



Far North District Council



AGENDA

Supplementary Reports

Ordinary Council Meeting

Thursday, 19 December 2019

Time: 10:00 am

Location: Main Hall - Te Ahu

**Cnr Matthews Ave an South Road
Kaitaia**

Membership:

Mayor John Carter - Chairperson
Deputy Mayor Cr Ann Court
Cr David Clendon
Cr Dave Collard
Cr Felicity Foy
Cr Mate Radich
Cr Rachel Smith
Cr Kelly Stratford
Cr Moko Tepania
Cr John Vujcich

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1 STRATEGIC PLANNING AND POLICY GROUP

1.1 ITEM LEFT TO LIE ON THE TABLE - KERIKERI DOMAIN GOVERNANCE REPORT

File Number: A2801783

Author: Rachael Pull, Specialist Planner - Urban Design

Authoriser: Darrell Sargent, General Manager - Strategic Planning and Policy

PURPOSE OF THE REPORT

To report back to Council on the options for the governance of Kerikeri Domain as directed in the 27 June 2019 Council meeting and recommend the establishment of an incorporated society.

EXECUTIVE SUMMARY

- At the 27 June 2019 Council meeting the Bay of Islands-Whangaroa Community Board (Community Board) recommended that the Kerikeri Domain Reserve Management Plan (Management Plan) be adopted subject to changes that resulted from submissions on the proposed Management Plan. The changes included an action for the Council ‘...to consider the establishment of an incorporated society representing the community to manage and oversee the [Kerikeri] Domain’.
- This report recommends the establishment of an incorporated society as it will represent the users of the Kerikeri Domain and it will have the ability to fundraise and implement the actions within the Management Plan.
- This report was presented to the Council for consideration at their meeting on 3 October 2019. The Council resolved to leave the report to lie in the table until after the elections for the newly Elected Members to make a decision.

RECOMMENDATION

That Council

- a) **uplifts the report “Kerikeri Domain Governance Report” for consideration.**
- b) **supports the creation of an incorporated society whose purpose is to manage the Kerikeri Domain.**
- c) **approves administration calls for expressions of interest from the public for people willing to establish an incorporated society and facilitate the establishment of it.**
- d) **agrees to enter into a formal agreement with the incorporated society and establishes a budget in accordance with the Kerikeri Domain Reserve Management Plan.**

1) BACKGROUND

The Management Plan was prepared under section 41 of the Reserves Act 1977. It sets out how the Kerikeri Domain will be used and managed over the next ten years. During the consultation process and in the submissions received, there were multiple requests from the public to re-establish a governing body for the Kerikeri Domain. This was incorporated by the Community Board into the Management Plan and adopted by Council on 27 June 2019. The action states:

“Within six months, Council in partnership with the Community Board and community consider the establishment of an incorporated society representing the community to manage and oversee the Domain”.

As part of the resolution to adopt the Management Plan, Council also resolved that they would receive a report outlining the options for the establishment of a reserve management committee.

This is a different governance body to that preferred by the Community Board and included as an action item in the Management Plan.

The attached Kerikeri Domain Governance Report discusses the options for both types of governing bodies as well as governance remaining with Council. There is no option for a reserve management committee that is also an incorporated society as Council has received legal advice against this.

2) DISCUSSION AND OPTIONS

The purpose of looking at alternative governance bodies has come out of several factors:

- The special significance of Kerikeri Domain;
- The previous difficulty in providing new infrastructure and activities in the Kerikeri Domain;
- The potential for fundraising to implement the actions in the Management Plan; and
- The long history of the Kerikeri Domain being managed directly by the public.

All governing bodies are required to be consistent with the Management Plan. The types of governing bodies that are considered are:

Option 1 – Status Quo – governance remains with Council

Status quo is the governance remaining with Council. Activities within the Management Plan are discussed with administration to ensure that they are implemented correctly, but can be fundraised and implemented by anyone. Activities not provided for in the Management Plan are taken to Council for consideration.

Option 2 – Community Board

Option two is the delegation of the governance of the Kerikeri Domain to the Community Board. The majority of reserves are delegated to the community boards to administer on behalf of Council.

Activities within the Management Plan are discussed with administration to ensure that they are implemented correctly, but can be fundraised and implemented by anyone. Activities not provided for in the Management Plan are taken to the Community Board for consideration.

Option 3 – Reserve Management Committee

Option three is the establishment of a reserve management committee (committee). This would be a committee of Council that would be appointed every election cycle to manage the Kerikeri Domain on behalf of Council. They would oversee the daily management of the Kerikeri Domain and make recommendations to Council as required. There would be at least one elected member on the committee.

Activities within the Management Plan are discussed with administration to ensure that they are implemented correctly, but can be fundraised and implemented by anyone. New activities would be considered by the committee who would make a recommendation to Council.

Option 4 – Incorporated Society

Option four is the establishment of an incorporated society to manage the Kerikeri Domain on behalf of Council. This involves administration supporting community members to create an incorporated society which will then create a formal agreement with Council to manage the Kerikeri Domain. Under this option the community will have to work together to establish the incorporated society and then create the agreement with Council. Council's control over the Kerikeri Domain would be limited to what is set out in the agreement with the incorporated society.

Each governance option is compared against the factors raised during consultation on why a governance body was required. These factors are listed earlier in this report.

Governance Body	Recognition of significance	Difficulty in implementing actions	Fundraising potential	Community Input
Council	High – By remaining with Council the Kerikeri Domain remains a significant district wide asset.	Low – Actions within the Management Plan can be implemented once the maintenance costs are approved by Administration.	Medium – Community Groups can use the Management Plan to help raise funds to implement actions. However this is on an ad hoc basis.	Low – Community input limited to consultation for the Management Plan and submissions during the Ten Year/Annual Plan process.
Community Board	Medium – The Kerikeri Domain Reserve Management Plan states its significance.			
Reserve Management Committee	High – A separate governance group and budget for the Kerikeri Domain which recognises its value to the community.	Medium – Some actions will need to go through the governance body as well as Council.	High – As a body independent from Council but with the mandate to fundraise, there will be the ability and the drive to achieve funding outside the Ten Year/Annual Plan process.	Medium – Committees are usually limited to the day to day running of the reserve.
Incorporated Society				High – The current incorporated society governing a reserve on behalf of Council is directly responsible for implementing parts of the Management Plan.

Reason for the recommendation

It is recognised that the community has a long history of investing time and energy into the Kerikeri Domain, and the submissions received during the Management Plan process reconfirmed that the community wished to continue to be involved as much as possible. Since the adoption of the Management Plan, community interest in the makeup of any governance body has remained high.

It is recommended that an incorporated society is established (option 4) to manage the Kerikeri Domain because it will achieve the best outcomes for the community based on the criteria above.

IMPLEMENTATION OF RECOMMENDED OPTION

Appointment of members of the governance body

Should the Council resolve to establish either a reserve management committee or an incorporated society to govern the Kerikeri Domain, the Council will also need to consider how it is established. Two options are provided below:

Option A - Direct appointment of members

Council has the ability to directly appoint members. The advantage of this option is that the members can be selected to represent a particular Kerikeri Domain user. The last group that managed the Kerikeri Domain were made up of:

- The Mayor
- A Councillor
- A Community Board member
- A sport representative
- A school representative
- A Kerikeri residents representative
- Chair

It is recommended that an iwi representative is added to this list as well as other user groups. This option is the quickest to implement. The risk is that Council may miss a key user, as many users of the Kerikeri Domain are not part of a club.

Option B – Call for nominations

This involves creating a form and advertising for nominations. For the committee, Council could then appoint from the nominations. For the incorporated society, administration can then facilitate meetings with the nominated people while they create the incorporated society. This option allows Council to consider a wider range of Kerikeri Domain users, including those who may not have an organisation to belong to. This process takes longer and until completed, the status quo would remain.

Implementation Recommendation

It is recommended that administration calls for expressions of interest to draw out members of the community who wish to be a part of managing the governance body (option B). This allows for a transparent and fair establishment of the governing body. Once established, Council can enter into a formal agreement regarding the management of the Kerikeri Domain and what level of funding Council should provide.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There will have to be a budget allocation once the incorporated society is established and this will come out of the operations budget for District Facilities as there is no current budget specifically for Kerikeri Domain. This will not happen until next financial year (2020/2021) and be reflected in the Annual Plan.

ATTACHMENTS

1. **Kerikeri Domain Governance Report - A2611239**  
2. **Legal Advice regarding committees - A2611236**  

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.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Although this is a legislative requirement and has already been consulted on during the Management Plan process, it involves the potential transfer of control of a strategic asset and is therefore of high significance. There is also a high level of local public interest in the establishment of a governing body.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Reserves Act 1977 – implementation of reserve management plans. Local Government Act 2002 – committees and Long Term Plan. Reserves Policy – reserve management committees.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The Community Board's views were considered by the adoption of their recommendations to the Kerikeri Domain Reserve Management Plan. An item informing them of this Council item went to the 23 September 2019 meeting.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Māori were consulted with as part of the Kerikeri Domain Reserve Management Plan process. It is recommended that there is iwi representation on any governance body.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	As part of the legislative process, the Management Plan was open to the public for three months for submissions, which were heard by the Community Board. To address their submissions, an action to consider the governance of the Kerikeri Domain was put in the Management Plan which has led to this recommendation.
State the financial implications and where budgetary provisions have been made to support this decision.	This decision will result in funds being reallocated from the District Facilities operations budget to a new budget for the governance body next financial year (2020/2021).
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.



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Supporting our people

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To:	Shaun Clarke	Department:	Chief Executive
CC:	Darrell Sargent	Department:	Strategic Planning and Policy
From:	Rachael Pull	Department:	Strategic Planning and Policy
Date:	16 August 2019		
Subject:	Kerikeri Domain Governance		

1) Introduction

Kerikeri Domain is located in Central Kerikeri off Cobham Road. It is the only significant green space in the urban area of Kerikeri and is therefore multi-purpose, fulfilling the needs of many different users from sports codes to pedestrian routes.

The site was originally part of the 'peoples reserve/children's land', set aside for tangata whenua, however it was taken under the Bay of Islands Settlement Act 1858. It started being developed for recreation purposes in 1928. The first community group to manage it, the Kerikeri Recreation Reserve (Inc) Society was formed in 1934. In 1953 the Kerikeri Domain was transferred to the Crown and the Kerikeri Domain Board was set up to administer it. Until 2012, it was managed by the Kerikeri Domain Charitable Trust.

The Kerikeri Domain is just over 3 hectares and is made up of several lots owned by the Department of Conservation (on behalf of the Crown) and the Far North District Council. Part of an adjoining field is owned by the Ministry of Education and is often treated as part of the Kerikeri Domain, although management remains with the Kerikeri High School.

Kerikeri Domain is currently identified as a significant district wide asset, meaning that decisions relating to the maintenance and development are the responsibility of Council.

The purpose of this document is to provide elected members with an overview of the current management situation with Kerikeri Domain and to set out the options for an alternative governance body as set out in the June 2019 Council minutes.

5 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD

5.1 ADOPTION OF THE KERIKERI DOMAIN RESERVE MANAGEMENT PLAN

Agenda item 6.1 document number A2478426, pages 20 - 25 refers

RESOLUTION 2019/16

Moved: Mayor John Carter

Seconded: Cr Ann Court

That Council:

- adopts the Draft Kerikeri Domain Reserve Management Plan 2019 pursuant to its powers under section 41 of the Reserves Act 1977
- urgently establishes a reserve management committee for the Kerikeri Domain, to manage the domain and its use
- direct the CEO to report back on the options for the establishment of a management committee

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2) Background

The Kerikeri Domain has a long history of being managed by the community. From 1928 to 2012 (when the Kerikeri Domain Charitable Trust was deregistered) the Kerikeri Domain has been managed by a mix of the public and Council representatives. The makeup of the last board was:

- The Mayor
- A Councillor
- A Community Board member
- A sport representative
- A school representative
- A Kerikeri residents representative
- Chair

Since 2012, the governance of the Kerikeri Domain has rested solely with the Far North District Council. On 27 June 2019, the Council adopted the Kerikeri Domain Reserve Management Plan to manage and develop the Kerikeri Domain over the next ten years. At the same time, it was resolved to explore the option of a governing body for the Kerikeri Domain.

2.1 Kerikeri Domain Reserve Management Plan

The Reserves Act 1977 (section 41) requires that Council owned or managed reserves (unless they are classified as a local purpose reserve), must have a reserve management plan; and that such plans are under continuous review (although it is best practice to review at least once every ten years).

The process to create the Kerikeri Domain Reserve Management Plan (Management Plan) was an opportunity to consolidate the future direction of Kerikeri Domain and the roles and responsibilities for leading and shaping that direction.

It is the responsibility of Council to implement the Management Plan. This will be achieved by working with administration and any governance body to prioritise the actions and ensure that the Kerikeri Domain is being maintained to an agreed standard. It also provides certainty for community groups wanting to achieve the actions within the Management Plan by fundraising or organising volunteer events because there is a clear process to follow.

The Management Plan also provided an opportunity to align the development of Kerikeri Domain with other strategic initiatives; particularly the Far North 2100 Strategy (in the Management Plan known as Sustainable District Strategy) and the 2014 Northland Sports Facilities Plan.

3) Roles and Responsibilities

The purpose of this section is to define different governance bodies to ensure Council has the information to make an informed decision about the governance of the Kerikeri Domain.

The first action in the Management Plan is for Council to *'...consider the establishment of an incorporated society representing the community to manage and oversee the Domain'*. The Council item refers to *"...a reserve management committee for the Kerikeri Domain, to manage the domain and its use"*. These are two different governance bodies for the Kerikeri Domain which are discussed below along with the internal options.

3.1 Bay of Islands- Whangaroa Community Board

Kerikeri Domain is currently set out as having district wide significance, meaning that it is the responsibility of the whole of Council, as opposed to the Community Board that manages the ward. For the purposes of developing the Management Plan, the Bay of Islands-Whangaroa Community Board (Community Board) was delegated the responsibility to hear, consider and make a recommendation based on submissions to Council.

The advantage of having the Kerikeri Domain governed by the Community Board is the reduction of red tape. The only decision making body for new activities is the Community Board. Also there is more local

voices making the decisions as the Community Board members are drawn from the ward they represent as opposed to the Council which is made up of representatives from the district at large.

3.2 Council

Council is responsible for making key strategic decisions around the governance of the Kerikeri Domain. This includes financial planning and significant procurement. Because the Kerikeri Domain is at district wide significance, it is also responsible for:

- Appointing a governing body if they deem it necessary for the Kerikeri Domain;
- Approving the Management Plan (the ability to hear and consider was delegated to the Bay of Islands-Whangaroa Community Board); and
- Approve or refuse the use and/or lease of the Kerikeri Domain (where the issue is not covered by the Management Plan).

Therefore the decision to appoint a governing body and what type is with Council to consider.

The advantage of having the Kerikeri Domain governed by Council is that the costs of governance and maintenance remain the same. The only decision making body for new activities would be the Council who would be limited to the matters in the Management Plan. The adoption of the Management Plan has reduced the delays in implementing actions on the Kerikeri Domain that existed previously, as actions stated within the Management Plan no longer need to go to Council or be notified to the public.

3.3 Council Administration

Administration are responsible for implementing and keeping in continuous review the Management Plan and currently for scheduling regular maintenance of Kerikeri Domain. Any proposed changes to who implements these objectives will need to be set out by the agreement between Council and governing body appointed by Council. Administration would provide professional support and guidance to the governance body in addition to leading any Council processes necessary to implement it.

It is envisioned that the governing body would have the responsibility for (currently with administration):

- Basic maintenance of the Domain (as set out in any agreement reached);
- Provide regular advice to Council on the on-going management;
- Ensure that the Domain is managed to promote the vision and objectives of the Kerikeri Domain Reserve Management Plan by reviewing actions not in the Management Plan and providing a recommendation to Council;
- Managing the booking of the facilities;
- Managing the operational expenditure including water, pan charges, power, telephone, cleaning and minor maintenance and repairs of the assets on the Kerikeri Domain;
- Providing a reviewed annual statement on the financial accounts and activity report; and
- Inform Council of major maintenance and capital improvements.

They will not have responsibility over (remaining with administration and Council):

- The Procter Library (due to its significance as part of the ongoing Library Strategy);
- Setting the budget to manage the Kerikeri Domain;
- The administration of leases on the Kerikeri Domain;
- Approval of development within the Kerikeri Domain Reserve Management Plan; or
- Reviewing the Kerikeri Domain Reserve Management Plan.

Depending on the governing body selected and the formal agreement reached with Council, these responsibilities may change.

The Council would contribute an annual grant towards the services provided by the governance body. For most reserve management committees this sum is \$5,000 per annum. The incorporated society in charge of Lindvart Park receives \$40,000 per annum from Council due to their wider responsibilities. In return, Council would receive on an annual basis, a copy of the accounts which include the items of expenditure and income for the governing body.

3.4 Kerikeri Domain Reserve Management Committee

Under the provisions of the Local Government Act 2002 (LGA), a Council can establish various committees to fulfil specific purposes. A reserve management committee (committee) is formally set up as a committee of Council. It is disestablished at the end of each election cycle. Specifically, Schedule 7 clause 30(7) of the LGA reads as follows:

"A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body."

Therefore the committee will have to be re-appointed after each election by the Council.

The Reserves Policy recommends 4 or more members, including a Community Board member. The submissions on the Kerikeri Domain Reserve Management Plan that requested this committee suggested representatives from Iwi, the High School and the high users (Rugby League, Cricket, Bowling Club, dog walkers, Mai Life). The Charitable Trust that previously managed the Domain also contained the Mayor, a Councillor and a Community Board member.

There have been requests from the public about having a public nomination process for the committee. Council can either appoint members directly or invite the community to nominate suitable people, but Council would still decide who would be appointed.

The advantage of having a reserve management committee is that Council can appoint the members directly every election cycle meaning that it can ensure that the committee represents the users of the Kerikeri Domain. An elected member will also sit on the committee to make sure that it is maintaining the Kerikeri Domain to the level required by the community.

3.5 Kerikeri Domain Incorporated Society

It was recommended in the action section of the Management Plan that the governing body be an incorporated society. The advantages of an incorporated society are:

- It becomes a separate legal entity;
- It can enter into a contract in its own name;
- It can continue as a separate entity even though its membership changes; and
- There will be certainty in the way the society is run (to meet the requirements in the Incorporated Societies Act 1908).

The Community Board specifically stated incorporated society in the action as they wished the governing body to be able to fundraise to implement the actions within the Management Plan and not be solely dependent on Council for funding. They also envisioned the group taking on more responsibility than the maintenance and day to day operation than most reserve management committees.

Lindvart Park is managed by an incorporated society (Kaikohe and Districts Sportville). The society is made up of representatives of the main sports codes that use Lindvart Park. The users are harder to define for the Kerikeri Domain as many users do not belong to a club (dog walkers, casual walkers, users of the playground, skate park).

Therefore if this option was chosen by Council, administration would have to work with the community to determine how the different users and interest groups of the Kerikeri Domain would be represented. This would have to be formalised in either the constitution of the incorporated society or the agreement with Council to prevent the governance from not representing all users. Because of this additional work, this option would take the longest to establish.

3.6 Discussion of governance options

The purpose of looking at alternative governance bodies has come out of several factors:

- The special significance of Kerikeri Domain;
- The previous difficulty in providing new infrastructure and activities in the Kerikeri Domain;
- The potential for the governance body to fundraise to implement the actions in the Management Plan; and
- The long history of the Kerikeri Domain being managed directly by the public.

The Management Plan has set out a clear process to allow community groups and administration to implement actions approved within it. This addresses some of the concern surrounding the request for a governance body. However the consultation on the Management Plan identified a strong wish by the public to have more direct governance of the Kerikeri Domain. This is reflected in the action in the Management Plan which states that the Council makes the decision regarding governance in partnership with the community and Community Board.

If the Kerikeri Domain is governed by either Council or the Community Board, the maintenance work can continue to be managed by administration which is cost effective. The ability for the community to have input is limited to annual plan/ten year plan submissions and speaking at the start of elected member meetings. Decisions on new actions are made by the one delegated authority (Council or the Community Board).

If a reserve management committee is established, it will have to be renewed every three years and its members appointed by Council. There is Council representation within the group. This method allows for as many members as Council wants and it can control who is on the committee to ensure it is a fair representation of Kerikeri Domain users. However a reserve management committee lacks the ability to fundraise and implement actions within the Management Plan outside Council funding.

If an incorporated society is chosen by the Council, a process will need to begin to create the society and appoint their members. For Kaikohe and Districts Sportville this took over a year. Until the society is incorporated and formally appointed by Council, the governance would remain with Council. An incorporated society recognises the significance of the Kerikeri Domain, maximises community management and allows for the development of the Kerikeri Domain by community fundraising rather than being solely dependent on Council funds.

Administration received legal advice in 2017 recommending against reserve management committees being registered as incorporated societies as it would be ultra vires. It would no longer be a committee under the Local Government Act 2002. A copy of this legal advice is attached.

It is recommended that an incorporated society is established. This would involve calling for expressions of interest from the public and working with administration to set up an incorporated society that will represent the Kerikeri Domain users. Council would then enter into a formal agreement with them on their responsibilities and how much Council will contribute. This would minimise the costs of implementing the Management Plan and maximise community governance.

4. Next Steps

Should the Council decide to establish an incorporated society, the table below provides a summary of the next steps.

Task	Decision Maker	Completion date
Complete Management Plan.	Community Board to recommend Decision to Council	June 2019 (Completed)
Council resolve to establish an incorporated society	Council	3 October 2019
Administration to call for expressions of interest.	Administration	December 2019
Administration to work with community members who expressed interest to establish an incorporated society and create a formal agreement between it and Council.	Incorporated Society	June 2020
Council to approve the formal agreement for service between the incorporated society and Council for the Kerikeri Domain.	Council	March 2020

Yours sincerely

Rachael Pull
Specialist Planner – Urban Design

Attached: Legal Advice regarding committees.



Bay of Islands NZ

THE MERIDIAN

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14 March, 2017

Far North District Council
Attention: Mr Robert Manuel
By email: robert.manuel@fndc.govt.nz

Dear Robert

RE: **COMMUNITY BOARD COMMITTEES**

Background and Summary of Advice

We refer to your email of 7 March 2017. You have asked us whether it is competent for a community board committee established under the Local Government Act 2002 ("LGA") to seek to acquire a different legal identity – by becoming an incorporated society under the Incorporated Societies Act 1908 ("ISA").

The question arises due to a policy paper prepared by a former Council employee in 2013 about "reserve management committees". The report writer suggested that these Council committees should be "encouraged" to become incorporated societies.

We note our preliminary view in our email of 13 March 2017, which briefly set out why we believe council committees cannot be incorporated societies. This letter expands on that earlier advice.

Advice

A local authority is a body corporate with perpetual succession (s12 LGA). Accordingly a Council may carry on or undertake any activity or business, do any act, or enter into any transaction, and has full rights, powers, and privileges. This power of general competence enables a Council to undertake its day to day functions, but also establishes a system of accountability.

While the LGA does provide for other entities, for example community boards, local boards, and committees, these entities all fall under the umbrella of the local authority itself. The LGA is clear that these entities only have specific powers delegated to them by the local authority. They are unable to exist on their own or enter into their own legal relationships.

Under schedule 7 of the LGA the Council may appoint committees and any other subordinate decision-making bodies that it considers appropriate. The definition of committee in section 5 of

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DIRECTORS - Dennis McBrearty, Simon Dominick, Richard Ayton, Jo Baguley, Graham Day



14/03/2017

the LGA is a committee comprising all the members of the local authority, and a standing committee or special committee appointed by the local authority. Clause 30(3) of Schedule 7 confirms that a committee is subject *"in all things to the control of the local authority and must carry out all general and special directions of the local authority given in relation to the committee."* Under clause 30(5) the Council may discharge or reconstitute a committee at its will. And as you have noted, a committee is deemed to be discharged following triennial elections (unless the local authority resolves otherwise).

Turning to the ISA, upon registration as an incorporated society a society becomes a body corporate, with the power to exercise all the functions of a body corporate and with the ability to hold land. So the society will from that time be able to employ staff and enter into contracts. A society may be wound up if the members vote to do so. This type of body corporate structure is completely at odds with the committee structure under the LGA, which is controlled at all times by the Council.

In our opinion, following incorporation a committee would cease to be a committee under the LGA. It would lose all powers, rights and protections under the LGA and become controlled only by the restraints under the ISA and by its rules and constitution.

There are a number of examples which show how the two entities cannot co-exist, for example:

- a) Section 43 of the LGA provides an indemnity for all persons undertaking Council work. Committee members are indemnified. This is possible because the committee is at all times under the control of the Council.
 - If the committee were incorporated it would be free to make its own contracts, hire its own staff, purchase land, etc. It would be impossible for there to be an indemnity because the Council would have lost control.
- b) Schedule 7 clause 30 (as above), confirms the committee may be discharged at any time by the Council.
 - An incorporated society could not be discharged by the Council.
- c) Schedule 7 clause 30 (as above), confirms the Council has complete control over the committee.
 - An incorporated society is governed by its members, pursuant to its rules and the ISA.
- d) Section 41A(5) of the LGA confirms that the Mayor is a member of each committee.

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LAW NORTH LIMITED, LAWYERS, KERIKERI

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14/03/2017

- But in order to be a member of an incorporated society, members have to adhere to the rules of the society and join the society. There is no automatic right to join.

In the event that a Council were to try to incorporate a committee into a society, then (in the event that registration was accepted), the committee would cease to be a committee under the LGA and would be a complete different entity, unable to be controlled by the Council. Council is strongly recommended to not seek to incorporate any committees. In our opinion, that would be *ultra vires*. Council should most certainly not encourage its committees to change their legal status.

We trust this answers your question in relation to this issue, but if you require further clarification please do not hesitate to contact the writer.

Yours faithfully

LAW NORTH LIMITED



GRAHAM DAY

DIRECTOR/SOLICITOR

GAD/MN: 86781

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10 CHIEF EXECUTIVE OFFICER**10.1 CEO REPORT TO COUNCIL 01 AUGUST 2019 - 31 OCTOBER 2019**

File Number: A2752438

Author: Sam Chapman, Accounting Support Officer

Authoriser: Jaime Dyhrberg, Executive Officer

PURPOSE OF THE REPORT

The purpose of the report is to present the CEO Report to Council: 1 August 2019 to 31 October 2019 for Council's consideration.

EXECUTIVE SUMMARY

The CEO Report to Council is a summary of Council activities, presenting an overview across all activities that Council undertakes. We have placed emphasis on relevant issues and pressures Council is experiencing whilst meeting its objectives to the community.

RECOMMENDATION

That the Council receive the report "CEO Report to Council 01 August 2019 - 31 October 2019".

BACKGROUND

The CEO Report to Council is attached and covers a detailed overview of progress against Council's activities. His Worship the Mayor and Councillors' feedback is welcomed.

DISCUSSION AND NEXT STEPS

This report is for information only.

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provision needed as a result of this report.

ATTACHMENTS

1. **CEO Report to Council_1 August 2019 - 31 October 2019 - A2754672**  



Chief Executive Officer's Report to Council

Period: 1 August 2019 – 31 October 2019

Key Work Plan

Areas: CEO

Office

Strategy

Governance

Corporate

Operations

Infrastructure and Asset Management Services

Introduction

Welcome to this CEO report, which provides an overview on the Council's activities for the period
1 August 2019 – 31 October 2019.

Welcome to the latest summary report of Council activities**Introduction from Shaun Clarke, Chief Executive**

This Report to Council covers the period 01 August to 31 October 2019. It is somewhat delayed in delivery as it spans the period of the election and the disrupted Ordinary Council Meeting schedule that goes with that season in the triennium. It is, nevertheless, a good account of activity and progress in the three months up to the inauguration day of the new Council.

Some of the highlights in this reporting period for me include the interviewing of prospective candidates for five cadetships this financial year (which supports our kaupapa and values as a group); significant improvement in Health, Safety & Wellbeing engagement results from our people; progress on the Far North 2100 (FN2100) District Strategy and Climate Change Roadmap; the settling in of Te Hono as our newly formed capacity to raise the cultural literacy of the FNDC team in their daily work with Maori interests; the opening of the final electric charging station in this round of the collaborative network build; initial roll-out of Office 365 in council to provide more security and tools; the launch of our first 'on-line services' as a step-jump in the way we serve and support our customers; the successful biennial audit of our Building Consents Accreditation conducted by International Accreditation New Zealand (IANZ); the commitment to Project Darwin in the evolution of asset management at FNDC; and, as always, the very impressive real delivery statistics from IAMs in their detail (roads, footpath, waters etc).

In the period since the end of the report, of course, we have invested significantly in the establishment and induction of our new Council and Community Boards. We will take account of that in the next report. In the meantime, I want to use the opportunity in this report to remind us all in overview, of some of the more significant achievements this calendar year that we should be proud of as we go to the break.

Infrastructure achievements

- Started construction of the main components of Kerikeri's new wastewater treatment plant
- Started a \$6 million upgrade of our Paihia Wastewater Treatment Plant which has failed to fully comply with a resource consent for years
- Built a new \$2.8 million water treatment plant at Omanaia where residents have had to boil untreated water for decades
- Secured \$1.4 million in government funds for tourism infrastructure facilities in the District, including \$793,584 to extend the seal on Pungaere Road which tourist buses use to access Puketi Forest
- Designed and implemented a road prioritisation matrix to ensure that the Council and central government's investment in seal extensions for metal roads is fair, well-targeted and transparent
- Developed a new Three Waters Alliance called Far North Waters with Broadspectrum (NZ) Ltd
- Developed a capital works project management framework to ensure there is consistency in how we conceive, initiate, plan, deliver and close capital works projects
- Launched an asset condition programme that will help us target asset renewal expenditure more cost-effectively

Far North Holdings Ltd projects

- Built a new, \$4.75 million passenger terminal at Bay of Islands Airport with Provincial Growth Funds
- Started construction of a \$6.4 million, Hundertwasser-inspired, multi-purpose hub that will house the Council's Kawakawa Library and Service Centre
- Completed a \$1.3 million upgrade of Russell Wharf and started a \$4.7 million upgrade of Paihia Wharf
- Started preliminary work to establish a Ngawha Innovation and Enterprise Park near Kaikohe

Strategic Planning wins

- Completed an iwi and stakeholder engagement exercise about the future development of the district and produced a Far North 2100 discussion document, which will inform an 80-year District Strategy

- Received praise from across the sector for a one-page strategic framework we developed to show the hierarchy of strategies, policies and plans that direct the Council's work programme
- Established a Te Hono unit to ensure that we consider Māori interests in our strategies, policies and day-to-day operations
- Started a long-awaited revenue review that aims to deliver a fairer and principle-based rating system
- Started developing a Regional Climate Strategy with other Northland councils
- Started investigating potential water storage options to unlock the horticulture potential of the Mid-North

Business improvement initiatives

- Achieved improved grades in two of the four CouncilMARK™ priority areas when LGNZ assessors carried out a shadow assessment of business improvement initiatives
- Turned around the performance of our Building Consents Team by mobilising staff and executing an improvement action plan that is designed to retain our Building Consent Authority accreditation
- Achieved our organisation Customer Experience Programme target of 81
- Developed an organisational risk dashboard with treatment plans and regular reporting to elected members
- Launched a programme of work that will deliver online transactional services to our customers
- Delivered a new www.fndc.govt.nz website based on a state-of-the-art content system that is tailored for councils
- Launched video as a new way of communicating with staff and communities
- Implemented a new remuneration system which links pay progression for staff to competencies
- Achieved higher levels of engagement and staff satisfaction in our annual *Your Voice* survey of the workforce

Have a safe and enjoyable Christmas and a prosperous New Year. It has been a privilege to serve you in 2019 and we look forward to working with you in 2020.

Nga mihi

Shaun Clarke
Chief Executive

CEO Office

People and Capability

Strategic Policy & Planning

Key roles have been appointed to in the new Te Hono department, these include; Team Leader – Maori Relationships, Maori Development Advisor and Maori Strategy & Policy Officer.

Other Business

The Collective Agreement and Terms of Settlement were ratified by PSA members on 6 August 2019, resulting in a two year agreement until 30 June 2021.

The Remuneration Framework Tranche 2 has commenced. The framework is a competency framework that supports movement through the salary bands. Tranche 2 involves staff who are between 95 and 99% of their salary grade, who have not moved within their band since 1 July 2017.

Corresponding with Customers

A new skill development initiative aims to ensure best practice in all written communications between staff and our communities. 'Corresponding with Customers' is a one day workshop on how to craft effective emails, letters and other forms of correspondence in the appropriate manner and tone. It includes responding to queries and complaints, and compiling clear instructions and other communications.

New Cadets join FNDC

In mid-October we interviewed prospective cadets for this financial year and were extremely pleased to discover that the calibre of these young people was outstanding. We have agreed to employ five who will join Infrastructure, People & Capability, Building Services, Customer Services and District Administration. They commenced their induction into FNDC with a Powhiri in Chambers on 11 November.

Engagement Survey Action Plans

Following a significant uplift in staff response and key result areas over the 2018 organisational staff survey, there has been a sustained improvement programme based on survey feedback.

Health, Safety & Wellbeing

Summary of Activities

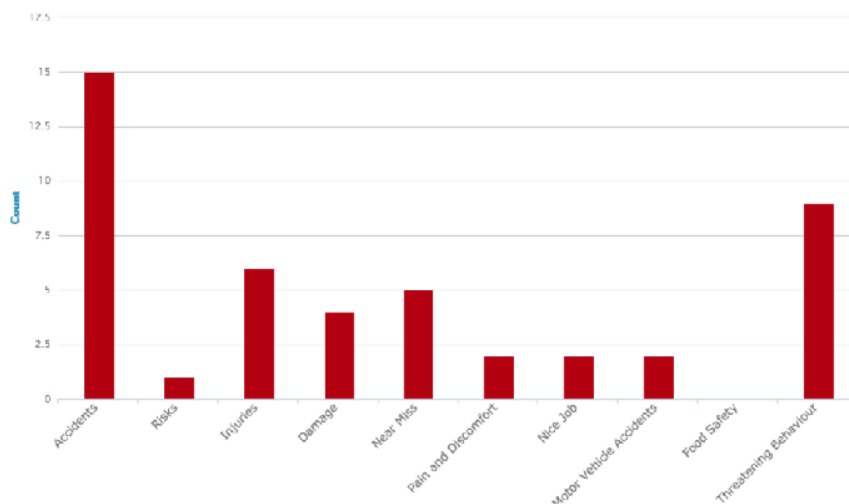
- First aid refresher training was undertaken by 11 staff during the period.
- Health, Safety and Wellbeing engagement results from the 2019 Your Voice staff survey has seen a positive improvement when compared to the last survey. 2019 results recorded 61.4% engagement, up from 55.5% in 2018.
- A notifiable work related illness was recorded against FNDC from WorkSafe, ongoing discussions are being had with the regulator on this notice.

PeopleSafe Stories Types during the reporting period

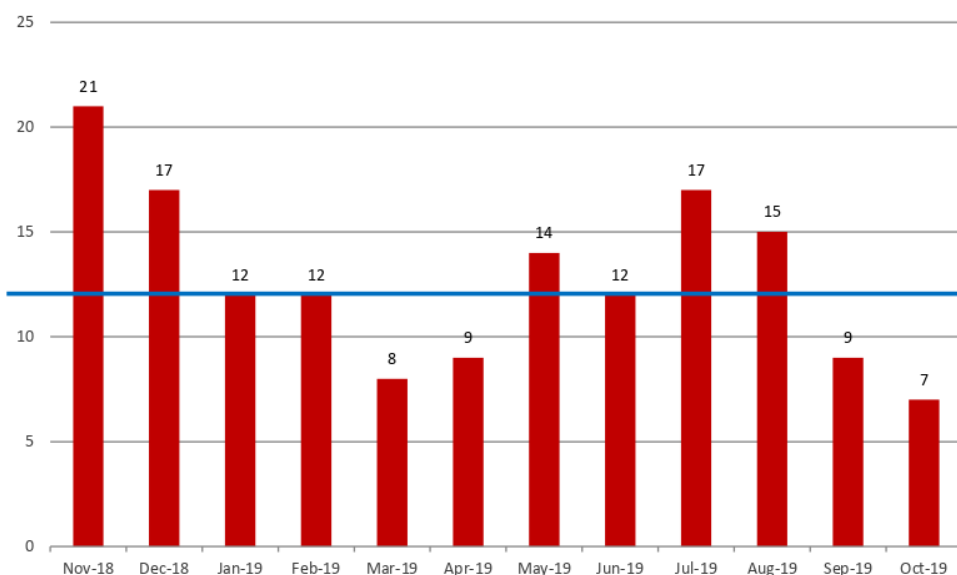
Far North District Council



Stories Report Summary



PeopleSafe Stories Told 2018/2019 – 12 Month Rolling including average incidents per month



During the three month reporting period there were 33 PeopleSafe stories told, covering 46 incident types. The average number of incidents per month has dropped below 13 for the first time this year.

Staffing, Salaries and Training

Current Staffing Levels

Actual Full Time Equivalent (FTE) at 31 October 2019	2018-19 Annual Plan Establishment (FTE)	Fixed Term (FTE) at 31 October 2019
330.05	377	27.8

Salaries and Training 2019-2020

Financial Performance as at 31 July 2019	YTD Actual	YTD Budget	YTD Actual vs Budget	Annual Budget
Salary Costs	\$8,901,921	\$9,121,244	\$219,323	\$29,610,284
Training Costs	\$165,898	\$285,221	\$119,323	\$921,864
Training as a % of Salaries (Sector average is 4%)	1.9%			3.1%

Vacancies

As at 31 October 2019 FNDC held the following part time and full time permanent vacancies:

Department	Vacancies currently being recruited (FTE)	Vacancies pending Recruitment (FTE)
CEO/Communications/People & Capabilities	2.0	2.0
Corporate Services	5.0	7.0
District Services	0.0	11.0
Infrastructure & Asset Management/NTA	7.0	4.0
Strategic Planning & Policy	3.0	3.0
FNDC TOTAL (FTE) * includes part time & full time permanent staff	17	27

Communications

Media releases

Seventeen media releases were issued about:

- The allocation of community board grants to fourteen community groups
- The relocation of a bus stop on Cobham Road, Kerikeri
- The reappointment of Far North Holdings Ltd directors
- A new timeframe for completing the Kerikeri Wastewater Project
- Council's decision to demolish a pavilion at Kerikeri Domain
- The adoption of a reserve management plan for Kerikeri Domain
- An error in nomination forms for seats on community boards
- The nomination process for election candidates
- Candidates who will contest the 2019 local elections
- Plans to extend the Council's Kaitaia dog shelter
- Seal extensions for six rural roads
- The posting of voting documents to voters
- Low voter turnout and the deadline for casting votes in the 2019 local elections
- A report outlining options for the future provision of sports fields in Kerikeri
- A review of speed limits in the Kaeo, Waipapa, Waimate North area
- Final local election results
- Water restrictions for Kaikohe households and businesses

Media enquiries

The team fielded 71 media enquiries during the reporting period. The 2019 local elections and animal management were the largest subjects of interest, accounting for 16 and 10 enquiries respectively. Other popular topics of interest included roading, Māori issues, water, wastewater, liquor licensing and the Office of the Ombudsmen's review of LGOIMA practices at the Council.

Other outputs

Promotional communications were restricted during the pre-election period (12 July to 12 October) in accordance with Office of Auditor General Guidelines for local authority communications. Other outputs during the reporting period included:

- One quarterly *Creating Great Places* newsletter that was posted to 26,000 ratepayers with rates bills
- 31 Facebook posts mostly about local elections and other essential public information
- 303 new 'likes' of the Council's Facebook page since 1 July
- Six issues of *Great People*, a fortnightly newsletter that celebrates Council staff and their achievements on behalf of elected members and communities

Strategy

Planning

Annual Plan

Work has commenced on the Annual Plan for 2020/21. The first workshop with Elected Members was held on 19 November 2019.

Revenue Review

A workshop with Elected Members on 21 November 2019 introduced new Councillors to the work on this to date and determine next steps.

Strategy Development, Bylaws and Policies

Far North 2100 District Strategy

A discussion document has been completed by staff and has been provided to Iwi and Hapū partners and attendees at a Summit held in June 2019 for feedback. The feedback period ran from 11 November until 6 December 2019.

The feedback from the discussion document will be used to inform an initial draft FN2100 strategy that will be the subject of a joint collaborative workshop between iwi and hapū partners and the new Council. The output from the workshop will shape the draft FN2100 Strategy that will be put to Council for adoption and then consultation in the first quarter of 2020.

District Transport Strategy

A Strategic Business Case has been developed out of workshops with key stakeholders. NZTA have reviewed and approved this document.

A workshop for the Integrated Transport Plan with key stakeholders and partners was held on 12 November 2019. This is aligned with what is required by NZTA for our submission into the Regional Land Transport Plan in June 2020.

Climate Change

At the August 2019 Council meeting a Chief Executive KPI to develop a road map towards addressing the effects of climate change by April 2020 was confirmed. Since that time staff have developed the following work programme to develop a road map:

- A baseline study of current Far North District Council initiatives and consideration of the effects of climate change and how Far North District Council will address climate change in the future.
- Updating Council's climate change website material to highlight our collaboration with the Tai Tokerau Climate Change Action Working Group.

In addition, staff are currently studying best practice approaches by councils around New Zealand to address the effects of climate change.

Reserves Programme

Staff are working towards a comprehensive reserves programme that will cover the following:

- Reserves Audit of all known reserves in the District
- Reserves Manual
- Reserves Policy
- Reserves Bylaw in alignment with the Bylaw work programme.

The Reserves Manual will outline Council's legal requirements and processes when it comes to acquiring and disposing of reserves as well as changing reserve designations.

Reserves Policy is an existing Council policy that will be updated based the outcome of the reserves audit and the creation of the reserves manual.

Northland Water Storage

Northland Regional Council is leading a study of opportunities for water storage to address summer dry conditions below the level that can sustain crops in Northland. A Provincial Growth Fund application was approved earlier this year awarding \$18.5M to further study three shortlisted sites of which two are in the Far North.

Strategic Relationships Survey

Planning has commenced for the next survey. The strategic relationships survey will capture information about the quality of the relationship between Council and its most valued and important stakeholders and partners. The purpose of this survey is so staff can report back to Council year on year on the measurable changes in the relationships. The first deliverable is the capture of the appropriate contact details for each strategic stakeholder and partner in one location.

Iwi/ Hapū Relationship Agreements

The Te Oneroa-a-Tōhē technical steering group has supported the Te Oneroa-a-Tōhē Beach Board to undertake public consultation at several venues across Te Hiku during July and August 2019. The Beach Board is now considering how Iwi can consult with whanau and beachgoers over the summer period to further inform the development of the Beach Management Plan. An engagement plan will be adopted 8 November 2019.

Council has supported a PGF feasibility study for the Far North Water Project; the funding was from a Provincial Growth Fund application by NgaiTakoto. The working party (Northland Regional Council, Far North District Council, Ministry of Primary Industries, Department of Conservation, NgaiTakoto, Ngāti Kuri and local and industry representatives) received a technical report on the Aupouri aquifer in August 2019. It was unanimously decided that an approach would be made to secure the next stage of funding from the Provincial Growth Fund. There are still unanswered questions around the science before going out to wider public and industry consultation. The group is waiting for formal advice from the Provincial Development Unit about advancing the funding request to the PGF.

Te Hono and Te Puni Kōkiri are developing a formal relationship around whenua Māori, Māori rating, Māori Land Court (Te Kooti Whenua) and economic development on multiple owned Māori land.

Te Hono and Te Puni Kōkiri are developing a formal relationship around whenua Māori development, Māori rating, Māori Land Court (Te Kooti Whenua) and economic development on multiply owned Māori land. The desired outcome is to provide services for Māori customers through an "all of government approach" which can speed up the processes that Council has no control over.

Te Hono has supported the Chief Executive and Strategic Leadership Team to welcome our new Council through a mihi whakatau on 23 August 2019 and a more formal powhiri on Thursday 31 October 2019. Te Hono also support a powhiri for each Community Board prior to their inaugural meetings.

Community Wellbeing

Community Development

Community Development Advisors were invited to present at the 20-23 October 2019 NZ Starlight Conference. The international event attracted expert speakers from 15 countries around the world and brought together speakers from Aotearoa's International Dark Sky Association, accredited areas and representatives from 14 aspiring dark sky places around New Zealand, including the Far North. The conference was held in the Aoraki Mackenzie International Dark Sky Reserve, Lake Tekapo.

Staff supported the Hokianga community to assist in their bid to secure the lease of the currently non-operational Rawene Campus (ex Northtec). A governance group has been established and the aim is to have the facility operational by mid-2020.

Staff and the Far North Youth Council participated in the Conservation Week 2019 stakeholder event hosted by the Department of Conservation in Whangarei. A youth speaker represented the group leading a discussion on clean rivers and an event stand communicated Council initiatives such as Nga Kuri Auau, wastewater and the Far North Youth Council.

Community development staff met with their counterparts from Whangarei District Council and Kaipara District Council at a Tri-Council Team hui in October 2019. A key topic was the 2020 Community Development conference to be hosted in Whangarei by Northtec, with support from the Aotearoa Community Development Association and the International Association of Community Development. Community Development teams from all three councils have been invited to join the organising committee.

Staff supported the development of a successful Voyaging Wananga held in Waitangi on 23-24 August 2019. The event attracted participation from Voyaging Practitioners, Archaeologists, Scientists, Maori and Pacifica historians. Dialogue was centered on early arrivals, settlement and adaption. This event was a lead into the Tuia 250 program and set the scene for the flotilla's arrival into the Bay of Islands from 5-10 November 2019 before departing to the Hokianga.

Staff supported a meeting between the Ministry of Primary Industries, Northland Inc, our Compliance Team, Queenstown Resort College, the Cycle Trail Trust and local marae representatives on Food Safety, Kiwi Hosting and Marae Stays serving the public as they travel through rural communities. A comprehensive program was developed with the goal of lifting local economic development by utilising Marae and Small Medium Enterprises that are placed along the Pou Herenga Tai Cycle Trail and Twin Coast Highways. The first 2-day wananga was held at Te Rito Marae, Otiria on the 9-10 November 2019 and was fully subscribed.

Staff supported the refresh of the Bay of Islands-Whangaroa Community Board Strategic Plan. The Plan was adopted by the Community Board at their meeting held 23 September 2019.

Bledisloe Domain now has a new Domain Committee. Staff are working through an MOU process with the Committee. The Domain Committee are keen to up-grade the facilities and expand the use of the grounds by attracting in more codes.

Sport Northland have continued to work with 55 Primary Schools and Kura across the district to influence health and wellbeing. The number of adults referred or self-referred to the Green Prescriptions programme was growing steadily and recruitment started for a new team member to be based in the mid-north in order to serve these high needs community better. Far North District Council Far North Sports Awards planning were held on 15 November 2019 with local legend Eric Rush the guest speaker.

Community Placemaking

The final electric vehicle charging station on the Northland Crimson Coast Highway has been installed at Waitiki Landing in partnership with Ngāti Kuri, the Department of Conservation, Top Energy, Northland Regional Council and ChargeNet. The station was the last in the network and now allows travelers to complete the loop between Auckland and Cape Reinga without 'range anxiety' (i.e. the fear of running out of charge). It was opened with a blessing by Ngāti Kuri on October 16, 2019.

The Kaikohe Basketball Court construction is underway and is expected to be finished by 13 December 2019. The Kaikohe Community Youth Charitable Trust raised the funds and Council staff across the business provided support to get this project underway. An official opening will take place in December 2019 during the school holidays and the Northland Basketball Association will start engaging in games and skills programs to fully utilise the new facility.

District Planning

District Plan Review

The draft policy framework for the new District Plan was made available in November 2018 for community feedback. Some adjustments have been made since this time to this draft, however further changes have also been required to align with the National Planning Standards that were gazetted in April 2019. The planning standards specify preferred plan structure, a selection of mandatory definitions and a range of conventions and preferred outcomes in plan format. The further changes required include naming of chapters and regrouping of plan content into specific chapters, thus allowing a more direct understanding of permitted activity status.

Spatial planning has also progressed with analysis of data via geographic information systems, informing the understanding of the scale and significance of resource management issues. This in turn has assisted with the further development of draft s32 reports which examine and assess the benefits and costs, and risks of new policies and rules on the community, the economy and the environment.

A dashboard to collate data regarding demand for housing and business land will contribute to a diverse range of tools that can assist and inform the making of the new plan. These tools to assess demand follow the Guidelines for Evidence and Monitoring set out by the Ministry for the Environment associated with the National Policy Statement for Urban Development Capacity and other Council planning processes in determining the sufficiency of development capacity (land supply with infrastructure) for housing and business land to meet the expected demands of the district.

Changes to National Planning Direction

A discussion document titled "Valuing Highly Productive Land" (NPS-HPL) was released by the Ministry for the Environment (MfE) and Ministry for Primary Industries (MPI) in August 2019. This is the precursor to the possible creation of a National Policy Statement (NPS) to manage productive land.

The issues and possible resource management directions associated with productive land have already been considered to a large degree in the draft policy framework for the new District Plan. This includes the proposed creation of a new horticulture zone. The development of a new higher order instrument to manage productive land is very likely to further influence and direct plan making as well as have some impact on lifestyle development for different parts of our district.

Council has submitted on the proposed National Policy Statement for Highly Productive Land.

Two other discussion documents have also been released in the same period; the Ministry for the Environment's discussion document on a proposed National Policy Statement on Urban Development (NPS-UD) and the Action for Healthy Waterways proposals, including the National Policy Statement on Freshwater Management (NPS-FM).

Similar to the Highly Productive Land, Council generally supported the NPS-UD proposal offering that consolidating density in those areas already serviced by infrastructure to be the most efficient and affordable option to support the Far North's urban areas.

A submission is being prepared for the Healthy Waterways Proposal with likely recognition that further water reforms have the potential to impact on land use throughout the district, and that further time is likely to be required to suitably assess the evidence and detail of the proposals.

Indigenous Biodiversity Identification and Mapping Project

Northland territorial authorities are working collaboratively on a project to identify vegetation considered to be 'Significant Natural Areas'. This is a requirement of the Regional Policy Statement for Northland.

Project mapping has been completed to a draft stage for the Far North, with a set of maps provided to Council for initial feedback. Further refinement of the mapping will be undertaken followed by ground truthing site visits this year. A programme for engagement will then take place. Ideally, this would occur against the backdrop of the release of the draft National Policy Statement for Indigenous Biodiversity. This was originally forecast by Central Government to take place in October 2019. Confirmation of mapping will be followed by assessment against significance criteria and subsequent consultation with potentially affected landowners.

Iwi engagement commenced earlier in the year via the tangata whenua reference group.

Northland Forward Together

Below is a snapshot of the active Northland Forward Together projects that are being progressed by Northland Councils. Priority are:

- Regional Economic Development;
- Four Waters;
- Provincial Growth Fund;
- Digital Enablement the 2019 Election Campaign; and
- Potential Centres of Excellence

Northland Forward Together – Snapshot of Individual Project Status and Actions as at 31 October 2019			
Projects	Lead Council	Status	Developments/Actions
Regional ICT Programme	FNDC	In progress	ICT Managers are working with NTA regarding communication and productivity tools to assist workflow. A proof of concept is designed and ready for discussion between NTA and CEs.
Provision of GIS services to KDC	NRC	In progress	KDC have 'gone live' with their internal GIS viewers.
LIDAR capture for Northland	NRC	In progress	Capture phase of the project is 100% complete. NRC has received the preliminary digital elevation models for all of Northland and they are now being quality checked. The final product was planned for 30 November 2019.

Projects	Lead Council	Status	Developments/Actions
Four Waters	WDC	In progress and on target (subject to national enquiries)	Environmental Engineering Standards (EES) have been completed for WDC and provided to other councils to adopt or amend as they see fit. Currently waiting for the District Plan to introduce EES. The CE Forum and NFT have been kept up to date on the changes to the water industry. Currently undertaking high level evaluation of Service Delivery Options. More documentation has recently been released regarding the regulator. New Cloud based system for the management of consents region wide now operational. Be Waterwise web site is providing status of Northland water supplies. Some supplies already struggling across the region.
Digital Enablement Plan	Northland Inc.	In progress and on-target	The Digital Enablement (DE) Plan has been refreshed: eight projects in four work streams. National funding of Marae digital hubs has been announced with three Northland Marae already connected. More are being supported to engage through TPK for support. The Digital Infrastructure Map has been updated with new data to show proposed outcomes and gaps by 2022. The DE Group has been extended to support wider representation. Work has started to deliver community Wi-Fi networks with Taipa being the first pilot.
Centres of Excellence	FNDC	In Progress	Each Council has put forward their initial position regarding services that could be considered a potential centre of excellence or shared service. Work continues to propose three services that have potential in terms of customer service, service delivery, efficiencies and effectiveness.

Projects	Lead Council	Status	Developments/Actions
Provincial Growth Fund	WDC	In progress and on-target	<p>As at end of October 2019, almost \$400M has been allocated from the PGF to Northland based projects, including \$95M to maintain and improve the railway line between Swanson and Whangarei. Funding agreements have been put in place for \$327M. Of this, around \$50M has been handed over to recipients.</p> <p>Key projects seeking funding are:</p> <ul style="list-style-type: none"> • Northland Water Storage and Use (additional funding for construction) • Ngawha Innovation Park • Te Pu o Te Wheke • Twin Coast Cycle Trail in association with Bay of Islands Vintage Railway Trust • Bay of Islands Airport (stage 2) • Te Hiku work programme <p>Applications are being prepared for Kaipara Kickstart stage 2 (including Kaihu Valley Cycleway), Northland Digital Office and Te Tai Tokerau Tourism Strategy.</p>
Regional Economic Development	FNDC	In progress	<p>Building on the Martin Jenkins Review, an updated report on Regional Economic Development Service Delivery Model was approved by the CEs at their May meeting. The recommendations included an interim business model, funding and limited input to shared governance and a long term business model with funding and shared governance.</p> <p>The report will be further updated to incorporate the views and feedback from the Mayoral Forum and Northland Inc.</p>

Corporate

Governance

Local Body Elections

Local body elections concluded on 12 October 2019 with four new Councillors and seven new Community Board members being elected. There remains one vacancy in the Bay of Islands-Whangaroa (Kerikeri Subdivision) to be filled via a by-election.

There was a significant rise in candidates standing for office in 2019 with 11 Mayoral candidates and 90 candidates in total.

It was also immensely satisfying to see the significant rise in voter turn-out figure with 47.48% of voting document returns compared with 41.7% in 2016. Along with a localised “Have your Say” stand and vote communications campaign, voters were also provided with additional opportunities to cast special votes with a series of “special voting” days held in the three service centres, supported by the Electoral Commission. It is possible that the large number of candidates standing in these local body elections, coupled with additional resourcing to support casting special votes may have contributed to a larger voter turnout.

A recount was requested for the Te Hiku ward, and granted by the District Court Judge in Whangarei. The recount was undertaken on 31 October 2019 and there were no changes to the final results which were publicly declared on 21 October 2019.

The by-election will be held for the Bay of Islands-Whangaroa Community Board (Kerikeri Subdivision). Candidate nominations opened on 25 November, with election day being Tuesday 18 February 2020.

Elected Member Induction Programme

The induction programme for elected members has commenced, with a combined induction day on 23 October, followed by a two day strategic offsite and networking event on Friday 1 and Saturday 2 November for Council.

The above events were co-hosted by the Mayor, CEO and LGNZ Equip. Informal feedback received from our colleagues at Equip was positive, and augurs well with regard to the CouncilMARK assessment in April 2020.

A series of workshops, ward tours, and LGNZ specific training sessions will continue through to mid December 2019 to ensure members receive the professional development required for them to perform in their roles. Key events include:

- Mayoral Induction
- 3 ward tours of Council assets
- Local Government Finance 101
- Annual Plan
- Standing Orders and Political Decision-Making
- Committees, Portfolios and Remuneration
- Revenue Review
- Civil Defence
- Health and Safety
- Disability Awareness
- Councilor Regional Induction programme
- Community Board Regional Induction programme
- Northland Strategic Forward Together
- Far North Holdings Limited

Audit & Risk

Risk

The Audit, Risk, and Finance Committee has received all Organizational Top 12 risk status progress reports including on associated treatment plans. These information reports will continue to be updated to a suitable committee in the new triennium.

Part one of the next deep dive risk workshop was held 22 August 2019. This deep dive subject was risk number five on the Top 12 Risk Dashboard – Affordability. Subsequently we completed analysis of elected member feedback and are now working on part two of this deep dive which will be held in the New Year.

Audit

The staff commenced the research and planning phase to develop an organizational compliance legislation framework. The planning phase will include a timeline for the development and implementation of the agreed solution.

Transformation

The title “Transformation” was inserted into the scope of this business unit. This is to signal the increasing importance which the Council places on becoming a progressive council. Initiatives which the Manager-Transformation, Risk & Audit has been leading on include Council Mark, and Customer and Digital Transformation Programme.

Information Services and Technology

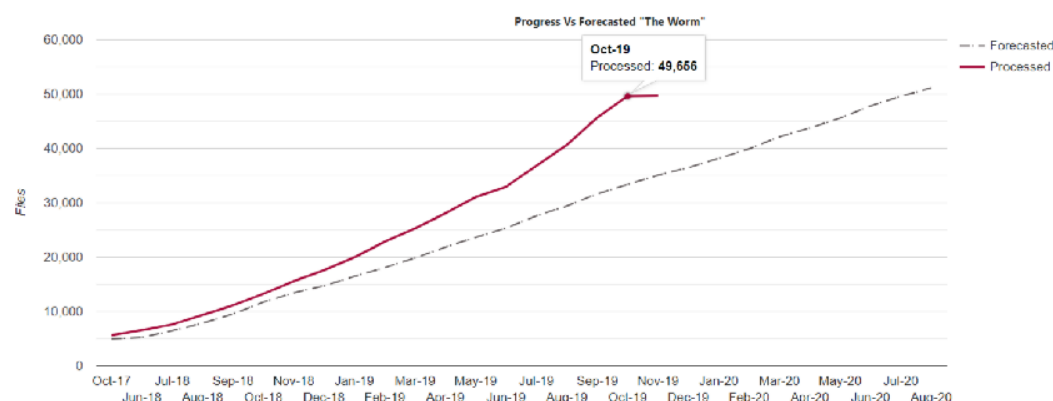
Property File Digitisation Project – Progressing ahead of Schedule

The project is now over 96% complete and is progressing well ahead of schedule. A total of 49,079 out of 51,104 property files have been scanned to date.

The original project completion date was August 2020. However, this has been revised based on current progress and is now forecast to be completed by April 2020, four months earlier than planned.

Property File Requests:

- August – 417 requests
- September - 404 requests
- October – 532 requests



The property file request fee was implemented on 1 July 2019.

Server and Network Project – Evaluation Completed – Contract Discussions

The Procurement Board approved the plan and requests for proposal that has release to the market via the Government Electronic Tenders Services. The RFP was required due to the age of the existing environment and pressures on operational delivery.

The tender process saw several vendors being included and participated in an online Q and A session with the evaluation team to ensure that the responses would be suitable for the evaluation team to score and recommend a preferred vendor.

This is a core renewal project to ensure delivery of existing/future digital services and organisational projects and programmes are able to be delivered and provide maximum usage and value to organisational users and customers

Council received four responses that would be part of the evaluation process. During October the evaluation team completed the evaluation of the non-price functional requirements and completed the price component in November.

Council approved the recommendations in November 2019 and awarded Datacom New Zealand to provide the renewal for this project.

The need to have this infrastructure replaced has been identified as a constraint to several other

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projects that are also aimed at providing a great user experience to staff and ultimately our customer facing teams. The server and network renewal will also:

- Provide an improved service (users' perspective) for desktop performance
- Provide improved service delivery for the Council virtual environment
- Reduce technical and maintenance support burden(s)
- Reduce administrative burden
- Reduce overall cost of providing IT core infrastructure
- Minimise the environmental impact to the Council
- Ensure future demand can be accommodated without reinvestment
- Maximise operational effectiveness

Office 365 Project – Rollout Started to Wider Teams

Work is continuing around the migration towards the Microsoft Office 365 platform. This includes several end-user application/service upgrades and changes that will be progressively rolled-out in the coming months.

We use an older version of the Office suite (2010) and the move to Office 365 will mean that Council is able to provide a more secure and feature rich toolset that will be used by all staff every day. The platform will also provide additional options for collaborations with Northland Transport Alliance, Far North Waters, and other regional partners.

Office 365 has been deployed to over 100 people and we are aiming to have all laptops and desktop PCs completed prior to Christmas. Once the Server and Network renewal projects are started, the existing environment will be replaced and migration to the new infrastructure is completed for the remaining 200 staff.

Planning has also started with details for migrating the telephony environment from the existing Skype for Business to the new Microsoft Team. This will also provide an improved and stable user experience for meetings and voice calls.

Shared Services – Northland Transport Alliance – Collaborative Proof of Concept

Officers have been developing a Proof of Concept option with Northland councils that will provide the teams linked to the NTA to have a single working environment. The outcome will be for all staff from all member councils and organisations to be able to operate under a single environment to ensure teams have the tools and information when needed.

- Outlook Mailbox
- Calendar Access
- File sharing services
- Collaboration via SharePoint and Teams

Program Delivery and Business Intelligence

Online Services

The first release of building consent, resource consent, and property enquiries into the production environment has been completed. The online application for property files with payment facilities is due to go live in November after being delayed due to technical challenges.

Stage Two is already underway and will see animal registration, permits and licensing, and the CityWatch mobile app being released to our customers in February 2020 along with registration for online services.

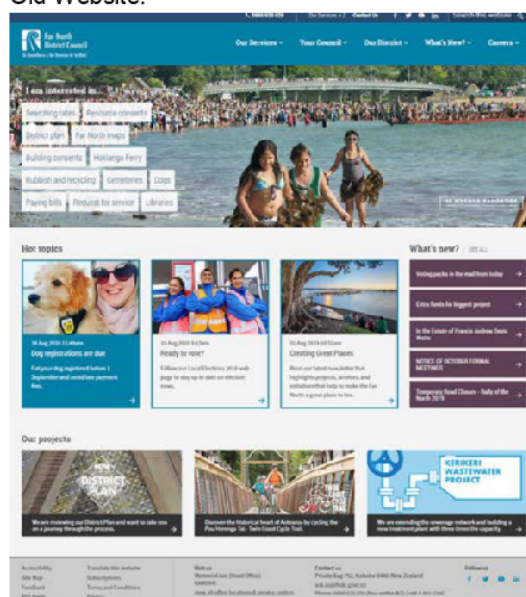
Stage Three will be released in April 2020 Stage 3 relating to Customer requests and Smart Mobile App and Stage Four will be released in July 2020 relating to Application Lodgment, Pre - Application Lodgment and mobile inspections for other than building consents.

Web 2.0

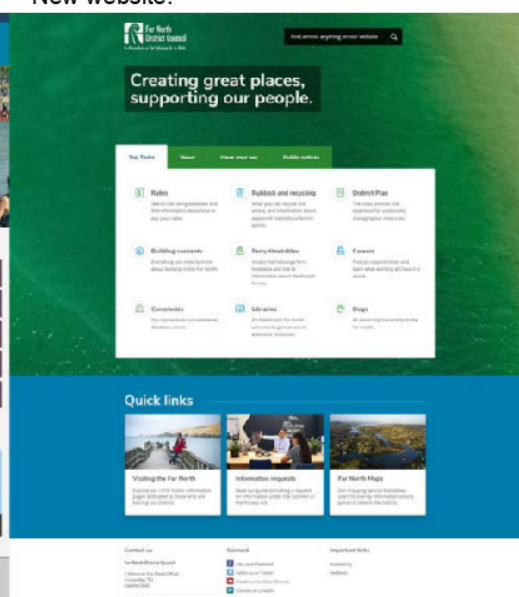
The launch of the new Council website at www.fndc.govt.nz on 30 October 2019 – on time and to budget – paves the way for Council to transform the way Far North residents interact with us online and increase options for customers.

The new website is optimised for mobile devices and information is laid out in an accessible and consistent way, so that customers can find what they are looking for easily, from anywhere.

Old Website:



New website:



The home page delivers the most requested features up front in a clean and unencumbered way. The predictive search function, in addition to the traditional navigation menu, means it is quick and intuitive to find anything else. Some simple forms that previously had to be printed and submitted physically have been replaced by online forms.

Under the Online Service Programme, many more transactions that once had to be completed with a phone call or in person will be available online – starting with the ability to order and pay for property files online.

The website content management system is simple to use so it is easier for teams to maintain and improve public information. The feedback function available on most pages encourages customers to give us quick response to tell us how we can make improvements. This feedback is directed to content “owners” so they can be responsive to customer requests and demonstrate we are listening.

Local Government Official Information & Meetings Act 'LGOIMA' Monthly Statistics

Data as of 31 October 2019

A few months ago, FNDC received a visit from the Ombudsman Peter Boshier, who found the council to be entirely compliant with the legislation. The Office of the Ombudsman acknowledged elements of good practice at FNDC and highlighted that we have - like all public bodies – some room for improvement. To this end a series of initiatives have been kick started, and these will be highlighted as examples of good practice in a forthcoming Ombudsman Publication.

Latest statistics for official information requests processed by the organisation appear below.

Month	# Requests / Month	# Requests responded to ≤ 20 days	# Requests responded to within permitted time extension	# Requests not responded to within time	Ombudsmen Investigations (if any)
Jan	13	13	0	0	0
Feb	26	23	1	2	0
Mar	11	11	0	0	0
Apr	16	16	1	1	0
May	17	17	0	0	1
Jun	22	21	1	0	0
Jul	28	28	0	0	0
Aug	23	22	1	0	0
Sep	23	21	2	0	0
Oct	23	10 (12 open)	1	0	0

Operational Financial Performance

As at 31 October 2019

Whole of Council

Statement of
Operational Financial Performance
for the period ending 31 October
2019

	Year to date			Actuals YTD as a % of Total	Actuals YTD as a % of Annual	Full year		
	YTD Actual \$000's	YTD Budget \$000's	Variance \$000's			Total Annual Budget \$000's	Total Annual Forecast \$000's	Forecast Variance \$000's
Operations								
Operational income								
Rates - general (excl water supply rates)	29,467	29,177	291	34%	34%	87,530	87,530	0
Rates - penalties	291	518	(227)	14%	14%	2,073	2,073	0
Fees & charges (inc water supply rates)	5,493	7,107	(1,615)	25%	25%	21,839	21,839	0
Central govt subsidies - operational	3,123	2,340	783	32%	33%	9,623	9,527	(96)
Other income	758	456	302	31%	31%	2,424	2,424	0
Capital income								
Central govt subsidies - new works	694	4,162	(3,467)	8%	9%	9,142	8,156	(986)
Central govt subsidies - renewals	2,230	2,305	(75)	15%	19%	14,664	11,719	(2,944)
Other contributions	13	0	13	1%	1%	1,000	1,022	22
Development contributions	18	0	18	0%	0%	0	0	0
Total operating income	42,087	46,065	(3,978)			148,295	144,290	(4,004)
Operating Expenditure								
Payroll related costs	8,902	9,121	219	30%	30%	29,610	29,610	0
Other staffing related costs	585	514	(71)	27%	27%	2,167	2,160	7
General expenses	2,725	2,862	137	28%	28%	9,606	9,643	(37)
Rate remissions	1,738	1,545	(194)	79%	79%	2,208	2,208	0
Contractor & professional fees	14,150	12,021	(2,129)	32%	31%	44,318	44,974	(656)
Grants and donations	992	871	(121)	53%	46%	1,882	2,165	(284)
Allocations (direct and indirect)	0	0	0	0%	0%	(0)	(0)	0
Interest costs	653	751	98	29%	29%	2,253	2,253	0
Sub-total	29,745	27,684	(2,061)			92,045	93,015	(970)
Depreciation and other asset costs	10,982	12,051	1,069			36,153	36,038	115
Gain/Loss on Disposal	14	0	(14)			0	0	0
Total operating expenditure	40,741	39,736	(1,006)			128,198	129,053	(855)
Net operating surplus/(deficit)	1,346	6,329	(4,983)			20,097	15,238	(4,859)

Statement of
Capital Financial Performance
for the period ending 31 October
2019

	Year to date \$000's			Actuals as % of Total Budget	Actual as % of Annual Forecast	Full year \$000's		
	YTD Actual	YTD Total Budget	Variance			Total Annual Budget	Total Annual Forecast	Forecast Variance
Capital Works								
District Facilities	475	814	339	4%	3%	12,890	17,140	(4,249)
Stormwater	316	914	598	10%	10%	3,098	3,269	(171)
Solid Waste	124	201	77	14%	14%	869	871	(2)
Wastewater	6,715	9,618	2,903	33%	31%	20,422	21,964	(1,541)
Water Supply	1,462	1,509	47	27%	27%	5,330	5,367	(38)
	9,092	13,057	3,965	21%	19%	42,609	48,610	(6,001)
Roading & Footpaths	3,657	4,612	955	11%	12%	33,901	29,415	4,485
Other								
Environmental Management	29	449	420	1%	1%	2,616	2,616	0
Governance & Strategic Administration	582	1,443	861	7%	12%	8,937	4,937	4,000
Customer Services	88	409	322	4%	4%	2,088	1,957	132
Total Capital Works	13,447	19,970	6,523	15%	15%	90,151	87,535	2,616

Variance Commentary***1. Fees and Charges Operational Income is under budget***

Income from Landfill and Transfer Stations are under with lower volumes disposed at this time of the year. It is expected to increase during the summer holidays.

Water by meter charges is lower than usual due to lower consumption and is expected to rise during the summer months.

2. Central Government Subsidies Capital Income is under budget

Subsidy milestones have not yet been completed for the Kerikeri Wastewater Treatment Plant and Rawene/Omanaia Water Treatment Plants. Expected completion date for Kerikeri is April 2020. Rawene/Omanaia is completed and we expect to receive subsidy in due course.

3. Contractor and Professional Fees Operating Expenditure is over budget

Property file digitisation project is on track to complete by March 2020 and Council approved additional funding at the 19 November meeting

Compensation and legal costs paid in relation to a court judgement went against the Council.

Water schemes contract work annual is over budget as this is subject to the Alliance agreement with Broadspectrum which is currently running over budget for internal labour, electricity and subcontractors. There is a partial compensation by the alliance at the end of the year.

The Kerikeri Wastewater Treatment Plant required further plant design to be carried out by external consultants, this may be capitalised in the future.

Wastewater Sludge Management contract work annual and external services are both unbudgeted, Council approved expenses for the desludging of the Kaitaia Wastewater Treatment Plant's Pond 1 last financial year. The total amount approved is \$1.5M and funds are committed for this.

Resource Consent contract professional services is unbudgeted, and consultants engaged to meet demand. These costs are partly recoverable.

Building Consent contract professional services have been engaged to meet demand. A large proportion of these costs are recoverable.

Operations

Customer Service

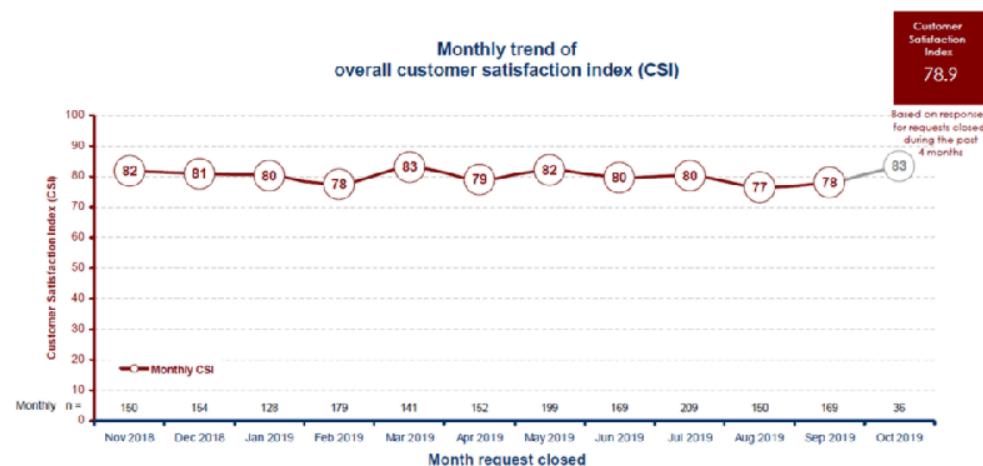
Customer Experience Programme

Closed RFS – Customer Satisfaction Index (CSI)

The scores provided below are for the four months ending 31 October 2019.

- Overall CSI for Requests for Service: 78.9%
- Overall satisfaction making the request 82.5%
- CSI for requests made via the After Hours provider: 82%
- CSI for library services: 93.8%
- CSI for visits to i-SITEs and Service Centres: 98.3%

Monthly CSI Trend for closed Requests for Service*:



Please note that due to the inherent delay of between 5 to 6 weeks in receiving feedback from customers, the most recent reporting month should be interpreted with caution.

The focus of the programme over the next few months will be:

- Embed the new Customer Experience Lead into the role and continuing to drive the continuous improvement framework across the council and its alliance partners.
- Prioritise Customer Experience Improvement initiatives and formalise into Improvement Programme

Customer Service Statistics

The following statistics are for period 1 August – 31 October 2019

Contact Centre / Service Centres

- 31.31% increase in the financial counter stats for Service Centres (7,946 up from 5,458)
- 14.87% decrease in calls to the Contact Centre (23,171 down from 26,617)
- 89.18% decrease in property file requests (740 down from 1,400); the decrease was expected due to the \$25 charge for property files implemented from 1 July
- 15.03% increase in the number of Ask.Us emails (5,566 up from 4,729)
- 33.28% decrease in the number of Building Inspection bookings (1,391 down from 1,854)

i-SITEs

- 10% decrease in visitor numbers (51,973 down from 58,020)
- 21% decrease in retail revenue (\$18,379 down from \$23,506). The Bay of Islands site has restocked and is ready for summer
- 10% increase in transaction amounts (\$49,088 up from \$44,512). Despite the decrease in visitor numbers, sales of accommodation, transport and activities have been strong

Libraries

- 2.4% decrease in total book issues (99,943 down from 102,443)
- 34.7% increase in ebook and audiobook downloads (7,410 up from 5,501)

Regulatory Services

Environmental Services

2665 Requests for Service were received during 1 August - 31 October

Animal Management

The Animal Management team received 991 Requests for Service (RFS) between August - October and responded to 94% of these on time.

7644 dogs have been registered for the current registration period. There are 3434 additional dogs on record which are not yet registered. The team are working with dog owners to promote responsible dog ownership which includes dog registration.

118 dogs were impounded across the District during the August - October period with five dogs being rehomed. 33 dogs were transferred to rescue groups for rehoming.

45 Infringements were issued to dog owners between August - October.

Council's Animal Shelters continue to present operational challenges as options are considered for new fit for purpose shelters that will future proof the operational capability. These include:

- 24 new kennels adjacent to the current Kaitia facility
- Joint venture opportunities with the Department of Corrections at their Ngawha Prison site
- The possible purchase of an existing boarding kennel as an interim measure

A full report with options detailing optimal arrangements in the short, medium and longer term will be presented to the December Council meeting for consideration.

Environmental Health and Monitoring Compliance

During the month of August, the Joint Accreditation Services - Australia New Zealand audit reassessment of the Quality Management System for Food Verification Services was completed. The Council is now accredited as a recognised agency to conduct verification services under the Food Act 2014.

81% of verifications conducted have an acceptable outcome. The staff are working with food operators to address any issues found during verifications. The proportion of corrective actions resolved on or before the agreed close out date is at 100% compared to the national average of 73%.

125 food business verifications were conducted between August - October.

262 noise complaints were received between August – October. 72% were responded to on time.

Building Compliance

232 RFSs were received by Compliance between August - October.

Swimming Pools

106 swimming pool inspections were carried out between August - October. There are 766 pools on record, with 88% of the total being compliant and 89 (12%) under investigation for non-compliance. New initiatives have been implemented to ensure that our customers understand the requirements of the Act.

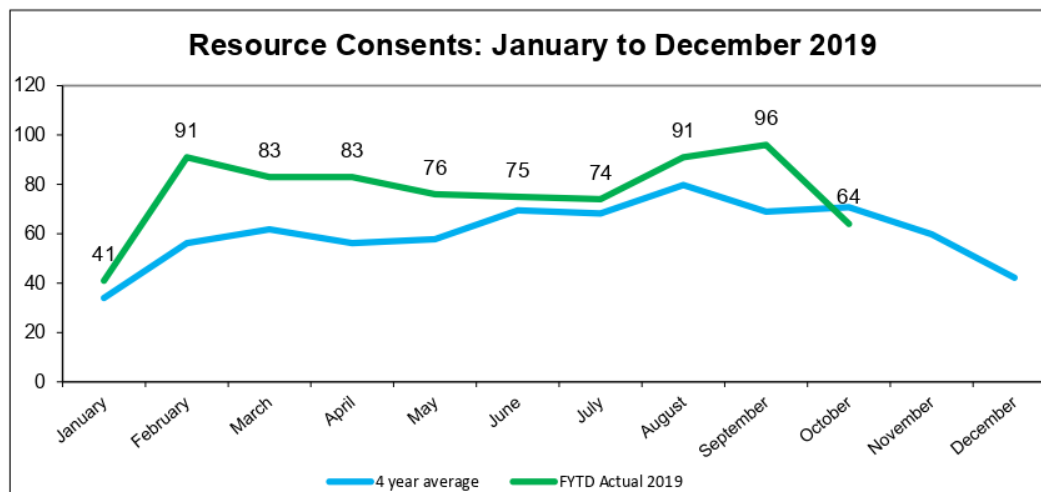
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Resource Consents Management

Overview

During the last financial year 1455 applications were received for resource consents, earthworks permits, and certificates issued under the Local Government Act and Resource Management Act; 60% (879) of these were resource consent applications.

There were 251 resource consent applications received during the months of August - October.



Note: the 4-year average refers to the average number of consents received during the past 4 calendar years, so incorporates the high levels of consenting activity over the past couple of years.

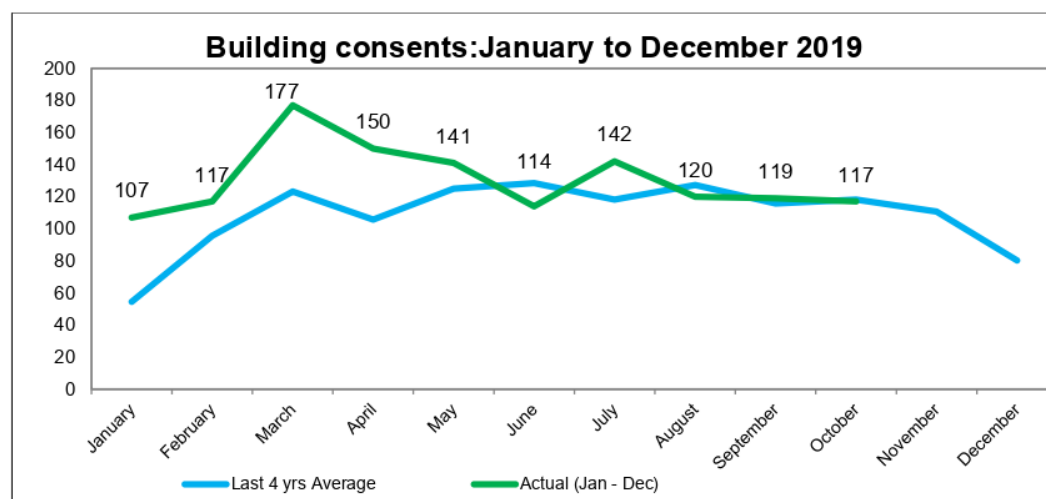
Building Consents Management

- During the August to October period a total of 385 building consents were received
- The BCA issued 348 building consents during the same period
- 92% of building consents were issued within the legislative time frame of 20 working days

Kerikeri Retirement Village, Kawakawa Hundertwasser community building, commercial shops/offices corner Kerikeri road and Hobson Ave, Paihia wharf are examples of some of the large commercial buildings under construction in the Far North. The Russell wharf is complete to stage 1 with a further building (a café) planned for the end of the wharf.

The BCA is currently reliant on contractors to satisfy its capacity to meet inspection and statutory time frames.

Further recruitment is under way to fill a vacancy within the BCA for the building officer roles.



Note: the 4-year average refers to the average number of consents received during the past 4 calendar years, so incorporates the high levels of consenting activity over the past couple of years.

Building Accreditation Update

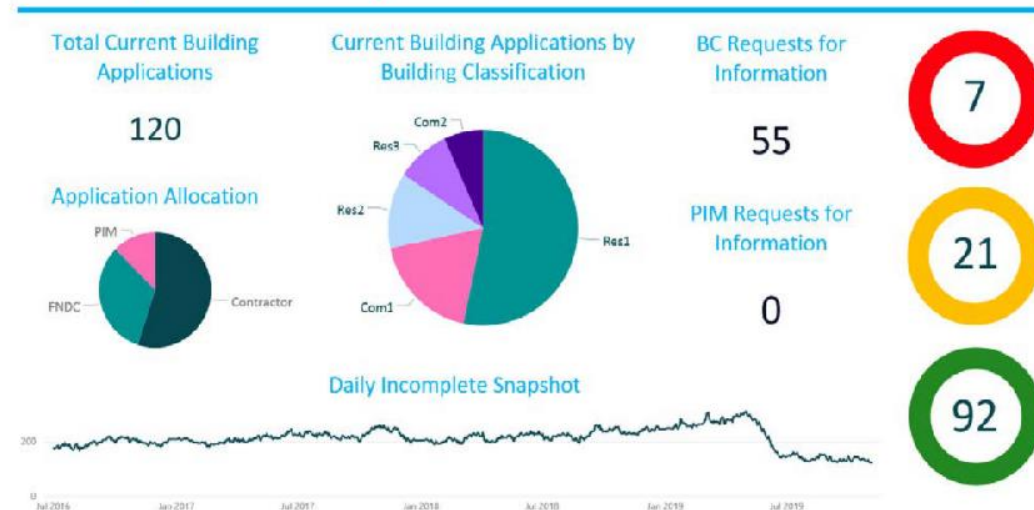
A biennial audit was conducted by International Accreditation New Zealand (IANZ) and the Ministry of Business, Innovation and Employment (MBIE) during the first week of October. The Audit Report has been received and only four General Non-Compliances have been highlighted. Upon receipt by IANZ of an Action Plan and evidence of implementation by mid-February 2020, the next programmed audit will occur in October 2020. A detailed report will be submitted to the December Council meeting.

As a result of the audit, the BCA continues to retain accreditation.

The focus of preparation for the next review includes:

- Monitoring and evaluating task progress as set out in the new detailed work schedule to meet the remaining IANZ requirements
- Appropriate allocation of tasks and resources in accordance with the Building Accreditation Regulations
- Working in collaboration with the external building consultant (Councils interim Quality Manager) to provide independent advice and technical oversight of all work completed against the work schedule

Incomplete Building Consents



Infrastructure and Asset Management

Roading

Panguru Flood Mitigation (Low Cost Low Risk): Commissioning design work. Phase 1 construction is expected March 2020.

Minor Safety Improvements (Low Cost Low Risk): Progressing the following Route Treatment safety improvement investigations and designs:

- Kaitaia-Awaroa Road
- Te Ahu Ahu and Old Bay Roads
- Wiroa Road, Waiare Road, Wehirua Road and Kerikeri Road
- Oruru Road, Fairburn Road and Peria Road
- Matauri Bay and Loop Roads

Progressing the following Site-Specific safety improvement designs (guardrail):

- West Coast Road Route Position 14.7km – design complete
- West Coast Road Route Position 17.1km – design started
- Pawarenga Road Route Position 1.7km – design started
- Broadwood Road Route Positions 0.3km and 6.9km – designs complete

Speed Limit Reviews Being Undertaken By NTA

We are reviewing all speed limits on local roads (not State Highways) across the Far North District. The review is being undertaken as a regional project in co-ordination with Kaipara and Whangarei District Councils as part of the governments Safer Journey's Strategy.

The first area encompassing an area from Waimate, Okaihau and a point just south of Kaeo was notified on 21st October. Submissions closed on 22nd November. We have had significant interest in this review, with approximately 45 submissions received in the first week.

As part of the community engagement process, we attended the Bay of Islands P&I Show on Showgrounds Road. This is in the heart of the review area. We engaged with a wide range of people who live and work in the review area and initial feedback was positive.

Hokianga Ferry (Kohu Ra Tuarua)

Revenue received from ticket sales for October 2019 was \$44,241.04. This is slightly less compared to the same month last year (\$46,581.16).

Utility Services – Corridor Access Requests and Traffic Management Plans

- Kawakawa, Moerewa UCG fibre connections are mostly complete.
- Kerikeri and Kaikohe UCG fibre connections are ongoing.
- Kaitaia UCG connections have started.
- Kaitaia laying of the fibre is continuing and almost now complete, most of the reinstatement has been completed.
- Ahipara fibre laying has started.
- Coopers Beach and Mangonui fibre laying has also started.

- Matauri Bay long haul fibre laying has been completed.
- Planning for laying fibre in Paihia has started.
- Several new broadband towers have now been completed.

Road Seal Extensions

The Road Seal Extensions Prioritisation matrix was completed mid-July. The top three priority roads were endorsed by the Procurement Board and subsequently approved by the Council to be constructed by the relevant maintenance contractors. The business case covering the subsidised portion of seal extension work is being prepared by the NTA and will be presented to NZTA for approval.

The following road sections have been identified following the unsealed road prioritisation. These sections have undergone detailed review cutting out lengths that have no houses on them, and applying the savings to the next highest priority road.

Road Name	Length (m)	Estimated Cost	FNDC Cost share	Fund Source	Contractor
Kumi Road	3,964	\$1,803,000.00	100% = \$1,803,000.00	LTP 2019/20	Fulton Hogan
Porotu Road	1,380	\$764,000.00	100% = \$764,000.00	LTP 2019/20	Broadspectrum
Puketi Road	1,000	\$433,000.00	100% = \$433,000.00	LTP 2019/20	Broadspectrum
Otataroa Road	203	\$109,000.00	34% = \$37,060.00	NZTA LC- LR	Fulton Hogan
Church Road	1,700	\$791,000.00	34% = \$268,940.00	NZTA LC- LR	Fulton Hogan
Koropewa Road	1,818	\$100,000.00	34% = \$34,000.00	NZTA LC- LR	Broadspectrum
Totals	10,065	\$4,000,000.00	\$3,340,000.00		

Footpaths

Renewals and maintenance work for the 2019/20 FY are prioritised and work has started in Moerewa, Kawakawa, Kerikeri, Paihia, Kaikohe and Kaitia by the contractors. Work is programmed to meet the budget available and as per the condition assessment.

Community Boards agreed to the 2019/20 New Footpaths Programme which commenced in August 2019 with designs and construction of the new footpaths will be completed by May 2020.

Structures

The following works have been undertaken:

- Otatau Road Bridge N28 – Resource consents underway. Bridge consultant engaged to commence tendering of works.
- West Coast Road Bridge G01 - ongoing consultation with the preferred contractor, also NTA is carrying out a Benefit Cost Ratio to compare the Renewal / Replacement cost.
- Matawheroia Rd Bridge I48 – Road legalization in progress. Design to be further reviewed.
- Inkster Rd Culvert W35 Replacement – Design and tender documentation in progress.
- Kenana Rd Culvert E16 & E19 Replacement – Design and tender documentation in progress.
- Mangamuka Rd Culvert H40 Replacement – Design and tender documentation in progress.
- Cumber Side Rd Bridge P48 Upgrade – Design and tender documentation in progress
- Bridge and Large Culvert Replacements: Designs and tender documentation in progress.

Pavement Rehabilitation & Associated Improvements:

There is approximately 5.5km Rehabilitation programmed for this financial year, which is distributed into eight different sites as follows:

- Mangamuka road RP0-1736 – designs complete and construction has started. Drainage and associated works are ongoing, works are planned to complete by mid-December.
- Broadwood Road RP13350-13780 – The contractor is working on finalising the designs. Physical works are programmed to commence early January 2020.
- Ngawha Springs Road RP2610-3163 – Deferred until the redevelopment is complete.
- Punakitere Loop Road RP0-346 – Investigation and survey works complete. Contractor is working on finalising the design. Works are programmed to commence late November 2019.
- Pungare Road RP5547-6572 - Investigation and survey works complete. Contractor is working on the design.
- Purerua Road RP4900-5300 - Investigation and survey works complete. Contractor is working on the design.
- Purerua Road RP6251-6794 - Investigation and survey works complete. Contractor is working on the design.
- Stanners Road RP1580-1720 - Investigation and survey works complete. Contractor is working on the design.
- Waimate North Road RP20-425 - Investigation and survey works complete. Contractor is working on the design.

Sealed Road Resurfacing:

North and South Contract Seal Design and programme confirmed. Sealing has commenced on the South Contract and expected to complete by end of December 2019. Sealing for the North Contract is expected to commence in December 2019.

Customer Experience

Request for Service count:

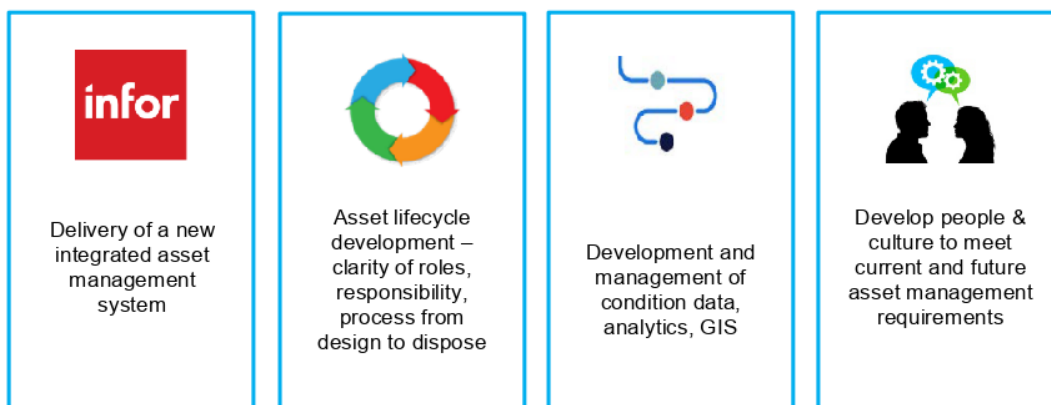
Asset Group	YTD	October
Roading	1450	375
3Waters	TBA	437
District Facilities	1727	538

Programme Darwin



The evolution of asset management at FNDC

We are embarking on a journey of transformation to ensure we can deliver on our vision of creating great places and supporting our people. This asset management programme, Programme Darwin, is a key element of this transformation journey. It has the following four workstreams:



Strategically asset management plays an integral in the long-term planning of the Council. Not only does it relate to how we execute the District's infrastructure strategy, but has a significant role in financial planning. For assets to influence the budget, rather than being constrained by it, planning needs to be done at a time that allows completed financial forecasts to be ready to underpin the budget. In that way, those making decisions on budgets can be better informed and able to consider the effect of their decisions on the assets and levels of service that the assets support. This planning relies on accurate and complete data – something the Data project will address.

Phase one of this programme has a 12 month focus, with phase two having another 12 month focus.

► High Level Roadmap							
FY 2018 - 2019				FY 2019 - 2020			
Q1 Jul - Sep	Q2 Oct - Dec	Q3 Jan - Mar	Q4 Apr – Jun	Q1 Jul - Sep	Q2 Oct - Dec	Q3 Jan - Mar	Q4 Apr – Jun
			Asset Management System - INFOR				
					Asset Lifecycle		
					Data & Analytics		
			People & culture				

3 WATERS OPERATIONS



Key results

During October Far North Waters kept 64 employees safe, with no Long Term or Medical Treatment Injuries. There was one high potential vehicle incident, where a staff member rolled a light truck with hiab. No injuries were sustained. This incident is currently under investigation.

We have 100% compliant drinking water from our nine plants. We attended and resolved 241 requests for service call outs, significantly lower than the seasonal average of 325. There was 100% customer satisfaction achieved from the seven surveyed responses received.

Planned Maintenance totaled 49 service jobs with a completion rate of 96% for October. We have continued to reach our target of >90% completion for seven consecutive months. The outstanding planned maintenance will be completed in November.

Issues

We have ongoing Supervisory Control and Data Acquisition comms reliability issues. Critical 911 alarms are not being received, and loss of comms highlights a high risk due to loss of monitoring visibility at our plants and stations. A review to quantify overall performance is planned to determine next steps.

Stormwater

Council's stormwater engineer and support engineer became part of the Alliance in August.

Currently assigning RFSs is done manually while automated systems are being reconfigured. It is anticipated that this work will be completed before the end of November.









Land Drainage











The Department of Conservation (DOC) provided Council with the final version of the Concession Agreement on timeframes for undertaking the flow maintenance work Council is required to perform on behalf of the Landowners in the Motutangi Land Drainage Area. The Agreement does not allow the work to be done at optimal times; rather it will only be done December and January of each year. This means that the drains will operate at higher levels during the spring period when they are normally cleaned which is likely to generate complaints from the landowners.









INFRASTRUCTURE PLANNING

The following provides an overview of the current priorities on the infrastructure planning programme.



Activity	Asset Group	Expected Completion	Comment
Strategies / Plans / Policies			
District Transport Strategy		FY19/20	Completed preparation of the first draft of the Integrated Transport Strategy. Release for public consultation held back until early 2020 to align with release of Far North 2100 Strategy and Spatial Plan. Strategic Business Case submitted to NZTA. Project Steering Group structure and communication channels changed to reflect control of Strategy by SPP and Plan by IAMS. Strategy may require additional work once draft FN2100 completed. Preparations underway for initial Integrated Transport Plan stakeholder engagement workshop 12 November.
Rawene WWTP Optioneering		On-going	Staff are working with engineering consultants and Rawene locals to identify options for discharging wastewater to land. The consultants are costing three options and will present these at a hui before the end of the calendar year.
Water Demand Management Plans		TBA	Water Demand Management Plans (WDMP) aim to identify ways a particular scheme can manage demand to limit the need to invest in increased capacity. Parked until BRANZ household water use data is available.
Backflow Prevention Policy		FY19/20	A renewed look at Water Safety Plans (required by Drinking Water Standards) took place in September across Asset, Planning and Operational teams. Backflow prevention policies contribute to this requirement and will be programmed to align with our goals in this space. Vacancies in 3 Waters Planner roles have stalled progress on this project. Recruitment is underway.
Water and Wastewater Connections Policy	 	FY19/20	A policy or internal guideline for water and wastewater connections will increase transparency and support consistent decision making when considering requests to connect to the water and wastewater networks around the district. A project plan for this work is currently being developed in accordance with the FNDC project management framework to ensure the effective delivery of the policy.
Sludge Strategy		FY19/20	Removal and disposal (use) of wastewater sludge is a growing problem in New Zealand. Staff attended a workshop at the WaterNZ annual conference dedicated to biosolids (sludge). Vacancies in 3 Waters Planner roles have stalled progress on this project. Recruitment is underway.
Paihia Water Strategy			A workshop in late September saw a huge number of options whittled down to three preferred options for further investigation and high-level costing. The workshop considers options in three broad categories; source water, treatment technology and plant location. The many complexities of the issue were well considered and documented by HG. The costings are expected to be discussed at another workshop in November.
Proposed Regional Plan for Northland	All	FY19/20	Working closely with WDC, FNDC has joined six appeals on the Proposed Plan, with a focus on ensuring that it enables public water supply. Mediation with appellants started in early August and is expected to continue until December.

	Asset Group	Completion / Consent Expiry	Comment
Taipa WWTP Renewal/Appeal		Under Appeal	The Taipa WWTP discharge consent decision was appealed in a joint appeal from a variety of individuals including local Hapu and Andreas Kurmann. Legal counsel has been engaged to lead the development of the legal strategy to manage the appeal. Staff are in the process of identifying and engaging the relevant experts to support the appeal. It is anticipated that mediation will begin early 2020.
Kohukohu WWTP Renewal		May 2020	Staff are expecting a request for further information from NRC this calendar year.
Opononi / Omapere WWTP Renewal		Mar 2020	Staff are negotiating costs with a local supplier for a Cultural Impact Assessment. The monitoring equipment deployed at part of the Hydrodynamic Study of the Hokianga Harbour was removed after 30+ days. The data will be provided to the modellers to calibrate the models.
Opononi / Omapere New Source – Resource Consent		December 2019	An application has been made to NRC for a groundwater take to supplement the Opononi WWTP. Staff have recently completed a response to a request for further information, save for some follow-up queries staff expect to receive draft resource consent conditions in November.
Opononi/Omapere New Source – Archaeological Authority		October 2019	Northern Archaeological Research Limited was engaged to undertake an archaeological survey and assessment of the earthworks and pipeline areas for the new groundwater source at Smoothy Road. The survey concluded that no archaeological sites will be affected by the proposed earthworks and that works can proceed without the need for an Archaeological Authority.
Otaua Bridge upgrade, instream works.		November 2019	Staff have been working alongside external planners and the NTA to deliver a resource consent for in-stream works associated with the replacement of the Otaua Road bridge. The resource consent is expected to be granted in early November.
Puketotara surface water take (source for Kerikeri WTP)		November 2019	An increase in allocation is being assessed in order to increase resilience of the Kerikeri Water Supply. In October NIWA undertook an analysis of the flow records and to determine a mean annual low flow and maximum allocation from the Puketotara Stream. An in-stream ecology assessment will be undertaken in early November, this will determine the effect on the ecology from any reduction in stream depth as a result of FNDC's take.
Russell groundwater take		Aug 2019	The new consent will seek to supply water to public toilets in Russell. Draft consent conditions have been received and the consent is expected to be issued in early November.
Kerikeri Sports Complex Wastewater Renewal		Dec 2019	An application to renew the discharge consents will be made before January 2020.
Southern Dog Pound Application		TBC	At a Council Meeting in August elected members asked that the location of the new southern pound be re-examined with alternative locations considered. District Services will be reporting to Council in December.

	Asset Group	Completion / Consent Expiry	Comment
Motutangi Drainage District Concession application		Nov 2019	Draft concession report received from the Department of Conservation (DOC). Final comments on the draft have been forwarded to DOC. DOC have advised that the report will be peer reviewed and then be sent to Kaitia's Operations Manager for approval. Decision is expected by the end of November.
Waitangi - (TIF) Public Toilets		Nov 2019	The archaeological assessment has been completed and an authority is required to construct the toilets in the preferred location. Engagement/consultation with tangata whenua has been carried out. The Waitangi Trust Board has requested further details on the design and the authority application lodgement is subject to their approval. Once the project manager advises the Waitangi Trust Board has been obtained the authority application can be lodged and the planning assessment completed.
Awanui River Stormwater Outlet Structure Renewal		Dec 2019	Consent expires 31 May 2020. NRC have provided written verification that no new resource consent for the activities are required on the basis that they comply with permitted activity rules.
Kaeo Public Toilets water supply		Dec 2019	District Facilities staff have indicated that a new water source for the Kaeo Public toilets may be necessary. TBC.
Marreine Place, Karikari – Flood control works		2019	DOC advised of concerns with open drain adjacent to significant wetland. Regional resource consent required for works. Stormwater operations team investigating alternative options for the disposal of stormwater.
Kaikohe Memorial Park – Facilities (Basketball Court) upgrade		Oct 2019	Application lodged. Decision received 4 th October. Project handover with contractor and community trust completed.
Horeke Temporary Dog Pound		Nov 2019	Consultants have been engaged to prepare and lodge the retrospective land use application for the temporary pound. An acoustic expert has been engaged to prepare noise assessment to support application. The application is expected to be lodged in November/December depending on outcome of consultation with potentially affected parties.
Kaikohe Public Water Supply – Wairoro Stream Take		-	Preliminary investigation into reducing the minimum flow requirements set by conditions of consent. Anticipate an application being made December 2019.

INFRASTRUCTURE COMPLIANCE

The following provides an overview of infrastructure compliance with NRC issued resource consents including current abatement notices.

Summary of Abatements

Asset	Asset Type	Non-Compliance	Action Underway
Kerikeri Sports Complex		<ul style="list-style-type: none"> Issued Dec 2016 Breach of discharge consent limit for wastewater discharge amount 	No breaches of discharge volume since November 2018. Plumbing repairs, meter calibration and maintenance undertaken. Cancellation of abatement will be requested shortly.
Mangonui Handrail		<ul style="list-style-type: none"> Abatement notice issued May 2018 Erection of a safety rail on the Mangonui boardwalk required 	As agreed, to by NRC, 80m of handrail installed in September 2018 in highest risk area. Staff continued working with Community Working Group to reach acceptable solution for remainder of boardwalk – public consultation underway.
Kaitiaki Recovery Centre		<ul style="list-style-type: none"> Abatement notice issued Nov 2018 Stormwater runoff from bins stored at site may contaminate waterway 	Interceptor / oil separator in process of being installed to address NRC concerns around contaminants entering waterway.
Opononi WWTP		<ul style="list-style-type: none"> Abatement Notice issued Apr 2016 Plant evidencing non-compliance with E. Coli limits 	Short term: aerator and desludging have improved E. Coli readings, refencing of wetland area being arranged November 2019 which will be followed by wetland refurbishment in due course. Long term: engagement with the Community Liaison Group continues to try and find an acceptable upgrade solution. Aiming for agreed upgrade solution next LTP.
Kaitiaki WW Network		<ul style="list-style-type: none"> Abatement notice issued Apr 2016 Unconsented network overflows 	Screens have been installed at overflow location and programme of work underway to reduce frequency of overflows.
Paihia WWTP		<ul style="list-style-type: none"> Abatement Notice issued Oct 2016 Breaches in ammonia limits ongoing 	Paihia WWTP upgrade project underway and meeting deadlines provided to Environment Court and NRC.
Russell WWTP		<ul style="list-style-type: none"> Abatement notice issued Mar 2017 Intermittent breaches in E. Coli limits 	Various upgrade work undertaken during 2018/2019, plant currently compliant and in monitoring period before requesting cancellation of abatement notice.
Ahipara WWTP		<ul style="list-style-type: none"> Abatement notice issued Mar 2018 Non-compliant leachate volume discharged to pond from Ahipara Landfill. 	Pump controller was upgraded 2019 however slight exceedances of consent limit are still occurring. Far North Waters staff to investigate solution.
Ahipara WWTP		<ul style="list-style-type: none"> Abatement notice issued September 2017 Discharge non-compliant with faecal coliform limits 	Wetland refurbishment work and pond desludging have resulted in positive impact on faecal coliform limits. Abatement notice cancellation sent to NRC in July 2019 – awaiting response.

District facilities

Parks and Reserves

Erosion issues continue to be highlighted. Freese Park, Omapere is a concern as the land continues to slip into the harbour resulting in the slip area getting closer to the public toilet and playground / equipment in this reserve. Recently a small basketball court had to be removed to save it from slipping into the ocean.

Work has been completed on the programmed maintenance work on trees in Johnson Park Kawakawa.

Work has been completed on the Omapere and Opononi foreshore Pine trees.

100 Manuka trees have been planted at the Kerikeri Skudders Beach Reserve adjoining the wetland to enhance the ecological value of the area.

Two large Eucalypt trees growing on Council Esplanade Reserve fell onto Houses in Kerikeri during a weather event. The trees have since been removed.

Cemeteries

Discussions continue with NZTA concerning the need to disinter remains from an old private cemetery in Kaeo as a result of the old cemetery slipping onto the state highway.

Public Toilets

The public toilets at Klinac Lane Waipapa have had upgraded cisterns installed. This will remove issues encountered in the past with push buttons jamming causing excessive water output.

A new interior paint job including replacement of the 8 hand driers has been carried out at the Russell township public toilets.

Needs for temporary seasonal toilets for the 2019/20 Summer season are have been finalised. Disability portalooos will be installed at:

- Unahi Reserve, Awanui
- Lake Manuwai, Kerikeri (replacing a hired one)
- Rangitane Reserve, Kerikeri
- Hone Heke Memorial Reserve, Kaikohe (replacing a hired one)
- Mangianganga Reserve, Kaeo. Although DOC land, Council is providing a portaloo as another solution to minimize the pressure on other toilets between Paihia and Mangianganga.

Alpine toilets will be in place at Ramp Road, Karikari Peninsula and another two Alpine toilets will be in place at Ramp Road, Karikari Peninsula and another two are already in place in Rawhiti.

Solid Waste

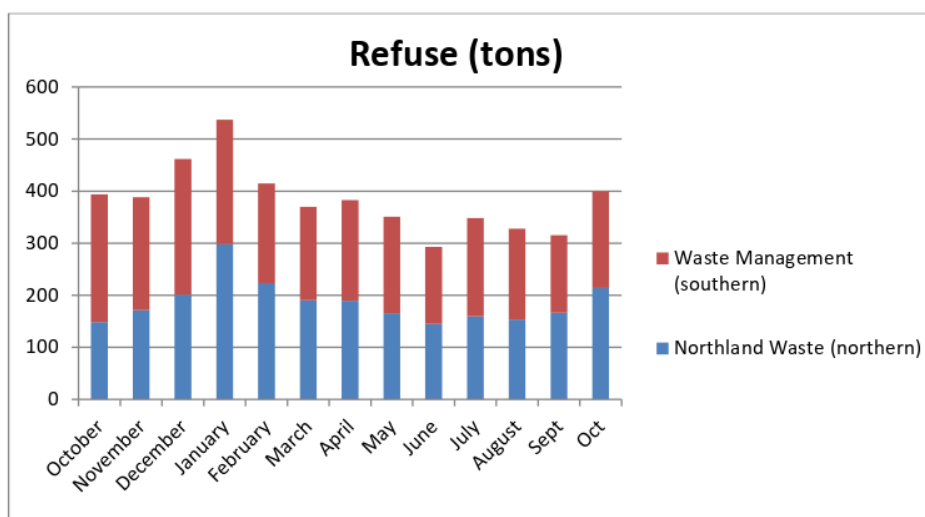
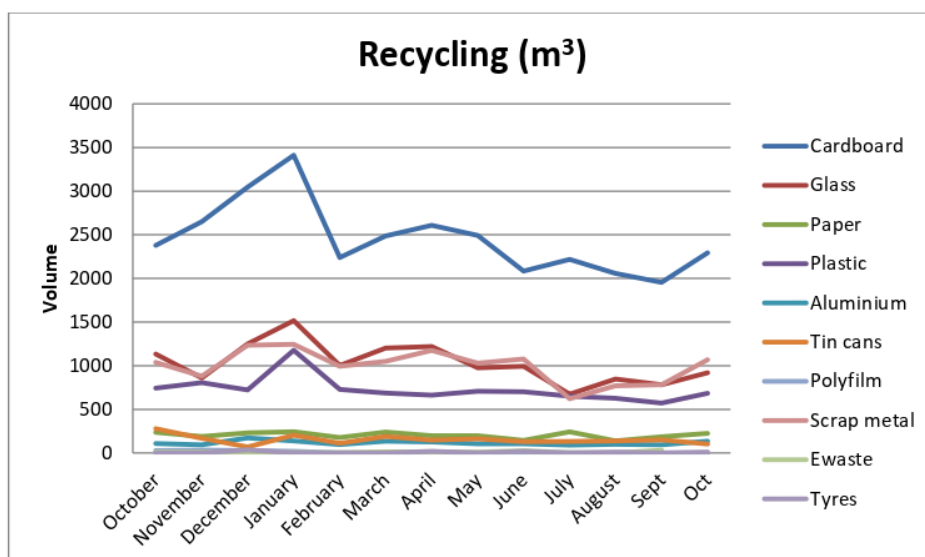
Community Recycling Centres

A community recycling centre is planned to be opened in Rawhiti.

Contract Renewals

Tender documents for the waste minimisation education contract are being finalised. A report requesting a four-month extension to the Russell Landfill and Transfer Station will be tabled at an upcoming meeting.

Solid Waste Stats for August



Civil Defence Emergency Management

National

The Emergency Information Management System is no longer being used or supported by the Ministry of Civil Defence and Emergency Management. The replacement product will be "Microsoft Teams" which is part of Microsoft Office 365. Implementation timeframes have been set with an expected rollout to CDEM Groups early next year with training to follow.

Regional

Discussions are underway with key northland agencies that include Fire Emergency New Zealand, NZ Police and Northland Civil Defence to determine the feasibility and the advantages of a joint Emergency Coordination Centre located in Whangarei. Whilst this is still in the discussion stage, commitment would be required from all agencies, including councils to be able to proceed with the concept.

Local

Council has received approval from Meridian Energy to allow further tsunami alarms to connect to their network at no charge for administration or power usage. We are now able to proceed with the installation of three alarms on the Karikari Peninsula that has been on hold for the past three years until permission was granted.

Tsunami Information Boards are now being rolled out in Far North coastal communities. The information boards assist community understanding of tsunami risk, indicates the evacuation zones and safe areas to enable an effective response to a tsunami warning or a tsunami event. The sites chosen for the information boards are in areas to ensure the opportunity to educate the public to the risk of tsunami is maximised and that the reach includes transitory public.



Two of five Tsunami Information Boards located on the Karikari Peninsula. (Colin Kitchen Northland CDEM Group Chairman, Sarah Boniface Emergency Management Adviser, and Tony Gillespie, Tokerau Beach and Whatuwhiwhi Residents and Ratepayers Association representative)

11 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
11.4 - Award of Far North Swimming Pools Operations and Maintenance Contract	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
11.1 - Far North REAP Agreement Extension and review Update	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
11.1 - Otua Bridge N28 Replacement Procurement Plan	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7