm Far North District Council
Surveyor Declaration I Mark Richard Lagerstedt, being a licensed cadastral surveyor, certify that:
 (a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and
 (b) the survey was undertaken by me or under my personal direction.
 Declared on 08 Jul 2015 12:29 PM

Survey Details

Dataset Description	Section 1		
Status	Approved as to Survey		
Land District	North Auckland	Survey Class	Class B
Submitted Date	08/07/2015	Survey Approval Date	08/07/2015
		Deposit Date	

Territorial Authorities

Far North District

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Section 1 Survey Office Plan 485870	Legalisation	0.0460 Ha	
Area A Survey Office Plan 485870	Easement		
	Road		
Total Area		<u>0.0460 Ha</u>	

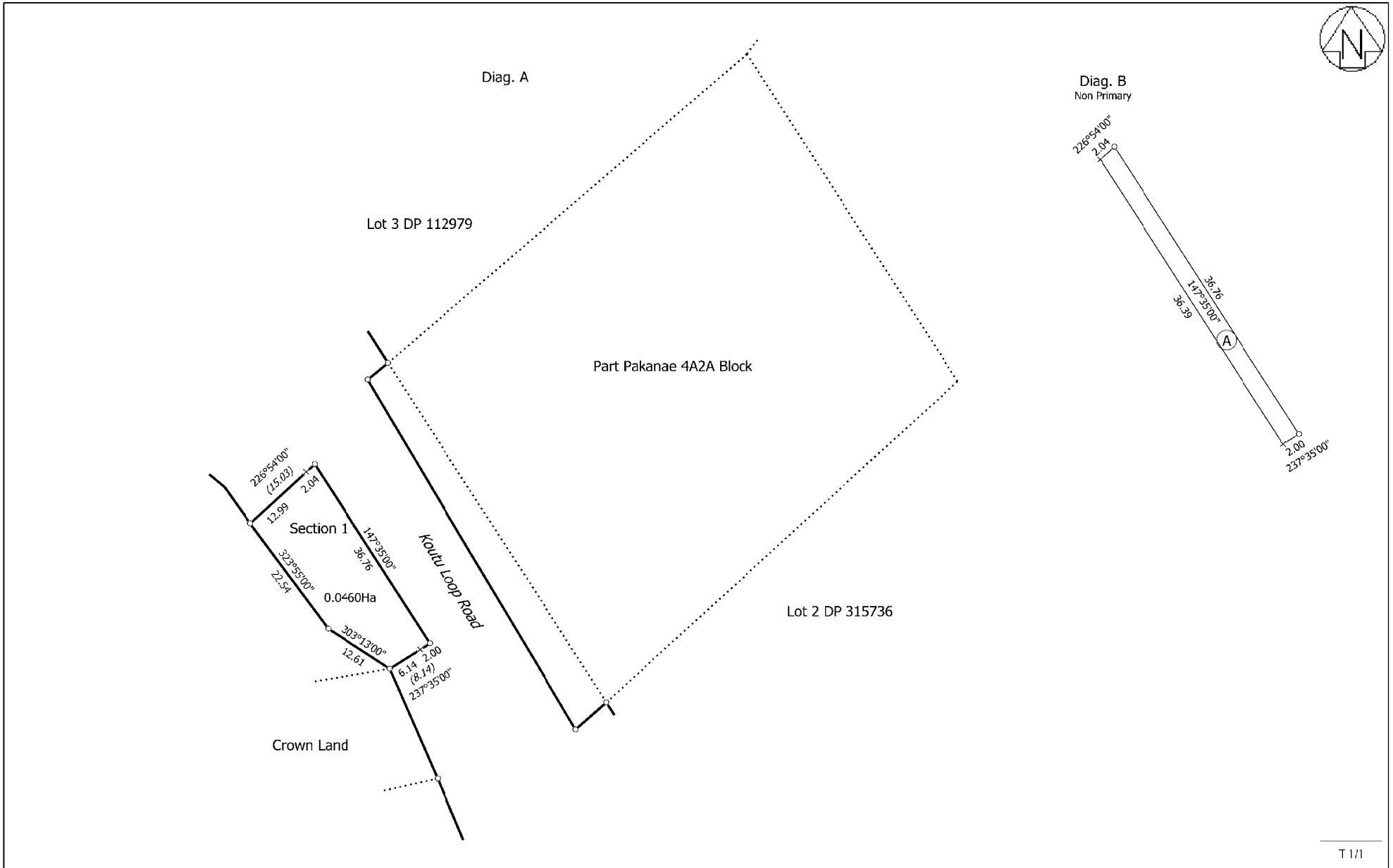
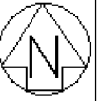
Schedule

**Land Registration District
North Auckland**

**Plan Number
SO 485870**

**Territorial Authority
Far North District**

Schedule of Easement in Gross			
Purpose	Shown	Servient Tenement	Grantee
Right to convey telecommunications and computer media	A	Section 1 SO 485870	Chorus Ltd



Land District: North Auckland
 Dataset Type: Parcels without Survey Information
Digitally Generated Plan
 Generated on: 06/07/2015 3:58pm Page 3 of 3

Section 1

Surveyor: Mark Richard Lagerstedt
 Firm: Far North District Council

Title Plan
SO 485870
 Approved on: 8/07/2015

Place: Gisborne Chambers
 Present: C L Fox, Deputy Chief Judge
 N Nepe, Clerk of the Court
 R M Parkin, Case Manager
 Date: 3 September 2014

Application No: A20080004574

Subject: Pakanae 4A2A - Confirmation of alienation of Maori freehold land
 Section: Sections 151 and 67 of Te Ture Whenua Maori Act 1993
 Previous Evidence: 43 Kaikohe MB 192-194 dated 11 July 2008
 55 Kaikohe MB 268-269 dated 14 December 2009
 5 Taitokerau MB 1-12 dated 14 April 2010
 71 Taitokerau MB 219-228 dated 9 December 2013

Details of the applicant are as follows:

Applicant	Address
Far North District Council	Private Bag 752, Kaikohe 0440

Mrs R M Parkin, for Deputy Registrar: I refer to the hearing of 9 December 2013 minute book reference 71 Taitokerau MB 219-228. The Court made orders:

Pursuant to section 155 of Te Ture Whenua Māori Act 1993 confirming the sale of 391 m² of Pakanae 4A 2A being all the land described in CFR 478825 and delineated as Section 1 on SO 375805 for a road to the Far North District Council at a price of \$1.00 as set out in the Memorandum of Agreement dated 29 January 2008.

Confirmation is conditional subject to:

- (a) The drainage work being completed, at least to the extent that has been outlined today by the representatives from both the Far North District Council and Transit New Zealand.
- (b) A proper survey plan being drawn and filed in the Court within the next six months. The plan should depict the new area to be set aside as a Māori reservation.
- (c) At the same time the plan is filed the Council is to file an application for having that land set aside as a Māori reservation.

Mark Lagerstedt of the Far North District Council has filed correspondence dated 16 June 2014 detailing the effects as set out:

- I Progress Report – determining a sustainable solution to the flooding problems, this includes the final topographical plan.
- II Proposed Work – recommendation for diversion to bypass the cause of blockage, with an expected improved drainage with operation of onsite septic tank to be monitored.
- III Expenses – for the topographical survey and engineers costs

- IV Estimate of future expenses – Regional council application, drainage diversion work and legalisation plans
- V Cost sharing – between NZTLA and FNDC

The final engineers report from High Workman Ltd sets out:

- 1 Brief background.
- 2 Preliminary Report to Technical Meeting (FNDC, NRC, NZTA reps) Whangārei April 2014.
- 3 Recent Investigations.
- 4 Recommendations; and includes the topographical survey plans

Council have fulfilled the conditions of (a) and part (b), the remaining requirement which has not been satisfied is the filing of an application setting aside the Māori reservation and that plan.

We now ask for release of the conditions and an order pursuant to section 151 of Te Ture Whenua Maori Act 1993:

The Court makes orders pursuant to Te Ture Whenua Maori Act 1993:

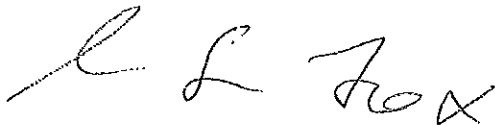
Pursuant to sections 152 and 155 of Te Ture Whenua Māori Act 1993 confirming the sale of 391 m² of Pakanae 4A 2A being all the land described in CFR 478825 and delineated as Section 1 on SO 375805 for a road to the Far North District Council at a price of \$1.00 as set out in the Memorandum of Agreement dated 29 January 2008.

Pursuant to rule 7.5(1)(c) of the Māori Land Court Rules 2011 the Court is satisfied that the conditions have been met and accordingly releases the order for completion.

The foregoing order to issue forthwith pursuant to rule 7.5(2)(b) of the Maori Land Court Rules 2011.

Far North District Council are directed to file an application pursuant to section 338(1) and plan by 20 October 2014 to achieve condition (c). If the application is filed within the date stipulated the fee will be waived.

Copy of minute to applicant and interested parties.



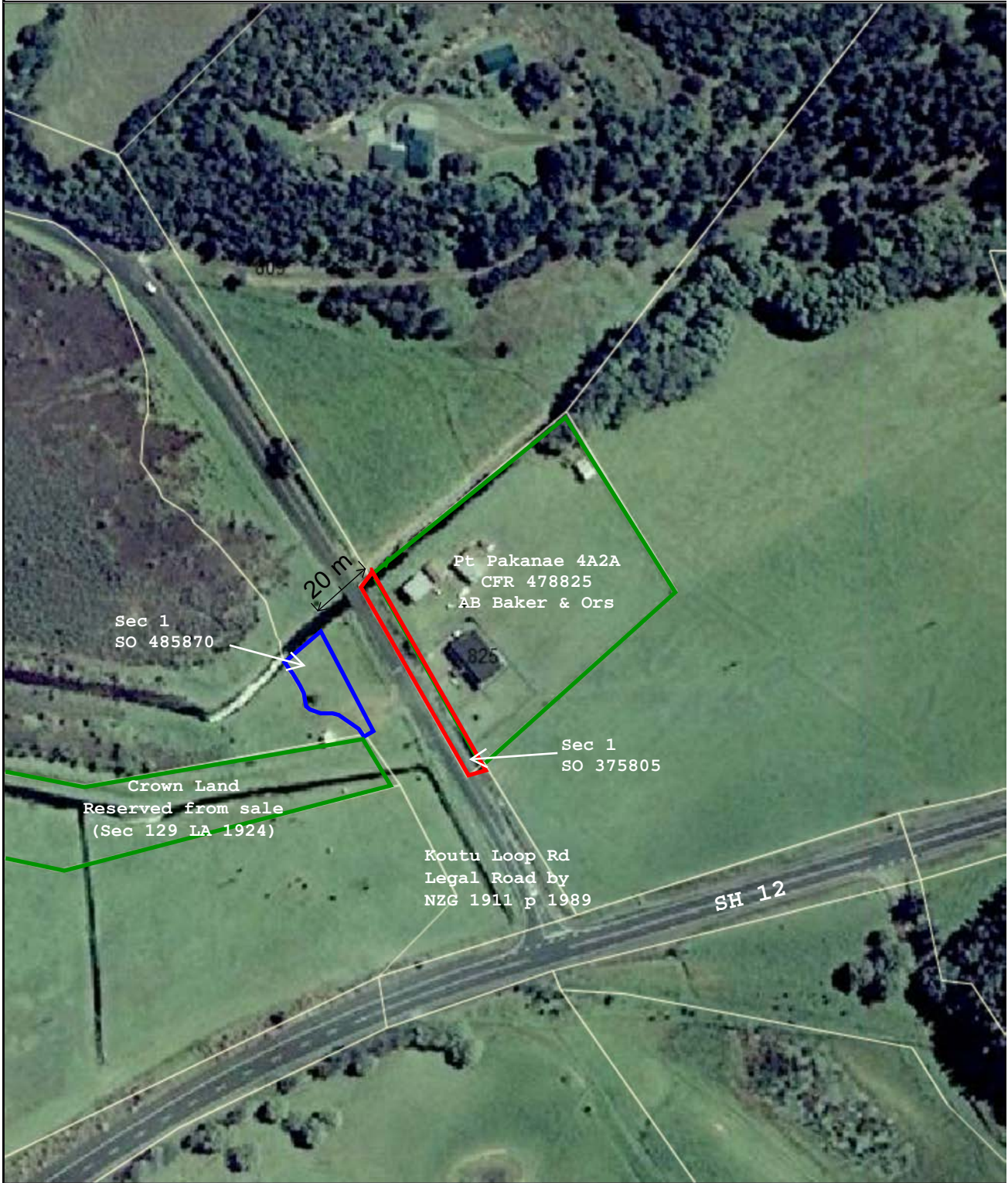
C L Fox
DEPUTY CHIEF JUDGE



Far North
District Council



Road to be stopped and vested in the Owners of Pt Pakanae 4A2A



Legend

<u>Nature</u>	<u>Area</u>	<u>Shown</u>	Scale - Not to scale Date - March 2017
Road to stop and vest in Owners of Pakanae 4A2A	0.0460Ha	Sec 1 SO 478227	Page 1 of 1
Document number A1869318 Land to acquire for Road	0.0391 Ha	Sec 1 SO 375805	

MEETING: COUNCIL - 22 JUNE 2017
Name of item: GROUND LEASE RED CROSS SOCIETY INC.
Author: Rob Koops - Property Services
Date of report: 05 May 2017
Document number: A1869320

Executive Summary

This report recommends that Council enters into a new 15 year ground lease on the 768 square meter of land located at 3 Grigg Street in Kaitaia which has been leased by NZ Red Cross since 01 October 1984 and on which they own a Skyline type double garage building used as a storage depot.

The report was submitted to the 13 April 2017 Te Hiku Community Board meeting and 8 June 2017 Operations Committee meeting. Both meetings make the following recommendation to Council:

Recommendation:

THAT Council enter into a new ground lease with the NZ Red Cross Society Inc on the land at 3 Grigg Street in Kaitaia, Lot 2 DP 100593 for a term of 15 years commencing 1 October 2017;

AND THAT the General Manager Infrastructure and Asset Management is authorised to negotiate the terms and conditions of the ground lease at market rent.

1) Background

FNDC owns 768 square meters of free hold land at 3 Grigg Street in Kaitaia (see Appendix A attached). The land is subject to a storm water drainage easement and has a sewer pump station on it.

Since 01 October 1984, the NZ Red Cross Society Inc has leased the land at peppercorn/nominal rent of \$1.00 per annum.

In 1984, NZ Red Cross Inc constructed at its cost and with the consent of the Kaitaia Borough Council, a Skyline type double garage which is used as a storage depot for its Kaitaia branch.

The lease on the land is due to expire on 30 September 2017. The storage depot is still in serviceable condition and still required by Red Cross to efficiently carry out its work in the Kaitaia area.

NZ Red Cross has requested a new 15 year ground lease at nominal rent of \$1.00 per annum.

Council in its 2015-25 LTP (page 341 Priority 3) determined that *"it ensures Council secures best value from property holdings ... and continues to secure an economic return on properties available for lease or rental by commercial or other users"*.

A registered valuation to determine the market rent will be obtained, however, is not available at time of writing this report. The only comparable ground rent is for a property in Kaikohe where Council receives \$2.50+gst per square meter per annum.

2) Discussion and options

Option 1:

FNDC could not enter into a new lease. NZ Red Cross Inc would have the right to remove the building. Failing to do so within a reasonable timeframe would mean ownership of the building would revert to Council

Option 2:

FNDC could enter into a new lease at nominal rent as requested by NZ Red Cross Inc. This would contradict the 2015-25 LTP and arguably set a precedent for other non profit and charitable organisations to request the same.

Option 3 (preferred option):

FNDC could enter into a new lease at market rent as it has with other non-profit and charitable organisations over recent years.

3) Financial implications and budgetary provision

Option1:

None. Currently no rent is received.

Option 2:

None immediately, however, other non-profit and charitable organisations leasing FNDC property would likely request a similar rent free arrangement.

Option 3 (preferred option):

Subject to a rental valuation confirming market rates, Council could receive an income in the vicinity of \$1,920+gst per annum.

4) Reason for the recommendation

NZ Red Cross Inc already has a serviceable storage building established on the land and there is an ongoing requirement for this in the Kaitaia area.

FNDC has no other use for the land other than for the sewer pump station which occupies only a small portion of the land.

Charging a market rent is in accordance with the requirement of the 2015-25 LTP, ensures transparency in the way non-profit and charitable organisations are financially supported by Council and creates a level playing field for those non-profit and charitable organisations that rent from Council and those that don't.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management Group

Attachment 1: Location Map and Street view Red Cross depot - Document number A1869321

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	In accordance with LTP, page 342, Priority 3.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	None in relation to this lease that don't apply to the general population.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Not applicable
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Community Board support is sought through this report
Financial Implications and Budgetary Provision. Chief Financial Officer review.	Market rental income to FNDC likely to be in the vicinity of \$1,920+gst per annum. The Chief Financial Officer has reviewed this report.

Attachment 1 - Location Map and Street view Red Cross depot 3 Grigg Street, Kaitia



MEETING: COUNCIL - 22 JUNE 2017
Name of item: KAITAIA WASTEWATER; REDUCING RAW SEWAGE OVERFLOWS
Author: Barry Somers - 3 Waters Asset Manager
Date of report: 16 May 2017
Document number: A1869326

Executive Summary

Excessive stormwater entering the Kaitaia wastewater network is resulting in around 15 major untreated sewage overflow events each year. The overflows are not consented and an abatement notice to cease untreated discharges has been received from the Regional Council.

2015-25 Long Term Plan (LTP), approved \$13.7 million to enable works to reduce the overflow frequency to once each year. Detailed analysis has been completed to determine the most cost effective solution for a once in 1 year overflow standard.

This work also found that a once in 3 month overflow standard was possible and could be achieved for around \$5 million. A 3 month overflow standard was not previously considered under the Long Term Plan, and would require further consultation.

Current funding in the 2015-25 LTP covers multiple years allowing for a staged approach to the project. The first stage aims to meet a once in 3 month overflow standard, followed by performance monitoring, before proceeding with stage 2 improvements to meet the once in 1 year overflow standard.

Approval is now being sought to continue with a staged approach to implement a once in 3 month overflow solution, and deferring with the final stage of improving to a once in 1 year level of service pending the outcome of further consultation with the community, and the granting of resource consent from Regional Council.

This report was submitted to the 8 June 2017 Operations Committee. The Committee add a further and that, to make the following recommendation to Council:

Recommendations

THAT Council supports a staged approach with the first stage to achieve a once in 3 month overflow frequency and the second stage of once in 1 year overflow frequency being deferred until after further consultation is undertaken and a resource consent has been granted.

AND THAT consultation is undertaken with the Kaitaia community to determine the acceptability of a once in 3 month overflow standard for the Kaitaia wastewater network subject to a report being prepared on the financial implications relating to depreciation and in water and sewerage finances and to include possible funding sources;

AND THAT it is also understood that a report will be prepared by the CEO regarding historical issues to provide further guidance to Elected Members.

1) Background

Excessive stormwater entering the Kaitaia wastewater network is overloading the network. To prevent overflows on private properties a number of engineered overflow

points directing the discharge to waterways are included in the reticulation. Of these the major discharges are at Bank St and Pukepoto Bridge with both discharging into the Tarawhatauroa Stream. There are on average 15 overflow events annually. In addition to overflows from the engineered overflows, during significant rainfall events, overflows may also occur from low lying gully traps and manholes throughout the reticulation.

As part of the 2015-25 Long Term Plan, three remedial options were consulted on being;

- Once in 5 year storm containment standard \$25.95 million
- Once in 2 year storm containment standard \$16.6 million
- Once in 1 year storm containment standard \$13.7 million

63% of submissions supported the once in 1 year standard with 37% supporting a higher standard. A once in 1 year standard was selected by Council.

In April 2016 an abatement notice was issued by the Northland Regional Council (NRC), to cease untreated overflows from the engineered overflow points by July 2016. The installation of screens at the overflow outlets was agreed with NRC and has since been completed. The abatement notice remains and is unlikely to be lifted until a final solution has been agreed and implemented. The Northland Regional Council is being kept updated on the progress to resolving the issues.

Environmental monitoring of the current overflows into the Tarawhatauroa Stream was unable to conclusively measure any negative environmental impacts. This is mainly due to the poor water quality in the stream before it reaches Kaitaia, specifically during and immediately after large rainfall events. While the volume discharged increases with the storm size, the stream flows also increase, which increases the dilution of the discharge and reduces the environmental impacts.

There has been preliminary discussion at a staff level with Northland Regional Council over resource consenting requirements. It was during those discussions that it was indicated that if the environmental effects were minimal, and there was community acceptance, a once in 3 month overflow standard may be considered for consenting purposes.

To date a significant flow modelling exercise has been carried out to understand the characteristics of the sewer network, and responses under various rainfall events and intensities. Concept design has been undertaken using the hydraulic modelling to simulate a variety of scenarios and solution options. From this work it has been possible to establish the most cost effective concept designs.

2) Discussion and options

Flow modelling results

Multiple solutions to reduce the frequency of overflows have been analysed which were based on the four fundamental options of;

- Attenuation storage
- Larger pipes.
- New pump stations
- Stormwater inflow or infiltration reduction.

From this analysis the solutions that provided the greatest benefit with the lowest costs were determined.

These investigations found that some of the lowest cost options were scalable. That is the works could be staged with the first stage to be a once in 3 month level of service with the second stage improving the level of service to once in 1 year. This would enable the works to align with the staged funding provided for in the Long Term Plan.

These investigations also highlighted the diminishing rate of return experienced after achieving greater than a once in 3 month level of service. As detailed in Fig 1, a once in 3 month will achieve a 75% improvement in performance at a cost of \$4 million, whereas to increase from a once in 3 month to a once in 1 year will provide a further 20% improvement in performance at an additional cost of \$7 million.

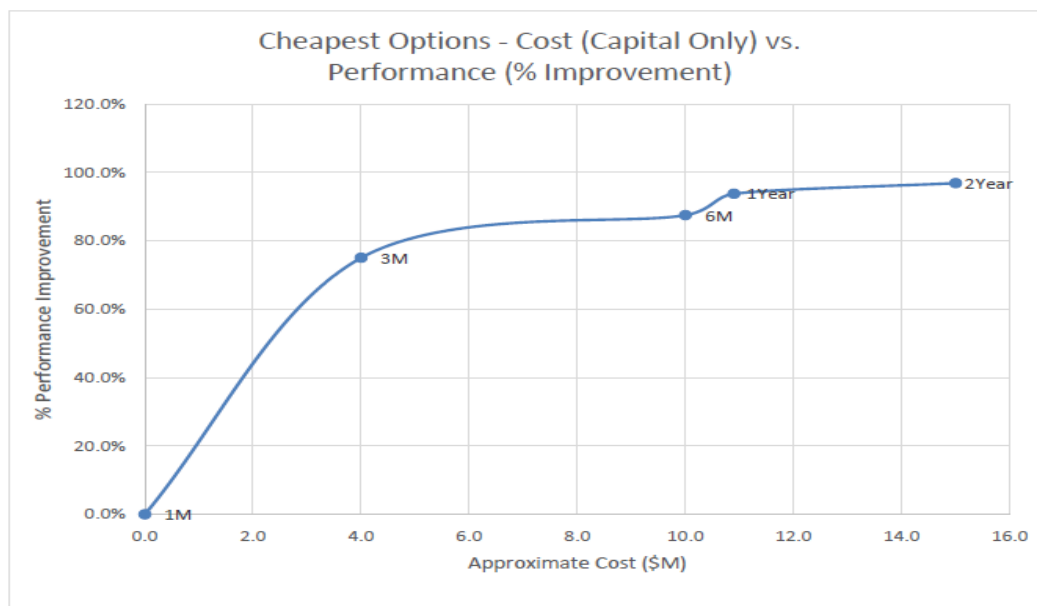


Fig 1 Diminishing Rate of Return.

Affordability

Until late 2016, the relative affordability of wastewater services in Northland was unknown. In late 2016 The Far North District Council took part in a national benchmarking exercise which compared the cost of the Far North wastewater schemes against 50 other Councils throughout New Zealand. As shown in Fig 2, the Far North has the least affordable water and wastewater service of those 50 Councils benchmarked. So while rating impacts and increases were consulted on as part of the long term plan, they were not considered in context of where the Far North wastewater rates were relative to the rest of New Zealand. Any additional capital will worsen Council's already poor position in terms of relative affordability.

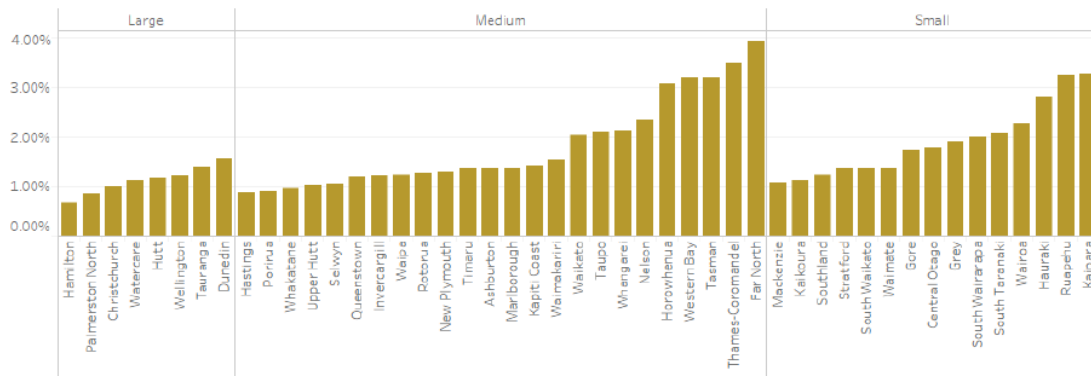


Fig 2 Relative Affordability for 3 Waters

Private sewer assets

The condition of the private wastewater network has a significant effect on the Council wastewater network. Typically the private network is from the house to the property boundary, where it then becomes the Council network. It is important that both the private and Council networks are maintained to prevent stormwater entering the wastewater sewer, which can lead to overflows. Previous inspections were made of the private network for faults and found in some catchments a fault rate of one in every three properties. These inspections indicate that there are a large number of faults on private properties.

Industry assessments indicate that while repairing the faults on private properties alone will not resolve the overflow issues, these repairs will help improve the situation. However, achieving full repairs to private sewers can be difficult due to the cost impact on individual homeowners, and the implications on Council's to monitor and ensure compliance.

Rectification of faults on the private network should form part of the project solution, and will require operational funding to undertake up to date inspection and management, along with input from Council's Compliance team. A good communications strategy will be essential to success, and any options for public involvement in community driven solutions and implementation should be encouraged.

Options

Two options for upgrading the Council network are proposed;

- Option 1
 - Continue to upgrade the network to a once in 1 year level of service as planned and approved in the 2015-25 Long Term Plan.
- Option 2
 - Undertake a staged approach and initially upgrade to a once in 3 month level of service, with the decision to continue to a once in 1 year level of service deferred until after further community consultation and receipt of resource consent.

The once in 3 months level of service has significantly advantages in reducing the level of rates increases, but has risks around community acceptance and obtaining suitable resource consents.

3) Financial implications and budgetary provision

\$13.7 million has been approved in the Long Term Plan and is sufficient to enable works to achieve the once in 1 year containment standard. This will result in the Kaitaia wastewater rate increasing by around 44%. The expenditure relating to a once in 3 month level of service will equate to approximately half of this increase.

The following estimated rating impact is based on a SUIP wastewater rating unit and assumes an average 50 year life of the assets installed. Values Including GST

	Existing Capital Rate	Additional Capital Rate	Existing Operating Rate	TOTAL	% Increase
Existing	\$285	\$0	\$430	\$715	
+ \$5M Capital	\$285	\$132	\$430	\$847	19%
+ \$12M Capital	\$285	\$317	\$430	\$1,032	44%

Fig 2, Impact of Capital on Kaitaia Wastewater Rates

4) Reason for the recommendation

The recommendations are to enable consultation to be undertaken so Council can consider whether or not to realise significant savings through providing a lower level of service.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management Group

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Relating to the provision of wastewater disposal
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	The current discharges of untreated wastewater to a waterway is culturally offensive. While the proposed works will not eliminate this from occurring, it will reduce the frequency of these events.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	This works will increase the Kaitaia wastewater rate, and will impose costs on properties with non-complying wastewater drainage.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	Yes due to the value of the expenditure involved.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	No
Financial Implications and Budgetary Provision. Chief Financial Officer review.	Funding has been consulted on and included in the 2015-25 Long Term Plan The Chief Financial Officer has reviewed this report.

MEETING: COUNCIL - 22 JUNE 2017
Name of item: KAITAIA BUSINESS IMPROVEMENT DISTRICT UPDATED MEMORANDUM OF UNDERSTANDING
Author: Leslie Trussler - Policy Advisor
Date of report: 26 May 2017
Document number: A1871649

Executive Summary

Kaitaia Business Association has had a targeted business rate since 2012.

The purpose of the report is to propose an updated Memorandum of Understanding for the Kaitaia Business Improvement District for Council approval. This MOU has been signed by the Kaitaia Business Association, and would need to be signed by the Te Hiku Community Board on behalf of the Far North District Council.

Recommendation

THAT the Council endorse the updated Memorandum of Understanding between the Kaitaia Business Association and the Te Hiku Community Board;

AND THAT the Council delegate to the Te Hiku Community Board the authority to enter into an MOU with the Kaitaia Business Association on its behalf regarding the Kaitaia BID.

1) Background

A Business Improvement District (BID) is a private-public partnership in which businesses pay a targeted rate to fund projects from the Business Association strategic plan. The BID's strategic plan includes projects focused on marketing, advocacy, and overall improvement of the BID area.

The Kaitaia BID was established in 2012 and the utilisation of the funds is administered by the Kaitaia Business Association. It is managed through a Partnering Agreement and Memorandum of Understanding (MOU) between the Te Hiku Community Board, Council, and the Kaitaia Business Association.

Current Memorandum of Understanding

The Te Hiku Community Board is responsible for working as a partner with the Kaitaia Business Association on the BID programme.

Each year's Annual Report is due in September and must include audited financial statements from the previous year. This September deadline occurs too soon after the 30 June end of the BID's financial year for the audited accounts to be complete and available for submission and so these items are generally supplied at a later date.

To address this problem, staff undertook a review of the MOU and proposed to Te Hiku Community Board that an end-November due date be adopted, as well as other insignificant changes made to improve readability.

On 19 September 2016, it was resolved:

THAT the Te Hiku Community Board approve the updating of the Memorandum of Understanding between the Community Board, Council, and the Kaitaia Business

Association to improve readability and adjust annual reporting timelines to November.

However, before the updated MOU was signed by any party, staff conducted a further review of the MOU and found more issues that needed to be resolved:

- Several parts of the current MOU are not tailored to suit the Kaitaia BID;
- The current MOU has redundancies and is repetitious;
- The required reporting by the Kaitaia Business Association has been later than the set deadline and no annual plan was received for 2016/17.

A new MOU has been developed by staff in consultation with the Kaitaia Business Association to fit the particular circumstances of the Kaitaia BID. This report presents the proposed updated MOU.

2) Discussion and options

Problems with the current Memorandum of Understanding

On reviewing the current MOU, staff noted duplication, redundant clauses, and a general lack of cohesion. In addition, the September deadline for the Kaitaia BID's annual report occurs too soon after the 30 June end of the BID's financial year for the audited accounts to be available for submission.

Updated Memorandum of Understanding

Proposed changes to the existing MOU include the following:

1. Te Hiku Community Board (THCB) to sign on behalf of the Far North District Council in the agreement;
2. Clarification and updated definition of the parties involved (clauses 1-2);
3. Clear definition of the role of the Business Improvement District (clause 3);
4. Clarification of the role of the Kaitaia Business Association (KBA), which includes:
 - a. updated report requirements, including a new extended December 1 deadline (clause 11);
 - b. a clear requirement for the KBA to extend full membership to all businesses located within the BID Programme boundary (clause 15);
5. Clarification of the role of the Te Hiku Community Board which includes:
 - a. Acting as a liaison between the BID Programme and the community (clause 17);
 - b. Reporting to Council on the BID Programme's annual report from the KBA (clause 20).
6. Clarification of the special circumstances that would require Council to intervene and exceptional measures to be taken (clause 28);
7. Clarification of how, in special circumstances, Council would proceed with intervention in, or termination of, the BID Programme (clauses 29-32);
8. Clear definition of the review balloting process (clauses 33-36);
9. Protection against obligations or debts incurred by either party without the authorisation of the other (clause 38);
10. Payment is to be annually in advance each July rather than quarterly; and
11. Removal of clauses that did not have any actual impact on the agreement.

If endorsed by Council, the revised MOU will be provided to the Te Hiku Community Board for signing at the next Community Board meeting.

Option 1 Endorse the Updated MOU (recommended option)

This means that the MOU would go to the Te Hiku Community Board for signing at the 6 July 2017 meeting. The MOU is already signed by the Kaitaia Business Association, and so would take effect once signed by the Board as per clause 7. An updated, more understandable, MOU clarifies the roles of both parties involved and removes redundancies. In addition, a 1 December reporting deadline will allow the Business Association sufficient time to compile all required information for future annual reports.

Deadline	Action	MOU Clause
Annually by 1 December	KBA submits required information to THCB	Clause 19
Annually by end February	Presentation to THCB from KBA THCB meeting considers report on BID	
Annually before 1 March	THCB recommends to Council Kaitaia BID programme target rate for the next financial year	Clause 20
Annually in March	Council considers THCB recommendation	

Option 2 Endorse an amended MOU

This allows the Council to further tailor the MOU to suit the BID if it sees fit. However, it may be that further information is required before a successful amendment is proposed. Changes made by the Council to the agreement would require that both the Kaitaia Business Association and the Te Hiku Community Board review and sign the amended document.

Option 3 Endorse the 19 September 2016 MOU

This means that the MOU approved by the Te Hiku Board on 19 September 2016 would be endorsed by Council and return to both the Board and the Kaitaia Business Association for signing. This is substantially the same as the current MOU. The reporting deadline would still be adjusted to suit the needs of the Business Association, but a lack of clarity around the roles and requirements would remain, and the MOU would not be as tailored to the Kaitaia BID.

Option 4 Status quo

This would mean that the current MOU would remain in place and unchanged. This would also mean that the September reporting deadline would remain in place even though the required audited accounts are not available at that time.

Option 5 No MOU

This would result in a lack of accountability to the BID members, to the Community Board and the Council. It would also mean that there was no clear mechanism to adjust the level of the targeted rate.

Option 1 is the option preferred by staff, in order to proceed at the start of this financial year with an agreed and achievable set of clear requirements for both parties to the agreement. See summary options table below.

Option	Pros	Cons
<p>1. Endorse new MOU</p>	<ul style="list-style-type: none"> • New deadline ensures all documentation for the annual report may be submitted at once. • MOU tailored to the specific circumstances of the BID. • Elimination of redundancies and repetition. • Improvements to overall readability and clarity. 	<ul style="list-style-type: none"> • None identified.
<p>2. Endorse amended MOU</p>	<ul style="list-style-type: none"> • Depending on the amendment, the pros listed are the same as for option one. 	<ul style="list-style-type: none"> • May result in delays to collect information required (if any).
<p>3. Endorse 19/09/16 MOU</p>	<ul style="list-style-type: none"> • New deadline ensures all documentation for the annual report may be submitted at once. • Improvements to readability remain. 	<ul style="list-style-type: none"> • MOU is not tailored to the specific circumstances of the Kaitaia BID. • Redundancies and repetition remain.
<p>4. Status Quo</p>	<ul style="list-style-type: none"> • No adjustment to MOU required – no need to approach the Board and/or Business Association for approval. 	<ul style="list-style-type: none"> • September reporting deadline remains, so all documentation for annual report may not be submitted at once. • MOU is not tailored to the specific circumstances of the Kaitaia BID. • Redundancies and repetition remain. • No improvements to overall readability and clarity.
<p>5. Dispense with MOU</p>	<ul style="list-style-type: none"> • No adjustment to MOU required – no need to approach the Board and/or Business Association for approval. 	<ul style="list-style-type: none"> • No way to monitor the progress of the BID. • No mechanism for adjustment to the targeted rate. • Lack of accountability to the businesses paying the targeted rate.

3) Financial implications and budgetary provision

There are no financial implications arising from this report. The Kaitaia BID has an annual targeted levy collection of \$50,000 plus GST. However, to date the BID funds are significantly underspent and it is important that the funds are spent on the purpose for which they are collected.

4) Reason for the recommendation

An updated, more understandable, MOU clarifies the roles of both parties involved and removes redundancies. In addition, a 1 December reporting deadline will allow the Business Association sufficient time to compile all required information for future annual reports.

Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group

Attachment 1: Updated Memorandum of Understanding - Document number A1871643

Attachment 2: Current Memorandum of Understanding - Document number A1871644

Attachment 3: 19 September 2016 Memorandum of Understanding - Document number A1875714

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	In alignment with community outcomes and Kaitaia BID Partnering and Memorandum of Understanding
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Not applicable.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	The Kaitaia Business Association supports the proposed changes to the MOU
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	This report is a matter specific to the Te Hiku Ward.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no significant financial implications or additional budgetary provisions required. The Chief Financial Officer has reviewed this report.

Memorandum of Understanding

Between the

Kaitaia Business Association

and the

Te Hiku Community Board (on behalf of the Far North District Council)

PARTIES

1. The Kaitaia Business Association (KBA) is registered under the Incorporated Societies Act 1908, and includes and represents almost 300 businesses in the Kaitaia Central Business District (CBD) and in the wider business area. The KBA undertakes business-led programs, initiated by the local business community, which promote and develop the local economy.
2. The Te Hiku Community Board (THCB) is authorised and empowered under the Local Government Act 2002 to represent the interests of its community. In entering into this Memorandum of Understanding (MOU), the THCB is acting on behalf of the Far North District Council (FNDC), which has principal offices located at 5 Memorial Avenue, Kaikohe 0440. Whenever the FNDC is mentioned in this MOU, it is agreed and understood that, unless otherwise stated, this wording is to be interpreted to mean the FNDC, acting through and represented by the THCB.

BACKGROUND

3. The purpose of the Business Improvement District (BID) programme is to improve local business and economic development within the designated BID boundary area.
4. Attached to this MOU is a map indicating in red the boundaries of the Kaitaia BID area.
5. The BID Programme targeted rate is levied upon all business properties located within the boundary of the Kaitaia BID area and collected pursuant to powers conferred upon the FNDC by the Local Government (Rating) Act 2002.
6. In 2012, the appropriate BID Programme procedural steps were conducted by the KBA, including a successful balloting of businesses and owners of commercial properties located in the Kaitaia BID area. As a result, the Kaitaia BID Programme was established. The Kaitaia BID Programme Targeted Rate was first charged in the 2012/2013 rating year as per Far North District Council resolution dated 28 June 2012 and pursuant to the terms of a Memorandum of Understanding entered into at that time.
7. The present Memorandum of Understanding (MOU) replaces the 2012 Memorandum of Understanding. All events and circumstances occurring before the last date of signature hereto shall continue to be interpreted according to the terms and conditions of the 2012 Memorandum of Understanding. All events and circumstances occurring after the last date of signature hereto shall be interpreted according to the terms of the present MOU, and not the terms of the 2012 Memorandum of Understanding.

TARGETED RATE

8. The FNDC shall continue to levy the targeted rate for the Kaitaia BID Programme upon all business properties located within the boundary of the Kaitaia Business Improvement District (BID). Funds received as a result of this targeted rate will be paid to the KBA. The FNDC shall continue to ensure that the Kaitaia BID Programme Targeted Rate be included in each Annual Plan and Long Term Plan, subject to the terms and conditions contained within this MOU.

ROLE OF KAITAIA BUSINESS ASSOCIATION (KBA)

Implementation

9. The KBA shall implement this BID Programme by carrying out the various activities and projects proposed by the KBA and funded by the BID Programme, approved by the FNDC. The KBA shall also implement this BID Programme through the performance of its other duties set forth in this MOU.

Reporting

10. The KBA will report, inform and update the THCB on all significant matters pertaining to the BID Programme, as soon as may be reasonably possible.
11. In addition, not later than 1 December of each year, the KBA shall provide the THCB with the following 3 financial documents:
 - a. An Annual Report for the previous financial year; and
 - b. Audited Annual Financial Accounts for the previous financial year; and
 - c. An Annual Business Plan including a Financial Budget for the next financial year showing expected income and expenditure.

The 1 December reporting date is intended to allow the THCB sufficient time to review these 3 annual financial documents and to report to the FNDC not later than 1 March of each following year as discussed in clause 20 below.

Annual Presentation

12. Each year, on an agreed day, the KBA shall make an annual presentation to the THCB, during which the 3 financial documents referred to in clause 11 above shall be discussed.
13. Other presentations to the THCB shall be as mutually agreed upon between the parties.

Standards

14. The KBA shall at all times conduct its affairs in full compliance with the requirements contained within the Incorporated Societies Act 1908, as well as the terms contained in the KBA Constitution.

Membership

15. All businesses within the BID Programme boundary pay the targeted rate and should therefore benefit from its activities. Accordingly, the KBA shall extend full membership without payment of any membership fee to the owners of all business properties located within the BID Programme boundary indicated on the map attached to this MOU.

Member Appointed

16. The KBA will admit the representative member appointed by the THCB, referred to below in clause 23, and permit him or her to attend KBA proceedings such as ordinary meetings, Executive Committee meetings, and other such proceedings.

ROLE OF TE HIKU COMMUNITY BOARD (THCB)

Liaison

17. The THCB shall share relevant information in a timely manner with the KBA as to all matters which may have an impact upon the KBA and its activities. Where appropriate, the THCB may act as a liaison point or conduit for the relationship between the BID Programme and the local community.

Advocacy

18. Where appropriate, the THCB may advocate on behalf of the KBA to FNDC departments and Council Controlled Organisations in order to advance business outcomes and local economic development.

Reports

19. Not later than 1 December of each year, the THCB will receive from the KBA the 3 annual financial documents referred to in clause 11 above. In February of each year, the THCB shall receive the annual presentation made by the KBA, referred to in clause 12 above, during which the 3 financial documents shall be discussed.

20. After receiving and reviewing the 3 annual financial reports and the annual presentation, the THCB will report to the FNDC not later than 1 March of each year. This report to the FNDC shall contain:

- a. The THCB's recommendation to the FNDC as to the dollar amount to be rated in the Kaitaia BID Programme Target Rate for the next financial year. The report and recommendation shall be supported by the 3 financial documents submitted by the KBA to the THCB; and,
- b. Information about the effectiveness of and any other economic development about the Kaitaia BID Programme.

Standards

21. By virtue of being a local government organisation, the THCB is obliged to observe and comply with due process of law, both procedural and substantive, as well as the requirements imposed by the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987. In addition to these standards, the THCB is also subject to FNDC processes and policies.

Member Appointed

22. The THCB will appoint one of its members to represent the Board at KBA proceedings such as ordinary meetings, Executive Committee meetings, and other proceedings as referred to in clause 16 above.

MODIFICATIONS

23. This Kaitaia BID Programme may be expanded, reduced, or otherwise modified in any way only by a written agreement between and executed by the duly authorised representatives of the KBA and the THCB.

Variation in Funding

24. If the modification requested consists of an increase or decrease in the amount to be rated in the Kaitaia BID Programme Target Rate for the next financial year, the request must be approved by the KBA through a vote of its members at an Annual General Meeting (AGM) or a Special Meeting (SM).

25. In the interests of transparency and accountability, the KBA must, at a reasonable period of time before the AGM or SM referred to above, distribute to all of its voting members relevant financial planning documents and budgets, which include the proposed increase or decrease, clearly identified and explained in reasonable detail.
26. The maximum amount of any such requested increase or decrease in the amount to be rated for the next financial year shall be 5% of the presently existing amount of the targeted rate, or \$5,000, whichever is less, absent a written agreement between, and executed by, the duly authorised representatives of the KBA and the THCB.
27. In order to align with the FNDC's annual planning process, a request from the KBA to the FNDC for an increase or decrease of the amount to be rated in the Kaitaia BID rate must be included in the KBA's Annual Report referred to in clause 11 above and accompanied by the recommendations of the THCB to the FNDC. This will enable the FNDC to include the increased or decreased amount to be rated in the FNDC's Annual Plan process.

SPECIAL CIRCUMSTANCES

28. Under ordinary circumstances, the Kaitaia BID Programme shall be administered by and through the KBA. However, if Special Circumstances should arise relating to governance, management, or operational procedures of the Kaitaia BID Programme, certain exceptional measures described below may be necessary. Special Circumstances shall include, but are not limited to:
 - a. Non compliance with the KBA's constitution and rules;
 - b. Non compliance with the terms of the Incorporated Societies Act 1908;
 - c. Any misappropriation of BID Programme funds;
 - d. Any other inappropriate business practices;
 - e. Financial errors such as underspending, overspending, or the accumulation of unsustainable debt;
 - f. Failure to meet legal obligations.

Support

29. As a first measure in response to Special Circumstances, the FNDC may offer to provide support to the BID Programme in the form of FNDC officers or nominated representatives who shall work alongside members of the KBA's executive committee on a case-by-case basis to resolve issues and to find solutions to any problems.

Written Notice

30. Alternatively, if the FNDC believes that the Support described above will be insufficient to cure the Special Circumstances, it may decide instead to send a written notice to the executive committee of the KBA. This written notice shall describe the Special Circumstances and shall extend to the KBA a reasonable period of time (but not less than 30 calendar days) to cure the Special Circumstances.
31. If, in the sole discretion of the FNDC, the KBA fails to cure the Special Circumstances within the period of time extended by the written notice, then the FNDC may forthwith, and without further notice, suspend payments to the KBA of the funds generated by the BID Programme Targeted Rate, and may further take one or both of the following exceptional measures:
 - a. Intervention: The FNDC may decide to direct that FNDC officers or nominated representatives intervene to directly manage the business affairs of the BID Programme until the Special Circumstances have been cured and the BID Programme is ready to be returned to the management of the KBA. During this period of intervention management, KBA staff will cooperate with the FNDC

officers or nominated representatives and shall support them in their efforts to cure the Special Circumstances.

- b. Termination: The FNDC may decide to terminate the Kaitaia BID Programme by sending written notice of such termination to the executive committee of the KBA. The FNDC shall continue to levy the BID Targeted Rate until the 1st of July next occurring, upon which date the FNDC shall cease to levy the BID Targeted Rate.

32. All matters relating to Special Circumstances and/or Termination shall be decided according to the sole judgment and discretion of the FNDC. This includes, but is not limited to, the existence of Special Circumstances, the form of exceptional measures to be taken, the length of the reasonable period of time granted within which to cure any Special Circumstances (but not less than 30 calendar days), and the manner and period of the Intervention Management to be undertaken.

REVIEW BALLOTING

33. At any time, either the THCB or the KBA may request a ballot of KBA voting members to determine whether the BID Programme should continue or cease. Whichever party makes the request shall forward to the other party a copy of the minutes of the meeting at which the relevant resolution was adopted.

34. The ballot shall be conducted by the KBA in a manner similar to the balloting referred to in clause 6 above.

35. If the balloting produces a mandate to discontinue the BID Programme, the FNDC shall cease to levy the Kaitaia BID Programme Targeted Rate on the 1st of July next occurring.

36. If the balloting produces a mandate to continue with the BID Programme and to continue to receive the funds produced by the BID Targeted Rate, the BID Programme shall continue to function and operate as before the Review Balloting took place.

RIGHT OF TERMINATION

37. The length of the period of time during which the Kaitaia BID Programme shall remain in full force and effect under the terms of this MOU is subject to the legal principle that an elected Council may not unreasonably fetter, bind, or obligate a future Council which is yet to be elected. In accordance with this principle, the FNDC, in its sole discretion and through no fault or dereliction of duty on the part of the KBA, and with no obligation to provide cause or reason, shall have the absolute authority to terminate this Kaitaia BID Programme on 30 calendar days written notice given to the KBA. In the event of such a termination, the BID Targeted Rate shall continue to be levied until the 1st of July next occurring.

NO OBLIGATIONS

38. This MOU does not give either party any power or authority to incur any debts or obligations which bind, obligate, or encumber the other party unless there is a written document, properly witnessed and signed by duly authorised officers of the FNDC and by the Executive Committee of the KBA.

DISPUTE RESOLUTION

Negotiation

39. In the event of any disagreements or disputes between the parties, it is agreed that there shall be a good faith effort made to resolve the matter by negotiation.

Mediation

40. If such negotiation does not succeed in resolving the disputed matter after a period of one calendar week, or such longer period of time upon which the parties may mutually agree, then either party may serve upon the other a written Notice of Mediation. The Chairperson of the New Zealand Chapter of Lawyers Engaged in Dispute Resolution "LEADR" shall be invited to appoint a mediator by the party serving the Notice of Mediation. Each party shall bear its own mediation costs and one-half of the mediator's fees.
41. All discussions, documents, or proposals presented or exchanged during the negotiation period or the mediation process shall be made "without prejudice" and thus shall be inadmissible in the binding arbitration proceeding referred to below.

Binding Arbitration

42. If the disputed matter is not resolved within 30 calendar days of the appointment of a mediator or within such other period of time upon which the parties may mutually agree, either party may refer the disputed matter to binding arbitration and may request that the Chairperson of the Auckland District Law Society appoint an arbitrator.
43. Arbitration proceedings are to be conducted in accordance with the provisions of the Arbitration Act 1996, with the arbitrator having full authority to decide all procedural or substantive issues. Both parties agree to be bound by the decision of the arbitrator, which may contain an award of costs and/or fees as the arbitrator shall see fit to make.

For and on behalf of the Kaitaia Business Association

Dated: 12/01/17

Shirley Williams

Signature

SHIRLEY WILLIAMS

Printed Name

CHAIRPERSON.

Office or Title

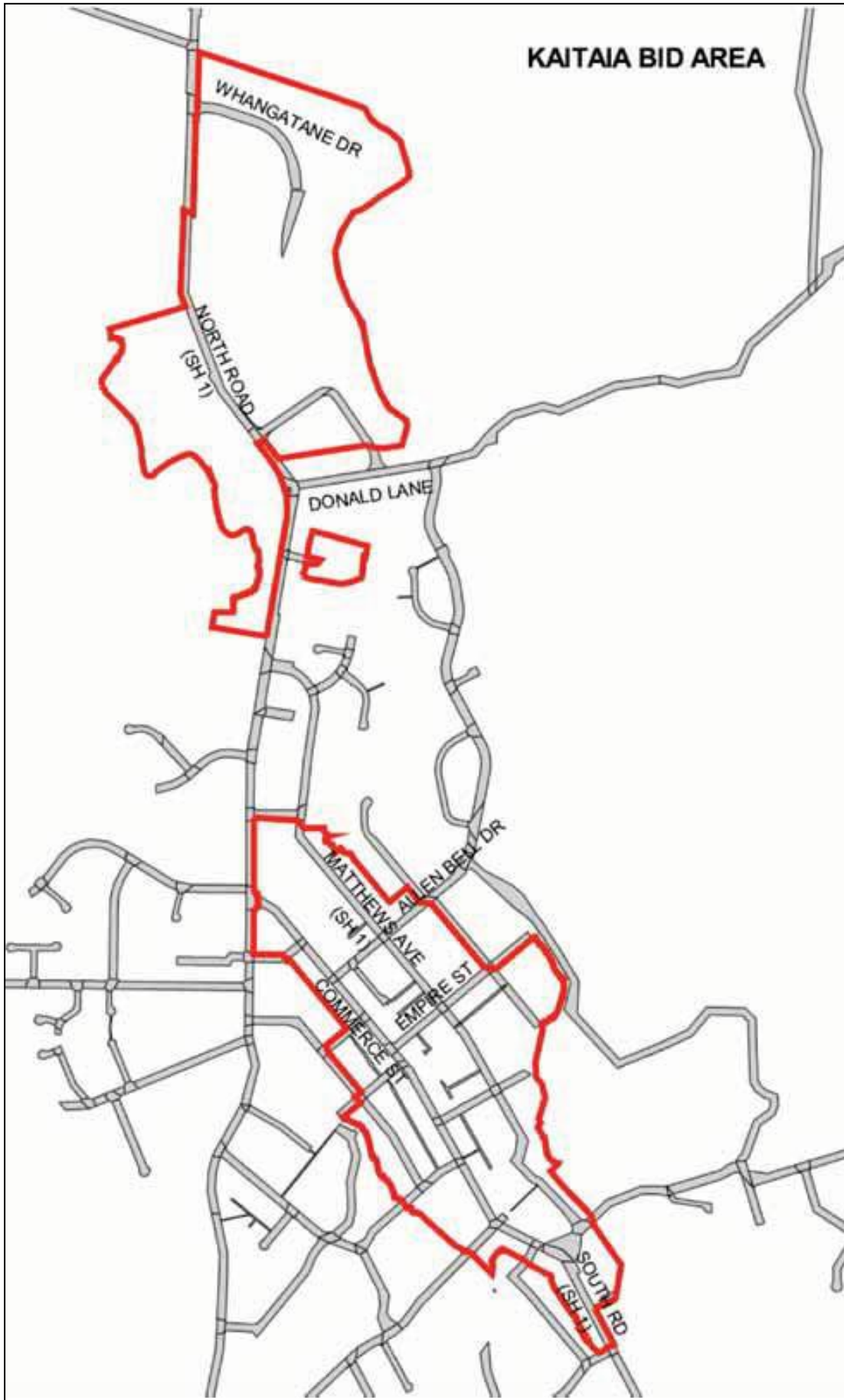
For and on behalf of the Te Hiku Community Board, (acting for and on behalf of the Far North District Council)

Dated: _____

Signature

Printed Name

Office or Title



PARTNERING AGREEMENT AND MEMORANDUM OF UNDERSTANDING

Between:

**Far North District Council (1)
Te Hiku Community Board (2) and
Kaitaia Business Association (3)**

Regarding a Business Improvement District ('BID') Partnership Programme Agreement.

Background and Purpose

1. Far North District Council ("FNDC") recognises the role of business associations in contributing to the economic development of local communities and the District as a whole.
2. FNDC has adopted the Business Improvement District (BID) Partnership Programme.
3. The purposes of the BID Partnership Programme include providing a mechanism to support business and the economy at local level and to collaborate with the business sector to improve the environment within which businesses operate.
4. Kaitaia Business Association ("the Business Association") is registered under the Incorporated Societies Act 1908 and undertakes business-led programmes initiated by the local business community which promotes and develops their local business economy.
5. FNDC wishes to work with the Business Association to implement the BID Partnership Programme, recognising that a supportive business environment is essential to maintain and grow the economic base of the region, provide employment opportunities and ensure a resilient economy.
6. This Memorandum of Understanding ("MOU") is entered into by the Business Association and the Community Board to guide and develop the relationship between them. It can be varied and reviewed at any time by written agreement of both parties.
7. The Parties to the MOU agree to the following principles:
 - Trust-based relationship – a partnering relationship built on each party working on the basis of trust, respect and understanding.
 - No surprises approach - a partnering relationship built on each party behaving with integrity and in good faith, with appropriate knowledge and information sharing.
 - Open communication – a partnering relationship built on each party discussing issues openly, being open to constructive feedback and understanding and respecting each other's knowledge, expertise, operating environment and capabilities.
 - Flexible – a partnering relationship built on each party taking an open approach on differences of views and opinion and being flexible regarding the resolutions of any issues which may arise.
7. FNDC values the relationship it has with the Business Associations it works with. They provide important feedback on Council's plans and policies; have links with the business community and work to grow the economic base of the District.
8. All businesses within the BID Partnership Programme boundary area pay the targeted rate and should therefore benefit from the activities of the programme. The intention of a BID Partnership

Programme is that all businesses are fully engaged and included. Therefore Business Associations are strongly encouraged not to charge members a membership fee, or any other fee, applicable to their operation, to belong to the association if the business is within the boundary of the BID Partnership Programme area.

9. The Business Association may allow organisations outside the boundary area or non-related members of the community to apply for Associate Membership.

Far North District Council's Role

1. FNDC levies the targeted rate for the BID Partnership Programme, and ensures it is included in its Annual Plans. It monitors the effectiveness of the programme at the District level.

2. It will receive an annual update report from the Business Association on how the BID Partnership Programme is operating.

3. FNDC has a partnership relationship with the Community Board and provides administrative support and advice.

Te Hiku Community Board's Role

1. Te Hiku Community Board ("the Community Board") is delegated the authority by FNDC for the day to day relationship with the Business Association as a joint partner in the BID Partnership Programme. The Community Board will work with the Business Association to assist in the alignment of the direction for the BID programme, taking into account where applicable, the wider local priorities that the Community Board may have. The Community Board will receive regular reporting on the BID Partnership Programme and review progress against objectives.

2. Apart from day-to-day relationships with the Business Association, the Community Board also has a governance role set out in this Memorandum of Understanding.

3. The Community Board will appoint a Community Board member to represent the Community Board regarding all matters relating to the Business Association.

4. The Business Association will invite the appointed member of the Community Board onto the BID Governance Board or Executive Committee. The discretion on whether this member has voting rights will lie with the Business Association under the rules of its Constitution. It is strongly recommended that this member is given voting rights to enable full engagement of the representative and his or her ability to contribute to the business of the BID Partnership Programme.

5. The Community Board will receive, along with the Business Association the Annual Business Plan for BID programme activities. Following acceptance of the business plan, the Community Board will recommend to FNDC to strike the BID targeted rate.

6. The Community Board may also take the following roles:

- Liaising between Council departments, CCOs and Business Associations;
- Advocating to FNDC departments and CCOs on behalf of the Business Association, where appropriate;
- Acting as a liaison point or conduit for the relationship with the BID Partnership Programme and the local community.

7. A proposal to establish a new BID Partnership Programme or to expand or reduce an existing BID Partnership Programme needs the approval of the Community Board.

8. The Community Board may approve additional funding at its discretion. This would be by way of specific grants for specific projects or initiatives.

9. The Community Board is obliged by virtue of being a local government organisation to:

- (a) observe due process, and comply with its policies; and
- (b) comply with various statutes such as the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 and the Public Records act 2005.

Accordingly, the Community Board's obligations under this MOU are subject to FNDC's processes, policies and legislative obligations. This MOU is an agreement between the parties that only seeks to establish a co-operative relationship.

The Business Association's Role

1. The Business Association implements the BID Partnership Programme within the parameters of this agreement and according to the rules of their Constitution, as agreed by the Business Association at an Annual or Special General Meeting.

2. The Business Association will be required to provide the Community Board with the following:

- Audited accounts;
- Annual Report for the previous year;
- Strategic Plan covering the current three to five year period;
- Annual Business Plan; and
- Budget for the following year.

3. The Business Association will also measure its performance through a number of key performance indicators (KPIs) related to its Strategic and Annual Plan objectives. These may be identified in the Annual Report of the year just passed and also in the current year's Annual Business Plan.

4. The Business Association is strongly encouraged to work collaboratively with any partner or agency that would assist it in its organisational goals.

5. In accordance with this Memorandum of Understanding, the Business Association agrees to inform and update the Community Board regularly on their BID Partnership Programme related activities. This includes:

- (a) An annual presentation to the Community Board of the Business Association documents including:
 - The annual report of the previous financial year
 - Audited annual financial accounts
 - Strategic plans (3 – 5 years with next years financial business activities identified)
 - Budget for the next financial year

Note: Annual reporting should occur by the end of September each year to allow, where appropriate the relevant FNDC body to consider the inclusion of the BID target rate in FNDC's Annual Plan.

- (b) Any other presentation as mutually agreed by the Parties.

Reporting Requirements

Each of the Parties in the BID Partnership Programme on this matter has different reporting responsibilities.

The parties and their reporting obligations are as follows:

- FNDC must provide an Annual Report to all ratepayers which may include information on the BID Partnership Programme's effectiveness and other economic development outcomes.
- The Community Board reports to its constituents and may include any information on any BID Programmes within their area.
- The Business Association reports to its members (via an AGM) and the Community Board. These parties must be able to access the following:
 - Annual audited accounts;
 - A review of the previous years activity (Annual Report);
 - A strategic plan for the next 3 to 5 years;
 - A detailed Annual Plan for the next 12 months;
 - A detailed budget for the next 12 months showing expected income and expenditure; and

Other Reporting requirements for Business Associations

- An annual update report to FNDC
- Reporting requirements under the Incorporated Societies Act 1908 must be complied with.
- The Business Association must choose a minimum of three performance measures on which to report on a regular basis. Measures are at their discretion but should be relevant to their stated objectives and/ or goals.

General Provisions

It is in the interests of both the Business Association and the Community Board to understand how effectively the MOU approach is working and whether it is beneficial to the Parties' desired outcomes. The working relationship will be reviewed at regular intervals.

Payment of BID Targeted Rate and Recovery of 50% of BID Establishment Grant.

FNDC will deduct 50% of the total cost of the initial BID establishment grant from the BID targeted rate in the first successful BID targeted rates strike.

In the first year of a successful BID targeted rate being struck FNDC will pay 50% of the remaining targeted rate (after the 50% of the total cost of the BID establishment grant has been deducted first). This will be payable after the 1st July 2012 and the remaining 50% of the BID target rate will be payable from the beginning of the 3rd quarter of the financial year.

In subsequent years the BID targeted rate will be payable on a quarterly basis, with the first payment being due on 1st of July 2013.

Change to BID Target Rate Income

The Business Association's constitution is to be used as the starting point for the annual budget to be increased and for gaining approval for a change to the BID Target Rate Income

Council anticipates that this will be achieved by special resolution of members at an Annual General Meeting or Special General Meeting.

The maximum amount a Business Association can increase or decrease their annual BID targeted rate by vote of members at an AGM is by 5% of their existing targeted rate or a maximum of \$5,000 if the 5% increase is greater than \$5,000.

The Business Association needs to identify this amount in its planning documents and budgets, which are then distributed to eligible voters as part of the AGM / SGM process.

In the interests of transparency and accountability for the Business Association, the BID target rate increase or decrease amount requested should be identified clearly against its proposed purpose.

It is advisable that AGMs are timed to align with FNDC's annual planning process to ensure that the Business Association's request for the increased or decreased BID target rate amount is captured in (next year's) Council Annual Plan.

Activities

Special Circumstances

1. It is in the interest of all parties to operate successfully. Circumstances can occur which may need action to be taken if serious concerns regarding the operation of the BID Partnership Programme are raised. Action by FNDC would be initiated as a last resort and in agreement with the Community Board and if possible, the Business Association executive.

Concerns may arise through governance, management or operational procedures that expose the Business Association unnecessarily to risk.

Examples that may be considered a serious concern include, but not limited to:

- Failure of the Business Association's executive to consistently meet the constitutional rules, which impact on the Association's ability to meet the requirements of the Incorporated Societies Act 1908;
- When FNDC is aware of inappropriate business practices (e.g. misappropriation of BID Programme funds);
- Continuing financial issues such as overspending or the accumulation of unsustainable debt.

2. In some extreme circumstances, FNDC may need to intervene in a Business Association's management of its BID partnership Programme. If practical, the purpose of this intervention is the sustainability and the continuation of the Business Association as an independent entity able to fulfil its obligations.

FNDC intervention would be through one of the following approaches:

- Management of the BID Partnership Programme by FNDC officers or nominated representative. In these circumstances, the original Business Association Executive Committee will have failed to meet its legal obligations. The purpose of this approach would be to rebuild the BID governance in order to return it to independent management and henceforth the continuation of the Business Association and BID Partnership Programme. Specific actions would be agreed on a case by case basis;
- Support of the Business Association by FNDC officers or nominated representatives. Council officers or nominated representatives would work alongside the Business

Association's Executive Committee to resolve issues and find solutions on a case by case basis.

3. In very exceptional circumstances and as a last resort after all approaches have been exhausted, FNDC may initiate a Ballot to review the BID Partnership Programme's continuation.

FNDC in considering whether to initiate such a ballot must:

- Seek feedback from the Community Board;
- Seek legal advice on the situation; and
- Cover all cost relating to the Ballot

Such ballot must be carried out in a similar manner to the BID establishment ballot.

4. If a mandate has been achieved to continue with the Kaitaia BID partnership Programme and to receive BID target funds, FNDC officers must consider the best way forward for the Programme and consult with the Community Board on how to raise the Business Association to a functioning level.

If the Ballot produces a Kaitaia mandate to discontinue the BID Partnership Programme in Kaitaia and cease collecting of the BID targeted rate, FNDC officers will take appropriate steps to remove the Business Association from the BID Partnership Programme.

Winding-up Provisions

There are three parties who may request a review of a BID partnership Programme:

1. The Business Association Executive Committee;
2. The BID Association members – member initiated; and
3. FNDC

If after due consideration the Business Association no longer wishes to continue as a BID Partnership programme and to receive the annual target rate amount they are required to:

- Pass a resolution at an Executive meeting;
- Formally notify FNDC as soon as practically possible, and forward on a copy of the minutes of this meeting to FNDC; and
- Formally notify the Community Board as soon as practically possible, and forward a copy of the minutes of this meeting to the Community Board.

A ballot to review the continuation of the BID Partnership Programme and BID targeted rate shall be carried out in a similar manner to the BID establishment ballot.

Dispute Resolution

Any disputes between the Business Association and FNDC will be settled in accordance with the following procedure.

Having exhausted normal means of resolving a dispute or difference (by engaging in a process of good faith negotiation and information exchange), either party may give written notice specifying the nature of the dispute and its intention to refer such dispute or dispute to mediation.

If a request to mediate is made then the party making the request will invite the chairperson of the New Zealand Chapter of Lawyers Engaged in Dispute Resolution ("LEADR") to appoint a mediator to enable the parties to settle the dispute. All discussions in the mediation will be without prejudice and will not be referred to in any later proceedings.

The parties will bear their own costs in the mediation and will equally share the mediator's costs.

If the dispute is not resolved within a further 30 days after appointment of a mediator by LEADR, any party may refer the matter to arbitration by a sole arbitrator in accordance with the Arbitration Act 1996.

The award in the arbitration will be final and binding on the parties.

SIGNED BY

The Mayor



Chairman of the Te Hiku Community Board



Chairman of Kaitia Business Association



MEMORANDUM OF UNDERSTANDING

Between:

Far North District Council (1)

Te Hiku Community Board (2)

Kaitaia Business Association (3)

Regarding a Business Improvement District ('BID') Partnership Programme

BACKGROUND AND PURPOSE

1. Far North District Council ("FNDC") recognises the role of business associations in contributing to the economic development of local communities and the District as a whole.
2. FNDC has adopted the Business Improvement District (BID) Partnership Programme.
3. The purposes of the BID Partnership Programme include providing a mechanism to support business and the economy at a local level and collaborating with the business sector to improve the environment within which businesses operate.
4. Kaitaia Business Association ("the Business Association") is registered under the Incorporated Societies Act 1908 and undertakes business-led programmes initiated by the local business community which promote and develop their local business economy.
5. Te Hiku Community Board ("the Community Board") acts here as the conduit through which FNDC works with the Business Association as a partner in the BID Partnership Programme.
6. FNDC wishes to work with the Business Association to implement the BID Partnership Programme, recognising that a supportive business environment is essential to maintain and grow the economic base of the region, provide employment opportunities, and promote and support a resilient economy.

AGREEMENT

7. This Memorandum of Understanding ("MOU") is entered into by the Business Association, FNDC, and the Te Hiku Community Board to establish, guide, and develop the co-operative relationship between them. It can be varied and reviewed at any time by written agreement of both parties.
8. The parties to the MOU agree to the following principles:
 - Trust-based relationship – each party works on the basis of trust, respect, and understanding.
 - No-surprises approach – each party behaves with integrity and in good faith, with appropriate knowledge and information sharing.
 - Open communication – each party discusses issues openly, is open to constructive feedback, and understands and respects others' knowledge, expertise, operating environment, and capabilities.
9. FNDC values the relationships it has with Business Associations; they provide important feedback on FNDC's plans and policies, have links with the business community, and work to grow the economic base of the District.
10. All businesses within the BID Partnership Programme boundary area pay the targeted rate and should therefore benefit from the activities of the programme. The intention of a BID Partnership

Programme is that all businesses be fully engaged and included. Therefore, the Business Association is advised not to charge members any type of membership fee if the business is within the boundary of the BID Partnership Programme area.

11. The Business Association may allow organisations outside the boundary area or non-related members of the community to apply for Associate Membership.

Far North District Council's Role

12. FNDC levies a targeted rate for the BID Partnership Programme and ensures it is included in its Annual Plans. FNDC monitors the effectiveness of the programme at the District level.

13. FNDC will receive an annual update report from the Business Association on how the BID Partnership Programme is operating.

14. FNDC has a governance support role for the Community Board and provides administrative support and advice.

Te Hiku Community Board's Role

15. The Te Hiku Community Board maintains an ongoing day-to-day relationship with the Business Association as a joint partner in the BID Partnership Programme. The Community Board will work with the Business Association to align the direction for the BID programme, taking into account wider local priorities that the Community Board may have.

16. The Community Board will receive regular reporting on the BID Partnership Programme and review progress against objectives.

17. The Community Board will appoint a member to represent the Community Board regarding all matters relating to the Business Association.

18. The Business Association will invite the appointed member of the Community Board on to the BID Governance Board or Executive Committee. The discretion on whether this member has voting rights will lie with the Business Association under the rules of its constitution. It is recommended that this member be given voting rights to enable full engagement of the representative and his or her ability to contribute to the business of the BID Partnership Programme.

19. The Community Board will receive the Annual Business Plan for BID programme activities. Following acceptance of the Business Plan the Community Board will recommend that FNDC proceed to setting the Kaitaia BID Rate.

20. The Community Board may also take the following roles:

- Liaising between FNDC business units, CCOs, and other Business Associations
- Advocating to FNDC business units and CCOs on behalf of the Business Association
- Acting as a liaison point or conduit for the relationship with the BID Partnership Programme and the local community.

21. Proposals to establish a new BID Partnership Programme or to expand or reduce an existing BID Partnership Programme need the approval of the Community Board and FNDC.

22. The Community Board may approve additional funding at its discretion. This would be by way of specific grants for specific projects or initiatives.

23. The Community Board is obliged by virtue of being a local government organisation to observe due process and comply with its policies, as well as comply with various statutes, such as the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.

24. The Community Board's obligations under this MOU are subject to FNDC's processes, policies, and legislative obligations.

The Business Association's Role

25. The Business Association implements the BID Partnership Programme within the parameters of this agreement and according to the rules of their Constitution, as agreed by the Business Association at an Annual General Meeting or Special General Meeting ("AGM" or "SGM").

26. In accordance with this MOU, the Business Association agrees to inform and update the Community Board regularly on BID Partnership Programme related activities. This includes an annual presentation to the Community Board and any other presentation as agreed by the Parties.

27. The Business Association will measure its performance through key performance indicators (KPIs) related to its Strategic and Annual Business Plan objectives. These results can be requested by FNDC at any time or may be included in the Business Association's annual report.

28. The Business Association is encouraged to work collaboratively with any partner or agency that is willing to assist it in the achievement of its goals.

29. The Business Association will operate in full compliance with the requirements of the Incorporated Societies Act 1908.

30. The Business Association will continue to maintain a three-year Strategic Plan that is reviewed annually at their AGM.

Reporting Requirements

31. The Business Association must provide the following:

- An annual report for the previous financial year complete with audited annual financial accounts, furnished to an AGM or SGM by the end of November and to the Community Board at their next meeting.
- An Annual Business Plan clearly aligning with the Strategic Plan and clearly laying out the budget for the next financial year
- A clear request for capital funding for the following financial year furnished to the Community Board for consideration and recommendation to FNDC.

32. The Community Board is to report to FNDC and recommend the total funding to be rated in the Kaitaia BID rate. Copies of the Business Association's annual report and annual business plan are to be provided to FNDC at this time as supporting documents to the request for funding.

GENERAL PROVISIONS

Kaitaia BID Rate

33. The BID targeted rate (the Kaitaia BID rate) is payable on a quarterly basis, with the first payment being due on 1st of July of each year.

34. By vote of members at an AGM, the Business Association can request an increase or decrease of the Kaitaia BID rate by 5% of the existing rate or \$5,000, whichever is less.

35. The Business Association will identify this amount in its planning documents and budgets, which are then distributed to eligible voters as part of the AGM / SGM process. In the interests of transparency and accountability for the Business Association, the proposed purpose of the increase or decrease of the rate will be clearly identified.

36. In order to align with FNDC's annual planning process, a request for an increase or decrease to the amount rated in the Kaitaia BID rate must accompany the annual report to enable the inclusion of the amount to be rated in FNDC's Annual Plan process.

Special Circumstances

37. In some circumstances FNDC may need to intervene in the management of a BID Partnership Programme. Action by FNDC will be initiated as a last resort and in agreement with the Community Board and the Business Association executive.

38. Concerns may arise through governance, management, or operational procedures that expose the Business Association to risk. Examples that may be considered a serious concern include, but are not limited to:

- Failure of the Business Association's executive to consistently meet the constitutional rules, impacting the Association's ability to meet the requirements of the Incorporated Societies Act 1908
- Inappropriate business practices (e.g. misappropriation of BID Programme funds)
- Ongoing financial issues, such as overspending or the accumulation of unsustainable debt.

39. The purpose of any FNDC intervention is intended to ensure the sustainability and continuation of the Business Association as an independent entity able to fulfil its obligations.

40. FNDC intervention is to occur through one of the following approaches:

- Management of the BID Partnership Programme by FNDC officers or nominated representatives with the purpose of rebuilding the BID governance to re-establish independent management
- Support of the Business Association by FNDC officers or nominated representatives to work alongside the Business Association's Executive Committee to resolve issues and find solutions on a case-by-case basis.

41. In exceptional circumstances and as a last resort, FNDC may initiate a ballot to review the continuation of the BID Partnership Programme.

42. In considering whether to initiate such a ballot, FNDC must:

- Seek feedback from the Community Board
- Seek legal advice on the situation
- Cover all costs relating to the ballot.

43. Such a ballot must be carried out in a manner similar to the BID establishment ballot.

44. If the ballot produces a mandate to continue with the BID Partnership Programme and to receive rated funds, FNDC officers must consider the best way forward for the Programme and consult with the Community Board on how to return the Business Association to a functioning level.

45. If the ballot produces a mandate to discontinue the BID Partnership Programme and cease collection of the Kaitaia BID rate, FNDC officers will take the appropriate action.

Review Provisions

46. Three parties may request a review of a BID Partnership Programme:

1. The Business Association Executive Committee
2. The BID Association members
3. FNDC.

47. If, after due consideration, the Business Association no longer wishes to continue as a BID Partnership Programme and receive rated funds, they are required to pass a resolution at an executive meeting, and, immediately following this, notify the Community Board and FNDC, forwarding signed minutes of the executive meeting.

48. A ballot to review the continuation of the BID Partnership Programme and Kaitaia BID rate shall be carried out in a manner similar to the BID establishment ballot.

Dispute Resolution

49. Only having exhausted normal means of resolving a dispute or difference, either party may give written notice specifying the nature of the dispute and its intention to refer said dispute to mediation.

50. If a request to mediate is made, the party making the request will invite the chairperson of the New Zealand Chapter of Lawyers Engaged in Dispute Resolution (“LEADR”) to appoint a mediator to help settle the dispute. All discussions in the mediation will be unprejudiced and will not be referred to in any later proceedings.

51. The parties will bear their own costs in the mediation and will equally share the mediator’s costs.

52. If the dispute is not resolved within 30 days of the appointment of a mediator by LEADR, any party may refer the matter to arbitration by a sole arbitrator in accordance with the Arbitration Act 1996.

53. The award in arbitration will be final and binding on the parties.

SIGNED BY

The Mayor

Chairman of the Te Hiku Community Board

Chairperson of Kaitaia Business Association

Supplementary Item:

MEETING: COUNCIL - 22 JUNE 2017
Name of item: AMENDMENTS TO THE ANNUAL PLAN - ADOPTION OF ANNUAL PLAN 2017/18
Author: Kathryn Ross
Date of report: 21 June 2017
Document number: A1880213

Recommendation

THAT the Council agrees to replace Item 8.2 Attachment 1 with this report “Amendments to the Annual Plan – Adoption of Annual Plan 2017/18” and the 2017/2018 Annual Plan tabled at the 22 June 2017 Council meeting.

THAT the tabled 2017/2018 Annual Plan be adopted.

AND THAT the Chief Executive Officer is delegated the authority to approve any minor accuracy, grammatical or formatting amendments prior to the Annual Plan 2017/18 being published or uploaded onto the Far North District Council website.

1) Background

Item 8.2 of the 22 June 2017 Council agenda recommends the Annual Plan 2017/18 for adoption. After that Council agenda was printed amendments have arisen in Item 8.2: Attachment 1 – 2017/2018 Annual Plan; the omission of the Opononi wastewater scheme from the schedule of rates for 2017/18 and a refresh of salary information identified a reduction in the salary component of the Plan. This resulted in a reduction in salaries of \$391k.

The background section of the original item 8.2 gives the background to the development of the Annual Plan 2017/2018.

2) Discussion and options

If Council adopts the previously circulated Attachment 1 – 2017/2018 Annual Plan document this would mean that it would not be able to strike a rate for the Opononi wastewater scheme and that it would be budgeting for an additional \$391k of salaries and rating (from the general rate) for this.

The corrected version of the 2017/2018 Annual Plan tabled at Council meeting includes the Opononi wastewater scheme in the schedule of rates for 2017/18 and includes the reduced salary figure.

The salary correction affects the overall operational expenditure and the general rates increase as follows:

- A general rates increase of 3.51%, down from the 4.0% in the original item 8.2; a favourable overall reduction from the 5.87% increase forecast in year three of the LTP
- Operating expenditure of \$110.9 million, \$4.9 million less than forecast in the LTP. \$83,415,760 of opex will be funded through rates, and the remainder through other revenue such as fees and charges and government subsidies.

Capital expenditure, debt, subsidies and fees and charges are as outlined in the original Council report Item 8.2:

- Capital expenditure of \$68.7 million, \$4.7 million more than forecast in the LTP, primarily due to the delayed completion of the Kerikeri wastewater treatment scheme.
- Forecast closing debt of \$100.5 million at the end of the 2017/18 financial year. This is substantially less than estimated in the LTP and is the cumulative result of deferring projects and not drawing down debt as anticipated in the LTP
- \$30.6 million of government funding through subsidies for capital and operational works for roading, water and wastewater projects.
- \$15 million of fees and charges. This is an increase of \$800k on the LTP forecast, and is mostly due to increased user-pays activity.

Levels of service have not changed.

The tabled plan:

- Includes \$40k operating budget allocated to the Kaikohe and Districts Sportsville on the condition that a suitable Contract for Services can be developed and approved by Council in the 2017-18 financial year.
- Provides for the re-timing of the Te Kao water supply project, bringing funding of \$200k forward from 2018/19 to 2017/18 and \$2 million from 2019/20 to 2018/19.
- Provides for the unused 2016/17 funds of \$700k for the Southern dog pound to be carried over to 2017/18.
- Includes the revised timing for the Kerikeri Wastewater project and the consequential impact on rates as follows:
 - The project will not be completed until midway through the 2017/18 year.
 - Since we do not impose targeted rates until the project it relates to is completed, the increase in rates for those ratepayers in the area of benefit will now not occur until the 2018/19 financial year. This means that for 2017/18 the connected (per SUIP) charge will be \$484.70 instead of \$648.65 (reduced by \$163.95).
 - The capital funding for the project has been included in the Annual Plan for 2017/18.
- The correction of the error in calculating Te Hiku drainage rates, with the following result:

Location	From	To
Kaitaia	10.02	8.57
Kaikino A	13.62	11.53
Kaikino B	6.81	5.77
Kaikino C	2.32	1.96
Motutangi A	31.78	42.46
Motutangi B	15.89	21.23
Motutangi C	5.40	7.22
Waiharara A	24.34	\$26.01
Waiharara B	12.17	\$13.00
Waiharara C	4.14	\$4.42

Final rates increase

Amendments for the Kerikeri Wastewater Scheme, the Te Hiku Drainage Rate and corrections to the salary component of the budget have reduced the required rates increase from 4.0% in the original item 8.2 to 3.51%.

Council could choose not to adopt the tabled annual plan. However, in doing so, it would not be able to adopt the rates resolution (agenda item 9.1) which in turn enables the rates strike for the 2017/18 year.

Any further amendments at this point that are likely to have an impact on financials may result in a Local Government Act breach if those changes cannot be made and a legal review of the rates resolution (if impacted) carried out in time to adopt before 30 June 2017 at an extraordinary Council meeting.

3) Financial implications and budgetary provision

The financial implications and budgetary provisions of adopting the 2017/18 Annual Plan are contained in the tabled document.

4) Reason for the recommendation

This paper and the tabled Plan correct amendments that if left uncorrected would affect the Council's ability to collect rates for the Opononi wastewater scheme and would overrate FNDC ratepayers.

The resolution to adopt the tabled Plan enables Council to comply with the statutory provisions for adopting the 2017/18 Annual Plan.

The delegation to the CEO is an administrative matter for reasons of efficiency.

Attachment 1: 2017/18 Annual Plan (tabled)

Attachment 2: Reconciliation of Rates Increase 2017-18 Annual Plan Document number A1874467 (tabled)

Attachment 3: 2017/18 Capital Works Programme by Ward - Document number A1876795 (tabled)

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	The Annual Plan is aligned and consistent with the Community Outcomes and Strategic Direction set by Council in the LTP 2015-25.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	The decisions made as part of the Annual Plan process are in part a result of LTP engagement with iwi, hapu and Māori affected by key issues for which proposals were communicated in the Consultation Document and public meetings of the 2015-25 LTP.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Specific targeted engagement with communities affected by, or with an interest in, the matters consulted on in the LTP was carried out. Consultation for the 2017/18 Annual Plan was not considered necessary under Council's significance and engagement policy. The views and preferences of people were considered in the decision-making process that completed the development of the 2015-25 LTP, and therefore the 2017/18 Annual Plan.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	Changes from year three of the LTP were assessed under Policy 2124 as insignificant.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Community Board Chairs have been involved throughout the decision-making process.
Financial Implications and Budgetary Provision.	The Annual Plan establishes the budget for the 2017/18 financial year and

Chief Financial Officer review.	enables the setting of rates. The Chief Financial Officer has reviewed this report.
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ANNUAL PLAN
Mahere a-Tau

2017/18

Adopted
22 June 2017

ISSN: 1170-5205 (print)

ISSN: 2537-7906 (online)

Annual Plan images

Ngā Uri A Tuteauru Kapa Haka Roopu was established in 2009.

The group is tutored by Mutunga Rameka and its members are predominantly from the Hokianga valleys of Otaua, Taheke and Waima. The group has an open-door policy encouraging participation from all who are interested. Ngā Uri A Tuteauru have participated at three Tai Tokerau Senior Kapa Haka Regionals and other community events around the region.

In 2016 the group established the first local Haka Wars event. A Kapa Haka and Māori oratory competition involving the six marae based in Otaua, Taheke and Waima was a successful event that united the three valleys for its one common purpose - to revive the Māori language, and local traditions, and to uplift local Marae.

The group will continue to foster and encourage this community event and participate at Tai Tokerau Senior Kapa Haka Regionals, in the hope of representing the Far North at Te Matatini National Kapa Haka Festival.

Photographer: Lena Adams

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Introduction

The forecast financial statements in this 2017/18 Annual Plan have been prepared on the basis of the best information available at the time of preparing the accounts including the latest information on cost and revenue forecasts. Actual results are likely to vary from the information presented and the variations may be material. The purpose of this plan is to inform the community on the spending priorities outlined in the plan and may not be appropriate for any other purpose.

Our Vision, Mission, Values and Expectations

District Vision

He Whenua Rangatira – A District of Sustainable Prosperity and Well-Being.

Our Vision

Council will be a capable, trusted and innovative civic leader, serving and inspiring people, maximising opportunities to empower communities and meet their changing needs; while creating great places.

Our Mission

To work together to deliver on our goals and commitments and enable culturally strong, healthy, vibrant, resilient, prosperous, connected people and communities.

Tikanga - Our Values

- Manawatopu: Unity of purpose and working together
Whanaungatanga Family, community, connecting and caring
- Tu tangata: Strong cultural identities
- Mana tangata: Respect and fairness
- Te Tiriti o Waitangi: Partnership
- Kaitiakitanga: Environmental stewardship and sustainability.

Tumanako - Our Expectations

- He wahi ataahua: Valuing the outstanding beauty of our District
- Oranga taiao, oranga tangata: Nurturing the environment so it nourishes us
- Oranga kainga: A thriving, sustainable local economy
- Mana i te whenua: The role of tangata whenua is valued and respected
- Te ira tangata: Rich heritage and diversity respected and celebrated
- Whanau: A great place for our families to flourish
- Tangata whai ora: Happy, healthy, safe and purposeful people
- He waka hourua: Fit for purpose infrastructure underpinning success
- Kokiri tahi: Empowered communities, working collaboratively.

Message from the Mayor and Chief Executive Officer

Kia Ora Koutou

In 2015, we updated our 10-year plan and set a bold new direction for the Far North District. We had discovered critical gaps in our core infrastructure, so we proposed an extensive works programme to address these. We also wanted to make the District a great place to live, so we included funding in the plan for recreational facilities in each ward. We have made big gains since we adopted our 2015-25 Long Term Plan. In Te Hiku Ward, we began construction of a multi-purpose sports hub at Moerua Park near Kaitaia's cultural hub Te Ahu. In the Bay of Islands-Whangaroa Ward, we bought land for a new Kerikeri wastewater treatment plant, and recently started to build a 27km sewerage network that will allow us to connect more households and businesses to the scheme. In the Kaikohe-Hokianga Ward, we opened the 28km Horeke-Okaihau section of the Twin Coast Cycle Trail – Pou Herenga Tai, which is already attracting visitors to the District and boosting businesses in towns between the Hokianga Harbour and Bay of Islands.

We expect to commission the new Kerikeri sewerage scheme and complete most of stage one of Te Hiku Sports Hub at Moerua Park in 2017/18. We also plan to upgrade our Rawene-Omanaia water supply and reach agreement with the Te Kao community about the most cost-effective way of providing it with safe drinking water. Other infrastructure projects in 2017/18 include upgrading our Paihia and Russell wastewater treatment plants and our sewerage network in Kaitaia which overflows in wet weather.

We are committed to providing an effective and safe transport network, and aim to finalise a plan to improve safety and traffic flows at the hazardous intersection of State Highway 10 and Waipapa Road near Kerikeri. We plan to complete a popular walkway from Haruru Falls to Waitangi and extend a footpath on Kerikeri Road to State Highway 10, giving properties along this road safe pedestrian access to Kerikeri's central business district. Improving roads in rural areas will remain a focus in 2017/18. We have applied for subsidies to seal sections of Pipiwai and Ngapipito Roads, which are heavily used by logging trucks, and we plan to spend \$5 million metalling unsealed roads.

We are committed to improving the services we provide to customers and will begin scanning our property files, so people can view these online when they want, instead of waiting for files to be delivered to one of our offices for inspection. We also plan to undertake an independent review of our procurement practices to ensure these are fair and transparent. Similarly, we need more detail about the costs of maintaining assets, such as parks and reserves, so Council and communities can make more informed decisions when deciding what is affordable. We also think we can make our Annual and Long Term Plans and Annual Reports less costly to produce and more readable and meaningful, so we will be reviewing these documents too.

We are making good progress towards closing gaps in our infrastructure and improving customer services. We thank you for taking an interest in our work programme and encourage you to read this document for amore full picture of the work we are planning to make the Far North a great place to live.

Ka kite ano.



Hon John Carter QSO
Mayor



Shaun Clarke ONZM
Chief Executive Officer

Mayor and Councillors



Hon John Carter
QSO
Mayor



Cr Tania McInnes
Deputy Mayor
Bay of Islands-
Whangaroa Ward



Cr Ann Court
Bay of Islands-
Whangaroa Ward



Cr Dave Hookway
Bay of Islands-
Whangaroa Ward



Cr Willow-Jean Prime
Bay of Islands-
Whangaroa Ward



Cr Sally Macauley
QSM
Kaikohe-Hokianga
Ward



Cr John Vujcich
Kaikohe-Hokianga
Ward



Cr Colin 'Toss' Kitchen
Te Hiku Ward



Cr Felicity Foy
Te Hiku Ward



Cr Mate Radich
Te Hiku Ward

Community Boards

Bay of Islands - Whangaroa Ward

Terry Greening (Chair), *Russell-Opua*
Belinda Ward (Deputy Chair), *Paihia*
Lane Ayr, *Kerikeri*
Martin Robinson, *Kerikeri*
Rachel Smith, *Kerikeri*
Bruce Mills, *Whangaroa*
Kelly Stratford, *Kawakawa-Moerewa*






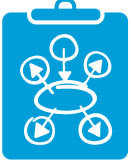


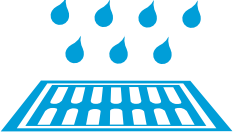



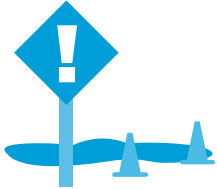


Kaikohe - Hokianga Ward

Mike Edmonds (Chair), *Kaikohe*
Emma Davis (Deputy Chair), *North Hokianga*
Shaun Reilly, *Kaikohe*
Kelly van Gaalen, *Kaikohe*
Robert Cassidy, *South Hokianga*
Louis Toorenburg, *South Hokianga*

Te Hiku Ward

Adele Gardner (Chair), *Kaitaia*
Melanie Dalziel (Deputy Chair), *North Cape*
Bronwyn Hunt, *Kaitaia*
Awhina Murupaenga, *Kaitaia*
Nuu Ward, *Doubtless Bay*
Lawrie Atkinson, *Whatuwhiwhi*

What you get for your rates dollar

 <p>19¢ ROADING</p>	 <p>14¢ WASTEWATER SERVICES</p>	 <p>11¢ COMMUNITY SERVICES Cemeteries, Town Maintenance etc</p>
 <p>11¢ CUSTOMER SERVICES Libraries, Information/Service Centres</p>	 <p>9¢ REGULATORY SERVICES Building, Animal Control etc</p>	 <p>8¢ FORWARD PLANNING Policy, Community Assistance etc</p>
 <p>6¢ RECREATION FACILITIES Parks & Reserves, Maritime, Pools</p>	 <p>4¢ REFUSE Transfer Stations</p>	 <p>4¢ STORMWATER AND FLOOD PROTECTION</p>
 <p>4¢ GOVERNANCE</p>	 <p>3¢ SUSTAINABLE ENVIRONMENT District Plan, Māori Engagement etc</p>	 <p>3¢ WATER SUPPLY</p>
 <p>2¢ PUBLIC SAFETY Civil Defence</p>	 <p>1¢ HOUSING FOR THE ELDERLY</p>	 <p>1¢ FOOTPATHS</p>

Our plan in brief

We are maintaining a steady course for 2017/18, with no significant changes and a lower than anticipated overall general rate increase. Plans and budgets that were initially set through the Long Term Plan (LTP) have been adjusted to accommodate recent events. For the most part, however, we are sticking to the direction set by the LTP.

Strategic Direction

As an organisation, we continue to support the District vision He Whenua Rangatira – a District of Sustainable Prosperity and Well-Being through a commitment to community planning and development, building stronger relationships with iwi and hapu, and forming alliances with other councils in our region.

From a day-to-day perspective we continue to catch up on the backlog of infrastructure renewals through a prudent capital works programme. This means more maintenance and repairs and less new assets. We expect this strategy to help us maintain current levels of service. At the same time, we are completing a series of service delivery reviews and continue to actively seek opportunities to collaborate with other councils. If service delivery reviews result in changes to how we deliver to the community we will at least maintain levels of service, and hope that in some cases we may be able to increase them.

Although the building of new assets is not high on our list of priorities, we do still intend to undertake a large amount of capital projects, and will continue to improve our planning and project management to ensure we achieve affordability, prudent debt levels and timely delivery.

ORIGINALLY PLANNED LTP YEAR 3 2017/18

NOW PLANNED 2017/18

REVENUE
INCLUDES
RATES
SUBSIDIES
FEES & CHARGES

\$128.5
MILLION

\$133.3
MILLION

DEBT

\$125.2
MILLION

\$100.5
MILLION

OPERATING
EXPENDITURE

\$115.8
MILLION

\$110.9
MILLION

CAPITAL
EXPENDITURE

\$63.9
MILLION

\$68.7
MILLION

RATES
INCREASE

WAS
5.8%

NOW
3.51%

Year three of our 2015-25 Long Term Plan

The Annual Plan updates the work plans and budgets that we had set through the Long Term Plan (LTP). For the most part, we are sticking to what was decided through the LTP. The following events occurred after the LTP was developed, causing adjustments in this Annual Plan:

- The LTP made assumptions about the effect inflation would have on things like rates, fees, expenses and staff costs, and made adjustments from year to year using the Local Government Cost Index (LGCI) which was predicted to be around 2.5% in 2017/18. The latest forecast predicts a lower rate of 1.4%. This means we receive less revenue from general rates, although this is somewhat offset by lower cost increases.
- We expect to receive Government subsidies of over \$30 million. \$23 million has been allocated to capital works. This includes funding for roads by the NZ Transport agency and \$7.3 million by the Ministry of Health for the Kerikeri wastewater scheme. While this is more than we had forecast in year three of the LTP, it is a result of delaying projects from previous years and carrying forward the subsidy funding.
- Changes to the schedule of capital projects have been made for various reasons, including delays in completing work and the re-timing of renewals as a result of reassessing asset condition. Although maintaining levels of service will remain a focus, new works such as the Kerikeri wastewater system and new sportsgrounds will feature in 2017/18.
- Debt in 2017/18 was originally forecast to be \$125.2 million, but changes to the timing of debt-funded projects over the first few years of the LTP mean that this figure will be much lower. We anticipate that debt at 30 June 2018 is likely to be \$100.5 million.
- The three-yearly revaluation of all properties was completed in 2016, with an overall land value increase of 11.7% across the District. In some locations value increases were substantial, while in other areas values dropped.
- In the LTP we signalled overall annual general rates increases of no more than 3.5% beyond inflation, (5.87% for year three) and we are staying well below that limit for 2017/18 with an increase of 3.51% including inflation.

WHERE THE MONEY COMES FROM

GENERAL RATES

36%

TARGETED RATES

23%

SUBSIDIES

23%

FEES AND CHARGES

11%

OTHER

5%

RATES PENALTIES

2%

What's happening this year

The 2017/18 year will see a continuation of our journey towards sustainability, affordability and community involvement. We plan to maintain current levels of service and engage with communities where there is a desire for new infrastructure or a higher level of service. Although there are few significant projects in our work programme, there are activities that have substantial budgets and projects that our communities consider very important.

Here are the highlights of what you can expect to see this year:

Kerikeri wastewater

Construction of the new Kerikeri sewerage network is underway and is due to be commissioned in mid 2018. The project will deliver a new treatment plant and 27km of new pipes to connect 1,000 homes and businesses in Kerikeri. The existing plant near Shepherd Road will be decommissioned.

Te Hiku Sports Hub

Phase one of Kaitaia's new multi-purpose sports hub at Moerua Park is underway, with the bulk of the work expected to be completed in 2017/18. Facilities included in the first phase are multi-sport fields for rugby, cricket, soccer, league, athletics, softball and archery, along with roading and access upgrades, and a network of footpaths that will serve as a 2km fitness trail connecting Te Hiku Sports Hub with Te Ahu, Kaitaia's cultural centre.

Waipapa intersection

The NZ Transport Agency (NZTA) has been investigating options for improving safety and operation of the transport network at Waipapa on behalf of the Government and Council. This includes safety and traffic flow improvements to the intersection of SH10 and Waipapa Road. The investigation is ongoing, but NZTA aims to finalise a plan later this year. Council and NZTA will then work together on the solution since we share responsibility for the intersection and the adjoining road network, including walking and cycling connections.

Te Kao water

Council and the Te Kao community have been working together to agree the best option for improving the community's water supply. We anticipate a solution will be agreed soon.

Paihia wastewater

We plan to upgrade the Paihia wastewater treatment plant to comply with consent conditions, and are currently going through a design and build tender process. The project will cost approximately \$3.5 million over two years and is expected to begin construction in October this year with completion in October 2018.

Kaitaia water

The Awanui River water-take consent expires in November this year, so we will be applying for a new one, in doing this, we will work closely with iwi, hapu and the community to make sure the process is as quick and efficient as possible. In the meantime, we can continue to operate under the expired consent as long as an application for a new one is in place before November.

Kaitaia wastewater

This year we intend to make progress on resolving the issue of excessive stormwater entering the Kaitaia wastewater network and causing overflows on private properties. Although Council has yet to agree a preferred solution, work needs to get underway with design and consenting this year.

Russell wastewater

The wastewater treatment plant at Russell will be upgraded this year, making it more resilient and able to handle peak summer flows.

Reticulation renewals

Programmes to replace or repair ageing reticulation, plant, pump station and telemetry assets will be ongoing with substantial budget allocations for both water and wastewater.

Footpaths

This year, the footpath programme will include completion of the Haruru Falls to Paihia walkway and the extension of the Kerikeri Road footpath to SH10. Footpath renewals will be completed on a prioritised basis.

Pipiwai and Ngapipito Roads

We have applied for subsidy from NZTA to provide seal extensions for Pipiwai and Ngapipito Roads, but we won't know if we are successful until after the financial year has started. If NZTA agrees to provide this subsidy, works will be carried out in the 2017/18 summer season.

Roading renewals

We plan to invest \$5 million in heavy metalling for unsealed roads and \$3 million in rehabilitation and resealing across the roading network. We will also carry out a significant number of minor safety improvements ranging from intersection upgrades to visibility improvements.

Southern dog pound

Until recently, Council leased dog pound facilities at Okaihau. The contractor decided to terminate the lease early, so Council is in the process of establishing a new dog pound somewhere in the area. We are exploring a number of options and have established a temporary solution in the meantime. We hope to be able to purchase land and develop a suitable long-term facility with the majority (if not all) of the work completed in 2017/18.

Opononi-Omapere water supply

We have completed ground water investigations and are awaiting a full report at which point we will continue to work with the community to decide the best option to improve the water supply security.

Rawene water

We have secured an 85% government subsidy to enable us to deliver a new water treatment plant at Omanaia. We expect to complete the work in the first quarter of 2018.

Information services

2017/18 is a pivotal year in supporting the digitisation for the Far North. The aim is to continually improve and provide efficient services for our customers. We will be focussing on supporting the business in asset management and improving the capture of data used for decision making regarding community assets. Cyber security remains top of focus to keep abreast of challenges around the world, such as the recent Wannacry virus. GIS and its benefits for customers and staff will be explored further, after recent success with an award for the development of 'Put a Pin On It' for the District Plan.

Broadband

Council is committed to 100% connectivity in the Far North. Along with the other Northland councils we have been a significant force in advocating for the delivery of ultra-fast broadband to 21 Northland communities. We have also participated in the Government's process to roll out rural broadband and better mobile coverage across our District. We have funding in this plan to make this opportunity go as far as it can and we will support the process allowing the use of our land and providing streamlined consenting processes. Most importantly, we will continue to work with communities that weren't chosen to find broadband solutions that meet their needs.

2nd generation District Plan

Building on the success of 'Put a Pin on It' during 2016/17 we will continue to develop the next District Plan (which enables and controls land use and subdivision and responds to key issues) for the Far North. It will respond to the latest changes in the law, Government guidance and standards, the Regional Plan, and community feedback. We will produce a draft proposed plan as the year ends (June/July) for your feedback. Please keep in touch and have your say by visiting our District Plan website: www.letsplantogether.org.nz and / or sign up to our quarterly newsletters.

People development

Having now completed the rebuilding of resources within the organisation, will now focus on developing a high performance culture through Leadership Development, developing our talent and ensuring we have solid well-being initiatives in place to look after our people.

Customer service

A key focus for Council is being more responsive to our customers and enhancing customers' experience when dealing with Council. As part of a customer service improvement programme, Council started measuring the customer experience last year. Over the next 12 months customer feedback will be used to inform opportunities to enhance our services and make improvements. Customers who deal directly with Council this year may be asked to comment on how we did and we hope to see evidence that we are more effectively communicating with our customer and better meeting our communities' needs.

Sustainable development strategy

We are developing a strategy to implement the District vision of He Whenua Rangatira. The District faces challenges to protect the environment, adapt to climate change, reduce inequalities, enable development and create jobs. The sustainable development strategy looks ahead a generation to describe what success looks like and the drivers of change. Council's Long Term Plan will set our response to these drivers for change over the next decade. We will be engaging with stakeholders and communities during the first half of the 2017/18 year.



Capital Projects

This is our capital projects schedule for the 2017/18 year.

A full capital projects schedule by ward is available on our website: www.fndc.govt.nz

Roading and Footpaths

Activity	\$000
New	
Cycleways	409
Dust mitigation	512
Footpaths	18
Resilience improvements	2,228
Roading - minor improvements	2,939
Roading - Waipapa intersection upgrade	261
Streetlighting	400
Walking facilities	450
Renewals	
Bridges and structures	468
Drainage - culverts, kerbs and channels	750
Effluent station equipment	2
Ferry - equipment	585
Ferry - hull renewal	134
Footpaths	176
Roading - network and asset management	1,314
Roading - reseals - chip sealing	3,650
Roading - sealed road rehabilitation	5,326
Roading - unsealed road metalling and rehabilitation	7,716
Traffic services	510
Roading and Footpaths Total	27,846

Water Supply

Activity	\$000
New	
Hardware and software	20
Improved storage resilience	20
Minor capital works	283
Opononi - new water source	50
Pump station overhaul	50
Raw water storage	239
Reservoir works	10
Resource Consent	12
Sludge disposal improvements	20
Water take consents	59
Te Kao - water supply	200
Telemetry upgrades	114
Treated water	834
Treatment plant upgrades	290
Renewals	
Bore upgrades	50
Mains replacement	478
Meter replacement	255
Reservoir works	219
Scheduled renewals	101
Tank replacement	53
Telemetry upgrades	106
Treatment plant upgrades	91
Water Supply Total	3,553

Wastewater

Activity	\$000
New	
Capital reactive works	263
Consents	115
Specified works	63
Paihia - power supply installation	474
Kaitaia - reduction of wastewater overflows	500
Treatment and reticulation improvements and treatment plant improvements	19,290
Renewals	
Discharge consents	25
Pump station upgrades	777
Reticulation renewals	75
Telemetry upgrades	134
Wastewater renewals	97
Wastewater treatment plant upgrades	440
Wetland planting	20
Wastewater Total	23,880

Stormwater

Activity	\$000
New	
Assetfinda hardware and software	20
Paihia - outlet	50
Reactive works	214
Stormwater disposal improvements	82
Renewals	
Floodgates	80
Stormwater renewals	4
Stormwater Total	450

Waste Management

Activity	\$000
New	
Health, safety and security	5
Kaitaia - transfer station scrap shed	42
Renewals	
Transfer station renewals	26
Waste Management Total	73

Environmental Management

Activity	\$000
New	
Southern dog pound	700
Renewals	
Kaitaia dog pound	72
Environmental Management Total	772

District Facilities

Activity	\$000
New	
Amenity lighting	46
Carpark upgrades	16
Cemeteries	21
Community centres	21
Disability access improvements and toilets	197
Libraries	26
Lindvart Park Pavillion upgrade	385
Mangonui boardwalk safety rail	153
Maritime facilities	596
Sportsgrounds	2,001
Renewals	
Airport	21
Amenity lighting	35
Carparks	136
Cemeteries	73
Civil Defence	20
Community centres	202
Halls	352
Housing for the Elderly	417
Information centres	185
Libraries	979
Maritime facilities	280
Parks and reserves	1,250
Public toilets	240
District Facilities Total	7,651

Governance and Strategic Administration

Activity	\$000
New	
Procter library air conditioning	28
IT hardware	138
IT data warehouse and reporting services	100
Kaikohe Civic buildings and library extension and improvements	363
IT software	200
Renewals	
Facilities renewals and upgrades	10
IT hardware	558
Kaikohe Civic buildings and library renewals and upgrades	25
Office equipment	356
Pool vehicles	286
IT software	2,400
Governance and Strategic Administration Total	4,464

CAPITAL PROJECTS TOTAL**68,689**

Council Activities

This section outlines Council's activities and how they are funded. To see the full detail of our activities, including performance targets, please refer to our 2015-25 Long Term Plan



Service delivery and community outcomes

HE WHENUA RANGATIRA

A DISTRICT OF SUSTAINABLE PROSPERITY & WELL-BEING

We provide a large number of services that keep our District operating and make it a great place to work, live and visit

WHAT WE DO

Roads and Footpaths

Provide safe, affordable and maintained transport networks that support community needs and the District's economy.

Water Supply

Distribute treated and sustainable water to defined urban areas.

Wastewater

Provide services for the removal, treatment and disposal of wastewater in defined urban areas.

Stormwater

Provide stormwater management systems to control stormwater discharges throughout the District.

Waste Management

Provide facilities for the disposal of refuse balanced with the provision of recycling and other waste minimisation facilities.

Environmental Management

Build resilient communities by reducing the risks to public health and personal safety.

District Facilities

Ensure that our District is a safe, healthy and vibrant place to live, work and play by providing a range of services and facilities that meet communities and visitor needs.

Governance and Strategic Administration

Oversee the election and induction processes and provide ongoing support to elected members.

Strategic Planning and Policy

Set the overall, long-term direction for the District by listening to what communities need and want, identifying the key issues and understanding where we are now, where we want to get to and how to get there.



By providing these services we are helping to build strong, resilient, self-sufficient communities and create a beautiful destination for locals and visitors

Measuring our service performance

In our 2015-25 LTP, we set a service measures performance framework. These are reported on to Council and the community throughout the year and also reported in our Annual Report which is published in early October each year.

To see all of our performance measures, please read our 2015-25 LTP.

Roading and Footpaths

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Revenue			
11,840	Rates - general	14,212	10,632
5,116	Rates - targeted	5,088	5,448
461	Rates - penalties	461	461
735	Fees, fines and charges	797	689
6,948	Subsidies operational	7,123	7,624
12,419	Subsidies capital	13,937	15,737
-	- Other contributions	-	-
627	Other income	754	602
38,144	Total comprehensive revenue	42,372	41,194
Direct costs			
15,829	Direct costs	16,766	14,983
968	Interest	1,405	887
17,217	Depreciation	17,858	17,709
34,014	Total direct operating expenditure	36,030	33,578
1,157	Indirect costs	1,108	1,198
1,157	Total indirect costs	1,108	1,198
35,171	Total operating expenditure	37,138	34,777
2,973	Net surplus/(deficit)	5,234	6,417

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Capital statement			
2,973	Net surplus/(deficit)	5,234	6,417
-	- Loan	-	-
18,609	Appropriations from reserves	17,157	20,848
3,157	Notional loans raised	3,746	3,661
(960)	Appropriation to reserves	(960)	(1,654)
23,778	Total funding	25,176	29,273
Capital expenditure			
22,492	Capital projects	23,552	27,846
1,286	Debt repayment	1,624	1,427
23,778	Total capital expenditure	25,176	29,273
-	Net surplus/(deficit)	-	-

Prospective funding impact statement for Roading and Footpaths

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
12,300	General rates, uniform annual general charges, rates penalties	14,673	11,093
5,116	Targeted rates	5,088	5,448
6,948	Subsidies and grants for operating purposes	7,123	7,624
735	Fees, charges, and targeted rates for water supply	797	689
27	Internal charges and overheads recovered	158	2
600	Local authority fuel tax, fines, infringement fees, and other receipts	596	600
25,725	Total operating funding	28,434	25,456
Applications of operating funding			
15,665	Payments to staff and suppliers	17,628	16,141
968	Finance costs	1,405	887
1,322	Internal charges and overheads applied	247	41
-	- Other operating funding applications	-	-
17,955	Total applications of operating funds	19,280	17,068
7,770	Surplus (deficit) of operating funding	9,155	8,388
Sources of capital funding			
12,419	Subsidies and grants for capital expenditure	13,937	15,737
-	- Development, financial and other contributions	-	-
1,871	Increase (decrease) in debt	2,122	2,234
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
14,290	Total sources of capital funding	16,059	17,971
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
5,809	- to improve the level of service	9,238	7,216
16,683	- to replace existing assets	14,315	20,630
(432)	Increase (decrease) in reserves	1,661	(1,486)
-	- Increase (decrease) in investments	-	-
22,060	Total applications of capital funding	25,214	26,360
(7,770)	Surplus (deficit) of capital funding	(9,155)	(8,388)
-	Funding balance	-	-

Water Supply

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
2,064	Rates - Targeted	3,050	2,663
225	Rates - Penalties	225	225
6,234	Fees, Fines and Charges	6,254	6,224
	- Subsidies Capital	320	-
	- Other Income	-	-
8,523	Total comprehensive revenue	9,849	9,112
	Direct costs		
4,427	Direct costs	4,874	5,448
547	Interest	886	503
2,269	Depreciation	2,578	2,384
7,242	Total direct operating expenditure	8,338	8,335
	Indirect costs		
995	Indirect costs	868	453
995	Total indirect costs	868	453
8,238	Total operating expenditure	9,205	8,788
285	Net surplus/(deficit)	644	324

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
285	Net surplus/(deficit)	644	324
	- Loan	-	-
1,973	Appropriations from reserves	2,256	2,223
2,737	Notional loans raised	596	2,699
(570)	Appropriation to reserves	(648)	(648)
4,424	Total funding	2,848	4,598
	Capital expenditure		
3,487	Capital projects	1,711	3,553
937	Debt repayment	1,138	1,045
4,424	Total capital expenditure	2,848	4,598
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Water Supply

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
225	General rates, uniform annual general charges, rates penalties	225	225
2,064	Targeted rates	3,050	2,663
	- Subsidies and grants for operating purposes	-	-
6,234	Fees and charges	6,254	6,224
	- Internal charges and overheads recovered	-	-
	- Local authority fuel tax, fines, infringement fees, and other receipts	-	-
8,523	Total operating funding	9,529	9,112
Applications of operating funding			
4,090	Payments to staff and suppliers	4,265	4,796
547	Finance costs	886	503
1,332	Internal charges and overheads applied	1,476	1,104
	- Other operating funding applications	-	-
5,969	Total applications of operating funds	6,627	6,404
2,554	Surplus (deficit) of operating funding	2,902	2,708
Sources of capital funding			
	- Subsidies and grants for capital expenditure	320	-
	- Development, financial and other contributions	-	-
1,800	Increase (decrease) in debt	(541)	1,654
	- Gross proceeds from sale of assets	-	-
	- Lump sum contributions	-	-
1,800	Total sources of capital funding	(221)	1,654
Applications of capital funding			
Capital expenditure			
	- to meet additional demand	-	-
2,356	- to improve the level of service	683	2,201
1,131	- to replace existing assets	1,028	1,352
866	Increase (decrease) in reserves	970	809
	- Increase (decrease) in investments	-	-
4,354	Total applications of capital funding	2,681	4,362
(2,554)	Surplus (deficit) of capital funding	(2,902)	(2,708)
	- Funding balance	-	-

Wastewater

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
488	Rates - general	493	-
10,558	Rates - targeted	12,265	11,578
320	Rates - penalties	320	320
167	Fees, fines and charges	169	135
	- Subsidies capital	-	7,294
	- Other contributions	-	-
	- Other income	-	-
11,534	Total comprehensive revenue	13,248	19,328
	Direct costs		
7,077	Direct costs	7,030	5,930
1,331	Interest	2,173	1,150
3,804	Depreciation	4,263	3,965
12,212	Total direct operating expenditure	13,466	11,045
	Indirect costs		
806	Indirect costs	760	698
806	Total indirect costs	760	698
13,019	Total operating expenditure	14,226	11,743
(1,485)	Net surplus/(deficit)	(978)	7,585

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
(1,485)	Net surplus/(deficit)	(978)	7,585
1,887	Loan	1,444	41
2,349	Appropriations from reserves	7,568	4,991
12,313	Notional loans raised	11,010	14,069
1,406	Appropriation to reserves	794	(474)
16,470	Total funding	19,838	26,211
	Capital expenditure		
14,141	Capital projects	17,026	23,880
2,328	Debt repayment	2,812	2,330
16,470	Total capital expenditure	19,838	26,211
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Wastewater

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
809	General rates, uniform annual general charges, rates penalties	814	320
10,558	Targeted rates	12,265	11,578
	- Subsidies and grants for operating purposes	-	-
167	Fees, charges, and targeted rates for water supply	169	135
	- Internal charges and overheads recovered	-	-
	- Local authority fuel tax, fines, infringement fees, and other receipts	-	-
11,534	Total operating funding	13,248	12,033
Applications of operating funding			
6,837	Payments to staff and suppliers	6,526	5,514
1,331	Finance costs	2,173	1,150
1,046	Internal charges and overheads applied	1,264	1,114
	- Other operating funding applications	-	-
9,214	Total applications of operating funds	9,963	7,778
2,319	Surplus (deficit) of operating funding	3,284	4,255
Sources of capital funding			
	- Subsidies and grants for capital expenditure	-	7,294
	- Development, financial and other contributions	-	-
11,872	Increase (decrease) in debt	9,643	11,779
	- Gross proceeds from sale of assets	-	-
	- Lump sum contributions	-	-
11,872	Total sources of capital funding	9,643	19,074
Applications of capital funding			
Capital expenditure			
	- to meet additional demand	-	-
13,197	- to improve the level of service	15,976	20,705
945	- to replace existing assets	1,051	3,175
50	Increase (decrease) in reserves	(4,099)	(551)
	- Increase (decrease) in investments	-	-
14,191	Total applications of capital funding	12,927	23,329
(2,319)	Surplus (deficit) of capital funding	(3,284)	(4,255)
	- Funding balance	-	-

Stormwater

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
1,834	Rates - general	2,186	2,676
1,140	Rates - targeted	658	656
63	Rates - penalties	63	63
	- Other contributions	-	-
3,037	Total comprehensive revenue	2,907	3,395
	Direct costs		
1,312	Direct costs	1,232	1,761
170	Interest	209	177
773	Depreciation	723	748
2,254	Total direct operating expenditure	2,164	2,686
	Indirect costs		
237	Indirect costs	211	204
237	Total indirect costs	211	204
2,492	Total operating expenditure	2,375	2,890
545	Net surplus/(deficit)	532	505

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
545	Net surplus/(deficit)	532	505
	- Loan	-	-
635	Appropriations from reserves	373	529
927	Notional loans raised	263	396
(545)	Appropriation to reserves	(545)	(656)
1,562	Total funding	623	774
	Capital expenditure		
1,287	Capital projects	267	450
275	Debt repayment	356	324
1,562	Total capital expenditure	623	774
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Stormwater

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
1,897	General rates, uniform annual general charges, rates penalties	2,249	2,739
1,140	Targeted rates	658	656
-	- Subsidies and grants for operating purposes	-	-
-	- Fees, charges, and targeted rates for water supply	-	-
-	- Internal charges and overheads recovered	-	-
-	- Local authority fuel tax, fines, infringement fees, and other receipts	-	-
3,037	Total operating funding	2,907	3,395
Applications of operating funding			
1,143	Payments to staff and suppliers	894	1,285
170	Finance costs	209	177
407	Internal charges and overheads applied	549	681
-	- Other operating funding applications	-	-
1,719	Total applications of operating funds	1,652	2,142
1,318	Surplus (deficit) of operating funding	1,255	1,253
Sources of capital funding			
-	- Subsidies and grants for capital expenditure	-	-
-	- Development, financial and other contributions	-	-
652	Increase (decrease) in debt	(93)	72
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
652	Total sources of capital funding	(93)	72
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
856	- to improve the level of service	263	366
431	- to replace existing assets	4	84
682	Increase (decrease) in reserves	895	875
-	- Increase (decrease) in investments	-	-
1,970	Total applications of capital funding	1,162	1,324
(1,318)	Surplus (deficit) of capital funding	(1,255)	(1,253)
-	Funding balance	-	-

Waste Management

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
3,561	Rates - general	4,457	3,570
118	Rates - penalties	118	118
931	Fees, fines and charges	727	1,395
210	Other income	175	235
4,820	Total comprehensive revenue	5,477	5,318
	Direct costs		
3,858	Direct costs	4,658	4,304
156	Interest	162	123
456	Depreciation	333	487
4,470	Total direct operating expenditure	5,153	4,914
	Indirect costs		
350	Indirect costs	324	404
350	Total indirect costs	324	404
4,820	Total operating expenditure	5,477	5,318
	- Net surplus/(deficit)	-	-

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
	- Net surplus/(deficit)	-	-
	- Loan	-	-
333	Appropriations from reserves	427	350
17	Notional loans raised	100	47
	- Appropriation to reserves	-	-
351	Total funding	527	397
	Capital expenditure		
31	Capital projects	207	73
319	Debt repayment	320	323
351	Total capital expenditure	527	397
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Waste Management

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Sources of operational funding		
3,679	General rates, uniform annual general charges, rates penalties	4,575	3,688
-	- Targeted rates	-	-
-	- Subsidies and grants for operating purposes	-	-
926	Fees, charges, and targeted rates for water supply	722	1,390
15	Internal charges and overheads recovered	-	10
200	Local authority fuel tax, fines, infringement fees, and other receipts	180	230
4,820	Total operating funding	5,477	5,318
	Applications of operating funding		
3,749	Payments to staff and suppliers	4,383	3,961
156	Finance costs	162	123
460	Internal charges and overheads applied	599	747
-	- Other operating funding applications	-	-
4,364	Total applications of operating funds	5,144	4,831
456	Surplus (deficit) of operating funding	333	487
	Sources of capital funding		
-	- Subsidies and grants for capital expenditure	-	-
-	- Development, financial and other contributions	-	-
(302)	Increase (decrease) in debt	(220)	(276)
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
(302)	Total sources of capital funding	(220)	(276)
	Applications of capital funding		
	Capital expenditure		
-	- to meet additional demand	-	-
17	- to improve the level of service	5	47
14	- to replace existing assets	201	26
122	Increase (decrease) in reserves	(94)	137
-	- Increase (decrease) in investments	-	-
154	Total applications of capital funding	113	211
(456)	Surplus (deficit) of capital funding	(333)	(487)
-	Funding balance	-	-

Environmental Management

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
6,472	Rates - general	6,197	7,532
141	Rates - penalties	141	141
3,978	Fees, fines and charges	4,040	4,742
	- Subsidies operational	26	-
8	Other income	11	8
10,599	Total comprehensive revenue	10,416	12,423
	Direct costs		
9,302	Direct costs	9,276	10,690
19	Interest	20	16
179	Depreciation	211	317
9,500	Total direct operating expenditure	9,508	11,024
1,099	Indirect costs	908	1,399
1,099	Total indirect costs	908	1,399
10,599	Total operating expenditure	10,416	12,423
	- Net surplus/(deficit)	-	-

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
	- Net surplus/(deficit)	-	-
	- Loan	-	-
28	Appropriations from reserves	22	106
	- Notional loans raised	-	700
	- Appropriation to reserves	-	-
28	Total funding	22	806
	Capital expenditure		
6	Capital projects	-	772
22	Debt repayment	22	34
28	Total capital expenditure	22	806
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Environmental Management

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
6,613	General rates, uniform annual general charges, rates penalties	6,338	7,673
-	- Targeted rates	-	-
-	- Subsidies and grants for operating purposes	26	-
3,911	Fees, charges, and targeted rates for water supply	3,948	4,675
8	Internal charges and overheads recovered	11	8
67	Local authority fuel tax, fines, infringement fees, and other receipts	92	67
10,599	Total operating funding	10,416	12,423
Applications of operating funding			
7,697	Payments to staff and suppliers	7,713	8,508
19	Finance costs	20	16
2,704	Internal charges and overheads applied	2,470	3,582
-	- Other operating funding applications	-	-
10,420	Total applications of operating funds	10,204	12,106
179	Surplus (deficit) of operating funding	211	317
Sources of capital funding			
-	- Subsidies and grants for capital expenditure	-	-
-	- Development, financial and other contributions	-	-
(22)	Increase (decrease) in debt	(22)	666
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
(22)	Total sources of capital funding	(22)	666
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
-	- to improve the level of service	-	700
6	- to replace existing assets	-	72
151	Increase (decrease) in reserves	189	211
-	- Increase (decrease) in investments	-	-
157	Total applications of capital funding	190	983
(179)	Surplus (deficit) of capital funding	(211)	(317)
-	Funding balance	-	-

District Facilities

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Revenue			
12,143	Rates - general	11,920	13,750
10,520	Rates - targeted	9,958	10,467
480	Rates - penalties	480	477
1,963	Fees, fines and charges	2,087	1,655
	- Subsidies operational	26	-
	- Subsidies capital	-	-
545	Other contributions	5,025	5,025
17	Other income	3	6
25,666	Total comprehensive revenue	29,499	31,379
Direct costs			
15,311	Direct costs	15,820	15,959
627	Interest	919	620
4,997	Depreciation	4,096	4,914
20,935	Total direct operating expenditure	20,835	21,493
3,312	Indirect costs	2,763	3,856
3,312	Total indirect costs	2,763	3,856
24,246	Total operating expenditure	23,598	25,349
1,420	Net surplus/(deficit)	5,901	6,031

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Capital statement			
1,420	Net surplus/(deficit)	5,901	6,031
	- Loan	-	-
5,414	Appropriation from reserves	13,519	6,168
4,099	Notional loans raised	4,233	3,462
(2,295)	Appropriation to reserves	(6,777)	(7,036)
8,638	Total funding	16,876	8,624
Capital expenditure			
7,781	Capital projects	15,851	7,651
857	Debt repayment	1,025	973
8,638	Total capital expenditure	16,876	8,624
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for District Facilities

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
12,622	General rates, uniform annual general charges, rates penalties	12,399	14,226
10,520	Targeted rates	9,958	10,467
-	Subsidies and grants for operating purposes	14	-
1,937	Fees, charges, and targeted rates for water supply	2,060	1,630
17	Internal charges and overheads recovered	16	6
26	Local authority fuel tax, fines, infringement fees, and other receipts	26	25
25,121	Total operating funding	24,474	26,354
Applications of operating funding			
13,856	Payments to staff and suppliers	13,808	13,643
627	Finance costs	919	620
4,767	Internal charges and overheads applied	4,775	6,172
-	Other operating funding applications	-	-
19,250	Total applications of operating funds	19,502	20,434
5,872	Surplus (deficit) of operating funding	4,972	5,920
Sources of capital funding			
-	Subsidies and grants for capital expenditure	-	-
545	Development, financial and other contributions	5,025	5,025
3,242	Increase (decrease) in debt	3,207	2,489
-	Gross proceeds from sale of assets	-	-
-	Lump sum contributions	-	-
3,786	Total sources of capital funding	8,233	7,514
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
4,099	- to improve the level of service	9,485	3,462
3,682	- to replace existing assets	6,366	4,189
1,878	Increase (decrease) in reserves	(2,646)	5,783
-	Increase (decrease) in investments	-	-
9,658	Total applications of capital funding	13,205	13,434
(5,872)	Surplus (deficit) of capital funding	(4,972)	(5,920)
-	Funding balance	-	-

Governance and Strategic Administration

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
4,775	Rates - general	7,685	4,536
189	Rates - penalties	189	189
99	Fees, fines and charges	90	125
	- Other contributions	-	-
493	Other income	246	509
5,555	Total comprehensive revenue	8,210	5,359
	Direct costs		
3,741	Direct costs	5,546	3,527
520	Interest	600	(186)
4,261	Total direct operating expenditure	6,146	3,341
	Indirect costs		
803	Indirect costs	604	512
803	Total indirect costs	604	512
5,064	Total operating expenditure	6,750	3,852
491	Net surplus/(deficit)	1,460	1,507

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
491	Net surplus/(deficit)	1,460	1,507
	- Loan	-	-
2,448	Appropriation from reserves	5,643	3,986
553	Notional loans raised	53	829
(491)	Appropriation to reserves	(1,460)	(1,507)
3,001	Total funding	5,696	4,815
	Capital expenditure		
2,656	Capital projects	5,367	4,464
345	Debt repayment	328	351
3,001	Total capital expenditure	5,696	4,815
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Governance and Strategic Administration

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
7,061	General rates, uniform annual general charges, rates penalties	7,874	6,890
-	- Targeted rates	-	-
337	Subsidies and grants for operating purposes	79	-
735	Fees, charges, and targeted rates for water supply	648	934
108	Internal charges and overheads recovered	14	24
463	Local authority fuel tax, fines, infringement fees, and other receipts	309	563
8,704	Total operating funding	8,925	8,411
Applications of operating funding			
19,290	Payments to staff and suppliers	17,748	19,207
786	Finance costs	867	37
(13,290)	Internal charges and overheads applied	(12,761)	(14,639)
-	- Other operating funding applications	-	-
6,787	Total applications of operating funds	5,854	4,605
1,917	Surplus (deficit) of operating funding	3,071	3,806
Sources of capital funding			
-	- Subsidies and grants for capital expenditure	-	-
-	- Development, financial and other contributions	-	-
208	Increase (decrease) in debt	(276)	478
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
208	Total sources of capital funding	(276)	478
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
553	- to improve the level of service	53	829
2,102	- to replace existing assets	5,315	3,635
(530)	Increase (decrease) in reserves	(2,572)	(180)
-	- Increase (decrease) in investments	-	-
2,125	Total applications of capital funding	2,795	4,284
(1,917)	Surplus (deficit) of capital funding	(3,071)	(3,806)
-	Funding balance	-	-

Strategic Planning and Policy

Prospective statement of financial performance

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Revenue		
5,894	Rates - general	6,512	5,659
88	Rates - penalties	88	89
	- Other income	-	-
5,982	Total comprehensive revenue	6,599	5,748
	Direct costs		
5,528	Direct costs	6,090	5,147
27	Interest	13	18
11	Depreciation	18	46
5,567	Total direct operating expenditure	6,122	5,211
415	Indirect costs	478	536
415	Total indirect costs	478	536
5,982	Total operating expenditure	6,599	5,748
	- Net surplus/(deficit)	-	-

Statement of source and application for funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	Capital statement		
	- Net surplus/(deficit)	-	-
	- Loan	-	-
34	Appropriation from reserves	20	30
	- Notional loans raised	-	-
	- Appropriation to reserves	-	-
34	Total funding	20	30
	Capital expenditure		
	- Capital projects	-	-
34	Debt repayment	20	30
34	Total capital expenditure	20	30
	- Net surplus/(deficit)	-	-

Prospective funding impact statement for Strategic Planning and Policy

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
5,982	General rates, uniform annual general charges, rates penalties	6,599	5,748
-	- Targeted rates	-	-
-	- Subsidies and grants for operating purposes	-	-
-	- Fees, charges, and targeted rates for water supply	-	-
-	- Internal charges and overheads recovered	-	-
-	- Local authority fuel tax, fines, infringement fees, and other receipts	-	-
5,982	Total operating funding	6,599	5,748
Applications of operating funding			
4,691	Payments to staff and suppliers	5,187	4,484
27	Finance costs	13	18
1,252	Internal charges and overheads applied	1,381	1,199
-	- Other operating funding applications	-	-
5,971	Total applications of operating funds	6,581	5,702
11	Surplus (deficit) of operating funding	18	46
Sources of capital funding			
-	- Subsidies and grants for capital expenditure	-	-
-	- Development, financial and other contributions	-	-
(34)	Increase (decrease) in debt	(20)	(30)
-	- Gross proceeds from sale of assets	-	-
-	- Lump sum contributions	-	-
(34)	Total sources of capital funding	(20)	(30)
Applications of capital funding			
Capital expenditure			
-	- to meet additional demand	-	-
-	- to improve the level of service	-	-
-	- to replace existing assets	-	-
(23)	Increase (decrease) in reserves	(2)	16
-	- Increase (decrease) in investments	-	-
(23)	Total applications of capital funding	(2)	16
(11)	Surplus (deficit) of capital funding	(18)	(46)
-	Funding balance	-	-

Far North Holdings Limited

Activity performance indicators

The performance measures and targets are set as part of FNHL Statement of Intent (SOI). The SOI is developed by Far North Holdings Limited in accordance with section 64(1) of the Local Government Act 2002. It represents the objectives, nature and scope of activities and performance targets by which FNHL will be measured. It covers the period from 1st July 2017 to 30 June 2020.

Financial performance objectives

Performance objective Engage in successful commercial transactions

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Growth in Shareholder value	Shareholders' funds increase by \$0.956m, after payment of dividend	Shareholders' funds increase by \$1.0m, after payment of the dividend	Shareholders' funds increase by \$1.12m, after payment of the dividend

Performance objective Provide a commercial return to FNDC

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Dividend return to FNDC	Dividend of \$758,000	Dividend of \$887,000	Dividend of \$1,000,000

Performance objective Effective financial management

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Annual operating profit to exceed \$500,000	\$1.516m	\$1.775m	\$2.01m

Performance objective To achieve a return on funds invested

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Return on Investment (ROI) is higher than the average cost of borrowing on its commercial assets	ROI 8.24% AV cost of borrowings 5.0%	ROI 8.90% AV cost of borrowings 5.0%	ROI 9.53% AV cost of borrowings 5.0%

Performance objective Asset growth and development

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Capital Expenditure	\$4.43m	\$3.65m	\$1.5m

Performance objective Effective governance and financial control

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Clean audit sign off each year from Audit NZ	To achieve	To achieve	To achieve
Annual Board Review with appointed Audit NZ representative	To be held	To be held	To be held
To remain within Banking covenants	To achieve	To achieve	To achieve
Quarterly audit review by BDO	To perform	To perform	To perform
Board Audit and Finance committee meetings to be conducted semi-annually	To be held	To be held	To be held

Council Controlled Organisation initiatives**Ensure that the Bay of Islands airport operates within regulatory requirements**

Measure	Target 2017/18	Target 2018/19	Target 2019/20
CAA Certification	To achieve	To achieve	To achieve

Non-financial performance objectives**Performance objective****Enhancing the Far North as a visitors destination**

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Each year complete at least one customer and airline industry survey that demonstrates satisfaction levels with facilities and services at either Kerikeri or Kaitiaki airports	80%	85%	85%

Performance objective**Enhancing and developing a maritime economy**

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Each year complete at least one marina user or maritime services customer satisfaction survey that demonstrates satisfaction levels with facilities and services available	92%	94%	95%

Performance objective**Enhancing the Far North as a destination**

Measure	Target 2017/18	Target 2018/19	Target 2019/20
Complete bi-annual customer satisfaction surveys with cruise ship industry that demonstrates satisfaction levels with Far North Holdings as security authority and provider of disembarking infrastructure	85% or higher satisfaction	Only every second year	85% or higher satisfaction

Performance objective**Position rating of cruise ship destinations within New Zealand**

Measure	Target 2017/18	Target 2018/19	Target 2019/20
As per relevant measures and information from Cruise NZ	Maintain position in top 3	Maintain position in top 3	Maintain position in top 3

Financial Statements

*For a full set of our accounting
policies please refer to the 2015-25
Long Term Plan available on our
website: www.fndc.govt.nz*



Annual Plan disclosure statement for year ended 30 June 2018

The purpose of this statement is to disclose Council's planned financial performance in relation to various benchmarks to enable the assessment of whether Council is prudently managing its revenues, expenses, assets, liabilities, and general financial dealings.

Council is required to include this statement in its annual plan in accordance with the Local Government (Financial Reporting and Prudence) Regulations 2014. Refer to the regulations for more information, including definitions of some of the terms used in this statement.

Benchmark	Target	Planned	Met
Rates affordability benchmarks			
Income	Rates will not exceed 90% of income	83.27%	Yes
Increase	Increase will not exceed LGCI +3.5% which equals 6.03% for this year	3.51%	Yes
Debt affordability benchmarks			
Balanced budget benchmark	Debt to not exceed 175% of revenue excluding capital income	54.1%	Yes
Essential services benchmark	100%	120.17%	Yes
Debt servicing benchmark	10%	224.67%	Yes
		2.58%	Yes

Notes:

Rates affordability benchmarks

- For this benchmark —
 - Council's planned rates income for the year is compared with a quantified limit on rates contained in the financial strategy included in Council's 2015-25 LTP. This is that rate income must not exceed 90% of revenue; and
 - Council's planned rates increases for the year are compared with a quantified limit on rates increases for the year contained in the financial strategy included in Council's 2015-25 LTP. This is that the increase will not be more than LGCI plus 3.5%.
- Council meets the rates affordability benchmark if —
 - its planned rates income for the year equals or is less than each quantified limit on rates; and
 - its planned rates increases for the year equal or are less than each quantified limit on rates increases.

Debt affordability benchmark

- For this benchmark, Council's planned borrowing is compared with a quantified limit on borrowing contained in the financial strategy included in Council's 2015-25 LTP. This is that debt will not be greater than 175% of revenue excluding capital revenue
- Council meets the debt affordability benchmark if its planned borrowing is within each quantified limit on borrowing.

Balanced budget benchmark

- For this benchmark, Council's planned revenue (excluding development contributions, vested assets, financial contributions, gains on derivative financial instruments, and revaluations of property, plant, or equipment) is presented as a proportion of its planned operating expenses (excluding losses on derivative financial instruments and revaluations of property, plant, or equipment)
- Council meets the balanced budget benchmark if its revenue equals or is greater than its operating expenses.

Essential services benchmark

- For this benchmark, Council's planned capital expenditure on network services is presented as a proportion of expected depreciation on network services
- Council meets the essential services benchmark if its planned capital expenditure on network services equals or is greater than expected depreciation on network services.

Debt servicing benchmark

- For this benchmark, Council's planned borrowing costs are presented as a proportion of planned revenue (excluding development contributions, financial contributions, vested assets, gains on derivative financial instruments, and revaluations of property, plant, or equipment)
- Because Statistics New Zealand projects that Council's population will grow slower than the national population growth rate, it meets the debt servicing benchmark if its planned borrowing costs equal or are less than 10% of its planned revenue.

Forecast financial statements

Prospective statement of comprehensive revenue and expense for the year ended 30 June 2018

AP 2016/17 \$000s		LTP 2017/18 \$000s	AP 2017/18 \$000s
Revenue			
47,006	Rates - general	53,661	48,355
2,064	Rates - targeted water	3,050	2,663
27,333	Rates - targeted excluding water	27,968	28,150
2,084	Rates - penalties	2,085	2,082
14,105	Fees, fines and charges	14,164	14,964
6,948	Subsidies operational	7,175	7,624
12,419	Subsidies capital	14,257	23,032
545	Other contributions	5,025	5,025
1,355	Other income	1,190	1,360
113,859	Total comprehensive revenue	128,576	133,255
Expenses			
24,268	Personnel costs	21,786	25,185
29,704	Depreciation & amortisation costs	30,156	30,569
4,365	Finance costs	8,379	3,308
51,292	Other expenses	55,462	51,824
109,630	Total operating expenses	115,783	110,887
4,229	Net operating surplus/(deficit)	12,793	22,369
Surplus/(deficit) attributable to:			
4,229	Far North District Council	12,793	22,369
Items that will not be reclassified to surplus			
43,728	Gain/(loss) on asset revaluations	44,650	34,231
43,728	Total other comprehensive revenue & expense	44,650	34,231
47,957	Total comprehensive revenue & expense	57,443	56,600
Expenditure by activity			
24,246	District Facilities	23,598	25,349
10,599	Environmental Management	10,416	12,423
5,064	Governance & Strategic Administration	6,750	3,852
35,171	Roading and Footpaths	37,138	34,777
2,492	Stormwater	2,375	2,890
5,982	Strategic Planning & Policy	6,599	5,748
4,820	Waste Management	5,477	5,318
13,019	Wastewater	14,226	11,743
8,238	Water Supply	9,205	8,788
109,630	Total operating expenditure	115,783	110,887

Prospective statement of source and application of funds

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Capital statement			
4,229	Net surplus/(deficit)	12,793	22,369
1,887	Loan	1,444	41
31,822	Other funding	46,848	39,229
23,803	Notional loans raised	20,000	25,864
(3,455)	Appropriation to reserves	(9,460)	(11,975)
58,286	Total funding	71,626	75,527
Capital expenditure			
51,882	Capital projects	63,981	68,689
6,404	Debt repayment	7,645	6,838
58,286	Total capital expenditure	71,627	75,527
	- Net surplus/(deficit)	-	-

Depreciation in the statement of financial performance differs from the depreciation shown in the funding impact statement reconciliation as depreciation on corporate activities is allocated to the activities and forms part of the direct and indirect costs.

Prospective statement of changes in equity for the year ended 30 June 2018

AP 2016/17 \$000	Revised 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
1,645,964	1,627,891	Opening balance	1,725,834	1,655,580
47,957	27,690	Total comprehensive income & expense	57,443	56,600
1,693,921	1,655,580	Closing balance	1,783,277	1,712,179

Prospective statement of financial position as at 30 June 2018

AP 2016/17 \$000	Revised 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
PUBLIC EQUITY				
384,825	350,327	Other reserves	437,613	384,323
2,504	1,967	Restricted reserves	3,896	2,202
1,306,592	1,303,286	Retained earnings	1,341,768	1,325,654
1,693,921	1,655,580	Total public equity	1,783,277	1,712,179
ASSETS				
Current assets				
9,284	18,370	Cash & cash equivalents	5,833	28,885
33,880	29,709	Trade & other receivables	35,724	30,274
2,079	-	Other financial assets	4,480	-
93	65	Inventories	67	65
45,335	48,144	Total current assets	46,104	59,223
Non-current assets				
263	605	Other financial assets	256	605
558	739	Forestry	502	747
12,426	10,925	Intangible assets	13,157	10,645
12,000	12,000	Investments in subsidiaries	12,000	12,000
-	-	Derivative financial instruments	1,175	-
1,743,338	1,698,316	Property, plant & equipment	1,859,952	1,763,736
1,768,585	1,722,585	Total non-current assets	1,887,042	1,787,733
1,813,920	1,770,729	Total assets	1,933,146	1,846,956
LIABILITIES				
Current liabilities				
21,188	23,697	Trade & other payables	21,866	24,147
28,000	10,000	Borrowings	10,000	10,000
46	46	Provisions	20	116
-	1,329	Financial guarantee liabilities	-	1,225
-	-	Derivative financial instruments	63	-
1,977	2,546	Employee benefits	1,907	2,595
51,210	37,618	Total current liabilities	33,856	38,082
Non-current liabilities				
67,510	71,425	Borrowings	115,204	90,491
-	-	Trade & other payables	-	-
461	1,346	Derivative financial instruments	25	1,346
-	-	Employee benefits	-	-
820	4,760	Provisions	781	4,857
68,791	77,531	Total non-current liabilities	116,010	96,694
120,001	115,149	Total liabilities	149,866	134,776
1,693,921	1,655,580	Total assets less total liabilities	1,783,277	1,712,179

Prospective statement of cash flows for the year ended 30 June 2018

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
	OPERATING ACTIVITIES		
	Cash was provided from:		
86,151	Rates	92,303	88,915
29,173	Other income	35,368	43,276
-	- Interest and dividends	-	500
	Cash was applied to:		
73,640	Supply of goods, services & employees	73,397	65,350
4,631	Interest paid	6,654	3,531
62	Fringe benefit tax paid	63	35
36,991	Net cash inflows / (outflows) from operating activities	47,557	63,775
	FINANCING ACTIVITIES		
	Cash was provided from:		
29,927	Borrowing	21,445	22,269
	Cash was applied to:		
6,404	Borrowing	7,645	6,838
23,523	Net cash inflows / (outflows) from financing activities	13,800	15,431
	INVESTING ACTIVITIES		
	Cash was provided from:		
-	- Investments	-	-
	Cash was applied to:		
51,882	Purchase & development of property, plant & equipment	63,981	68,689
(51,882)	Net cash inflows / (outflows) from investing activities	(63,981)	(68,689)
8,632	Net increase / (decrease) in cash flows	(2,624)	10,516
652	Cash & cash equivalents opening balance 1 July 2017	8,822	18,370
9,284	Less cash & cash equivalents closing balance 30 June 2018	6,197	28,886
8,632	Cash movements for the year	(2,624)	10,516

Reserve balances report

	LTP 2017/18 \$000	AP 2017/18 \$000
Revaluation reserves		
Opening balance	389,429	349,021
Appropriations	44,650	33,996
Withdrawals	-	-
Closing balance	434,079	383,017
Fair value through equity reserve		
Opening balance	51	80
Appropriations	-	-
Withdrawals	-	-
Closing balance	51	80
Capital reserve		
Opening balance	2,697	2,697
Appropriations	-	-
Withdrawals	-	-
Closing balance	2,697	2,697
Cash flow hedge reserve		
Opening balance	785	(1,471)
Appropriations	-	-
Withdrawals	-	-
Closing balance	785	(1,471)
General separate fund		
Opening balance	646	(897)
Appropriations	-	437
Withdrawals	-	(151)
Closing balance	646	(611)
Special fund		
Opening balance	3,961	4,309
Appropriations	-	-
Withdrawals	-	-
Closing balance	3,961	4,309
Amenity development fund		
Opening balance	242	239
Appropriations	-	-
Withdrawals	-	-
Closing balance	242	239
Community Board reserve fund		
Opening balance	234	234
Appropriations	-	-
Withdrawals	-	-
Closing balance	234	234

	LTP 2017/18 \$000	AP 2017/18 \$000
Community services fund		
Opening balance	(1,187)	(1,969)
Appropriations	-	-
Withdrawals	-	-
Closing balance	(1,187)	(1,969)
Development contributions		
Opening balance	(17,895)	(17,695)
Appropriations	-	-
Withdrawals	-	-
Closing balance	(17,895)	(17,695)
Open spaces development contributions		
Opening balance	(3,861)	(3,838)
Appropriations	-	-
Withdrawals	-	-
Closing balance	(3,861)	(3,838)
Depreciation reserve		
Opening balance	41,149	58,838
Appropriations	31,691	32,868
Withdrawals	(41,149)	(36,405)
Closing balance	31,691	55,301
Retained earnings		
Opening balance	1,308,484	1,263,567
Retained earnings generated	21,845	27,694
Retained earnings generated OPEX	-	-
Withdrawals	-	-
Closing balance	1,330,329	1,291,261
Emergency event reserve		
Opening balance	802	406
Appropriations	542	-
Withdrawals	(136)	-
Closing balance	1,208	406
Mineral survey reserve		
Opening balance	50	50
Appropriations	-	-
Withdrawals	-	-
Closing balance	50	50
Property disposal reserve		
Opening balance	246	169
Appropriations	-	-
Withdrawals	-	-
Closing balance	246	169

Funding impact statement

The Funding Impact Statement (FIS) is one of the key elements of this Annual Plan. It sets out in a single statement the sources of operating and capital funding for everything that Council does and set out the basis of rating which Council has set for the term of this Plan.

The format of this statement is prescribed in the legislation. The intention is that it will provide a concise picture of what Council is spending money on and how those expenditures are funded.

Legislative requirements

The Local Government Act 2002 requires that Council include a FIS in each Annual Plan. This statement in the form required by regulation must include the following information:

- The sources of funding to be used by the local authority
- The amount of funds expected to be produced from each source
- How the funds are to be applied.

Revenue and Financing Mechanisms

In addition to rating income, Council has a number of other sources of revenue including:

- Fees and charges
- Subsidies
- Depreciation funds and other reserves
- Loans and borrowings
- Development and financial contributions in respect of contributions assessed in the years prior to the adoption of this plan.

Summary prospective funding impact statement

Whole of Council

AP 2016/17 \$000		LTP 2017/18 \$000	AP 2017/18 \$000
Sources of operational funding			
51,187	General rates, uniform annual general charges, rates penalties	55,746	52,603
29,397	Targeted rates	31,018	30,813
7,284	Subsidies and grants for operating purposes	7,242	7,624
14,645	Fees and charges	14,598	15,677
174	Internal charges and overheads recovered	199	50
1,356	Local authority fuel tax, fines, infringement fees, and other receipts	1,204	1,485
104,044	Total operating funding	110,008	108,250
Applications of operating funding			
77,017	Payments to staff and suppliers	78,152	77,540
4,631	Finance costs	6,654	3,531
	- Internal charges and overheads applied	-	-
	- Other operating funding applications	-	-
81,648	Total applications of operating funds	84,806	81,071
22,396	Surplus (deficit) of operating funding	25,202	27,180
Sources of capital funding			
12,419	Subsidies and grants for capital expenditure	14,257	23,032
545	Development, financial and other contributions	5,025	5,025
19,286	Increase (decrease) in debt	13,799	19,066
	- Gross proceeds from sale of assets	-	-
	- Lump sum contributions	-	-
32,249	Total sources of capital funding	33,082	47,124
Applications of capital funding			
Capital expenditure			
	- to meet additional demand	-	-
26,887	- to improve the level of service	35,702	35,526
24,995	- to replace existing assets	28,279	33,163
2,764	Increase (decrease) in reserves	(5,697)	5,614
	- Increase (decrease) in investments	-	-
54,645	Total applications of capital funding	58,284	74,303
(22,396)	Surplus (deficit) of capital funding	(25,202)	(27,180)
	- Funding balance	-	-

Rates for 2017/18

This portion of the Funding impact statement has been prepared in two parts. The first part outlines the rating methodologies and differentials which Council has used to set the rates for the 2017/18 rating year. The second part outlines the rates for the 2017/18 rating year.

General rate

Council has set a general rate on the basis of land value to fund its general activities. This rate has been set on a differential basis as described below.

The general rate differentials are generally based on the land use as defined by Council's valuation service provider and included in the valuation information database. The proposed differentials are set out in the following table. (Refer Local Government (Rating) Act 2002, Sections 13(2)(b) & 14 & Schedule 2 Clause 1.)

General rate differential categories			
Differential	Basis	Description	Land use codes
General	100%	These are rating units which have a non-commercial use based on their actual use as defined by their land use code. (Note: in certain circumstances land with a commercial land use may be treated as general if the ratepayer demonstrates to Council's satisfaction that the actual use is not commercial)	00, 01, 02, 09, 10 to 17, 19 to 29, 90, 91, 92 & 97-99 (93 - 96 may also be treated as general if the actual use of the land is not commercial)
Commercial	275%	These are rating units which have some form of commercial or industrial use or are used primarily for commercial purposes as defined by their land use codes. (Note: in certain circumstances land with a general land code use may be treated as commercial if the actual use of the entire rating unit is commercial in nature)	03, 04, 05, 06, 07, 08, 18, 30 to 89, 93, 94, 95, & 96
Mixed Use		Mixed use may apply where two different uses take place on the rating and where each use would be subject to a different differential. In these circumstances Council may decide to split the rating unit in to two divisions for rating purposes and apply the appropriate differential to each part. (Local Government (Rating) Act 2002 Section 27(5))	

Council retains the right to apply a different differential where it can be demonstrated, to its satisfaction, that the actual use of the entire rating unit differs from that described by the current land use code. – For more information, refer to the section 'Exemptions to land use differentials'.

Uniform Annual General Charge (UAGC)

Council has set a UAGC on the basis of one charge assessed in respect of every separately used or inhabited part (SUIP) of a rating unit.

This rate has been set at a level designed to ensure that the total of the UAGC and certain targeted rates set on a uniform basis do not exceed the allowable maximum of 30%. The total of the UAGC and applicable uniform targeted rates proposed for 2017/18 is approx. 21.0%. (Refer Local Government (Rating) Act 2002, Section 15 and 21).

Targeted rates

Council has set the following targeted rates:

Roading rate

Council has set two targeted rates to fund a portion of the costs of its roading activities:

- A targeted rate on the basis of a fixed amount of \$100 assessed on every SUIP to fund part of the total costs of the activity (refer: Local Government (Rating) Act 2002 Sections 16 & 17 and Schedule 3 Clause 7)
- A targeted rate assessed on the basis of land value to fund 10% of the balance of the roading activity not funded by the uniform roading rate. The remaining 90% is funded from the general rate. This rate has been set on a differential basis according to land use as described below (refer: Local Government (Rating) Act 2002 Section 16 & Schedules 2 Clause 1 and 3 Clause 3).

The roading rate differentials are generally based on land use as defined by Council's valuation service provider and included in the valuation information database. The differential basis is designed to ensure that the specified share of the rate is generated by each of the differential categories. The roading rate differentials are:

Roading rate differential categories			
Differential	Basis	Description	Land use codes
Residential	29%	Rating units which have residential land uses or are used primarily for residential purposes	09, 90,91,92 & 97 - 99 (93 - 96 may also be treated as residential if the actual use is residential in nature)
Lifestyle	20%	Rating units which have lifestyle land uses	02 & 20 - 29
Commercial	7%	Rating units which have some form of commercial land use or are used primarily for commercial purposes	03 - 06, 08, 30 - 39, 40 - 49, 50-59, 60-69, 80-89, 93, 94 (95 & 96 may also be treated as residential if the actual use is commercial in nature)
Industrial	2%	Rating units which have some form of industrial land use or are used primarily for industrial purposes	07 & 70 - 79
Farming General	16%	Rating units which have some form of primary or farming land use or are used primarily for farming purposes other than land used for dairy or horticulture	01, 10, 12-14, 16, 19
Horticulture	1%	Rating units which have horticultural, market garden or other similar land uses	15
Dairy	7%	Rating units which have dairy land uses	11
Forestry	13%	Rating units which have forestry land uses but exclude land which is categorised under the Valuer General's Rules as Indigenous forests or Protected forests of any type	17
Mining/Quarry	4%	Rating units which have mining or quarry land uses	18
Other	1%	Rating units where the defined land use is inconsistent or cannot be determined	

Council retains the right to apply a different differential where it can be demonstrated, to its satisfaction, that the actual use of the entire rating unit differs from that described by the current land use code. – For more details, refer to the section 'Exemptions to land use differentials'.

Ward rate

Council has set a targeted rate on the basis of a fixed amount assessed on every SUIP to fund urban, recreational and other local services and activities within the three wards of the District.

The ward rate has been set on a differential basis according to the ward in which the rating unit is located as described below. (Refer: Local Government (Rating) Act 2002 Section 16 & 17 & Schedules 2 Clauses 6 and 3 Clause 7).

Ward rate differential categories		
Differential	Basis	Description
Te Hiku Ward	29%	All rating units located within the Te Hiku Ward
Bay of Islands-Whangaroa Ward	47%	All rating units located within the Bay of Islands-Whangaroa Ward
Kaikohe-Hokianga Ward	24%	All rating units located within the Kaikohe-Hokianga Ward

Stormwater rate

Council has set a targeted rate to fund specific stormwater capital developments within urban communities across the District. This rate has been set as a fixed amount per rating assessed differentially within the following communities – Refer rating area maps – maps 8 to 35. (Refer: Local Government (Rating) Act 2002 Section 16 & 17 & Schedules 2 Clause 1 and 3 Clause 8).

Stormwater rating areas			
Ahipara	Haruru Falls	Kaikohe	Kawakawa
Awanui	Hihi	Kaimaumau	Karikari Communities
East Coast	Houhora / Pukenui	Kaitaia	Kerikeri / Waipapa
Kohukohu	Okaihau	Paihia / Te Haumi	Taupo Bay
Moerewa	Opononi / Omapere	Rawene	Tauranga Bay
Ngawha	Opuha / Okiato	Russell	Whangaroa / Kaeo

Stormwater rate differential categories

Differential	Basis	Description
General	100%	All rating units which are assessed the general rate – general differential
Commercial	200%	All rating units which are assessed the general rate – commercial differential

Kerikeri Mainstreet rate

Council has set a targeted rate on a differential basis on the basis of a fixed amount assessed on every SUIP to fund the Kerikeri Mainstreet project. The area to be rated includes rating rolls 00211, 00213, 00215, 00219, 00221, 00227 and 00229 except for that part of the roll to the south of the Waitangi River which is charged the Paihia Central Business development rate – Refer rating area map 3. (Refer: Local Government (Rating) Act 2002 Section 16 & Schedules 2 Clause 1 & 3 Clause 7).

Kerikeri Mainstreet rate differential categories

Differential	Basis	Description
General	100%	All rating units which are assessed the general rate – general differential
Commercial	300%	All rating units which are assessed the general rate – commercial differential

Paihia Central Business District development rate

Council has set a targeted rate on a differential basis on the basis of a fixed amount assessed on every SUIP to fund improvements to the Paihia Central Business area. The rated area includes rating rolls 00221, 00223, 00225, and 00227, but excludes any rating units in those rolls which are currently assessed the Kerikeri Mainstreet rate – Refer rating area map 4. (Refer: Local Government (Rating) Act 2002 Section 16 & Schedules 2 Clause 1 & 3 Clause 7).

Paihia Central Business District development rate differential categories

Differential	Basis	Description
General	100%	All rating units which are assessed the general rate – general differential
Commercial	300%	All rating units which are assessed the general rate – commercial differential

Kaitaia Business Improvement District rate

Council has set a targeted rate to support the Kaitaia Business Improvement District (KBID). Council has a memorandum of understanding with the Business Association for them to undertake agreed improvement works to be funded by the targeted rate. This rate has been set on the basis of land value assessed over all rating units which have been assessed the general rate – commercial differential within the defined rating area within the Kaitaia township. Refer rating area map 2. (Refer: Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 3).

Tanekaha Lane improvement rates

Council has set two targeted rates to fund the sealing of Tanekaha Lane, Kerikeri within the defined rating area – Refer rating area map 1. These rates have been set as follows:

- A targeted rate on the basis of a uniform amount assessed on every SUIP within the rating area to fund 50% of the total costs of the activity (Refer: Local Government (Rating) Act 2002 Section 16 & Schedule 3 Clause 7); and
- A targeted rate assessed on the basis of a rate per hectare of land within each rating unit to fund the balance of the activity costs (Refer: Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 5).

The last year for the Tanekaha Lane rate will be the 2018 rating year, ending 30 June 2018.

Ross Street upgrade rate

In its consultation document and the 2015–2025 LTP, Council said that it was proposing to set a targeted rate to provide funding for an upgrade to Ross Street prior to the road being transferred to Council as a public road. It was originally indicated that this rate would commence in the 2016/17 rating year but because the transfer of the land has not been completed the rate has been deferred. It is now proposed that this rate will first be charged in the 2018/19 rating year.

Sewerage rate

Council has set a number of targeted rates to fund the provision and availability of sewerage services. These rates are designed to separately fund the capital¹ and operating costs associated with each sewerage scheme. Council's approach is that each scheme will pay its own capital costs through the use of separate targeted capital rates, whereas the combined operating costs are funded on the basis of a district-wide operating rate.

¹ The capital costs associated with sewerage are based on the interest and depreciation costs of each scheme.

Capital rates (set on a scheme by scheme basis)

- Differential rate:** Council has set a series of separate differential targeted rates for the capital costs associated with the provision of sewerage services to each of the District's 16 separate sewerage schemes. These rates have been set differentially on the basis of the provision or availability of service as set out below. (Refer: Local Government (Rating) Act 2002, Section 16, 17 & 18 and Schedules 2 Clause 5 & 3 Clauses 7 & 9).

Sewerage capital rate differential categories		
Differential	Basis	Description
Connected	100%	All SUIPS that are connected, either directly or indirectly, to any of the District's public reticulated wastewater disposal systems
Serviceable	100%	Any RATING UNIT that is capable of being connected to a public reticulated wastewater disposal system, but is not so connected ²

Note: Local Government (Rating) Act 2002 Section 18(3) allows Council to set each differential on a different basis. The connected differential is assessed on the basis of the SUIP whereas the serviceable differential is assessed on the basis of the rating unit.

- Additional pan rate:** In addition to the differential rate, where the total number of water closets or urinals connected either directly or indirectly in a rating unit exceeds two per SUIP which has been assessed the connected differential rate, an additional targeted rate will be assessed in respect of every subsequent water closet or urinal (pan) in the rating unit after the first two per SUIP. (Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clauses 7 & 12)³.

Operating rates (set on a district-wide basis)

- Operating rate:** Council has set a targeted rate to fund the operating costs associated with the provision of sewerage services. This rate has been set on the basis of a fixed amount on every SUIP that is connected, either directly or indirectly, to a public reticulated wastewater disposal system. (Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 7)
- Additional pan rate:** In addition to the differential rate, where the total number of water closets or urinals connected either directly or indirectly in a rating unit exceeds two per SUIP which has been assessed the operating rate, Council has set an additional targeted rate to be assessed on every subsequent water closet or urinal (pan) in the rating unit after the first two per SUIP. (Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clauses 7 & 12).

Notes:

- For the sake of clarity, SUIPS which are connected to any of the District's sewerage rating areas will be assessed for both the capital and operating rates
- Rating units that are outside of one of the defined sewerage schemes and that are neither connected to, nor capable of connection to a public reticulated sewerage system will not be liable for these rates.

Water rates

Council has set a number of targeted rates to fund the provision and availability of water supplies. These rates are designed to separately fund the capital and operating costs associated with each water supply scheme. Council's approach is that each scheme will pay its own capital costs through the use separate targeted capital rates, whereas the operating costs will be funded on the basis of a district-wide operating rate.

Capital Rates (Set on a scheme by scheme basis)

- Differential rate:** Council has set a series of separate differential targeted rates to fund the capital costs associated with the provision of water supplies to each of the District's eight separate water supply schemes. These rates have been set differentially on the basis of the provision or availability of service as set out below. (Refer: Local Government (Rating) Act 2002, Section 16, 17 & 18 and Schedules 2 Clause 5 & 3 Clauses 7 & 9).

Water capital rate differential categories		
Differential	Basis	Description
Connected	100%	All SUIPS that are connected, either directly or indirectly, to any of the Districts public reticulated water supply systems
Serviceable	100%	Any RATING UNIT that is capable of being connected to a public reticulated water supply system, but is not so connected ⁵

Note: Local Government (Rating) Act 2002 Section 18(3) allows Council to set each differential on a different basis. The connected differential is assessed on the basis of the SUIP whereas the serviceable differential is assessed on the basis of the rating unit.

² Capable of connection means that rating unit is not connected to a public reticulated sewage disposal system but is within 30 metres of the reticulation, within an area serviced by a sewerage scheme and Council will allow the rating unit to connect

³ In terms of the Local Government (Rating) Act 2002 a rating unit used primarily as a residence for one household will be treated as having only one pan

⁴ The capital costs associated with water supplies are based on the interest and depreciation costs of each scheme

⁵ Capable of connection means that rating unit is not connected to a public reticulated water supply system but is within 100 metres of the reticulation, an area serviced by a sewerage scheme and Council will allow the rating unit to connect.

Operating rates (set on a district-wide basis)

- Operating rate:** Council has set a targeted rate for a water supply based on the volume of water supplied. This rate will be assessed per cubic metre of water supplied as recorded by a water meter. Different rates have been set depending on whether the supply is potable or non-potable water (Local Government (Rating) Act 2002, Section 19).
- Non-metered rate:** Council has set a targeted rate for a water supply to every SUIP which is supplied with water other than through a water meter. This rate will be based on a flat amount equivalent to the supply of 250 cubic metres of water per annum. Different rates have been set depending on whether the supply is potable or non-potable water (Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 8 & 9).

Notes:

- For the sake of clarity, SUIPS which are connected to any of the District's water supply schemes will be assessed both the capital and operating rates
- Rating units that are outside of one of the defined water supply schemes and that are neither connected to, nor capable of connection to a public reticulated water supply system, will not be liable for these rates.

Land drainage rates

There are four land drainage rating areas in the Far North District all located of which in the northern part of the Te Hiku Ward.

Kaitaia drainage area

Council has set a targeted rate to fund land drainage in the Kaitaia drainage area to be assessed on the basis of a uniform rate per hectare of land area within each rating unit located within the drainage rating area. Refer rating area map 6 for details of the rating area (Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 5).

Kaikino drainage area

Council has set a targeted rate to fund land drainage in the Kaikino drainage area. This rate will be assessed differentially according to location as defined on the valuation record for each rating unit – refer rating area map 7 for details of the rating area.

This rate will be assessed as a rate per hectare of land within each rating unit according to the differentials described below (Local Government (Rating) Act 2002 Section 16 & Schedule 3 Clause 5).

Motutangi drainage area

Council has set a targeted rate to fund land drainage in the Motutangi drainage area. This rate will be assessed differentially according to location as defined on the valuation record for each rating unit – refer rating area map 7 for details of the rating area.

This rate will be assessed as a rate per hectare of land within each rating unit according to the differentials described below (Local Government (Rating) Act 2002 Section 16 & Schedule 3 Clause 5).

Waiharara drainage area

Council has set a targeted rate to fund land drainage in the Waiharara drainage area. This rate will be assessed differentially according to location as defined on the valuation record for each rating unit – refer rating area map 7 for details of the rating area

This rate will be assessed as a rate per hectare of land within each rating unit according to the differentials described below (Local Government (Rating) Act 2002 Section 16 & Schedule 3 Clause 5).

Drainage rate differential categories

Differential	Basis	Description
Differential area A	100%	All rating units or parts of rating units located within the defined differential rating area A
Differential area B	50%	All rating units or parts of rating units located within the defined differential rating area B
Differential area C	17%	All rating units or parts of rating units located within the defined differential rating area C

BOI Recreation Centre rate

Council has set a targeted rate to provide funding for an operational grant to support the BOI Recreation Centre. This rate will be assessed on the basis of a fixed amount on every SUIP within the area contained within rating rolls 400 to 499 – refer rating area map 5 for details of the rating area (refer: Local Government (Rating) Act 2002, Section 16 & Schedule 3 Clause 7).

Lump sum contributions

Council is not seeking any lump sum contributions in respect of any targeted rates. (Local Government Act 2002 Schedule 10 Clause 20(4)(e)).

Exemptions to land use differentials

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

Council also reserves the right to apply a different differential to any SUIP if it can be demonstrated, to its satisfaction, that the actual use of that part differs from that described by the current land use code for the entire rating unit.

For Council to be able to apply two or more differentials to a single rating unit the area of the land that is used for each purpose must be capable of clear definition and separate valuation.

In some instances there may be two or more different uses taking place on the rating unit but it is not possible or practical to define the areas separately. In those instances, the differential category will be based on the 'highest and best use' applied by Council's valuation service provider and the rates have been set accordingly.

Where the area of the land used for the different purpose is only minimal or cannot be separately defined, Council reserves the right not to assess that part using a different differential.

In every instance where Council proposes to change the differential on a rating unit from one category to another category it will consult with the owner concerned and give them the opportunity to lodge an objection to that proposal.

Where any rating unit or separately used or inhabited part of a rating unit would normally be subject to a commercial differential but complies with one or more of the exceptions set out below, that rating unit will be subject to the general rate general differential.

Where the rating unit or part thereof is in receipt of a remission of rates pursuant to a policy adopted by Council and is not used for private pecuniary profit and is not subject to a licence for the sale of liquor.

Where the rating unit is used solely for the purposes of providing private rental accommodation. This exclusion does not include properties such as hotels, motels or other forms of visitor accommodation except for bed and breakfast establishments, home or farm stay operations or similar accommodation providers where less than six bedrooms are provided for guest accommodation. Such properties will however, be subject to any additional sewerage charges where additional toilets are provided for guest use, for example ensuite facilities.

Schedule of rates for 2017/18

Set out in the following tables are the indicative rates which Council has set for the 2017/18 rating year. For comparison purposes the rates for the 2016/17 rating year are also shown. Please note all rates include GST.

Rate	Basis of Assessment	Differential Matter*	Rates 2017/18		Rates 2016/17 (GST Inc)
			Rate (GST Inc)	Total Rate	
GENERAL RATES					
Uniform annual general charge	Per SUIP ¹	-	\$473.20	\$17,677,096	\$473.20
General differential	Per \$ of land value	1	\$0.0047772	\$35,757,806	\$0.0053110
Commercial differential	Per \$ of land value	1	\$0.0131373	\$4,664,671	\$0.0146053
TARGETED WARD SERVICES RATE					
BOI - Whangaroa ward differential	Per SUIP	6	\$364.80	\$6,116,237	\$339.10
Te Hiku ward differential	Per SUIP	6	\$300.20	\$3,742,744	\$283.00
Kaikohe - Hokianga ward differential	Per SUIP	6	\$385.00	\$3,127,355	\$349.60
TARGETED ROADING RATES					
Uniform roading rate	Per SUIP	-	\$100.00	\$3,735,650	\$100.00
Roading differential rate					
Residential	Per \$ of land value	1	\$0.0001348	\$404,649	\$0.0001561
Lifestyle	Per \$ of land value	1	\$0.0001285	\$267,277	\$0.0001374
Farming general	Per \$ of land value	1	\$0.0001320	\$218,845	\$0.0001428
Horticulture	Per \$ of land value	1	\$0.0001297	\$13,616	\$0.0001458
Dairy	Per \$ of land value	1	\$0.0001975	\$94,932	\$0.0002388
Forestry	Per \$ of land value	1	\$0.0017958	\$177,900	\$0.0017664
Commercial	Per \$ of land value	1	\$0.0003307	\$95,465	\$0.0003306
Industrial	Per \$ of land value	1	\$0.0004440	\$27,431	\$0.0003697
Mining/quarry	Per \$ of land value	1	\$0.0101256	\$54,602	\$0.0102550
Other	Per \$ of land value	1	\$0.0002071	\$12,719	\$0.0002341
STORMWATER TARGETED RATES					
General differential	Per rating unit	1	\$35.78	\$509,221	\$35.78
Commercial differential	Per rating unit	1	\$71.56	\$109,272	\$71.56
TARGETED DEVELOPMENT RATES					
Kerikeri Mainstreet rate					
General differential	Per SUIP	1	\$9.20	\$58,604	\$9.20
Commercial differential	Per SUIP	1	\$27.60	\$15,484	\$27.60

Rate	Basis of Assessment	Differential Matter*	Rates 2017/18		Rates 2016/17 (GST Inc)
			Rate (GST Inc)	Total Rate	
Paihia CBD development rate					
General differential	Per SUIP	1	\$18.00	\$36,189	\$18.00
Commercial differential	Per SUIP	1	\$56.00	\$20,496	\$56.00
Kaitaia BID rate	Per \$ of land value	-	\$0.0015294	\$57,500	\$0.0011698
BOI RECREATION CENTRE RATE					
Uniform targeted rate	Per SUIP	-	\$5.00	\$24,130	\$5.00
PRIVATE ROADING RATES					
Tanekaha Lane Road sealing rates					
Uniform rate	Per SUIP	-	\$310.78	\$6,216	\$310.78
Rate per Ha	Per Ha of land area	-	\$89.65	\$4,351	\$89.65
Ross Street upgrade rate (From 2016/17)					
Uniform targeted rate	Per SUIP	-	\$0.00	\$0	\$0.00
SEWERAGE TARGETED RATES					
Sewerage capital rates					
Ahipara					
Ahipara connected	Per SUIP	5	\$288.31	\$143,867	\$306.38
Ahipara availability	Per rating unit	5	\$288.31	\$44,688	\$306.38
Ahipara additional pans	Per sub pan ²	-	\$172.99	\$5,190	\$183.83
East Coast					
East Coast connected	Per SUIP	5	\$243.68	\$336,035	\$254.98
East Coast availability	Per rating unit	5	\$243.68	\$124,033	\$254.98
East Coast additional pans	Per sub pan	-	\$146.21	\$16,960	\$152.99
Hihi					
Hihi connected	Per SUIP	5	\$614.34	\$95,837	\$718.32
Hihi availability	Per rating unit	5	\$614.34	\$17,202	\$718.32
Hihi additional pans	Per sub pan	-	\$368.60	\$2,580	\$430.99
Kaeo					
Kaeo connected	Per SUIP	5	\$736.13	\$127,350	\$812.05
Kaeo availability	Per rating unit	5	\$736.13	\$8,834	\$812.05
Kaeo additional pans	Per sub pan	-	\$441.68	\$37,101	\$487.23
Kaikohe					
Kaikohe connected	Per SUIP	5	\$200.00	\$335,000	\$206.89
Kaikohe availability	Per rating unit	5	\$200.00	\$16,200	\$206.89
Kaikohe additional pans	Per sub pan	-	\$120.00	\$89,880	\$124.13
Kaitaia & Awanui					
Kaitaia & Awanui connected	Per SUIP	5	\$274.02	\$706,424	\$287.24
Kaitaia & Awanui availability	Per rating unit	5	\$274.02	\$26,854	\$287.24
Kaitaia & Awanui additional pans	Per sub pan	-	\$164.41	\$124,458	\$172.34
Kawakawa					
Kawakawa connected	Per SUIP	5	\$549.02	\$315,137	\$554.86
Kawakawa availability	Per rating unit	5	\$549.02	\$6,039	\$554.86
Kawakawa additional pans	Per sub pan	-	\$329.41	\$52,706	\$332.92
Kerikeri					
Kerikeri connected	Per SUIP	5	\$484.70	\$561,767	\$438.45
Kerikeri availability	Per rating unit	5	\$484.70	\$46,047	\$438.45
Kerikeri additional pans	Per sub pan	-	\$290.82	\$95,098	\$263.07
Kohukohu					
Kohukohu connected	Per SUIP	5	\$809.32	\$72,029	\$694.80
Kohukohu availability	Per rating unit	5	\$809.32	\$5,665	\$694.80
Kohukohu additional pans	Per sub pan	-	\$485.59	\$7,769	\$416.88
Opononi					
Opononi connected	Per SUIP	5	\$311.86	\$119,131	\$329.90
Opononi availability	Per rating unit	5	\$311.86	\$38,047	\$329.90
Opononi additional pans	Per Sub Pan	-	\$187.12	\$19,273	\$197.94

Rate	Basis of Assessment	Differential Matter*	Rates 2017/18		Rates 2016/17 (GST Inc)
			Rate (GST Inc)	Total Rate	
Paihia					
Paihia connected	Per SUIP	5	\$371.99	\$744,352	\$402.63
Paihia availability	Per rating unit	5	\$371.99	\$81,838	\$402.63
Paihia additional pans	Per sub pan	-	\$223.19	\$263,811	\$241.58
Rangiputa					
Rangiputa connected	Per SUIP	5	\$352.80	\$34,574	\$366.44
Rangiputa availability	Per rating unit	5	\$352.80	\$7,056	\$366.44
Rangiputa additional pans	Per sub pan	-	\$211.68	\$847	\$219.86
Rawene					
Rawene connected	Per SUIP	5	\$569.94	\$132,796	\$588.85
Rawene availability	Per rating unit	5	\$569.94	\$20,518	\$588.85
Rawene additional pans	Per sub pan	-	\$341.96	\$16,072	\$353.31
Russell					
Russell connected	Per SUIP	5	\$481.80	\$266,917	\$556.36
Russell availability	Per rating unit	5	\$481.80	\$82,388	\$556.36
Russell additional pans	Per sub pan	-	\$289.08	\$39,893	\$333.82
Whangaroa					
Whangaroa connected	Per SUIP	5	\$743.99	\$10,416	\$626.41
Whangaroa availability	Per rating unit	5	\$743.99	\$4,464	\$626.41
Whangaroa additional pans	Per sub pan	-	\$446.39	\$4,910	\$375.85
Whatuwhiwhi					
Whatuwhiwhi connected	Per SUIP	5	\$359.45	\$246,223	\$363.72
Whatuwhiwhi availability	Per rating unit	5	\$359.45	\$167,144	\$363.72
Whatuwhiwhi additional pans	Per sub pan	-	\$215.67	\$3,882	\$218.23
Sewerage operating rate					
Connected rate (All schemes)	Per SUIP	-	\$523.49	\$6,412,270	\$433.58
Subsequent pan rate (All schemes)	Per sub pan	-	\$314.10	\$1,177,546	\$260.15
WATER TARGETED RATES					
Water capital rates					
Kaikohe					
Kaikohe connected	Per SUIP	5	\$287.88	\$537,760	\$255.30
Kaikohe availability	Per rating unit	5	\$287.88	\$25,621	\$255.30
Kaitaia					
Kaitaia connected	Per SUIP	5	\$279.62	\$710,235	\$237.80
Kaitaia availability	Per rating unit	5	\$279.62	\$23,768	\$237.80
Kawakawa					
Kawakawa connected	Per SUIP	5	\$358.76	\$416,520	\$301.16
Kawakawa availability	Per rating unit	5	\$358.76	\$12,198	\$301.16
Kerikeri					
Kerikeri connected	Per SUIP	5	\$171.73	\$411,980	\$151.72
Kerikeri availability	Per rating unit	5	\$171.73	\$21,638	\$151.72
Okaihau					
Okaihau connected	Per SUIP	5	\$374.73	\$65,578	\$287.26
Okaihau availability	Per rating unit	5	\$374.73	\$2,248	\$287.26
Omapere/Opononi					
Omapere/Opononi connected	Per SUIP	5	\$664.08	\$258,991	\$521.14
Omapere/Opononi availability	Per rating unit	5	\$664.08	\$65,744	\$521.14
Paihia					
Paihia connected	Per SUIP	5	\$219.17	\$455,874	\$182.96
Paihia availability	Per rating unit	5	\$219.17	\$19,068	\$182.96
Rawene					
Rawene connected	Per SUIP	5	\$459.84	\$143,930	\$274.86
Rawene availability	Per rating unit	5	\$459.84	\$10,116	\$274.86
Te Kao (from 2016/17)					
Te Kao connected	Per SUIP	5	\$0.00	\$0	\$0.00
Te Kao availability	Per rating unit	5	\$0.00	\$0	\$0.00

Rate	Basis of Assessment	Differential Matter*	Rates 2017/18		Rates 2016/17 (GST Inc)
			Rate (GST Inc)	Total Rate	
Water operating rates					
Water by meter rates					
Potable water	Per M ³	-	\$3.06	\$6,787,080	\$3.06
Non-potable water	Per M ³	-	\$1.99	\$1,989	\$1.99
Non-metered rates					
Non-metered potable rate	Per SUIP	-	\$1,039.65	\$74,855	\$995.86
Non-metered non-potable rate	Per SUIP	-	\$771.90	\$3,088	\$728.11
DRAINAGE TARGETED RATES					
Kaitaia drainage area	Per Ha of land area		\$8.57	\$79,350	\$9.73
Kaikino drainage area					
Kaikino A	Per Ha of land area	6	\$11.53	\$4,343	\$12.97
Kaikino B	Per Ha of land area	6	\$5.77	\$2,285	\$6.49
Kaikino C	Per Ha of land area	6	\$1.96	\$2,573	\$2.17
Motutangi drainage area					
Motutangi A	Per Ha of land area	6	\$42.46	\$20,299	\$38.91
Motutangi B	Per Ha of land area	6	\$21.23	\$10,035	\$19.45
Motutangi C	Per Ha of land area	6	\$7.22	\$11,065	\$6.50
Waiharara drainage area					
Waiharara A	Per Ha of land area	6	\$26.01	\$3,728	\$13.53
Waiharara B	Per Ha of land area	6	\$13.00	\$10,106	\$6.77
Waiharara C	Per Ha of land area	6	\$4.42	\$2,266	\$2.26

***Differential matters**

- 1 Land use
- 5 Provision or availability of a service
- 6 Location of the rating unit

Notes:

- 1 Per SUIP - Separately used or inhabited part of a rating unit
- 2 Per sub pan - per subsequent pan

All rates are GST inclusive.

Example rates

Set out below are examples of the rates drawn from a range of land uses and property land values. Additionally, examples are shown for a range of residential properties drawn from a number of communities across the District.

Example of Rates on different land uses and values

Property example	Land values	General rates	UAGC	Road UAC	Road rate	Ward rate	Ave. water rate	Ave. sewer cap	Sewer op	Storm water	Other	2017/18 Final rates	2016/17 rates	Increase \$	% Increase
High Value Residential*	280,000	1,338	473	100	38	347	275	347	523	36	-	3,477	3,486	-9	-0.3%
Average Value Residential	144,000	688	473	100	19	347	275	347	523	36	-	2,808	2,743	65	2.4%
Median Value Residential	115,000	549	473	100	16	347	275	347	523	36	-	2,666	2,584	82	3.2%
Low Value Residential**	32,000	153	473	100	4	347	275	347	523	36	-	2,258	2,130	128	6.0%
High Value Lifestyle*	410,000	1,959	473	100	53	347	-	-	-	-	-	2,932	3,130	-198	-6.3%
Average Lifestyle	240,000	1,147	473	100	31	347	-	-	-	-	-	2,098	2,203	-105	-4.8%
Median Value Lifestyle	160,000	764	473	100	21	347	-	-	-	-	-	1,705	1,767	-62	-3.5%
Low Value Lifestyle**	51,000	244	473	100	7	347	-	-	-	-	-	1,171	1,174	-3	-0.2%
High Value General Farming*	1,270,000	6,067	473	100	168	347	-	-	-	-	-	7,155	7,822	-667	-8.5%
Average General Farming	630,000	3,010	473	100	83	347	-	-	-	-	-	4,013	4,332	-319	-7.4%
Median Value General Farming	320,000	1,529	473	100	42	347	-	-	-	-	-	2,491	2,641	-150	-5.7%
Low Value General Farming**	55,000	263	473	100	7	347	-	-	-	-	-	1,190	1,196	-6	-0.5%
High Value Horticulture*	850,000	4,061	473	100	110	347	-	-	-	-	-	5,091	5,534	-443	-8.0%
Average Horticulture	490,000	2,341	473	100	64	347	-	-	-	-	-	3,325	3,570	-244	-6.8%
Median Value Horticulture	380,000	1,815	473	100	49	347	-	-	-	-	-	2,784	2,969	-185	-6.2%
Low Value Horticulture**	205,000	979	473	100	27	347	-	-	-	-	-	1,926	2,014	-88	-4.4%
High Value Dairy*	2,940,000	14,045	473	100	581	347	-	-	-	-	-	15,546	17,212	-1,666	-9.7%
Average Dairy	1,440,000	6,879	473	100	284	347	-	-	-	-	-	8,083	8,887	-804	-9.1%
Median Value Dairy	1,070,000	5,112	473	100	211	347	-	-	-	-	-	6,243	6,834	-591	-8.6%
Low Value Dairy**	395,000	1,887	473	100	78	347	-	-	-	-	-	2,885	3,088	-203	-6.6%
High Value Forestry*	395,000	1,887	473	100	709	347	-	-	-	-	-	3,516	3,691	-175	-4.7%
Average Forestry	209,000	998	473	100	375	347	-	-	-	-	-	2,293	2,375	-82	-3.4%
Median Value Forestry	104,000	497	473	100	187	347	-	-	-	-	-	1,604	1,632	-27	-1.7%
Low Value Forestry**	46,000	220	473	100	83	347	-	-	-	-	-	1,223	1,221	2	0.1%
High Value Commercial*	435,000	5,715	473	100	144	347	275	347	523	72	-	7,996	8,488	-492	-5.8%
Average Commercial	200,000	2,627	473	100	66	347	275	347	523	72	-	4,830	4,978	-148	-3.0%
Median Value Commercial	91,000	1,195	473	100	30	347	275	347	523	72	-	3,362	3,350	12	0.4%
Low Value Commercial**	14,000	184	473	100	5	347	275	347	523	72	-	2,326	2,200	126	5.7%
High Value Industrial*	280,000	3,678	473	100	124	347	275	347	523	72	-	5,939	6,184	-245	-4.0%
Average Industrial	147,000	1,931	473	100	65	347	275	347	523	72	-	4,133	4,192	-59	-1.4%
Median Value Industrial	92,000	1,209	473	100	41	347	275	347	523	72	-	3,387	3,369	18	0.5%
Low Value Industrial**	32,000	420	473	100	14	347	275	347	523	72	-	2,571	2,470	101	4.1%
High Value Mining/Quarry*	230,000	3,022	473	100	2,329	347	-	-	-	-	-	6,271	6,614	-342	-5.2%
Average Mining/Quarry	121,000	1,590	473	100	1,225	347	-	-	-	-	-	3,735	3,904	-169	-4.3%
Median Value Mining/Quarry	118,000	1,550	473	100	1,195	347	-	-	-	-	-	3,665	3,829	-164	-4.3%
Low Value Mining/Quarry**	30,000	394	473	100	304	347	-	-	-	-	-	1,618	1,642	-24	-1.4%

Notes: *High Value = 90th Percentile. ** Low Value = 10th Percentile

Residential rates by ward and community

Property example	Land values	General rates	UAGC	Road UAC	Road rate	Ward rate	Ave. water rate	Ave. sewer cap	Sewer op	Storm water	Other	2017/18 Final rates	2016/17 rates	\$ Increase	% Increase
Te Hiku															
Ahipara	118,491	571	473	100	16	300	-	288	523	36	-	2,307	2,280	\$27	1.2%
Awanui	34,766	166	473	100	5	300	-	274	523	36	-	1,877	1,803	\$74	4.1%
East Coast Bays	141,568	676	473	100	19	300	-	244	523	36	-	2,371	2,355	\$16	0.7%
Hihi	114,580	547	473	100	15	300	-	614	523	36	-	2,608	2,670	\$(62)	-2.3%
Kaitaia	42,623	204	473	100	6	300	280	274	523	36	-	2,196	2,084	\$112	5.4%
Rangiputa	229,189	1,095	473	100	31	300	-	353	523	36	-	2,911	2,945	\$(34)	-1.1%
Te Kao	33,000	158	473	100	4	300	-	-	-	-	-	1,035	1,037	\$(2)	-0.1%
Whatuhiwhi	110,937	530	473	100	15	300	-	359	523	36	-	2,336	2,296	\$40	1.7%
Bay of Islands-Whangaroa															
Kaero	56,117	268	473	100	8	365	-	736	523	36	-	2,509	2,501	\$8	0.3%
Kawakawa	42,297	202	473	100	6	365	359	549	523	36	5	2,618	2,474	\$144	5.8%
Kerikeri/Waipapa	151,635	724	473	100	20	365	172	485	523	36	9	2,907	2,810	\$97	3.5%
Moerewa	17,796	85	473	100	2	365	359	-	-	36	5	1,425	1,352	\$73	5.4%
Okaihau	79,224	378	473	100	11	365	375	-	-	36	9	1,747	1,678	\$69	4.1%
Opuā	183,829	878	473	100	25	365	219	372	523	36	5	2,996	2,977	\$19	0.7%
Paihia	188,789	902	473	100	25	365	219	372	523	36	18	3,033	3,017	\$16	0.5%
Russell	335,240	1,602	473	100	45	365	-	482	525	36	5	3,631	3,776	\$(145)	-3.8%
Whangaroa	192,214	918	473	100	26	365	-	744	523	36	-	3,185	3,056	\$129	4.2%
Kaikohe-Hokianga															
Kaikohe	50,054	239	473	100	7	385	288	200	523	36	-	2,251	2,128	\$123	5.8%
Kohukohu	92,943	444	473	100	13	385	-	809	523	36	-	2,783	2,595	\$188	7.3%
Ngawha	59,874	286	473	100	8	385	288	200	523	36	-	2,299	2,182	\$117	5.4%
Opononi / Omapere	112,466	537	473	100	15	385	664	312	523	36	-	3,045	2,858	\$187	6.5%
Rawene	67,824	324	473	100	9	385	460	570	523	36	-	2,880	2,627	\$253	9.6%

Other rating policy statements

Projected number of rating units

Local Government Act 2002 Schedule 10 Clause 20A requires Council to state the projected number of rating units within the District or region of the local authority at the end of the preceding financial year.

For the purposes of the 2017/18 Annual Plan, Council has assumed that there will be no growth in the number of rating units. It is projecting a total of 37,647 rating units with a land value of \$8,067,104,000 and capital value of \$15,448,163,000 as at 30 June 2017.

Definition of a separately used or inhabited part of a rating unit

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 is 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
- 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, e.g. 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
- Individual offices or premises of business partners.

Postponement charges

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

- Application Fee: \$50
- Administration Fee: \$50 pa
- Financing Fee on all postponements: Currently set at 4.75% pa but may vary to match Council's average cost of funds.

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

Payment of rates

Rates

With the exception of water by meter charges, Council will charge the rates for the 2017/18 rating year by way of four instalments. Each instalment must be paid on or before the due dates set out below. Any rates paid after the due date will become liable for penalties as set out:

Rates instalment dates

Instalment	Due date	Penalty date
One	20 August 2017	27 August 2017
Two	20 November 2017	27 November 2017
Three	20 February 2018	27 February 2018
Four	20 May 2018	27 May 2018

Note: Where any due date or penalty date falls on a weekend or public holiday, the due date or penalty date will be the first working day following that date.

Water by meter

Water meters are read on a six-month cycle and are payable on the 20th of the month following the issue of the invoice. If the invoicing dates do change the due date will always be the 20th of the month following the invoice date.

Penalties on rates

Sections 57 and 58 of the Local Government (Rating) Act 2002 empower councils to charge penalties on the late payment of rates.

Pursuant to sections 57 and 58 of the Act, Council will impose the following penalties:

A ten percent (10%) penalty on any portion of each instalment of rates assessed in the 2017/18 financial year that is not paid on or by the due date for payment, as stated above.

Penalties on water by meter rates

A ten percent (10%) penalty on any portion of the rate assessed for the supply of water, as separately invoiced, that is not paid on or by the due date for payment as set out on the invoice. This penalty will be added on the 27th day of the month in which the invoice was due.

Rating area maps

Rating area maps are located on our website, please see www.fndc.govt.nz



General Information



Glossary

Activity

A good or service provided by or on behalf of local authority.

Activity Management Plans (AMPS)

AMPs cover all aspects of managing an asset. They include policy, financial forecasting and engineering requirements for all major activities. They ensure that the required level of services is maintained over the long-term by helping Council anticipate and plan for future needs and renewals.

Allocated costs

Allocation of costs by support departments to other Council departments for services provided. They reflect the true cost of the provision of goods and services.

Annual Plan

A plan produced by Council every year that sets out what it plans to do for the following year and into the future, how much it will cost and how Council plans to fund it. Every third year it is part of the LTP (Long-Term Plan, formerly LTCCP, Long-Term Council Community Plan).

Annual Report

A document that Council prepares each year, which provides the public with information on the performance of the local authority during the past year, both in financial and non-financial terms.

Appropriation

Money that has been set aside from or brought into an operating revenue account.

Assets

Assets are available resources owned by Council. Non-current assets are assets that have a useful life of more than one year, such as roads, parks, footpaths and buildings.

AWPT

Abbreviation for Area Wide Pavement Treatment Programme. AWPT is a NZTA subsidised programme of renewal of pavements including overlays and chemical stabilisation. It should not be confused with Council's road sealing programme.

BERL

Business and Economic Research Ltd. This is the name of the index councils use for inflation figures across all areas like roading, water and stormwater. These all have different inflation rates.

Capital Value (CV)

The value of land plus any additions like buildings, driveways and fences.

Capital expenditure (CAPEX)

Capital expenditure is additions, improvements or renewals to fixed assets that have or will be built or purchased by Council, where the benefit will be reflected over more than one financial year.

CBEC

Abbreviation for Community Business and Environment Centre.

CP

Abbreviation for commercial paper.

Community

The people of the area covered by Council.

Community Board

A local elected board within a community to advise a district council on issues affecting the community and to carry out functions delegated to it by Council.

Community development (CD)

Is a broad term applied to the practices and disciplines of involving local people in the economic and social progress of our communities. Community development seeks to provide individuals and groups of people with the skills they need to effect change in their own communities. These skills are often created by forming and supporting interest groups working for an agreed common agenda.

Community outcomes

The future that a community wants to achieve. These outcomes set the direction for Council plans and help in the coordination of activities.

Constituency

An electoral area within district boundaries.

Council Controlled Organisation (CCO)

An organisation in which a Council has 50% or more of the voting rights.

Council Controlled Trade Organisation (CCTO)

As for a CCO but with the intention of making a profit.

Council

A territorial authority, being an elected group of people that by democratic process have the mandate of the community they represent to make decisions and provide local governance. In the context of this document, 'Council' refers to the Far North District Council, while 'council' refers to territorial authorities generally.

Development contributions

A mechanism provided under the Local Government Act 2002 to fund capital expenditure needed to meet extra demand placed on utilities by development and is met by the developer/subdivider.

Depreciation

The loss in value of an asset over time. This is an accounting device to ensure that an appropriate amount of capital expenditure is allocated as an expense each year and matched against the income of Council (including rates) in the statement of financial performance.

Deighton Total Infrastructure Management System (dTIMS)

A decision support tool used by managers to plan, analyse and select maintenance and rehabilitation activities in the life-cycle of their infrastructure assets.

Far North Holdings Limited (FNHL)

A Council Controlled Trading Organisation in which the Far North District Council is the major shareholder. FNHL manages fixed and non commercial assets including maritime facilities and assets.

Fees and Charges

Fees and Charges are charges for a Council service that must be met by the user of the service (e.g. entrance fees to swimming pools, fees for dumping waste at transfer station etc).

FNDC

Abbreviation for Far North District Council.

FRAs

Abbreviation for Forward Rate Agreements.

Infrastructure

The systems that help a district function such as roads, public water supply, refuse and effluent disposal.

Internal recoveries

Recovery of costs by support departments from other Council departments.

ISDA

Abbreviation for International Swaps and Derivatives Agreement.

Land Value (LV)

The probable price that would be paid for the bare land at the date of valuation. The value includes development work such as drainage, excavating, filling, levelling, retaining walls, clearing, building up fertility and flood protection.

Levels of Service (LOS)

A measure of a service that Council delivers e.g. a number of sports fields available for use, library opening hours, water quality etc.

LGA

Local Government Act (2002). The purpose of the LGA is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides the general framework and powers under which New Zealand's 78 local authorities – regional, district and city councils – operate.

LGCI

Local Government Cost Index. A BERL measure of the cost of business for a local authority.

Liabilities

Amounts that the organisation owes. Non-current liabilities are amounts that are not due to be paid within the next year.

Loan funds

This is money used by Council that it has obtained by raising a loan.

Local Government Statement

A collection of information prepared under Section 40 of the Local Government Act 2002 that includes information about the ways in which a local authority engages with its community, how it makes decisions, and the ways in which citizens can influence those processes.

Long Term Plan (LTP)

Our 10-year plan adopted every three years that sets out the planned activities, budgets and service provision of Council.

NZTA

New Zealand Transport Agency. NZTA is a Crown entity established under the Land Transport Management Act 2003. The objective of the Agency is to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system. Each year the NZ Transport Agency funds innovative and relevant research that contributes to this objective.

New Zealand Transport Strategy

Government's vision for transport for an affordable, integrated, safe, responsive and sustainable transport system.

NZ GAAP

New Zealand Generally Accepted Accounting Practices.

Operating expenditure

Spending for the normal day to day services of Council. This also includes depreciation, interest on loans, and allocated costs.

Performance indicators

Performance indicators are used by Council to measure how well services are performing. They enable targets to be set for service improvement and comparisons of performance over time with other organisations.

Private benefit

This occurs when individuals who benefit from a service can be clearly identified and therefore charged for that service. It applies to user charges, application fees, purchase price and water by meter, although there are exceptions to the rule.

Public benefit

This relates to spending which benefits the community in general and for which no individual beneficiaries can be clearly identified.

Rates

Money that property owners pay to the District and Regional Council for the provision of assets and services.

Regional Council

A Council that represents a regional community, manages natural resources and deals with issues that affect the environment. Our Regional Council is the Northland Regional Council.

Renewal expenditure

This is spending that replaces deteriorating assets with new assets that have the same service potential as the originals.

Reserve contribution

A contribution made either in money or land (at Council's discretion) to the District's reserves, payable for any subdivision in which the number of lots is increased, or for any significant development of land.

Resource Consent

Special permission from Council for an activity related to land.

Restricted assets

Assets that cannot be disposed of because of legal or other restrictions and that provide benefit or service to the community. They include reserves vested under the Reserves Act 1977, endowments and property held in Trust for specific purposes.

Reticulation

When water is supplied from a main source and distributed within a defined area, for a cost. Also a means of wastewater disposal where sewage is discharged to a main source where it is treated for disposal.

Revenue and financing policy

This is a statement about who should pay for the services provided by Council. The policy outlines who will benefit from each activity and who should pay for it, taking into account fairness and what is practical.

RFS

Request for Service. This is Council's system for tracking all public requests such as maintenance requests, questions or complaints.

Service levels

Defined service parameters or requirements for a particular activity or service against which service performance may be measured.

Significance

The degree of importance of an issue, proposal, decision or matter, as assessed by the authority, in terms of its likely impact on and likely consequences for:

- The current and future well-being of the District or Region
- Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter
- The capacity of Council to perform its role and the financial and other costs of doing so.

Special Consultative Procedure(SCP)

A formal consultation process defined in legislation, setting out a series of steps that must be followed when councils consult on particularly types of decisions.

Special Funds/Reserve Funds

Money set aside for a specific purpose. Some uses are legally restricted and others created by Council.

Stormwater Catchment Management Plans

SCMPs are designed for the sustainable management of stormwater runoff within a defined catchment utilising piped networks and overland flows giving consideration to current and future development, climate change, system capacity and condition, water quality, financial affordability and the environment.

Sustainability

Sustainability focuses on improving the quality of life for all people without increasing the use of natural resources beyond

the capacity of the environment to supply them indefinitely. Sustainable activities utilise resources and build capacity in a way that ensures the activity can be safely maintained over time.

Sustainable development

Sustainable Development has many definitions. Most interpretations share the fundamental idea that it is development that maintains or enhances economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable Development meets the needs of the present without compromising the ability of future generations to meet their own needs.

Territorial Authority

A city or district council.

Triennial agreement

An agreement entered into by all of the local authorities within a region that sets out the basis for community and coordination between authorities.

Uniform Annual General Charge (UAGC)

The fixed component of rates levied in respect of every separately rateable property as a contribution to the costs of activities, works or services, the costs of which are not otherwise recovered from separate rates and charges. This amount does not vary with the value of the property.

Utilities (Utility assets)

Utilities are items of network infrastructure that provide mechanisms for the delivery of services. In a local government context, utilities are commonly public water supply, wastewater, sewerage and solid waste.

Ward

An area within the District administered by Council.

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Kaikohe

AP Position

2016/2017	-	80,584,454
2017/2018	-	83,415,760

3.51% GL18L09U

Annual Plan 2017_2018 Reconciliation of changes	
2016/2017	- 80,584,454
Inflation component	- 2,062,048
Changes from (GL17L09U) Yr1 to Yr2 (GL17L09)	- 2,824,757
	- 85,471,259
Opening Balance - Version 1	85,471,259
Allocations, roundings and internal changes	- 117,667
Depreciation	244,474
1st Review based on zero based approach	
Water by Meter	134,414
Fees & Charges	- 432,133
Subsidies	- 578,375
Other Income	330,005
Personnel	107,830
Financial Costs	8,530
Office & Stationery	53,830
Contractor & Professional Fees	3,580,387
Travel & General Expenses	- 95,214
Grants & Donations	- 17,451
Vehicle & Property Costs	175,317
Version 2 Review - Controllable expenses removed	
Personnel	- 100,296
Office & Stationery	- 112,388
Contractor & Professional Fees	- 3,276,727
Travel & General Expenses	- 91,341
Grants & Donations	- 168,000
Vehicle & Property Costs	- 239,462
Interest rate decreased from 5.2 to 4.5%	- 1,773,211
Agreed budget items to be reinstated	
Personnel	24,976
Office & Stationery	6,778
Contractor & Professional Fees	480,664
Grants & Donations	18,000
Vehicle & Property Costs	7,466
Other changes	
Rural Fire Grant	- 450,894
Insurance premium due to NZRF changes	225,000
Environmental Health - bringing contract in-house	214,670
Library Borrowing Fees	71,400
Kawakawa Swimming Pool contract & water	71,163
Rewards & Recognition	- 40,825
Reforecast 16_17 Interest	- 209,086
Environmental Health - contract not required	- 220,782
Vehicle Running	16,000
Vehicle Hire Internal	- 5,375
Strategic Planning & Policy	
Support strategy, policy, bylaw and engagement programme	75,000
Chamber Excellence and Maori Business Awards	10,000
Drainage Schemes	
Te Hiku Community Board Meeting Minutes Nov 16	- 11,550
Far North Holdings	
CCTO Dividends Income	- 100,000
Environmental Management	
Fixed Term staff - Project work	160,000
Resource Planning & Engineer staff	195,000
- offset by additional income	- 205,000
Building Officers & Engineer staff	215,000
- offset by additional income	- 200,000
Staff related costs	5,010
Reinstated IAM salaries removed in error	165,000
Sportsville	40,000
Windsor Landing Dredging	160,000
Cycleway Trust	200,000
Kerikeri WWTP Reforecast - Interest & depreciation	- 206,758
Drainage Schemes - confirmed minutes	- 9,502
Personnel costs adjustment (Kiwisaver, ACC levies etc)	- 411,834
Allocations, roundings and internal changes (for above adjustment)	22,458

Depreciation, Interest and any other costs from year to year

Reinstated IAM salaries removed in error

83,415,760

0



**CAPITAL
PROJECTS
BY WARD**

2017/18

**for adoption
22 June 2017**

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The information provided in this supporting document to the 2017/18 Annual Plan have been prepared on the basis of the best information available at the time of preparing the accounts including the latest information on cost and revenue forecasts. Actual results are likely to vary from the information presented and the variations may be material. The purpose of this information is to inform the community on the spending priorities outlined for the 2017/18 year and may not be appropriate for any other purpose.

Roading and Footpaths

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	LEVEL OF SERVICE WORKS		
	Bay of Islands - Whangaroa		
	<i>Footpaths</i>		
871	State Hwy11 Haruru Falls footpath	-	-
871	Footpaths Total	-	-
	<i>Roading Network</i>		
-	Waipapa intersection upgrade	-	261
-	Roading Network Total	-	261
871	Bay of Islands - Whangaroa Total	-	261
	District		
	<i>Roading Minor Safety Improvements</i>		
2,720	WC12 - minor improvements	3,200	2,939
1,200	WC241 - resilience improvements	2,073	2,228
3,920	Roading Minor Safety Improvements Total	5,273	5,167
	<i>Roading Network</i>		
100	Bridge Replacements	1,000	-
-	WC12 - dust mitigation	1,248	-
400	WC12 - LED streetlight extension	208	400
-	WC3 - cycleways construction	1,040	409
-	WC3 - walking facilities	468	450
500	Roading Network Total	3,965	1,259
	<i>Roading Unsubsidised Work</i>		
500	WC12 - dust mitigation	-	512
500	Roading Unsubsidised Work Total	-	512
4,920	District Total	9,238	6,937
	Te Hiku		
	<i>Footpaths</i>		
18	Pukenui footpaths	-	18
18	Footpaths Total	-	18
18	Te Hiku Total	-	18
5,809	LEVEL OF SERVICE WORKS TOTAL	9,238	7,216
	RENEWAL WORKS		
	Bay of Islands - Whangaroa		
	<i>Footpaths</i>		
28	Albert Street Kawakawa footpath	-	-
-	Eastern footpath reactive renewals	158	-
8	Harry's Place Kawakawa footpath	-	-
-	Kawakawa footpath renewals	-	40
4	Kawakawa-Paihia SH11 footpath	-	-
-	Kerikeri footpath renewals	12	6
20	Mason Avenue Moerewa footpath	-	-
50	Mawson Avenue Waipapa footpath	-	50
2	Mill Lane Kerikeri footpath	-	-
-	Moerewa footpath	-	20
14	Seaview Road SH11 Paihia footpath	-	14
102	SH10 Kaeo northern	-	-
4	Skudders Beach Road footpath	-	-
232	Footpaths Total	170	130
232	Bay of Islands - Whangaroa Total	170	130

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	District		
	<i>Ferries</i>		
98	Engine rebuild renewals	-	-
100	Ferry equipment renewals	-	585
	- Hull renewals	134	134
198	Ferries Total	134	719
	<i>Roading Minor Safety</i>		
	- Bridge replacements	1,036	-
	- Roothing Minor Safety Total	1,036	-
	<i>Roothing Network</i>		
4,000	WC151 - network & asset management	-	1,314
4,687	WC211 - unsealed road metalling and rehabilitation	4,877	7,716
2,475	WC212 - reseals - chip sealing	2,575	3,650
600	WC213 - drainage renewals - culverts	624	650
100	WC213 - drainage renewals - kerbs & channels	104	100
3,238	WC214 - sealed road rehabilitaion	3,369	5,326
368	WC215 - structures components - bridges	382	362
100	WC215 - structures components - other structural components	104	106
	- WC215 - structures components - retaining walls	104	-
2	WC221 - Pakaraka stock effluent station submersible pump replacement	-	2
510	WC222 - Traffic services renewals	532	510
16,079	Roothing Network Total	12,671	19,735
16,278	District Total	13,842	20,454
	Kaikohe - Hokianga		
	<i>Footpaths</i>		
	- Kohukohu footpath renewals	109	-
28	Settlers Way Okaihau footpath	-	28
91	SH12 Opononi footpath	-	-
	- Western footpath reactive renewals	73	-
119	Footpaths Total	183	28
119	Kaikohe - Hokianga Total	183	28
	Te Hiku		
	<i>Footpaths</i>		
9	Beach Road Mangonui footpath	-	-
5	Colonel Mould Drive Mangonui footpath	-	-
18	Commerce Street footpath	-	18
12	Driftwood Lane Hihi footpath	-	-
11	Kaitaia -Awaroa Road footpath	-	-
	- Northern footpath reactive renewals	120	-
55	Footpaths Total	120	18
55	Te Hiku Total	120	18
16,683	RENEWAL WORKS TOTAL	14,315	20,630
22,492	GRAND TOTAL ROADING & FOOTPATHS	23,552	27,846

Stormwater

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	LEVEL OF SERVICE WORKS		
	Bay of Islands - Whangaroa		
	<i>Urban Stormwater</i>		
	- Paihia outlet Davis Crescent	-	50
	- Moerewa stormwater disposal improvements	-	82
	- Urban Stormwater Total	-	132
	- Bay of Islands - Whangaroa Total	-	132
	District		
	<i>Urban Stormwater</i>		
	- Assetfinda hardware and software	-	20
256	Stormwater reactive works	263	214
256	Urban Stormwater Total	263	234
256	District Total	263	234
	Te Hiku		
	<i>Urban Stormwater</i>		
600	Ahipara Tasman Heights stormwater line	-	-
600	Urban Stormwater Total	-	-
600	Te Hiku Total	-	-
856	LEVEL OF SERVICE WORKS TOTAL	263	366
	RENEWAL WORKS		
	District		
	<i>Urban Stormwater</i>		
6	Floodgates renewals	-	50
185	LiDAR renewal	-	-
	- Urban stormwater renewals	4	4
191	Urban Stormwater Total	4	54
191	District Total	4	54
	Kaikohe - Hokianga		
	<i>Urban Stormwater</i>		
	- Kohukohu replace faulty floodgate	-	30
	- Urban Stormwater Total	-	30
	- District Total	-	-
	Te Hiku		
	<i>Urban Stormwater</i>		
90	Kaitaia Bank Street stormwater line	-	-
150	Kaitaia Commerce Street stormwater line	-	-
240	Urban Stormwater Total	-	-
240	Te Hiku Total	-	-
431	RENEWAL WORKS TOTAL	4	84
1,287	GRAND TOTAL STORMWATER	267	450

Water Supply

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
LEVEL OF SERVICE WORKS			
Bay of Islands - Whangaroa			
<i>Water Schemes</i>			
53	Kawakawa resource consent	-	12
20	Kawakawa Tirohanga bore controls	-	-
-	- Kawakawa treatment plant clarifier handrails	-	75
8	Kawakawa WTP chemical storage seismic constraints	-	-
108	Kawakawa WTP structural works	-	-
-	- Kerikeri improved storage resilience	-	20
-	- Kerikeri WTP backwash tank	-	100
35	Kerikeri WTP bulk chlorine	-	-
5	Kerikeri WTP chemical storage seismic constraints	-	-
-	- Paihia pump stations Sullivans Road overhaul	-	50
5	Paihia WTP chemical storage seismic constraints	-	-
234	Water Schemes Total	-	257
234	Bay of Islands - Whangaroa Total	-	257
District			
<i>Water Schemes</i>			
40	Assetfinda hardware and Software	-	20
100	District wide telemetry upgrade	-	114
360	Water minor capital works	-	283
64	Water telemetry servers	-	-
564	Water Schemes Total	-	417
564	District Total	-	417
Kaikohe - Hokianga			
<i>Water Schemes</i>			
-	- Minor capital reactive works	283	-
-	- Kaikohe Dam and take consent Taraire Hills	-	43
-	- Okaihau WTP upgrade PLC	-	15
24	Opononi new water source	-	50
60	Opononi water main adjacent to school	-	-
2	Opononi WTP chemical storage seismic constraints	-	-
-	- Opononi WTP clarifer pre-membrances	-	100
192	Rawene new source	-	128
1,152	Rawene Omanaia treated water	-	834
52	Rawene resource consent for Petaka intake	-	-
-	- Rawene source (raw water storage)	-	111
1,482	Water Schemes Total	283	1,281
1,482	Kaikohe - Hokianga Total	283	1,281
Te Hiku			
<i>Water Schemes</i>			
3	Kaitaia Awanui intake improvements generator	-	-
26	Kaitaia Awanui River water take consent	-	16
-	- Kaitaia Donald Road reservoir chamber lids	-	10
45	Kaitaia Kauri Dam replace scour valve	-	-
-	- Kaitaia sludge disposal improvements	-	20
2	Kaitaia WTP chemical storage seismic constraints	-	-
-	- Te Kao subsidised potable water supply	400	200
76	Water Schemes Total	400	246
76	Te Hiku Total	400	246
2,356	LEVEL OF SERVICE WORKS TOTAL	683	2,201

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	RENEWAL WORKS		
	Bay of Islands - Whangaroa		
	<i>Water Schemes</i>		
52	Kawakawa mains replacement	53	53
15	Kawakawa Moerewa reservoir valves	-	-
43	Kawakawa structural works	-	-
	- Kawakawa Tirohanga bore controls	-	30
42	Kawakawa water meter replacement	43	43
	- Kawakawa water renewals	32	3
52	Kerikeri mains replacement	53	53
52	Kerikeri water meter replacement	53	53
	- Kerikeri water renewals	17	3
156	Kerikeri WTP structural work on clarifier	-	81
	- Paihia Broadview tanks replacement	-	38
10	Paihia Haruru Falls booster pump station	-	-
52	Paihia mains replacement	53	53
	- Paihia PACI tank replacements	11	-
	- Paihia School Road tanks replacement	-	15
52	Paihia water meter replacement	53	53
	- Paihia water renewals	34	3
	- Russell bores upgrade control system	-	20
	- Russell water renewals	-	2
526	Water Schemes Total	404	501
526	Bay of Islands - Whangaroa Total	404	501
	District		
	<i>Water Schemes</i>		
	- District wide reservoirs structural works	-	60
53	District wide telemetry upgrade	53	106
	- District wide water renewals	-	3
53	Water Schemes Total	53	168
53	District Total	53	168
	Kaikohe - Hokianga		
	<i>Water Schemes</i>		
	- Kaikohe discharge consent	43	-
52	Kaikohe mains replacement	53	107
52	Kaikohe water meter replacement	53	53
24	Kaikohe water renewals	58	20
	- Ngawha reservoir controller	-	15
15	Okaihau bore installation	-	-
	- Okaihau water renewals	38	33
	- Opononi mains replacement	11	21
	- Opononi raw water main replacement	-	30
17	Opononi water meter replacement	-	-
	- Opononi water renewals	2	3
10	Opononi WTP high lift pump	-	-
	- Rawene discharge consent	11	-
10	Rawene mains replacement	11	11
21	Rawene water meter replacement	-	-
	- Rawene water renewals	2	3
201	Water Schemes Total	283	295
201	Kaikohe - Hokianga Total	283	295
	Te Hiku		
	<i>Water Schemes</i>		
	- Kaitaia discharge consent	16	-
104	Kaitaia Donald Road reservoir timber roof	-	104
156	Kaitaia mains replacement	160	-

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
-	- Kaitaia Te Maire reservoir valves	-	40
-	- Kaitaia water main Pukepoto Road	-	150
52	Kaitaia water meter replacement	53	53
-	- Kaitaia water renewals	57	31
-	- Kaitaia WTP backwash tank walkway	-	10
40	Kaitaia WTP replace clarifier roof	-	-
352	Water Schemes Total	287	388
352	Te Hiku Total	287	388
1,131	RENEWAL WORKS TOTAL	1,028	1,352
3,487	GRAND TOTAL WATER SUPPLY	1,711	3,553

Wastewater

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	LEVEL OF SERVICE WORKS		
	Bay of Islands - Whangaroa		
	<i>Wastewater Schemes</i>		
2	Kaeo pump station upgrades PS 3 fire access platform	-	-
10	Kerikeri discharge consent	-	10
7,426	Kerikeri treatment & reticulation extensions	12,326	15,963
47	Kerikeri WWTP consent	-	-
130	Kerikeri WWTP odour control	-	-
480	Paihia power supply installation	-	474
10	Paihia pump station 18 upgrade Smiths Motor Camp	-	-
150	Paihia reticulation Veronica Point	-	-
3,192	Paihia treatment plant improvement	-	2,992
294	Paihia Wastewater treatment plants	-	-
	- Russell WWTP disposal field track	-	15
	- Russell WWTP replace inlet screen	-	225
	- Russell WWTP wetland buffer storage	-	95
5	Whangaroa pump station 2 upgrade old WWTP	-	-
11,744	Wastewater Schemes Total	12,326	19,774
11,744	Bay of Islands - Whangaroa Total	12,326	19,774
	District		
	<i>Wastewater Schemes</i>		
	- Inflow infiltration works C/fwd	100	-
256	Minor capital reactive works	263	263
256	Wastewater Schemes Total	363	263
256	District Total	363	263
	Kaikohe - Hokianga		
	<i>Wastewater Schemes</i>		
110	Kaikohe Ngawha Springs new transfer PS and storage	-	-
21	Kohukohu discharge consent	-	-
40	Kohukohu resource consent	-	-
	- Kohukohu treatment plant improvement	158	-
6	Rawene treatment plant grit separator	-	-
177	Wastewater Schemes Total	158	-
177	Kaikohe - Hokianga Total	158	-
	Te Hiku		
	<i>Wastewater Schemes</i>		
	- East Coast resource consent	-	75
30	East Coast reticulation overflows PS	-	-
64	East Coast treatment plant upgrade	-	-
75	East Coast upgrade to meet consent	526	30
50	Hihī specified works	-	63
150	Kaitaia basic treatment of existing overflows option 4	-	-
650	Kaitaia reduction of wastewater overflows option 1	2,603	500
	- Whangaroa wastewater renewals	10	-
1,019	Wastewater Schemes Total	3,139	668
1,019	Te Hiku Total	3,139	668
13,197	LEVEL OF SERVICE WORKS TOTAL	15,986	20,705

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	RENEWAL WORKS		
	Bay of Islands - Whangaroa		
	<i>Wastewater Schemes</i>		
32	Kaeo pump stations electrical switchboards	-	32
-	- Kaeo wetland planting	-	20
-	- Kawakawa I/I reduction Mill Road	263	-
-	- Kawakawa reticulation Harry Place	-	25
-	- Kawakawa wastewater renewals	-	3
-	- Kerikeri pump station upgrades	-	106
-	- Kerikeri treatment & reticulation extensions	-	1,607
-	- Kerikeri wastewater renewals	6	-
77	Paihia pump station 17 upgrade Orchard Road	-	-
-	- Paihia pump station 19 upgrade Thompson King	79	75
50	Paihia pump station 4 upgrade Wetwell Lonely Valley	-	-
-	- Paihia pump station 8 upgrade Kings Road	-	40
-	- Paihia wastewater renewals	12	13
-	- Russell PS scheduled renewals	-	62
-	- Russell wastewater renewals	7	7
-	- Russell WWTP renewals	-	171
159	Wastewater Schemes Total	366	2,160
159	Bay of Islands - Whangaroa Total	366	2,160
	District		
	<i>Wastewater Schemes</i>		
215	District wide telemetry upgrades	210	134
-	- District wide wastewater renewals	-	4
215	Wastewater Schemes Total	210	139
215	District Total	210	139
	Kaikohe - Hokianga		
	<i>Wastewater Schemes</i>		
-	- Kaikohe pump station 3 upgrade Tawa Street	79	79
-	- Kaikohe wastewater renewals	162	-
-	- Kohukohu pump station	-	9
-	- Kohukohu wastewater renewals	73	69
-	- Opononi discharge consent	-	25
-	- Opononi pump station upgrades	-	50
-	- Opononi wastewater renewals	43	-
-	- Rawene PS 2 rugby club electrical upgrade	-	50
-	- Rawene wastewater renewals	-	2
-	- Wastewater Schemes Total	357	284
-	Kaikohe - Hokianga Total	357	285
	Te Hiku		
	<i>Wastewater Schemes</i>		
-	- Ahipara pump station upgrade	-	80
-	- Ahipara WWTP jetty	-	3
-	- East Coast PS 12 Mangonui Hotel electrical	-	50
108	East Coast pump station upgrade PS5 Cable Bay	-	-
-	- East Coast pump station upgrade PS7 Bowling Club	-	50
30	East Coast pump station upgrade PS8 odour system	-	-
-	- East Coast reticulation Bush Point Road	-	50
43	East Coast WWTP screen replacement	-	58
-	- Hihi PS1 boat ramp electrical upgrade	-	40
144	Hihi wastewater scheduled renewals	-	-
117	Hihi WWTP upgrade	-	111
-	- Kaitaia pump station 10 upgrade Terry Crescent	105	-
-	- Kaitaia pump station upgrade	-	54
-	- Kaitaia wastewater renewals	1	1

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
130	Kaitaia WWTP inlet screen	-	90
	Rangiputa WWTP replace pier	-	5
571	Wastewater Schemes Total	107	592
571	Te Hiku Total	107	592
945	RENEWAL WORKS TOTAL	1,041	3,175
14,141	GRAND TOTAL WASTEWATER	17,026	23,880

Waste Management

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
LEVEL OF SERVICE WORKS			
District			
<i>Transfer Stations</i>			
2	District wide health & safety and security	5	5
2	Transfer Stations Total	5	5
2	District Total	5	5
Te Hiku			
<i>Landfills</i>			
15	Ahipara landfill	-	-
15	Landfills Total	-	-
<i>Transfer Stations</i>			
-	- Kaitaia transfer stations scrap shed	-	42
-	- Transfer Stations Total	-	42
15	Te Hiku Total	-	42
17	LEVEL OF SERVICE WORKS TOTAL	5	47
RENEWAL WORKS			
Bay of Islands - Whangaroa			
<i>Landfills</i>			
8	Russell landfill - open leachate pump electrical controls	-	-
	Russell landfill - open Russell landfill - access way - 180m ² unsealed graveled		
1	Area urface	-	-
9	Landfills Total	-	-
<i>Transfer Stations</i>			
-	- Whitehills transfer station renewals	35	-
-	- Russell transfer station renewals	1	-
-	- Whangae transfer station renewals	1	-
-	- Transfer Stations Total	36	-
9	Bay of Islands - Whangaroa Total	36	-
District			
<i>Transfer Stations</i>			
4	CCTV cameras for illegal dumping	-	-
1	Corflute signs x 10 tyre charges	-	-
5	Transfer Stations Total	-	-
5	District Total	-	-
Kaikohe - Hokianga			
<i>Transfer Stations</i>			
-	- Kaikohe transfer station renewals	2	-
-	- Kaikohe transfer stations fencing boundary 240m	-	4
-	- Kohukohu transfer station renewals	5	-
-	- Opononi transfer station renewals	4	-
-	- Panguru transfer station renewals	10	7
-	- Transfer Stations Total	21	11
-	Kaikohe - Hokianga Total	21	11
Te Hiku			
<i>Landfills</i>			
-	- Ahipara landfill renewals	8	-
-	- Landfills Total	8	-

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	<i>Transfer Stations</i>		
	- Houhora transfer station renewals	-	11
	- Kaitaia transfer station renewals	36	-
	- Kaitaia transfer station scrap shed	42	-
	- Kaitaia transfer station weighbridge	53	-
	- Kaitaia transfer stations renewals	-	4
	- Whatuwhiwi transfer station renewals	6	-
	- Transfer Stations Total	137	15
	- Te Hiku Total	145	15
14	RENEWAL WORKS TOTAL	201	26
31	GRAND TOTAL WASTE MANAGEMENT	207	73

District Facilities

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	LEVEL OF SERVICE WORKS		
	Bay of Islands - Whangaroa		
	<i>Amenity Lighting</i>		
15	Amenity lighting eastern	-	15
15	Amenity Lighting Total	-	15
	<i>Carparks</i>		
5	Conversion of off-street carparking to accessible levels	5	5
5	Carparks Total	5	5
	<i>Cemeteries</i>		
-	Russell Cemetery - carparking improvements	21	21
-	Cemeteries Total	21	21
	<i>Halls</i>		
26	Disability access improvements	26	52
26	Halls Total	26	52
	<i>Maritime Facilities</i>		
-	Kerikeri - Windsor Landing - dredging to make new ramp all tide	-	546
36	Kerikeri - Windsor Landing developments land purchase/road access to ramp	548	50
360	Russell maritime	-	-
396	Maritime Facilities Total	548	596
	<i>Parks & Reserves</i>		
-	Kerikeri - new sports park carpark, ablution block and consent	36	-
288	Kerikeri / Waipapa - recreation land purchase, for sports hub	-	-
795	Recreation land purchase	-	-
1,082	Parks & Reserves Total	36	-
	<i>Public Toilets</i>		
-	Bay of Islands - Whangaroa disability access improvements	10	21
105	Matauri Bay public toilets	-	-
105	Public Toilets Total	10	21
1,629	Bay of Islands - Whangaroa Total	647	710
	District		
	<i>Libraries</i>		
25	Library eBooks	-	26
25	Libraries Total	-	26
25	District Total	-	26
	Kaikohe - Hokianga		
	<i>Amenity Lighting</i>		
15	Amenity lighting western	-	15
15	Amenity Lighting Total	-	15
	<i>Carparks</i>		
5	Conversion of off-street carparking to accessible levels	5	5
5	Carparks Total	5	5
	<i>Community Centres</i>		
-	Community centre	-	21
-	Community Centres Total	-	21

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	<i>Halls</i>		
26	Disability access improvements	26	52
26	Halls Total	26	52
	<i>Lindvart Park Recreation Hub</i>		
200	Lindvart Park Pavillion upgrade	-	385
200	Lindvart Park Recreation Hub Total	-	385
	<i>Public Toilets</i>		
10	Kaikohe - Hokianga - Whangaroa disability access	-	10
10	Public Toilets Total	-	10
256	Kaikohe - Hokianga Total	31	489
	Te Hiku		
	<i>Airports</i>		
108	Kaitaia - cross wind runway	-	-
-	- Kaitaia - new toilet facilities - external	52	-
108	Airports Total	52	-
	<i>Amenity Lighting</i>		
15	Amenity lighting northern	-	15
18	Mangonui street lighting	-	-
33	Amenity Lighting Total	-	15
	<i>Carparks</i>		
5	Conversion of off-street carparking to accessible levels	5	5
5	Carparks Total	5	5
	<i>Halls</i>		
26	Disability access improvements	26	52
26	Halls Total	26	52
	<i>Kaitaia Civic Buildings</i>		
34	Pioneer House Kaitaia	-	-
34	Kaitaia Civic Buildings Total	-	-
	<i>Parks & Reserves</i>		
100	Mangonui boardwalk extension	-	-
-	- Mangonui boardwalk safety rail	-	153
25	Mangonui tree protection	-	-
-	- Te Hiku Sports Hub - clubroom development	52	-
-	- Te Hiku Sports Hub - netball courts	262	-
1,570	Te Hiku Sports Hub - sports field development	840	2,001
1,695	Parks & Reserves Total	1,155	2,155
	<i>Public Toilets</i>		
10	Disabled access toilets	10	10
67	Melba Street public toilets	-	-
80	Remembrance Park toilets	-	-
130	Taipa Beach new toilets	-	-
287	Public Toilets Total	10	10
	<i>Swimming Pools</i>		
-	- Te Hiku Sports Hub - swimming pool	7,557	-
-	- Swimming Pools Total	7,557	--
2,189	Te Hiku Total	8,806	2,238
4,099	LEVEL OF SERVICE WORKS TOTAL	9,485	3,462

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	RENEWAL WORKS		
	Bay of Islands - Whangaroa		
	Amenity lighting		
30	Amenity lighting eastern renewals	39	20
30	Amenity Lighting Total	39	20
	<i>Carparks</i>		
	- Commercial Street carpark renewals	232	136
	- Whangae Road carpark renewals	26	-
	- Carparks Total	258	136
	<i>Cemeteries</i>		
	- Kaeo Cemetery renewals	-	6
11	Kawakawa Cemetery renewals	-	-
	- Kerikeri Cemetery renewals	-	46
	- Paihia Cemetery renewals	-	1
	- Russell Cemetery renewals	-	1
	- Totara North Cemetery renewals	-	4
11	Cemeteries Total	-	57
	<i>Community Centres</i>		
	- Community centres eastern renewals	90	11
56	Kaeo old PO roof	-	-
56	Community Centres Total	90	11
	<i>Halls</i>		
	- Halls Russell renewals	462	-
	- Halls Waipapa renewals	86	-
	- Halls Whangaroa renewals	42	-
	- Halls Towai renewals	72	157
	- Halls Total	662	157
	<i>Housing for the Elderly</i>		
	- Kawakawa Housing for the Elderly renewals	98	29
	- Kerikeri Housing for the Elderly renewals	110	190
	- Housing for the Elderly Total	208	219
	<i>Information Centre</i>		
84	Paihia Information Centre renewals	20	50
84	Information Centre Total	20	50
	<i>Libraries</i>		
3	Library Kaeo renewals	-	-
	- Kawakawa Library renewals	91	1
	- Kerikeri Library renewals	12	-
	- Library eastern renewals	-	4
	- Paihia Library renewals	33	33
3	Libraries Total	136	38
	<i>Maritime Facilities</i>		
	- Kerikeri maritime renewals	19	-
307	Russell pontoon & wharf renewals	-	-
220	Whangaroa maritime renewals	3	231
99	Totara North pontoon renewals	-	-
625	Maritime Facilities Total	22	231
	<i>Parks & Reserves</i>		
187	Eastern bins, benches, bollards, signs & tables	122	248
28	Kawakawa Johnson Park	-	-
	- Kawakawa parks & reserves renewals	-	3
	- Kerikeri parks & reserves renewals	474	178
127	Kerikeri Sports Complex painting & carpark line markings	-	-

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	- Moerewa parks & reserves renewals	162	100
20	Paihia Seaview Road Res. 00225-12813 accessways / carparks surface 437m ²	-	-
	- Paihia parks & reserves renewals	58	-
	- Russell parks & reserves renewals	10	-
	- Whangaroa parks & reserves renewals	-	50
362	Parks & Reserves Total	825	579
	<i>Public Toilets</i>		
	- Eastern public toilets renewals	-	34
49	Hundertwasser public toilets renewals	-	-
	- Julian carpark public toilets renewals	57	60
	- Lily Pond public toilets renewals	12	13
92	Opito Bay public toilets renewals	-	-
141	Public Toilets Total	70	108
1,312	Bay of Islands - Whangaroa Total	2,330	1,606
	District		
	<i>Civil Defence</i>		
	- Civil Defence renewals	1	20
	- Tsunami warning devices	82	-
	- Civil Defence Total	83	20
	<i>Information Centre</i>		
18	Information centre renewals	3	18
18	Information Centre Total	3	18
	<i>Libraries</i>		
211	Library book renewals	232	352
211	Libraries Total	232	352
229	District Total	318	391
	<i>Kaikohe - Hokianga</i>		
	<i>Amenity lighting</i>		
3	Amenity lighting western renewals	9	2
3	Amenity Lighting Total	9	2
	<i>Cemeteries</i>		
	- Kaikohe Cemetery renewals	5	12
	- Rawene Cemetery renewals	-	1
	- Cemeteries Total	5	13
	<i>Community Centres</i>		
	- Community centres western renewals	382	191
	- Community Centres Total	382	191
	<i>Halls</i>		
148	Halls Horeke renewals	-	-
	- Halls Kohukohu renewals	-	100
	- Halls Okaihau renewals	302	96
148	Halls Total	302	195
	<i>Housing for the Elderly</i>		
	- Horeke Housing for the Elderly renewals	61	12
12	Kaikohe Housing for the Elderly renewals	347	-
	- Kohukohu Housing for the Elderly renewals	128	33
	- Opononi Housing for the Elderly renewals	143	3
	- Rawene Housing for the Elderly renewals	214	137
	- Waima Housing for the Elderly renewals	107	13
12	Housing for the Elderly Total	1,001	198

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	<i>Information Centre</i>		
	- Hokianga Information Centre interior signs renewals	-	1
8	Opononi Information Centre renewals	-	6
8	Information Centre Total	-	7
	<i>Libraries</i>		
588	Kaikohe Library renewals	-	589
588	Libraries Total	-	589
	<i>Lindvart Park Recreation Hub</i>		
	- Lindvart Park renewals	-	267
42	Netball upgrade practice area Lindvart Park Kaikohe	-	-
42	Lindvart Park Recreation Hub Total	-	267
	<i>Maritime Facilities</i>		
10	Kohukohu maritime renewals	2	25
84	Opononi boat ramp / waterfront improvement and reclamation	-	-
	- Opononi maritime renewals	1	-
94	Maritime Facilities Total	3	25
	<i>Parks & Reserves</i>		
	- Kaikohe parks & reserves renewals	6	12
	- Kohukohu parks & reserves renewals	188	-
	- Okaihau parks & reserves renewals	8	-
	- Omapere parks & reserves renewals	-	17
	- Opononi parks & reserves renewals	-	6
	- Rawene parks & reserves renewals	67	71
	- Road reserve Horeke playground bark soft fall	-	1
46	Western bins, benches, bollards, signs & tables	45	48
46	Parks & Reserves Total	313	155
	<i>Public Toilets</i>		
81	Omapere/Ohaewai toilets renewals	-	-
81	Public Toilets Total	-	-
1,021	Kaikohe - Hokianga Total	2,016	1,642
	Te Hiku		
	<i>Airports</i>		
21	Kaitaia airport renewals	63	21
21	Airports Total	63	21
	<i>Amenity Lighting</i>		
19	Amenity lighting northern renewals	4	13
19	Amenity Lighting Total	4	13
	<i>Cemeteries</i>		
	- Kaitaia Cemetery renewals	-	3
	Cemeteries Total	-	3
	<i>Community Centres</i>		
	- Community Centres northern renewals	31	-
	Community Centres Total	31	-
	<i>Halls</i>		
	- Halls Awanui Renewals	100	-
28	Kaingaroa halls fencing and carpark works renewals	-	-
160	Halls Peria renewals	-	-
188	Halls Total	100	-

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	<i>Housing for the Elderly</i>		
	- Ahipara Housing for the Elderly renewals	17	-
	- Awanui Housing for the Elderly renewals	257	-
416	Kaitaia Housing for the Elderly renewals	632	-
416	Housing for the Elderly Total	906	-
	<i>Kaitaia Civic Buildings</i>		
	- Old Kaitaia Information Centre Building	40	109
	- Kaitaia Civic Buildings Total	40	109
	<i>Maritime Facilities</i>		
48	Unahi boat Ramp Renewals	-	-
	- Mangonui maritime renewals	11	-
5	Pukenui boat ramp - abutements renewals	-	-
72	Paua Wharf maritime renewals	-	-
	- Taipa maritime renewals	13	23
125	Maritime Facilities Total	25	23
	<i>Parks & Reserves</i>		
	- Awanui parks & reserves renewals	19	4
	- Hihi parks & reserves renewals	12	12
166	Houhora parks & reserves	-	-
64	Kaitaia Memorial and Remembrance parks	-	-
	- Kaitaia parks & reserves renewals	253	25
	- Matai Bay parks & reserves renewals	2	-
119	Northern bins, benches, bollards, signs & tables	-	-
	- Northern parks & reserves renewals	78	163
	- Pehipe parks & reserves renewals	6	-
	- Pukenui wharf parks & reserves renewals	-	38
	- Waipapakauri Beach parks & reserves	-	1
	- Whatuwhiwi Pehipe Reserve boundary & internal fencing	-	6
348	Parks & Reserves Total	369	249
	<i>Public Toilets</i>		
	- Centennial Park public toilets renewals	33	-
	- Kaimaumuau public toilets renewals	91	-
	- Northern public toilets renewals	-	132
	- Waipapakauri public toilets renewals	40	-
	- Public Toilets Total	165	132
	<i>Te Ahu Centre Occupancy Costs</i>		
2	Te Ahu Centre renewals	-	-
2	Te Ahu Centre Occupancy Costs Total	-	-
1,120	Te Hiku Total	1,703	551
3,682	RENEWAL WORKS TOTAL	6,366	4,189
7,781	GRAND TOTAL DISTRICT FACILITIES	15,851	7,651

Environmental Management

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
	LEVEL OF SERVICE WORKS		
	District		
	<i>Animal Control</i>		
	- Southern dog pound	-	700
	- Animal Control Total	-	700
	- District Total	-	700
	- LEVEL OF SERVICE WORKS TOTAL	-	700
	RENEWAL WORKS		
	Te Hiku		
	<i>Animal Control</i>		
	- Kaitaia dog pound renewals	-	72
	- Animal Control Total	-	72
	- Te Hiku Total	-	72
	- RENEWAL WORKS TOTAL	-	72
	- GRAND TOTAL ENVIRONMENTAL MANAGEMENT	-	772

Governance and Strategic Administration

Capital Projects by Ward

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
LEVEL OF SERVICE WORKS			
District			
<i>Building Services</i>			
70	Building services	-	-
80	Kaikohe - extension / improvements to HQ including library and other	-	363
	- Kerikeri - Proctor Library HVAC	-	28
150	Building Services Total	-	391
<i>Information Management Administration</i>			
	- IT data warehouse & data reporting services	53	100
180	IT desktop computer equipment	-	138
73	IT property file digitisation	-	-
100	IT SCADA system & data resiliency	-	200
50	IT vehicle tracking equipment & software	-	-
403	Information Management Administration Total	53	438
553	District Total	53	829
553	LEVEL OF SERVICE WORKS TOTAL	53	829
RENEWAL WORKS			
District			
<i>Building Services</i>			
	- Air conditioning Paihia i-SITE	-	10
253	Building services renewals	1,241	-
	- Kaikohe - extension / improvements to HQ including library and other	-	25
13	Kaikohe archives -site specifics	-	-
13	Kaikohe services centre - site specifics	-	-
7	Kaikohe training yard - site specifics	-	-
90	Kaikohe training yard - fit out	-	-
376	Building Services Total	1,241	35
<i>Business Performance</i>			
	- Interplan software system	-	105
	- Business Performance Total	-	105
<i>Corporate Services Administration</i>			
78	Office equipment renewals	51	356
78	Corporate Services Administration Total	51	356
<i>Human Resources General</i>			
	- HR finance 1 module	255	248
	- Human Resources General Total	255	248
<i>Information Management Administration</i>			
	- IT AVVC replacement renewals	-	51
	- IT communications equipment renewals	9	-
143	IT computer equipment replacement renewals	-	154
	- IT desktop computer equipment	-	135
742	IT EDRMS renewals	-	467
	- IT equipment renewals	1,035	-
	- IT finance 1 system renewals	1,152	-
69	IT GIS renewals	-	-
165	IT Pathway upgrade renewals	920	798
53	IT peripheral computer equipment renewals	-	110
54	IT servers & storage replacement renewals	-	11
	- IT software renewals	415	-
	- IT tablet renewals	-	30
10	IT Techone renewals	-	548

AP 2016/17 \$000	Project Name	LTP 2017/18 \$000	AP 2017/18 \$000
247	IT upgrade of computer systems	-	151
13	IT video conferencing renewals	-	66
-	- IT website renewals	-	75
-	- Telephone / security system software	-	9
1,495	Information Management Administration Total	3,531	2,605
	<i>Pool Vehicles</i>		
117	Pool vehicles renewals	237	286
117	Pool Vehicles Total	237	286
	<i>Project Management Office</i>		
14	Business performance renewals	-	-
14	Project Management Office Total	-	-
	<i>Telephony Infrastructure</i>		
23	IT telephony upgrade renewals	-	-
23	Telephony Infrastructure Total	-	-
2,102	District Total	5,315	3,635
2,102	RENEWAL WORKS TOTAL	5,315	3,635
2,656	GRAND TOTAL GOVERNANCE & STRATEGIC ADMINISTRATION	5,367	4,464
51,876	CAPITAL PROJECTS BY WARD TOTAL	63,981	68,689

CONTACT US

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MEETING: COUNCIL - 22 JUNE 2017
Name of item: SETTING OF RATES FOR 2017-2018
Author: Janice Smith - Chief Financial Officer
Date of report: 22 June 2017
Document number: A1874488

Executive Summary

The purpose of the report is to allow Council to set the rates for the 2017-18 rating year in accordance with the provisions of the Local Government (Rating) Act 2002.

Now that Council has adopted the Annual Plan for 2017-18 it must set the rates for the 2017-18 rating year.

Recommendation

THAT, pursuant to Section 23 of the Local Government (Rating) Act 2002 (the Act), Council sets the rates as described below for the year commencing 01 July 2017 and concluding 30 June 2018;

SCHEDULE OF RATES

Note: All rates are shown inclusive of GST

GENERAL RATE

Uniform Annual General Charge (UAGC):

A UAGC of \$473.20 per Separately Used or Inhabited Part (SUIP) of a rateable Rating Unit

Differential General Rate

Note: differentiated on the basis of land use set on all rateable land

Differential	Basis	Rate
General Differential	Per \$ of Land Value	\$0.0047772
Commercial Differential	Per \$ of Land Value	\$0.0131373

TARGETED RATES

Targeted Ward Services Rate

Note: differentiated on the basis of location set on all rateable land in the identified wards

Differential	Basis	Rate
BOI - Whangaroa Ward	Per SUIP	\$364.80
Te Hiku Ward	Per SUIP	\$300.20
Kaikohe - Hokianga Ward	Per SUIP	\$385.00

TARGETED ROADING RATES

Uniform Roading Rate

A Uniform Targeted Rate of \$100 per Separately Used or Inhabited Part (SUIP) of a rateable Rating Unit

Differential Roading Rate

Note: differentiated on the basis of land use set on all rateable land

Differential	Basis	Rate
Residential	Per \$ of Land Value	\$0.0001348
Lifestyle	Per \$ of Land Value	\$0.0001285
Farming General	Per \$ of Land Value	\$0.0001320

Horticulture	Per \$ of Land Value	\$0.0001297
Dairy	Per \$ of Land Value	\$0.0001975
Forestry	Per \$ of Land Value	\$0.0017958
Commercial	Per \$ of Land Value	\$0.0003307
Industrial	Per \$ of Land Value	\$0.0004440
Mining/Quarry	Per \$ of Land Value	\$0.0101256
Other	Per \$ of Land Value	\$0.0002071

DIFFERENTIATED STORMWATER TARGETED RATE

Note: differentiated on the basis of land use set on all rateable land in the identified area

Differential	Basis	Rate
General Differential	Per Rating Unit	\$35.78
Commercial Differential	Per Rating Unit	\$71.56

TARGETED DEVELOPMENT RATES

Differential Kerikeri Mainstreet Rate

Note: differentiated on the basis of land use set on all rateable land in the identified area

Differential	Basis	Rate
General Differential	Per SUIP	\$9.20
Commercial Differential	Per SUIP	\$27.60

Differential Paihia CBD Development Rate

Note: differentiated on the basis of land use set on all rateable land in the identified area

Differential	Basis	Rate
General Differential	Per SUIP	\$18.00
Commercial Differential	Per SUIP	\$56.00

Kaitaia BID Rate

Commercial rating units in the defined rating area	Basis	Rate
	Per \$ of Land Value	\$0.0015294

BOI Recreation Centre Rate

Rating Units in the defined rating area	Basis	Rate
	Per SUIP	\$5.00

TANEKAHA LANE ROAD SEALING RATES

Rating Units in the defined rating area	Basis	Rate
	Per SUIP	\$310.78
	Per Ha of Land Area	\$89.65

TARGETED SEWERAGE RATES

Notes: Separate sewerage rates are set for each sewerage scheme differentiated on the basis the supply or availability of supply to each scheme.

The additional pan rate is set on the basis of the third and subsequent water closet or urinal within the rating unit. A rating unit used primarily as a residence for a single household will be treated as having a single pan.

Ahipara Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$288.31
Available	Per Rating Unit	\$288.31
Additional Pan Rate	Per additional pan	\$172.99

East Coast Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$243.68
Available	Per Rating Unit	\$243.68
Additional Pan Rate	Per additional pan	\$146.21

Hihi Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$614.34
Available	Per Rating Unit	\$614.34
Additional Pan Rate	Per additional pan	\$368.60

Kaeo Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$736.13
Available	Per Rating Unit	\$736.13
Additional Pan Rate	Per additional pan	\$441.68

Kaikohe Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$200.00
Available	Per Rating Unit	\$200.00
Additional Pan Rate	Per additional pan	\$120.00

Kaitaia and Awanui Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$274.02
Available	Per Rating Unit	\$274.02
Additional Pan Rate	Per additional pan	\$164.41

Kawakawa Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$549.02
Available	Per Rating Unit	\$549.02
Additional Pan Rate	Per additional pan	\$329.41

Kerikeri Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$484.70
Available	Per Rating Unit	\$484.70
Additional Pan Rate	Per additional pan	\$290.82

Kohukohu Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$809.32
Available	Per Rating Unit	\$809.32
Additional Pan Rate	Per additional pan	\$485.59

Opononi Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$311.86
Available	Per Rating Unit	\$311.86
Additional Pan Rate	Per additional pan	\$187.12

Paihia Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$371.99
Available	Per Rating Unit	\$371.99
Additional Pan Rate	Per additional pan	\$223.19

Rangiputa Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$352.80
Available	Per Rating Unit	\$352.80
Additional Pan Rate	Per additional pan	\$211.68

Rawene Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$569.94
Available	Per Rating Unit	\$569.94
Additional Pan Rate	Per additional pan	\$341.96

Russell Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$481.80
Available	Per Rating Unit	\$481.80
Additional Pan Rate	Per additional pan	\$289.08

Whangaroa Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$743.99
Available	Per Rating Unit	\$743.99
Additional Pan Rate	Per additional pan	\$446.39

Whatuwhiwhi Sewerage Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$359.45
Available	Per Rating Unit	\$359.45
Additional Pan Rate	Per additional pan	\$215.67

District Wide Sewerage Operating Rate

Operating Rate	Basis	Rate
Connected (All schemes)	Per SUIP	\$523.49
Additional Pan Rate	Per additional pan	\$314.10

TARGETED WATER RATES

Notes: Separate water rates are set for each water supply scheme differentiated on the basis the supply or availability of supply to each scheme.

Kaikohe Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$287.88
Available	Per Rating Unit	\$287.88

Kaitia Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$279.62
Available	Per Rating Unit	\$279.62

Kawakawa Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$358.76
Available	Per Rating Unit	\$358.76

Kerikeri Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$171.73
Available	Per Rating Unit	\$171.73

Okaihau Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$374.73
Available	Per Rating Unit	\$374.73

Omapere/Opononi Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$664.08
Available	Per Rating Unit	\$664.08

Paihia Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$219.17
Available	Per Rating Unit	\$219.17

Rawene Water Capital Rate

Differential	Basis	Rate
Connected	Per SUIP	\$459.84
Available	Per Rating Unit	\$459.84

District Wide Water Operating Rate

The District wide operating rate is assessed on the basis of the quantity of water supplied as recorded by meter

Metered Supply rate (all schemes)

Operating Rate	Basis	Rate
Potable Water	Per M3 Supplied	\$3.06
Non-potable Water	Per M3 Supplied	\$1.99

Non Metered Water Supply Rate (Includes 250 M³ Supply)

Operating Rate	Basis	Rate
Potable Water	Per SUIP	\$1039.65
Non-potable Water	Per SUIP	\$771.90

DRAINAGE RATES

Kaitaia Drainage Area	Basis	Rate
Area of land within the defined rating area	Per hectare	\$8.57

Kaikino Drainage Area (as defined in the FIS)		
Differential	Basis	Rate
Differential A	Per hectare	\$11.53
Differential B	Per hectare	\$5.77
Differential C	Per hectare	\$1.96

Motutangi Drainage Area (as defined in the FIS)		
Differential	Basis	Rate
Differential A	Per hectare	\$42.46
Differential B	Per hectare	\$21.23
Differential C	Per hectare	\$7.22

Waiharara Drainage Area (as defined in the FIS)		
Differential	Basis	Rate
Differential A	Per hectare	\$26.01
Differential B	Per hectare	\$13.00
Differential C	Per hectare	\$4.42

AND THAT, pursuant to Section 24 of the Act and with the exception of the targeted rates set for the supply of water pursuant to Section 19 of the Act, Council charges the rates for the 2017-2018 rating year by way of four instalments. Each instalment to be paid on or before the due dates set out below.

Any amount of rates remaining unpaid after the due date will become liable for the penalties as set out below:

Rate Instalment	Due Date	Penalty Date
<i>First Instalment</i>	<i>20 August 2017</i>	<i>27 August 2017</i>
<i>Second Instalment</i>	<i>20 November 2017</i>	<i>27 November 2017</i>
<i>Third Instalment</i>	<i>20 February 2018</i>	<i>27 February 2018</i>
<i>Fourth Instalment</i>	<i>20 May 2018</i>	<i>27 May 2018</i>

NOTE: Where any due date or penalty date falls on a weekend or public holiday, the due date or penalty date will be the first working day following the due date.

AND THAT, pursuant to Sections 57 and 58 of the Act and with the exception of the targeted rates set for the supply of water pursuant to Section 19 of the Act, Council imposes the following penalties:

A ten percent (10%) penalty on any portion of any instalment of rates assessed in the 2017-2018 financial year that is not paid on or by the due date for payment as detailed above. This penalty will be added on the penalty dates detailed above;

AND THAT, pursuant to Section 19 of the Act, Council sets a targeted rate for the supply of water based on the quantity of water supplied as recorded by meter;

AND THAT the water meters be read and invoiced on a six-month cycle, or more often if required, and the subsequent invoices become due for payment on the 20th day of the month following the month of issue;

AND THAT, pursuant to Sections 57 and 58 of the Act, Council imposes the following penalties in respect of targeted rates set for the supply of water pursuant to Section 19 of the Act:

A ten percent (10%) penalty on any portion of the rate for the supply of water charged pursuant to Section 19 of the Act, as separately invoiced, that is not paid on or by the due date for payment as set out on the invoice. This penalty will be added on the 27th day of the month in which the invoice fell due.

AND THAT, pursuant to Section 88 of the Act, Council set Postponement Fees as provided for in the relevant Rates Postponement Policies;

FEES IN RESPECT OF POSTPONED RATES

Pursuant to Section 88 of the Local Government (Rating) Act 2002, Council will charge a postponement fee on all rates that are postponed under any of its postponement policies.

The Postponement fees are as follows:

- Application Fee: \$50
- Administration Fee: \$50 pa
- Financing Fee on all Postponements: Currently set at 4.75% pa but may vary to match Council's average cost of funds. At Council's discretion all these fees may be added to the total postponement balance.

1) Background

Council has adopted the Annual Plan 2017-2018 and therefore, pursuant to Section 23 of the Local Government (Rating) Act 2002 (the Act), must now formally resolve to set the rates for the year commencing 01 July 2017 and concluding 30 June 2018.

2) Discussion and options

The Act requires Council to formally set the rates for each year after it has adopted the appropriate Annual Plan or Long Term Plan. It is this resolution which gives Council the power to set and charge rates for the year.

With the exception of the rate proposed for the improvements to Ross Street, there are no changes to the setting rates from the proposals outlined in the Long Term Plan and Annual Plan Consultation Document.

Ross Street Improvement Rate

The processes required to transfer Ross Street into Council's ownership have not been completed. For this reason it is now anticipated that this rate will be introduced in 2018-2019.

3) Financial implications and budgetary provision

It is by setting the rates that Council obtains the funding for the forthcoming year. This resolution provides funding as is set out in the Annual Plan for the 2017-2018 rating year.

4) Rating System

Other than the quantum of the rates, there are no changes to the rating system for the 2017-2018 rating year nor, as explained above, are any new rates being introduced this year.

5) Reason for the recommendation

It is by setting the rates that Council obtains the funding for the forthcoming year. This resolution provides for funding as set out in the Long Term Plan for the 2017-2018 rating year.

Manager: Samantha Edmonds - General Manager Corporate Services Group

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	This report is designed to implement the rating requirements as outlined in Annual Plan for the rating year 2017-2018
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Significant consultation and engagement has been undertaken, incorporating social media and community feedback meetings in all wards. Council facilitated a submissions period of one month
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Significant consultation and engagement has been undertaken, incorporating social media and community feedback meetings in all wards. Council facilitated a submissions period of one month.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	This matter has been subject to a formal consultation procedure (and this included aspects of the Council's funding)
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The level of rates are of District-wide relevance and Community Board views have been sought.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	The setting of rates allows Council to obtain funding the forthcoming year. The Chief Financial Officer has reviewed this report.

MEETING: COUNCIL - 22 JUNE 2017
Name of item: FAR NORTH HOLDINGS LIMITED - DRAFT STATEMENT OF INTENT 2017 TO 2020
Author: Samantha Edmonds - General Manager Corporate Services
Date of report: 31 May 2017
Document number: A1872844

Executive Summary

This report presents the draft Statement of Intent of Far North Holdings Limited for the three years from 1 July 2017 to 30 June 2020.

The Statement of Intent presented complies with the requirements of the Local Government Act.

This report was submitted via email to Colin Dale, Chief Executive Officer and Janice Smith, Chief Financial Officer on 28 February 2017.

Comments to this report were tabled at meeting on the 02 May 2017 held at the offices of Far North Holdings Limited (FNHL); Unit 9b Baffin Street Opuia New Zealand.

Recommendation

THAT Council confirm the Far North Holdings Limited Draft Statement of Intent 2017 to 2020.

AND THAT Council confirm the addition of a letter from Far North District Council to Far North Holdings Limited regarding the potential economic development consideration raised on 02 May 2017.

1) Background

The requirements for the governance and accountability of council-controlled organisations (CCO) and council organisations are set out in Part 5, Sections 55-74, of the Local Government Act 2002 (LGA) and Schedule 8, Clauses 1-10, of the LGA sets out specific provisions regarding Statements of Intent (SOI).

The purposes of a SOI are to:

- a. Provide transparency to the community about the proposed activities and intentions of the CCO for the forthcoming year
- b. Enable Council, as the shareholder in the CCO to influence the direction of the company
- c. Create a basis for accountability of the Directors of the CCO to Council as the shareholder.

Section 64, LGA requires every CCO to have a SOI that complies with clauses 9 and 10 of Schedule 8 of the LGA. These clauses outline the statutory content of a SOI.

The statutory provisions of Schedule 8 require the Board to deliver to its shareholders a draft SOI on or before 1 March each year then consider any comments on the draft SOI made to it within 2 months of 1 March before delivering the completed SOI on or before 30 June each year.

The shareholder, Council, can either agree with the draft SOI or require the Board to modify the SOI on any matter included in Clause 9 (1)(a) to (i). Modification must be

by way of resolution and the shareholder is first required to consult the Board as to the matters to be modified.

The effect of the timing provisions is that the shareholder, Council, has until 30 April to make any comments back to the company on changes it would like to see made to the draft SOI. The CCO must then consider these comments and submit its final SOI to the shareholder by 30 June.

Far North Holdings Limited (FNHL) has met its statutory obligations by submitting a draft SOI by the statutory deadline. A copy of the draft SOI is attached.

Representative of Council (HWTM Carter, Shaun Clarke, Tania McInnes, John Vujcich) met on 2 May 2017 and made comment to the Board regarding considerations to the SOI. Note the date of 30 April 2017 was adjourned to 2 May 2017 to allow attendance of newly appointed Chief Executive Officer, Far North District Council.

2) Discussion and options

The draft SOI contains information specified in Clause 9, Schedule 8, LGA. The SOI is consistent with previous SOIs that have been submitted by FNHL.

A formal letter will be sent to FNHL including the below statement;

Over the period of the SOI should Far North District Council wish FNHL to expand the nature and scope of its activity, for example to deliver wider economic development objectives, FNH and Far North District Council will meet and discuss the proposed additional nature and scope, the outcomes sought, the services and potential service delivery arrangements.

3) Financial implications and budgetary provision

There are no financial implications or the need for budgetary provision.

4) Reason for the recommendation

The receipt of the draft Statement of Intent from the Council CCO, Far North Holdings Limited, is part of the compliance requirements of a statutory process. Council has an opportunity through this process to make comment on the draft Statement of Intent by 30 April 2017.

Confirm the draft SOI and additional letter covering economic development opportunity.

Manager: Samantha Edmonds - General Manager Corporate Services Group

Attachment 1: Far North Holdings Limited Draft Statement of Intent 2017 to 2020 - Document number A1875729

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Consistent with the Community Outcomes in the Long term Plan, in particular “Sustainable development of our local economy through partnerships, innovation, quality infrastructure and planning”.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Considered in relation to proposed performance objectives of FNHL.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Not applicable
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	The matter has District wide relevance.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no financial implications or the need for budgetary provision arising from this report. The Chief Financial Officer has not reviewed this report.



**Far North
Holdings Limited**

Statement of Intent 2017 - 2020

Presented to Far North District Council on Tuesday 28th February 2017



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Statement of Intent 2017 - 2020

Purpose of Statement of Intent

This Statement of Intent (SOI) is presented by Far North Holdings Limited (FNH) in accordance with Section 64(1) of the Local Government Act 2002. This SOI takes Shareholder comments into consideration and represents the objectives, nature and scope of activities and performance targets by which FNH is to be measured as the basis of accountability. It covers the period from 1st July 2017 to 30 June 2020.

Abbreviations

Abbreviation / Term	Description
BOI	Bay of Islands
CCO	Council Controlled Organisation
FNDC	Far North District Council
FNH	Far North Holdings Limited
LTP	Long Term Plan
SMT	Far North District Council's Senior Management Team



About FNH

As the Council's commercial vehicle, FNH facilitates and creates commercial and infrastructural assets in the Far North District, in doing so, it will:

- Operate under good governance;
- Seek new business development opportunities;
- Identify, collaborative or joint ventures opportunities;
- Manage existing assets and bring commercial expertise in property management; and
- Create profits for its Shareholder and improve the Shareholder asset value.

FNH leads the delivery of property and infrastructure assets in its ownership and under its management. These actions contribute to the development of the Far North District.

FNH primary roles are:

- To plan, manage, operate and develop; land, maritime, aviation and public assets within its ownership, or under the terms of any management agreement entered into; and
- To plan, facilitate and secure commercial outcomes in its area of Influence that support the growth of the Far North District.

Nature and Scope of Activity

FNH currently owns and operates commercial and infrastructural assets in the maritime, aviation and property sectors.

FNH may:

- Elect to investigate and invest in any other commercial opportunities that may arise including any proposed by its Shareholder; and
- Carry out asset management, and may enter into management agreements for defined services on behalf of its Shareholder.
- Divest any of the assets held, subject to any restrictions that may apply in specific cases (such as where the Council has the right of first refusal, or where the offer-back requirements of the Public Works Act apply).

FNH will align itself with the Shareholder's broader strategic objectives by leveraging off these assets to undertake the following business activities (but not limited to) over the next three years are:

Developing and enhancing a maritime economy

- Complete the BOI Marina Stage II Development;
- Further development Waitangi Wharf to cater for the cruise ship tenders;
- Attract business and investment in the maritime economy; and
- Ensure all maritime assets owned by FNH are cost effectively maintained through asset management plans that appropriately balance care of asset with expenditure.



Developing and enhancing property in its ownership including:

- Re-develop Kerikeri Airport Terminal, and its associated infrastructure; and
- Evaluate the benefit of property management as part of a shared services agreement.

FNH will enter into a management contract for commercial, strategic and non-strategic property assets in order to:

- Undertake acquisitions of strategic property on behalf of Council;
- Undertake disposals or re-development of non-strategic land;
- Negotiate third party leases where Council is the tenant;
- Undertake management of commercial leases; and
- Evaluate any other properties, developments, businesses and investments as to their current and future potential.

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FNH Strategic Direction

This SOI sets the strategic framework, activities, and performance measures we have set for the next three years to deliver the outcomes its Shareholder seeks.

FNH is to be cognisant of and, where appropriate, seeks to align itself with the Far North District Council's vision, mission and principles statement as outlined in the 2015/25 Long Term Plan (LTP).

For community outcomes FNH will be guided by the 2015/25 LTP and Council's "Our Voices Our District Vision" which has the vision statement "A District of sustainable prosperity and well-being" and a Statement of Collective Values and Statement of Expectations.

Over the period of the SOI, Far North District Council will provide FNH with any other documents that it should have knowledge of, whether they be in the consultation stage, or have been formally adopted, that reflect any changes to the Council's vision or aspirations that FNH needs to align with.

Decision for which prior Council approval is required

The following criteria are used to guide and demonstrate what types of decisions require Shareholder approval:

1. Decisions which will affect the CCO's ability to meet any statutory responsibility;
2. Decisions which will impact on any intended service levels for a CCO activity (except if the impact is minor or has been agreed by the council through the SOI process);
3. Decisions which will commit the council to future provision of funding; and
4. Decisions which are not based on a "full arm's length" commercial basis require FNDC approval will to be shown in the accounts as such.



FNH Objective

As the FNDC's commercial vehicle, FNH will facilitate and create commercial and infrastructural assets in the Far North District, or if outside the Far North District, with the Shareholders approval, with the aim of creating profits for its Shareholder and creating shareholder value.

3 Year work plan to deliver on Strategic Objectives

The table below shows the key capital projects and initiatives we plan to undertake in the 2017/20 SOI period to deliver on our strategic objectives.

Key Project / Initiative	Description	Contribution to Strategic Objectives	Delivery in 2017-20
Capital Projects			
Marina Extension	Provision of berths to incoming International cruisers	New berths will allow visiting international and domestic boats to stay in Opuia and in turn this will support the local marine service industry, create jobs and grow the Far North GDP.	Delivery May 2017
Boatyard Facilities	Increase hardstand areas available for storage and maintenance of vessels	To increase service level to vessel owners with more flexibility as to time and level of service.	Delivery November 2016 (Completed)
Waitangi Wharf	Extension of the cruise ship tender berth to allow more than one tender to embark/dis-embark passengers	This will further improve the infrastructure needed to support the growth in cruise ships numbers, and size, visiting the Bay of Islands, and the economic benefit that retail and tourist businesses benefit from the passengers that travel in this manner.	Delivery September 2016 (Completed)
Opuia Retail and Apartment Building	The first building of three approved under the resource consent will see the development of 800 sqm of retail and café facilities to service the Marina, with apartments above.	Provides the services needed for visiting international and domestic boat owners. Allows two existing businesses to expand and improve their level of offering.	Delivery November 2017
Copthorne Hotel, Hokianga	The development of 10 5 star chalets to cater for the growth in tourism in the Far North.	Provides economic investment in the Hokianga which would otherwise not have taken place but is based on strong commercial parameters.	Delivery November 2017

Statement of Intent 2017 - 2020



Kerikeri Airport	The development of a new terminal building	Reflecting the investment made by Air NZ in the apron/taxiway to accommodate larger aircraft, and more frequent flights, a new terminal is needed to accommodate this passenger growth.	Delivery November 2018
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In addition to the above new capital projects, FNH shall continue to review, maintain and re-invest in existing assets and operations to ensure maximum benefit to the Company, plus review on an ongoing basis other capital investment opportunities as they arise.

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Financials

Operating Profit 3 year Forecast

FNH anticipates its operating profit for the 2017/18 year to increase to \$1.516 million. This projected profit is ahead of that forecast last year of \$1.256 million due to better returns from certain business areas and increased trading volumes, plus the company's ability to hold operating costs, especially with the new marina extension.

In the 2018/19 year, the marina extension will provide an increased return and the Company's operating profit for this year is expected to be \$1.775 million, again a substantial increase over previous forecasts of \$1.430 million. This increase reflects the full returns on its new investment properties and increased marina usage. For the 2019/20 year a further increase (13.2%) to \$2.010 million is forecast.

The forecast again has been calculated on the basis of a conservative number of berth sales, and should sales exceed those budgeted additional cash resources will be used to reduce the marina debt, hence improving the profit performance through reduced interest costs, and greater revenues.

Consolidated Shareholders' Funds and Total Assets

With the marina expansion nearing completion, total assets will grow significantly over the period under review. Added to this will be the asset value two new investments in the Opuia Marina Retail building, no2 and the Copthorne property development at Omapare. The majority of the investments are being funded through borrowings, so whilst assets value will grow, Shareholder's funds will only grow from profits, less any dividends paid. Should there be any assets revaluations effecting capital assets there will be a corresponding increase or decrease to Shareholder's funds. For the purposes of the forecast, we have assumed no financial gains or reductions in the asset revaluations in each of the periods.

Consolidated Shareholder's funds are budget to total \$45.5 million by June 2018, increasing to \$46.54 million by June 19, and increasing to \$47.665 million by June 20.

Assets values are forecast to total \$81.16 million by June 18 increasing further to \$83.9 million by June 19, and to \$85 million by June 20.

The ratio of Shareholders' funds to total assets is expected to remain flat through the period at 55-57%. This ratio is well within our banker's minimum requirement of 50%.

Distribution Policy

The Shareholder may require FNH to pay a dividend of 50% of its after tax operating profit no later than 28th February in the following financial year; however, FNH may from time to time present commercial proposals to the Shareholder for an alternative use of the Shareholder's share of after tax operating profit for its consideration.



Accounting Policies

FNH's current Accounting Policies are set out in the notes to its annual financial statements at 30 June 2016. There is no material change in accounting policies envisaged over the period covered by this SOI.

Reporting to Shareholders

FNH will provide quarterly reports to its Shareholder in November, February, May and an Annual Report in September. FNH will provide details of its forecasts of earnings, cash flow and balance sheet structure, if requested by its Shareholder.

Transactions with Far North District Council

In transactions with FNDC for the provision of goods and / or services, FNH will seek trading terms and conditions applicable to external customers.

Acquisition of Shares

If FNH wishes to acquire shares in another company or organization, it will notify its Shareholder at least 30 days in advance.

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Performance Targets

A schedule of the detailed non-financial and financial Performance Indicators for the 3 years of the SOI can be seen on pages 11 and 12.

Performance Outlook

FNH has an agreed set of performance measures and targets which form the basis for accountability to delivering on Council's strategic direction, priorities and targets. These are reported on a quarterly basis, in accordance with the CCO Governance Manual. These include measures agreed as part of the 2015/25 LTP.

FNH has worked closely with FNDC to develop a new, improved, streamlined and robust set of performance measures for the 2015/25 LTP and 2017-20 SOI. A comprehensive performance measurement and reporting framework also exists outside of the SOI process.

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Performance Measures

Financial Performance Objectives				SOI Target 2017/18	SOI Target 2018/19	SOI Target 2019/20	
Performance Objective Engage in successful commercial transactions				Measure Growth in Shareholder value	Shareholders' funds increase by \$.956m after payment of dividend	Shareholders' funds increase by \$1.0m, after payment of dividend	Shareholders' funds increase by \$1.12m, after payment of dividend
Target 2013/14 Achieved	Target 2014/15 Achieved	Target 2015/16	Comments				
Performance Objective Provide a commercial return to FNDC				Measure Dividend return to FNDC	Pay \$758,000 for 2017/18 year	Pay \$887,000 for 2018/19 year	Pay \$1,000,000 for 2019/20 year
Target 2013/14 Declared dividend of \$460,000	Target 2014/15 Proposed Dividend of \$461,870	Target 2015/16 Dividend paid \$549,00	Comments Dividend paid February 2017 of \$549,000 for 2016 year end, being net after costs associated with Kaitaia Airport, outside of the management contract.				
Performance Objective Effective Financial Management				Measure Annual operating profit to exceed \$500,000	\$1.516 million	\$1.775 million	\$2.01 million
Target 2013/14 Achieved \$923,740	Target 2014/15 Achieved \$1,076,762	Target 2015/16 Achieved \$1,222,078	Comments Achieved				
Performance Objective To achieve a return on funds invested				Measure Return on Investment (ROI) is higher than the average cost of borrowing on its commercial assets	ROI 8.24% AV cost of borrowings 5.00%	ROI 8.9% AV cost of borrowings 5.00%	ROI 9.53% AV cost of borrowings 5.00%
Target 2013/14 Achieved ROI 5.607%	Target 2014/15 Achieved ROI 6.36%	Target 2015/16 Achieved ROI 5.78%	Comments				
Performance Objective Asset growth and development				Measure Capital Expenditure	\$4.43mil	\$3.65mil	\$1.5mil
Target 2013/14 Not achieve	Target 2014/15 Achieved	Target 2015/16 Achieved	Comments				
Performance Objective Effective Governance and Financial Control				Measure Clean audit sign off each year from Audit NZ Annual Board Review with appointed Audit NZ representative To remain within Banking covenants Quarterly audit review by BDO Board Audit and Finance committee meetings to be conducted semi-annually	To achieve To be held To achieve To perform To be held	To achieve To be held To achieve To perform To be held	To achieve To be held To achieve To perform To be held

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Financial Performance Objectives				SOI Target 2017/18 %	SOI Target 2018/19 %	SOI Target 2019/20 %	
Council Controlled Organisation Initiatives Ensure that the Bay of Islands Airport operates within regulatory requirements				Measure CAA Certification	To achieve	To achieve	To achieve
Target 2013/14 Achieved	Target 2014/15 Achieved	Target 2015/16 Achieved	Comments Clean CAA Audit achieved February 2017				
Non-Financial Performance Objectives				SOI Target 2017/18 %	SOI Target 2018/19 %	SOI Target 2019/20 %	
Performance Objective Enhancing the Far North as a visitor destination				Measure Each year complete at least on customer and airline industry survey that demonstrates satisfaction levels with facilities and services at either Kerikeri or Kaitiāia Airports	80%	85%	85%
Target 2013/14 N/A	Target 2014/15 Not achieved	Target 2015/16	Comments Survey not undertaken for 2014/15 year due to disruption caused by apron & taxiway work				
Performance Objective Enhancing and developing a maritime economy				Measure Each year complete at least one marina user or maritime services customer satisfaction survey that demonstrates satisfaction levels with facilities and services available	92%	94%	95%
Target 2013/14 N/A	Target 2014/15 Achieved 88.45%	Target 2015/16 Achieved 80%	Comments Bio Security and MPI Surveys				
Performance Objective Enhancing the Far North as a destination				Measure Complete bi-annual customer satisfaction survey's with Cruise Ship industry that demonstrates satisfaction levels with FNH as security authority and provider of disembarking infrastructure	85% or higher satisfaction	Only every second year	85% or higher satisfaction
Target 2013/14 N/A	Target 2014/15 Achieved Cruise line rating of 90.05%	Target 2015/16 N/A	Comments Not due in 2015/16 year				
Performance Objective Position Rating of Cruise Ship destinations within New Zealand				Measure As per relevant measures and information from Cruise NZ	Maintain position in top 3	Maintain position in top 3	Maintain position in top 3
Target 2013/14 Position achieved (3)	Target 2014/15 Position achieved (2)	Target 2015/16 Stats not yet available from CruiseNZ	Comments Milford Sound and Auckland hold the other two positions in the top three for port destinations in the Cruise Ship Industry.				



Board's Approach to Governance

Current Board Membership

- Ross Blackman (Chair – term ends 16 April 2018)
- Bill Birnie (Chair Audit & Risk – term ends 1st October 2017)
- Ian Walker (term ends 16 April 2017)
- Kevin Baxter (term ends 31 January 2019)

In undertaking its activities, the Board of FNH will exhibit and ensure:

1. Sound business practice in its commercial undertakings, operating as an efficient and effective business;
2. Ethical and good behaviour in dealing with all parties;
3. An active partnership approach with Maori, and all other people in business throughout the Far North, promoting effective communication where appropriate;
4. To comply with all relevant legislative requirements including those relating to the principles of the Treaty of Waitangi;
5. An open and transparent approach to decision-making with its Shareholder, while respecting the need for commercially sensitive information to be protected;
6. Operate according to the best practice statements produced from time to time by the Institute of Directors in New Zealand (Incorporated);
7. That Council's vision and aspirations are considered and that FNH is conscious that it needs to make a contribution to the overall financial performance of Council; and
8. FNH is a good employer in accordance with the legislation guidelines set by Government.

The Board will adopt the following approach to its fiduciary responsibilities to ensure good governance:

- It will prepare a 3 year SOI setting out its strategic goals and obtain the Shareholder's agreement to this statement;
- It will define its organisation structure and individual accountabilities by ensuring management have clearly defined job descriptions;
- It will set corporate budgets for earnings and cash flow;
- Delegate both responsibility and authority to its Chief Executive;
- To hold regular board meetings to monitor progress towards the Company's goals and objectives; and
- Prepare Quarterly and Annual Reports to its Shareholder as required and in accordance with current business plan.



Engagement with the Shareholder

To ensure the implementation of good governance within FNH and within the Shareholder, both parties agree to maintain a high level of communication between each other.

The Chief Executives will use their best endeavours to communicate in a timely manner and ensure that matters are raised so there will be 'no surprises'.

FNH's relationship with the governing body of Council will generally be for the purposes of developing strategic direction, agreeing statements of intent, service agreements and levels of funding, and performance monitoring and reporting.

The Board believes that regular communication with the Shareholder is essential to the good governance of the business and therefore FNH will, in addition, seek to meet informally with FNDC as required by either FNH or its Shareholder, to deal with any other matter of mutual interest.

Processes will be established for on-going and regular contact with senior management (SMT) to share information, provide a commercial dimension when required and to ensure alignment with Council's strategic direction.

FNH will attend Iwi Forums, where invited, and attend Community Board meetings where appropriate or invited to if agenda items warrant their presence.

MEETING: COUNCIL - 22 JUNE 2017
Name of item: PROCUREMENT BOARD QUORUM
Author: Michelle Sharp - Manager, Project Management
Date of report: 28 April 2017
Document number: A1859181

Executive Summary

The purpose of the report is to advise elected members that quorum requirements for attendance via audio or video conferencing at the Procurement Board will differ to those established for other formal committees and sub committees of Council.

Recommendation

THAT the report entitled "Procurement Board Quorum: dated 28 April 2017 be noted.

1) Background

Within a framework where purchasing procedures and contracts are an operational matter delegated to the Chief Executive, the Procurement Board has been established to assist the Chief Executive in ensuring sound probity procedures are followed. It provides early visibility of procurement plans for major projects as well as making recommendations to the Council of the preferred tenderer once it has reviewed the Supplier Recommendation Report.

A paper on the Procurement Board Membership was submitted to Council on 30th March 2017 and left to lie on the table.

The paper highlighted an issue around member absence and video conference attendance which made it difficult to meet the quorum requirements. It identified options to provide cover for planned and unplanned leave as well as the quorum issue around video conference attendance, to provide certainty in meeting major procurement decision milestones going forward.

2) Discussion and options

The Procurement Board was established as an operational board with elected member participation consisting of a minimum of four voting members, including 2 of 3 elected member representatives.

For consistency purposes Council's standing orders were applied as the rules for debate of the Board, however, there is no legal requirement for the Procurement Board to follow standing orders.

There have been issues with establishing quorum for the Board under standing orders and therefore a change to quorum requirements is proposed.

The recommendation is that quorum remains at a minimum of 2 elected members, but members will be eligible to audio or video conference into the meeting and form part of quorum. In all other respects, standing orders will apply to the meeting as if it were a sub-committee of Council to ensure transparent and efficient decision-making.

3) Financial implications and budgetary provision

There are no financial implications.

4) Reason for the recommendation

To address the current issue of elected member quorum at Procurement Board meetings. It ensures procurement decisions can continue to be made in a timely manner.

Manager: Roger Ackers - General Manager, Corporate Services

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	This recommendation relates to the Terms of Reference of the Procurement Board established in the #2104-14 FNDC Procurement Policy - Procuring Goods and Services.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	None
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	None
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	This matter has district wide relevance.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	None The Chief Financial Officer has reviewed this report.

MEETING: COUNCIL - 22 JUNE 2017
Name of item: VOTING SYSTEM FOR THE 2019 LOCAL BODY ELECTIONS
Author: Caroline Wilson - Manager - District Administration
Date of report: 22 May 2017
Document number: A1875297

Executive Summary

The report is to inform Council of the resolution passed in 2014 to use First Past the Post (FPP) as the voting system for the 2016 and 2019 triennial local body elections. The FPP voting system is used in parliamentary elections and by most local authorities throughout New Zealand.

Council may resolve to change the voting system to Single Transferable Voting (STV) if it so wishes, and this report highlights the process and timelines associated with changing the voting system, if Council resolved to do so.

Recommendation

THAT the Far North District Council retains the First Past the Post electoral system for the 2019 local body elections.

1) Background

The Local Electoral Act 2001 (LEA) gives each local authority the opportunity to review the electoral system to be used for the election of Members.

Every three years, a local authority is required to consider which electoral system (First Past the Post (FPP) or Single Transferable Voting (STV)) best suits its community. If it decides to change the electoral system from that used at the last triennial election, or retain the same electoral system as used at the last triennial election, the local authority must give public notice of the right of the community to demand a poll on the issue.

Council resolved in 2014 to use the First Past the Post (FPP) electoral system which remains in force for the two subsequent local body elections, being 2016 and 2019. This system is used by two of the three territorial authorities and the Regional Council in the Northern Region.

If Council wishes to amend the electoral system to Single Transferrable Voting (STV), it must make its decision by 12 September 2017 and a public notice of the decision placed into the media by no later than 19 September 2017. The other statutory dates that apply to a change in electoral system to the Single Transferrable Voting (STV) are highlighted in the Discussion and Options section of this report.

STV has been mandatory for District Health Board (DHB) elections since 2004. Territorial authorities are required to conduct the DHB elections on their behalf.

2) Discussion and options

Council has, in the past, resolved to use the FPP electoral system which is also used by both Whangarei District and Northland Regional Councils. This form of voting is used in parliamentary elections and by most local authorities throughout New

Zealand. Electors vote by indicating their preferred candidate(s) and the candidate(s) who receives the most votes is declared the winner, regardless of the proportion of votes that candidate(s) obtained.

The other option is STV which must be used in DHB elections and has been re-adopted for the 2019 Kaipara District local body elections. This system was used by six local authorities in the 2016 elections. With this system, electors rank candidates in order of preference. The number of votes required for a candidate to be elected depends on the number of positions to be filled and number of valid votes.

A fuller explanation of both electoral systems is provided in the attached *Local Government Electoral Option 2008* (Attachment 1). Although this guide was prepared in 2008 the explanations about the two electoral systems remain current.

The LEA requires a local authority to comply with the following timeline when deciding which electoral system will be used.

By 12 September 2017	A local authority MAY resolve to change the electoral system for the next two triennial elections or, resolve to do nothing.	Section 27 of the LEA
By 19 September 2017	A local authority MUST give public notice of the right of 5% of the electors to demand a poll on the future electoral system for the next two triennial elections, and if a resolution has been made by a local authority by 12 September 2017, then this must be included in the notice.	Section 28 of the LEA
By 21 February 2018	Should a valid demand for a poll be received by 21 February 2018, a poll MUST be held by 21 May 2018. The outcome of a poll is binding on the local authority for two triennial elections (2019 and 2022).	Sections 29, 30, 33, 34 of the LEA
By 21 February 2018	A local authority MAY resolve to undertake a poll of electors on a proposal that a specified electoral system be used for the next two triennial elections, with the poll being held by 21 May 2018.	Section 31 of the LEA

3) Financial implications and budgetary provision

There are no unbudgeted costs if the current First Past the Post system is retained.

Associated issues, when considering the issue of choosing an electoral system, include:

- Additional election costs if STV is adopted
- Public confusion with two electoral systems running simultaneously between local authorities on the same voting form
- Costs associated with public consultation / education / poll.

4) Reason for the recommendation

The Local Electoral Act 2001 (LEA) requires Council to either retain the previously adopted FPP voting system, or amend the electoral system to be used in the 2019

local body elections. Council must make its decision by 12 September 2017 and a public notice of the decision must be advertised by 19 September 2017.

Manager: Samantha Edmonds - General Manager - Corporate Services

Attachment 1: Local Government Electoral Option 2008 - Document number
A1864580

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
 - d) This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Complies with the principles of good governance.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Nil
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Will be included if a poll is triggered.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	No
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	District Wide
Financial Implications and Budgetary Provision. Chief Financial Officer review.	None unless a poll is required.

The Local Government Electoral Option 2008

This guide was prepared for the Department of Internal Affairs,
the Society of Local Government Managers Electoral Working Party
and Local Government New Zealand
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Acknowledgements

In preparing this guide, Dr Hayward acknowledges the input received from Gavin Beattie, Department of Internal Affairs.

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Introduction

The Local Electoral Act 2001 offers the choice between two electoral systems for local government elections: first past the post (FPP) and the single transferable vote (STV).

The option was first offered for the 2004 local government elections. As a result of that option, ten city/district councils used STV at the 2004 elections (Kaipara, Papakura, Matamata-Piako, Thames-Coromandel, Kapiti Coast, Porirua, Wellington, Marlborough, Dunedin and the Chatham Islands). After the 2004 election, two councils (Papakura and Matamata-Piako) resolved to change back to FPP. The remaining eight councils used STV at the 2007 elections.

Councils now have the option to decide, by 12 September 2008, whether to stay with their current electoral system (either FPP or STV), or whether to change to the alternative system for the 2010 elections.¹

Whether or not a council passes a resolution by 12 September 2008, it must give public notice by 19 September of the right for 5% of electors to demand a poll on the electoral system to be used at the 2010 local elections.

This guide has been developed to help councils reach their decision. It is also intended to provide a basis for information to help local communities understand the issues. Communities have an important role to play in the decision. They must be consulted by way of public notice and may be polled on their preferred electoral system or demand a poll themselves.

The guide includes:

1. a brief description of the two electoral systems including important differences
2. some commonly identified advantages and disadvantages of each electoral system
3. responses to common concerns and questions councils and the public have raised about each electoral system and the electoral option.

This guide does not intend to influence councils either way in their decision-making. It presents arguments for and against both systems and encourages councils to make an informed choice about the electoral system best suited for their community.

¹ This option does not apply for any council that for the 2007 elections had the electoral system determined by way of a poll. The outcome of such a poll applies for two triennial elections i.e. 2007 and 2010.

1. The Choice: First Past the Post (FPP) or the Single Transferable Vote (STV)

(a) How do the two electoral systems work?

FPP	STV
<p>FPP: casting a vote</p> <ul style="list-style-type: none"> You place ticks equal to the number of vacancies next to the candidate(s) you wish to vote for. In multi-member wards/constituencies you cast one vote for each vacancy to be filled, as above. In single-member wards/constituencies you cast one vote. <p>FPP: counting votes</p> <ul style="list-style-type: none"> The candidate(s) with the most votes win(s). Each winning candidate is unlikely to have a majority of votes, just the largest number of votes cast. 	<p>STV: casting a vote</p> <ul style="list-style-type: none"> You cast one <i>single</i> vote regardless of the number of vacancies. You cast this <i>single</i> vote by consecutively ‘ranking’ your preferred candidates beginning with your most preferred candidate (‘1’) your next preferred candidate (‘2’) and so on. In multi-member wards/constituencies you cast a <i>single</i> vote by ranking as few or as many candidates as you wish, as above. In single-member wards/constituencies you cast a <i>single</i> vote by ranking as few or as many candidates as you wish. <p>STV: counting votes</p> <ul style="list-style-type: none"> The candidate(s) are elected by reaching the ‘quota’ (the number of votes required to be elected).² Vote counting is carried out by computer.³ First preference votes (‘1s’) are counted. Candidates who reach the quota are ‘elected’. The ‘surplus’ votes for elected candidates are transferred according to voters’ second preferences. Candidates who reach the quota by including second preferences are ‘elected’. This process repeats until the required number of candidates is elected.⁴

² The quota is calculated using the total number of valid votes cast and the number of vacancies.

³ The New Zealand method of STV uses the ‘Meek method’ of counting votes. Because this method transfers proportions of votes between candidates, it requires a computer program (the STV calculator).

⁴ If at any point there are no surpluses left to transfer, the candidate with the lowest number of votes is excluded and the votes redistributed according to voters’ next preferences. For further information on the details of vote counting, see, for example, STV Taskforce, ‘Choosing Electoral Systems in Local Government in New Zealand: A Resource Document’, (May 2002).

FPP	STV
<p>FPP: announcing results</p> <ul style="list-style-type: none"> • FPP results can usually be announced soon after voting ends. • Results are announced and published showing the total votes received by each candidate. 	<ul style="list-style-type: none"> • In multi-member constituencies, despite voters casting only a <i>single</i> vote, a voter may influence the election of more than one representative (if their vote can be transferred to other candidates according to voters' preferences) <p>STV: announcing results</p> <ul style="list-style-type: none"> • Because vote counting is multi-part, it is likely to take longer than for FPP election results. • Results are announced and published showing elected candidates in the order they reached the quota and unsuccessful candidates in the reverse order they were excluded. All elected candidates will have the same share of the vote.

(b) What are the most important differences between the two electoral systems?

To understand the important differences between the two electoral systems it is helpful to think about what happens to ‘wasted votes’ in both cases. A ‘wasted vote’ is a vote that does not help to elect a candidate. This might be because the candidate was very popular (so did not need all the votes received), or was very unpopular (and had no chance of being elected).

Let’s imagine that you vote in a local government FPP election to fill two vacancies, with four candidates standing for election. You vote for Candidates A and B. Imagine Candidate A wins by a landslide and Candidate B is the least popular of all the candidates. The vote for the other candidate to be elected is very close between Candidates C and D; in the end Candidate D wins the second vacancy by a very small margin. Candidate D is your least preferred candidate.

You might think to yourself, once you see the results, ‘I wish I had known that Candidate A didn’t need my vote to win, and that Candidate B didn’t have a chance of being elected as I would have voted differently. I may have still voted for Candidate A, but would have voted for Candidate C instead of Candidate B.’

Now imagine you vote in the same election using STV. You have a *single* transferable vote even though there are two positions to fill. Again Candidate A wins by a landslide and Candidate B is the least popular candidate. Candidates C and D are very close on first preference votes and so second and subsequent preferences become important.

You cast your vote by ranking the candidates according to your preferences; you rank Candidate A as '1', Candidate B as '2' and Candidate C as '3'. You don't rank candidate D at all because you don't want that candidate to be elected. Under STV:

- Candidate A is very popular and is elected on first preferences
- Candidate A has votes surplus to the number required to reach the quota and these are transferred according to voters' second preferences
- the surplus portion of your vote for Candidate A is transferred to your second preference, Candidate B
- both Candidates C and D are very close to the quota at this point and Candidate B is least popular
- Candidate B is excluded and the proportion of your vote for this candidate is transferred to your third preference, Candidate C
- when preferences are counted again Candidate C reaches the quota and is elected.

Under STV, unlike the FPP election, your ranking of the candidates made your vote more effective and avoided it being 'wasted' on Candidates A (who had a surplus of first preference votes) and B (who was excluded once surplus votes from Candidate A were transferred). In other words, despite Candidates A and B being your most preferred candidates, under STV you were also able to influence the race between Candidates C and D because you showed a preference between them on your voting document.⁵

These election results reveal an important difference between FPP and STV electoral systems. Think again about your FPP vote. You voted for two candidates to fill two vacancies. If you are part of the largest group of like-minded voters, even if that group is not the majority, you could determine the election of both candidates. Other voters (from perhaps only slightly smaller groups) won't have gained any representation at all.

In the STV election, however, you cast only one *single* transferable vote, even in multi-member wards/constituencies. That vote is used to greater effect as long as you rank all the candidates you like in order of preference. Because your vote is a single vote that can be transferred in whole or in part according to your wishes, you and other voters will not be over-represented or under-represented. This is why STV, unlike FPP, in multi-member wards or constituencies, is called a proportional representation system. The outcomes potentially better reflect community views.

⁵ These scenarios oversimplify how the vote count actually works under NZSTV, in order to explain the principle of vote transfers. The STV calculator uses a complex mathematical set of rules to ensure that the appropriate proportions of votes are transferred between candidates.

2. What are the advantages and disadvantages of each system?

No electoral system is perfect. Both FPP and STV have advantages and disadvantages.

Overall, the advantages of STV relate to the people who get elected using STV.⁶ The system potentially achieves:

- broad proportionality (in multi-member wards/constituencies)
- majority outcomes in single-member elections
- more equitable minority representation
- a reduction in the number of wasted votes.

The disadvantages of STV relate to:

- the public being less familiar with the system and possibly finding it harder to understand
- matters of process such as the way votes are cast and counted (for example perceived complexity may discourage some voters)
- the information conveyed in election results.

The advantages of FPP, on the other hand, relate to the simplicity of the process including the ways votes are cast, counted and announced.

The disadvantages of FPP relate to:

- the results of the election, including the generally 'less representative' nature of FPP councils
- the obstacles to minority candidate election
- the number of wasted votes.

Deciding which electoral system is best for your community may come down to deciding which is more important: process, or outcome. Unfortunately, neither electoral system can claim to achieve well in both.

⁶ For further discussion, see Graham Bush, 'STV and local body elections – a mission probable?' in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45–64 (Wellington: Victoria University Press, 2002).

More detailed advantages and disadvantages

FPP	STV
<p>FPP: casting votes</p> <ul style="list-style-type: none"> • FPP is a straightforward system of voting. • FPP is familiar to most people. • ‘Tactical’ voting is possible; votes can be used with a view to preventing a candidate from winning in certain circumstances. <p>FPP: counting votes</p> <ul style="list-style-type: none"> • FPP is a straightforward system for counting votes. • Votes can be counted in different locations and then aggregated. • Election results are usually announced soon after voting ends. <p>FPP: election results</p> <ul style="list-style-type: none"> • Official results show exactly how many people voted for which candidates. • Results are easy to understand. • A ‘block’ of like-minded voters can determine the election of multiple candidates in multi-member wards/constituencies, without having a majority of the votes, thereby ‘over-representing’ themselves. • The overall election results will not be proportional to voters’ wishes, and will not reflect the electoral wishes of the <i>majority</i> of voters, only the <i>largest group</i> of voters who may not be the majority. 	<p>STV: casting votes</p> <ul style="list-style-type: none"> • STV is a less straightforward system of voting. • There is a need for more information for people to understand the STV ranking system of candidates. • It is virtually impossible to cast a ‘tactical’ vote under STV. As a result, voters are encouraged to express their true preferences. <p>STV: counting votes</p> <ul style="list-style-type: none"> • STV vote counting requires a computer program (the STV calculator). • Votes must be aggregated first and then counted in one location. • Election results will usually take a little longer to produce. <p>STV: election results</p> <ul style="list-style-type: none"> • Official results will identify which candidates have been elected and which have not and in which order. They do not show how many votes candidates got overall, as all successful candidates will have the same proportion of the vote (the quota). This information, at stages of the count, can still be requested. • Results can be easy to understand if presented appropriately. • STV moderates ‘block’ voting as each voter casts only one <i>single</i> vote, even in multi-member wards/constituencies. • The overall election results reflect the wishes of the majority of voters in proportion to their support for a variety of candidates.

FPP	STV
<ul style="list-style-type: none"> • In single-member elections, the winner is unlikely to have the majority of votes, just the largest group of votes. • There will be more ‘wasted’ votes (votes that do not contribute to the election of a candidate). 	<ul style="list-style-type: none"> • In single-member wards/constituencies, the winner will have the majority of votes (preferences). • Every vote is as effective as possible (depending on the number of preferences indicated) meaning there are fewer ‘wasted votes’ and more votes will contribute to the election of a candidate than under FPP.

3. Common Questions and Concerns

FPP ain’t broke: so why fix it?

For those voters supporting candidates who tend to get elected under FPP, it can appear that there is nothing wrong with this system. But FPP councils do not truly ‘represent’ their community in terms of their composition. STV is a proportional representation voting system that means (if a diversity of candidates stand for election and a diversity of electors vote) the candidates elected will better represent the wishes of a greater number, and a wider diversity of voters.

FPP is easy to understand. I can’t trust a complicated system like STV.

It is true that FPP is a very easy way to vote, and to count votes. Voting under STV is less straightforward, but as long as a voter knows how to rank their preferred candidates, they will find it easy to vote. A post-election survey has found that most people found it easy to fill in the STV voting document and rank their preferred candidates.⁷ The way votes are counted is complicated. That is why it requires a computer program (STV calculator). The STV calculator has been independently certified and voters *can* trust that it only transfers a vote according to voters’ preferences ranked on their voting documents. Nothing (and no person) can influence the transfer of votes set out on voting documents.

Won’t voters be put off if the voting system is too complicated?

Voter turnout (the number of people voting) in 2004 and 2007 in the STV local body elections was mixed. Some councils’ turnout was higher than the national average, and some lower.⁸ Turnout for DHB elections (which must use STV) can be seen to be

⁷ Local Government Commission, ‘Report to the Minister of Local Government on the review of the local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation’ (February 2008), p 14

⁸ Local Government Commission, ‘Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation’ (February 2008), p 13

influenced by a range of factors including elections being at large for seven vacancies, the number of candidates (and often less well-known than council candidates) and the fact this issue is usually at the end of the voting document).

Overall, voter turnout has been on the decline for many years. It is possible that *more* voters would turn out to local elections in the future if they feel with STV they have a better chance of electing a representative who better represents them than FPP has in the past.

Won't there be more blank and informal votes under STV, which is not good for democracy?

Despite voters saying in the Local Government Commission survey that they generally found STV an easy way to vote, some voters did cast an invalid vote in STV elections (including DHB elections). A small proportion of these voters seemed confused by the voting system. But most blank and informal votes are thought to be due to two different voting systems (FPP and STV) appearing on the same voting document and to other factors, rather than being due to the way STV votes are cast.⁹

STV will not work for our council because of our ward/at large system.

Eight of the ten councils using STV in 2004 had wards, one used the at large system, and one had a combination of wards and at large. There is no 'rule' about the need or otherwise for wards or constituencies, but STV can be seen to provide the greatest benefit in wards or constituencies of between three and nine candidates. If there are fewer than three candidates, the benefits of the transferable vote in terms of proportionality are not likely to be evident. If there are a very large number of candidates to choose from, voters are likely to find it a more difficult task to rank preferred candidates (though there is no need to rank all candidates).

STV hasn't made any difference to the diversity of representation in STV councils

Until a greater variety of people stand for local body election and a wide diversity of electors vote, no representation system will be able to improve the diversity of representatives elected. There has been some change in the gender, ethnicity and age of some members elected by STV in 2004 and 2007 which may be due to STV.¹⁰ But it will take some time for a diversity of candidates to see the opportunities of standing in an STV election and more electors to see the potential benefits of voting under a proportional representation system. Two elections in a small number of councils is not enough time to judge the difference STV could make over time.

⁹ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), pp 13–18

¹⁰ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), pp 18–19

Useful resources

Graham Bush, 'STV and local body elections – a mission probable?' in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45–64 (Wellington: Victoria University Press, 2002).

Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008)

(Note: this paper has now been withdrawn from the Commission's website but its contents may be found in the Commission's main report on its review of the above legislation which will be posted on its website in the near future at www.lgc.govt.nz.)

Justice and Electoral Committee, 'Inquiry into the 2004 local authority elections' reported to Parliament in August 2005.

Christine Cheyne and Margie Comrie, 'Empowerment for Encumbrance? Exercising the STV Options for local Authority Elections in New Zealand, *Local Government Studies*, Vol. 31, No. 2, 185-204, (April 2005).

STV Taskforce (The Department of Internal Affairs, Ministry of Health, SOLGM, Electoral Commission and Local Government New Zealand), 'Choosing Electoral Systems in Local Government in New Zealand: A Resource Document', (May 2002).
[[http://www.dia.govt.nz/Pubforms.nsf/URL/STV.pdf/\\$file/STV.pdf](http://www.dia.govt.nz/Pubforms.nsf/URL/STV.pdf/$file/STV.pdf)]

MEETING: COUNCIL - 22 MAY 2017
Name of item: ELECTED MEMBER TRAINING AND CONFERENCE ATTENDANCE REPORT
Author: Aisha Huriwai - Meetings Administrator
Date of report: 02 June 2017
Document number: A1875094

Executive Summary

An Elected Member's attendance at a conference, course, seminar or training event is subject to the provision of Policy #2115 - Elected Members Allowances and Reimbursement. This policy requires the Elected Member to provide a report to Council after attending an event in order to provide transparency to the public that ratepayer funds are being used effectively.

Recommendation

THAT the report attached entitled "Report to Council from Sally Macauley - Sister Cities New Zealand Conference 3-7 May 2017" dated 8 May 2017; and

AND THAT the report attached entitled "Report to Council from Adele Gardner - Community Board Conference 11-13 May 2017" dated 29 May 2017;

be noted.

1) Background

Policy #2115 - Elected Members Allowances and Reimbursement sets out the provisions which apply to an Elected Member's attendance at a conference, course, seminar or training event.

The policy provides that each Elected Member may attend on conference or professional development event per representative body to which they are elected or appointed per annum.

The conference, course, seminar or training event must contribute to the Councillor's ability to carry out Council business and be approved by His Worship the Mayor and Chief Executive Officer, or the Council, depending on the request.

Following attendance a report must be written by the Elected Member to the next meeting of Council.

2) Discussion and options

The Elected Member report attached provides an outline of events attended to which Policy #2115 applies.

3) Financial implications and budgetary provision

There are no financial implications or budgetary provision required as a result of this report.

The total cost to ratepayers incurred were:

Sally Macauley at Sister City Conference	\$1,682
Adele Gardner at Community Board Conference	\$1,896

4) Reason for the recommendation

To provide information to the Council on the consequential travel expenses, feedback on what elected members have learned and the value to the organisation from attendance at the conference that is the subject of this report. The aim is to provide transparency and confidence to the public that ratepayer funds are being used effectively.

Manager: Caroline Wilson - Manager District Administration Services

Attachment 1: Report to Council from Sally Macauley - Sister Cities New Zealand
Conference 3-7 May 2017 - Document number A1864326

Attachment 2: Report to Council from Adele Gardner - Community Board Conference
11-13 May 2017 - Document number A1871755

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	The recommendation is consistent with Policy #2115 - Elected Members Allowances and Reimbursement.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Not applicable.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Not applicable.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	Not applicable.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Not applicable.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no financial implications or the need for budgetary provisions. The Chief Financial Officer has not reviewed this report.

SISTER CITIES' NZ CONFERENCE –
HOSTS - INVERCARGILL CITY
3-7 MAY 2017

History

SISTER CITIES

>>> The Sister City Movement was founded by President Dwight D Eisenhower in 1956 when he envisaged a network that would champion for peace and prosperity, fostering bonds between people in different communities around the world.

>>> Sister City New Zealand. SCNZ, was established in 1981 as a not for profit organisation to promote global connections through people-to-people exchanges. It was started with the significant support of Air New Zealand and the work of a few volunteers who travelled extensively around the country to promote the movement.

>>> 35 years later it has grown into a well established organisation with 32 council, five corporate, 16 communities and a number of schools with the assistance of a national administrator.

>>> SCNZ as with other global entities has inspired economic success stories with sales of products from New Zealand to overseas Sister Cities and investment from these Sister Cities in this Country.

>>> Mission: To foster a people to people based network, supporting organisations who are committed to creating and enhancing relationships between New Zealand and international communities.

Objectives:

- >>> 1) To provide consultative support to assist any organisations who wish to establish or strengthen links with international communities on. People to people basis.
- >>> 2) To promote positive public awareness of the Sister City movement.
- >>> 3) To facilitate strategic links with organisations who have similar aims and objectives to Sister Cities New Zealand. This is intended to include active relationships with both central government and diplomatic posts.
- >>> 4) To encourage and support activities with Youth focus and include young people in the planning and implementation of these activities.
- >>> 5) To acknowledge and actively support the values of Maori Tikanga and cultural both Nationally and with our international counterparts.
- >>> 6) To act where appropriate as a spokesman for the Sister Cities movement.
- >>> 7) To take any other action that assists Sister Cities New Zealand to fulfil its Mission Statement.
- >>> 8) To encourage sound relationships and the enhancement of economic development between our Sister Cities.

FAR NORTH DISTRICT's - SISTER CITIES

1) *Liaoning Province, China*

Established 2000 Shenyang is the capital of Liaoning Province. Located in the North East of China, this province is extremely rich in mineral resources and is a key producer of coal, petroleum and natural gas. The Province has over 150,000kms of coastal waters within its territory and its coastline extends for 2,180 km with an abundance of marine life and resources. There are 14 cities under the jurisdiction of Liaoning province. The Far North District has enjoyed several visits from delegates of Liaoning and reciprocal visits have taken place. The last visit by a local delegation (Captains of Industry, Health and Education) led by the previous Mayor Wayne Brown was 2003.

2) *Yuasa Town, Japan*

Established 1983, Yuasa Town is located on the west coast of Wakapama Protecture. Wakapama Protecture is in the southwestern part of the Peninsular Yuasa. It is said to be the cradle of soya sauce in Japan. Kerikeri High School has an exchange programme with Taikyu High School in Yuasa Island

3) *Duncan City, Canada*

Established 1989 Secreted away in the spectacular Cowichan Valley, Vancouver Island, Duncan BC is the heart of the Warm lands and home to the Cowichan Tribe of the Coast Salish Nation , makers of world famous Cowichan sweaters. Duncan enjoys the warmest weather in Canada and is surrounded by some of the most beautiful natural recreational area in the country.

2017 Conference Programme

The Theme – COMMUNICATION OVERCOMING DISTANCE

The Conference began Thursday 4 May 2017 with a Mayoral Forum including future programmes and international relationships encouraging immigrants to the provinces and keeping them.

The evening commenced with the official welcome by Mayor Tim Shadbolt emphasising the vision to foster communications across the border being a mutual exchange of ideas, people, cultural, educational, youth, sports municipal professional and technical projects.

Presentations during the 3 day conference included:-

- President of Sister Cities Association – Hiromi Morris – NZ Youth Exchange
- Japanese Ambassador – Forging friendships
- Youth Exchange programmes/Tertiary Study - Southern Institute of Technology
- Small Councils overcoming the distance of Sister City relationships – Promoting Local culture, tourism, sport, economic development.
- Chinese Peoples’ Association for Friendship with Foreign Countries
- The Region of Southland / Venture Southland -
 - Coach Tours – Awarua Communications Museum
 - Bluff – Oysters and Crayfish
 - Te Rau Aroha Marae – Bluff
 - Seriously Good Chocolate Company
 - Richardson’s Transport World

SUMMARY

The Annual Sister Cities Conference allows for an excellent opportunity for delegates to share regional and international success stories as we grow international relationships encouraging further tourism and economic development.

As with other Sister Cities Conferences I have attended I thank the Far North District Council for giving me this opportunity to meet with the New Zealand visiting International Delegates and promote our beautiful region in the name of education, Culture, tourism and economic development.

His Worship the Mayor, Hon John Carter QSO was unable to attend the Conference and his apologies were accepted with regret.

Recommendation:

That the Far North District Council consider hosting the 2020 Sister Cities Conference in the Bay of Islands with the Duke of Marlborough being the Conference Centre.

THE FAR NORTH DISTRICT FORGING AHEAD - UNIFYING SISTER CITIES

Sally Macauley

Sally Macauley QSM JP
Hokianga/Kaikohe Councillor
Far North District

8/5/2017

Elected Members

Training and Conference/workshop Attendance report

Report to Council & Community Board	Far North District Council & Te Hiku Community Board
Member Name:	Adele Gardner – Chair Te Hiku Community Board
Subdivision:	Kaitaia
Date of Report:	29 May 2017
Name and date of Conference	11 – 13 th May 2017

It was my pleasure to represent the Far North District Council at the Community Board Conference in Methven 11th to 13th May 2017.

There were 200 registered people from Community Boards, Councillors, Mayors and staff from various Councils. Upon registering on the Thursday evening it was into meeting, greeting and networking.

The Conference began on Friday morning and the theme for this conference was 1+1=3, or how can we as Community Boards provide extra value to both our Community and our parent Councils in the work that we do. There were a diverse range of speakers who shared their wide and varied range of experiences, knowledge, advice and thoughts.

David Rutherford – appointed Chief Human Rights Commissioner, who advocates for disadvantaged New Zealanders particularly in education, housing and health. He is also engaged on issues protecting fundamental freedoms and democratic rights. His main message was – the cornerstones on which peace is founded are, quite simply respect and understanding of one another. Working together to build peace by defending dignity of every individual and community. He left us with a message – to urge our Council to write a Housing Policy, so that people are not left behind.

Sam Johnson – who was the founder of the Student Volunteer Army after the Christchurch earthquakes. His movement worked tirelessly helping to put some normality back into communities during the aftermath of the earthquakes. Sam has developed a website sam@wevisit.co.nz - as a way to extend the values of Student Volunteer Army into a business that solves social issues in our communities.

Eyal Halamish – is currently the CEO of OurSay , OurSay is a Melbourne-based startup working to facilitate transparency and communication between organisations and civilians using an online platform, and helps leaders level with their communities with easy to use technologies. Eyal's presentation was

around the importance of Community Engagement and The Art of Risk Communication. He calls himself “an activist in a suit”.

David Hammond – Director of Hammond Robertson Ltd (former CEO of Thames Coromandel District Council). David has setup Kete Foundation NZ to advance New Zealand community planning, community development, and place based decision-making to empower citizens. David’s message was that Community Boards/Councillors be equal partners, and by empowering communities puts local back into ‘Local’. David would be a great presenter should our Council wish to engage his services.

Peter Biggs – Chair of the Wellington Regional Economic Development Committee. He said that Arts play a huge roll in communities, and that cities/towns will grow economic growth – not countries. That technology is great to have, and that digital isolation is disrupting communities in the social arena. Also Councils providing Communities with good local amenities would help in connecting Communities.

Nick Williamson – forged his career working at the intersection of Planning, Surveying, Law and Spatial Science. His current passion is growing the emergent fields of Civic Technology and GeoDesign, which is transforming the way governments engage with communities around the world. Nick worked as a planner for the Whangarei City Council (3 years ago) and his presentation was on a District Plan Zone change for Kamo, that took five days of community engagement using various technologies, and a strategy discover, define, develop, deliver, and two months to implement. This method resulted in a huge cost savings to the ratepayer. Nicks presentation stood out hugely for all involved, and Community Boards were lining up to fill in his calendar afterwards. It would be beneficial to engage Nick to do a presentation for Staff, Councilors and Community Boards. Nick Williamson also worked as a Consultant Planner for the Far North District Council approximately 12 years ago.

Workshop Presenters -Darren Keenan –is the Relationships Manager for IAP2 Australasia and has a background as an engagement practitioner, trainer and consultant. His message was IPO+A=O – Issue/Problem/Opportunity + Affected = Objective. Engaging the Community is the ‘Key’ to a great outcome. Other Workshop presenters were Wendy McGuinness from McGuinness Institute who spoke on Tackling Poverty. Ray Tye who has worked in various communications and engagement roles in local, regional and central government. Hillmare Schulze – spoke on Measuring value – is it really about GDP? Melanie Coker, Ryan Jones and Tania Tapsell spoke about Engaging youth into Local Government.

Various speakers who represented Local Government New Zealand (LGNZ) were Hon Jacqui Dean – Associate Minister of Local Government – (who spoke on behalf of Janie Annear – Minister of Local Government Commission who was unable to attend.) Malcolm Alexander – the CEO of LGNZ and the LGNZ President Mayor Don Cameron. Meka Whaitiri – Labour Party spokesman for Local Government, who was committing their support to Community Boards should they be elected as the next Government. Donald Riezebos – Local Government Commission – who spoke on the representational review of boundaries every 6 years.

Dr Mike Reid – Principal Policy Advisor at LGNZ – being the last speaker to wind up the Conference. Mike has worked with LGNZ since 1996 and has been involved in the review of local government's core legislation since that date. He also provides governance advice to elected members and officials.

Although Community Boards have to follow Local Government legislation on how they operate, I found that some Community Boards operated differently to others. We all had the same philosophy, that we all enjoyed working with our communities and making it a better place for future generations. Unfortunately, an Award was not forthcoming, my presentation of Remembrance Park was one of 3 finalists, the Ekatahuna Town upgrade took out the award in that category and the overall Supreme Award. The Methven Conference was set in a lovely part of New Zealand, well run and most enjoyable, although full on from start to finish. This opportunity was very much appreciated and has enhanced my knowledge to help me in my role as an advocate in my Community. Thank You.

Meeting: COUNCIL - 22 JUNE 2017
Name of Item: CHIEF EXECUTIVE OFFICER'S REPORT - PERIOD: APRIL / MAY 2017
Author: Ian Robertson - Non Financial Reporting Officer
Date of report: 31 May 2017
Document number: A1874300

Executive Summary

The purpose of the report is to present the Chief Executive Officer's Report - Period: April / May 2017 Council's consideration.

Recommendation:

THAT the report entitled "Chief Executive Officer's Report - Period: April / May 2017" dated 31 May 2017 be noted.

1) Background

The Chief Executive Officer's report builds on a month by month basis to deliver a chronological, comprehensive and transparent insight into Council that is easily understood by Elected Members and ratepayers alike. Emphasis is placed on relevant issues and pressures Council is experiencing whilst meeting its objectives to the community and covers an overview across all activities that Council undertakes.

The Chief Executive Officer's report is attached and covers a detailed overview of progress against Council's activities. His Worship the Mayor and Councillors' feedback is welcomed.

2) Discussion and options

Feedback is encouraged in order to deliver a quality and meaningful report to Council and ratepayers.

3) Financial implications and budgetary provision

There are no financial implications or budgetary provision needed as a result of this report.

4) Reason for the recommendation

This report is for information only.

Manager: Shaun Clarke - Chief Executive Officer

Attachment 1: Chief Executive Officer's Report - Period: April / May 2017. -
Document number - A1875173

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Relationship with existing policies and Community outcomes.	Not applicable.
Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.	Not applicable.
Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.	Not applicable.
Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?	Not applicable.
If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?	Not applicable.
Financial Implications and Budgetary Provision. Chief Financial Officer review.	There are no financial implications or the need for budgetary provision as a result of this report. The Chief Financial Officer has not reviewed this report.



Far North
District Council

Chief Executive Officer's Report To Council

Period: April – May 2017

Key Work Plan Areas:

Strategy

Governance

Corporate

Operations

LGOIMA

Communications

Community Wellbeing

Introduction

Welcome to this CEO report, which provides an overview on the Council's activities for the period April - May 2017.

Chief Executive Officer's Report to Council

April - May 2017

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Introduction

The Chief Executive Officer's report builds on a six weekly basis to deliver a chronological, comprehensive and transparent insight into Council activities. It is our aim that is easily understood by Elected Members and ratepayers alike.

We have divided this report into sections that reflect the committee structure of the Council. Emphasis is placed on relevant issues and pressures Council is experiencing whilst meeting its objectives to the community, and covers an overview across all activities that Council undertakes.

Below we list ten highlights from this report.

Ten highlights from April and May 2017

- Our excellent consultation "Put a Pin on it" and the Plan Review "Story Map" was awarded runner up in the ALGIM GIS Project of the Year Award category in May.
- 36 FNDC staff attended 'Writing Reports for Councillors' and 'Business Writing' workshops in May.
- Far North Youth Council has held its inaugural meeting.
- Roading & Footpaths responded to 668 out of 691 RFS (97%) on time, including 100% of all RFS relating to Emergency or Public Safety issues, during April/May.
- 1372 out of 1489 (92.1%) of Compliance related RFS were responded to on time during April and May. This includes compliance administration, animal management, parking, building compliance, environmental services and monitoring.
- The 136 Building Consent applications received for the month of March 2017 were higher than for any other month in the last three years. The current average processing time is 16 days.
- Waitangi Tribunal Hearings were held at Waimamaku Marae from 18-22 April to hear the closing submissions from Hokianga hapū in relation to their Treaty issues and grievances.
- A charitable trust has been approved as the most appropriate governance structure of the Pou Herenga Tai Twin Coast Cycleway by Council. Funding of \$580,000 for the Trail maintenance, marketing and start-up costs was also approved by Council.
- As at 30 April 2017 Council's liquidity ratio (access to funds) is at 176% compared to the policy minimum of 110%.
- The year end borrowings are forecast debt of \$53 million, down from the LTP 2016-17 forecast debt of \$111 million.

Strategy

District Vision

- The evolution of Te Manawatoopu is being explored as a demand side / community voice enabler or intermediary. The Navigator Group has been contracted on a short term basis to establish the value proposition for Te Manawatoopu and alignment with other initiatives in the District.

Sustainable District Strategy and Spatial Plan

- A draft strategy aligned to the District Vision – He Whenua Rangatira – is under development with a first draft due for presentation to the July Strategy Committee.
- A staff Sustainable Development Strategy Working Group has identified that:
 - A baseline of accurate data is a necessity for evidence-based practice
 - Subdivision is undermining rural production on high quality soils
 - A shift from mitigation towards adaption is required to respond to climate change
 - Inundation is a major issue that may result in infrastructure failure
 - Greater consistency will enhance Council's regulatory regime
- Staff are mapping infrastructure at risk of inundation, including wastewater and roading.
- Other strategies and plans will further specify Council's response to some of these issues, such as the District Plan.

Annual Plan 2017/18

- The Annual Plan is now moving through to completion. Council's decision not to consult on the changes from year three of the LTP has significantly simplified the process. On 18 May Council made the final decisions that will allow staff to develop the final Annual Plan ahead of adoption in June.

Long-Term Plan 2018-2028

- On 26 April the Strategy Committee was updated on a refined LTP timeline.
- A 14 June workshop to confirm draft community outcomes, strategic direction and Elected Member priorities has been scheduled.
- Asset Management Planning and Operational Expenditure budgeting are now well underway. Completed AMPs are expected to be available by the beginning of September. Operational expenditure budgets will be a work in progress for some time, but they will be socialised with Elected Members in workshops and refined in light of Elected Member priorities and feedback.
- The LTP team have also been busy working on the Sustainable Development Strategy, drawing together the key issues we will face over the next 10 years and how those issues sit with the LTP, and in particular the Infrastructure and Financial Strategies.
- A stocktake of active plans and strategies is underway, as is a scan of what we already know about community preferences through past consultation.
- The building blocks of the LTP will all be in place by 1 December. This includes planning assumptions, financial and infrastructure strategies, forecast budgets, forecast financial statements and benchmarks, the capital works programme, rating policies and any other supporting information.
- Throughout the remainder of this year the LTP team will keep Elected Members informed on progress through workshops that have been reserved in the formal calendar.

- In mid-December we plan to take Elected Members through a pre-audit preview of the LTP. This will include getting their thoughts on the Consultation Document. After this workshop, staff will finalise everything ahead of audit activities that we expect to begin just after the Christmas holidays in early January 2018.

Polices and Bylaws

- A Policy and a Bylaw programme for 2017/18 has been prepared for consideration by Council.
- Statements of Proposal for the Wastewater Bylaw and Trade Waste Bylaws have been adopted for consultation, starting in July 2017.
- Several policies have been amended and amalgamated: Art and Memorials in Public Places, Community Grants, Libraries, and Reserves. The Graffiti Removal Policy and Museums Services Policy have been amended. Thirteen redundant policies have been rescinded.
- Consultation on the proposed Dog Control Bylaw and Policy is continuing in partnership with iwi/ hapū, dog owners and Forest and Bird. A pilot project, part-funded by the Department of Internal Affairs, is being launched in Kaikohe on 10 June offering free microchipping and neutering of menacing dogs. The focus of this work is on how to promote responsible dog ownership. The outcomes will be reported in July and August.
- Community Boards are in the process of providing feedback on proposed amendments to the Significance and Engagement Policy.
- An update has been provided on Freedom Camping and work is continuing on options to improve facilities, ensure safety and prevent adverse impacts on the local community.

Community and Social Development

- Make it Happen Te Hiku (MIHTH) has not yet met in 2017. The Continuous Improvement Assessment and Recommendations (for the future of MIHTH) are nearing finalisation.
- Community Development Plans for Rawene, Russell and Karikari are progressing at a pace led by these communities. Community Policy and Development staff are piloting initiatives to provide more support to smaller communities, such as Broadwood and Pungaru, by helping these communities to identify opportunities.
- Community members have great ideas, such as guided bush tours, bed and breakfast accommodation, marae stays, walking app development, but they may not have the skills or networks to get their ideas from concept to reality. Staff in the Community Development Team have skills in these areas and wider networks that can be accessed.
- Communities along the cycleway are receiving support from Infrastructure and Asset Management with assistance from Community Policy and Development. While most of the focus is on infrastructure, there are wider developmental opportunities for these communities, such as Horeke and Utakura Valley.
- A meeting was held on Saturday 20 May for advancing the Kawakawa Community Development Plan now that the Hundertwasser project is reaching a stage where the build will commence. Opuia will be incorporated in late 2018/early 2019 to include the Sestercentennial event and legacy.
- The process to recruit the new Far North Youth Council (FNYC) was completed in April 2017 and their inaugural meeting took place at Kohewhata Marae. Mayor, Hon John Carter QSO, and Deputy Mayor, Tania McInnes, attended the meeting to welcome the young leaders.

- The Far North Youth Council works with the Far North District Council to provide a youth perspective on issues across the district. This year Youth Councillors are participating in the Future Leaders programme being led by the Inspiring Stories Trust, a part of the Mayors Taskforce for Jobs initiative. The Inspiring Stories – Future Leaders local Capability Coach is Harko Brown who will mentor them through a series of local workshops and a community project.
- Far North Youth Councillors have already attained impressive youth development achievements in 2017. Nina Griffiths was presented a Change Maker Award (Community Safety) at the New Zealand Youth Awards, and Heath Moffat recently returned from a three week youth development experience with Outward Bound.

District Plan Review

- Key milestones in the making of the new District Plan have been achieved. The Strategy Committee has endorsed draft Significant Resource Management Issues and draft Objectives. These are important direction setters for the new District Plan; the focus is now on identifying the range of methods that can achieve the desired outcomes.
- A series of workshops are scheduled to be held in May and June. These will be gathering different perspectives from plan users, policy specialists and practitioners which will inform this process. Staff really appreciate the input of the District Plan Elected Member Reference Group, and will continue to workshop options with them. The next workshop with this forum is scheduled for June 13.
- The plan review process will also take into consideration particular higher order policies and regulatory review processes including:
 - the new Northland Regional Policy Statement, which became operative on 9 May 2016
 - the proposed Regional Plan which is expected to be notified in August 2017
 - Amendments to the Resource Management Act from the Resource Legislation Amendment Bill, given Royal Assent on April 18 2017
 - The development of National Planning Standards which will be relevant to the development of the new plan
- A draft proposed plan is scheduled to be released for feedback in June 2018.

Plan Review Engagement Process

- Our excellent consultation “Put a Pin on it” and the Plan Review “Story Map” was awarded runner up in the ALGIM GIS Project of the Year Award category in May.
- Billy Michaels, President ALGIM, applauded the innovative use of ARC GIS online and that the technique had significantly increased the communities’ engagement early in the planning processes.
- Special thanks to Anya Duxfield (GIS Coordinator), Catherine Langford and Matt McCambridge for an excellent collaboration.
- An iwi engagement programme is continuing through the plan review process and will inform the strategic direction of the plan review.

Current Plan Change Processes

- A number of plan changes are being progressed through the completion of the rolling review program. These are:-
 - Plan Change 15 “Rural Provisions” - High Court dismissed the Turners and Growers appeal on the 24 April 2017
 - Plan Change 20 “Traffic Parking and Access” – Agenda item to June Strategy meeting seeking Council Decisions on Commissioners Recommendations

- Proposed Plan Change 18 “Genetically Modified Organisms” – awaiting appeals to be resolved on higher order planning instruments before progressing to appeals on Council’s GMO Plan Change

Iwi, Hapu and February Iwi Local Government Chief Executive Forum

- The draft work programme was developed and presented to the 10 February Iwi Local Government Agencies Chief Executive Forum (ILGACE) meeting. It included the following six focus areas:
 - Digital Inclusive Communities
 - Mauri Whenua Ora
 - Review of Taitokerau Maori Land Rating Policies
 - Policy Stocktake – Maori Economic Development in Taitokerau
 - Infrastructure and Asset Management Programmes
 - Building Effective Relationships between Council and Iwi Governance.
- These are all areas that FNDC is currently focussing on so there is good alignment. Financial support for the relationship is still under discussion.

Treaty Settlements / Legislation

- The Te Oneroa-a-Tōhē Board has appointed consultants to start the development of a Beach Management Plan.
- Waitangi Tribunal Hearings were held at Waimamaku Marae from 18-22 April to hear the closing submissions from Hokianga hapū in relation to their Treaty issues and grievances. The historic and contemporary issues raised related to the following:-
 - Local Government and Rating
 - Public Works and Other Takings
 - Ownership and Management of Environmental, Water and Other Non-Land Resources
 - Takutai Moana / Foreshore and Seabed
 - Economic Development and Capability
 - Socio-Economic Issues
- The Ngatikahu ki Whangaroa Settlement Bill was examined by the Māori Affairs Committee late last year where it was recommended that the Bill be passed with amendments. It was expected that the Bill’s Third Reading would occur in mid-March, however it is still within the Committee of the Whole House and at this stage it is unclear when its Third Reading will occur.
- Ngatikahu ki Whangaroa is a claimant group of about 3,000 people whose area of interest lies between the Mangonui and Whangaroa Harbours. Ngatikahu ki Whangaroa’s area of interest overlaps with Ngāti Kahu in the north-west and Ngāpuhi in the south-east.
- The deadline for the filing of applications for recognition of customary interests under the Marine and Coastal Area (Takutai Moana) Act 2011 was 03 April 2017. Council received 16 applications - 11 as part of the Crown engagement process and 5 via High Court applications.

Economic Development

RBI2 and Mobile Blackspot

- Northland councils and the region’s economic development agency Northland Inc. worked together to improve ultrafast broadband and cellphone network coverage in Northland. This group submitted a registration of interest to the Government’s contestable fund for better broadband and cellular infrastructure on 5 April 2017. This

Northland Digital Enablement group also supported the registration of interest with a Digital Enablement Plan that identified priority projects that will use better internet to drive community and economic development.

- It has been revealed that Vodafone, Spark and 2Degrees submitted a joint bid to expand mobile and broadband coverage across New Zealand. The proposal would see the three companies form a separate joint venture company, the Rural Connectivity Group (RCG). This venture will build and operate in the order of 500 new cell sites, delivering more than 20% increase in land coverage across New Zealand, and more than 1,200 kilometres of additional mobile coverage along state highways. The three mobile operators and their wholesale partners will deliver their own retail broadband and mobile services over the new shared network.
- The RCG bid is expected to take up the majority of the \$150 million and was not something envisioned by any Councils or Wireless Internet Providers, when preparing their own enablement plans. This RCG proposal is likely to have minimal positive impact for our rural communities. Additional resourcing will therefore be required to get to Council's goal of 100% connectivity, 100% opportunity, no one left behind.
- At the Rural Connectivity Conference attended by staff, the Hon Simon Bridges said
 - rural connectivity is fundamental in 2017 and connectivity is as important in rural as in urban
 - Government wants skilled people living and working in rural areas
 - Government recognises that connectivity and fast broadband are vital for tourism/economic growth
 - improving digital literacy is very important
 - RBI2 announcements will be soon, as commercial negotiations are nearly complete
- While the rhetoric from the Minister is good, the likely bid winners stated for mobile blackspots they will achieve 67% coverage across the country. This could mean very little difference in the Far North.

Pou Herenga Tai Twin Coast Cycleway

- Progress over April and May has focused on the governance of the Trail. Council approved a charitable trust would be the most appropriate governance structure. Funding of \$580,000 for the Trail maintenance, marketing and start-up costs has also been approved.
- At this meeting, Council will appoint two Council Trustees to be on the Trust Board. This will then enable the Trustees to elect a chair and deputy and finalise the Deed of Trust.
- A funding proposal has been made to NZTA based on the Cycle Trail ten year strategic asset plan, negotiations are in progress.

Tai Tokerau Northland Economic Action Plan

- The review and refresh of the Action Plan is underway. The review is likely to make recommendations around governance and a smaller number of high priority projects for future iterations of the Plan.

Northland Strategic Collaboration and Shared Activities

- The major projects are:
 - RBI2 and Mobile Blackspot initiative
 - Three Waters regional work programme
 - GIS
 - Iwi Relationships
 - ICT regional work programme

Collaboration and Shared Activities Matrix

Collaboration Projects		Shared Services Projects	
FNDC	Regional Advocacy – to address Northland “One Voice” issues	FNDC	Contact centre operations
FNDC	Iwi Relationships – single conduit and enhance Councils support for Māori development opportunities	FNDC	ICT Architecture work programmer
NRC	Northland strategy for economic development	FNDC	Libraries (Lower priority)
FNDC	Regional connectivity Community Broadband		
WDC	Roads and Transport	FNDC	I-sites (Lower priority)
WDC	Three Waters regional work programme	WDC	Joint procurement
WDC	Solid Waste	FNDC (Originally KDC, then WDC)	Common building compliance accreditation
NRC	Commercial property	NRC	GIS
WDC	Policy development, bylaws and engineering standards	NRC/WDC	Shared rating system
NRC	Recreation, sport and cultural facilities	NRC	Human resources – payroll, health and safety, terms and conditions, systems

Regional Advocacy Projects assigned to FNDC

Iwi Relationships

Whanaketia te whenua, kia ora ai te tangata – Developing the land to benefit the people.

Rating Policy work stream

- Work stream has met and is developing a draft Rates Remission Policy for Māori Land which provides an incentive to undertake an economic development activity. A common terms and definitions paper is also being drafted.

GIS work stream

- A briefing paper has been drafted. Parameters for use of Māori Land Online geospatial data still needs to be discussed and agreed. Some discussion has taken place with a representative of the Tai Tokerau Iwi Chief Executives' Consortium in respect to this work stream and their Mauri Whenua Ora project, as there are synergies between the two projects.
- It was thought that there could be advantages in developing the parameters of the request together. The Tai Tokerau Iwi Chief Executives' Consortium has not arrived at a definite position on this as yet, so the work stream will continue.

Papakainga Guideline work stream

- Work stream has met, research has been carried out, experts consulted and the scope for the expression of interest for the consultant to develop the papakainga guidance tool has been finalised, suppliers identified and will be sent out within the next week.

Collective Treaty of Waitangi staff and councillor training

- Trainers have been identified.

Community Broadband / Mobile Access

- Spark have agreed to put a small cell, which will give mobile coverage for 400m radius into Te Hapua. They have negotiated with the local Marae Committee as the best location is the Marae. However, this now appears to be on hold as Spark look to cover the cost from the Rural Connectivity Group (RCG) bid to the Mobile Blackspot Fund.

Contact Centre

- This project is a joint procurement of a call centre solution for Kaipara and Far North District Councils. The solution chosen is via the All of Government procurement portfolio of cloud based solutions.
- Network connectivity and band width was an issue for both Councils, requiring investment in existing networks and increased network operational costs given the solution is cloud based.
- The build of total project costs is complete. FNDC is now engaging in contract negotiations with the selected network connectivity vendor and the DIA. Awaiting budget determination for increased project costs

ICT Architecture Review

- The Regional ICT review was completed and has been presented to Northland CEOs and Mayors.
- The Regional ICT Team members met on the 12th May to consider the opportunities presented in the Local Government Commissioned Report.
- An initial report based on this assessment was drafted that proposed a number of initiatives that could be progressed. This report was presented to the Northland|Forward Together Team Leaders Meeting and was approved to go to the CEO Forum on the 9th June.
- A planned and approved programme of work based on achievable deliverables, that are free from the constraints of organisational change across the four Councils, will be confirmed when the Regional ICT Team members reconvene in June. This meeting will be hosted by FNDC as the lead agency for this initiative.
- It has been identified that there needs to be cross functional teams for the other shared services projects that include ICT representatives, where the projects outcomes require some for of change in the delivery of ICT services. How regional ICT will engage with the other projects, will be an agenda item when the Regional ICT Team reconvene in June.

Governance

Terms of Reference

- Initial target date for Terms of Reference (TOR) to be drafted for the 7 June 2017 Governance Committee meeting will be delayed; this is to allow the Independent Advisor to be appointed to the Corporate Committee. This aligns with support that has been sought internally from the Risk Management team to work through the TOR process with the Governance Support team.

Support to Council, Committees and Community Boards

- Support is available through the Governance Support team. Members are encouraged to seek advice from Governance in the first instance so that appropriate support and/or specific training can be arranged for all members, or individual members as required.

LGNZ Excellence Programme

- Results from the LGNZ Excellence Programme are due to be released in July.

CEO Participation in Regional and National Forums

- CEO Forum
- Member of Northland Transportation Alliance Leadership Group
- Member of Northland Intersectoral Forum
- Convenor – proposed tertiary centre for Ngapuhi
- Liaison with Iwi Local Government Agencies Chief Executive Forum (ILGACE)
- Liaison with Forward Together Shared Services.
- Liaison with Northland Inc.
- Networking with government agencies at national level as required.

Corporate

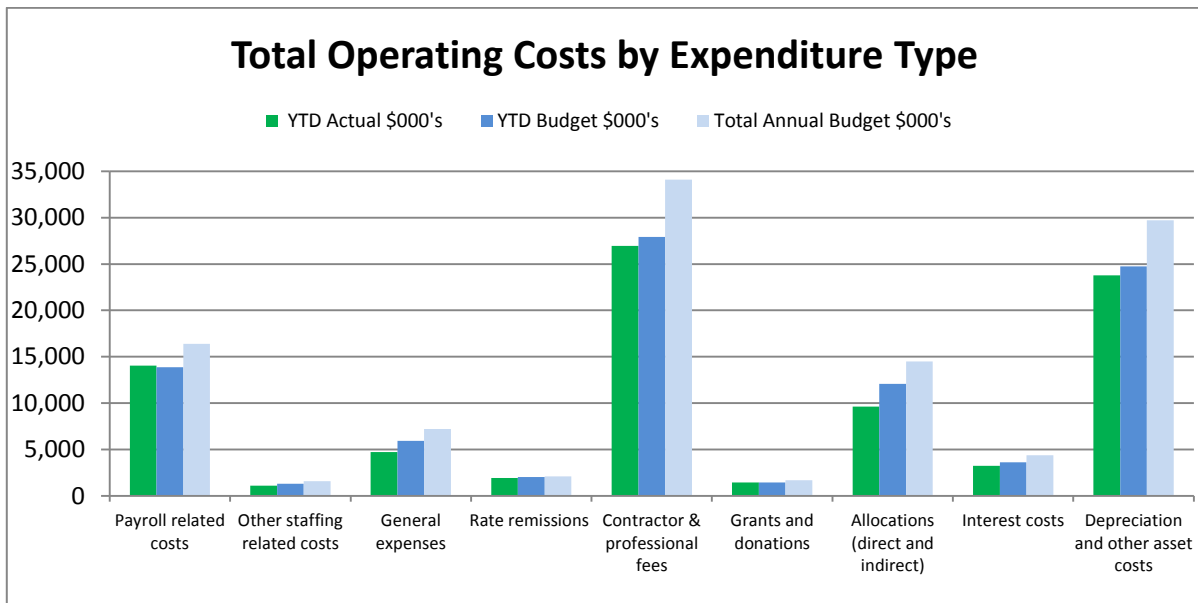
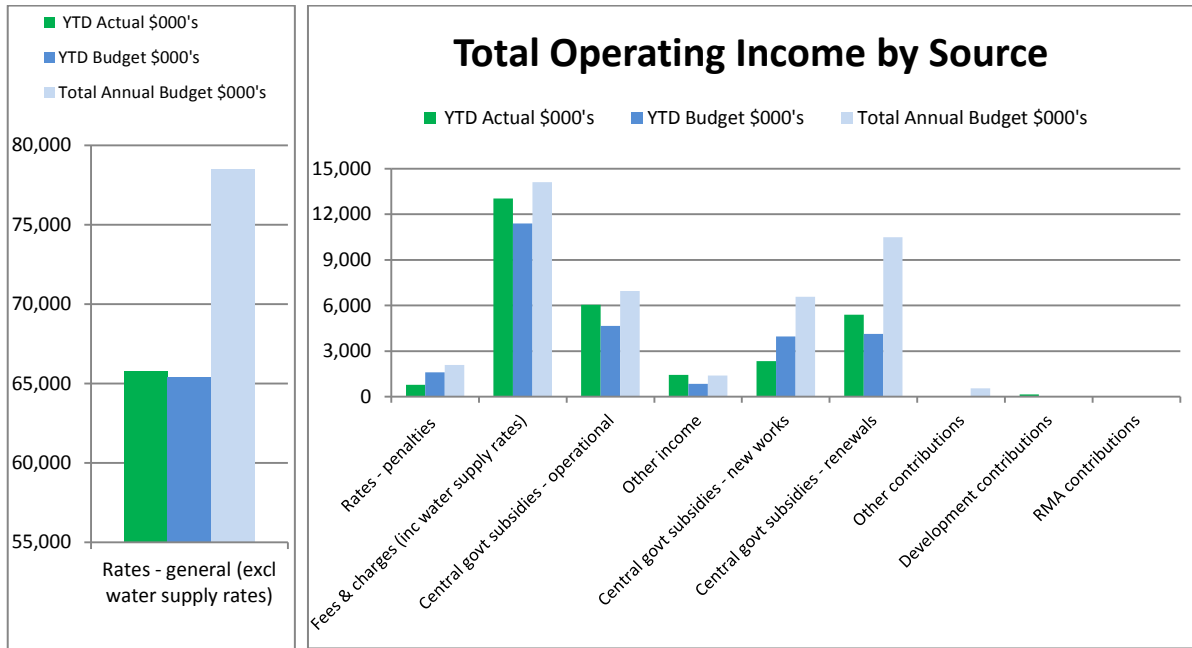
Rates invoicing

- E Mail addresses continue to be received and e-mailed invoices are now sent to more than 3,500 ratepayers.

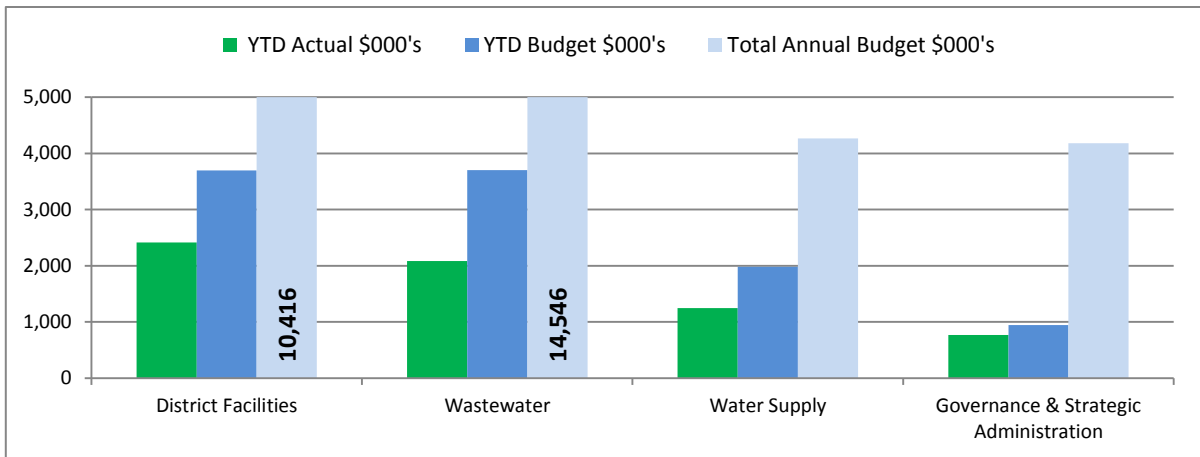
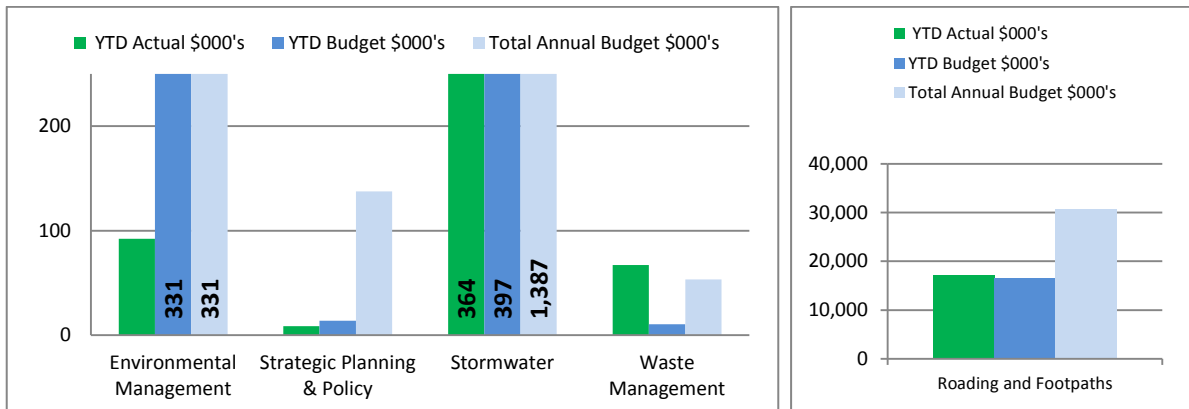
Council Financial Reporting

- The full Financial Report was presented to the Corporate Committee in May, for full details please refer to that document.

Summary charts from Finance Report



Capital Financial Performance by LTP Group



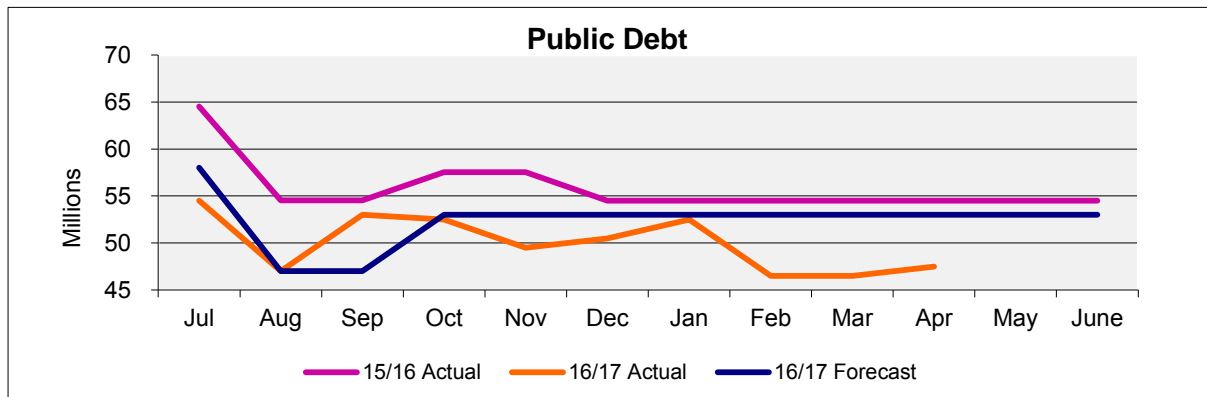
Borrowing & Investments

Current Position

- As at 30 April 2017, Council borrowings total \$46.5 million.
- The year end borrowings are forecast debt of \$53 million, down from the LTP 2016-17 forecast debt of \$111 million. The year end forecast incorporates lower than predicted debt at the commencement of the year; plus loan funding on current year capital projects either deferred to a future year or completed under budget.

Compliance

- As at 30 April 2017 Council's liquidity ratio (access to funds) is at 176% compared to the policy minimum of 110%.
- This means that Council is in a strong position to cover short term debt obligations.



Risk and Improvement

- The risk management and internal audit frameworks have been signed off by CEO and GM, Corporate Services. Supporting these frameworks are risk management and internal audit dashboard reports, which will be provided to the CEO/SMT and the Corporate Committee on a monthly and two monthly basis, respectively.
- The current FNDC Risk Management Policy is in revision and the FNDC Internal Audit Policy is in development, with the intention for both to be ratified by the CEO and SMT in the coming months. The risk management and internal audit standard operating procedures are also in development.
- The Risk Management and Improvement team held workshops with the CEO and SMT to establish their appetite for risk and their tolerance levels across five categories being: financial, reputational, customer, legal/compliance and health and safety risk.
- From these workshops scores were established, which will enable a consistent approach across the organisation for all risks identified. Escalation scores have also been identified, which will enable a prioritisation process.
- The Risk Management and Improvement team are currently piloting the risk management framework in the Civil Defence and Emergency Management team and the Governance Support team. These findings will then be reviewed and provided to the CEO and SMT for feedback.
- There are also pieces of work being completed to align with the risk management framework; the risk assessment component of the Asset Management Plans for the 2018-2028 LTP and the risk assessment component of the soon to be implemented Project Management methodology.
- The Risk Management and Improvement team will also be reviewing the FNDC Protected Disclosures Policy and the FNDC Fraud, Dishonesty and Corruption Control Policy. The Risk Management and Improvement Team are also completing two assurance reviews for the CEO, these being a Health and Safety Assurance Review and a Kerikeri Wastewater Project Assurance Review.

People and Capability - Summary of Activity

Leaders' Forum

- The first of the reinvigorated Leaders' Forums took place on May 18. The purpose of the forum is to enable collaboration and communication across all business units.
- The forum will continually focus on the leadership skill development of the Tier 3 managers and provide accurate and timely operational information to the SMT. The programme for the forum has been revised to provide a balance of interactive learning, collaborative problem solving and informed decision making.
- Tier 3 and Tier 4 Leaders continue to participate in the Local Government SOLGM Leadership Programme.

Leading Change

- A series of in-house change readiness workshops will be run across the organisation commencing in early July. This training will allow all staff to freely discuss the effects of change that they are experiencing and acquire tools and techniques to capitalise on the change.

Report Writing

- Writing reports that enable well informed decision making is a high priority for staff tasked with providing high quality and accurate information to Council. With this in mind,

'Writing Reports for Councillors' and 'Business Writing' workshops were run in May, with 36 FNDC staff upskilling through this bespoke learning and development. Input from Governance to the content of this training ensures alignment with FNDC templates and report writing preferences.

People Culture

- The CEO is committed to the development of strong constructive culture and working relationships across all staff, which is a key success factor in delivering organisational vision and providing opportunities for reward and staff development.
- We are currently reviewing how we measure performance to ensure we align it with our values, and focus on the "how" we achieve, as this will drive positive engagement within the organisation.

Employment Relations

- Council have held workshops with the PSA delegates to work together on Wellbeing, Performance and Reward & Recognition initiatives.
- Collective Negotiation meetings have commenced with a targeted signing for the end of June 2017.
- We have started consultation with our people that are on Individual Employment Agreements in preparation for the new financial year.

Health, Safety & Wellbeing

- **Fire evacuation drills** – During this period drills were held at:
 - Te Ahu
 - John Butler Centre
- **Defibrillators** – Two have been procured, and are awaiting installation. They will be located at Kaikohe and JBC offices. When the defibrillators have been installed, training will be rolled out to all First Aiders.
- **Kaikohe Library** – The ongoing incidents caused by unacceptable behaviour from members of the public in the Kaikohe Library have been reviewed, and a list of actions agreed upon to control/avoid this in the future.
- **Hazardous substance management review** – a review has commenced regarding how we manage hazardous substances at FNDC sites.
- **First Aid Refresher training** – two first aid refresher courses were held at Kaikohe Memorial Hall with 33 staff attending.
- **Flu Vaccinations** – These were offered at Kaikohe and JBC with a total of 96 staff being vaccinated. Vouchers for vaccinations will be available for staff that were unable to make it but still wish to be vaccinated.
- **Resilience Workshops** - all managers and team leaders were asked to nominate members of their staff who they considered would benefit from an increased ability to understand and develop their personal resilience. Ninety staff are confirmed to attend the Learning Resilience workshops which will run in Kaikohe, Kerikeri and Kaitia. The facilitator and learning content have been used by FNDC in the past to great effect.

Current Staffing Levels and Budget

Actual Head Count at 30 April	Actual FTE at 30 April	2016-17 Establishment FTE Annual Plan
360	328.12	345.96

Salaries Budget at 30 April	Actual Salaries Spend at 30 April	Actual vs Budget	Total FY17 Salaries Budget
\$20,230,126	\$20,392,043	\$161,917 overspend	\$24,313,101

Vacancies

- As at 30 April there were:

Department	Number of Open Vacancies
CEO/Communications/people & Capabilities	0
Corporate Services	1
District Services	4
Infrastructure & Asset Management	5
Strategic Planning & Policy	0
FNDC TOTAL	10*

*Note – 4 vacancies placed on hold and not included in total above

Training Financial Performance

Financial Performance	Current Year to 31 March 2017	2016 - 2017 Budget	Previous Financial Year (FY16)
Actual	\$691,664	N/A	\$431,525
Budget	\$702,933	\$861,210	\$593,981
Training Costs as % of Budgeted Salary Costs	3.39%	3.54%	
NZ Local Government Average Training Budget (% of salary costs)	4.00%		

Operations

Customer Service Improvement Initiatives

- A progress report was made to the Corporate Committee on 24 May 2017.
- Since adopting the Customer Service Strategy in February 2017, implementation of recommendations made following the baseline study (completed in 2016) has focused on:
 - Implementation of a Customer Service Framework - the Framework has been adopted and a Roadmap drafted to prioritise and inform initiatives going forward
 - On-going measurement of Council's customer service performance based on customer-based measurement and feedback regarding their customer experience when interacting with Council - measurement of RFSs, consenting, building inspections and front counter services has commenced and will be conducted monthly with mail-outs to customers soliciting their direct feedback on their customer experience and the service that has been provided
 - Appointment of a Customer Service Champion (12 months fixed-term) to facilitate problem-solving across Council based on the measurement and feedback received - recruitment completed, with this role filled from 7 June
- As a Council priority, Customer Service initiatives have been progressed at the Council-wide level through the Customer Services Sub-Group of the Leadership Forum and through Managers within the District Services Group.
- All of the investment made in customer service improvements and proposed improvements has, thus far, been from within existing budgets. It is proposed to fund the customer service measurement (customer feedback on RFSs, consents, building inspections and front counter services) from within existing budgets during the 2017/18 Financial Year.

Community and Customer Services Management

- It has been business as usual at Service Centres, Libraries and i-SITEs for the month of April. The Contact Centre number of calls offered tracked downward in April compared with the previous year but quickly returned to normal in May as rates final payment for the financial year were due 20th May.
- The Te Ahu transition programme is on track. Cinema and Bookings Administration (including casual) staff affected are being consulted and a smooth transition to Te Ahu Charitable Trust on 1 July is looking good.
- We will be commencing the Libraries Services strategy development and service delivery review June 2017. Following a public tender process, Sue Sutherland has been appointed to undertake this exercise. She and her team will be working with FNDC beginning with staff, executive and elected member discussion.

Resource Consent Management

- Statistics are reported separately to the Operations Committee of the Council.
- Moving into the final quarter of the 2016/17 financial year, the number of applications received has levelled off but is in line with the anticipated full year total of about 850.
- The percentage of resource consents issued within the statutory working day time frame, over the period February to April remained constant with 91% issued within time.

- The recruitment process for additional consent processing staff was successful with two new consent planners being employed and very few applications are now being allocated to outside consultants.

Building Consent Management

- Statistics are reported separately to the Operations Committee of the Council.
- Building consent numbers for the last three months remain 20% higher than for the previous three year period. The month of March 2017 had figures higher than for any other month in the last three years. A total of 136 applications received for the month of March.
- Building consents numbers for the more complex residential building, (category two buildings) continue to increase compared with previous years. More complex buildings require more building inspections and a longer time frame to assess, compared with Res 1 buildings which continue to dominate as the higher percentage of applications we receive.
- Due to receiving a higher number of more complex residential buildings the demand for building inspections has also increased. For the last three months 1700 building inspections have been carried out, with an average time frame of three to four days for an inspection to be carried out from time of booking.
- All vacant positions have now been filled, with training for staff ongoing as required by the accreditation regulations. The required training for officers is carried out on a quarterly basis. This particular type of training provides for staff to reach technical competency levels to match the competency levels allocated to buildings. We presently require staff to reach some of the higher competency levels, to provide more resource to be able to assess and inspect larger more complex building projects.
- Work continues in preparation for an IANZ accreditation audit toward the end of this year. Regular meetings are carried out to track progress in all departments of the building consent process.

Compliance and Contract Management

- 1372 out of 1489 (92.1%) of Compliance related RFS were responded to on time during April and May. The Compliance Department provides Council's operational capability across animal management, environmental health services, monitoring, building compliance, building warrant of fitness, swimming pools and parking.
- 177 dogs were impounded with 41 rehomed. A total of 112 notices were issued requiring owners to register their dogs or for infringement offences.
- Identification of a new site for the Kaitaia dog pound on Pukepoto Road (Kaitaia) is continuing. At the same time consultation is continuing with Top Energy regarding a possible site near Ngawha for the new Southern pound.
- Environmental Health Services are now fully operational, with the immediate focus on the transition of all food premises to the new food control plans over a 3 year period, ending 2019. 90 of the 133 food premises required to transition in the first 12 months are now operating under the new legislation
- Successful inspections of 47 premises with on-site disposal systems, in response to 80 enquiries received, regarding maintenance requirements. Council currently monitors 15,500 on-site disposal systems.
- We currently monitor more than 800 buildings with specified systems requiring building warrants of fitness. A new monitoring, recently introduced in consultation with the Ministry for Business, Innovation and Employment (MBIE), is reflected in the improved

audit process now taking affect. 42 premises have had an audit to date with positive results.

- Completion of 84 pool inspections (with 91 reminder notices sent out) in accordance with the recently introduced Building (Pools) Amendment Act 2016.
- With full-time parking enforcement and completion of a program of new signage, our communities are more aware of the parking restrictions across the district; 1146 infringement notices have been issued, more than a 50% increase on the previous year.

Civil Defence Emergency Management

- On the 18th and 19th May, Far North District Council hosted 10 Regional Emergency Management Advisors from the Ministry of Civil Defence and Emergency Management. The purpose of the visit was to meet Northland CDEM staff, discuss work programmes being undertaken and gain an understanding of challenges faced in the Far North District.
- A visit to meet a Community Response Group at Russell and to the Matihetihe Marae at Mitimiti was arranged, to give a appreciation of the diversity of Northland both infrastructure wise and culturally
- Three Severe Weather Warnings over the past three months have been monitored. Warnings received were on the 9th March, 4th April – Cyclone Debbie, 12th April – ex tropical Cyclone Cook. Due to Cyclone Cook tracking toward northland leading into the Easter holiday period, the Emergency Operations Centre was set up both as a precaution and also as an opportunity to test IT equipment.
- A Technical Advisory Group has been established by the Civil Defence Ministry to identify where improvements in New Zealand’s Civil Defence structure could be made. This Technical Advisory Group will be tasked with providing advice to the Minister on the most appropriate operational and legislative mechanisms to support effective responses to natural disasters and other emergencies in New Zealand.
- The Prime Minister has announced changes to ministerial portfolios including for Civil Defence. Hon Nathan Guy was appointed the new Minister of Civil Defence Tuesday 2 May.

Dust issue & community protests

- There has been continuation of the dialogue with communities involved in the trials.
- The application of dust suppressant on agreed roads has been completed. Monitoring equipment shed and power supply has been installed by FNDC. NRC to undertake the installation of monitoring equipment, beginning early June.
- A funding application for seal extensions on Ngapipito and Pipiwai Road is nearing completion. The options for temporary speed restriction is currently under review, in collaboration with WDC, KDC and forestry
- Further work which is still required to be done is -:
 - To agree on Council’s position and strategic direction for dealing with the wider dust issue. This task is progressing.
 - Agree on Council position and action plan for resolving any future blockades or protests. This task has yet to start.

Communications

More publicity for capital works projects

- The Communications Team launched the first newsletters highlighting Council infrastructure projects in each ward in May. These were inserted in local newspapers as full-page adverts and stories from the newsletters were posted on the Council's Facebook page and shared to community Facebook pages. Copies of the newsletters were also sent to business associations and ratepayer groups.
- The newsletters and stories have been well-received by staff, elected members and Facebook users. We aim to produce the newsletters bi-monthly instead of quarterly as originally planned; the publication date for the next newsletters is end of June. We are also developing a similar format newsletter for the Kerikeri Wastewater Project.

Facebook pages and logos for community boards

- The Communications Team has created Facebook pages for the three community boards and is managing these with the board members. The boards will use the pages to inform communities of upcoming meetings, raise awareness of the community grant scheme and publicise grants allocated to community groups.
- The team has also developed logos for boards and will apply these to business cards and email signatures, as well as flags and banners for boards to display at meeting venues.

New look for website

- The Communications Team and web host Squiz have completed a makeover of the Council's website www.fndc.govt.nz and are starting to scope a project to renew the website. The team has had lots of appreciative feedback about the new-look homepage which carries the *He Whenua Rangatira* branding and is more streamlined and less cluttered than the old home page.

Annual resident survey

- The annual survey the Council undertakes to gauge public satisfaction with Council services is underway. This year's survey is being undertaken by market research firm Research First.
- The survey is being overseen by the Communications Team for the first time as part of a move to reposition it as a reputation management exercise. In the past, it has been undertaken by Corporate Services to primarily provide performance information for the Annual Report.
- A few new questions have been added to this year's survey to measure overall satisfaction with the Council's performance and to identify what issues communities would like the Council to give priority to in 2017/18. A question about community boards in the survey has been reformulated to provide a clearer picture of what communities know about their boards.

Water incident plans

- The Communications Team is reviewing how the Council manages communications about its water supplies. Recent water shortages caused by operational incidents have highlighted the challenges the Council faces when it needs to communicate important warnings to customers quickly.
- The team has developed a four-tier system for assessing what level of communications response is required. It is also identifying what systems or communications infrastructure the organisation may need to invest in to communicate urgent warnings to the public when power outages render some electronic channels of communication ineffective.

LGOIMA

Monthly Statistics 2017

The latest statistics for official information requests processed by the organisation appear below. Statistics reflect end April 2017.

Month	# Requests / Month	# Requests responded to <20 days	# Requests responded to within permitted time extension	# Requests not responded to within time	Ombudsman Investigations (if any)
Jan	14	13	0	1	0
Feb	13	11	2	0	0
Mar	15	15	0	0	1
Apr	31	27 (4 in progress)	0	0	0
Total	73				

Community Wellbeing

Far North District Quarterly Economic Monitor - March 2017



Indicator	Far North District	Northland Region	New Zealand
<i>Annual % change Mar 16 – Mar 17</i>			
Gross domestic product	3.2%	3.7%	2.9%
Traffic flow	5.8%	5.8%	4.6%
Residential consents	47%	41%	10%
Non-residential consents	- 11%	1.4%	11%
House prices*	13%	18%	12%
House sales	8.3%	5.2%	-4.5%
Guest nights	5.3%	4.8%	3.2%
Retail trade	6.3%	5.5%	2.9%
Car registrations	17%	15%	8.2%
Commercial vehicle registrations	14%	16%	17%
Jobseeker Support recipients	4.1%	0.9%	1.0%
<i>Level</i>			
Unemployment rate	9.8%	8.4%	5.0%
International net migration	253	856	71,924

* Annual percentage change (latest quarter compared to a year earlier)

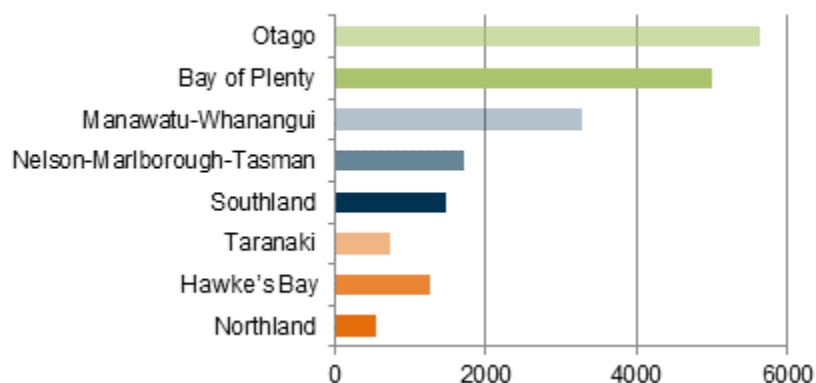
- GDP - Far North's economy began 2017 on a positive note, with Infometrics' provisional estimate of GDP showing growth of 3.2% over the March 2017 year. This growth was significantly above the 2.9% growth rate seen nationally. Most spending and investment indicators were in expansionary territory, with residential construction, tourism, retail spending, and vehicle sales showing particular strength. Rapid growth in traffic flows through the district also points to significant increases in economic activity
- Far North's tourism sector enjoyed a record summer, with commercial guest nights over the past year having climbed a further 5.3%, compared with 3.2% growth nationally. Occupancy rates over the past year reached a record level in the March quarter, which has pushed a significant amount of demand into private accommodation. Hoteliers and moteliers are responding to capacity constraints, with \$3.2m of consents issued for commercial accommodation over the March 2017 year, compared to \$1.4m the previous year.
- Growth in house prices has moderated since hovering near 19%pa in the December 2016 quarter, but was still running at a relatively rapid 13%pa in March. House price growth in the Auckland halo regions has come off the boil somewhat, as tighter lending restrictions for investors bite. Nevertheless, with price growth still in positive territory, the incentive to build remains. The 113 new dwelling consents in the March quarter was the largest number of quarterly consents issued since the September 2007 quarter.

- There has been a sharp increase in retail spending in Far North. Data from Marketview shows that the value of retail purchases on electronic cards over the past year has risen by 6.3%, compared to 2.9% retail spending growth nationally.
- Looking ahead, the prospects for farmers in Far North have brightened. Alongside a decent outlook for the dairy payout, recent strength in beef and lamb prices is likely to be sustained. Kiwifruit, forestry and seafood export returns are also good.
- Two further sets of data are presented below: a summary of tourism data and a new regional study of international education. In both cases, the Far North had not seen the same level of strong growth as most other regions. The update above shows that tourism is now trending higher than average after a successful summer season.

International Education

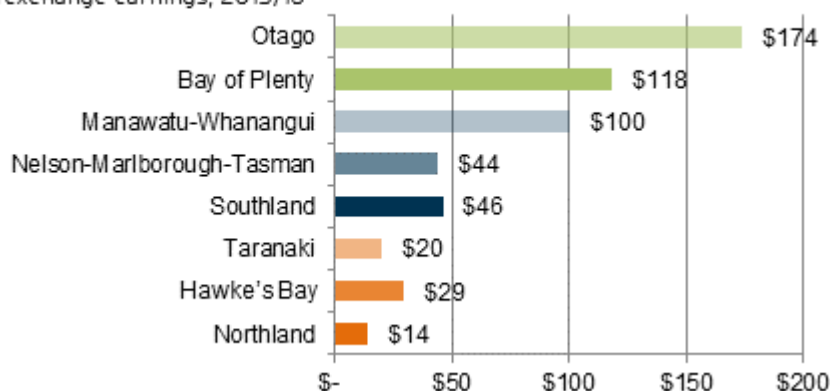
- International education is the fourth-largest earner of international export revenue for New Zealand, generating more than \$4 billion in 2015/16.
- Infometrics completed an analysis on the Economic Impact of International Education for 2015/16 in March 2017. The two charts below provide a summary of international student numbers in the eight rural regions and their value add: -

The number of international students
2015/16



The value of international education (\$m)

Foreign exchange earnings, 2015/16



- International education students in Northland spend an average \$26,000, of which almost \$19,000 is spent on living costs.
- The industries that directly supply goods and services to international students generate value added of \$6.6m and 63 jobs. Incorporating indirect and induced effects raises employment to 95 jobs and value added to \$9.4 million which is 0.17% of Northland's GDP. The equivalent nation-wide proportion is 1.7%.