



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Ordinary Council Meeting

Thursday, 7 April 2022

Time: 10:00 am

Location: Virtually via Microsoft Teams

Membership:

Mayor John Carter - Chairperson

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

COUNCIL MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon Mayor John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
Deputy Mayor Ann Court	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	District Licensing	N/A	N/A	N/A
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case
Ann Court - Partner	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
David Clendon	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
David Clendon – Partner	Resident Shareholder on Kerikeri Irrigation			
David Collard	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
Felicity Foy	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties Seaview Road – Cable Bay, and Allen Bell Drive - Kaitaia.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/ Puckey Road/Bell Road, the Awanui Straight and Allen Bell Drive.	
	Foy Farms Partnership	Owner and partner in Foy Farms - a farm on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 7 dwellings on Church Road,		

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
		Kaingaroa and 2 dwellings on Allen Bell Drive, Kaitaia, and 1 property on North Road, Kaitaia, one title contains a cell phone tower.		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	
	112 Commerce Street Holdings Ltd	Owner of commercial property in Commerce Street Kaitaia.		
	Foy Property Management Ltd	Owner of company that manages properties owned by Foy Farms Rentals and Flick Family Trust.		
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
	Shareholder of Coastline Plumbing NZ Limited			
Felicity Foy - Partner	Director of Coastal Plumbing NZ Limited			
	Friends with some FNDC employees			
Mate Radich	No form received			
Rachel Smith	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
Rachel Smith (Partner)	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		
	Town and General Groundcare Limited	Director, Shareholder		
Kelly Stratford	KS Bookkeeping and Administration	Business Owner, provides book keeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Māori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Will not discuss work/governance matters that are confidential
	Gifts - food and beverages	Residents and ratepayers may 'shout' food and beverage	Perceived bias or predetermination	Case by case basis
	Taumarere Counselling Services	Advisory Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	Sport Northland	Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	He Puna Aroha Putea Whakapapa	Trustee	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Kawakawa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Whangaroa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	National Emergency Management Advisor Committee	Member		Case by case basis
	Te Rūnanga ā Iwi o Ngāpuhi	Tribal affiliate member	As a descendent of Te Rūnanga ā Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā Iwi o Ngāpuhi Council relations	Declare a perceived conflict should there appear to be one

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Te Rūnanga ā Iwi o Ngāti Hine	Tribal affiliate member	Could have a perceived conflict of interest	Declare a perceived conflict should I determine there is a conflict
	Kawakawa Business and Community Association	Member		Will declare a perceived conflict should there appear to be one
Kelly Stratford - Partner	Chef and Barista	Opua Store	None perceived	
	Māori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest I would step aside from decision making
Moko Tepania	Teacher	Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.	Declare a perceived conflict
	Chairperson	Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.	Declare a perceived conflict
	Tribal Member	Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi o Ngāpuhi Council relations.	Declare a perceived conflict
John Vujcich	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain

Name	Responsibility Chairperson etc) (i.e.	Declaration of Interests	Nature Potential Interest of	Member's Proposed Management Plan
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest

Far North District Council
Ordinary Council Meeting
will be held in the Virtually via Microsoft Teams on:
Thursday 7 April 2022 at 10:00 am

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1 KARAKIA TIMATANGA / OPENING PRAYER**2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

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

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

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

3 NGĀ TONO KŌRERO / DEPUTATIONS

Russell Shaw of Top Energy wishes to speak to the Renewable Energy Zones

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

5 NOTICE OF MOTION**5.1 NOTICE OF MOTION - ROAD SEAL MATRIX AND PROGRAMME****File Number: A3654663**

I, Councillor Mate Radich, give notice that at the next Ordinary Meeting of Council to be held on 7 April 2022, I intend to move the following motion:

MŌTINI / MOTION

That the roading matrix policy be scrapped and replaced by bringing all roads to the Council table for elected members to make decisions on what metal roads are to be tar sealed.

TAKE / RATIONALE

As elected members are aware the roading matrix system was introduced as a tool to rank roads for sealing. Under the control of Northland Transport Alliance (NTA) it has failed. So much to the point that it's "who you know" which roads get tar sealed. The formula that NTA has designed for calculating the road ranking for sealing and even the dust matrix has been a shambles. Consequently, this has caused division amongst elected members and those who live on metal roads questioning why was this road sealed when there is more traffic and dwellings on my road.

I commend this Notice of Motion to Council.

ĀPITI HANGA / ATTACHMENTS

Nil

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3640638

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

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

RECOMMENDATION

That Council confirms the minutes of the Extraordinary Council meeting held 24 February and 15 March 2022 as a true and correct record.

1) BACKGROUND

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

2) DISCUSSION AND OPTIONS

The minutes of the meetings are attached.

Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

Reason for the recommendation

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

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

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

ATTACHMENTS

1. 2022-02-24 Council Minutes - A3604536 [↓](#) 
2. 2022-03-15 Extraordinary Council Meeting Minutes - A3632204 [↓](#) 

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	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
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.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
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.	There are no implications for Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
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 (for example, youth, the aged and those with disabilities).	This report is asking for minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON THURSDAY, 24 FEBRUARY 2022 AT 10:00 AM**

PRESENT: Mayor John Carter (HWTM), Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich

APOLOGY: Deputy Mayor Ann Court

IN ATTENDANCE: Mike Edmonds (Kaikohe-Hokianga Community Board Chairperson), Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board),

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA / OPENING PRAYER

His Worship the Mayor commenced the meeting and Cr Moko Tepania opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/1

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council receive the apology from Deputy Mayor Ann Court and a leave of absence be granted.

CARRIED

3 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

- Kaikohe-Hokianga Community Board matters: Mayor Carter will invite the Board Chair to share his thought on the following during item 7.5:
 - Speed reductions in Opononi
 - Okaihau Reserve Lease defer to Community Board meeting.
- Kaitaia Dam – Mayor Carter acknowledged Ngakahu Trust and the elected members working on this project (item 7.4 refers)
- Kaitaia Small Town Award – Mayor Carter acknowledged the community along with the elected members who champion their community along with Council support.
- Flexible Working Award – Mayor Carter congratulated and acknowledged all FNDC Staff.
- Kaimaumu Fire – Mayor Carter acknowledged and complimented FENZ, Ngai Takoto, local businesses, the community and local Farmers for the work that has already been done.
- COVID19 – Mayor Carter provided an update

- Mayor Carter welcomed all guests and deputations.

4 NGĀ TONO KŌRERO / DEPUTATION

- Shaun Johnson representing Merlin Labs and Space Aero. (Presentation provided document number A3609041 refers).

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A3538366, pages 12 – 27 refers.

RESOLUTION 2022/2

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council confirms as a true and correct record the minutes of the Council meetings as follows;

a) 14 December 2021 (Extraordinary)

b) 16 December 2021

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6 REPORTS

6.1 FAR NORTH HOLDINGS LIMITED – AMENDMENT TO COMPANY STRUCTURE

Agenda item 6.1 document number A3567181, pages 28 – 36 refers.

RESOLUTION 2022/3

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council, as the sole shareholder of Far North Holdings Limited approve the proposal to create two wholly owned subsidiaries: Bay of Islands Marina Ltd and Far North Housing Ltd.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6.2 FAR NORTH HOLDINGS LIMITED BOARD APPOINTMENTS

Agenda item 6.2 document number A3567179, pages 37 – 47 refers.

RESOLUTION 2022/4

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council:

- a) **Extend the tenure for Kevin Baxter on a month by month basis until 31 May 2022, or earlier when his replacement has been appointed.**
- b) **establish an “Appointment to Council Organisation Committee” in line with the Appointment and Remuneration of Directors of Council Organisations Policy (#2117).**
- c) **make the following appointments to the Committee;**
 - i) **External Commercial Advisor**
 - ii) **Council representative #1 Mayor John Carter**
 - iii) **Council representative #2 Cr John Vujcich**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich

Against: Cr Rachel Smith

CARRIED

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - FEBRUARY 2022

Agenda item 6.3 document number A3584759, pages 48 - 66 refers.

RESOLUTION 2022/5

Moved: Cr Rachel Smith

Seconded: Cr Moko Tepania

That Council:

- a) **agree, the Access and Equity for People with Disabilities Policy should continue with amendment; and,**
- b) **agree, a Regional Accessibility strategy is the most appropriate way to address access to Council services, facilities, and assets in the Far North.**
- c) **note, under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the Class 4 Gaming and TAB Venue Policy has been reviewed regarding the social impacts of gambling in the Far North District**
- d) **approve, under section 102 of the Gambling Act 2003, that the Class 4 venues policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to improve certainty**
- e) **approve, under section 102 of the Gambling Act 2003, that the relocation policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to further align with the intent of the Class 4 gaming sinking lid policy**
- f) **approve, under section 97 of the Racing Industry Act 2020, that the TAB venues policy component of the Class 4 Gaming and TAB Venue Policy be replaced by a sinking lid policy.**
- g) **approve, pursuant to section 5A of the Shop Trading Hours Act 1990, a new Easter Sunday Trading Policy be developed allowing shops to open on Easter Sunday across the whole of the Far North District.**
- h) **agree to the recommendations in the staff report on submissions and recommendation for consideration in attachment 1 that:**
 - i) **No changes are made to clauses 1, 2, 3, 4, 5, 9, and 10.**
 - ii) **Clause 6 is changed by:**
 - 1) **Adding a new definition:**

“Occupier means any person, other than the owner, who has a right to occupy the property, by virtue of a tenancy granted by lease, licence or other authority”.

- 2) Changing the definition of on-site wastewater disposal system to include “grease trap”**

iii) Under Part 2 Maintenance Requirements:

- 1) Adding a new ‘related information box’:**

“If the council is satisfied an on-site wastewater disposal system is injurious to health or not sanitary, the council can use its powers pursuant to sections 29, 30 and 34 of the Health Act 1956 by including issuing a notice of offence or to enter a premise and abate the nuisance without notice to the occupier or owner”.

- 2) Adding the words “or occupier” after the word “owner” in the ‘related information box’.**

iv) Clause 7 is changed by:

- 1) Adding the words “or occupier” after the word “owner” in the title, subclause (1) and subclause (2).**
- 2) Adding the words “or the suitably qualified person verifies the system is functioning correctly” at the end of subclause (2).**

v) Clause 8 (5) is change by adding the words “or occupier” after the word “owner”.

i) agree the On-site Wastewater Disposal System Bylaw in attachment 2:

- i) is the most appropriate form of bylaw; and**
- ii) the bylaw provisions are considered reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.**

j) under section 146 of the Local Government Act 2002, make the On-site Wastewater Disposal Systems Bylaw in attachment 2.

k) agree, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to vehicles on beaches in the Far North District;

l) agree that the current Vehicles on Beaches Bylaw 2015 is not the most appropriate form, because it does not address problems with vehicles on beaches effectively;

m) agree that the most appropriate form of bylaw will be to include relevant provisions in:

- the proposed Road Use Bylaw**
- a potential Reserves Bylaw**
- the Speed Limits Bylaw;**

n) approve the inclusion of provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be made under section 22AB of the Land Transport Act 1998;

o) approve the Vehicles on Beaches Proposal in Attachment 2, including the provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be released for public consultation to meet the requirements of section 22AD of the Land Transport Act 1998 and section 156 of the Local Government Act 2002;

p) agree the period for making written submissions on the proposal will begin 25 February 2022 and end 24 March 2022;

- q) **agree the Strategy and Policy Committee will hear any people wanting to present oral submissions on Tuesday 22 March 2022 and agrees to delegate, to the Chair, the power to change the date of the oral submissions**
- r) **authorise the Chief Executive Officer to make minor changes to the Vehicles on Beaches Proposal to correct grammatical or spelling errors, or formatting.**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6.4 KOUTU MONGEROA PICNIC AREA ENCROACHMENT

Agenda item 6.4 document number A3540785, pages 67 - 74 refers.

RESOLUTION 2022/6

Moved: Cr John Vujcich

Seconded: Cr Moko Tepania

That Council

- a) **engage with the kaitiaki of the Koutū Mongeroa Picnic Area to formalise a Kaitiaki Agreement for the lawful use of the area as a campground; and**
- b) **engage with the kaitiaki to obtain the necessary consents under the Resource Management Act, Local Government Act and Health Act to facilitate the lawful use of the area as a campground.**
- c) **That a progress report be brought to the Kaikohe-Hokianga Community Board.**

In Favour: Mayor John Carter, Cs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6.5 ADOPTION OF STATEMENT OF PROPOSAL TO AMEND RESOURCE CONSENT FEES & CHARGES FOR 2022-23

Agenda item 6.5 document number A3574653, pages 75 - 85 refers.

RESOLUTION 2022/7

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council:

- a) **adopts the Statement of Proposal for the proposed amendments to Resource Consent fees and charges.**
- b) **undertakes public consultation in accordance with section 83 of the Local Government Act 2002 from 1 March to 4 April 2022.**
- c) **delegates the Regulatory Compliance Committee to hear submissions if required on 26 April 2022.**
- d) **delegate to the Chair or Regulatory Compliance Committee the ability to change the date of the hearing, if needed.**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6.6 PAIHIA CENTRAL BUSINESS DISTRICT DEVELOPMENT RATE - ALLOCATION 2020/21 TO 2023/24

Agenda item 6.6 document number A3570279, pages 86 - 111 refers

RESOLUTION 2022/8

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That Council:

- a) **approve the allocation of the Paihia Central Business District Development Rate to Focus Paihia to provide a contribution to the physical signage and walking tour with augmented reality projects as follows:**
 - i) **the allocation of \$49,401.00 from 2020/21 that is diverted from waterfront projects;**
 - ii) **the allocation of \$48,618.34 for 2021/22 and the rate, when struck, for 2022/23.**
- b) **approve in principal that the Paihia Central Business District Development Rate for 2023/24 be allocated to Focus Paihia to carry out the stalled waterfront projects on the waterfront in Paihia providing that the work currently planned for the waterfront has been completed.**
- c) **note that a new agreement on the allocation of funds will be required from 1 July 2024.**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6.7 REVIEW ON EROSION ISSUES FOR FREESE PARK

Agenda item 6.7 document number A3568751, pages 112 – 122 refers.

RESOLUTION 2022/9

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council approves

- a) **additional unbudgeted operational expenditure of \$57,000 for professional services in 2021/22;**
- b) **an additional \$10,000 operational budget be added to professional fees as part of the 2022/23 Annual Plan, to advance the project through to the start of the construction phase.**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7 INFORMATION REPORTS

7.1 KAIKOHE CARES PROJECT

Agenda item 7.1 document number A3528794, pages 123 - 124 refers.

RESOLUTION 2022/10

Moved: Cr Moko Tepania

Seconded: Cr Kelly Stratford

That the Council receives the report Kaikohe Cares Project February 2022.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

The meeting was adjourned from 12:33 pm to 1:00 pm.

7.2 FAR NORTH HOLDINGS LTD - QUARTER ONE FINANCIAL REPORT 2021/22

Agenda item 7.2 document number A3569979, pages 125 - 131 refers.

RESOLUTION 2022/11

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That the Council receive the report Far North Holdings Ltd - Quarter one financial report 2021/22.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.3 PROGRESS REPORT: THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN

Agenda item 7.3 document number A3589368, pages 132 - 135 refers.

MOTION

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That the Council receive the Progress Report: The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.4 NGAKAHU STEERING GROUP UPDATE

Agenda item 7.4 document number A3594499, pages 136 - 158 refers.

MOTION

Moved: Cr Mate Radich
Seconded: Cr John Vujcich

That the Council receive the report Ngakahu Steering Group Update.

AMENDMENT

Moved: Cr Moko Tepania
Seconded: Cr Mate Radich

That Council, in receiving the recommendations from the Ngakahu Steering Group and subject to discussion and agreement with the Ngakahu/Ngakohu Whanau Ahuwhenua Trust, agree to;

- a) obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.
- b) stage the lowering of the dam water level, beginning with a water level drop of 2 metres, once lowered the water level will be maintained at the lower levels.
- c) staff assist the Ngakahu Steering Group to prepare a report showing a visual presentation, including landscaping, of the preferred option, or options, with a rough order of cost to implement.
- d) and that further recommendations be brought to the 7 April Council meeting.

In Favour: Mayor John Carter, Crs Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich

Against: Crs David Clendon and Rachel Smith

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/12

Moved: Cr Mate Radich
Seconded: Cr John Vujcich

That Council, in receiving the recommendations from the Ngakahu Steering Group and subject to discussion and agreement with the Ngakahu/Ngakohu Whanau Ahuwhenua Trust, agree to;

- a) obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.**
- b) stage the lowering of the dam water level, beginning with a water level drop of 2 metres, once lowered the water level will be maintained at the lower levels.**
- c) staff assist the Ngakahu Steering Group to prepare a report showing a visual presentation, including landscaping, of the preferred option, or options, with a rough order of cost to implement.**
- d) and that further recommendations be brought to the 7 April Council meeting.**

In Favour: Mayor John Carter, Crs Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich

Against: Crs David Clendon and Rachel Smith

CARRIED

Note: The Potential Decommissioning of Kauri Creek Dam report from John Duder referenced in the report was commissioned by the Ngakahu/Ngakohu Whanau Ahuwhenua Trust.

7.5 COMMUNITY BOARD UPDATES FEBRUARY 2022

Agenda item 7.5 document number A3585408, pages 159 - 174 refers.

MOTION

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council note the following Community Board minutes:

- a) **Bay of Islands-Whangaroa Community Board, 3 February 2022.**
- b) **Kaikohe-Hokianga Community Board, 4 February 2022.**
- c) **Te Hiku Community Board, 15 February 2022.**

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.6 COUNCIL ACTION SHEET UPDATE FEBRUARY 2022

Agenda item 7.6 document number A3578430, pages 175 - 190 refers

MOTION

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council receive the report Action Sheet Update February 2022.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2022/13**

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

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

5.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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</p>
5.2 - Committee Public Excluded Resolutions - February 2022	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p>	<p>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</p>
5.3 - Milford Island - Out of Policy Rate Remission Request	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>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</p>
5.4 - 8A Matthews Avenue	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the</p>	<p>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</p>

	information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

5.5 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/4

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council confirms the information and decisions contained in the part of the meeting held with public excluded not restated in public meeting as follows:

- Item 5.3 Milford Island - Out Of Policy Rate Remission Request
- Item 5.4 8A Matthews Avenue

CARRIED

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr Moko Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 3:06 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 7 April 2022.

.....
CHAIRPERSON

**MINUTES OF FAR NORTH DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 15 MARCH 2022 AT 11:30 AM**

PRESENT: Mayor John Carter (HWTM), Cr Ann Court, Cr David Clendon, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich

IN ATTENDANCE: Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board), Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

STAFF PRESENT: [enter names](#)

GUESTS Andy Nock, Chris Galbraith, Jennifer Hart (Far North Holdings Limited)

1 KARAKIA TIMATANGA / OPENING PRAYER

His Worship the Mayor commenced the meeting.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/15

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That the apologies from Cr Dave Collard be accepted and a leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

Nil

5 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/16

Moved: Mayor John Carter

Seconded: Cr Ann Court

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
5.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p>	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
5.2 - Paihia Waterfront Storm Mitigation Project	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
In Favour: Crs John Carter, Ann Court, David Clendon, Felicity Foy, Rachel Smith, Moko Tepania and John Vujcich		

Against: Crs Mate Radich and Kelly Stratford

CARRIED

5.5 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/18

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council confirms the information and decisions contained in the part of the meeting held with public excluded not be restated in public meeting as follows:

- **Item 5.2 Paihia Waterfront Storm Mitigation Project.**

In Favour: Crs John Carter, Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr Moko Tepania closed the meeting wiith a karakia.

7 MEETING CLOSE

The meeting closed at 1:26 pm.

The minutes of this meeting will be confirmed at the Extraordinary Council Meeting held on 7 April 2022.

.....
CHAIRPERSON

7 REPORTS

7.1 RENEWABLE ENERGY ZONES – JOINT SUBMISSION

File Number: A3641586

Author: Greg Wilson, Manager - District Planning

Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To approve a joint submission from Northland Councils on the Renewable Energy Zones (REZ) consultation conducted by Transpower.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- Transpower are currently consulting on REZ in Aotearoa New Zealand and the opportunity to pilot a REZ in Northland. Representatives from Northland's network operators have presented to various Councils' forums across the region, drawing attention to the consultation.
- Staff were asked to coordinate a joint submission on behalf of the Councils in Northland incorporating elected member feedback to date. A draft submission has been attached to this report for approval. Delegation is also sought to approve any additional feedback received from elected members to finalise the submission from the Far North District Council.

TŪTOHUNGA / RECOMMENDATION

That the Far North District Council:

- Approves the Draft Joint Submission on Renewable Energy Zones (Attachment B)**
- Delegates the Mayor the authority to finalise the submission in conjunction with the Mayors and Chairperson of the Northland Councils, to reflect any further elected member feedback.**

1) TĀHUHU KŌRERO / BACKGROUND

Transpower is consulting on a proposal to introduce REZ in New Zealand, as a way of facilitating new renewable energy generation investment that may otherwise be deterred by network upgrade costs.

The Northland region has been identified as a candidate for New Zealand's first REZ due to its high renewable generation potential, high developer interest and limited existing capacity on the transmission and distribution networks. Transpower, Top Energy and Northpower are seeking feedback on whether there is support for the Northland pilot.

Formal consultation commenced on 28 February 2022 and closes on 8 April 2022. It is being brought to each Council's March meeting to meet these timeframes.

What is a Renewable Energy Zone - (REZ)

A REZ provides an opportunity for multiple generators (e.g. solar, geothermal or wind farms) or major electricity users to co-locate to share connections to the grid, enabling cost effective investment in electricity infrastructure.

Typically, based on overseas examples from Australia and the United States, a REZ is in regions that may be abundant in renewable energy resources, but are some distance from transmission infrastructure, or require transmission upgrades to connect new generation. By capitalising on economies of scale and sharing construction costs, generators' cost to connect is reduced, helping to removing barriers to the construction of renewable energy generation projects.

Why Northland?

Northland has been identified as a pilot area because of its significant wind and solar resources, and the strong generation investment interest already in the region, with dozens of applications already received by the three network owners. However, Transpower, Top Energy and Northpower advise that their networks are already at capacity in places, meaning that without network upgrades further generation projects will not be realised.

Incremental network upgrades of existing transmission infrastructure could unlock up to 410MW to 700MW of renewable energy from across Northland. This is in addition to the potential for widespread adoption of rooftop solar across the region.

Benefits to Northland

The Northland consultation document identifies several benefits to Northland from the REZ, including:

- Consumer benefits – A REZ could reduce electricity prices through increased local generation, helping reduce energy hardship for consumers in what is currently the highest-cost region of New Zealand. Lower prices could in turn support the establishment of new business and economic activity in the region.
- Stimulating the local economy through investment in construction of new generation and network infrastructure, including job creation and workforce training.
- Ongoing employment opportunities post construction in maintenance and operations.
- Building resilience - A Northland REZ would strengthen the region's ability to be a net exporter of electricity.

Benefits to New Zealand

Leveraging Northland's renewable energy resources also has benefits to wider New Zealand by:

- Unlocking the potential for more renewable generation to contribute to New Zealand's 100% renewable electricity target.
- Increasing the resiliency of the energy system into the upper North Island through a diversified electricity supply into Auckland.

Regulatory context

The REZ concept proposed by Transpower works within existing regulatory frameworks. This means that any projects, whether new transmission assets or new generation projects, would still go through normal consultation, planning, and environmental consenting processes under the Resource Management Act (RMA).

Consultation

Northland's network operators have drawn this consultation to the public and key stakeholders' attention throughout the region. They have presented to the Mayoral Forum as well as to Northland's Councils various forums. The consultation document on the Northland Pilot is provided at **Attachment A** and more information is also available on the Transpower website if required.

Direction was provided for council staff to coordinate a joint submission to the consultation.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Staff from Northland Councils have worked collaboratively to draft a joint submission based on the key points provided by elected members via the various presentations and discussions. The draft submission is provided at **Attachment B**.

The draft submission is being reported to the region's March Council meetings for approval. Individual Councils may have further feedback informing the submission. Therefore, approval is sought for delegation to the Mayor to finalise the submission in conjunction with the Mayors from

Whangarei District Council, Far North District Council and the Chairperson from the Northland Regional Council.

A high-level summary of the key points in the submission are:

- Supportive of REZs in NZ recognising the social, economic, environmental, cultural, resilience and security of supply benefits
- Supportive of Northland being the pilot
- Councils will need to assess renewable energy provision being included in future District Plan reviews
- Northland Councils look forward to working together with developers and network owners on renewable projects within the regulatory framework
- The strong desire for operators to bear costs and not the community
- Would help achieve the long-term sustainable use of Māori land and can support and strengthen marae and papakainga development
- Working in partnership with hapū and iwi is critical
- Recognising market forces, a hope that any REZ would result in reduced power costs for Northland consumers
- Other factors to take into consideration is the significant climate change and adaptation work by the Northland Councils

Take Tūtohunga / Reason for the recommendation

• Options

Option 1: Approve the joint submission and delegation

This is the recommended option and would allow the submission to be processed and provided to Transpower, demonstrating Northland local government support.

Option 2: Choose not to approve the submission

This would indicate a lack of local government support for a pilot REZ in Northland and the region will not be able to realise the associated benefits if the pilot was not confirmed as suggested.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The REZ concept proposed by Transpower is an enabling initiative but would still work within existing regulatory frameworks. This means that any projects, whether new transmission assets or new generation projects, would still go through normal consultation, planning, and environmental consenting processes under the Resource Management Act (RMA). Consequently, there are no financial implications for Council.

ĀPITI HANGA / ATTACHMENTS

1. **Attachment A - REZ Northland Pilot 2022 FINAL - A3642736** [!\[\]\(a724a4a68298d6dff85fe378e838a60a_img.jpg\)](#) [!\[\]\(e45f0f4def98e1246d9487bb157beff5_img.jpg\)](#)
2. **2022-04-07 Attachment B - Draft FNDC submission on REZ - A3642745** [!\[\]\(88bfc90d98dd4d34739a3a724db7c68c_img.jpg\)](#) [!\[\]\(ccf2eae7cfca7109675c84141018761f_img.jpg\)](#)

Hōtaka Take Ōkawa / Compliance Schedule:

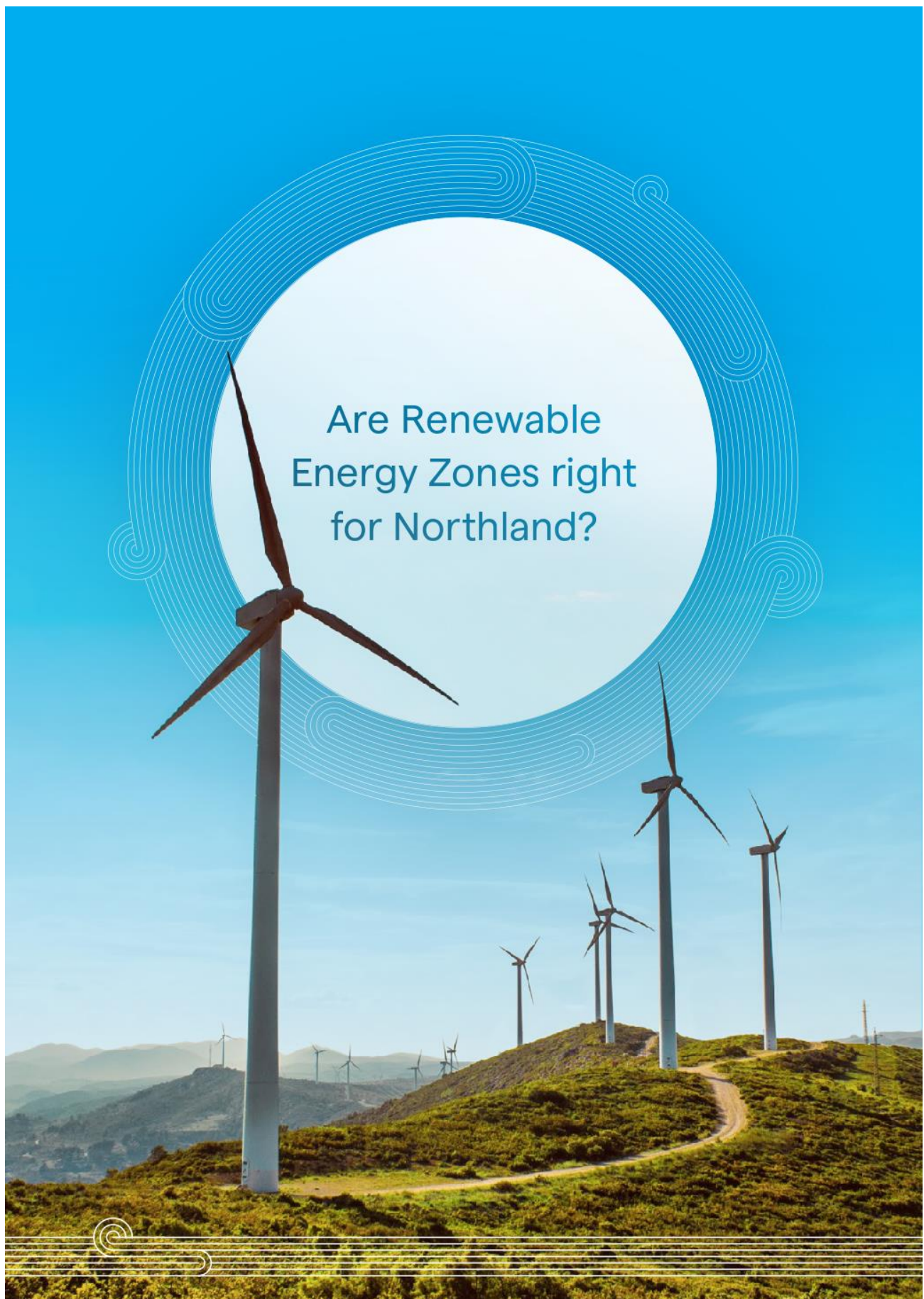
Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / 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	The decisions or matters of this report are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The following legislation and policies all have relevance to generating low greenhouse gas emission outcomes at a district, regional and national level: <ul style="list-style-type: none"> • The Resource Management Act 1991 • The Local Government Act 2002 • The Climate Change Response Act 2002 • The Renewable Energy and Energy Efficiency Policies and Objectives of the Operative Far North District Plan • Te Taitokerau Climate Change Adaptation Strategy
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 REZ concept proposed by Transpower works within existing regulatory frameworks. This means that any projects, whether new transmission assets or new generation projects, would still go through normal consultation, planning and environmental consenting processes under the Resource Management Act (RMA).
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.	The Northland network operators have committed to engaging with Māori/Iwi as they have done with Councils. The fact that any REZ application would still travel through the regulatory RMA process, which offers avenues for input from Iwi/Māori, provides a level of comfort.

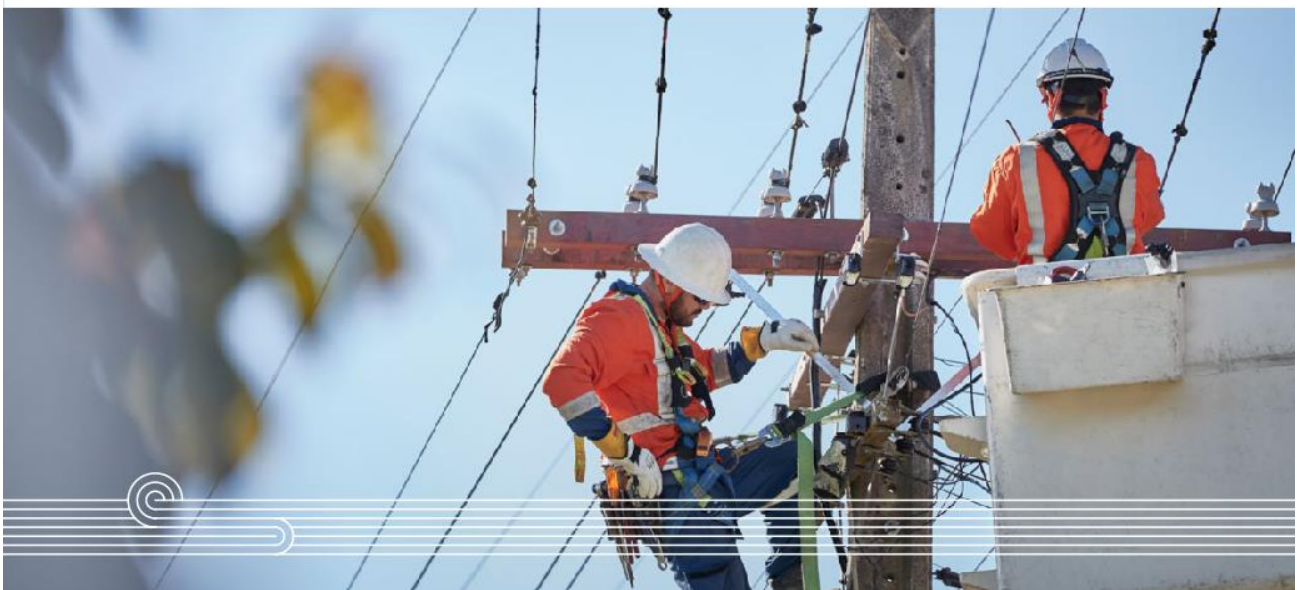
State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	The draft joint submission recognises the need to work in partnership with hapū and iwi recognising Te Ao Māori principles, to help realise Māori aspirations.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	The REZ concept proposed by Transpower works within existing regulatory frameworks. This means that any projects, whether new transmission assets or new generation projects, would still go through normal consultation, planning and environmental consenting processes under the Resource Management Act (RMA).
State the financial implications and where budgetary provisions have been made to support this decision.	Costs of the decision can be met within existing budgets.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.





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1.0 Purpose of this consultation document

1.1 We are seeking your feedback

Transpower, Northpower and Top Energy are working together to investigate the potential of a pilot Renewable Energy Zone (REZ) in the Northland region. This investigation is part of Transpower's national consultation programme for REZs in New Zealand.

This consultation document provides an overview of our initial work and seeks your feedback on a Northland pilot REZ.

It should be read alongside Transpower's [Renewable Energy Zones National Consultation 2022](#), which gives further information about, and seeks feedback on, REZs in the wider New Zealand context.

Context

High demand from developers to build more renewable generation to connect to the electricity network currently outstrips available network capacity in the Northland region. Large volumes of renewable generation could be enabled if investment was made in the electricity networks in the region, such as upgrading existing assets.

While we have a preliminary view of the work that could be required, the types of network upgrades and investment needed will depend on the feedback gained during this consultation and any subsequent Expression of Interest (EOI) and Request for Tender (RFT) phases.



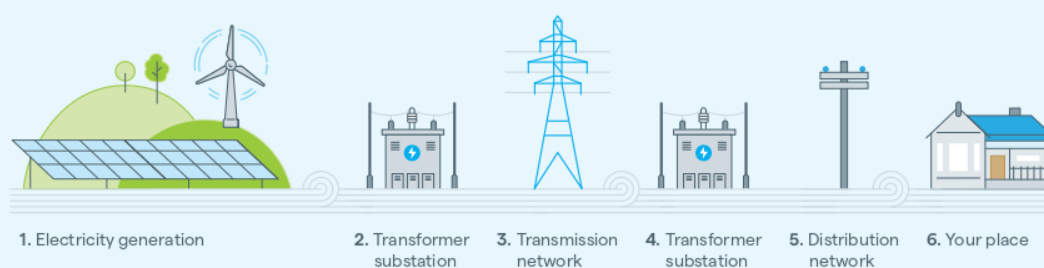


Figure 1: Illustration of electricity network infrastructure

Electricity transmission and distribution

In New Zealand, there are two types of electricity networks that play a role in transporting electricity from where it is generated to where it is used.

The transmission network, also known as the national grid, is owned and operated by Transpower. The national grid is a high voltage network (up to 220,000 volts) that transmits electricity over 12,000 kilometres of transmission lines and through 170 substations around New Zealand.

From local substations, distribution companies — like Top Energy and Northpower — bring the power across their networks directly to their customers' property boundaries. Some generation can connect directly and feed electricity into the distribution network.

Figure 2 shows the areas that Top Energy and Northpower service and the high voltage lines owned by Transpower, Top Energy and Northpower.



Figure 2: Transmission and distribution network ownership in Northland

1.2 What is a Renewable Energy Zone?

A Renewable Energy Zone (REZ) is a location of investment at the edges of an interconnected electricity network to enable renewable electricity to power more homes, communities and businesses.

In a REZ, multiple generators or major electricity users agree together to co-locate in an area to enable cost-effective investments in electricity infrastructure. The investment cost is recovered from these generators and/or large electricity users and not local consumers.

The purpose of these investments in any one zone can be:

- to bring new renewable generation onto the distribution or the transmission electricity network,
- to help large industrial energy users connect into the distribution or transmission network and electrify their operations or,
- a combination of the above.

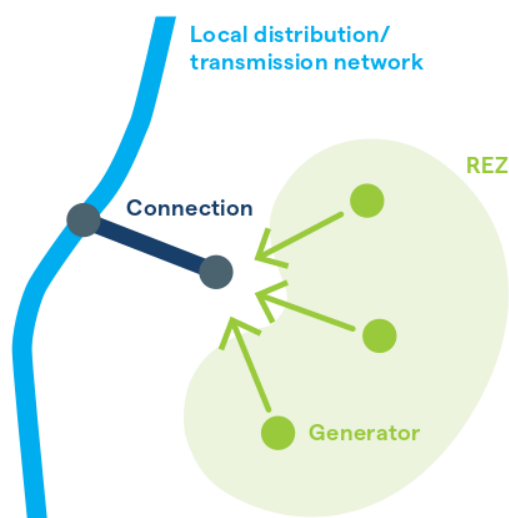


Figure 3: Simple Renewable Energy Zone

Other potential models:

'Industrial clusters', where several large geographically clustered electricity users (such as electrified process heat, manufacturing or data centres) connect to the network via a shared connection

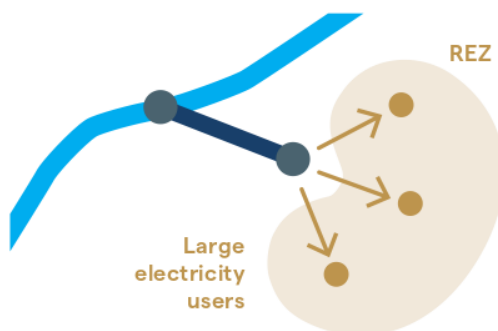


Figure 4: Industrial cluster

'Renewable energy industrial clusters', where electricity users are co-located with renewable generation. This enables the electricity users to take advantage of lower cost electricity due to decreased transmission costs.

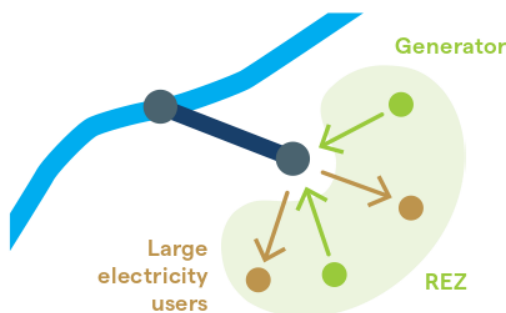


Figure 5: Renewable energy industrial cluster

1.3 Why are Renewable Energy Zones being considered?

Transpower through its [Net Zero Grid Pathways programme](#), is exploring ways in which it can respond to electricity generation or electricity demand developers that are seeking to connect to the transmission network (or via distribution networks) but are inhibited by the first mover disadvantage (i.e. having to pay for the entire upgrade themselves while others may benefit) or very high connection costs.

These are typically the developers wanting to connect to parts of the transmission network that currently have limited available capacity. Transpower and a number of electricity distribution companies across New Zealand are receiving large volumes of connection enquiries of this nature from developers.

REZs, a model used overseas, have emerged as a potential mechanism to help to enable this generation.

To better understand the characteristics and the broader concept of REZs in New Zealand, please refer to Transpower's consultation document [Renewable Energy Zones National Consultation 2022](#).

The national consultation is open until 8 April 2022, and seeks feedback on the following topics:

- Whether there is an appetite for developing REZs in New Zealand
- How regions might be selected for a REZ
- What the process for developing REZs should be and what parties should be involved
- How generation or electricity load projects might be selected to participate in a REZ and the commercial contracts that may be required and
- What potential commercial and/or regulatory challenges might be encountered and how they might be navigated.

For more information see www.transpower.co.nz/REZ.



2.0 Pilot project: Northland

Northland has emerged as a potential region for New Zealand's first pilot REZ. This is due to the high levels of electricity generation developer interest and current or imminent constraints on the fringes of the transmission and distribution networks in the region, but with significant capacity available on the grid backbone from Marsden back to Auckland.

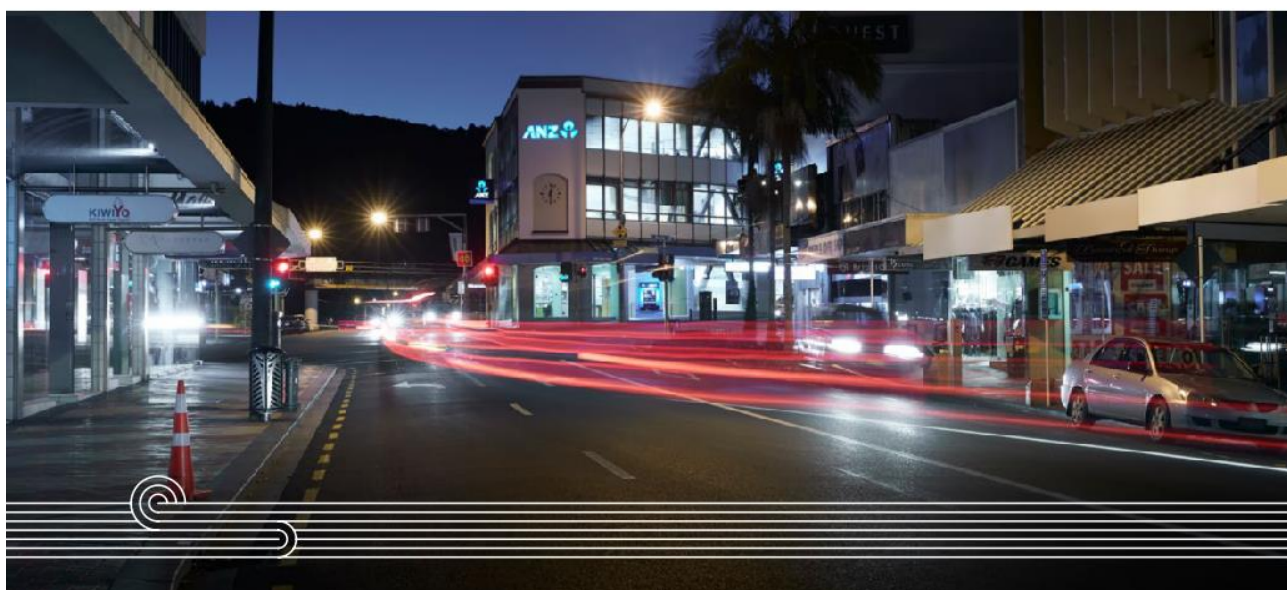
Northland is a region with abundant sun, wind and geothermal resources, where large volumes of new renewable generation could be enabled with incremental network investments, primarily through upgrading existing assets.



Several generation developers have made enquiries and/or applications to Transpower, Top Energy and Northpower equating to roughly 2GW of new renewable generation, enough to power almost half the North Island during peak electricity use periods, or cater to the energy needs of 375,000 homes¹.



1. [Northland ClimateWEB.pdf \(nwa.co.nz\)](#)



There are areas in each network that are reaching full capacity with limited ability to connect new generation investment. Transpower, Northpower and Top Energy are considering how the three networks could enable new renewable generation investment in Northland.

The three companies have identified that a REZ could be a potential solution. We have started thinking about the preliminary upgrades that may be required across all networks, including potential commercial dynamics and possible challenges within the transmission and distribution regulatory frameworks.

This consultation paper brings together our thinking on the potential of a Northland pilot REZ. We are seeking feedback from iwi, generation developers, industry, local and central government, local interest groups and communities.

We hope to understand the level of support for a Northland pilot REZ and gain insight into the potential benefits and/or costs to communities at an economic, social, cultural and environmental level. We want to ensure that a REZ would add value to electricity networks across the region.

Your feedback on a Northland pilot REZ is important to us. Together with feedback from the national REZ consultation, it will help guide our next steps including whether we commence an EOI phase for the Northland pilot.

If there is sufficient support, **we plan to seek expressions of interest from generation developers in Q3/4 of 2022.** This process will help to inform the demand for a Northland REZ, and whether to proceed further with a REZ development, as well as the likely location, configuration and the extent of network upgrades and investment required.



2.1 The case for a Northland Renewable Energy Zone

There are many reasons why the Northland region is a strong candidate for a pilot REZ.

High-quality renewable resource to accelerate decarbonisation

Northland has an abundance of wind and solar resource, with most parts of the region receiving about 2000 hours of sunshine per year², and strong wind sites along the west coast. If generation developers in Northland were able to supply 1.5GW of new renewable generation, the region would have the potential to supply 5-10% of New Zealand's electricity through renewables. This could contribute towards the 100% renewable electricity target.

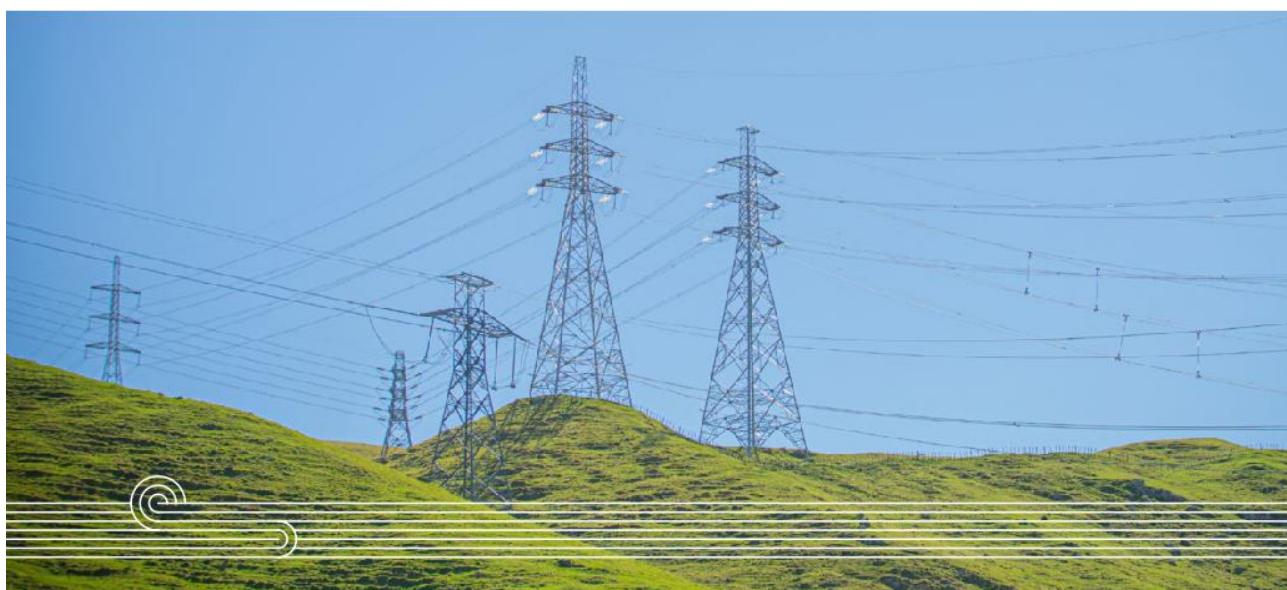
Transpower's [Net Zero Grid Pathways Generation Consultation](#) identified the potential for 600MW of grid scale solar generation and 900MW of wind generation across the Northland region. This is on top of the potential for widescale adoption of embedded rooftop solar, which can take advantage of Northland's sunlight hours (Figure 6).



Figure 6: Estimated grid scale wind and solar resource availability

Source: Transpower NZGP generation consultation

2. [Northland ClimateWEB.pdf\(niwa.co.nz\)](#)



High demand from generation developers

Enquiries from developers to Transpower, Northpower and Top Energy are roughly equivalent to 20 times the existing spare capacity on the local networks.

These constraints create a barrier to investment in renewable generation.

Figure 7 shows the aggregated volume of generation enquiries received by Transpower, Northpower and Top Energy across the Northland region. At this stage, this represents close to 2GW of potential new generation across over 30 projects, predominantly made up of wind and solar developments. We have included all enquiries in these numbers, from early enquiries and investigations that may not eventuate, to well-developed projects that have progressed to detailed engineering studies and are likely to result in new renewable generation.

Transmission backbone capacity

The existing 220kV grid backbone interconnection lines from Auckland to Marsden, which form part of the transmission backbone, are significantly underutilised (Figure 7).

The lines can export around 300MW of electricity even during times of interruption and asset outages and potentially a further approximately 600MW of electricity when all transmission assets are fully in service south to Auckland. This is enough to power between approximately 56,000 – 160,000 households. A Northland REZ could enable new renewable generation in the region and utilise existing capacity in the transmission network to get that energy to where it is needed. It would also strengthen the region's ability to be a net exporter of electricity. Additional generation in Northland would provide additional resilience of supply into Auckland.



Figure 7: Generation interest in Northland region and lines reaching capacity limit

Source: Transpower, Northpower and Top Energy

Network capacity limits

Between the transmission backbone and locations with strong levels of renewable resource, there are areas in each network that are reaching full capacity and have limited ability to connect new generation investment. This is shown in Figure 7.

For example, Northpower's western region from Dargaville to Maungatapere is fully committed to planned projects but has significant potential for further wind and solar generation.

Similarly, Transpower's line from Maungatapere to Kaikohe is fully committed in terms of available capacity.

Likewise, Top Energy's network from Kaikohe to Kaitia is fully committed and there are enquiries for a further 300MW of solar and two significant wind farms on the northern west coast around Kaitia.

Existing network export capacity

The network as it is can export up to 325MW of electricity, if the distribution of generator connections is weighted more towards the 220 kV connections at Bream Bay and there are limited number of connections in the Far North and at Dargaville.

Incremental upgrades

New generation capacity could be possible with incremental network investments, primarily through upgrading existing assets. This could be a cost efficient way of unlocking substantial new renewable electricity.



Figure 8: Illustration of existing network export capacity





Renewable Energy Zones Northland Pilot Concept

Transpower New Zealand Limited 11

2.2 Potential benefits to Northland

A Northland pilot REZ could substantially benefit local communities in the following ways.

- **Stimulating the local economy** – through investment in construction of new generation and network infrastructure, including job creation and workforce training.
- **Ongoing employment opportunities** – post construction in maintenance and operations.
- **Potentially lowering regional electricity prices** – through a combination of reduced transmission losses and lower wholesale electricity costs. This will benefit existing industrial customers and could be the catalyst to attract new industrial energy users, driving economic growth and job creation.
- **Seeking to reduce energy hardship** – Northland has the highest delivered electricity cost of all regions in New Zealand. The REZ will lead in part to reducing the cost of electricity for those in Northland who live in areas with high socio-economic deprivation and high residential electricity prices.

More work is required to better understand the nature of these benefits and how they could be realised through a Northland REZ, including further engagement with central and regional stakeholders.

Questions

Q1.

Do you support the development of a pilot REZ in Northland? Please provide your reasons as to why or why not.

Q2.

What potential benefits of a REZ are important to you? Consider economic, social, cultural and environmental factors.

Q3.

What potential costs of a REZ are important to you? Consider economic, social, cultural and environmental factors.



2.3 Potential generation enabled and network upgrades

A range of scenarios to enable a Northland REZ are possible. Depending on consultation feedback, more detailed scenarios will be made available in the EOI phase, including potential incremental network upgrade combinations to enable renewable generation.

Based on the current volume of generation enquiries, the EOI scenarios could range from 410 MW to 700 MW of renewable generation enabled, with high-level investments ranging from \$0.05M/MW to \$0.56M/MW (based on estimated upgrade costs ranging from approximately \$20-\$400 million.)

Your feedback will help shape our thinking and guide the EOI phase including informing the likely network upgrades and investments, and their associated costs. Ultimately, the network upgrades and investments required for a Northland pilot REZ will be determined by the location and size of committed renewable generation developments in the Northland region.

Transpower, Northpower and Top Energy have looked into the current state of the combined networks to build a preliminary view of the range of asset upgrades and investments that may be required.

At a high level, these upgrades and investments would ensure that we make the most of our existing assets to enable a significant volume of new generation in the Northland region. This approach would also be more efficient than if we built new lines and substations. These may be required if there is significant new generation coming on stream, but it is generally more cost effective to first enhance or upgrade existing assets within the distribution and transmission networks.

At this stage we have only considered the Transpower, Northpower and Top Energy shared lines, substations and other equipment that would likely be used in a Northland pilot REZ.

Figure 9 shows a preliminary view of the range of network upgrades that may be required and could be considered basic building blocks for a Northland pilot REZ. We have not considered individual connections from potential generation plants to network connection points, which are highly variable and will be identified once firm locations of generation development are understood.



Figure 9: Potential asset upgrades to unlock new renewable generation

Table 1 sets out the various investments that may be required as highlighted in Figure 9. These potential projects would be funded in two ways – projects A to E would be commonly funded via a REZ, and projects F-I are interconnection projects, which would be funded via the standard regulatory investment process and recovered from customers via the Transmission Pricing Methodology.

Other network investments may be required depending on the location of new generation interest received during this consultation and the subsequent EOI phase. For example, new network build options could include a line to form a loop from Dargaville to Kaiwaka or Maungaturoto via Ruawai/Poutu.

There is also the potential to include storage technologies, such as a grid-scale battery, which could further change the network investments required.

Table 1: Potential network upgrades

Potential project	Description
REZ funded projects	
A Runback scheme on 110kV Kaikohe-Maungatapere circuit	Runback scheme to increase the loading limit with all circuits in service on Kaikohe to Maungatapere circuits.
B Tactical Thermal Upgrade on 110kV Kaikohe-Maungatapere circuit	If feasible, increase line rating by increasing the operating temperature of Kaikohe to Maungatapere circuits.
C Reconductor 110kV Kaikohe-Maungatapere circuit	If feasible, increase line rating by reconductoring Kaikohe Maungatapere circuits.
D Complete second Kaitaia-Kaikohe 110kV circuit	Complete the ring along the east coast from Wiroa to Kaitaia. This increases the ability to transfer power from Kaitaia to Kaikohe, allowing for increased generation north of Kaitaia.
E Upgrade Dargaville-Maungatapere circuit to 110kV	Increase the transfer capacity by upgrading the existing Dargaville-Maungatapere circuits to 110kV.
Interconnected investments	
F Reconductor 110kV Henderson-Maungatapere circuits	If feasible, increase line rating by reconductoring Henderson-Maungatapere circuits.
G Marsden ICT upgrade	Increase ICT capacity between 220kV and 110kV, upgrading the Marsden ICTs.
H Marsden ICT upgrade, and split 110kV Henderson-Maungatapere circuits	Increase ICT capacity between 220kV and 110kV, split the 110kV network between Henderson and Maungatapere to remove the possibility of the 110kV circuits constraining the network.
I 220kV Bream Bay-Huapai upgrade	Duplex Bream Bay-Huapai circuit. Remove the branch limit on Huapai-Marsden. Remove the branch limit on Bream Bay-Marsden.

Note: These upgrades are focussed on unlocking thermal capacity, and do not cover voltage or stability issues which may need to be addressed in the development of a REZ.



2.4 Investment and consenting considerations

In Transpower's national consultation document [Renewable Energy Zones National Consultation 2022](#), potential processes for both investment decisions and cost recovery are outlined. Section 4.0 overviews a potential process to determine network and generation investments that would make up a REZ.

Section 5.0 of the national consultation document then outlines how costs might be recovered for the network investment from REZ participants. Transpower, Northpower and Top Energy's intent is to define a funding model that ensures new generation connections or demand developers cover the cost of the network investments. This funding model would seek to ensure that the additional costs associated with a Northland pilot REZ do not fall on local consumers.

It is important to note that the upgrades to transmission connection or distribution assets would be recovered from generation developers as incremental costs (projects A-E). Upgrades to transmission interconnection assets would be recovered via charges according to the Transmission Pricing Methodology (projects F-I).

Another important consideration is that any generation development enabled by a REZ would need to follow resource consenting and land acquisition processes. This also applies to any upgrades of existing network assets. These processes are discussed in Section 5.3 of the national consultation document.

Questions

Q4.

Do you support enabling developments through upgrades to existing lines and substations as demand for connections to the networks emerge? If not, what alternatives would you propose?

Q5.

If new lines needed to be built to connect resources, where should they be constructed/not constructed?

Q6.

Are there alternative proposals that you think we should consider?

Q7.

Do you have development projects that a REZ might assist you to construct and connect?





3.0 Have your say

Transpower, Northpower and Top Energy are seeking feedback on the concept of developing a Northland pilot REZ. You are also invited to respond to Transpower's consultation document *Renewable Energy Zones National Consultation 2022*, which seeks feedback on the concept of REZs in the New Zealand context.

Your feedback will help guide Transpower, Northpower and Top Energy on the next steps and whether to proceed with an EOI from generation developers in Q3/4 of 2022 for a Northland pilot. This process will help to inform demand, possible size and location for a pilot REZ development in the Northland region.

This consultation is open until 5:00pm, Friday 8 April 2022.

Submissions can be emailed to rez@transpower.co.nz using the heading "Northland REZ consultation" or submitted via the online form at www.transpower.co.nz/REZ.

Submitters may comment on any relevant aspect of our topic. We have asked some specific questions and would welcome submissions on those questions, but all relevant comments are welcome.

Submissions are made jointly to Transpower, Top Energy, and Northpower and will be posted on Transpower's website. If any aspect of your submission is confidential, please advise us, together with the reasons why you consider it should be considered confidential, and we will not publish that part of the submission.

There are a number of parties with interests in the Renewable Energy Zone concept, including the New Zealand Infrastructure Commission, who have proposed the concept as part of their Infrastructure Strategy, the Ministry of Business, Innovation and Employment in their energy policy role, and electricity sector regulators, the Commerce Commission and Electricity Authority. We are likely to discuss elements of submissions with these parties except where a submitter has asked for confidentiality.

Appendix 1: Consultation questions

Your details

Full name

Are you a developer? ☐ Yes ☐ No

Who you are representing i.e. iwi, organisation (if applicable)

Would you invest in a Northland REZ if there was an opportunity to?

☐ Yes ☐ No

Email address or alternative contact details

Have you applied previously to connect to a network in Northland?

☐ Yes ☐ No

What is your area of interest in relation to Renewable Energy Zones?

Consultation questions

Potential benefits to Northland

1. Do you support the development of a REZ in Northland?
Please provide your reasons as to why or why not.

2. What potential benefits of a REZ are important to you?
Consider economic, social, cultural and environmental factors.

3. What potential costs of a REZ are important to you?
Consider economic, social, cultural and environmental factors.

Potential generation and network infrastructure

4. Do you support enabling developments through upgrades to existing lines and substations as demand for connections to the networks emerge? If not, what alternatives would you propose?

6. Are there alternative proposals that you think we should consider?

5. If new lines needed to be built to connect resources, where should they be constructed/not constructed?

7. Do you have development projects that a REZ might assist you to construct and connect?

Any further comments

Would you like to receive occasional updates on the potential development of Renewable Energy Zones in New Zealand?

☐ Yes ☐ No

Appendix 2: Glossary

110kV/220kV: 110,000 Volts/220,000 Volts. The high voltage lines are designed to transmit electricity more efficiently over long distances, compared with the 230V seen in residential power.

2GW: A single Gigawatt is equivalent to 1,000,000kW. kW is the unit most household appliances are measured in. 2GW is enough to power almost half of all the electricity required in the North Island during peak demand.

Capacity Factor: A value to represent how frequently a generator generates close to maximum output, defined as the average generation output divided by the maximum power output.

Developers: In this document, developers are parties investing in the construction of renewable energy generation (wind/solar/geothermal) OR constructors of industrial loads that use large amounts of electricity

Distribution Network: Local networks that carry electricity from the transmission network to individual consumers.

Duplex/Duplexing: Upgrading powerlines by replacing single conductors with twin conductors of a similar size. This increases the capacity and allows more power to flow.

First Mover Disadvantage: The disadvantage of the first developer needing to pay for the entirety of the new electrical equipment required. For more information on this concept, refer to Section 2.4 of Transpower's *Renewable Energy Zones National Consultation 2022*.

Grid Backbone: The major lines that form part of the transmission network and connect major regions of load and generation.

ICT: Interconnecting transformer, transformers tying two transmission voltages such as 220kV and 110kV.

Interconnected electricity grid: A collection of electrical assets at a regional scale that are electrically tied together during normal operation.

Network Capacity: The maximum amount of electricity that can be safely carried by a network, or part of a network.

Nobelium: A type of conductor.

Peak Generation: The amount of electricity required at times of highest demand on the network, such as around dinner time when many people are using appliances at the same time.

Runback Scheme: A type of special protection scheme that automatically reduces power flow following an outage, which allows more power to flow with all circuits in service.

Simplex: Single line or conductor.

Tactical Thermal Upgrade: A type of upgrade to the transmission grid that allows more electricity to flow. This is achieved by tightening the powerlines between towers so they can operate at a higher temperature, and the resulting sag in the line stays above minimum ground clearance levels.

Transmission Network: The high voltage network carrying electricity from power stations to local areas.





[submission on behalf of Northland Councils]

Northland Renewable Energy Zones Northland Pilot concept DRAFT

Thank you for this opportunity to submit on the Northland Renewable Energy Zone (REZ) pilot consultation.

Your consultation asks whether renewable energy zones are right for Northland. Our submission on behalf of all Northland Councils supports the concept, noting the social, economic and environmental benefits we believe it will bring to the region.

It is an unfortunate distinction that Northland is known as one of the more deprived regions in the country, with some of the highest electricity costs. We are working collectively in many areas to address disparities in our communities, and to encourage growth and well-being. We are united in our objective to see Northland thrive. The region's rich renewable energy resources (including solar, wind, geothermal, biomass and wave and tidal environments) offer real opportunities to achieve cultural, community and economic benefit, whilst also protecting environmental outcomes and ensuring community resilience.

It is these aspects that we have considered in our submission, focusing on the long-term benefits to Northland, as well as New Zealand. However, with any long-term infrastructure investment it is important to get the foundations right. This is key to ensuring that the investment realises its benefit to communities and the environment.

We consider it critical that local communities do not fund the substantial investment required to increase the capacity of networks and support local renewable energy. Rather, these costs should be borne collectively by those seeking to connect renewable energy projects to the network, and those benefitting from that generation.

The development of renewables could have strong flow on benefits for our communities, with more affordable energy through increased competition on the electricity wholesale market, along with employment opportunities through construction and ongoing maintenance. Northland needs more of these opportunities to enable it to thrive.

Being energy self-sufficient will also assist in achieving the long-term sustainable use of Māori land and can support and strengthen marae and Papakainga development. Undertaken properly, renewable energy zones could support regenerative environmental outcomes, such as revitalised soils, increased biodiversity, [sequestered carbon](#), improved water quality, restoring functioning grassland ecosystems and can keep land in agricultural production; thus achieving positive, broader social, natural, financial and human outcomes through built environment investment decisions, as articulated by Tangata whenua within iwi and hapū environmental plans, providing for the aspirations of iwi and hapū to be realised on their whenua. Working in partnership with hapū

and iwi to embrace Te Ao Māori in any pilot, and beyond, will be critical to realising these aspirations.

With access to more diverse sources of renewable generation, a Northland REZ would improve the security and resilience of the local electricity supply and would allow for any excess generation to be exported to Auckland, meaning benefits would go beyond the local boundaries of the Northland REZ.

We support the underpinning environmental value that a REZ provides in helping our community and New Zealand meet decarbonisation targets. This is a challenge that we collectively support for the long-term prosperity of our region and New Zealand. All four Northland councils alongside Tangata whenua have already developed a draft Climate Adaptation Strategy, endorsed by our Joint Climate Change Adaptation Standing Committee. Renewable energy zones support several priority actions identified in the strategy including inter-council collaboration, national and regional partnerships, infrastructure resilience, planning and community adaptation.

Northland's councils look forward to working with developers and network owners on renewable projects as we build towards a sustainable renewable energy future for our region. We acknowledge the commitment of network owners to continue to meet core regulatory outcomes, including the need to:

- protect and where necessary restore the natural environment
- better enable development within biophysical limits, including supply of housing, affordability choice, and timely provision of appropriate infrastructure
- give effect to the principles of Te Tiriti o Waitangi
- prepare for adapting to climate change and mitigate contributing emissions
- improve system efficiency and effectiveness while retaining local inputs

The REZ initiative would allow for the region to respond to these outcomes, whilst benefitting the social and economic wellbeing of our communities

Northland REZ consultation questions

Q1. Do you support the development of a pilot REZ in Northland? Please provide your reasons as to why or why not.

We are supportive of a Northland REZ pilot that focusses on unlocking the renewable energy resources in Te Tai Tokerau. Rich in solar and wind resource, Northland significant potential for renewable energy, which is currently largely untapped.

The councils of Te Tai Tokerau support the goal of a decarbonised New Zealand, and a thriving net-zero emissions society by 2050. To address the challenges of climate change, we are focused on building a resilient Northland. Mechanisms to unlock the renewable generation in our region will be essential to enable community wide decarbonisation, affordability of energy and resilience of our community.

We support the REZ concept as an opportunity to reduce prices for consumers by meeting local demand for electricity locally, thereby reducing transmission losses and lowering wholesale electricity costs. Lower energy prices are an important input into developing new industries in Northland and stimulating economic growth.

Unfortunately, Northland is a region that has seen the departure of several major industries. Northland councils are supportive of settings that help drive economic stimulus, provide employment opportunities and have a net positive benefit on our region environmentally, socially and culturally.

It will be important in the design of any REZ that the resulting costs are not borne by our community, and that it produces an overall net benefit. The proposal to focus on first upgrading existing infrastructure to improve utilisation and efficiency is therefore supported.

We are pleased to see that the consultation paper acknowledges that community and tangata whenua consultation is essential. We recommend robust and meaningful consultation with owners of whenua Māori, marae, hapū and iwi. As with any new projects, community consultation and acceptance are key.

As such we support ongoing dialogue with the Northland community on the development of sites for future renewable generation, and for new transmission assets required to unlock that generation.

Q2. What potential benefits of a REZ are important to you? Consider economic, social, cultural and environmental factors.

We recognise that increased local generation introduces more competition into the electricity wholesale market, reducing wholesale prices. Lower energy costs prices will have a direct positive impact on community well-being. This may in turn stimulate new businesses, bringing further employment opportunities and supporting economic growth.

Investment into generation and network infrastructure will provide benefits to the local economy through job creation and work force training, as well as creating employment opportunities in infrastructure maintenance and operations. Local economic development is critical for our region, and infrastructure investment has a role to play in attracting industry, supporting jobs and skills development.

We understand that Tangata whenua have strong aspirations for their ancestral whenua with increasing settlement on whenua Māori, often in relatively isolated areas. Ensuring a secure energy supply to these areas is vital. Renewable energy creates the potential for electricity generation to be located close to this demand and will be key to supporting resilience on whenua Māori, and for communities in a changing climate. Indeed, renewable energy generation is already an approach adopted by several Papakainga and marae in Te Tai Tokerau.

We see Renewable Energy Zones as an important tool in helping to meet the Government's target of 100% renewable energy by 2030, and the climate change commitments of Councils in Te Tai Tokerau.

The environmental benefits of reduced carbon emissions from non-renewable generation must also be considered

Q3. What potential costs of a REZ are important to you? Consider economic, social, cultural and environmental factors

It is important that our community, businesses and organisations do not bear the cost of new infrastructure required to support renewable generation.

Northland has some of the highest deprivation factors in New Zealand including the highest unemployment rate, and the highest dependency on benefits. With household incomes increasing at a slower rate than the national average the development of a REZ cannot add additional costs to our communities.

Environmental costs are an important consideration. The whole of life cost (or the life cycle) of upgrades and new asset construction must form part of the decision-making process. We acknowledge and support any works or projects going through normal consenting regimes, with requirements to mitigate adverse impacts, including adverse impacts on landscape.

We are therefore supportive of the focus on staged/targeted upgrades of existing assets, that are less intrusive on the natural and built environment.

Q4. Do you support enabling developments through upgrades to existing lines and substations as demand for connections to the networks emerge? If not, what alternatives would you propose?

In principle, we support efficient utilisation and maximising the potential of existing assets, noting that building new assets can be more disruptive on the environment. The proposal to focus on incremental upgrades to existing infrastructure is a sensible short to medium term solution. At present there are an increasing number of proposals, especially solar power projects, that would benefit from focus on the capacity of existing assets, and localised connections.

We understand that in the longer-term, new assets may be required to connect the generation from existing transmission assets, and that these projects would go through the usual consenting regime. Community, hapū and iwi consultation will be critical at that stage.

Q5. If new lines needed to be built to connect resources, where should they be constructed/not constructed?

All proposals should take care to minimise adverse effects on areas with historical, cultural, environmental values. Siting and design of proposals in the region's more sensitive coastal environment should be treated with additional consideration and care.

7.2 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - MARCH 2022

File Number: A3642923

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

- To increase governance oversight of Committee business/discussions.
- Communicate resolutions of Committee meetings.
- Escalate Committee recommendations to Council.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- The following Committee meetings have been held since the last ordinary Council meeting.
 - 15 March 2022 – Regulatory Compliance Committee
 - 16 March 2022 – Assurance, Risk and Finance Committee
 - 22 March 2022 – Strategy and Policy Committee
 - 23 March 2022 – Infrastructure Committee
- Copies of the Committee meeting minutes are attached for information.
- Links to the agendas containing the reports that formed the basis of recommendations are included in this report.

TŪTOHUNGA / RECOMMENDATION

That Council:

Parking on State Highways Bylaw

approve, that the Parking Bylaw, to be made under section 22AB of the Land Transport Act 1998, be amended to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi.

Adoption of the Regional Climate Change Adaptation Strategy

adopts the Te Taitokerau Climate Change Adaptation Strategy.

Review of Maritime Facilities and Mooring Charges Bylaws

approve the development of a new Maritime Facilities Bylaw, under section 145 and 146 of the Local Government Act 2002.

FNDC Speed Limit Reviews – Recommended Speed Limits

receive, in its capacity as a Road Controlling Authority, the attached Regional Speed Limit Review Technical Report – Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach (Attachment 2 to the report).

approves, in its capacity as a Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, new speed limits set out in the Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report, (Attachment 1 to the report).

defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report until signage to make the new speed limits enforceable is installed.

Economic and Practicability Assessment for Discharge of Treated Wastewater to Land from Kaeo Wastewater Treatment Plant.

agree that the option of discharging treated wastewater from the Kaeo Wastewater Treatment Plant to land is not pursued at this time as part of the application to replace the resource consents authorising discharge of contaminants from the Kaeo Wastewater Treatment Plant, on the basis that the costs associated with that activity, are assessed as not economically viable.

TĀHUHU KŌRERO / BACKGROUND

This is a regular report to provide greater governance oversight of discussions that occur at Committee meetings and to avoid duplication of reading for Councillors for decisions that are recommended to them, from each Committee meeting.

Copies of Committee meeting minutes that have occurred since the last ordinary Council meeting are attached for information.

From time to time, Committee's discuss items that are outside their delegations. This report, when necessary, will highlight recommendations from each Committee to Council for decision.

Information about Council, Committee or Community Board meetings is publicly available at <https://infocouncil.fndc.govt.nz/>

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Since the last Council meeting the following Committee meetings have occurred:

<p>15 March 2022 – Regulatory Compliance Committee</p> <p>Agenda of Regulatory Compliance Committee Meeting - Tuesday, 15 March 2022 (fndc.govt.nz)</p> <p>The Regulatory Compliance Committee made no recommendations to Council.</p>
<p>16 March 2022 – Assurance, Risk and Finance Committee</p> <p>Agenda of Assurance, Risk and Finance Committee Meeting - Wednesday, 16 March 2022 (fndc.govt.nz)</p> <p>The Assurance, Risk and Finance Committee made no recommendations to Council</p>
<p>22 March 2022 – Strategy and Policy Committee</p> <p>Agenda of Strategy and Policy Committee Meeting - Tuesday, 22 March 2022 (fndc.govt.nz)</p> <p><i>The Strategy and Policy Committee made the following recommendations listed below to Council.</i></p> <p><i>That the Strategy and Policy Committee recommend that Council:</i></p> <p><u><i>Parking on State Highways Bylaw</i></u></p> <p>a) <i>approve, that the Parking Bylaw, to be made under section 22AB of the Land Transport Act 1998, be amended to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi.</i></p> <p><u><i>Adoption of the Regional Climate Change Adaptation Strategy</i></u></p> <p>b) <i>adopts the Te Taitokerau Climate Change Adaptation Strategy.</i></p> <p><u><i>Review of Maritime Facilities and Mooring Charges Bylaws</i></u></p> <p>c) <i>approve the development of a new Maritime Facilities Bylaw, under section 145 and 146 of the Local Government Act 2002.</i></p> <p><u><i>FNDC Speed Limit Reviews – Recommended Speed Limits</i></u></p> <p>d) <i>receive, in its capacity as a Road Controlling Authority, the attached Regional Speed Limit Review Technical Report – Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach (Attachment 2 to the report).</i></p> <p>e) <i>approves, in its capacity as a Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, new speed limits set out in the Regional Speed Limit Review</i></p>

- *Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report, (Attachment 1 to the report).*

- f) *defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report until signage to make the new speed limits enforceable is installed.*

Following their meeting the Strategy and Policy Committee also heard an oral submission from Mr John Sturges regarding Vehicles on Beaches in the Road Use Bylaw. Mr Wikitana Popata was also scheduled to make an oral submission, however he withdrew his request on the day.

23 March 2022 – Infrastructure Committee

[Agenda of Infrastructure Committee Meeting - Wednesday, 23 March 2022 \(fndc.govt.nz\)](https://www.fndc.govt.nz/agenda-of-infrastructure-committee-meeting-wednesday-23-march-2022)

- a) *agree that the option of discharging treated wastewater from the Kaeo Wastewater Treatment Plant to land is not pursued at this time as part of the application to replace the resource consents authorising discharge of contaminants from the Kaeo Wastewater Treatment Plant, on the basis that the costs associated with that activity, are assessed as not economically viable.*

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

This report does not intend to repeat the financial implications, options or decision-making requirements for the recommendations listed. Please review the agendas via the provided links for further information.

ĀPITIHINGA / ATTACHMENTS

1. **2022-03-15 Regulatory Compliance Meeting Minutes - A3632171** [↓](#) 
2. **2022-03-16 Assurance, Risk and Finance Meeting Minutes - A3625802** [↓](#) 
3. **2022-03-22 Strategy and Policy Meeting Minutes - A3641163** [↓](#) 
4. **2022-03-23 Infrastructure Committee Meeting Minutes - A3641051** [↓](#) 

**MINUTES OF FAR NORTH DISTRICT COUNCIL
REGULATORY COMPLIANCE COMMITTEE MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 15 MARCH 2022 AT 9:30 AM**

PRESENT: Chairperson Kelly Stratford, Mayor John Carter (HWTM), Cr David Clendon, Deputy Mayor Ann Court, Cr Rachel Smith, Cr John Vujcich, Member Belinda Ward

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager Districts Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Kelly Stratford commenced the meeting and opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/1

Moved: Chairperson Kelly Stratford

Seconded: Cr Rachel Smith

That the apology from Cr Dave Collard be accepted and a leave of absence granted.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Troy Churton – Dog Control Bylaw

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3613850, pages 14 - 18 refers

RESOLUTION 2022/2

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 30 November 2021 are a true and correct record.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5 INFORMATION REPORTS

5.1 RESOURCE CONSENT UPDATE

Agenda item 5.1 document number A3583043, pages 19 - 26 refers

RESOLUTION 2022/3

Moved: Cr Rachel Smith

Seconded: Chairperson Kelly Stratford

That the Regulatory Compliance Committee receive the report Resource Consent Update.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.2 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR JANUARY 2022

Agenda item 5.2 document number A3600055, pages 27 - 76 refers

RESOLUTION 2022/4

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for January 2022.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.3 BUILDING SERVICES BCA UPDATE.

Agenda item 5.3 document number A3607383, pages 77 - 86 refers

RESOLUTION 2022/5

Moved: Chairperson Kelly Stratford

Seconded: Cr Rachel Smith

That the Regulatory Compliance Committee receive the report Building Services BCA Update.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.4 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE MARCH 2022

Agenda item 5.4 document number A3613864, pages 87 - 87 refers

RESOLUTION 2022/6

Moved: Chairperson Kelly Stratford

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee receive the report Action Sheet Update March 2022.

In Favour: Mayor Carter, Deputy Mayor Court, Crs Kelly Stratford, David Clendon, Rachel Smith, John Vujcich and Member Belinda Ward

Against: Nil

NOTE: That Dr Dean and staff will provide a response to Mr Troy Churton (Deputation).

CARRIED

6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

7 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 10:50 am.

The minutes of this meeting will be confirmed at the Regulatory Compliance Committee Meeting held on 26 April 2022.

.....

CHAIRPERSON

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ASSURANCE, RISK AND FINANCE COMMITTEE MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON WEDNESDAY, 16 MARCH 2022 AT 1:00 PM**

PRESENT: Chairperson John Vujcich, Member Bruce Robertson, Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Member Mike Edmonds, Member Adele Gardner

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair John Vujcich commenced the meeting and Cr Rachel Smith opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/1

Moved: Cr Rachel Smith

Seconded: Member Bruce Robertson

That an apology be received from Mayor John Carter and a leave of absence be granted.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3612443, pages 14 - 17 refers

RESOLUTION 2022/2

Moved: Chairperson John Vujcich

Seconded: Member Adele Gardner

That the Assurance, Risk and Finance Committee confirms the minutes of the Assurance, Risk and Finance Committee meeting held 2 February 2022 as a true and correct record.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5 INFORMATION REPORTS

5.1 ELECTED MEMBERS SENSITIVE EXPENDITURE

Agenda item 5.1 document number A3580285, pages 18 - 19 refers

RESOLUTION 2022/3

Moved: Member Bruce Robertson

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the report Elected Members Sensitive Expenditure for the period ending 31 December 2021.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5.2 PEOPLE AND CAPABILITY QUARTERLY UPDATE: 1 OCTOBER - 31 DECEMBER 2021

Agenda item 5.2 document number A3600993, pages 20 - 25 refers

RESOLUTION 2022/4

Moved: Cr Mate Radich

Seconded: Chairperson John Vujcich

That the Assurance, Risk and Finance Committee receive the report People and Capability Quarterly Update: 1 October - 31 December 2021.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5.3 RISK PROGRESS REPORT FOR PROGRAMME OF EXTERNALLY FUNDED PROJECTS.

Agenda item 5.3 document number A3602959, pages 26 - 32 refers

RESOLUTION 2022/5

Moved: Cr Rachel Smith

Seconded: Cr Moko Tepania

That the Assurance, Risk and Finance Committee receive the report Risk progress report for programme of externally funded projects..

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5.4 MARCH 2022 RISK MANAGEMENT REPORT

Agenda item 5.4 document number A3605379, pages 33 - 54 refers

RESOLUTION 2022/6

Moved: Member Bruce Robertson

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the report March 2022 Risk Management Report.In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele GardnerAgainst: Nil**CARRIED****5.5 COUNCIL FINANCIAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2022**

Agenda item 5.5 document number A3607406, pages 55 - 78 refers

RESOLUTION 2022/7

Moved: Cr Mate Radich

Seconded: Cr Rachel Smith

That the Assurance, Risk and Finance Committee receive the report Council Financial Report for the Period Ending 31 January 2022.In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele GardnerAgainst: Nil**CARRIED****5.6 FAR NORTH HOLDINGS LTD - HALF YEAR FINANCIAL REPORT 2021/22**

Agenda item 5.6 document number A3613506, pages 79 - 87 refers

RESOLUTION 2022/8

Moved: Cr Rachel Smith

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the report Far North Holdings Ltd - Half Year Financial Report 2021/22.In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele GardnerAgainst: Nil**CARRIED****5.7 LEVEL OF SERVICE KPI QUARTER 2 PERFORMANCE REPORT FOR 2021-2022**

Agenda item 5.7 document number A3613719, pages 88 - 109 refers

RESOLUTION 2022/9

Moved: Cr Rachel Smith

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the Level of Service KPI Quarter 2 Performance Report for 2021-2022.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5.8 ASSURANCE, RISK AND FINANCE COMMITTEE ACTION SHEET UPDATE MARCH 2022

Agenda item 5.8 document number A3618375, pages 110 - 110 refers

RESOLUTION 2022/10

Moved: Cr Rachel Smith

Seconded: Member Adele Gardner

That the Assurance, Risk and Finance Committee receive the report Action Sheet Update March 2022.

In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

Notes:

Program Darwin to be included to next Action Sheet 27 April 2022.

6 TE WĀHANGA TŪMATATI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/11

Moved: Chairperson John Vujcich

Seconded: Member Bruce Robertson

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
6.1 - Confirmation of Previous Minutes	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
6.2 - Technology Update Report	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	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
6.3 - FNDC Current Legal Action Potential Liability Claims Report	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	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
In Favour: Crs John Vujcich, Bruce Robertson, Ann Court, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Mike Edmonds and Adele Gardner Against: Nil		
CARRIED		

The meeting was adjourned from 2:38 pm to 2:45 pm.
Member Edmonds left the meeting at 2:45pm

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/11 Moved: Chairperson John Vujcich Seconded: Member Bruce Robertson That the Assurance, Risk and Finance Committee confirms the information and decisions contained in the part of the meeting held with public excluded <u>not</u> be restated in public meeting as follows: <ul style="list-style-type: none"> • 6.2 Technology Update Report • 6.3 FNDC Current Legal Action Potential Liability Claims Report In Favour: Deputy Mayor Court, Crs John Vujcich, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, Members Bruce Robertson, Mike Edmonds and Adele Gardner Against: Nil	
CARRIED	

7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Kelly Stratford closed the meeting with a karakia.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 3:27 pm.

The minutes of this meeting will be confirmed at the Assurance, Risk and Finance Committee Meeting held on 27 April 2022.

.....
CHAIRPERSON

**MINUTES OF FAR NORTH DISTRICT COUNCIL
STRATEGY AND POLICY COMMITTEE MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 22 MARCH 2022 AT 9:30 AM**

PRESENT: Deputy Chairperson Cr David Clendon, Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr Dave Collard, Cr Felicity Foy, Cr Moko Tepania, Cr John Vujcich, Member Belinda Ward

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Deputy Chairperson David Clendon commenced the meeting and General Manager Darren Edwards opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/11

Moved: Cr David Clendon
Seconded: Cr John Vujcich

That an apology be received from Chairperson Cr Rachel Smith and Cr Kelly Stratford and a leave of absence granted.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations for this meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3618562, pages 16 - 23 refers.

RESOLUTION 2022/12

Moved: Cr John Vujcich
Seconded: Cr Felicity Foy

That the Strategy and Policy Committee agrees that the minutes of the meeting held 8 February 2022 be confirmed as a true and correct record.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5 REPORTS

5.1 PARKING ON STATE HIGHWAYS BYLAW

Agenda item 5.1 document number A3585204, pages 24 - 30 refers.

RESOLUTION 2022/13

Moved: Cr Moko Tepania

Seconded: Cr Dave Collard

That the Strategy and Policy Committee recommends that the Council approve, that the Parking Bylaw, to be made under section 22AB of the Land Transport Act 1998, be amended to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.2 ADOPTION OF THE REGIONAL CLIMATE CHANGE ADAPTATION STRATEGY

Agenda item 5.2 document number A3594420, pages 31 - 126 refers.

RESOLUTION 2022/14

Moved: Cr David Clendon

Seconded: Cr Moko Tepania

That the Strategy and Policy Committee recommends that Council adopts the Te Taitokerau Climate Change Adaptation Strategy.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.3 REVIEW OF MARITIME FACILITIES AND MOORING CHARGES BYLAWS

Agenda item 5.3 document number A3602441, pages 127 - 171 refers.

RESOLUTION 2022/15

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That the Strategy and Policy Committee recommend that Council approve the development of a new Maritime Facilities Bylaw, under section 145 and 146 of the Local Government Act 2002.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.4 FNDC SPEED LIMIT REVIEWS - RECOMMENDED SPEED LIMITS

Agenda item 5.4 document number A3604276, pages 172 - 405 refers.

RESOLUTION 2022/16

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That the Strategy and Policy Committee recommend that Council:

- a) receive, in its capacity as a Road Controlling Authority, the attached *Regional Speed Limit Review Technical Report – Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach* (Attachment 2).
- b) approves, in its capacity as a Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, new speed limits set out in the *Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report*, as set out in Attachment 1
- c) defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 *Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report* until signage to make the new speed limits enforceable is installed.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

The meeting was adjourned from 11:33 am to 11:45 am.

6 INFORMATION REPORTS

6.1 UPDATE ON SPATIAL PLANNING

Agenda item 6.1 document number A3549925, pages 406 - 409 refers

RESOLUTION 2022/17

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Strategy and Policy Committee receive the report Update on Spatial Planning.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

At 12:02 pm, Mayor John Carter left the meeting. At 12:22 pm, Mayor John Carter returned to the meeting.

6.2 JOINING THE SUSTAINABLE BUSINESS NETWORK

Agenda item 6.2 document number A3606348, pages 410 - 470 refers

RESOLUTION 2022/18

Moved: Cr David Clendon

Seconded: Cr Moko Tepania

That the Strategy and Policy Committee receive the report - Joining the Sustainable Business Network.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania and John Vujcich
Against: Member Belinda Ward

CARRIED**6.3 STRATEGY AND POLICY ACTION SHEET UPDATE MARCH 2022**

Agenda item 6.3 document number A3618577, pages 471 - 480 refers

RESOLUTION 2022/19

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That the Strategy and Policy Committee receive the report Action Sheet Update March 2022.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Moko Tepania, John Vujcich and Member Belinda Ward
Against: Nil

CARRIED**7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Cr Moko Tepania closed the meeting with a karakia

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12:39 pm.

The minutes of this meeting will be confirmed at the Strategy and Policy Committee Meeting held on 3 May 2022.

.....
CHAIRPERSON

**MINUTES OF FAR NORTH DISTRICT COUNCIL
INFRASTRUCTURE COMMITTEE MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON WEDNESDAY, 23 MARCH 2022 AT 9:30 AM**

PRESENT: Chairperson Felicity Foy, Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr Dave Collard, Cr John Vujcich, Member Adele Gardner

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy), Janice Smith (Chief Financial Officer), Blair King (Incoming Chief Executive Officer)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Felicity Foy commenced the meeting and opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

APOLOGY

RESOLUTION 2022/8

Moved: Chairperson Felicity Foy

Seconded: Cr John Vujcich

That the apology received from Crs Rachel Smith and Kelly Stratford be accepted and leave of absence granted.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3613406, pages 14 - 19 refers

RESOLUTION 2022/9

Moved: Chairperson Felicity Foy

Seconded: Member Adele Gardner

That the Infrastructure Committee confirm that the minutes of the meeting held 9 February 2022 be confirmed as a true and correct record.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner
Against: Nil

CARRIED

5 REPORTS

5.1 ECONOMIC AND PRACTICABILITY ASSESSMENT FOR DISCHARGE OF TREATED WASTEWATER TO LAND FROM KAEO WASTEWATER TREATMENT PLANT

Agenda item 5.1 document number A3572769, pages 20 - 117 refers

RESOLUTION 2022/10

Moved: Deputy Mayor Ann Court

Seconded: Mayor John Carter

That the Infrastructure Committee recommends to Council that:

1. the option of discharging treated wastewater from the Kaeo Wastewater Treatment Plant to land is not pursued at this time as part of the application to replace the resource consents authorising discharge of contaminants from the Kaeo Wastewater Treatment Plant, on the basis that the costs associated with that activity, are assessed as not economically viable.

That the Infrastructure Committee notes that:

2. staff will undertake initial engagement with mana whenua and affected landowners to determine the selection of a possible site based on the options presented in the desktop study; and
3. should a possible site(s) be identified, staff prepare a budget request for this Committee to consider making funding available for the site assessment and concept design for the discharging to land from the Kaeo wastewater treatment plant that includes site specific technical, design and cost investigation of this option, in which mana whenua are included.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner

Against: Nil

CARRIED

6 INFORMATION REPORTS

6.1 FNDC / NTA TRANSPORTATION ACTIVITY UPDATE - FY 2021/22 – 6-MONTH REPORT

Agenda item 6.1 document number A3612506, pages 118 - 130 refers

RESOLUTION 2022/11

Moved: Chairperson Felicity Foy

Seconded: Deputy Mayor Ann Court

That the Infrastructure Committee receive the report FNDC / NTA Transportation Activity Update FY 2021/22 – 6-month Report.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner

Against: Nil

CARRIED

The meeting was adjourned from 10:42 am to 11:00 am.

6.2 INFRASTRUCTURE AND ASSET MANAGEMENT (IAM) MONTHLY BUSINESS REPORT FOR JANUARY 2022

Agenda item 6.2 document number A3612880, pages 131 – 383 refers

RESOLUTION 2022/12

Moved: Chairperson Felicity Foy

Seconded: Cr John Vujcich

That the Infrastructure Committee receive the report “Infrastructure and Asset Management (IAM) Monthly Business Report January 2022”.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner

Against: Nil

CARRIED

6.3 INFRASTRUCTURE COMMITTEE ACTION SHEET UPDATE MARCH 2022

Agenda item 6.3 document number A3621517, pages 384 - 386 refers

RESOLUTION 2022/13

Moved: Chairperson Felicity Foy

Seconded: Mayor John Carter

That the Infrastructure Committee receive the report Action Sheet Update March 2022.

In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner

Against: Nil

CARRIED

7 TE WĀHANGA TŪMATATI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/14

Moved: Chairperson Felicity Foy

Seconded: Mayor John Carter

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
7.1 - Confirmation of Previous Minutes - Public Excluded	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or	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

	disadvantage, commercial activities	reason for withholding would exist under section 6 or section 7
7.2 - Tourism Infrastructure Fund Applications - March 2022	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
In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner Against: Nil		
CARRIED		

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/15	
Moved: Mayor John Carter Seconded: Member Adele Gardner	
That the Infrastructure Committee confirms the information and decisions contained in the part of the meeting held with public excluded not be restated in public meeting as follows:	
<ul style="list-style-type: none"> 7.2 Tourism Infrastructure Fund Applications - March 2022 	
In Favour: Mayor John Carter, Deputy Mayor Court, Crs Felicity Foy, Dave Collard, John Vujcich and Member Adele Gardner	
Against: Nil	
CARRIED	

8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

General Manager Darren Edwards closed the meeting with a karakia. closed the meeting with a karakia.

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12:34 pm.

The minutes of this meeting will be confirmed at the Infrastructure Committee Meeting held on 4 May 2022.

.....
CHAIRPERSON

7.3 LINDVART PARK PAVILION, KAIKOHE PROJECT**File Number: A3641588****Author: Angie Thomas, Manager - Accounting Services****Authoriser: William J Taylor MBE, General Manager - Corporate Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To formally approve Council's continued support for the Lindvart Park project as follows:

- a. A capital contribution to the project of \$3,226,493
- b. An increase in operational support from \$40,000 to \$75,000 in the 2024-2034 Long Term Plan

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- MBIE have a funding agreement with Lindvart Park Kaikohe – Sportsville to provide funding of \$6,250,000 towards a new facility.
- Additional funding has been secured by Sportsville from the NRC of \$1,400,000 and Lotteries of \$512,380.
- The 2021/2031 Long-Term Plan include a council contribution of \$3,226,493.
- MBIE are now reviewing all projects that have yet to break ground and are seeking assurance that funding partners remain committed to the project.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) **Re-affirm the capital commitment of \$3,226,493 to the Lindvart Park Kaikohe – Sportsville project.**
- b) **Approve an increase in operational grant support to Sportsville of \$35,000 from year one of the 2024/2034 Long-Term Plan**

1) TĀHUHU KŌRERO / BACKGROUND

Kaikohe and District Sportsville manage the current sporting facilities at Lindvart Park on Penny Crescent, Kaikohe, on behalf of the Far North District Council. These facilities include regulation courts, several playing fields (both natural and synthetic), lights for night games and a Pavilion building.

Te Ao Māori News referred to Kaikohe as being the fittest town in the mid north. Kaikohe is often seen as having a negative reputation for crime, unemployment and poverty but this small town is becoming the fitness hub of the North, with locals promoting health and wellbeing as the new face of their kāinga.

Having the Lindvart Park pavilion will add to the plethora of activities currently running in town providing a central hub within our Sportsville arena, this will provide opportunity for a suite of activities and sporting codes across the community to be provided from one centre.

This facility is geographically well positioned to reduce travel commitments for sporting codes. Rangatahi (youth) can then participate in the many sporting codes that Kaikohe can offer.

As part of the Long-Term Plan 2021-2031, Council approved \$3,226,493 as Council Share towards the Lindvart Park pavilion, Kaikohe project alongside a Provincial Growth Fund (PGF) contribution of \$6,250,000.

There is an existing operational grant of \$40,000 for the existing pavilion building in the Long-Term Plan 2021-2031.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The current facilities at Lindvart Park are outdated and undersized and this project includes updating and construction of new facilities for 25 sporting code across the far north. The work includes upgrade of court facilities, roading and carparking improvements, safer access around the entire park. A new pavilion capable of providing two full sized competition indoor courts and supporting facilities is planned. A recent sport strategy plan for the region has identified the need for this project.

This project also provides an ideal opportunity to provide confidence and assurance to the people of Kaikohe, Ngapuhi and Northland by demonstrating that collaborative approaches through partnerships to achieve a goal and offer a framework to realise the region's full potential. The implementation and achievement of this significant infrastructure project would be a shining light to the principle of teamwork and has the potential to be a positive change agent for local communities, hapu and iwi within the Northland Region.

On the 25th of February 2022, a meeting was had with key staff from the Ministry of Business, Innovation & Enterprise (MBIE) and the Lindvart Park Pavilion project team. A change to the MBIE funding requirements meant that the Lindvart Park project team was to provide an updated response to the project scope and budget changes.

MBIE now need to be assured that funding partners remain committed to the project and continued support from MBIE funding is now pending and a decision will be confirmed in April 2022.

Council currently supports Sportsville with an operational grant of \$40,000. However, once the amended project scope and budget has been approved by MBIE, a total of \$75,000 will be required to support the operations of the new facility. Commitment to increasing the grant funding to \$75,000 from 2024/25 onwards is now sought.

Capital Funding

MBIE funding requirements needed the Lindvart Park project team to provide an updated response to the project scope and budget:

1. Demonstrate the current scope of works associated with the project vs the scope of works at time of contract with MBIE, to include m2 where applicable. This should also, demonstrate any additional scope added to the project that was not envisaged at time of contract.
2. Show the latest project budget and explain any mitigation measures that can be put into place to ensure the project achieves budget based on no further funds being received.
3. Demonstrate the current secured funding and explain the unsecured funding, giving timelines for decisions.

Operational Funding

Currently, Council allocate \$40,000 towards Kaikohe and Districts Sportsville as a grant. Once the new building is operational an additional \$35,000 will be required, a total of \$75,000. A draft budget has been included below.

Operational Budgets (Draft)		
Income	Total	Notes
Pavilion income	84,410.00	
FNDC Grant	75,000.00	
	159,410.00	
Expenditure		
Accounting & consultation	1,000.00	Xero plus advice
Administration	1,000.00	Office equipment and running costs
Advertising	500.00	
Annual property valuations	1,000.00	
Audit	2,500.00	
Building & contents insurance	25,000.00	
Entertainment	6,000.00	Promotions, membership events
General expenses	1,000.00	Bank charges, website costs
Internet	2,500.00	2 degrees costs
Kiwisaver and ACC	1,200.00	Based on wages
Monthly fire inspections & WOF	2,000.00	
Power	20,000.00	
		Based on \$5,000 budget for the existing pavilion (excludes FNDC maintenance of grounds)
Repairs & maintenance	10,000.00	
		Security patrol, keys and security system repairs
Security and alarms	10,000.00	
Toiletries, first aid and cleaning gear	5,000.00	Cleaning of new floors
Wages - Accounts and Admin	14,040.00	10 hours per week
Wages - operations	42,120.00	30 hours per week (including both facilities)
Waste management	4,000.00	Hireage of 2 skips and removal of 1 per week
Water & Rates	4,000.00	Water & rates (pan charges) will be charged
Total Expenses	152,860.00	
Surplus	6,550.00	
Capital purchases	5,000.00	
Surplus (less capital)	1,550.00	

Future Capital renewals

This project, once complete, will follow the same model as Te Ahu in Kaitia. Kaikohe and District Sportsville will own the building and Council will put a “public access” agreement in place in order to establish its capital contribution as an intangible asset. This would represent the value of the capital contribution of \$3,226,493 and would be “depreciated” over time to provide for strategic asset renewals (structural areas and services). Any renewals required relating to the internal fit out would be funded by Kaikohe and District Sportsville directly or through additional grants or fund raising.

Take Tūtohunga / Reason for the recommendation

To approve in principle the release of capital funds of Council share of no more than \$3,226,493 as approved in the Long-Term Plan 2021-2031 and operational grant of \$75,000 to be included in the Long Term Plan 2024-2034.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There is an approved capital contribution of \$3,226,493 in the Long-Term Plan 2021-2031. The implications arising from this funding are already included in the proposed rate predictions and will currently form part of the Kaikohe-Hokianga ward rate. An operational grant fund of \$40,000 is already provided for as part of the above rate and approval to increase this by \$35,000 as part of the Long-Term Plan 2024-2034 is sought. Based on current information, this would be an increase in the ward rate of \$4.70 per SUIP.

ĀPITI HANGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / 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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / 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	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	No specific legislation applies to this report
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.	This project relates to the Kaikohe-Hokianga ward
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. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	There are no specific implications for Māori.
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 (for example – youth, the aged and those with disabilities).	There is a number of interested groups and sporting codes
State the financial implications and where budgetary provisions have been made to support this decision.	An additional Kaikohe-Hokianga ward rate of \$4.70 per SUIP
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

7.4 PACKAGING OF THE THREE WATERS CAPITAL PROGRAMME OF WORKS

File Number: A3647947

Author: Tanya Proctor, Manager – Infrastructure Programme Delivery (Acting)

Authoriser: Andy Finch, General Manager - Infrastructure and Asset Management

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval for the packaging of an annual programme of works for water, wastewater and stormwater capital projects as previously discussed and confirmed at the October Annual Plan Workshop.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Staff have previously highlighted that to maximise delivery of the capital work programme there is a need to package work to achieve operational and procurement efficiencies.
- Council has an existing Water Services Alliance Agreement contract with Ventia that allows for capital works to be undertaken.
- Council's Water Bylaw requires all works on live water mains to be carried out by officers or agents of Council.
- A packaged annual programme of works is a planned and strategic approach to the delivery of water, wastewater and stormwater capital projects.

TŪTOHUNGA / RECOMMENDATION

That Council approves the packaging of a programme of works up to \$4,000,000 annually to Far North Waters in accordance with the Water Services Alliance Agreement to enable the delivery of Council's Long Term Plan Capital programme.

Or

Council approves an annual operational budget increase of \$250,000 for the additional overheads that will apply to operational work delivered by Far North Waters if that committed cost cannot be capitalised.

1) TĀHUHU KŌRERO / BACKGROUND

The annual capital works programme comprises of both new and renewal waters projects. These projects have traditionally been procured individually which is an inefficient practice. A packaged programme of works will reduce the number of individual procurements for similar work, reducing project management time and costs and allowing for quicker delivery of projects.

The value of the proposed packed programme from FY21/22 to Far North Waters is up to \$4,000,000, which is 14% of the overall forecast water, wastewater and stormwater budget of \$28,292,113.

The full allocation of site overhead costs are provided for under the Operations and Maintenance Alliance Agreement. However, a portion of these site overhead costs has historically been allocated against the Project Delivery arm of Ventia and therefore, not charged as part of our operational expenditure. This was done on the basis that Far North Waters would

receive an annual capital works programme in the order of \$4,000,000 as outlined in Appendix D of the Alliance Agreement.

Clause 3.1.1.3 of the Water Services Alliance Agreement between Council and Ventia contract with Far North waters reads:

“Capital Works at Council’s absolute discretion may be allocated to Far North Waters. This would include reactive renewals, planned renewals, minor and other capital works. The process for this is outlined within Schedule 5 and Appendix D”. Schedule 5 and Appendix D are attached.

The water main and meter renewals are to be carried out by Far North Waters and is supported by bylaw. Clause 718.1 of Council’s Water Bylaw reads:

“No person, other than an officer or an agent of Council shall, without express written authority signed by the Chief Executive, make any connection with or otherwise interfere with, any part of the water works system”.

The proposed works are on operational sites and include upgrades of wastewater pump stations. Utilising Ventia’s Project Team ensures service continuity and minimal disruptions while operating on live networks. This also reduces the handover risk to Council.

This dedicated project team also provides a level of resilience to the delivery of services. This has been significant in both the 2019/20 drought with the agile delivery of temporary water sources and in the recent Omicron operating environment with project team members able to assist operations with business continuity in maintaining services despite the impact of Covid reducing staffing levels.

The “stranded” portion of site overhead costs deemed to have been chargeable against capital projects represents an additional cost to the operational contract of \$200,000-\$250,000 should a dedicated project delivery team not be sustainable by Ventia.

Projects considered to be undertaken by other suitable civil contracting companies or with insufficient justification to direct award, will continue to be procured via a Request for Quote or Open Tender process in accordance with Council’s Procurement Policy.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Option 1: Continue to procure individually.

This option does not improve efficiencies, but it is a process that could be continued. This may reduce the quantum of delivery over the year and create risks when external contractors need to work on live operational assets.

Option 2: Approve a programme of works (preferred option).

This option will reduce the procurement time and allows the work to be programmed in by the contractor, allowing for continuity of service delivery.

It also enables Ventia to continue to provide a sustainable Project Delivery Team to deliver the additional benefits described in the background section of this report.

Take Tūtohunga / Reason for the recommendation

A planned package based approach utilising existing contracts will reduce time and cost of staff procuring individually.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

All projects in the proposed packaged programme of works were forecast spends for FY21/22 as approved in the Long-Term Plan.

ĀPITIHINGA / ATTACHMENTS

1. Proposed Programme of Work - A3648804

Hōtaka Take Ōkawa / 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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / 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	The significance is low as projects listed are in the Long-Term Plan.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Water Bylaw and Water Services Alliance Agreement are referred to.
State whether this issue or proposal has a District wide relevance and, if not, the ways in	The projects are scheme based and Community Boards have been engaged through the Long-Term Plan approval.

which the appropriate Community Board's views have been sought.	
<p>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.</p> <p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	Utilising existing operation and maintenance contractors that are familiar with water, wastewater and stormwater safety and protocols, will reduce the risk of water contamination or wastewater spills to land or water bodies.
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 (for example – youth, the aged and those with disabilities).	There are not considered to be any further affected or interested parties.
State the financial implications and where budgetary provisions have been made to support this decision.	All budgets were included in the Long-Term Plan and have been timed for this programme of works.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

PROPOSED PROGRAMME OF WORK

LTP Projects	Budget
Kaitaia Backwash Tank	\$ 291,762.00
Kaitaia WTP Sandfilter	\$ 210,000.00
Okaihau Headworks	\$ 33,158.00
Kerikeri Stream Intake Weir	\$ 261,970.00
Pumpstation East Coast	\$ 163,900.00
Pumpstation Paihia	\$ 193,600.00
Pumpstation Kohukohu	\$ 38,500.00
Pumpstation Whatuwhiwhi	\$ 38,200.00
Pumpstation Kaikohe	\$ 71,500.00
Pumpstation Whangaroa	\$ 38,500.00
Pumpstation Opononi	\$ 53,900.00
Pumpstation Kaitaia	\$ 56,300.00
Russell WWTP Screen	\$ 97,825.00
Russell Backwash Tank	\$ 22,060.00
Kawakawa Sewer Realignment	\$ 67,049.00
Russell UV Renewal	\$ 67,861.00
Ahipara UV Renewal	\$ 100,000.00
Pumpstation H&S Improvements	\$ 13,423.00
Kaero WW Balance Tank	\$ 26,333.00
Kaikohe Septage Screen	\$ 175,000.00
Kaitaia Septage Screen	\$ 90,000.00
Pumpstation Kawakawa	\$ 91,300.00
Kawakawa Aerator	\$ 330,000.00
Pumpstation Lonely Valley	\$ 160,000.00
Russell Pond Liner	\$ 197,825.00
	<u>\$ 2,889,966.00</u>
 Variation Applications Received	
Ahipara Leachate	\$ 74,359.00
Tairāra Hills WTP Compliance	\$ 121,370.00
	<u>\$ 195,729.00</u>
	 <u>\$ 3,085,695.00</u>

7.5 THREE WATERS REFORM – GOVERNANCE WORKING GROUP REPORT

File Number: A3648870

Author: Andy Finch, General Manager - Infrastructure and Asset Management

Authoriser: Shaun Clarke, Chief Executive Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

To enable full visibility of a report prepared by the Three Waters Governance Working Group around future governance, and to highlight an area of concern for the Northland Mayors around composition and decision making within the proposed Regional Representative Group.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- The Three Waters Reforms have been mandated by the Minister of Local Government.
- Draft legislation has been prepared and exposed publicly
- Concerns have been raised about public ownership, the risk of privatisation and loss of local voice
- In response Government established a Three Waters Working Group on Representation, Governance and Accountability.
- A report was issued by the Working Group in March 2022.
- Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum has participated in this Working Group and has raised concerns with the Northland Mayors around composition and voting rights within the proposed Regional Representative Group.

TŪTOHUNGA / RECOMMENDATION

That Council:

- Note the report Three Waters Reform- Governance Working Group Report.**
- Confirm Council's alignment with the position outlined by Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum on the proposed composition and voting rights for the Regional Representative Group for Entity A.**
- Authorise the Mayor to notify the Minister of Local Government on the Far North District Council's position from b) above.**

1) TĀHUHU KŌRERO / BACKGROUND

In October 2021, the Government announced it would introduce legislation to establish four new publicly owned Water Service Entities (**WSEs**) to manage the Three Waters infrastructure that has been operated by or for councils up to now.

Based on current drafting of the proposed legislation, concerns have been raised about public ownership, the risk of privatisation and loss of local voice.

In response Government established a Three Waters Working Group on Representation, Governance and Accountability.

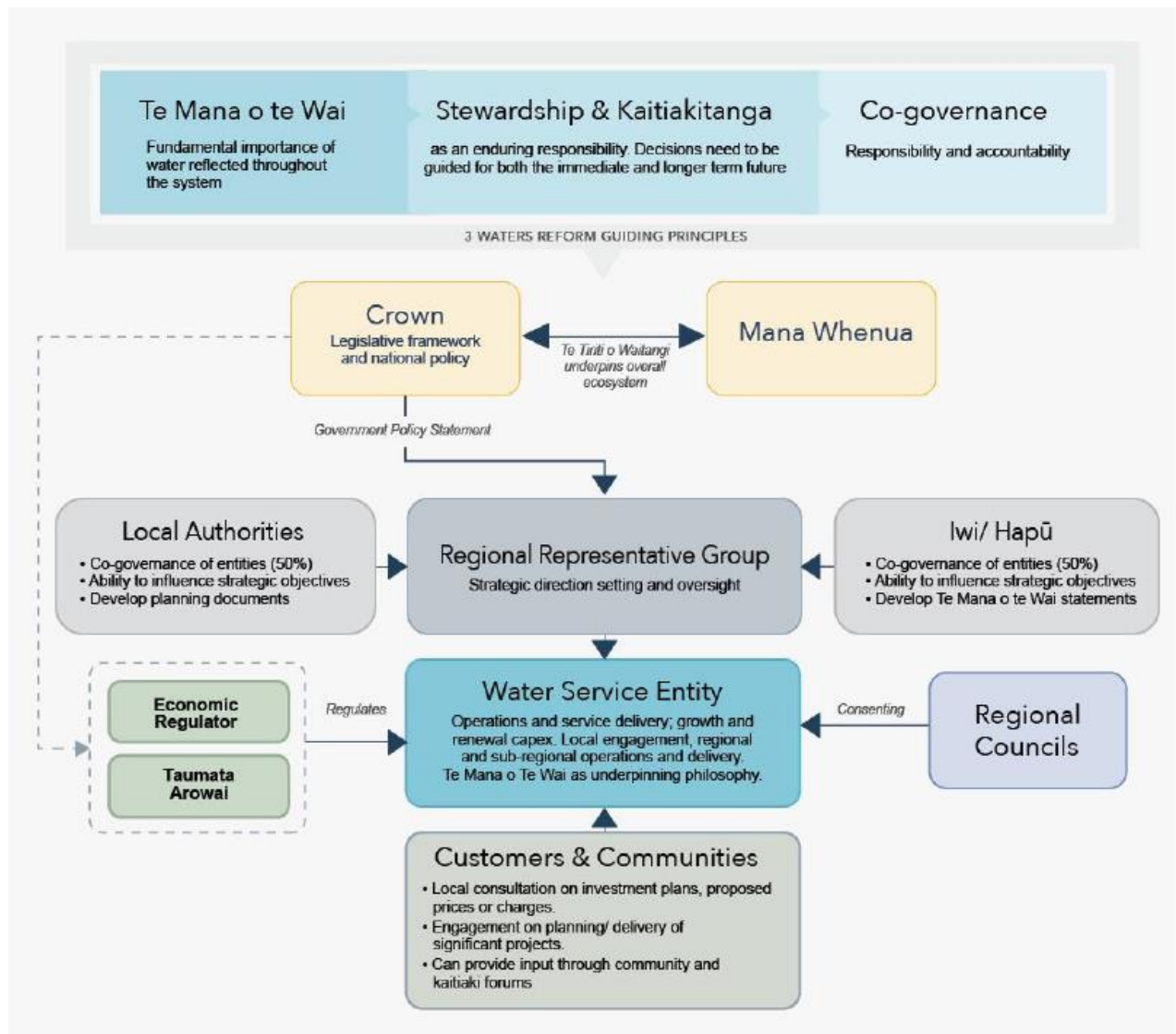
In March 2022, a report was issued by the Working Group detailing its recommendations to Government (Attachment 1).

This paper focusses on the proposed governance arrangements for Entity A; being Auckland and the three Northland Councils.

Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum has participated in this Working Group.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Then overall Governance model for the proposed water reforms is reproduced from page 26 of the attachment below:



This points to a core Strategic Governance role for the Regional Representative Group (RRG) in guiding the direction of the new Water Service Entity.

The area for consideration in this report is Section 5.2 and in particular Recommendation 8, which would require a 75% majority for decision making within the RRG if a consensus cannot be reached.

5.2 Strengthening co-governance of the RRG

Strengthening co-governance of the RRG: Summary of recommendations

Recommendation 7: The Bill requires RRG co-chairs, one council and one iwi/hapū representative.

Recommendation 8: The Bill requires consensus decision making for all decisions on RRG. Where consensus cannot be reached within an appropriate timeframe, 75% majority vote will be sought as agreed by co-chairs. This process should be prescribed in the Bill.

Recommendation 9: The RRG requires appropriate secretariat and resource provisions to enable it to perform its role, and to allow for meaningful council and iwi/hapū participation in the RRG. This should be funded by the WSE.

The proposed composition of the RRG for Entity A is four Auckland Council representatives, four Tāmaki Makaurau iwi/hapū representatives, one council representative for each of the other councils and three iwi/hapū representative from Te Tai Tokerau.

This is a bespoke arrangement for Entity A which has implications for the majority vote provision for the Entity.

Dr Jason Smith, has advocated for greater balance in the voting rights for the proposed Entity A (Auckland and Northland). The alternative position was outlined in pages 37 to 39 in the attached report.

Bespoke arrangements are proposed for the Regional Representation Group of Entity A, intended to reflect the relative size and scale of Northland and Auckland and also to meet the required balance sheet separation of no council having dominance of RRG decision-making (see section 5.3.4) Representation has been well considered here, but decision-making processes for Entity A's RRG have not been considered as fully. I supported Auckland Council having four seats and one for each Northland council (with equal seats for iwi) on the assumption the different formula would also allow a bespoke arrangement for majority voting rights (not 75%). It's disappointing that bespoke consideration of majority voting rights has not been followed through.

As it stands, the proposed bespoke arrangements for Entity A are distorted because the voting right majority provisions are simply proposed to be the same as for the other entities. There would be inequitable decision-making processes in Entity A if the majority vote remained at 75% (viz. 10 of the 14 people) because Auckland Council could never be outvoted while Northland councils or Northland iwi could be. This imbalance is unacceptable. If the majority required were shifted more towards consensus, to 90% (12 of the 14 votes) then, again, Auckland could never be outvoted but any majority decision would require votes from each of the four voting groups. This would be an improvement, as it is closer to consensus. For good governance I recommend Entity A has a 90% majority for decision-making and that this matter is considered fully before final decisions are taken.

Dr Jason Smith has subsequently contacted the other Northland Mayors seeking their views to build a Northland consensus to lobby the Minister on this issue.

Take Tūtohunga / Reason for the recommendation

To enable Council to confirm its position on a Governance issue- identified within a report prepared by the Three Waters Governance Working Group, noting that this is mainly a political conversation.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

No direct financial implications from this paper.

ĀPITIHINGA / ATTACHMENTS

1. **Governance Working Group Report - FINAL 7 March 5.15 - A3648986** [↓](#) 

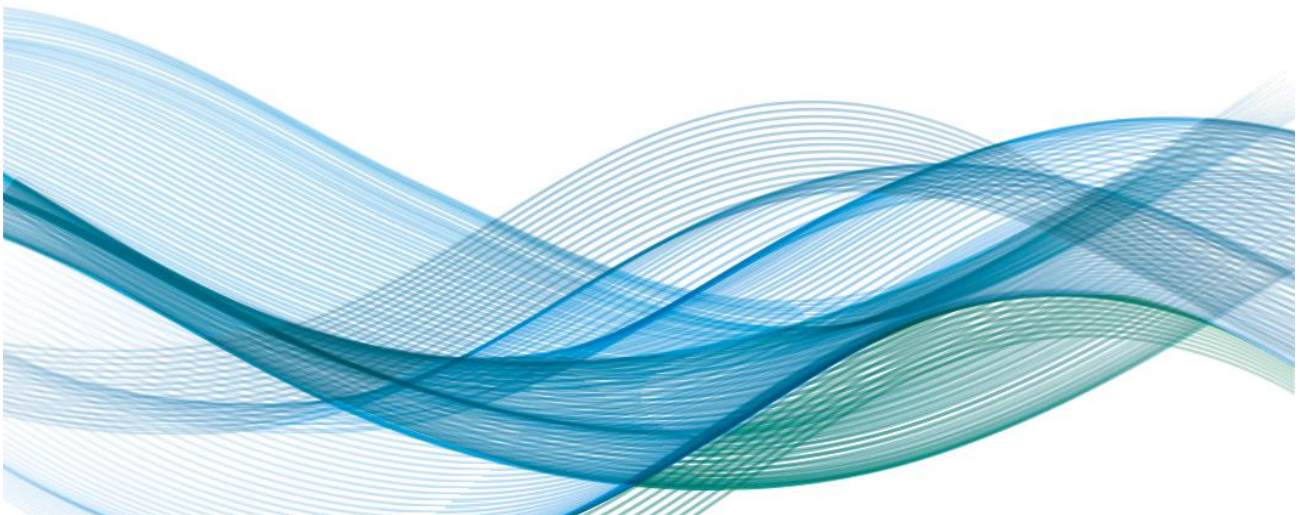
Hōtaka Take Ōkawa / Compliance Schedule:

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.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / 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	This has a high level of significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	N/A
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.	District Wide relevance
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. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	Significant Implications for Maori as detailed in the report.
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 (for example – youth, the aged and those with disabilities).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	No direct financial implications.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

Recommendations from the Working Group on Representation, Governance and Accountability of New Water Services Entities



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Executive Summary

Purpose

Bringing an independent perspective from councils and iwi

In October 2021, the Government announced it would introduce legislation to establish four new publicly owned Water Service Entities (**WSEs**) to manage the Three Waters infrastructure that has been operated by or for councils up to now.

Many in local government and the community raised concerns about public ownership, the risk of privatisation and loss of local voice.

Local Government New Zealand worked with the Government to broker the establishment of the Three Waters Working Group on Representation, Governance and Accountability (**Working Group**) to provide independent advice on how to improve the governance arrangements for the WSEs.

Headed by an Independent Chair, the Working Group comprises an equal number of local government and iwi leaders.

The Working Group heard a range of views from the local government sector about various governance models. We listened to people's frustrations. We engaged in energetic debate and argument and formed our recommendations by consensus.

We welcome the inclusion of Te Mana o te Wai and consider it should be at the heart of a new approach. The health and wellbeing of water is fundamental to the future health and wellbeing of people and communities. Te Mana o te Wai recognises this. It will help us to better respond to challenges and realise

opportunities in achieving related environmental and economic objectives shared by all communities in a way that also respects shared values.

Our recommendations fall into three broad groupings:

- Support for significant changes to the Bill
- Specific recommendations for material improvements to the new water entities and delivery of services, and
- Other considerations outside our terms of reference.

Significant changes to the Bill

Ownership

As set out below, we recommend strengthening community ownership of assets through a public shareholding structure, where councils hold shares on behalf of their communities.

Protection against privatisation

Another significant concern expressed by the public is the risk of privatisation. As a response to that, our recommendations have an overarching focus on ensuring the continued and full public ownership of water services by communities.

Local voice

We recognise the public has also been troubled by how the local voice would be heard in such large entities. This has been a particular concern to our smaller, rural communities. Recognising that, we are recommending new mechanisms to strengthen the role of the new Regional Representative groups (**RRGs**) through the establishment of advisory Groups (sub-RRGs) that will feed into the larger body.

Recommendations

Recommended changes to the Bill

We have considered our recommendations within the Government's bottom lines of good governance, Treaty partnership, balance sheet separation and public ownership and we recommend specific changes to the Bill to ensure:

- Community ownership of water services assets
- Protection from privatisation
- A stronger voice for local communities in drinking water, wastewater and stormwater network development
- Strengthening Te Mana o te Wai
- Co-governance embracing Te Ao Māori to improve Three Waters service delivery and environmental protection

Opportunities for improvements

We have made more specific recommendations in the following areas.

Instituting a public shareholding structure that protects community ownership, with shares held by councils on behalf of their communities

As shareholding owners of the WSEs, councils will have the right to vote on any proposal for the WSE to be sold or privatised. This will strengthen protections against privatisation as councils would have to agree unanimously for an asset to be sold.

No privatisation could occur unless every shareholder council agreed, and councils would be required to consult with their communities.

Establishing tighter accountability from each Water Services Entity Board to the community, through new and stronger mechanisms.

We recommend strengthening and clarifying the role of the RRG, which has council and iwi/hapū representatives.

We want the RRG to approve the Statement of Intent, which guides the WSE's decision making. The WSE should give effect to a Statement of Strategic and Performance Expectations set by the RRG, and report regularly to the RRG on its performance, making it much more accountable to the RRG and communities.

Strengthening connection to local communities so they have a clear and guiding voice in drinking water, wastewater and stormwater network development.

We recommend the inclusion of sub-RRG committees comprising representatives of the communities and iwi/hapū in each region that will feed into the RRG. This will ensure local voices are always considered in investment prioritisation.

We also recommend the establishment of a Water Services Ombudsman to safeguard consumers.

Recognising Te Mana o te Wai as an underlying principle

Embracing Te Mana o te Wai as the foundation for a more sophisticated and integrated approach to providing first class drinking water, wastewater and stormwater networks will ensure that the health and wellbeing of water and the wider environment remain paramount.

We recommend extending Te Mana o te Wai into all aspects of the reforms to underpin the WSE framework. This will ensure that tikanga, mātauranga and in-depth knowledge of water, local conditions, history, and geology, and the importance of the wider environment and its communities, are all properly integrated into the governance and management approach to water services.

Ensuring co-governance principles across the water services framework

Our recommendations aim to ensure the continued improvement of Three Waters service delivery and environmental protection through increased representation of our communities, including iwi/hapū, with co-governance as a central principle.

This includes representation across the councils and iwi/hapū within each WSE region, along with a greater level of input and accountability.

Deepening public understanding

Our discussions have led to our having a deeper understanding of the opportunity the reforms present for transformational change in recognising the centrality of Te Mana o te Wai in the health and wellbeing of wai and in creating sound frameworks to support community needs around how the new WSEs will operate.

We would like the Crown to provide our communities with the same opportunity to learn. We recommend it gives fresh consideration to its ongoing communications and engagement with the public to build understanding of both the direct impact and the broader context of the Three Waters reforms.

Membership

Three Waters Working Group on Representation, Governance and Accountability is comprised of:

Independent Chairperson Doug Martin.

Iwi/Māori representatives: Ngarimu Blair (Entity A), Huhana Lyndon (Entity A), Jamie Tuuta (Entity B), Karen Vercoe (Entity B), Ngahiwi Tomoana (Entity C), Olivia Hall (Entity C), Gabrielle Huria (Entity D), Barry Bragg (Entity D), Tukoroirangi Morgan (Entity B).

Elected members of local authorities: Mayor Phil Goff, Auckland (Entity A), Mayor Dr Jason Smith, Kaipara (Entity A), Mayor Garry Webber, Western Bay of Plenty (Entity B), Mayor Neil Holdom, New Plymouth (Entity B), Mayor Campbell Barry, Lower Hutt (Entity C), Mayor Rachel Reese, Nelson (Entity C), Mayor Lianne Dalziel, Christchurch (Entity D), Mayor Tim Cadogan, Central Otago (Entity D), Mayor Lyn Patterson, Masterton (Rural/Provincial sector representative).

Chair of the joint Central-Local Government Three Waters Steering Committee
Brian Hanna.

1. Introduction

1.1 Purpose

This paper provides the Minister of Local Government (**Minister**) advice from the Working Group on representation, governance and accountability of the proposed new water services entities, in accordance with the Working Group's Terms of Reference.

1.2 Context

In October 2021 Cabinet agreed to progress the Three Waters reforms so that drinking water, wastewater, and stormwater services will be provided by four publicly-owned Water Service Entities (**WSEs**) from July 2024. These WSEs will take over the responsibilities for water service delivery from local authorities.

To support engagement on the reform, Government Ministers and Local Government New Zealand (LGNZ) entered into a Heads of Agreement to set out their respective partnering commitments to support achieving their shared objectives for three waters service delivery reforms and requested feedback from local authorities and iwi/Māori. Significant feedback was received on the governance and accountability of the proposed entities.

Following that feedback, the Working Group was established, made up of experienced local government and iwi/Māori members, able to represent the wide diversity of perspectives, interests and priorities across the local government sector, including the four proposed new WSE regions. The Working Group was tasked with identifying a strengthened approach to the governance framework for the WSEs, consistent with the shared reform objectives and within

the constraints of the Crown's published bottom lines and the Terms of Reference¹.

As the Working Group, we have engaged constructively on the challenge and continue to believe strongly that transformational change in New Zealand's approach to management of the Three Waters is required. We have however made a number of recommendations that we believe will result in the new approach more successfully addressing many of the concerns raised by some councils, community groups and iwi/Māori. The approach recommended is inclusive and better ensures that water assets (and the entities that will own them) stay in public ownership, and that as their kaitiaki and stewards, iwi and council will be able to exert the necessary influence over them. It ensures that the communities we represent are at the forefront of our considerations, underpinned by the importance and health and wellbeing of water.

For absolute clarity, we want to emphasise that these reforms relate to the provision of Three Water services and infrastructure and their governance and management. No assets are being privatised and we are firm in our view that this should never occur. Similarly, these reforms do not relate to or affect the issues of ownership of water and we consider this should be made explicit too.²

¹[Terms of Reference of Working Group on Representation, Governance and Accountability of new Water Services Entities](#)

² Acknowledging that there remain unresolved issues unrelated to these reforms that need to be addressed between the Crown and iwi/hapū regarding rights and interests in water.

1.3 Proposed governance and accountability approach by the Crown

Following the feedback received on the original governance and accountability approach included in the reform proposal released in July 2021, the Crown presented a revised draft Bill to the Working Group³. The revisions within the Bill included:

- Greater flexibility for each RRG to determine its own arrangements through a constitution, rather than the original proposal, which required a number of matters to be hard wired in primary legislation.
- Board appointments and removals being made by a committee of the RRG, rather than an arms-length 'independent selection panel' (as was described in the original proposal).
- Direct accountability of the WSE to the RRG for performance of the duties imposed on the WSE Board and permitting the RRG to remove WSE Board members for failing to carry out these duties.
- The WSE Board being required to give effect to the Statement of Strategic and Performance Expectations (SSPE) issued by the RRG which provides more direct influence for the RRG over the WSEs' strategic direction and priorities (but without dictating its day-to-day operations).

³ 17 December Working Group meeting

2. Approach taken by the Working Group

The Working Group first met on 26 November 2021, with the mandate for members to work collaboratively to ensure the best overall outcomes for Aotearoa, and the people of each WSE region. The council members have come together to represent the interests of all local authorities, not their individual local authorities. Iwi/Māori members have come together to provide the perspective of the Treaty partner, not to represent their individual iwi/hapū. We agreed the following shared principles and values for how to work together through the process.

1. **Shared intention:** operate with the shared intention of supporting the kaupapa of the Working Group, including by committing to discussing in good faith how the representation, governance and accountability arrangements for new WSEs can best enable the achievement of the shared reform objectives.
2. **Mutual respect:** build and foster working relationships and practices that are based on, and value, mutual respect, including addressing any issues and concerns that arise early and constructively.
3. **Constructive:** non-adversarial dealings between the parties, and constructive mutual steps to avoid differences and disputes, and to identify solutions that advance the shared objectives.
4. **Open and fair:** open, prompt and fair notification and resolution of any differences that may arise, and the identification of potential risks and/or issues (including potential causes of delay) that could adversely impact the provision of advice and recommendations by the Working Group to the Minister.

5. **No surprises:** adopt a 'no surprises' approach in respect of matters arising, including with respect to communications to stakeholders and their public statements.
6. **Recognition of cultural values:** ensuring Te Ao Māori perspectives and mātauranga are incorporated into the working processes, dialogue and output of the Working Group.

We have taken a collaborative and bottom-up approach, with various governance models being presented by Working Group members and guests, followed by an analysis of the different options and the development of final recommendations. Meeting weekly, three sessions were held in 2021 before we reconvened 28 January through 4 March 2022. The approach adopted is summarised in the diagram below.



Recommendations were agreed by consensus except as noted in the appendix.

It is important to acknowledge certain matters are outside the scope of the Three Waters reform, and therefore outside the scope of this Working Group.

This includes, but is not limited to:

1. Ownership of water (including unresolved issues relating to iwi/hapū rights and interests).
2. Resource management and the Resource Management Act (**RMA**) reform.
3. The purpose and role of local government and how it may be impacted by a number of proposed reforms.

3. Key reflections

Throughout this experience, we have identified considerable value in the process, notably the reflections, sharing of experiences, talking through concerns, and finding practical solutions that provide for mutually acceptable outcomes. We consider continuation of this wānanga approach a critical requirement for the further development and success of the Three Waters reforms.

The discussions have led to our deeper understanding of the following:

1. The significant opportunity the Three Waters reforms present for a transformational change in Aotearoa.
2. The importance of Te Mana o te Wai in reflecting the paramountcy of the health and wellbeing of wai, its fundamental importance to the health and wellbeing of people and communities and understanding that it is universal⁴.
3. How Te Mana o te Wai can be given effect under a legislative framework when discussing water infrastructure and how an integrated and inclusive approach is necessary.
4. How Te Mana o te Wai provides the appropriate overarching framework for decision making and guidance to the WSEs.
5. The role of democratically elected local authorities in relation to placemaking, achieving outcomes for communities and strategic

⁴ See section 4 for a more detailed explanation of Te Mana o te Wai, which we consider should embrace all water bodies that are affected by Three Waters activities (not only fresh water).

planning for communities, and the need for this role to be accommodated within the governance structure.

6. The possibility of a future where asset management integrates with tikanga and mātauranga Māori.
7. The need for an intergenerational solution, and the important role the Crown has to play, in fixing the historic degradation of assets.
8. The need for national compliance standards and the time and investment required to bring existing infrastructure up to compliance.
9. The need for WSEs to raise significant levels of debt to pay for necessary investment in Aotearoa water infrastructure and the implications this has on how the governance arrangements operate.
10. The need for the community to have clear lines of accountability and the ability to input into the priorities of the WSEs.
11. The amount of time it will take to successfully implement the new WSE approach and the importance of doing that, and doing it smoothly, for our collective future as New Zealanders.
12. The vulnerability of the sector due to skills shortages and capability.

We would like the Crown to provide our communities with the same opportunity to learn and understand and recommend that the Crown reconsider its ongoing communication and engagement with the public to better bring people along the journey to understanding the Three Waters reforms.

We also note that the WSE governance arrangements sit within a much wider framework that includes the role of Taumata Arowai, an economic regulator and resource management consents that all need to be complied with.

We recommend a commitment from the Crown in relation to its ongoing RMA reform process to ensure the outcomes under those reforms are consistent with the Three Waters reform programme, recognising the need for coordinated planning (in particular in relation to planning for growth) and the role of local government in relation to their communities.

We also believe the Crown will need to support the opportunity for transformational change the reforms offer. This is at the heart of Te Mana o te Wai and in making this concept familiar to all New Zealanders we believe the Crown should fund a well-planned change management programme founded on good policy advice, genuine engagement, input from credible independent expertise, and with excellent communications.

The importance of communicating what is happening and why to different audiences should not be underestimated. Public communications need to be led by the Government, but we believe councils and iwi will need funding to play their part in driving change management processes and ensure this important kaupapa is successful.

Recommendation 1: That the Crown acknowledges the significant contribution councils have made as stewards of three water infrastructure. We recommend the Crown undertake a positive communications campaign with the nation to explain the universally agreed 'need for change' to serve the needs of communities, expectations of how we best ensure the health of our wai, and the opportunities provided by the Three Waters reforms.

Recommendation 2: The Crown ensures Resource Management Act reforms are consistent with, and do not undermine, the Three Waters reforms (informed by the recommendations in this report).

4. The Working Group's priorities for the reform

4.1 Overview of Working Group's priorities

We have considered the Government's bottom lines (Treaty partnership, good governance, public ownership, and balance sheet separation) and identified our priorities for the reform. These priorities have guided our discussions and underpin our recommendations:

1. Te Tiriti o Waitangi as a whāriki (foundation⁵) which underpins the overall WSE system. This is expanded on in the section relating to Te Tiriti.
2. The importance of water and its health and wellbeing is recognised and protected throughout the system. This is expanded on below in the section relating to Te Mana o te Wai.
3. Co-governance responsibility and accountability through the RRG is actively enabled.
4. Accountability is made clear, with clearly distinguished roles and responsibilities.
5. The WSEs are sufficiently adaptable and flexible to meet the needs and circumstances of the takiwā (region), iwi/hapū as mana whenua⁶ and local communities (including future generations).
6. The reform enables community, local voice and standing.

⁵ A "whāriki" is literally a woven mat but is used metaphorically in this case to refer to the foundation or base for the relationship between the Crown and tangata whenua.

⁶ The Bill refers to "mana whenua", which the Working Group acknowledges as iwi/hapū and both terms are used in this report. We believe the Bill should define "mana whenua" to mean "the iwi or hapū holding and exercising customary rights, interests and authority in accordance with tikanga within an identified area".

7. A requirement for public ownership, noting the importance of the entities responsible for the delivery of water services (and owning assets that deliver water services) remaining with the communities they serve.
8. The role of local authorities as stewards and iwi/hapū as kaitiaki in respect of Three Waters infrastructure.
9. Form follows function; compliance with the new and higher water quality standards is key to driving better infrastructure for future generations.
10. Equity of access (and same quality of service) is a critical consideration for our communities and the need for this to form part of the reform principles.
11. The importance of a whole-of-catchment approach - ki uta ki tai (mountains to sea).

4.2 Te Tiriti o Waitangi

Te Tiriti o Waitangi/the Treaty of Waitangi (Te Tiriti) is the founding constitutional document of Aotearoa New Zealand and provides the basis for the ongoing relationship between the New Zealand Government and tangata whenua.

The "principles" of Te Tiriti are derived from the text, spirit, intent and circumstances of Te Tiriti, but cannot reasonably be viewed in isolation from the original text and language of Te Tiriti. The principles of Te Tiriti have been developed over time and, as the Courts have recognised, the Crown's obligations are ongoing and evolve as conditions change. However, the Courts and the Waitangi Tribunal have confirmed a number of well-established principles which include the overarching principle of partnership (including a

mutual responsibility for the partners to act towards each other reasonably and in good faith) as well as the principles of active protection, and the right to development and redress.

In the context of matters relating to the environment (including water), the Waitangi Tribunal has expressed the principle of partnership as including:

1. the duty of the Crown to make laws and set overall policy for the conservation of natural resources in order to protect the environment;
2. the Māori right to exercise tino rangatiratanga, which should not be lightly set aside;
3. the duty of the Crown to do what it can to enable Māori to be kaitiaki of their environmental taonga;
4. the relationship between the various environmental authorities of the Crown and Māori; and
5. working together to make decisions in a manner to be determined contextually on a case-by-case basis.

We endorse the express recognition of the Crown's responsibility to give effect to the principles of Te Tiriti through the Bill; and have reviewed and considered the proposed representation, governance and accountability mechanisms under the Bill against this standard.

We have proposed several recommendations to strengthen the Bill and WSE framework in order to give better effect to Te Tiriti and its principles (see section 5.5 and Recommendations 31 to 35).

4.3 Te Mana o te Wai

Tirohia te wai	<i>Observe the water</i>
He au	<i>Its energy</i>
He au whiwhia	<i>A giving energy</i>
He au rawea	<i>A positive energy</i>
He au mahora, he wai e	<i>Energy offered, that is water</i>
Tauwaretia te wai	<i>Touch it, but leave it undisturbed</i>
E rere	<i>Let it flow</i>
Pupū ake i te whenua	<i>Rising up from the land</i>
Pipī ake i te whenua	<i>Flowing from the land</i>
E rere te wai e	<i>Its pathway continues</i>
Hei oranga mō te katoa e	<i>Providing life to all</i>
Nei ko te mana o te wai	<i>This is the mana (prestige/authority/power) of the water</i>

We acknowledge and support the importance of Te Mana o te Wai as a core principle that will guide decision making, planning, governance, accountability, and service delivery. Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of water protects the mauri of the wai and the health and wellbeing of the wider environment and communities. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and people.

To this end, Te Mana o te Wai establishes the following hierarchy of priorities:

1. health and wellbeing of water bodies and ecosystems;
2. health needs of people (such as drinking water); and
3. ability of people and communities to provide for their social, economic, and cultural wellbeing for current and future generations.

Te Mana o te Wai is in turn underpinned by the principles of mana whakahaere, kaitiakitanga, manaakitanga, governance, stewardship and care and respect.

Te Mana o te Wai thereby provides a korowai (cloak) for the new Three Waters service delivery approach throughout the whole system from top to bottom. It appropriately reflects the fact that the utilisation of water for the needs of people and our communities and economies is dependent on the health and wellbeing of our waters and waterways. The Three Waters system, embracing drinking water, stormwater and wastewater and its related infrastructure, falls squarely within the scope of Te Mana o te Wai. Decisions concerning Three Waters now and into the future will therefore play a key role in realising Te Mana o te Wai.

As such, the guidance provided by Te Mana o te Wai will help us better respond to current challenges and realise future opportunities to achieve objectives that are shared by all communities (water quality, water security, sustainable economic growth and development, resilience and climate change mitigation and/or adaptation) in a way that also respects shared values. While Te Mana o te Wai is embedded in mātauranga Māori and tikanga, it is a concept that puts the health of our water first, and is a core principle that will serve all New Zealanders.

There is an increasing need to manage Three Waters in a sustainable and integrated way to ensure the availability of services to growth areas and the protection of the environment for future generations.

Consistent with this whole-of-system and intergenerational approach, we consider that Te Mana o te Wai appropriately restores and preserves the balance between the needs water (wai), the wider environment (te taiao), and communities and people (ngā tāngata), now and into the future.

Te Mana o te Wai recognises the interconnectedness of the environment, the interactions between its parts, responsibilities of our communities and people. It requires integration between water management and land use to avoid adverse effects (including cumulative effects) on the health and wellbeing of our waterways and environment, and ultimately our communities.

An integrated approach is essential to the reform objectives (both in the present, from an intergenerational perspective, and from a community/collective perspective and te taiao – and cannot just be limited to freshwater bodies).

The Working Group has proposed several recommendations in this Report to give better effect to Te Mana o te Wai within the Three Waters framework (see section 5.6 and Recommendations 36 to 39).

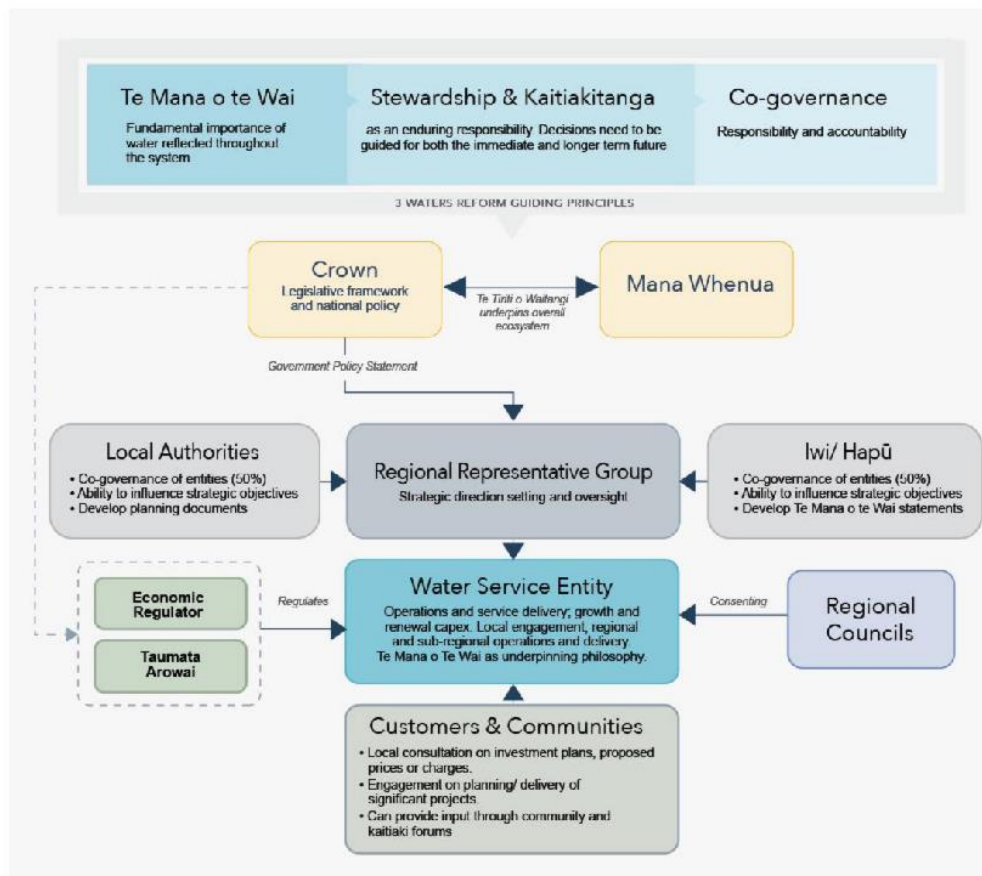
5. Our recommendations to the Government

Transformational change takes time and there is a need for a long-term enduring model that can accommodate changes over time in WSE accountability, governance and representation. We have strived to find the right balance between prescribing the requirements of the WSE governance model to ensure it encompasses key priorities while also leaving flexibility in the right areas for the WSEs to adapt to their own local and changing needs.

Recommendations outlined in this report have been specifically noted as referring to a change/provision in the Bill (if an absolute requirement or bottom lines) or in individual WSE constitutions (where governance structures are protected through a vote required to change rather than the need to amend primary legislation).

Where that flexibility within a WSE is required, additional context has been provided and should be used as a basis for a draft default constitution of the WSEs.

The strengthened governance model recommended by the Working Group is depicted below:



5.1 Ownership

Ownership: Summary of recommendations

Recommendation 3: The Bill prescribes the collective ownership of each WSE by local communities through a direct shareholding interest allocated to their territorial authorities. One share for each 50,000 people, rounded up. As shareholding owners of the WSEs, each territorial authority will be required to vote on any proposal for the WSE to be sold (privatised) or involved in a merger of WSEs, in each case that changes the owners of the WSE. The proposal will only proceed if there is unanimous shareholder approval. This is in addition to the privatisation protections currently outlined in the Bill.

Recommendation 4: The Bill entrenches the need for a majority of 75% of all the members of the House of Representatives to repeal or amend provisions of the Bill where the repeal or amendment of that provision is necessary to allow privatisation of an WSE.

Recommendation 5: The Bill expressly provides a prohibition on local authorities providing financial support to, or for the benefit of, WSEs – this includes by way of guarantee, indemnity or security, or the lending of money or provision of credit or capital.

Recommendation 6: The Crown should further explore and clarify the thresholds regarding what constitutes a major transaction to be raised to the RRG for consideration.

The Working Group agrees that the underlying key principle to ownership is that three waters assets must remain in public ownership and the ownership model must help protect against privatisation. The draft Bill already reflects this principle, but we think it can be strengthened to provide communities and territorial authorities more confidence in these protections. We believe that the collective ownership of each WSE by local communities would best be expressed through a direct shareholding interest in the statutory entity with that interest being allocated to and held by territorial authorities in the WSE's region.

Having territorial authorities as shareholders will mean there is a tangible relationship between communities and their WSE that is well understood by the public (as compared to a legislated collective ownership). This will provide a connection to the WSE and additional rights that are recognised and have value for communities and territorial authorities.

The Bill already requires that a proposal for a WSE to divest its ownership in a water service, or sell or lose control of significant infrastructure, can only proceed with at least 75% support of both the RRG and a poll of the electors in its service area. If the proposal involved sale (privatisation) or merger of WSEs then shareholder approval would also be needed after a successful poll result.

These shares would:

- Be allocated to territorial authorities by reference to current district population (one share for each 50,000 people – rounded up – in order to reflect proportionality). This can evolve with population and be reset every five years. If all shareholders of a WSE voted unanimously for a WSE merging with another WSE then the shareholdings would be adjusted to reflect that.

- Entitle the shareholder to vote on any proposal for the WSE to be sold (privatisation) or merged with another WSE and unanimous shareholder approval would be required for that proposal to proceed. This would present an additional layer of protection which is separate from the exercise of any relevant Parliamentary power to change the legislation. This is not intended to cover changes in shareholding within a WSE as a result of territorial authority amalgamations which it is suggested will require a mechanism in legislation to determine the resulting shareholding interests within the relevant WSE of the merged territorial authority.
- Except for the above right, the shares would be non-voting and not confer other decision-making rights:
 - the existence of such shares would not disturb the role or operation of the RRG
 - all other decision-making rights would continue to be shared between the RRG and the WSE Board
 - matters that a conventional company might reserve to shareholders for decision will instead be reserved to the RRG.
- Be subject to the other restrictions already provided for in the Bill (e.g. no equity return)

The importance to communities (including iwi/Māori) of retaining public ownership of water services also warrants a further layer of protection against the ability for Parliament to legislate to allow privatisation by requiring a 75% Parliamentary majority to make any legislative changes necessary to enable privatisation.

We further recommend that legislation expressly provides a prohibition on local authorities providing financial support (such as guarantees or indemnities) or

lending money or providing credit or capital to WSEs – this is not however intended to restrict what is likely to become business-as-usual arrangements such as service agreements or joint ventures. This will help ensure the ownership model is not seen by the credit rating agencies as a form of parent-company support.

The Working Group would like the Crown to explore whether any major transactions (additional to divestment proposals, which must go to the RRG for approval, followed by a poll of electors) should be approved by the RRG using the co-governance consensus principles outlined.⁷

5.2 Strengthening co-governance of the RRG

Strengthening co-governance of the RRG: Summary of recommendations

Recommendation 7: The Bill requires RRG co-chairs, one council and one iwi/hapū representative.

Recommendation 8: The Bill requires consensus decision making for all decisions on RRG. Where consensus cannot be reached within an appropriate timeframe, 75% majority vote will be sought as agreed by co-chairs. This process should be prescribed in the Bill.

Recommendation 9: The RRG requires appropriate secretariat and resource provisions to enable it to perform its role, and to allow for meaningful council and iwi/hapū participation in the RRG. This should be funded by the WSE.

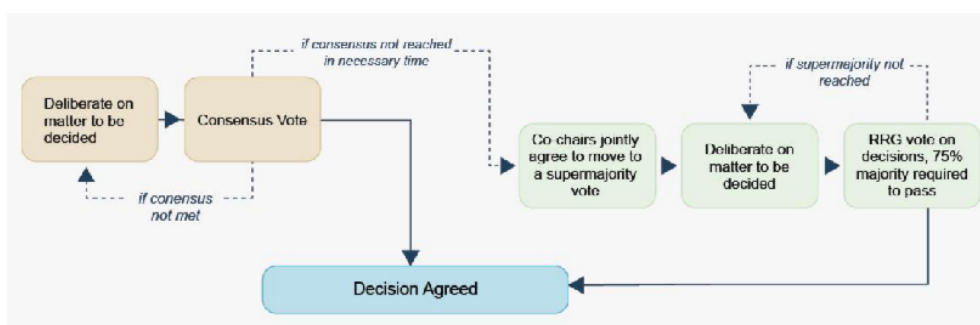
⁷ For example, the threshold applied for the purposes of the Companies Act.

The Working Group agrees with a co-governance model for the WSEs. Building on that principle and from the positive experiences many of the members have had on co-governance bodies, we have strengthened the Crown's co-governance principles and recommend the following:

Co-chairs: The RRG (including any advisory bodies to the RRG, as described in section 5.3.5) will require co-chairs, one council representative and one iwi/hapū representative, with this requirement to be prescribed in the Bill. The appointment process of the co-chairs will be left to the RRGs of individual WSEs and outlined in their constitutions.

Consensus voting: A strong expectation of decisions by consensus promotes robust discussion within a co-governed group and enables its members to work collaboratively through decisions as they arise. The RRG (including any advisory bodies to the RRG) will require consensus decision making for all decisions by the RRG to be prescribed in the Bill.

In the event that consensus is not reached within the necessary timeframe⁸, the co-chairs can jointly agree to move to a 75% majority vote with 1 vote per representative.



We agree that appropriate secretariat support will be needed to assist the RRG and that this should be funded by the WSE. The Bill should provide for this.

⁸ Necessary timeframe for the decision, as determined by the time sensitivity of other matters depending on the decision (e.g. finalisation of the SSPE to enable the SOL to be prepared).

5.3 Strengthening the role of and accountability to the RRG

Strengthening the role of and accountability to the RRG: Summary of recommendations

Recommendation 10: The role of the RRG is to collate inputs to the SSPE, including alignment with the Government Policy Statement (**GPS**), direction from regulators, local community priorities within the region as outlined in council strategic documents, Te Mana o te Wai statements, and alignment with RMA. This is to ensure that the WSEs receive clear strategic direction. It is recommended that the Bill is amended to reflect this approach and ensure the RRG receives all necessary information to undertake its role, this includes receiving copies of the WSE Asset Management Plan and Te Mana o te Wai statements to support the development of the SSPE, and the ability to seek further information as necessary for it to undertake its role.

Recommendation 11: The Bill is amended to ensure the SSPE, which covers a period of 3 years, be issued annually to the WSE

Recommendation 12: The role of the RRG be extended in legislation to include the approval of the strategic direction outlined by the WSE in the Statement of Intent (**SOI**) (on the assumption that the SOI is limited to strategic direction only).

Recommendation 13: The role of the RRG be extended in legislation to allow comment on the operational direction of the WSE through the Asset Management Plan and other key documents.

Recommendation 14: The Bill clarifies the scope of the SSPE and excludes directing the WSE at a project, investment or management level.

Recommendation 15: The Bill should specify that the RRG will monitor performance of the WSE on delivering strategic outcomes of the SSPE and

Strengthening the role of and accountability to the RRG: Summary of recommendations

SOI through six monthly reporting from the WSE. Individual constitutions could require additional performance reporting requirements (e.g. quarterly reporting).

Recommendation 16: The Bill is amended to allow RRGs to provide additional competency requirements for appointees to the WSE Board.

Recommendation 17: The Bill is amended so that conflict of interest requirements for RRG and WSE board appointments need to be stated.

Recommendation 18: The Bill is amended to provide for bi-annual Board performance reviews. Independent reviewers or additional reviews can be included in individual constitutions.

Recommendation 19: The Bill requires a minimum of 12 and maximum of 14 representatives on the RRG. The composition and appointment of council and iwi/hapū representatives will be left to individual WSEs and outlined in their constitution, noting that the Working Group also recommends that the Crown consult the Working Group as they draft the default constitutions.

Recommendation 20: The Bill requires that Council representatives should have a mix of representatives from urban, provincial, and rural councils.

Recommendation 21: The Bill requires that iwi representatives should have a mix of representatives that are appointed on a tikanga basis reflecting their whakapapa affiliations through waka groupings. Entity D will appoint on a tikanga basis reflecting their hapū groupings.

Recommendation 22: The Bill provides for bespoke arrangements for the Entity A RRG, specifically 14 members with 50:50 Council and iwi/hapū composition. There should be 4 Auckland Council representatives, 4 Tāmaki

Strengthening the role of and accountability to the RRG: Summary of recommendations

Makaurau iwi/hapū representatives, 1 representative each from the Northland Councils and 3 iwi/hapū representatives from Te Tai Tokerau.

Recommendation 23: The Crown provides financial support to Councils so they can be appropriately resourced to allow them to fulfil their RRG roles.

Recommendation 24: The Bill requires a competency requirement for representatives to the RRG but detailed criteria will be left to individual WSE constitutions.

Recommendation 25: The Bill includes provision for regional advisory groups (sub-RRGs) to the RRG to exist within legislation. Other than 50/50 co-governance between council and iwi/hapū, composition and number of advisory groups (sub-RRGs) will be left to individual WSE constitutions.

Recommendation 26: The Bill is amended to require a single constitution that governs the RRG and WSE for each region and modifications to the constitution will require the co-governance consensus agreement of the RRG.

Recommendation 27: The Crown consults the Working Group as they draft the default constitutions.

As described in the model originally proposed by the Government (July 2021), the role of the RRG was seen as unclear and lacking in a genuine ability to provide input from iwi and councils from the regions they represent. As the RRG is the co-governance body made up of representatives from councils and iwi/hapū, the Working Group considers this body as having a primary role in

driving strategic direction that encompassed all of the various priorities and local voice within the WSE region, including Te Mana o te Wai, catchment priorities, headline matters from local council strategic plans, and future development strategies. Its role was also to appoint/remove Board members and monitor the performance of the Board and the WSE.

5.3.1 Strategic direction and accountability

The RRG is responsible for developing the strategic priorities for the WSE, for inclusion in the SSPE. The mechanism for the RRG to provide strategic direction to the WSE is through the SSPE which the WSE Board will respond to in its SOL.

The RRG will need to collate, and prioritise as required, inputs to the SSPE, including ensuring alignment with the Government Policy Statement (GPS), direction from regulators, local community priorities within the region as outlined in council strategic documents, Te Mana o te Wai statements⁹, and alignment with RMA. This approach should be captured within the Bill. We also recommend that the Bill be amended to include a requirement the RRG will issue an SSPE annually, noting that the SSPE will cover a period of three years¹⁰.

We agree with the Bill revisions which see the WSE having to give effect to the SSPE. However, we recommend that to ensure accountability the legislation needs to include that the RRG will approve the strategic direction outlined by the WSE in the SOL. It is not the role of the RRG to approve the operational programme of the WSE, it is however appropriate that the RRG can comment on the operational direction outlined in the Asset Management Plan (AMP) or other key documents from the WSE.

⁹ Note: The inclusion of Te Mana o te Wai statements at this level is in addition to them being provided directly to the WSE.

¹⁰ The Working Group acknowledges that some strategic inputs (e.g. all Te Mana o te Wai statement, economic regulator requirements, and RM reform) may not be in place on day 1 of the WSE "go-live" and strategic direction may change as these inputs materialise.

We recommend the Bill be amended to clarify that the RRG will monitor the performance of the WSE in delivering the strategic outcomes outlined in the SSPE and SOI through twice a year performance reporting, with a requirement that the WSE Board members engage with the RRG on a regular basis.

We note that, through conversations with S&P, SOI approval may have potential balance sheet implications and requests that Crown include this within the next RES for consideration. If this is not feasible and the RRG does not approve the SOI, we recommend the constitution will set out a process for resolving the issues with the WSE Board.

5.3.2 Board appointments and WSE performance

The Working Group agrees that the RRG is able to appoint Board members, as currently outlined in the Bill, and is able to remove Board members through a consensus vote (per co-governance principle outlined in section 5.2). Given the recommendation to reduce the size of the RRG, we consider that the use of a RRG selection subcommittee to nominate Board members should be left to individual WSEs and outlined in their constitution.

We agree that there should be a competency-based Board per the Bill (and endorse the express requirement for experience and expertise in the principles of Te Tiriti and the perspectives of mana whenua, mātauranga, tikanga, and Te Ao Māori) but recommend this is expanded to include other skills as recommended by the RRG, which may include environmental protection and expertise in relation to community and iwi/hapū engagement¹¹. The Working Group agreed that there must be independence of the WSE Board and clear conflict of interest requirements guidelines¹².

¹¹ These skills could be outlined in the RRGs WSE board appointment policy.

¹² The Bill should expressly recognise that membership of an iwi/hapū or membership of a local authority does not, in itself, comprise a conflict of interest.

We agree it is the role of the RRG to monitor the performance of the WSE Board and recommend that they complete a bi-annual Board performance review. This should be prescribed in the Bill. The ability for the RRG to appoint independent reviewers or complete additional reviews (i.e. annually) will be left to individual RRG and outlined in their constitution.

To support the RRG's role of WSE monitor, we recommend that the WSE provide performance reporting to the RRG at minimum twice a year and monthly key metric dashboards, to be outlined in individual WSE constitutions.

5.3.3 Providing regional flexibility and an enduring model

As there are unique considerations both across the WSEs and across catchments within each WSE, the Working Group explored how the RRG's could work in practice, driving the right level of strategic direction while ensuring regional flexibility.

5.3.4 Composition of the RRG

We have engaged in significant discussion around the potential composition of the RRG as it relates to individual WSEs. We believe each WSE needs to work through the best composition for their region, along with how this composition is reached across councils/iwi, and that this can be prescribed through their constitution.

We agree with the following RRG composition principles in the Bill:

- 50/50 council and iwi/hapū composition of the RRG.

- The process of iwi/hapū appointments to the RRG will be developed and defined by iwi/hapū based on tikanga Māori, and documented in the WSE constitution, not prescribed by the Crown
- The process of council appointments to the RRG will be developed and defined by councils, and documented in the WSE constitution, not prescribed by the Crown.

We considered the current proposal, which saw over 40 RRG members for some RRGs, would be unworkable and in principle considered that 12 members would be a more workable option. However, recognising the need for an enduring model and the differences between the WSEs we recommend a minimum of 12 and a maximum of 14 representatives, to be prescribed in the Bill¹³. The composition and appointment of council and iwi/hapū representatives will be left to individual WSEs and outlined in their constitution but considerations for bespoke arrangements are outlined below.

Entity A: We discussed an option for the Entity A RRG, being four Auckland Council representatives, four Tāmaki Makaurau iwi/hapū representatives, one council representative for each of the other councils and three iwi/hapū representative from Te Tai Tokerau.

The bespoke composition of the RRG for Entity A has implications for the majority vote provisions for that entity. The majority view of the Working Group was to recommend the 75% majority vote provision for Entity A. The alternative view of Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum, is set out below:

Alternative view: Extra consideration of Entity A majority voting rights

¹³ The Working Group expects 12 representatives for Entity B, Entity C, and Entity D, and 14 representatives for Entity A as outlined.

Bespoke arrangements are proposed for the Regional Representation Group of Entity A, intended to reflect the relative size and scale of Northland and Auckland and also to meet the required balance sheet separation of no council having dominance of RRG decision-making (see section 5.3.4). Representation has been well considered here, but decision-making processes for Entity A's RRG have not been considered as fully. I supported Auckland Council having four seats and one for each Northland council (with equal seats for iwi) on the assumption the different formula would also allow a bespoke arrangement for majority voting rights (not 75%). It's disappointing that bespoke consideration of majority voting rights has not been followed through.

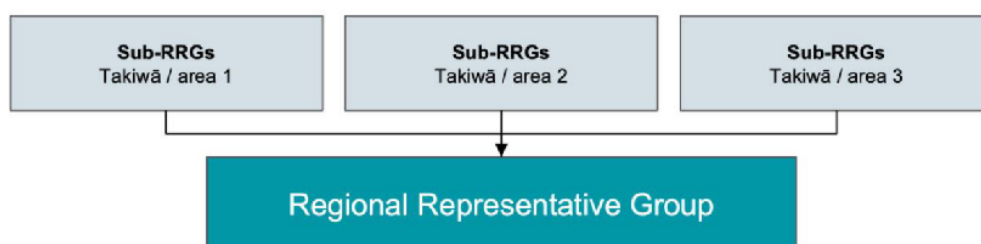
As it stands, the proposed bespoke arrangements for Entity A are distorted because the voting right majority provisions are simply proposed to be the same as for the other entities. There would be inequitable decision-making processes in Entity A if the majority vote remained at 75% (viz. 10 of the 14 people) because Auckland Council could never be outvoted while Northland councils or Northland iwi could be. This imbalance is unacceptable. If the majority required were shifted more towards consensus, to 90% (12 of the 14 votes) then, again, Auckland could never be outvoted but any majority decision would require votes from each of the four voting groups. This would be an improvement, as it is closer to consensus. For good governance I recommend Entity A has a 90% majority for decision-making and that this matter is considered fully before final decisions are taken.

Entity B, Entity C, and Entity D: We see RRG representatives for these WSEs sitting at 12 members (6 council and 6 iwi/hapū), with council membership reflecting metro, provincial, and rural representation, and iwi membership in accordance with tikanga and whakapapa affiliations reflecting representation from each of

the waka groupings within the WSE region. Entity D will appoint on a tikanga basis reflecting their hapū groupings.

We agree that competency criteria are developed for each RRG, and the representatives on the RRG must collectively meet these competency requirements. This competency requirement must be prescribed in the Bill, with each entity constitution providing the detail on these criteria, noting this may evolve over time. We have noted the need for resourcing for local council participation in the RRG and advisory groups. Proper resourcing will be required for all participants and this may require financial support from the Crown. In addition to the Crown's Te Tiriti obligations, we recommend that the Crown also provide funding to enable full council participation in the new Three Waters environment.

5.3.5 Advisory groups (sub-RRGs)



Representative diagram, number of sub-RRGs may vary by WSE

We recommend that there is provision for regional advisory groups¹⁴ to the RRG to exist within the Bill. Sub-RRGs would follow the same co-governance principles of the RRG, they would be aligned to sub-regions, takiwā or catchments (to be agreed by each RRG), and would provide additional local strategic focus. Sub-

¹⁴ Crown will need to consider the right name for such groups, for the purpose of this report they have been referred to as sub-RRGs

RRGs will be responsible for agreeing regional strategic priorities using inputs that may include Te Mana o te Wai statements, direction from regulators, local community priorities within the region as outlined in council strategic documents, and alignment with RMA.

To capture the localised differences across the four WSEs, we are not prescribing a uniform approach to the number of sub-RRGs or their composition, other than 50/50 co-governance between council and iwi/hapū. Consideration should be given to each sub-RRG having one appointee from each council within the sub-region or catchment.

5.3.6 WSE constitution

To promote regional flexibility and an enduring model through use of entity constitution, the Working Group recommends that the Bill requires a single constitution for each WSE. This constitution will outline the roles and relationships of the RRG, WSE Board, and WSE. We recommend that modification of the constitution require the RRG co-governance consensus agreement with a 75% majority backstop vote (see section 5.2), rather than the 75% majority currently outlined in the Bill.

We recommend the Crown engages with and consults with us further as they draft the default constitution.

5.4 Community and local voice

Community and local voice: Summary of recommendations

Recommendation 28: The Bill requires the RRG to have input into the investment prioritisation methodology and framework through consultation between the WSE and the RRG.

Recommendation 29: The Bill includes provision for the WSE to engage with councils on the development of the WSE Asset Management Plan (**AMP**) as it applies to their district and to respond to Council's comments.

Recommendation 30: The Bill includes the establishment of a national Water Services Ombudsman with jurisdiction over all the public facing activities of each WSE, incorporating a tikanga based dispute resolution process.

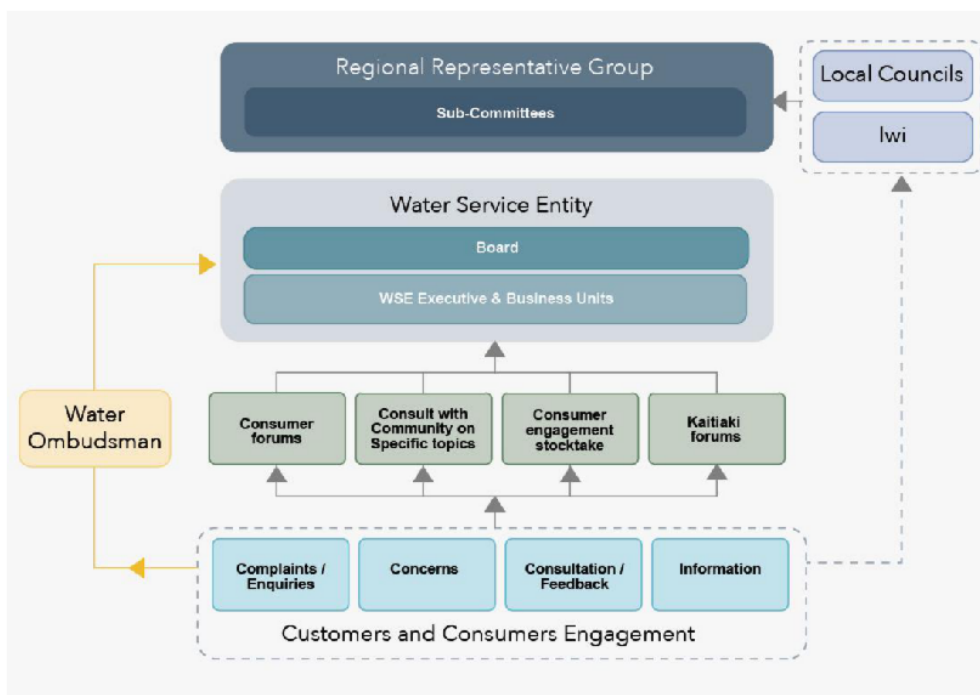
Accountability to and input from community and local voice was considered to be a weakness of the Crown's originally proposed model and has been at the core of our discussions. We agree on the importance of effective and meaningful community engagement.

The recommendations in previous sections that strengthen this area include:

1. The Bill provides that the RRG is responsible for holding the WSE accountable for their engagement with communities in the preparation of their plan and summaries within the SOI and AMP.

2. The Bill provides for the RRG to be responsible for holding the WSE accountable for performance/compliance with Te Mana o te Wai.
3. The Bill requires the Te Mana o te Wai statements are also provided to the RRG and are taken into account during the strategic priority setting.
4. The Bill allows for the establishment of fit for purpose sub-RRGs (see section 5.3.3) reflective of the local catchments of the WSE to provide a whole-of-catchment lens over the strategic priorities and that the RRG size and shape will adjust to enable and support this.
5. The Bill requires WSEs to engage with local councils to comment on the draft AMP as it relates to their district to ensure that councils planning priorities are reflected in the WSE's strategic priorities.
6. Councils and iwi are able to feed back to their RRG members their views on whether or not the WSE is delivering at a local level, providing councils and iwi/hapū a performance monitoring role.
7. Council shareholding (see section 5.1).

Community and local voices will feed into the WSE governance model throughout different levels:

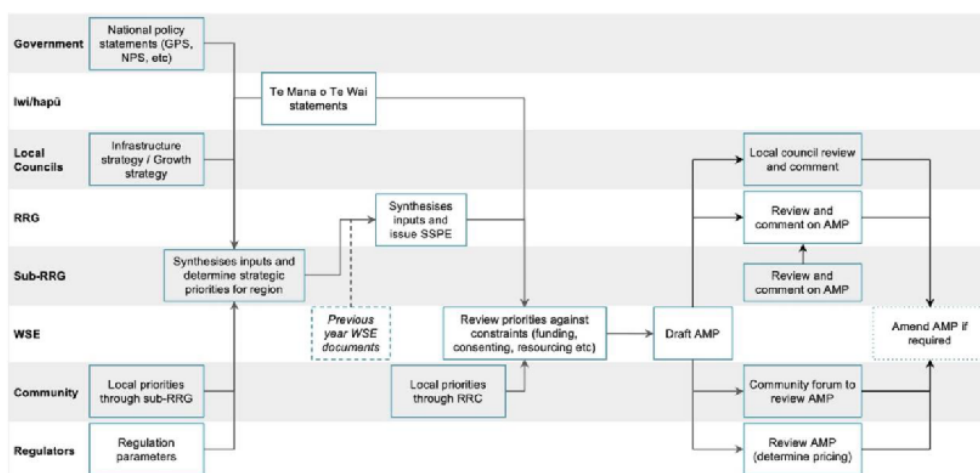


5.4.1 Investment prioritisation

The Working Group acknowledges that detailed direction to the WSE on their investment prioritisation is considered operational direction and not permissible in order to achieve balance sheet separation for councils. The WSE board also needs to be given appropriate independence to direct the operations of the WSEs. However, we recommend that the Bill requires the RRG to have input into the investment prioritisation methodology and framework via way of consultation between the WSE and the RRG. Through discussions of how the WSE investment prioritisation may work in practice, we also recommend that councils are able to comment on the draft AMP as it applies to their district.

We note our concern about the constraints on the WSE being able to undertake investment prioritisation given the number of inputs including regulations, GPS and Te Mana o te Wai statements. We are concerned as to how well the WSE will be able to respond to needs and requirements that are identified through separate stakeholder and community engagement while giving effect to the different regulations and requirements.

How inputs will influence the investment prioritisation:



5.4.2 Water Services Ombudsman

The Working Group recommends that the Bill includes establishment of a national Water Services Ombudsman with jurisdiction over all the public facing activities of each WSE, incorporating a tikanga based dispute resolution process.

Benefits of an ombudsman include:

1. Operated by a not-for-profit independent body, free for customer enquiries or complaints.
2. Works towards a fair and reasonable outcome for the parties involved in a dispute, is not a public advocate and does not represent industry.
3. Gives public access to an independent complaints process.
4. May give the public some additional comfort about the reforms (especially in advance of the economic regulator being fully implemented).
5. Provides raw data to the RRG on the number of complaints, the types of complaints and the way in which complaints are resolved by the WSE, potentially identifying trends before they become systemic problems.

To reduce additional overhead costs, the Crown should consider using an existing body that provides the type of dispute resolution services recommended by the Working Group¹⁵ (i.e. a single national service).

5.4.3 Compliance of the WSE

The Working Group has discussed the importance of the accountability of the WSE, ultimately to the public, and how good compliance standards will support WSEs working towards the best outcome for local communities. We support having two regulators, Taumata Arowai and an economic regulator. We have voiced the need for compliance across Aotearoa's water infrastructure and we

¹⁵ Considerations will need to be made if the existing body has sufficient expertise in Te Ao Māori and tikanga based dispute resolution practices in place to carry out this additional role.

are expecting the regulators to drive and support the achievement of those requirements.

5.5 The role of Te Tiriti within the Three Waters system

The Working Group acknowledges that Te Tiriti is the foundation for the relationship between the Crown and mana whenua (see section 4). Te Tiriti provides a whāriki (woven mat) which underpins the mechanisms in the Bill that ensure representation, participation and accountability for mana whenua.

We endorse the express recognition of the Crown's responsibility to give effect to the principles of Te Tiriti in the Bill. However, we consider that there are several areas in which the legislative framework could be strengthened to better recognise and respect the Crown's obligation to give effect to Te Tiriti and its principles.

The role of Te Tiriti within the Three Waters system: Summary of recommendations

Recommendation 31: The Bill requires the Crown and Minister to give effect to Te Tiriti and its principles when exercising powers and functions under the legislation (including in issuing the GPS and exercising monitoring, review and intervention powers in relation to WSEs).

Recommendation 32: When developing the GPS, and consistent with the principles of Te Tiriti, the Crown engages with its Te Tiriti partner (separate from any public consultation).

The role of Te Tiriti within the Three Waters system: Summary of recommendations

Recommendation 33: The Bill includes a provision confirming that nothing in legislation creates or transfers a proprietary interest in water or limits, extinguishes, or otherwise adversely affects or constrains iwi or hapū authority over, or rights and interests in, water.

Recommendation 34: The Bill includes appropriate provisions to ensure that Treaty settlement mechanisms which interrelate with or affect the current legal regime governing the Three Waters reforms (including but not limited to provisions of the LGA and RMA) are carried across and have application to the equivalent or analogous aspects of the new water services regime.

Recommendation 35: The Crown provides equitable resourcing to enable the full and effective participation of iwi and hapū in the Three Waters regime.

5.5.1 Crown Statutory obligations

At present the operative provisions in the Bill which are expressed to reflect the Crown's obligations under Te Tiriti are directed towards the recognition of Te Mana o te Wai and the governance and responsibilities of the WSEs. However, the Minister also has several important statutory functions under the Bill, which states that the Minister may "consult any person, organisation, or group" when determining what action to take in terms of such interventions and appointments (including formulating any terms of reference). However, the Working Group considers the Minister should be expressly required to give effect

to Te Tiriti and its principles when exercising these important Crown statutory powers and functions.

In relation to the GPS, we also recommend that the Crown engages with its Te Tiriti partner separate from any public consultation. The GPS is a key direction and priorities setting document under the Bill and must include, among other things, the Government's expectations in relation to Māori interests, partnering with mana whenua, and giving effect to Te Mana o te Wai.

5.5.2 Upholding Treaty settlements

The Bill presently includes a provision which states that if there is an inconsistency between a provision of the Bill and a Treaty settlement obligation, the Treaty settlement obligation prevails. It also includes an operating principle for WSEs to give "effect to Treaty settlement obligations to the extent that the obligations apply to the duties and functions of an entity". Consistent with the Crown's Te Tiriti obligations, these provisions reflect the Crown's clear intention to uphold Treaty settlement arrangements under the new Three Waters regime.

We support this intent and recommend that, where required, the Bill includes appropriate additional provisions to ensure that Treaty settlement mechanisms which interrelate to or affect the current legal regime governing Three Waters (including but not limited to provisions of the LGA and RMA) are carried across and have application to the equivalent or analogous aspects of the new water services regime.

5.5.3 Preservation of issue of water ownership

The Three Waters reforms and the establishment of WSEs relate to the provision of water services and water services infrastructure only. They are not concerned with the issue of water ownership, although we note with concern that there has

been public commentary suggesting otherwise. We expect the Crown to address this within their positive communication campaign (see Recommendation 1).

We acknowledge that the unresolved issue of iwi and hapū rights in water is an important one that the Crown has committed to addressing, and that this will be a separate discussion between the Crown and iwi/hapū. However, to avoid any residual uncertainty, we recommend that an express provision be included in the Bill stating that nothing in the Bill:

1. creates or transfers a proprietary interest in water; or
2. limits, extinguishes, or otherwise adversely affects iwi or hapū authority over, or rights and interests in, water.

5.5.4 Resourcing

Two of the key governance inputs and accountabilities for WSEs under the Bill are heavily dependent on iwi/hapū as mana whenua, namely:

1. the appointment of representatives to the RRGs; and
2. the preparation of Te Mana o te Wai statements.

We consider that the effectiveness and integrity of the Three Waters regime requires iwi and hapū to be appropriately and equitably resourced to carry out these important functions. The Working Group considers that, consistent with the obligations and relationship under Te Tiriti, these matters should be the subject of dedicated Crown funding in addition to any contribution from the WSEs.

This ensures that the regional voices of mana whenua are also supported appropriately through the Crown/WSE and that mana whenua are well positioned to:

1. take advantage of the proposed Te Mana o te Wai statement mechanism;
2. ensure that any plans are informed by Te Mana o te Wai statements; and
3. ensure on-going compliance of giving effect to Te Mana o te Wai in all activities and operations.

5.6 Strengthening Te Mana o te Wai

The Working Group agrees with the Crown's policy intent for incorporating Te Mana o te Wai as a key feature within the new Three Waters system. However, we recommend several enhancements to ensure Te Mana o te Wai is appropriately reflected throughout the WSE framework and to provide more clarity on its application and effect.

Strengthening of Te Mana o te Wai: Summary of recommendations

Recommendation 36: The Bill includes Te Mana o te Wai as an overarching objective guiding decision making, planning, governance, accountability, and service delivery.

Recommendation 37: The definition and application of Te Mana o te Wai in the draft Bill be amended to ensure that Te Mana o te Wai encompasses the interconnection with, and the health and well-being of, all water bodies that are affected by the Three Water system (including marine and estuarine waters, lagoons, and puna that are either the source, conduit or receiving environment for Three Waters activities).

Strengthening of Te Mana o te Wai: Summary of recommendations

Recommendation 38: Te Mana o te Wai is reflected at all levels of the WSE framework, including but not limited to:

1. Te Mana o te Wai being given effect to by the Minister in developing the GPS;
2. Te Mana o te Wai being given effect to by the RRG in the development of the SSPE and SOI;
3. Te Mana o te Wai being given effect to in asset management plans; and
4. Te Mana o te Wai being given effect to in infrastructure strategies.

Recommendation 39: The Crown furthers work to design inclusive communications and processes to support the embedding of Te Mana o te Wai in the community.

5.6.1 Te Mana o te Wai as an overarching objective

The Bill currently refers to Te Mana o te Wai within a series of stated objectives for WSEs. However, reflecting on the various stated objectives beyond Te Mana o te Wai, it was apparent to the Working Group that those other objectives all necessarily fell within the scope of Te Mana o te Wai. Te Mana o te Wai expressly identifies within its hierarchy the needs of people and communities (including not only drinking water, but also economic development). It is a purpose-made korowai for the Three Waters system.

We recommend therefore that Te Mana o te Wai is separately stated as the overarching objective for WSEs within the Bill with the consequence that the other subsidiary objectives identified for WSEs in the Bill should be expressed as being achieved "in a manner which gives effect to Te Mana o te Wai".

We consider that a focus on achieving Te Mana o te Wai as a core and overarching objective will also support an integrated approach to service delivery in the following ways:

1. coordination between each of the WSEs (including their RRGs) that share catchments with each other or where one will be materially impacted by decisions made by their neighbour (e.g. flood protection and water scarcity);
2. addressing some Three Waters legacy and historical issues;
3. integration of Treaty settlement issues and already existing co-governance and co-management matters which are consistent with iwi and hapū values where water bodies are viewed as indivisibly and metaphysically whole (recognising that some of the best examples of integrated management have come from innovative Treaty settlements or close collaboration between iwi and hapū and their local councils, including the 2009 Waikato River Settlement, the 2009 Canterbury Water Management Strategy and the 2014 Te Awa Tupua (Whanganui River) Settlement); and
4. integration across legislative frameworks that affect waterways is necessary to ensure that water quality outcomes are approached consistently and in a joined-up way – in particular, the Three Waters reforms (including Taumata Arowai), the economic regulator and the resource management reforms.

5.6.2 Extending the definition of Te Mana o te Wai

The National Policy Statement for Freshwater 2020 (**NPS-FM**) has provided a blueprint for the transformation of Te Mana o te Wai, but there needs to be

clarity and certainty about its meaning, role and purpose to ensure its successful implementation in Three Waters.

In the context of the NPS-FM, Te Mana o te Wai is focused on freshwater bodies. However, the Three Waters system necessarily also interacts with and affects non freshwater bodies, including marine and estuarine waters, lagoons and puna. We therefore recommend that the definition and application of Te Mana o te Wai in the draft Bill be extended to enable the consideration of the health and well-being of all such waters (given the importance of the inter-relationship and effects of Three Waters activities on those environments).

This is to recognise the integrated whole-of-system approach to wai, from mountains (maunga) to the sea (moana), or ki uta ki tai. This all-of-system approach also recognises the fundamentals of tikanga, mātauranga and kaitiakitanga Māori. It will provide a unique, inclusive and transformative approach to the management of water and water-related infrastructure in Aotearoa for the benefit of all New Zealanders.

At a practical level, it also provides a bridge and connection to resource management planning and consenting on water take and discharge – helping to underpin consistency across the wider system and guide behaviours to a common sense of purpose.

5.6.3 Te Mana o te Wai and WSE Framework

We agree that Te Mana o te Wai needs to be reflected at all levels of the WSE framework. However, certainty and clarity of Te Mana o te Wai is also required (including as it applies at each level of the system) and how it infuses itself within and guides the WSE decisions and choices.

As a result, Te Mana o te Wai implementation will need to be considered in three broad ways.

Strategy

The co-governance arrangements that set strategic guidance for the WSEs will need to ensure that key strategic outcomes and priorities reflect or must be delivered consistent with achieving the overarching purpose of giving effect to Te Mana o te Wai. The Water Services Entities Bill should be clear that this Te Mana o te Wai objective applies:

1. in the development of the GPS;
2. in the development of the SSPE by Regional Representative Groups;
3. in the development of asset management plans; and
4. in the development of infrastructure strategies.

Community engagement

Local councils, mana whenua (iwi/hapū) and individual customers will have their own specific location/catchment-based needs and aspirations and expressions of Te Mana o te Wai. The 'plan-making' role and function of councils will need to recognise and be consistent with Te Mana o te Wai.

Operations and delivery

Water Services Entities are responsible for effectively, efficiently and sustainably matching their strategy with the community needs in a way that meets all legal or regulatory requirements within the actual (and ever changing) operating environment (i.e. while performing their 'plan-taking' role) and in a manner that gives effect to Te Mana o te Wai.

There also needs to be a clear process for measuring/evaluating WSE compliance with Te Mana o te Wai (and takiwā-specific Te Mana o te Wai statements).

5.6.4 Development of Te Mana o te Wai statements

We acknowledge that wai, or water, is a taonga of paramount importance to iwi and hapū and is essential to life and identity. Every iwi will have a whakataukī or pepehā which references an expanse of water, whether it is a river, a lake or a harbour. For many iwi, a body of water is their most important self-identifying feature.

In addition to the overarching commitment to recognise and provide for Te Mana o te Wai, we acknowledge that mana whenua whose rohe or takiwā includes a water body in the service area of an entity can draw on Te Mana o te Wai statements in a number of ways to assist with local water services delivery arrangements. This includes:

1. development of Te Mana o te Wai statements for water services as identified by relevant mana whenua (which statements may relate to an individual iwi/hapū or catchment, or may be multi-iwi/hapū or multi-catchment);
2. advisory groups (sub-RRGs) to the RRG providing direct input into regional strategic priorities by reference to relevant Te Mana o te Wai statements; and
3. Regional Representative Groups, setting the strategic direction for WSEs (including recognising and providing for Te Mana o te Wai as a core principle that will guide service delivery).

We also recommend that inclusive communications and processes be designed to support the embedding of Te Mana o te Wai in the community (including enabling the wider community to develop its own sense of connection with, and also become invested in, the Te Mana o te Wai statements that apply in their area).

5.7 The role of the Crown

Role of the Crown: Summary of recommendations

Recommendation 40: Due to the number of bodies that provide strategic direction to the WSEs the Bill should include strengthened provisions around the content of the GPS, and consultation requirements, to mitigate the risk of disconnected priorities.

Recommendation 41: When the Crown develops or reviews the GPS it should consult with the RRGs of the WSEs, and follow the standard GPS consultation process which includes community consultation.

Recommendation 42: The Bill includes provision for a non-voting Crown liaison to the RRG.

Recommendation 43: The Crown confirms that it will provide sufficient financial support to the WSEs to ensure 'balance sheet separation' from councils, that the WSEs have sufficient borrowing capacity to invest in the required infrastructure and can borrow funds at a cost similar to councils.

Recommendation 44: The Crown confirm to iwi and councils the size of investment required to address issues of historic degradation of waterways and inequalities in the provision of water services for their consideration,

Role of the Crown: Summary of recommendations

along with a plan as to how addressing these issues will be funded.

Recommendation 45: The establishment of the WSEs is not the end of the Crown's involvement in addressing water services issues, and the Crown should have an ongoing role to support and invest in water services.

Recommendation 46: A review of the Three Waters structure is undertaken five years after the WSEs are operationalised.

The Working Group acknowledges the Crown's role as a steward of the system, including those that regulate the WSEs. We had considerable discussion about the GPS and have voiced concerns on:

1. The role of the GPS in directing operational decisions of WSEs and how council, iwi and WSEs are able to have a voice in the GPS.
2. Interaction between the GPS and the ability of WSEs to undertake investment prioritisation based on the needs of communities.
3. Questions about who has input into and is consulted in the development of the GPS.

We acknowledge that a GPS is required as an instrument that provides high level national direction and achieve coherence across the system (including coordination of regulators). However, we recommend that the Bill strengthens provisions around the content of GPS and consultation to mitigate the risk of disconnected priorities. The GPS should reflect the objectives of the reform. Clarity on the GPS (and the process for setting the GPS to ensure it doesn't have

unintended consequences for WSEs) needs to be provided by the Crown before the establishment of the WSEs.

We also recommend that a provision for a non-voting Crown liaison with the RRG be included in The Bill.

5.7.1 Crown funding

The Three Waters reforms are partly premised on the new WSEs being able to borrow more than councils can to invest in water services. This is to be achieved by separating the balance sheets of the WSEs from councils. We have discussed how the Crown will need to provide sufficient financial support to the WSEs to not only ensure that 'balance sheet separation' is achieved, but also that the WSEs have sufficient borrowing capacity and are able to borrow funds as cheaply as possible, and ideally at the same rate as the Crown. If the WSEs' cost of borrowing is greater than councils or they are subject to borrowing restrictions that mean they are unable to fund necessary investment, it will undermine part of the rationale for the reforms.

We note the requirement by the credit rating agencies for backstop support and recommend the Crown confirms back to iwi and councils the provision of this support, along with how it will ensure this support is sufficient to ensure the financial strength, and consequent borrowing capacity, of these entities.

The Working Group has also discussed the role of the Crown as the potential funder of the WSEs. We note there are significant legacy infrastructure investment issues across the proposed entities which need to be more fully understood. In particular, investment will be needed to deal with historic degradation of waterways, and inequalities in provision of water services. Some of these issues may be due to Treaty breaches. This may require investment in infrastructure that would not pass traditional cost benefit analysis but will

nevertheless be required to meet new regulatory standards, and address inequalities.

We recommend the Crown confirm to iwi and councils the size of these issues for their consideration, along with a plan as to how addressing these issues will be funded. Given the sheer scale of investment required, additional Crown investment may be required in the future, as the WSEs may not have the capacity to fund all of what is required.

We have stated earlier that iwi/hapū and councils will require financial support from the Crown to ensure that they have the capability and capacity to fulfil their roles in relation to the WSEs. An increase in investment will also require an increase of investment in education and training, to ensure that the water industry has sufficient capacity and capability to deliver.

In short, the establishment of the WSEs should not be the end of the Crown's involvement in addressing water services issues. We believe the Crown will have an ongoing role to support and invest in water services.

5.7.2 Five year review

Real transformational change takes time. The Working Group recommends instituting a formal review of the structure as a whole five years after the "go-live" date of the WSEs. This should be an independent review of the governance structure, including a review of how effective the accountability mechanisms are that rely on Te Mana o te Wai and local voice, the Crown's role, role of the RRG and their relationships with the WSEs and composition of the RRGs.

6. A comment on balance sheet separation

Throughout this process, the Working Group has engaged in informal discussions with S&P Global Ratings on the potential balance sheet implications of some governance features being considered. Where applicable, recommended governance features that may increase linkages of WSEs to council balance sheets have been noted in the report. We have not been able to test the complete governance model with S&P as their contract with the Crown is pending. We recommend the Crown formally test all recommendations in this report as a comprehensive governance model with S&P, to ensure balance sheet separation between the WSEs and council.

Recommendation 47: The Crown formally tests the recommendations outlined in this report with S&P to ensure balance sheet separation.

7. Other considerations raised outside of the Terms of Reference

7.1 RMA alignment

The Working Group considered the importance of the resource management reforms and how those reform proposals will impact on the WSE. It is clear that the proposed Spatial Planning Act (**SPA**), which will require the development of long-term regional spatial strategies, will be of key importance for the new WSE. These strategies will identify the areas that will be suitable for development, need to be protected or improved, need new infrastructure and are vulnerable to climate change effects and natural hazards. The development of natural and built environment plans under the proposed Natural and Built Environments Act (**NBA**), which will likely also need to give effect to Te Mana o te Wai (under the NPS-FM 2020), will also be important to decision-making within regions.

Policy decisions in resource management reform are yet to be finalised and there was no information available to us on the respective governance model being considered in this area. Both reforms, however, seek more collaborative arrangements between mana whenua and local government, and between local government itself, but with potentially different rights and responsibilities in each governance model. We believe that attention should be given to streamlining and aligning these arrangements. Ideally the regionalisation and co-governance arrangements should conform with each other, and any differences should be kept to a minimum and only exist for very good reasons.

We want to ensure that further work on the reforms recognise:

1. The important and ongoing role local councils will have in planning decisions on regional infrastructure, development priorities and local place making, and the need to ensure there is alignment on key aspects of the water and resource management reforms.
2. WSEs will need to participate in the new NBA and SPA processes, providing input into spatial strategies and NBA plans and expert advice on consents.
3. The timing and sequencing of the various component parts of the new system (and what happens with the existing system) will be key to a successful transition.

7.2 Stormwater

Although outside the terms of reference, the Working Group considered the merits and issues associated with including stormwater into the water service entities. We also considered a proposal to defer the inclusion of stormwater from the three water reforms, while further investigation of the best approach to take for stormwater management in the context of Te Mana o te Wai and the NPS Freshwater. While there was not unanimous support for deferring stormwater, with the majority considering that waters needed to be considered holistically and in an integrated way, there was recognition that stormwater needed further consideration.

The inclusion of stormwater is necessary to fully give effect to Te Mana o te Wai and for the co-governance opportunity to be fully realised and meaningful because:

1. Te Ao Māori view of wai is holistic/single system – ki uta, ki tai (mountains to sea).
2. An integrated approach is essential to the reform objectives (both in the present, from an intergenerational perspective, and from a community/collective perspective and Te Taiao, and not limited to freshwater bodies).
3. There is a need for improved collaboration across agencies (both local and central government).

The key concerns identified were:

1. The stormwater system is fundamentally different from the other two waters being proposed for reform. The stormwater system is an open system; including retention basins and wetlands, as opposed to the closed networks that pipe and treat drinking water and wastewater. Stormwater management is integral to flood management and land drainage and their environmental impact is very much influenced by the many activities that take place in each catchment.
2. Ownership and management of the stormwater system is complex and fragmented – key owners include council, transport authorities and private property owners.
3. Stormwater could be considered as narrowly as piped conveyance networks, or as broadly as the management of our land, water and coasts. It is not clear from the reform proposals to date what is being defined as stormwater.
4. The efficiencies, benefits and implications of the decision to include stormwater have not been assessed.

5. The interface requirements (e.g. planning, regulatory, ownership) between local, regional and road controlling authorities (and civil defence and emergency management) are complex and the mechanisms to manage these require greater consideration and collaboration, especially when considered within the context of the ongoing RMA reform.
6. There will be a need for a phased/staged transfer (of assets, people and responsibility) into each WSE to enable clear planning around what stays with each council, what moves and where joint management will be required for dual/multiple use elements/assets. The WSEs will also need to pay their share. There is no precedent internationally for economic regulation of stormwater. It is unknown whether economic regulation can deliver multi-benefit outcomes across several organisations that exceed minimum engineering or cost options.
7. Without appropriate consideration being given to these concerns, the allocation of stormwater functions to WSEs could affect their ability to deliver positive land and water outcomes at the catchment level.
8. Fundamentally different charging systems will be required: volumetric charging is available to two waters, as they are a service provided to property connections. Stormwater services on the other hand are a public good and for the benefit of the community and the environment. How stormwater charges (akin to a rate or tax) are set will need to be addressed.

The inclusion of stormwater within an WSE means these entities will not be simple utility companies as some have suggested. They will be vital to delivering councils' land-use plans, and community aspirations regarding water quality improvements. This will require a high level of collaboration

and coordination after the establishment of the reforms. We recognise that councils and iwi/hapū will need to be involved in the transfer of stormwater functions to WSEs, and mechanisms need to be developed to facilitate collaboration and coordination.

Appendix



Minority Report of the Working Group on Representation, Governance and Accountability of new Water Services Entities

This minority report expresses dissent from some of the views expressed by the working group on Representation, Governance and Accountability of new Water Services Entities (Working Group). I welcome the process of the Working Group which has resulted in constructive discussion of the issues and recommendations for some positive and worthwhile improvements to the Government's original proposals.

However, these changes still fall short of what Auckland Council and Aucklanders require in the area of governance and accountability. The nature of our disagreement is not about the need for water reform in New Zealand, or the intent to significantly improve the safety and quality of our drinking water, and the environmental performance and resilience of our three waters. Water is a vital service and public good. There is an urgent need to reform the sector, achieve economies of scale outside Auckland, and enable increased investment in infrastructure to achieve these outcomes. We support the Government's desire to achieve change in the delivery of water services and in particular the need for water quality and economic regulation to ensure that the goals are achieved.

We acknowledge that many Councils under the current water services structures have been unable or unwilling to invest sufficiently in water infrastructure. This has resulted in some areas not meeting water quality and consent requirements. Measures designed to ensure water conservation and detecting leaks, such as water metering have also not been adopted by many Councils. Auckland has invested strongly in 3-waters, with increased investment of \$11 billion in its latest long-term plan. We also meter water usage, deliver high drinking water standards, and have achieved, through conservation measures, one of the lowest levels per capita water consumption in New Zealand. Despite this, we feel penalised by losing control and accountability over our services because of the shortcomings of some other local authorities.

Our concerns relate to the proposed governance and accountability arrangements which Auckland considers are too far removed from the community and democratic accountability. The Working Group recommends changes in this regard to the Government's proposal which do improve the proposal. In particular, we welcome the recommendations which secure proportional shareholding by individual councils as a concrete expression of ownership, proposals to strengthen the governance and accountability of the Water Services Entities to the regional representation groups, greater representation for Auckland on the Regional Representation Group overseeing the Northern Water Services Entity and other improvements recommended.

Despite those recommendations, Auckland is still left as a minority voice on governing and holding accountable those who deliver water services despite Auckland Council providing 93 per cent of the new Water Services Entity's assets.

Given the unique nature of Watercare which serves over a million and a half customers and already has economies of scale and operates effectively, a one size fits all approach does not meet our needs. In fact, Auckland has already achieved most of the size, scale and efficiency benefits the reforms are seeking to achieve for New Zealand. Indeed in her cabinet paper of 14 June 2021, Minister Mahuta acknowledges "I consider it would be possible to exclude Watercare from the reforms on the basis that it already has many of the desired features of the reform." This leads to the question, what is the problem the Government is trying to solve in Auckland?

I set out below the areas of disagreement with regard to specific recommendations and with the Government's current proposal. These reflect the views of elected members in Auckland and the views Aucklanders expressed in submissions and independent survey results.

Re: recommendations on ownership of Water Service Entities (WSE)

We agree with the concepts of kaitiakitanga supported by the Working Group and support the Working Group's shareholding model recommendation as a significant improvement over the Government's original proposal. The change would emphasise and entrench community ownership of the assets and would be an additional safeguard against privatisation. However, ownership of assets should mean appropriate control over those assets. Auckland Council, representing its community, ends up as a minority voice on the Regional Representation Group despite contributing the overwhelming majority of the assets. We therefore disagree with the recommendations for the following reasons:

- With ownership comes rights, responsibilities and obligations. Ownership needs to be reflected in democratic accountability and this proposal would lead to the loss of direct accountability and control the people of Auckland over water service entities through their elected representatives.
- Feedback from the people of Auckland, through three and a half thousand submissions and an independent and representative polling survey, confirms that they do not support the Government's proposal as currently constituted. More than three-quarters (77 per cent) of submitters supported the council's position that any new water entity should be kept accountable and responsive to the public through their elected council representatives. Results of the independent polling were similar, with 67 per cent supporting the council's position. Submitters were even more strongly supportive of Auckland Council having the majority of control in any new entity, with 83 per cent of submitters and 74 per cent of survey respondents agreeing with the council's position. As Mayor of Auckland, it is my responsibility to represent the views of elected members and the people of Auckland they represent.
- Auckland Council wants to retain its current CCO model. Auckland already has specific 'substantive CCO' legislation. The CCO model has proven to be effective and a recent independent review confirmed that "the CCO model remains the right one for Auckland, bringing together strong business disciplines, agile decision-making, streamlined administrative structures, operational efficiencies and specialist skills and expertise".¹

Re. recommendation re. strengthening the role and accountability to the Regional Representation Group (RRG)

While we consider the working group's recommendations relating to the size and composition of the RRGs, and bespoke arrangements for Entity A, an improvement on the Government's proposal, we disagree with the recommendations for the following reasons:

- Proportional representation on the RRG is required to reflect the population and economic contribution of Auckland Council and would address our concerns.
- The proportional representation of Entity A (and indeed other entities) under either the Government's or the Working Group's proposal is not equitable or representative of the investment, population and assets Aucklanders are transferring to the Water Service Entity. Auckland Council's ownership of assets constitute 93 per cent of the water assets in Water Services Entity A. Under the Government's proposal, with one seat at the table (12.5 per cent) Auckland would be reduced to a minority voice in decisions as to how those assets were used (noting the 75 per cent majority vote provision). With the amendments proposed by the Working Group, Auckland Council's voice on the RRG would increase to 28 per cent but would still be a minority voice in decisions.

¹ Review of Auckland Council's council-controlled organisations (July 2020), Report of Independent Panel, p. 1.

- Consultation and polling indicate the public strongly supports the council's position, with more than 80 per cent of those submitting on to the consultation agreeing council should have majority control of a new water entity, while more than 75 per cent backed council's view that a new entity should be kept accountable to Aucklanders through elected representatives.

Re: recommendation on co-governance of the RRG

We disagree with the recommendation for the following reasons:

- Democratic accountability, through elected representatives, to people who funded the water infrastructure in Auckland valued at many billions of dollars, and who continue to pay for its operation, is critical. It is not appropriate to cede control over this infrastructure to other councils and mana whenua and to remove existing accountability to Aucklanders through elected representatives.
- We are committed to work in partnership with mana whenua which we have done through the development of our Water Strategy, and to consider alternative ways of strengthening this partnership.

Re: Stormwater

We advocate further consideration on inclusion of stormwater and believe there should be a specific stormwater recommendation seeking a deferral on the inclusion of stormwater in the new WSE until further work is undertaken. More specifically:

- There has been inadequate analysis of the benefits and costs of transferring stormwater functions to a new WSE. The focus of the Stormwater Technical Working Group was to consider how these assets and functions should be transferred, not why.
- It is unclear how an economic regulator will be applied to stormwater functions and how it may consider the very difficult task to measure social, community and environmental benefits that are intrinsically linked with stormwater management.
- Stormwater is intrinsically linked to the land use planning function of council and more detailed consideration needs to be given to the implications of this function being separated. An understanding of the changes the Resource Management reform will bring is also required before any separation should be considered.
- This does not preclude options, such as an entity contracting the management and maintenance of stormwater assets as interim steps nor to the ultimate inclusion of stormwater in the water entity. However, further work needs to be done to understand the consequences and to justify its inclusion before this can be supported. Given the radical changes proposed to water, it would also make sense to allow a new water service entity to focus on the massive tasks of amalgamating and delivering water and wastewater services in the first instance.

Re: Recommendations regarding strategic direction and local voice

We support and advocated for the accountability improvements suggested by the Working Group, but with the relegation of the owners of the infrastructure to a minority position on the RRG, this does not resolve the problem of the loss of democratic accountability.

The following section outlines our general concerns with the Government's proposal.

Scale and efficiency

Auckland is a high-growth area. This requires significant coordination to achieve development. The amalgamation of Auckland in 2010 was intended to achieve this. The CCO model was considered as the most appropriate model to ensure the alignment and coordination between council planning,

transport, water and community infrastructure. Auckland and Watercare are already of a scale and size that achieves the efficiency and competency gains expected by the Government. The introduction of an economic regulator will also help improve efficiency gains and we are not opposed to this.

Auckland has demonstrated that it is willing to share its learnings and capabilities through Watercare's current contracting to deliver services to the Waikato District Council. We are willing to consider applying this model to those councils in Northland should they wish to do so.

Coordinated city planning and investment to meet economic and growth needs

As the economic power-house for New Zealand, Auckland needs to deliver coordinated and timely investment. Auckland Council is seen by the public as the entity responsible for planning and infrastructure investment in Auckland. Dilution of our role will exacerbate piecemeal planning and infrastructure provision. I am concerned that it will make it harder to ensure we have pipes and roads in the right places at the right time. We need to simplify the planning, funding and delivery of infrastructure for Auckland, not add to its complexity.

We strongly believe to achieve the coordination a city the size of Auckland needs, the current CCO model with some further refinement is the best option.

Investment and balance sheet separation

There is insufficient evidence that establishing these four water entities will deliver the efficiency gains the Government is expecting. Indeed, they may not be able to borrow significantly more to invest in infrastructure. This is because:

- the additional costs these entities will face due to increasing bureaucracy and compliance are likely to be considerable.
- S&Ps original assessment of the proposed entities indicated they required the support of the Government to raise the Issuer Credit Rating. We have serious concerns about the cost of the debt envisaged by the Government and whether the proposed WSE boards will have the ability to, or be comfortable with, borrowing significantly more to invest in infrastructure. The Government has not shown what benefit there would be to Auckland in terms of the ability to invest more in infrastructure. Auckland Council will not benefit from any increased debt headroom. One of our credit rating agencies, Moody's, already excludes Watercare debt from its considerations. While Watercare's debt would be removed from our books, so too would its direct revenue stream, cancelling most of the benefits from a debt to revenue perspective. We will therefore not be able to accelerate our investment in other infrastructure as a result of these reforms.
- The consequence of fragmented planning and infrastructure delivery environment may well lead to more expensive infrastructure provision and greater inefficiencies. This is an issue that needs to be dealt with in a holistic manner, not in an ad hoc piecemeal way.
- We are also concerned at the viewpoint expressed by Standard and Poors that accountability to consumers and funders of Water Services Entities through elected representatives is regarded as "undue influence". We believe that the role of the regulators, the Government's ability to set policy through National Policy Statements, a requirement that Councils not set water prices or bail out a Water Services Entity in financial difficulty, and the Crown providing a liquidity facility or guarantee would all allow accountability as well as allow a separation of books to facilitate access to additional investment capital.

Connection with wider government reforms

There is a strong connection between the water reform and the reform of the Resource Management Act and the future of Local Government. The potential for unintended consequences is a significant risk. Council and the public have insufficient information to understand how these

reforms will work together. For this reason, we support the continuation of the current CCO model for Auckland.

In conclusion, I ask the Government to consider these issues carefully and take account of concerns raised by Aucklanders and their elected representatives in particular about the proposed governance and accountability structure.

8 INFORMATION REPORTS

8.1 PROGRESS REPORT: THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN

File Number: A3589452

Author: Roger Ackers, Manager - Strategy Development

Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with a progress report against the indicative project schedule for the reintroduction of development contributions in alignment with the 2024-34 Long Term Plan.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

This report provides an update to elected members on the progress made towards the reintroduction of development contributions in alignment with the 2024-34 Long Term Plan. Progress is on target as per the indicative project schedule for the reintroduction of development contributions that was approved by Council at the 16 December 2021 Council meeting.

TŪTOHUNGA / RECOMMENDATION

That the Council receive the report Progress Report: The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan.

TĀHUHU KŌRERO / BACKGROUND

On 16 December 2021 Council approved that a new development contributions policy be adopted with the adoption of the 2024-34 Long Term Plan and that staff report on the progress against the indicative project schedule in the 16 December 2021 paper to Council that requested the development of a new development contributions policy.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The following table is a copy of the indicative project schedule in the 16 December 2021 paper to Council - The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan. An extra column 'Progress against estimated due date' has been added to provide a commentary on progress made to date as requested by resolution of Council on 16 December 2021.

Activity/Deliverable	Estimated due date	Progress against estimated due date	Comments/Notes
Phase: Concept			
Paper to Council recommending the adoption of new development contributions in alignment with the 2024-34 Long Term Plan.	16 December 2021	Complete.	
Phase: Research			

Activity/Deliverable	Estimated due date	Progress against estimated due date	Comments/Notes
Communications and engagement planning commences with stakeholder and partner identification and analysis.	January – February 2022	In progress.	Now scheduled for completion end of April. This delay has no material impact on the overall project timeframe.
Internal workshops on options, review of best practice development contribution policies in use across New Zealand.	February – April 2022	Workshop planned for 29 March. This will be facilitated by Gina Sweetman.	
Review of options with an external expert and a mentor Council on development contributions.	April 2022	On target.	
Project plan approved.	April 2022	On target.	From this point on the dates in this table are indicative and assumptive. With the approval of project plan will come more exact due dates, timeframes, and costings.
Phase: Conceive			
Workshop on different options, timeframes, and a confirmation of the scope of the development contributions policy (which growth related development, which locations)	June 2022	Scheduled for 8 June 2028. Booked in the formal meeting calendar.	This will explore differing ratios of contributions based on equity between ratepayers and developers and who benefits. Staff will seek direction on what new growth-related development will be subject to DC's and locations. This workshop will also explore the 'do nothing' option.
Research report completed.	August 2022		
Communications and engagement plan completed.	August 2022		
Paper to Strategy and Policy Committee – options and	6 September 2022		This will also present a full assessment of the 'do nothing option'

Activity/Deliverable	Estimated due date	Progress against estimated due date	Comments/Notes
recommendations for a new development contributions policy.			
<i>Local Body Elections.</i>	<i>8 October 2022</i>		
Phase: Design			
Drafting of a development contributions policy for public consultation.	October 2022–January 2023		
Communications and Engagement Plan approved.	February 2023		
Approval by Council for public consultation on draft development contributions policy.	February 2023		
Phase: Consult			
Public consultation on draft development contributions policy.	March – May 2023		This timeframe includes hearings.
Submission's analysis.	May-July 2023		
Draft new policy for adoption.	July – August 2023		
Approval by Council to use a new development contributions policy to inform 2024-34 Long Term Plan.	September 2023		This informs the development of (1) The Financial Strategy and (2) The Infrastructure Strategy.
Phase: Activate Policy			
Adoption of a new Development Contributions Policy with 2024-34 Long Term Plan.	June 2024		
New Development Contributions Policy comes into effect.	1 July 2024		Staff commences administration of the development contributions policy. Policy rules apply for developers.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial or budgetary implications that will result from Council receiving this report.

ĀPITIHANGA / ATTACHMENTS

Nil

8.2 CEO REPORT TO COUNCIL 01 NOVEMBER 2021 - 28 FEBRUARY 2022

File Number: A3626631
Author: Melissa Wood, Executive Liaison
Authoriser: Emma Healy, Executive Officer

PURPOSE OF THE REPORT

The purpose of the report is to present the CEO Report, 1 Nov 2021 to 28 February 2022 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 November 2021 - 28 February 2022

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 Nov 2021- 28 Feb 2022 - A3626626** [↓](#) 



Chief Executive Officer's Report to Council

Period: 1 November 2021 – February 2022

Key Work Plan Areas:

Governance

CEO Office

Corporate

Strategy

Operations

Infrastructure and Asset Management

Introduction

Welcome to this CEO report, which provides an overview on the Council's activities for the period 1 November 2021 – February 2022

Welcome to the latest summary report of Council activities

Introduction from Shaun Clarke, Chief Executive

This is my last report to Council as Chief Executive as my five-year tenure comes to an end in March. Blair King has been appointed and Council welcomes his arrival on 21 March. It has been a pleasure to serve the Elected Members and lead an organisation with such talented people. I wish Blair all the best.

We also farewelled Manager – Communications Richard Edmondson and I'd like to thank Richard for his dedicated service to Council. I am pleased to advise that Ruben Garcia has been appointed as the new Manager – Communications and he will join Council in May.

A lot of hard work by Council was recognised during this period, with the following awards received:

- Future of Work Award at the Human Resources New Zealand's NZ HR Awards 2022 for our hybrid working model
- Best Workplace Flexibility Program at the annual Human Resources Director Awards NZ for our hybrid working model
- Excellence in Project Innovation Award at the Institute of Public Works Engineering Australasia (IPWEA) 2021 NZ Excellence Awards for the Paihia Wastewater Treatment Plant
- Kaitāia won the title of Most Beautiful Small Town at Keep New Zealand Beautiful's Beautiful Awards 2021 due to the public artworks and placemaking projects the community has delivered under the Te Hiku Open Places Revitalisation Project
- Council was also shortlisted for the Australasian Financial Review Best Places to Work award for the hybrid model implemented. This recognises Australia and New Zealand-based companies pioneering best practices in areas such as wellbeing, flexibility, and equality. I would like to thank the Elected Members for their support of the work that has gone into creating great places and supporting our people.

It was also pleasing to see a number of new facilities opened during this time including:

- Korora Park pump track in Ahipara
- Memorial Park pump track Kaitāia
- Skate park and basketball court at Kerikeri Domain
- The new 160m-long wharf at Rangi Point (which was part of a package of works which also saw upgrades to three Hokianga Harbour wharves at Motutī, Te Karaka and Māngungu completed)

I would like to thank Elected Members, staff and community groups for supporting and enabling these projects to be delivered.

The organisation continued to support the District Health Board by encouraging people to get vaccinated against COVID-19. Risk assessments and consultation was completed with staff in potential 'high risk' roles; the majority of those roles were deemed as needing to be undertaken by double-vaccinated people. Most employees in these roles were double-vaccinated or were able to be redeployed to other jobs. Plans for managing Omicron were made, with the sector asking local government operations to plan for a 25% reduction in staff as the virus continues to spread. These plans are now in place and are being enacted as we see more staff contract the virus. In considering the welfare of our people, the decision was made to implement a requirement for My Vaccine Passes at libraries and Museum @ Te Ahu, particularly as a lot of the services on offer can be accessed online now.

During this reporting period Taumata Arowai replaced the Ministry of Health as the regulator of drinking water supplies. The Government also announced the establishment of a National Transition Unit (NTU) to ensure a consistent and coordinated transition to the new four-entity structure. Members of the NTU outlined the road map to the new water service entity structure at presentations to staff with a focus on the people and workforce workstream.

A significant fire at Waiharara started on December 18 and burnt through 2800ha of mostly wetland scrub. It twice caused the evacuation of Kaimaumu and saw firefighters and community volunteers spend countless hours battling the blaze. I would especially like to thank the Mayor, Councillor Dave Collard and other Elected Members that supported the community during this difficult and lengthy period. A Mayoral Relief fund was instigated and a number of applications have been successful in receiving support. A Recovery Governance Group has been formed and terms of reference completed. This group will take a coordinated approach to recovery with representatives from the Ministry of Primary Industries, Fire & Emergency NZ, Council, Ngai Takoto and Department of Conservation.

The Far North also saw the effects of tropical cyclone Dovi in February which saw winds of up to 90km/h causing 35 major power outages across the region. There were also 45 fallen tree incidents in our southern roading area alone.

The virtual Love Your Work Awards showcased our value of Manaakitanga and it was particularly great to see collaboration across teams being recognised. Fifteen individuals and three teams received awards at our November ceremony and another eight individuals and one team in February. I would like to thank Deputy Mayor Ann Court for being a firm supporter of these awards and for the heartfelt words of encouragement that are shared.

Council has run a cadet programme in partnership with the Ministry of Social Development since 2006, the purpose of which is to create a special 'first steps' work experience for high caliber candidates. In November we were privileged to welcome five new cadets. The kaupapa of the cadet programme aligns with the Mayors Taskforce For Jobs and we have six current Council employees who have gone through the programme in previous years. We have had more than forty cadets through Council over the life of the programme.

The Northland Chief Executive's forum convened in November to discuss the region's economic development strategy, the Northland Forward Together work programme, three waters reform and emerging sector and region challenges. The February meeting included a presentation on renewable energy zones and discussion on the 2022 local government elections as well as the sector reform programme.

The Iwi and Local Government Chief Executives (ILGACE) forum convened in December and received a presentation on COVID-19 in Northland as well as discussing the Te Tai Tokerau climate adaptation strategy, RMA reform, future for local government and outstanding natural landscapes in the coastal marine area.

Other highlights have included:

- The launch of our [‘plant on a page’ information on the FNDC website](#), providing a detailed description of the wastewater facility, its location, the type of treatment process (most are pond-based), planned upgrades and any upcoming consent renewals.
- Revitalisation of the Elected Member Lounge in Microsoft Teams with links to public information on Council’s website and background resources, such as Council resolutions or reports.
- The second of our quarterly ‘all staff’ virtual meetings was held, with over 250 participants hearing about what we achieved in 2021 and customer improvement initiatives the Environmental Health team has made aligning to our organisational strategy.
- Libraries introduced new self-service kiosks allowing all library members to check-out their own books, magazines and other library materials, view their accounts and see whether fees or late items are owing.
- The launch of dog desexing vouchers, where each voucher waives this cost, but owners must first register and microchip their dog to qualify.
- Our website went live with the [Far North boat ramp guide](#), showcasing our maritime facilities and making it easier and safer for people to access the water.

Operational performance during this period saw:

- Comparison of December 2021 with December 2020.
 - 26.23% decrease in financial interactions at Service Centres
 - 17.81% decrease in calls to the Contact Centre
 - 15.90% decrease in AskUs emails received
 - 9.80% decrease in building inspections booked
 - 47.68% decrease in visits to Service Centres
 - 129.41% increase in online registrations
 - 44% decrease in visitor numbers
 - 46% decrease in retail revenue
 - 50% decrease in transaction spend
 - 48% decrease in transaction numbers
 - 75.7% increase in ebook and audio downloads
 - 5.4 % decrease in library website sessions
 - 79.3% increase in digital checkouts
- 221 RFSs were received for Animal Management in December 2021; 34 urgent and 187 non-urgent
- Animal Management responded to requests within service level agreement timeframes, 97% achieved for urgent responses and 94% for non-urgent responses was achieved
- 20 dogs were impounded in December, resulting in six being claimed by their owners, two dogs taken by a Rescue Group and three being adopted out to new homes
- 111 RFS were received in December 2021, a decrease of 38 RFSs on the previous month
- 117 noise complaints received and responded to in December. This is 43 more than the preceding month
- 86 RMA applications in December 2021 compared to 48 in the previous financial year and 53 in the 2019/2020 financial year
- 86 decisions Resource Consents were issued under the RMA and LGA in December 2021. Of the 86 decisions, 54 were applications required to comply with statutory timeframes and recorded by the Ministry for the Environment (MFE). 14 consents were outside statutory

timeframes for December, resulting in 74% compliance with statutory timeframes

- 27 Food Verification audits were completed in December 2021
- Building received 142 consents for the month of December which is the highest tally for December in the last 5 years
- Compliance remains at 100% with the BCA issuing consents, on average, in 14 days with 108 issued in December
- Code compliance certificates remain at 100% compliance, with 55 code compliance certificates (CCCs) issued, on average, in 6 days in December
- 61 swimming pool inspections were carried out during the month of December
- 12 BWOFF audits were carried out during December
- 11 Statutory Notices were served during the month of December for breaches of the Building Act 2004
- 25 Development Applications were received by the Road Safety and Traffic Planning team, with 23 processed during December
- Hokianga ferry revenue was down by approximately 30% compared to December 2020
- 50% less roading RFS were received in December when compared to November (noting December is a shorter month); the category 'potholes, edge breaks, corrugations' of RFS had the biggest decline

Governance

Workshops and Briefings

It was a busy period leading into the end of the year with multiple workshops and Council meetings, conducted mostly virtually due to COVID restrictions. Whilst the medium of virtual is not always ideal, Officers appreciate being able to have elected member time to progress the work of Council.

Kaitia Speed Limit Hearing
FNHL Workshop – 2
Risk Workshop – 2
Annual Plan – 4
Big Ideas Lab
Treated Wastewater to Land
District Plan Briefing
District Plan – Natural Hazards
District Plan – RMA Reform
District Plan – Heritage
District Plan – Biodiversity
District Plan – Response to Growth
Climate Assessment Policy
Council meetings – 4 November; 14 and 16 December

Community Board Workshop and Working Party

There was one Combined Community Board workshop held on 17 November. There have not been any working party meetings in the period.

Training

All training events planned for Elected Members continue to either be postponed or cancelled due to COVID.

CEO Office

People and Capability

Award Bid Results

We have won the “Best Workplace Flexibility Programme Award” by HRD Awards New Zealand. Our hybrid remote working model was assessed on consultation, strategy, implementation, and results, which have allowed us to adapt quickly to pandemic restrictions with a resilient and flexible workplace. Other nominees for this category included McDonalds and AIA New Zealand.

We are awaiting the results of a further two Award bid entries with Human Resources Institute of New Zealand for the “2022 Future Focus of Work Award” and Australian Financial Review “Best Places to Work List”.

Engagement Survey Results

Our annual engagement survey results are in the process of cascading to business groups. The survey was outsourced to an external provider, Workday Peakon. Participation in the survey was high with strong engagement, resulting in 4,329 individual comments. Our overall engagement score indicates that we are in the middle range of the government sector, set against a global benchmark. The results have enabled insights into engagement, diversity and inclusion, health and wellbeing and our Values.

Talent and Succession Planning

Business Groups focused on talent and succession planning with their people. Agility, career aspirations, developmental gaps, flight risk and critical positions have been identified. An emphasis on learning and development plans, for nurturing our internal talent, has been encouraged.

Leader Development

The New Leaders 101 workshop which is presented by the People & Capability Advisors have set dates for the year and the first session will be held on 30 March 2022. Last year’s workshop received positive feedback since a broad spectrum of people-related topics are discussed and interactive conversations are held with a question and answer session at the end and links to in-house data resources are supplied for ongoing support.

During this period, we have run three Recruitment 101 workshops to assist People Leaders with the CIAnywhere recruitment process. These workshops have consisted of a demonstration in the test system of CIAnywhere along with an overview of the full recruitment process with the opportunity for a Q&A at the end. Feedback from these sessions has been positive and we plan to run Recruitment 101 workshops quarterly going forward.

Tō Taumata

Our new internally developed Leadership programme kicked off in November with our 10 successful leaders. The Capability Group has been appointed to facilitate and lead this programme following the departure of a staff member.

COVID -19 High Risk Roles Identified

In November we consulted with our people who were deemed at high risk in their role for transmission or infection from COVID-19. Following consultation, those roles are mandated to be fully vaccinated. 11 staff elected not to be vaccinated, 4 took up redeployment (1 was unsuccessful) and 6 people chose to leave Council.

CEO Office

We are proud to announce that the recruitment campaign for the new CEO has successfully closed with the appointment of Blair King as the new CEO. Arrangements have started to ensure a smooth onboarding and induction process for Blair on the 21st March 2022. The People & Capability team have secured a six-month fixed term staff member to assist the team with workload while more HRP system improvements take place. Further positive news is the appointment of a new People & Capability Operations Manager who commenced employment on the 21st of February 2022.

Regretfully we have bid farewell to the long-term Manager of Communications. Recruitment towards this vacancy commenced in mid-February.

Infrastructure & Asset Management Group

We are experiencing continued difficulty in filling positions that are seconded to the Northland Transportation Alliance. We are working with our colleagues from Kaipara District Council, and Whangarei District Council to recruit for these roles.

Our Council's Engineering team has appointed a new Development Engineer. This will assist in delivering the high workload in areas such as development and Services connections.

We have regretfully bid farewell to the Maintenance & Operations Manager during January. Recruitment for this role is nearing completion at the time of this report.

Work is progressing in the background for the Three Waters Reform. IAM leaders are giving frequent feedback and updates to the wider organisation, as it is received from Central Government.

Strategic Planning & Policy

We have seen the successful recruitment of a Programme Manager to deliver [Council's Digital strategy](#); "Nothing but Net". Our Te Hono team has been successful in appointing some new talent and is being led by our new Pouhautu -Te Hono.

A welcoming and insightful slideshow about Maori engagement and the values of Te Tiriti O Waitangi is being presented by one of our Kaiarahi Kaupapa Maori staff members at every fortnightly induction. People & Capability and Te Hono are proud to meet New Starters this way.

Corporate Services Group

Recruitment in IT has been a struggle. Roles are being advertised more than 3 times. This clearly indicates we are part of the nation-wide struggle in recruiting talent for technical roles.

District Services Group

Recruitment is ongoing with District Services and this too has been a struggle. District Services Managers are meeting early in March to look at ways to attract future talent.

Staffing, Salaries, and Training

Current Staffing Levels

Actual Full Time Equivalent (FTE) at 28 February 2022	Annual Plan Establishment (FTE)
339.53	386.20

- The figure for the Actual FTE is based on permanent staff numbers
- Established FTE is based on permanent position numbers

Salaries and Training

Financial Performance as at 28 February 2022	YTD Actual	YTD Budget	YTD Actual vs Budget	Annual Budget
Salary Costs	\$21,072,462	\$21,123,795	\$51,333	\$32,305,150
Training Costs	\$178,768	\$451,840	\$273,072	\$677,774
Trainings as a % of Salaries (Sector average is 4%)	0.8%			2.1%

Recruitment Breakdown

Department	Recruiting	Positions Under Review	Pending Recruitment
CEO/Communications/People & Capabilities	1	1	0
Corporate Services	7	0	1
District Services	17	1	3
Infrastructure & Asset Management/NTA	5	3	3
Strategic Planning & Policy	2	1	1
Total	32	6	8

Health, Safety & Wellbeing (HSW)

Summary of Activities

- Revised HSW 001 Health, Safety and Wellbeing Management Policy to be presented to SLT for policy approval.
- COVID-19 Vaccination Risk Assessment work commenced October and continued into December.
- Driver Check commenced – Registering FNDC to NZ Transport Agency (TORO) Transport Organisation Register Online to have the ability to confirm licensed drivers utilising FNDC vehicles.
- Staff Warning Flag (SWF) – Pathway Manual and Promapp process completed. 5 CSO-Multiskilled officers received training to action and review the SWF moving forward.
- Kainga Ora staff received HSW Induction 23 November 2021.
- Asbestos Awareness Training 8th November where 22 staff attended in person or via self-paced online webinar.
- 5 days of Summer Safety & Wellbeing tips week communicated December.

PeopleSafe Story Types – January 21 to January 22



Communication

Activity summary

The focus areas for the Communications Team from November to February were the Council's response to the COVID-19 pandemic, promoting maritime facilities and recent maritime upgrades as well as advertising refuse and recycling facilities available over the holiday break.

However, the most significant event for the team was the departure of Richard Edmondson, for personal reasons, after more than 10 years in the role of Communications Manager. Richard's last day was 11 February and his departure from the Council is a significant loss. Senior Communications Advisor Ken Lewis will be acting Manager until a permanent replacement for Richard is recruited.

Media releases

The team issued 25 media releases during the November to February reporting period. These were entitled:

- Council wins national award for flexible working
- Vaccine passes required at Council libraries and museum
- Repairs to Ōpua-Paihia coastal trail planned
- Penguin artwork completes Oneroa Bay Beach toilets
- Unsealed road upgrades under way
- New water source for Kaitaia
- Mayoral relief fund for Waiharara Fire
- Praise for Kaimaumu firefighters and volunteers
- Dog owners urged to take extra care during holidays
- Get your pukapuka (book) at Urupukapuka
- Self-service checkouts launched in Council libraries
- Safety concerns force boardwalk closure
- Temporary, alternative route for Twin Coast Cycle Trail
- Boardwalk project transforming famous Mangōnui waterfront
- Far North District Council appoints new CEO
- Council water sources in good shape for summer
- My Vaccine Passes under review
- Plastic recycling options increase for Far North
- My Vaccine passes required at some Council facilities
- New timeline for Proposed District Plan
- Public notification for Ōpononi wastewater consent renewal
- FNDC strives to maintain excellence in consenting performance
- Competition-grade pump track opening in Te Hiku
- Mayors seek meeting with PM over three waters reforms
- New recycling centre for Waitangi

Publication of media releases

Twenty-three of the 25 media releases produced were published in one or more of the four newspapers that circulate in the district.

- Three media releases were published in all four local newspapers
- Five media releases were published in three local newspapers

- Eight media releases were published in two local newspapers
- Four media releases were published in one newspaper

Media enquiries

The team responded to 28 media enquiries from November to February. Key topics of enquiry included COVID-19 My Vaccine Passes and related protests, illegal rubbish dumping, a Coroner's report into a death at Mangōnui and dog attacks on coastal wildlife.

Social media

Social media outputs and outcomes from November to the end of February included:

- 36 Facebook posts about a range of topics
- 41 LinkedIn posts
- 16 Instagram posts
- Total post reach or how many people saw our posts across our three social media channels was 18,911 (Nov), 16,448 (Dec), 11,720 (Jan) and 55,658 (Feb).
- The dramatic jump in reach for February was due to hugely popular post about Kaitāia's most beautiful town win and a post on completed maritime projects in Hokianga.

Mayoral support

The team co-wrote nine newspaper columns with the Mayor and Deputy Mayor. The columns took a break during the holiday period, finishing on 16 December and resuming the first week of February. Topics covered over that period included the COVID-19 pandemic, funding for roads and proposed speed reductions, the efforts of firefighters over the summer, a round-up of 2021 and a preview of 2022.

CEO support

The team produced seven editions of weekly newsletter *The Weekender*, between November and 17 December when the publication stopped for the holiday break. It resumed on 28 January and another five issues were published before the end of February. The team also helped draft regular briefings on the COVID-19 pandemic and other topics for staff.

Other support and outputs

- Fortnightly, full-page adverts in four local newspapers about refuse and recycling facilities available over the holiday break, as well as Council and Far North Holdings Ltd maritime facilities.
- A four-page newsletter about Council projects, which was sent to ratepayers with the 20 February rates bills
- Radio and digital adverts about refuse and recycling facilities
- Radio adverts about maritime facilities.

Corporate

Transformation and Assurance

Audit and Assurance

Four audits have been completed, one audit is underway, and three audit topics are being made ready for audit.

The Audit Recommendation Register has been updated with recommendations now captured for all audits. This has resulted in a significant uplift (to 68) in the number of active recommendations on the register.

Progress is being made by a cross-functional working group established to assess Resource Management Deposits (Bonds) outstanding liabilities. This work is slow due to the need to thoroughly investigate each bond, including ensuring resource consent conditions have been met. To date liabilities have been reduced by over 60%.

Risk

Regular reporting, to the Assurance, Risk and Finance (ARF) Committee, on the top organisational risks and their treatment plans continues.

Five risk progress reports were included in the December 2021 Risk Management Report to the Assurance, Risk and Finance Committee. The Risk Progress Reports on ARF005 Delivery of Service Risk (Affordability), ARF007 Compliance NRC Abatements, ARF009 Customer Service Delivery, ARF010 Data Governance, ARF013 Drinking Water Resilience, and ARF014 Programme Darwin Risk were presented.

The ARF Committee also approved ARF001 Climate Change risk being replaced with four more specific risks relating to organisation transition, community transition, Council physical and natural assets, and climate-related opportunities at this meeting.

Six risk progress reports were included in the February 2022 Risk Management Report to the Assurance, Risk and Finance Committee. ARF003 Health Safety and Wellbeing Vulnerabilities, ARF004 Asset Management, ARF006 Projects Priorities Delivery Delays Risk, ARF012 Contract Management, ARF014 Programme Darwin, and ARF017 Climate Change Direct Risk to Council Physical and Natural Assets were presented.

The ARF Committee also approved removing ARF009 Customer Service Delivery from the Organisational Risk Dashboard at this meeting.

Sustainable Procurement

FNDC has come a long way over the last few years in the Sustainable Procurement space. Most recently, we have brokered an information sharing agreement with Amotai (the country's leading advocate for Māori and Pasifika businesses in social procurement). We are the first council in New Zealand to enter into such an agreement.

We are also pleased to have created a sustainable procurement dashboard to indicate progress made on the ESEO projects.

In 2022 we expect to see increased conversation, inclusion of sustainable outcomes in tender documents and project plans, an increase in approaches by volunteer groups and a lot more said in the media about sustainability. Also, more pressure from our communities to deliver sustainable outcomes and climate change and a surge in businesses forging their path to be the best for the plant and its people. We are making extremely good progress in the sustainability space - these are exciting times!



Customer Experience Programme

Customer Satisfaction

Our overall customer satisfaction (CSAT) score at the end of the reporting period remains strong with a score of 4.03 (out of 5). We did see a decline in the scores over the lead up to Christmas, which is a trend we see historically, but the teams have turned this around as we end this period on our highest score to date (equal to the score end of the last reporting period in October 2021).

Venues have been impacted by "QR Code fatigue" and we are introducing some new ways to encourage customer feedback by redesigning customer take away collateral. Due to the low response rates we do see some fluctuations in scores due to low responses, these are noted with * below.

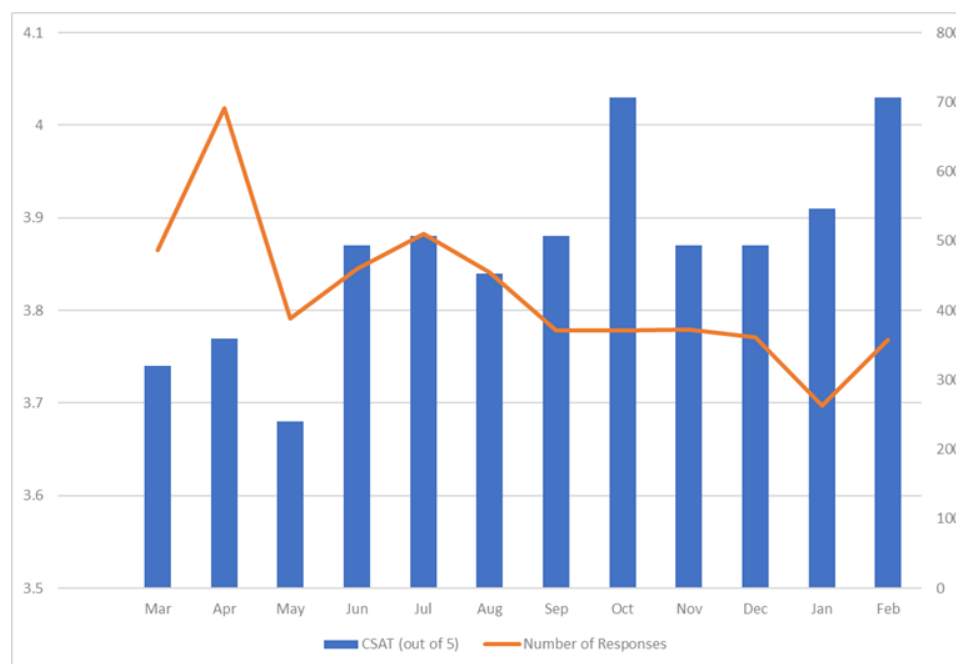
Over the period we can report:

- Service Requests CSAT 3.94 (1.1% ▼)
- Building Consents CSAT 4.17 (1.85% ▼)
- Building Inspections CSAT 4.19 (2.3% ▲)
- Resource Consents CSAT 3.87 (3.3% ▼)

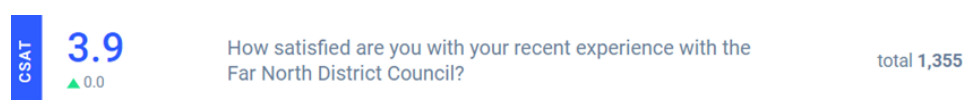
- Visitor CSAT 7.83 (3.33% ▼*)
- Service Centres CSAT 5.00 (0% *)
- Libraries CSAT 5.00 (25% ▲*)
- LIM's CSAT 4.12 (0.12% ▲)
- Property Files Requests CSAT 4.00 (1.8% ▲)

There are 1,356 customer responses in this period and our response rate is slightly lower at 36% due to Christmas and COVID.

Customer Satisfaction & Responses for the last 12 months (scale out of 5)

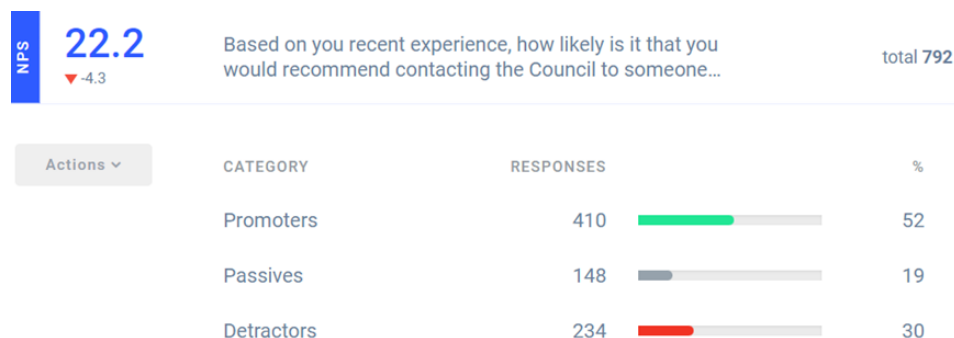


Customer Satisfaction for reporting period (scale out of 5)



Actions ▾	CATEGORY	RESPONSES	%
	Very Satisfied	621	46
	Satisfied	375	28
	Neutral	119	9
	Unsatisfied	108	8
	Very Unsatisfied	132	10

Net Promotor Score (scale –100 to +100)



Net Promotor Score (NPS) is a reputational benchmark, and this has decreased by 4.4 points during this period.

Date and Promise Measures



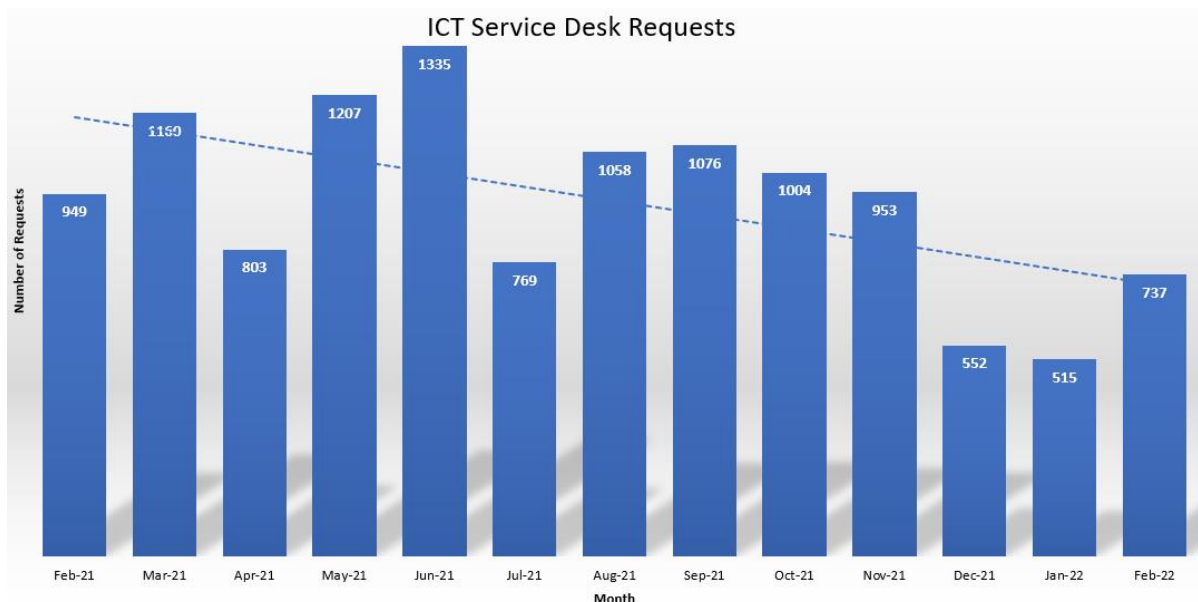
The average customer contacts have declined (6.87% ▼) since the last reporting period and is currently 1.96. Our keeping customers informed has reduced (5.4% ▲) with a CSAT of 3.9.

Digital Information Services

ICT Operations and Delivery:

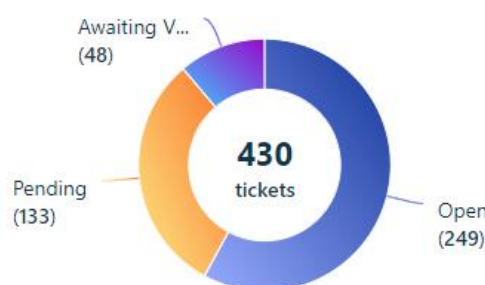
ICT Service Desk Requests

The number of ICT Service Desk Requests received during the November 2021-February 2022 (4 months) period was 2,757. Overall, the number of requests lodged have trended slightly downwards over the last 12 months.



The number of outstanding requests yet to be resolved is 430 (this is up from 343 in the previous period). 48 of these are awaiting an external vendor or the delivery of equipment, and 133 are awaiting a response from the requester (Pending). There are also a large number of tickets that pertain to the testing phase of the CiAnywhere Finance project.

Unresolved Tickets by Status



Printer Fleet Renewal

We have kicked off a project to review the Councils All-of-Government 'Printing Technology and Associated Services' Contract which is due for renewal. Over the last few years, a huge amount of work has been completed to move Councils processes from paper to digital, such as the Property File Digitisation and Online Services projects. This has meant the need for print services has reduced significantly. A full review and 'right-sizing' exercise is taking place to ensure the appropriate printers are installed only where they are needed. A 'Request for Proposal' went out to the All-of-Government print technology vendors in February 2022. Proposals are due 31 March 2022.

Digital Wings E-Waste Programme Update

In 2021 FNDC signed a Memorandum of Understanding with Digital Wings and RemarkIT Solutions to redistribute or responsibly dispose of unwanted surplus computer equipment.

Digital Wings is a programme supported by the Ministry for the Environment and RemarkIT Solutions to redistribute refurbished and fit-for-purpose computer equipment from organisations such as FNDC, to local Far North community organisations and charities.

These organisations are seeking to promote access to digital technologies for people who are digitally disadvantaged, and to raise aspirations and create opportunity - especially for youth education and employment, Māori, and Pasifika development.

Digital Wings technology partner, RemarkIT Solutions, has a philosophy of reduce, reuse, and recycle to provide responsible e-waste options for New Zealand organisations. FNDC receives a cost-neutral, safe, secure, and professional method to recycle unwanted computer equipment and it also helps us to realise our sustainability goals. By signing up to this programme 98% of our e-waste is diverted from landfill.



In November and January, the ICT Operations and Delivery team packed up and sent two large shipments of obsolete or unusable surplus computer equipment that had been sitting in storerooms for some time. 408 items were sent (listed below) including monitors, phones, printers, network switches, thin client computers, plus a large amount of other miscellaneous items such as old keyboards, mice, network cables, power cables and telephone headsets.

E-Waste Description	Nov 2021	Jan 2022	Total
Desktop Computer	2	2	4

Docking Station	16	35	51
Eftpos Terminal	4	2	6
Fax Machine	1	0	1
Hard Drive	1	5	6
Monitor	15	15	30
Network Equipment (Switch, Router)	15	28	43
Notebook	2	0	2
Other	0	8	8
Phone (Desk Phone, Mobile)	89	45	134
Printer	7	4	11
Projector	0	1	1
Scanner	0	1	1
Server	0	4	4
Storage Array	0	2	2
Tablet	6	5	11
Thin Client Computer	35	55	90
UPS	2	0	2
Video Player	0	1	1
Total	195	213	408

Data Insights and Programme Delivery:

Online Services

Stage 4: Special Liquor Licence and General Manager's Certificate have been released to non-registered (public) customers. The Pathway Referral function has been established so that external agencies such as NZ Police, Fire and Emergency NZ and the Medical Office of Health are able to view the relevant licence application documents online and upload their assessment reports directly to Pathway via ePathway. Earthwork and Vehicle Crossing permits are now available for registered customers and the referral function is in use for Vehicle Crossing permit types in collaboration with Haigh Workman as consultant engineers.

Permits and Licences development continues, with a focus on Food, Club, On and Off licences.

The Online Services programme have worked with the Environmental Health team to move all their inspection types online. This means that the inspector takes a tablet out in the field and inputs their inspection notes and photos while they are completing the inspection. Currently all the Food licence inspection results must be typed into the MPI site manually. For automating inspection results a solution for MPI has been developed and business testing is underway.

Enterprise Architecture

The enterprise architecture team has been busy assisting DIS in the development of their new strategy. The diagrams and information collated and validated from across the organisation have been able to provide part of the foundation upon which the strategy is being developed.

As the strategy development progresses, the enterprise architecture repository will be updated to include a 'To-Be' vision of information services across the council. This will enable the system to highlight the gaps between what we are now and who we aim to become. It also allows the rapid identification of stakeholders, groups, processes, applications and data that will be affected in the adoption of that strategy.

Cybersecurity

Detailed updates on cybersecurity are made available for the ARF Committee in the publicly excluded session. FNDC takes cybersecurity very seriously and has increased its defensive measures particularly in the wake of the Waikato DHB breaches.

Business Intelligence**Enterprise Data Warehouse**

The BI Team has continued the work on the Enterprise Data Warehouse expanding the database to include the tranche 3 requirements for Customer interaction channels (CIC), District Plan breaches, RMA monitoring and People and Capability reporting.

BCA & Vision 2020

The Power BI dashboards for Vision 2020 and BCA were signed off in production and are being actively used by the business.

Quotable Value

Quotable Value and the Electronic Data Exchange work was promoted into the test environment. The property and rates team has tested the solution and found it very useful, and we will promote the solution to production end of March 2022. This process will improve the accuracy of the property data and automate some of the manual tasks carried out by that team, allowing them to concentrate on other areas.

Human Resource (HRP) Support*FTE Lounge Dashboard*

The BI team has continued People & Capability system support and training making continual improvements to the data quality dashboard with additional rules and exceptions and to the FTE lounge with additional data analysis tools.

HRP Phase 3

The BI team held a Phase 3 ideas workshop with the P&C team looking at improvements and new initiatives. Project to be fully scoped and documentation created outlining delivery of Phase 3 in coming month.

Covid Monitoring Dashboard

The BI Team assisted in creating an Covid-19 vaccine passport monitoring dashboard to assist Health & Safety with keeping track of the status of employees in identified high risk roles

Printer Fleet Analysis

The BI team assisted the IT project manager with a printing dashboard to analyse the printer fleet to assist with future resource requirements

Geospatial Information Systems**LOG4J vulnerability response**

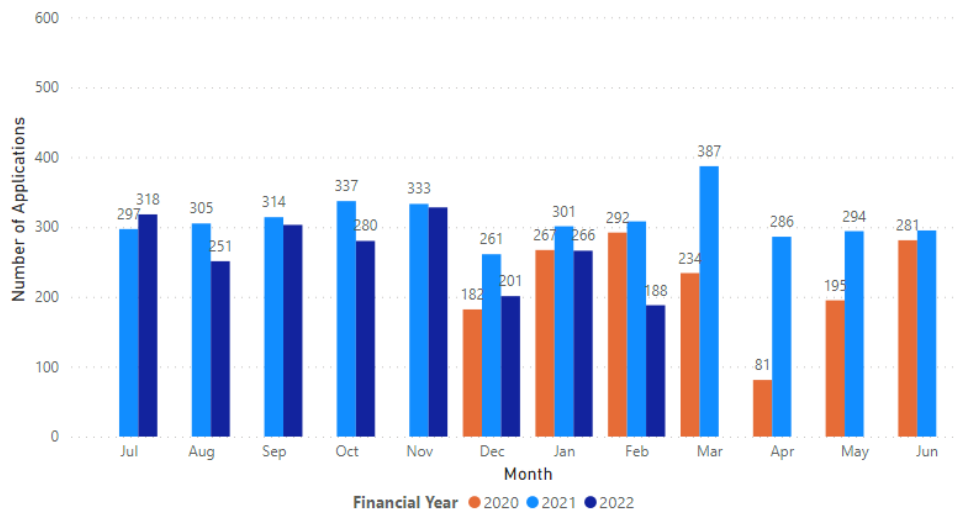
The GIS team had to decommission the previous GIS system due to a security vulnerability LOG4J. This was done late last year, and our new GIS environment was promoted to the production system with minimal impact to users.

GIS Expansion and Upgrade Project

The GIS team has started with the work on the expansion and upgrade project finalizing the design documentation and agreed specifications

Information Management:

Property File ePathway Applications



Digital Information Specialist Role: This role has been vacant since October 2021. After 5 unsuccessful rounds of recruiting the decision was made to rewrite the position description and submit the role for resizing. Currently awaiting a decision from the Job Sizing Committee.

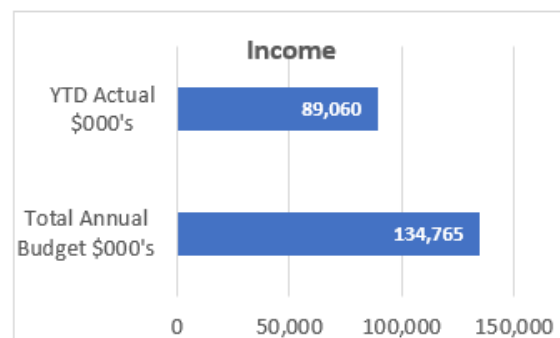
Finance

Operational Financial Performance As at 28 February 2022

Variance Explanation

- Operating surplus for the period ending 28 February 2022 recorded \$24.2 million against a planned year-to-date budget of \$17.9 million. The Operational budget surplus is therefore at 35% compared against the year-to-date budget. However, FNDC have received considerable income in relation Economic Stimulus Employment Opportunity (ESEO), Provincial Growth Fund (PGF) and 3-Water Reform that were not in the budget, and if these are excluded the year-to-date budget surplus is at 34.5%.
- There has been year-to-date savings in contractor & professional fees with a number of consultants having not been engaged across the organisation.
- We are currently tracking above the forecasted operational income. This is due to PGF funds received for Lake Omapere for de-mobilisation costs, operational subsidy and grant received to support capital projects and MBIE grant/subsidy under the Tourism Infrastructure Fund programme. Furthermore, subsidies have been received from Waka Kotahi NZTA for innovating and safer streets initiative.

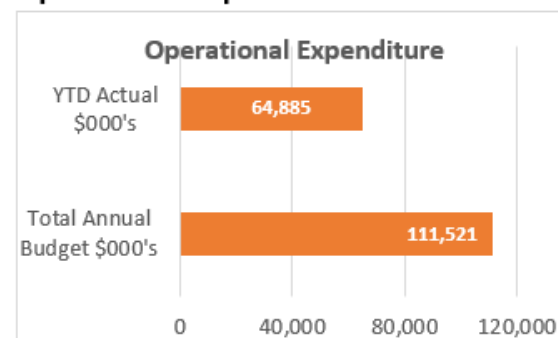
Income



Income has recorded favourable year-to-date budget variance as at 28 February 2022 in the following areas:

- Income has been received from Waka Kotahi (NZTA) for sealed and unsealed pavement maintenance with pre-reseal repairs being undertaken and environmental maintenance being first response repair works caused by the Sep/Oct storm damage.
- The 3-Waters Department of Internal Affairs (DIA) funding is now under budget, there are further DIA claims to be made once milestones are reached.
- Unspent Provincial Growth Fund (PGF) from last financial year to complete the final reinstatement costs for Lake Omapere and support the road sealing works at Ruapekapeka, Ngapipito and Peria road.
- Statue barred deposits written off in relation to resource consents.

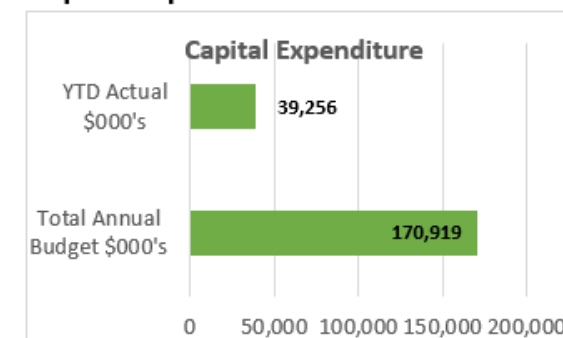
Operational Expenditure



Operational expenditure has recorded favourable year-to-date budget variance as at 28 February 2022 in the following areas:

- A number of consultants including the 3-Waters reform have not been engaged across the organisation.
- Asset condition assessments are behind budget due to the start of the year being committed to planning the three-year program, however, funds are committed to be utilised this year.
- Legal costs are tracking well except for District Plan, this budget is yet to be utilised.
- Offset by overspend for roading & footpath contract works ahead of schedule with the good weather experienced over the summer holidays and initial response works caused from the Sep/Oct storm damage.

Capital Expenditure



Capital expenditure has recorded unfavourable year-to-date budget variance as at 28 February in the following areas, however it is worth mentioning some projects have a longer completion date that rolls over financial years:

- Planned works for Provincial Growth Funds (PGF) at Kerikeri Domain, Waipapa Sports Hub and Te Hiku Revitalisation works have been affected with covid disruptions and are behind schedule.
- Covid-19 has delayed progress on wastewater new minor works due to the uncertainty of works. A number of pump station projects will be carried out at the same time along with the upgrades under one contract.
- Planned works for Provincial Growth Funds (PGF) road sealing projects ongoing at Ruapekapeka, Ngapipito and Peria road to complete by the end of June.

Whole of Council Statement of Operational Financial Performance for the period ending 28 February 2022								
	Year to date					Full year		
	YTD Actual \$000's	YTD Budget \$000's	Variance \$000's	Actuals YTD as a % of Total Budget	Actuals YTD as a % of Annual Forecast	Total Annual Budget \$000's	Total Annual Forecast \$000's	Forecast Variance \$000's
Operations								
Operational income								
Rates - general (excl water supply rates)	61,847	61,781	66	67%	67%	92,675	92,675	0
Rates - penalties	824	1,032	(208)	40%	40%	2,063	2,063	0
Fees & charges (inc water supply rates)	13,042	12,607	435	74%	74%	17,590	17,585	(5)
Central govt subsidies - operational	8,365	6,025	2,340	55%	55%	15,122	15,283	161
Other income	4,983	5,308	(325)	68%	61%	7,315	8,185	870
Total operating income	89,060	86,752	2,308			134,765	135,791	1,026
Operating Expenditure								
Payroll related costs	20,906	21,124	218	65%	64%	32,305	32,496	(190)
Other staffing related costs	1,112	1,438	326	51%	51%	2,171	2,185	(14)
General expenses	5,273	5,943	670	62%	62%	8,493	8,534	(41)
Rate remissions	1,897	1,825	(72)	91%	91%	2,087	2,087	0
Contractor & professional fees	33,475	35,402	1,927	54%	53%	61,783	63,119	(1,336)
Grants and donations	1,203	1,617	414	50%	51%	2,400	2,375	26
Interest costs	1,019	1,522	502	45%	45%	2,282	2,282	0
Total operating expenditure	64,885	68,871	3,987			111,521	113,077	(1,556)
Net operating surplus/(deficit)	24,175	17,881	6,295			23,244	22,714	(529)

Statement of Capital Financial Performance for the period ending 28 February 2022	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										
IAM's										
District Facilities	10,701	21,400	10,699	15%	28%	71,422	38,035		33,388	
Stormwater	157	247	90	4%	11%	3,983	1,367		2,615	
Solid Waste	113	492	380	12%	15%	922	768		155	
Wastewater	855	5,554	4,699	6%	16%	14,973	5,343		9,629	
Water Supply	9,798	16,189	6,390	48%	42%	20,505	23,372		(2,867)	
	21,625	43,883	22,258	19%	31%	111,805	68,885		42,920	
Roading & Footpaths	14,540	11,593	(2,947)	29%	33%	50,558	44,330		6,228	
Other										
Environmental Management	140	708	568	11%	23%	1,308	608		700	
Governance & Strategic										
Administration	1,175	1,595	420	22%	28%	5,349	4,131		1,218	
Customer Services	443	555	112	23%	23%	1,899	1,967		(68)	
Strategic Planning	23	0	(23)	0%	19%	0	120		(120)	
Vested Asset Additions	1,311	0	(1,311)	0%	0%	0	0		0	
Total Capital Works	39,256	58,333	19,077	23%	33%	170,919	120,041		50,878	

Strategy

The Strategic Planning & Policy report is circulated under separate cover to Elected Members and is publicly available through the FNDC website as a [Strategy and Policy Committee agenda item](#) (page 153).

Operations

The District Services report is circulated under separate cover to Elected Members and is publicly available through the FNDC website as a [Regulatory and Compliance Committee agenda item](#) (page 28).

Infrastructure and Asset Management (IAM)

The IAM business report is circulated under separate cover to Elected Members and is publicly available through the FNDC website as an [Infrastructure Committee agenda item](#) (page 160) and [Infrastructure Committee agenda item](#) (page 133).

8.3 COMMUNITY BOARD UPDATES MARCH 2022

File Number: A3643083

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To enable oversight of Community Board resolutions at Council and provide Community Board Chairperson's with a formal opportunity to speak with Council about discussions at Community Board.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- A copy of the Kaikohe-Hokianga Community Board and Bay of Islands-Whangaroa Community Board meeting minutes are attached for Council's information.
- The Te Hiku Community Board meeting is scheduled for 29 March 2022. A copy of the minutes from that meeting will be included in the "Community Board Updates April 2022" report in Council's 19 May agenda.

TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- a) Kaikohe-Hokianga Community Board, 2 March 2022.
- b) Bay of Islands-Whangaroa Community Board, 3 March 2022.

TĀHUHU KŌRERO / BACKGROUND

This report is to provide Council oversight of resolutions made at Community Board meetings and provide Community Board Chairperson's with a formal opportunity to raise any Community Board issues with Council.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

This is intended as an information report.

From time-to-time Community Board's may make recommendations to Council. This report is not considered to be the appropriate mechanism for Council to make a decision from a Community Board recommendation. Council could however move a motion to formally request a report on a particular matter for formal consideration at a subsequent meeting. The report would then ensure that Council have sufficient information to satisfy the decision-making requirements under the Local Government Act 2002 (sections 77-79).

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budget provision in considering this report.

ĀPITI HANGA / ATTACHMENTS

1. 2022-03-02 Kaikohe-Hokianga Community Board Minutes - A3614494 [↓](#) 
2. 2022-03-03 Bay of Islands-Whangaroa Community Board Minutes - A3612735 [↓](#) 

**MINUTES OF
KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON WEDNESDAY, 2 MARCH 2022 AT 10:30 AM**

PRESENT: Chairperson Mike Edmonds, Member Emma Davis, Member Louis Toorenburg, Member Kelly van Gaalen, Member Alan Hessel, Member Laurie Byers, Member John Vujcich, Member Moko Tepania

1 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

APOLOGY

RESOLUTION 2022/9

Moved: Chairperson Mike Edmonds

Seconded: Member Emma Davis

That an apology for lateness received from Member Moko Tepania be accepted.

CARRIED

2 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Shaun Reilly - Neglected waystation area and street sweeping.

3 NGĀ TONO KŌRERO / DEPUTATIONS

The meeting was advised that the following deputations, recorded in the agenda were no longer to speak.

1. Healthy Families Far North
2. Te Miringa Mihaka, Rhonda Zeilinski, Shannyn Waerea

4 NGĀ KAIKŌRERO / SPEAKERS

Priscilla Barber was scheduled to speak in objection to the Ground Lease Over Part Of Okaihau Recreation Reserve To Ohaeawai Community Education Trust. She was however not available to join.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538461, pages 10 - 17 refers.

RESOLUTION 2022/10

Moved: Chairperson Mike Edmonds

Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board confirms the minutes of their meeting held 4 February 2022 as a true and correct record with the following corrections:

- Item 6.5 d) - Funding was approved for the sand dropping for 2022/23 and 2023/24.

CARRIED

6 REPORTS

6.1 GROUND LEASE OVER PART OF OKAIHAU RECREATION RESERVE TO OHAEAUWAI COMMUNITY EDUCATION TRUST

Agenda item 7.1 document number A3548216, pages 18 - 25 refers.

RESOLUTION 2022/11

Moved: Member Laurie Byers

Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board recommend a lease be granted to the Ohaeawai Community Education Trust for early childhood education.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6.2 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JANUARY 2022

Agenda item 7.2 document number A3600362, pages 26 - 29 refers.

RESOLUTION 2022/12

Moved: Member John Vujcich

Seconded: Member Louis Toorenburg

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 31 January 2022.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6.3 PROJECT FUNDING REPORTS

Agenda item 7.3 document number A3588071, pages 30 - 34 refers.

RESOLUTION 2022/13

Moved: Member John Vujcich

Seconded: Member Alan Hessell

That the Kaikohe-Hokianga Community Board note the project report received from Ngā Mahi Toi o Hōreke and the Board thinks the photos are fantastic.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

7 INFORMATION REPORTS

7.1 KAIKOHE CARES PROJECT REPORT

Agenda item 8.1 document number A3596140, pages 35 - 36 refers.

RESOLUTION 2022/14

Moved: Member John Vujcich

Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board receive the report Kaikohe Cares Project Report.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

7.2 KAIKOHE-HOKIANGA COMMUNITY BOARD ACTION SHEET UPDATE MARCH 2022

Agenda item 8.2 document number A3600486, pages 37 - 43 refers.

RESOLUTION 2022/15

Moved: Member Moko Tepania

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board receive the report Kaikohe-Hokianga Community Board Action Sheet Update March 2022.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 11:39 am.

The minutes of this meeting will be confirmed at the Kaikohe-Hokianga Community Board Meeting held on 6 April 2022.

.....
CHAIRPERSON

**MINUTES OF
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON THURSDAY, 3 MARCH 2022 AT 10:00 AM**

PRESENT: Chairperson Belinda Ward, Member Lane Ayr, Member Manuela Gmuer-Hornell, Member Bruce Mills, Member Frank Owen, Member Manuwai Wells, Member Dave Hookway-Kopa, Member Rachel Smith

IN ATTENDANCE:

STAFF PRESENT: Joshna Panday, Rhonda-May Whiu, Marlema Baker (Democracy Services Advisory team)

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Belinda Ward commenced the meeting and opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

APOLOGY

RESOLUTION 2022/10

Moved: Chairperson Belinda Ward

Seconded: Member Manuwai Wells

That the apology received from Member Manuela Gmuer-Hornell for her absence and Member Dave Hookway-Kopa, who will be dropping in and out of the meeting be accepted and leave of absence granted.

The Bay of Islands-Whangaroa Community Board acknowledged that David Clendon was not in attendance.

CARRIED

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

NIL

4 NGĀ TONO KŌRERO / DEPUTATIONS

Paul Condrun and Phillip Grimshaw representing Healthy Families Far North – Cancelled

5 NGĀ KAIKŌRERO / SPEAKERS

John Morris (Vice Chair) from Rangitane Residents Association speaking in regard to item 7.2 Funding Applications.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538427, pages 12 - 18 refers

RESOLUTION 2022/11

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board confirm the minutes of the Bay of Islands-Whangaroa Community Board meeting held 3 February 2022 are a true and correct record.

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

7 REPORTS

7.1 CHANGE TO MEETING SCHEDULE - 31 MARCH

Agenda item 7.1 document number A3590730, pages 19 - 21 refers

RESOLUTION 2022/12

Moved: Member Frank Owen

Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board agree to change the start time for the meeting on 31 March 2022 to 11:30 am.

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen and Manuwai Wells

Against: Cr Dave Hookway-Kopa

Abstained: Cr Rachel Smith

CARRIED

7.2 FUNDING APPLICATIONS

Agenda item 7.2 document number A3584827, pages 22 - 31 refers

RESOLUTION 2022/13

Moved: Chairperson Belinda Ward

Seconded: Member Dave Hookway-Kopa

That the Bay of Islands-Whangaroa Community Board;

- a) **approves the sum of \$5,149 (plus GST if applicable) be paid from the Board's Community Fund account to Rangitane Residents Association for costs towards CCTV replacement to meet the following Community Outcomes:**
 - i) **Communities that are healthy, safe, connected and sustainable**
 - ii) **Proud, vibrant communities**
- b) **and that the applicant must provide written confirmation that permission is held for any equipment to be installed on Council owned or administered land or assets prior to any funding being released.**

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa
Against: Nil
Abstained: Cr Rachel Smith

CARRIED**TŪTOHUNGA / RECOMMENDATION**

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

- c) **That the Bay of Islands-Whangaroa Community Board rescinds their resolution of 4 March 2021 granting the sum of \$1,974 (plus GST if applicable) to the Bay of Islands Rotary Club for a Duck Race, as this event was cancelled due to Covid-19 and was not able to be rescheduled.**

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa
Against: Nil
Abstained: Cr Rachel Smith

CARRIED**7.3 PROJECT FUNDING REPORTS**

Agenda item 7.3 document number A3592321, pages 33 - 37 refers

RESOLUTION 2022/14

Moved: Chairperson Belinda Ward

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board note the project report received from Whangaroa Community Trust.

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa
Against: Nil
Abstained: Cr Rachel Smith

CARRIED**7.4 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JANUARY 2022**

Agenda item 7.4 document number A3600266, pages 38 - 41 refers

RESOLUTION 2022/15

Moved: Member Lane Ayr

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board receives the report entitled "Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 31 December 2021".

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa
Against: Nil
Abstained: Cr Rachel Smith

CARRIED

8 INFORMATION REPORTS

8.1 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD ACTION SHEET UPDATE MARCH 2022

Agenda item 8.1 document number A3596317, pages 42 - 47 refers

RESOLUTION 2022/16

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community Board Action Sheet Update March 2022.

Note: Ness Road – to follow up site visit with Member Hookway-Kopa regarding Duck Bend. To follow up with NTA. Site visit confirmed for Friday, 5 March 2022.

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

9 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION 2022/17

Moved: Chairperson Belinda Ward

Seconded: Member Bruce Mills

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
9.1 - New Lease for Commercial Property - 13 Homestead Road	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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

In Favour: Crs Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

10 TE KAPINGA HUI / MEETING CLOSE

Member Wells closed the meeting a karakia.

The meeting closed a 11:35am.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 31 March 2022.

.....
CHAIRPERSON

8.4 COUNCIL ACTION SHEET UPDATE APRIL 2022

File Number: A3644770

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with an overview of outstanding Council decisions from 1 January 2020.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council staff have reintroduced action sheets as a mechanism to communicate progress against Council decisions and confirm when decisions have been implemented.
- The focus of this paper is on Council decisions.
- Action sheets are also in place for Committees and Community Boards.

TŪTOHUNGA / RECOMMENDATION

That Council receive the report Action Sheet Update April 2022.

1) TĀHUHU KŌRERO / BACKGROUND

The Democracy Services Team have been working on a solution to ensure that elected members can receive regular updates on progress against decisions made at meetings, in alignment with a Chief Executive Officer key performance indicator.

Action sheets have been designed as a way to close the loop and communicate with elected members on the decisions made by way of resolution at formal meetings.

Action sheets are not intended to be public information but will provide updates to elected members, who, when appropriate can report back to their communities and constituents.

Officers recognise that the action sheet format is not yet fully meeting the expectations of the elected members. This is a system generated report over which officers have no current ability to change the format. Discussions are underway with the software provider to assess costs of a customisation option for these reports to make them bespoke to our council requirements.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The outstanding tasks are multi-facet projects that take longer to fully complete.

The Democracy Services staff are working with staff to ensure that the project completion times are updated so that action sheets provided to members differentiate between work outstanding and work in progress.

Take Tūtohunga / Reason for the recommendation

To provide Council with an overview of outstanding Council decisions from 1 January 2020.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provision in receiving this report.

ĀPITI HANGA / ATTACHMENTS

1. Council Action Sheet - April 2022 - A3648376  

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Wednesday, 30 March 2022 3:38:10 PM Date From: 1/01/2020 Date To: 30/03/2022	
Meeting	Title	Resolution	Notes
Council 10/12/2020	Roadside Rubbish and Recycling	RESOLUTION 2020/91 Moved: Deputy Mayor Ann Court Seconded: Cr Moko Tepania That Council: a) requests further investigation and analysis of future options for litter control, solid waste monitoring, kerbside collections will be considered in the S17A Service Delivery Review. b) requests a report outlining the findings of the review including future service level enhancements when the review is completed. CARRIED	14 May 2021 5:13pm Huriwai, Aisha A regional approach is being developed for solid waste. Work is being done to develop a governance model to support a regional approach. 20 Oct 2021 2:16pm George, Tania The outcome was that we will consider kerbside services as part of the S17a review. This review will take place over the next 12 months or so there will be no update for a while.
Council 8/04/2021	Hihi Wastewater Treatment Plant Capital Works Business Case	RESOLUTION 2021/24 Moved: Cr Felicity Foy Seconded: Cr Dave Collard That Council: a) acknowledge the current risk being carried at Hihi Wastewater Treatment Plant. b) direct staff to consult with Iwi and the Hihi community on most sustainable and affordable future focused solution (with consultation to begin by May). c) direct staff to evaluate short term mitigation while the long-term solution is being developed. CARRIED Against: Cr Rachel Smith	19 Apr 2021 10:11am Moore, Mary a) No action required, b) Initial meeting with Engagement Lead scheduled for 28.04.2021 to agree approach - expected completion date TBC, c) Inspection of tank already in train - delays experienced due to wet weather as tank needs to be emptied first, a process that will take 2 days - expected completion date 31 May 2021 24 May 2021 11:28am Moore, Mary b) Drop in session held with community 11 July. Community confirms existing site and wetlands as preferred locations. Concern is cost v connections with clear steer on defining affordability for them. Online survey open for feedback, this closed 31 July. Responses to drop in session and survey being drafted by project team. Mana whenua have requested independent engagement and this is being scheduled by project team. Next Project team meeting 6 July. , Project team formed and engagement plan in development. Contact made with Iwi and community contacts. Informal attendance at ratepayer assn meeting. Possible formal engagement opportunity beginning July 24 May 2021 11:32am Moore, Mary

OUTSTANDING ACTIONS REPORT			
Division: Committee: Officer:		Council	
		Printed: Wednesday, 30 March 2022 3:38:10 PM Date From: 1/01/2020 Date To: 30/03/2022	
Meeting	Title	Resolution	Notes
			<p>c) Condition assessment to be commissioned. Previously considered options to be referenced. AM investigating other options. Inf Planning input re RC.</p> <p>05 Aug 2021 12:57pm Moore, Mary b) Drop in session held with community 11 July. Community confirms existing site and wetlands as preferred locations. Concern is cost v connections with clear steer on defining affordability for them. Online survey open for feedback, this closed 31 July. Responses to drop in session and survey being drafted by project team. Mana whenua have requested independent engagement and this is being scheduled by project team. Next Project team meeting 6 July.</p> <p>05 Aug 2021 12:59pm Moore, Mary c) Condition assessment has been commissioned but experiencing ongoing delays due to weather.</p> <p>19 Oct 2021 1:50pm Moore, Mary c) Condition assessment of the tank has not been completed due to weather and Covid. Reports considering Onsite Disposal options, Wetlands condition and suitability for TP, and TP short & long term options have been presented with final reports to be issued by WSP.</p> <p>19 Oct 2021 1:54pm Moore, Mary b) Contact with mana whenua has been made although invitation to a discussion has not yet taken up, probably due to Covid. Community contact is ongoing with comprehensive update due to be released by 31 October. This is to be a precursor to a further meeting including technical expertise to talk to specific treatment options.</p> <p>29 Mar 2022 10:42am Moore, Mary b) Engagement with hapu has commenced with technical and cultural inductions undertaken in March 2022. Terms of Engagement for the WWTP Upgrade and consent are to be drafted and agreed between the parties. , b) The Ratepayers Association has lodged an review request with the Auditor General and has confirmed that while full upgrade is not affordable their preferred option is progressive replacement of the existing facility.</p> <p>29 Mar 2022 10:43am Moore, Mary c) Structural condition assessment was completed in December 2021. An information report is to be presented to the May 2022 Infrastructure Committee meeting.</p>

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Wednesday, 30 March 2022 3:38:10 PM Date From: 1/01/2020 Date To: 30/03/2022	
Meeting	Title	Resolution	Notes
Council 4/05/2021	Notice of Motion - Establishment of Māori Wards	<p>RESOLUTION 2021/13</p> <p>Moved: Cr Kelly Stratford Seconded: Mayor John Carter</p> <p>That Council:</p> <p>b) immediately reconsiders its current committee structure and membership and delegations to ensure Iwi/Hapu membership to Council Committees and Community Board Committees.</p> <p style="text-align: right;">CARRIED</p> <p>The amendment becomes the substantive motion:</p> <p>RESOLUTION 2021/14</p> <p>That the Far North District Council:</p> <p>a) establish Māori wards in accordance with Schedule 1, Part 1, 2(1) of the Local Electoral Act for the 2022 and 2025 local government elections.</p> <p>b) immediately reconsiders its current committee structure and membership and delegations to ensure Iwi/Hapu membership to Council Committees and Community Board Committees.</p> <p style="text-align: right;">CARRIED</p> <p><u>In Favour:</u> His Worship the Mayor John Carter, Crs David Clendon, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Deputy Mayor Ann Court, Crs Dave Collard and Felicity Foy</p> <p style="text-align: right;">CARRIED</p>	<p>11 Feb 2022 2:28pm Wilson, Caroline Maori wards have been established for the 2022 and 2025 elections. Part a) of this resolution is now complete., Part b) of the resolution remains a work in progress within SPP.</p>

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Council 20/05/2021	Parking Enforcement Services	RESOLUTION 2021/23 Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith That Council: a) makes application for the delegation to enforce stationary parking offences on State Highway from Waka Kotahi (the New Zealand Transport Agency); and b) commences a trial period of enforcing stationary vehicle Warrants of Fitness and Registration offences across the district. CARRIED	20 Jul 2021 11:22am Deane, Rochelle Parking Trial for WoF and unregistered vehicles began 1 July 2021. In discussion with NZTA regarding receiving delegation in time for the draft bylaw released for public consultation.
Council 1/07/2021	Proposal to Construct an Erosion Protection Structure on Council Owned Reserve, Omapere	RESOLUTION 2021/51 Moved: Cr John Vujcich Seconded: Cr Dave Collard That Council: a) approves the construction of, and associated occupation with, an erosion protection structure on Far North District Council owned local purpose reserved legally described as Lot 5 DP196729; and b) approval is provided subject to a memorandum of encumbrance being recorded on the titles of Lot 1 DP196729 and Lot 1 DP310507 and that the encumbrance records the agreement that the owners of those properties:	02 Aug 2021 11:18am Hammond, Kim - Reallocation Action reassigned to Cottle, Kim by Hammond, Kim - Reallocating as Rubean Wylie no longer works at Council. 02 Aug 2021 11:20am Hammond, Kim - Reallocation Action reassigned to Crawford, Jessica by Hammond, Kim - Sorry - reassigning as requested by Kim Cottle 02 Aug 2021 11:20am Hammond, Kim Work is in the early stages post approval by Council in July 2021. 04 Aug 2021 1:23pm Crawford, Jessica FNDC's senior solicitor advises that Corporate Services is still awaiting draft memorandum of Encumbrance for review, from the property owners' lawyer and approval of this Council.

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		i) bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime. ii) incur cost of the agreement construction and registration against title. iii) notify FNDC of any variation or modification of the erosion protection structure To avoid doubt, approval is given both within Council's capacity as the administering body of the reserve and an affected person within the meaning of Section 95 of the Resource Management Act 1991. CARRIED <u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Moko Tepania and John Vujcich <u>Abstained:</u> Cr Kelly Stratford Note: need to include climate change and erosion as part of the Reserves and Parks Policy review. At 2:30 pm, Cr Kelly Stratford left the meeting. At 2:32 pm, Cr Kelly Stratford returned to the meeting.	
Council 12/08/2021	Pou Herenga Tai Twin Coast Cycle Trail Bylaw Review	RESOLUTION 2021/65 Moved: Cr John Vujcich Seconded: Cr Rachel Smith That Council: a) agree, under section 155(1) of the Local Government Act 2002, that a Bylaw is the most appropriate way of	03 Sep 2021 9:20am Macken, Briar Drafting of amendments underway 29 Mar 2022 9:07am Macken, Briar Due to staff turnover, the Pou Herenga Cycle Trail Bylaw had been re-prioritised to prioritise bylaws about to revoke. Drafting is now complete. Legal review complete. Engagement underway with internal staff and Pou Herenga Cycle Trail Trust.

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		addressing problems related to the Pou Herenga Tai - Twin Coast Cycle Trail. b) agree, under section 155(2) of the Local Government Act 2002, that the current Pou Herenga Tai - Twin Coast Cycle Trail Bylaw is not the most appropriate form because: i) it is not consistent with relevant laws and legislation ii) it is not certain. c) agree, the Pou Herenga Tai - Twin Coast Cycle Trail Bylaw be continued with amendment to: i) ensure consistency with relevant laws and legislation ii) improve certainty d) note, that under section 155(2) of the Local Government Act 2002, a full analysis of any implications regarding the Pou Herenga Tai - Twin Coast Cycle Trail Bylaw under the New Zealand Bill of Rights Act 1990 cannot be completed until the amendments to the bylaw have been written. e) agree that a draft policy for the Pou Herenga Tai Twin Cost Cycle Trail Bylaw be presented to the Strategy and Policy Committee in the first quarter of 2022 prior to consultation. CARRIED ABSTAIN: Cr Mate Radich	
Council 12/08/2021	Notice of Motion - Kaimaumau Road	RESOLUTION 2021/58 Moved: Cr Mate Radich Seconded: Mayor John Carter That the Far North District Council:	06 Sep 2021 9:27am Baker, Marlema - Reallocation Action reassigned to Goes, Aram by Baker, Marlema - This item was referred to Aram Goes (NTA) and overseen by IAMS GM Andy Finch. 15 Sep 2021 12:38pm Hammond, Kim

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		a) place speed bumps on the tar seal in the village of Kaimaumau. b) remove all illegal obstacles (road tyres, signs, rocks) obstructing this road immediately. c) agree that traffic calming measures on the metal portion of Kaimaumau Road, along with sealing of the short section of road to the Kaimaumau toilets, be initiated and d) approve an unbudgetted figure of \$50k towards this project. CARRIED	Staff are putting together a list of stakeholders and contact details. Once this list has been completed then community engagement will start to take place with the completion date being January 2022. 16 Feb 2022 2:07pm Baker, Marlema Work In progress., Illegal obstacles were removed. , Speed-calming measures (speed bumps) funded for installation 16 Feb 2022 2:09pm Baker, Marlema - Reallocation Action reassigned to Rokobigi, Apikali by Baker, Marlema - Transferring this action item to you. please update at your earliest convenience.
Council 12/08/2021	Koutu Mangeroa Picnic Area Encroachment	RESOLUTION 2021/63 Moved: Mayor John Carter Seconded: Cr Rachel Smith That Council a) refer this back to the Kaikohe-Hokianga Community Board for consideration. b) agree that a final report be presented to Council no later than December 2021. CARRIED	16 Feb 2022 2:10pm Baker, Marlema An updated report will be presented at the 24 February 2022 Council Meeting
Council 4/11/2021	Matauri Bay Wastewater Treatment	RESOLUTION 2021/65 Moved: Mayor John Carter Seconded: Cr Rachel Smith	

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		<p>That Council agrees that the meeting continue beyond the six hour duration in Standing Order 4.2 - Meeting Duration, to discuss the remainig items left on the agenda.</p> <p><u>In Favour:</u> Crs John Carter, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Crs Ann Court and Mate Radich</p> <p><u>Abstained:</u> Cr Kelly Stratford</p> <p style="text-align: right;">CARRIED</p> <p>RESOLUTION 2021/66</p> <p>Moved: Cr Rachel Smith Seconded: Cr John Vujcich</p> <p>That Council leave this item lie on the table and reconsider this Item at the February 2022 Council meeting.</p> <p><u>In Favour:</u> Crs Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Crs John Carter, Ann Court and David Clendon</p> <p style="text-align: right;">CARRIED</p>	
Council 4/11/2021	Tree Waters Reform - Resident Survey	<p>RESOLUTION 2021/57</p> <p>Moved: Mayor John Carter Seconded: Cr Felicity Foy Moved: Mayor John Carter Seconded: Cr Felicity Foy</p>	

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		<p>That Council:</p> <p>a) authorise the Mayor to sign on behalf of the Council – a letter to the Prime Minister expressing concern at the Three Waters reform process, and requesting a meeting to discuss a constructive way forward.</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Crs Rachel Smith and Kelly Stratford</p> <p style="text-align: right;">CARRIED</p> <p>Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court</p> <p>b) allocate \$10,000 toward the fund as per the Memorandum of Understanding to collaboratively work with other Councils in lobbying the Government to deliver a set of reform proposals that meet the needs of communities, councils and Government.</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Crs Mate Radich, Rachel Smith and Kelly Stratford</p> <p style="text-align: right;">CARRIED</p>	
Council 4/11/2021	Kaitaia Warehouse Building - Renovation and Leasing	<p>RESOLUTION</p> <p>Moved: Cr Mate Radich Seconded: Cr Felicity Foy</p> <p>That Council:</p>	<p>02 Dec 2021 10:32am Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 25 February 2022 - DHB have executed their right of renewal, scopes for work is currently being worked in with Project Management in IAM</p> <p>11 Feb 2022 3:57pm Smith, Janice</p>

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		<p>a) approves unbudgeted expenditure of \$1,000,000 (includes 10% for asbestos contingency) to remediate the 'Old Warehouse' building at 11 Matthews Ave, Kaitaia.</p> <p>b) awards a lease to the Te Hiku Iwi Development Trust and Northland Basketball for the development of a community hub as proposed, with terms and conditions to be agreed with the General Manager Corporate Services.</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Cr Rachel Smith</p> <p style="text-align: right;">CARRIED 9/1</p>	<p>Agreement to lease to Northern Basketball has been arranged to enable the group to seek external funding. DHB lease extended to Juen 2022 due to COVID requirements</p> <p>16 Feb 2022 2:59pm Baker, Marlema Update from Janice Smith: , Staff are working on a timeline for the work to be completed. The DHB have extended their use of the building to June 2022 and Northern Basketball have been provided with an "Agreement to Lease" to enable them to secure funding for their project</p> <p>28 Mar 2022 2:04pm Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 25 February 2022 to 30 June 2022 - from CFO: Agreement to Lease with Northland Basketball has been completed. Once DHB signal the end of the lease, the work will commence on the structural issues in conjunction with Northern Basketball.</p>
Council 4/11/2021	2021-24 NLTP Outcomes	<p>RESOLUTION 2021/60</p> <p>Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court</p> <p>That Council:</p> <p>a) Receives the NTA Report dated 30th September – 2021-24 NLTP Outcomes</p> <p>b) Approves Option 3, to:</p> <p>i) reinstate a portion of the original funding request Local Share (\$3,282,622) into the Council's 2021-31 Long Term Plan to enable full renewals subsidy uptake from Waka Kotahi, the reinstatement would be divided into the following portions:</p> <p>1) Reinstate \$1,094,207 of renewal funding into 2021/22 budget</p>	<p>02 Dec 2021 9:08am George, Tania NTA have been following this up with finance since the 4th November Council meeting. Sent another message this morning asking for an update and have been advised that the LTP approved budget has been loaded in Tech1 but without the adjustments following the Council meeting of 4th November and they are hoping to have this completed by today.</p>

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		2) Reinstate \$2,188,415 of renewal funding into the Annual Plan, split evenly, for 2022/23 and 2023/24 and; ii) redistribute the unsubsidised local share portion (\$4,277,963) as follows: 1) \$461,125 as unsubsidised work activities for maintenance activities 2) \$578,753 as unsubsidised work activities for operational activities 3) \$3,238,085 as unsubsidised work activities (New Footpaths programme and safety – pedestrian improvements) under the Low Cost-Low Risk Investment Activities. c) Confirms the previously endorsed unsubsidised roading capital sealing budget included in the Long Term Plan (\$2,060,000 FY2022/23), instead of reallocation to other unsubsidised roading activities. <u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford and John Vujcich <u>Against:</u> Cr Mate Radich CARRIED	
Council 4/11/2021	Three Waters Reform - Resident Survey	RESOLUTION 2021/69 Moved: Mayor John Carter Seconded: Cr Ann Court That Council receive the report Three Waters Reform - Resident Survey.	

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		<p><u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	
Council 4/11/2021	Extension of Solid Waste and Waste Minimisation Education Contracts	<p>RESOLUTION 2021/58</p> <p>Moved: Mayor John Carter Seconded: Cr Ann Court</p> <p>That:</p> <p>a) Council approve the Solid Waste Contracts (Northern and Southern) for a term of three years to 30 September 2025, to enable the completion of a strategic work programme, new contracts, and public tender.</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, Dave Collard, Mate Radich and Rachel Smith</p> <p><u>Against:</u> Crs David Clendon, Felicity Foy, Kelly Stratford, Moko Tepania and John Vujcich</p> <p style="text-align: right;">EQUAL/LOST</p> <p>MOTION</p> <p>Moved: Cr Felicity Foy Seconded: Cr John Vujcich</p> <p>b) Council approve in principle to further extend the Waste Minimisation Education Contracts for a term of three years to 30 September 2025, to enable the completion of a</p>	<p>28 Mar 2022 2:34pm Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 18 November 2021 - Note from Business Improvement IAM - Council did not approve extending the solid waste contracts for 2 year and ask staff to come back to the December meeting with a revised extension period. Staff came back to the December meeting where Council approved in principle the 2 solid waste contracts be extended for 12 months to September 2023. Council also approved that a governance working steering group be set up with 2 elected members Cr Vujcich and Clendon. Initial meeting of Steering group was on 15 March 2022 and progress of the service delivery review and procurement is in the IAM Business Report., For the Waste Education Contract an initial meeting with CBEC in the first week of April 2022 is planned.</p> <p>28 Mar 2022 2:37pm Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 20 May 2022</p> <p>29 Mar 2022 4:14pm Begbie, Vicki Reporting of extending the 2 solid waste contracts and waste education contract is being completed through the IAMs Business Report to COuncil., Reporting of the Service Delivery Review and Procurement is also being completed through the IAMs Business Report., At the time of writing both solid waste contractors have had initial meetings with staff in March, and scheduled to meet again in April. The Waste Education Contract holder CBEC will be meeting with staff early April., Progress of these meetings will be reported through the IAMs Business Report.</p>

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		<p>strategic work programme, new contracts, and public tender</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 10/0</p> <p>MOTION</p> <p>Moved: Cr David Clendon Seconded: Cr John Vujcich</p> <p>c) officers commence discussion and negotiation with current contractors to extend the current contracts for a further three-year term.</p> <p>iii) Community Business and Enterprise Centre CBEC</p> <p><u>In Favour:</u> Crs John Carter, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p><u>Abstained:</u> Crs Ann Court and Mate Radich</p> <p style="text-align: right;">CARRIED 8/0</p> <p>MOTION</p> <p>Moved: Cr Rachel Smith Seconded: Cr Dave Collard</p> <p>d) officers are to report quarterly to the Infrastructure Committee the progress being made to the proposed Solid Waste Strategic Programme.</p>	

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		<p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	
Council 14/12/2021	Contract Award - Contract 7/21/202 Construction of General Bridge Repairs 2021 - 24	<p>RESOLUTION 2021/73</p> <p>Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith</p> <p>That Council:</p> <p>a) Approve the award of Contract 7/21/202 - Construction of General Bridge Repairs 2021-24 to Steve Bowling Contracting Ltd. for a contract value of \$1,667,862.25 + GST (one million six hundred and sixty-seven thousand, eight hundred and sixty two dollars and twenty five cents) and</p> <p>b) Delegates authority to the Chief Executive Officer to execute the associated document approvals:</p> <p>i) Contract signing ii) Supplier recommendation approval iii) PO approval</p> <p><u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	

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Council 14/12/2021	Appointment of a Council Steering Group to Discuss the Future of the Kauri Dam with the Ngakahu Whenua Trust.	RESOLUTION 2021/72 Moved: Cr John Vujcich Seconded: Cr Dave Collard That Council; <ol style="list-style-type: none"> establish a steering group named Ngakahu Steering Group. appoint Crs Radich, Vujcich, Collard and Tepania to the Ngakahu Steering Group, request the steering group enter into discussions with Ngakahu Ngakohu Whanau Ahuwhenua Trust to <ol style="list-style-type: none"> obtain and understand their aspirations and concerns regarding the future of the Dam and surrounding land, identify mutually acceptable exit options. request the steering group report back to Council their findings and recommendations. move the corrected report be tabled. In Favour: Mayor John Carter, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich Against: Deputy Mayor Ann Court Abstained: Cr Rachel Smith CARRIED	16 Feb 2022 3:21pm Huriwai, Aisha An information report is on the 24 February agenda as an update.
Council 14/12/2021	Kaikohe Civic Hub Working Party Recommendations	RESOLUTION 2021/71 Moved: Cr Moko Tepania Seconded: Cr John Vujcich	16 Feb 2022 2:14pm Baker, Marlema - Reallocation Action reassigned to Mules, Ana by Baker, Marlema - In the absence of Bill Lee are you able to provide an update on this action item or allocate it to the staff member in charge of this project. 23 Feb 2022 2:43pm Andersen, Gayle Progress report will go to the 7 April 2022 Council meeting

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		<p>That Council approve the following recommendations from the Kaikohe Civic Hub Working Party:</p> <ul style="list-style-type: none"> a) approve Council Officers enter into negotiation for the acquisition of the Doonan site, (1189m2, being Lot 13 DP 7437 (NA1027/4) and Lot 13 DP 7437 (NA1936/67). b) and that a progress report come to Council in the first quarter of 2022, <ul style="list-style-type: none"> i. approve the Petersen property be purchased by Council from Far North Holdings Limited . c) agree the building of the Stage 1 Library across the Doonan and Petersen sites with provision to build the Stage 2 Civic Hub, as per option 3 in the report. d) agree the existing Kaikohe Civic Hub Working Party continues to have governance oversight of the project. <p><u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	
Council 14/12/2021	Taumarere to Opuā Cycle Trail Relocation Update	<p>RESOLUTION 2021/72</p> <p>Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court</p> <p>That Council:</p> <ul style="list-style-type: none"> j) approve deferred investment of the relocation of the Taumarere to Opuā cycle trail project pending a reassessment of the project's viability and deliverability, and the completion of the rail restoration project. 	

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		<p>k) confirm that it will suspend its membership of NAX until such time as it and NAX are in a position to proceed with a viable option for the cycle trail on the rail corridor.</p> <p>l) approve the disposal of its shareholding in NAX and offer its shares back to the other shareholders for a dollar.</p> <p>m) approve the resignation of Councillor David Clendon from the NAX Board, and notify the company registrar of that resignation.</p> <p>n) approve the deferral of the first two years Long Term Plan budgets for the cycle trail relocation of approximately \$4m to the 2024/2025 year.</p> <p>o) notes that there is some residual risk that MBIE funding for the rail restoration project will be withdrawn because of these decisions. Staff will seek to mitigate this risk.</p> <p>p) notes that in accordance with the previous resolution of 4 November 2021:</p> <p>iii. work to deliver permanent improvements to Te Raupo Road will continue.</p> <p>iv. work on the development of an alternative cycle trail between Taumarere and Opuia, via Whangae and Oromahoe Roads, will now proceed.</p> <p><u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Crs Rachel Smith and Kelly Stratford</p> <p style="text-align: right;">CARRIED</p>	
Council 16/12/2021	Memorandum of Understanding for Kerikeri Domain War Memorial Wall	<p>RESOLUTION</p> <p>Moved: Cr Rachel Smith</p> <p>Seconded: Cr John Vujcich</p>	

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		<p>That Council:</p> <ul style="list-style-type: none"> a) approves the Memorandum of Understanding between Kerikeri R.S.A. Trust Fund and Council b) delegates the signing of the Memorandum of Understanding to the General Manager Infrastructure and Asset Management, including any non-material changes c) approves the inclusion of additional operational budget of \$5,000 per annum from 2022/23 for maintenance. <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	
Council 24/02/2022	Review on Erosion Issues for Freese Park	<p>RESOLUTION 2022/9</p> <p>Moved: Mayor John Carter Seconded: Cr Moko Tepania</p> <p>That Council approves</p> <ul style="list-style-type: none"> a) additional unbudgeted operational expenditure of \$57,000 for professional services in 2021/22; b) an additional \$10,000 operational budget be added to professional fees as part of the 2022/23 Annual Plan, to advance the project through to the start of the construction phase. <p><u>In Favour:</u> Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	

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Meeting	Title	Resolution	Notes
Council 24/02/2022	Koutu Mongero Picnic Area Encroachment	RESOLUTION 2022/6 Moved: Cr John Vujcich Seconded: Cr Moko Tepania That Council a) engage with the kaitiaki of the Koutū Mongeroa Picnic Area to formalise a Kaitiaki Agreement for the lawful use of the area as a campground; and b) engage with the kaitiaki to obtain the necessary consents under the Resource Management Act, Local Government Act and Health Act to facilitate the lawful use of the area as a campground. c) That a progress report be brought to the Kaikohe-Hokianga Community Board. <u>In Favour:</u> Mayor John Carter, Cs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich <u>Against:</u> Nil CARRIED	
Council 24/02/2022	Far North Holdings Limited Board Appointments	RESOLUTION 2022/4 Moved: Mayor John Carter Seconded: Cr Kelly Stratford That Council: a) Extend the tenure for Kevin Baxter on a month by month basis until 31 May 2022, or earlier when his replacement has been appointed. b) establish an "Appointment to Council Organisation Committee" in line with the Appointment and	28 Mar 2022 2:00pm Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 10 March 2022 to 13 April 2022 - Note from CFO: External Commercial Advisor appointment going to Council for ratification 7 April 2022. Committee will be 'stood up' immediately afterwards to review applications for the open Director position.

OUTSTANDING ACTIONS REPORT			
Division: Committee: Officer:		Council	
		Printed: Wednesday, 30 March 2022 3:38:10 PM Date From: 1/01/2020 Date To: 30/03/2022	
Meeting	Title	Resolution	Notes
		Remuneration of Directors of Council Organisations Policy (#2117). c) make the following appointments to the Committee; i) External Commercial Advisor ii) Council representative #1 Mayor John Carter iii) Council representative #2 Cr John Vujcich <u>In Favour:</u> Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich <u>Against:</u> Cr Rachel Smith CARRIED	
Council 15/03/2022	Paihia Waterfront Storm Mitigation Project	RESOLUTION 2022/16 Moved: Mayor John Carter Seconded: Cr Moko Tepania That Council approve additional capital budget of \$4.1m in 2023/24 to deliver Option 1 – descope project outcomes subject to confirmation from MBIE that the proposed solution continues to meet their funding requirements. <u>In Favour:</u> Crs John Carter, Felicity Foy, Rachel Smith and John Vujcich <u>Against:</u> Crs Ann Court, David Clendon, Mate Radich, Kelly Stratford and Moko Tepania CARRIED	
Council 15/03/2022	Paihia Waterfront Storm Mitigation Project	RESOLUTION 2022/17 Moved: Mayor John Carter Seconded: Cr Kelly Stratford	15 Mar 2022 3:45pm Baker, Marlema - Reallocation Action reassigned to James, Darren by Baker, Marlema - The first resolution failed. This is the outcome for the 2nd resolution

OUTSTANDING ACTIONS REPORT			
Division: Committee: Officer:		Printed: Wednesday, 30 March 2022 3:38:10 PM Date From: 1/01/2020 Date To: 30/03/2022	
Council			
Meeting	Title	Resolution	Notes
		<p>That Council retain the \$5,845,158 and subsequent rate increases, and request a report from staff on what is achievable within that budget.</p> <p><u>In Favour:</u> Crs John Carter, Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p>	

9 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDE**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
9.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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</p>
9.2 - Committee Public Excluded Resolutions - April 2022	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p>	<p>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</p>

	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
9.3 - Appointment of External commercial advisor to the Appointment to Council Organisation Committee	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
9.4 - New Lease for Commerical Property - 13 Homestead Road	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
9.5 - Purchase of land at 69 Cobham Road, Kerikeri	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority 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
9.6 - Kaikohe Library and Civic Hub Progress Report	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
9.7 - Community Board Public Excluded Minutes March 2022	s48(2)(a)(i) - the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation where a right of appeal lies to any court or tribunal against the final decision of the Council in these proceedings	s48(2)(a)(i) - the exclusion of the public from the part of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation

10 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

11 TE KAPINGA HUI / MEETING CLOSE