



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA


Strategy and Policy Committee Meeting

Tuesday, 6 September 2022

Time: 9:30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Cr Rachel Smith - Chairperson
Cr David Clendon – Deputy Chairperson
Mayor John Carter
Deputy Mayor Ann Court
Cr Dave Collard
Cr Felicity Foy
Cr Kelly Stratford
Cr Moko Tepania
Cr John Vujcich
Member Belinda Ward – Chairperson, Bay of Islands-Whangaroa Community Board
Member Sam Napia
Member Raniera Kaio

| | | |
|---|----------------------------|--|
|  | Authorising Body | Mayor/Council |
| | Status | Standing Committee |
| COUNCIL COMMITTEE | Title | Strategy and Policy Committee Terms of Reference |
| | Approval Date | 19 December 2019 |
| | Responsible Officer | Chief Executive |

Purpose

The purpose of the Strategy and Policy Committee (the Committee) is to set direction for the district, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies, policies and work programmes to achieve those goals.

In determining and shaping the strategies, policies and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the strategic outcomes of Council, being:

- Better data and information
- Affordable core infrastructure
- Improved Council capabilities and performance
- Address affordability
- Civic leadership and advocacy
- Empowering communities

The Committee will review the effectiveness of the following aspects:

- Trust and confidence in decision-making by keeping our communities informed and involved in decision-making.
- Operational performance including strategy and policy development, monitoring and reporting on significant projects, including, but not limited to:
 - FN2100
 - District wide strategies (Infrastructure/ Reserves/Climate Change/Transport)
 - District Plan
 - Significant projects (not infrastructure)
 - Financial Strategy
 - Data Governance
 - Affordability
- Consultation and engagement including submissions to external bodies / organisations

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities, and of the Council's business, operations and risks.

Power to Delegate

The Strategy and Policy Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Council will determine the membership of the Strategy and Policy Committee.

The Strategy and Policy Committee will comprise of at least seven elected members (one of which will be the chairperson).

Mayor Carter

Rachel Smith – Chairperson

David Clendon – Deputy Chairperson

Moko Tepania

Ann Court

Felicity Foy

Dave Collard

John Vujcich

Belinda Ward – Bay of Islands-Whangaroa Community Board

Non-appointed Councillors may attend meetings with speaking rights, but not voting rights.

Quorum

The quorum at a meeting of the Strategy and Policy Committee is 5 members.

Frequency of Meetings

The Strategy and Policy Committee shall meet every 6 weeks but may be cancelled if there is no business.

Committees Responsibilities

The Committees responsibilities are described below:

Strategy and Policy Development

- Oversee the Strategic Planning and Policy work programme
- Develop and agree strategy and policy for consultation / engagement.
- Recommend to Council strategy and policy for adoption.
- Monitor and review strategy and policy.

Service levels (non-regulatory)

- Recommend service level changes and new initiatives to the Long Term and Annual Plan processes.

Policies and Bylaws

- Leading the development and review of Council's policies and district bylaws when and as directed by Council
- Recommend to Council new or amended bylaws for adoption

Consultation and Engagement

- Conduct any consultation processes required on issues before the Committee.
- Act as a community interface (with, as required, the relevant Community Board(s)) for consultation on policies and as a forum for engaging effectively.
- Receive reports from Council's Portfolio and Working Parties and monitor engagement.

- Review as necessary and agree the model for Portfolios and Working Parties.

Strategic Relationships

- Oversee Council's strategic relationships, including with Māori, the Crown, and foreign investors, particularly China
- Oversee, develop, and approve engagement opportunities triggered by the provisions of Mana Whakahono-ā-Rohe under the Resource Management Act 1991
- Recommend to Council the adoption of new Memoranda of Understanding (MOU)
- Meet annually with local MOU partners
- Quarterly reviewing operation of all Memoranda of Understanding
- Quarterly reviewing Council's relationships with iwi, hapū, and post-settlement governance entities in the Far North District
- Monitor Sister City relationships
- Special projects (such as Te Pū o Te Wheke or water storage projects)

Submissions and Remits

- Approve submissions to, and endorse remits for, external bodies / organisations and on legislation and regulatory proposals, provided that:
 - If there is insufficient time for the matter to be determined by the Committee before the submission "close date" the submission can be agreed by the relevant Portfolio Leaders, Chair of the Strategy and Policy Committee, Mayor and Chief Executive (all Councillors must be advised of the submission and provided copies if requested).
 - If the submission is of a technical and operational nature, the submission can be approved by the Chief Executive (in consultation with the relevant Portfolio Leader prior to lodging the submission).
- Oversee, develop, and approve any relevant remits triggered by governance or management commencing in January of each calendar year.
- Recommend to Council those remits that meet Council's legislative, strategic, and operational objectives to enable voting at the LGNZ AGM. All endorsements will take into account the views of our communities (where possible) and consider the unique attributes of the district.

Fees

- Set fees in accordance with legislative requirements unless the fees are set under a bylaw (in which case the decision is retained by Council and the committee has the power of recommendation) or set as part of the Long Term Plan or Annual Plan (in which case the decision will be considered by the Long Term Plan and Annual Plan and approved by Council).

District Plan

- Review and approve for notification a proposed District Plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), First Schedule of the Resource Management Act 1991);
- Withdraw a proposed plan or plan change under clause 8D, First Schedule of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
 - To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the Portfolio Leader District Plan and the Chair of the Regulatory committee.
 - To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by council and authorise the resolution of any such appeal.
 - To consider and approve council submissions on a proposed plan, plan changes, and variations.
 - To manage the private plan change process.
 - To accept, adopt or reject private plan change applications under clause 25 First Schedule Resource Management Act (RMA).

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

Far North District Council
Strategy and Policy Committee Meeting
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Tuesday 6 September 2022 at 9:30 am

Te Paeroa Mahi / Order of Business

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1 KARAKIA TIMATANGA – OPENING PRAYER**2 NGA 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 Committee 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 / DEPUTATION

9:35 am Annika Dickey – representing Our Kerikeri (15 mins)

9:50 am Jo Lumkong – representing Vision Kerikeri (15 mins)

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3853072

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

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

RECOMMENDATION

That the Strategy and Policy Committee agrees that the minutes of the meeting held 26 July 2022 be confirmed 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 meeting 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 meeting.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision.

ATTACHMENTS

1. Strategy and Policy Committee Minutes - 26 July 2022 - A3807376 [↓](#) 

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 on 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. | This report is asking for the 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
STRATEGY AND POLICY COMMITTEE MEETING
HELD VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 26 JULY 2022 AT 9:40 AM**

PRESENT: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr Dave Collard, Cr Felicity Foy, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich, Member Raniera Kaio, Member Sam Napia and Member Belinda Ward

STAFF PRESENT: Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy), Marlema Baker (Democracy Advisor), Aisha Huriwai (Team Leader Democracy Services)

1 KARAKIA TIMATANGA – OPENING PRAYER

Deputy Chair David Clendon commenced the meeting at 9:40 am and adjourned the meeting at 9:41 am. Chair Rachel Smith commenced the meeting at 9:43 am and opened with a karakia.

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

No apologies or conflicts of interest were received for this meeting.

3 NGĀ TONO KŌRERO / DEPUTATION

No deputations were received for this meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3778857, pages 10 - 16 refers.

RESOLUTION 2022/44

Moved: Cr Kelly Stratford
Seconded: Chair Rachel Smith

That the Strategy and Policy Committee agrees that the minutes of the meeting held 14 June 2022 be confirmed as a true and correct record.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania, Members Sam Napia and Raniera Kaio

Against: Nil

Abstained: Cr John Vujcich and Member Belinda Ward

CARRIED

At 9:44 am, Cr Kelly Stratford left the meeting due to a power cut and returned 10:02 am.
At 9:57 am, Member Belinda Ward left the meeting due to a power cut and returned at 10:03 am

5 REPORTS

5.1 ACCESSIBILITY POLICY – RECOMMENDATION FOR MAKING A NEW POLICY

Agenda item 5.1 document number A3739268, pages 17 - 28 refers.

MOTION

Moved: Member Sam Napia
 Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee recommends that Council:

- a) make the Accessibility Policy 2022 for the Far North District Council
- b) revoke the Equity and Access for People with Disabilities Policy 2016.

AMENDMENT

Moved: Cr Felicity Foy
 Seconded: Cr Kelly Stratford

- c) Request that the implementation plan for this policy be brought back to the Strategy and Policy Committee for approval of the Committee.

In Favour: Mayor John Carter, Crs Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Chair Rachel Smith and Deputy Chair David Clendon

Abstained: Deputy Mayor Ann Court and Cr John Vujcich

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/45

Moved: Cr Felicity Foy
 Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee recommends that Council:

- a) make the Accessibility Policy 2022 for the Far North District Council
- b) revoke the Equity and Access for People with Disabilities Policy 2016.
- c) request that the implementation plan for this policy be brought back to the Strategy and Policy Committee for approval.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania, John Vujcich, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Nil

CARRIED

5.2 EASTER SUNDAY SHOP TRADING POLICY - RECOMMENDATIONS FOR MAKING A NEW POLICY

Agenda item 5.2 document number A3747991, pages 29 - 42 refers.

MOTION

Moved: Chair Rachel Smith
 Seconded: Mayor John Carter

That the Strategy and Policy Committee recommend that Council:

- a) agree to the recommendations in the staff report on submissions and recommendations for consideration that:
 - i) the word "shop" is replaced with the word "Shop" throughout the Policy;
 - ii) in the 'Application' section of the policy, the words "legislative provisions" be replaced with "legislative instruments" and the words "licensing provisions" be replaced with "licensing laws";
 - iii) in the 'Definitions' section, the words "section 2 of" be added before "the Shop Trading Hours Act 1990";

- iv) in the 'Legislative Context' section, the date of the Supply of Alcohol Act be changed from "2021" to "2012".
- b) under section 5A of the 'Shop Trading Hours Act 1990', make the Easter Sunday Shop Trading Policy as per attachment 2;
- c) revoke the Easter Sunday Trading Policy 2017.

PROCEDURAL MOTION

Moved: Member Sam Napia

Seconded: Cr Moko Tepania

That the proposed Easter Sunday Shop Trading Policy lie on the table to provide for email-invited input from religious organisations, including any inter-denomination associations, in the district.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Crs Felicity Foy, Kelly Stratford, Moko Tepania, John Vujcich, Members Sam Napia and Raniera Kaio

Against: Deputy Mayor Ann Court and Cr Dave Collard

Abstained: Member Belinda Ward

CARRIED

The procedural motion became the substantive motion.

RESOLUTION 2022/466

Moved: Member Sam Napia

Seconded: Cr Moko Tepania

That the proposed Easter Sunday Shop Trading Policy lie on the table to provide for email-invited input from religious organisations, including any inter-denomination associations, in the district.

**CARRIED
LEFT TO LIE**

NOTE: Author Donald Sheppard to work on rewording the policy as it does not override other legislative instruments, such as liquor licensing, and restriction on selling alcohol on Good Friday and Easter Sunday.
At 10:47 am, Cr Dave Collard left the meeting and returned at 10:51 am.

The meeting was adjourned from 11:30 am to 11:41 am.

5.3 AMENDMENTS TO COMMUNITY INITIATED INFRASTRUCTURE - ROADING CONTRIBUTION POLICY

Agenda item 5.3 document number A3757467, pages 43 - 54 refers.

MOTION

Moved: Cr Kelly Stratford

Seconded: Chair Rachel Smith

That the Strategy and Policy Committee recommend the Council adopt the amended Community Initiated Infrastructure – Roading Contribution Policy 2022.

AMENDMENT

Moved: Deputy Mayor Ann Court

Seconded: Cr Dave Collard

subject to Policy Statement 2 being amended to read as follows: the Community must contribute 100 % of the cost.

In Favour: Chair Rachel Smith, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy and Member Sam Napia

Against: Deputy Chair David Clendon, Crs Kelly Stratford and John Vujcich

Abstained: Cr Moko Tepania, Members Belinda Ward and Raniera Kaio

CARRIED

PROCEDURAL MOTION

Moved: Cr Felicity Foy

Seconded: Cr Moko Tepania

That this Policy lay on the table, and that a workshop be held with all relevant staff, to ensure that a holistic Policy for the process of both unsealed and sealed roading upgrade, and road vesting to the Maintenance Schedule, to be imbedded in the Policy.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Crs Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Deputy Mayor Ann Court

Abstained: Cr John Vujcich

CARRIED

The procedural motion became the substantive motion

RESOLUTION 2022/47

Moved: Cr Kelly Stratford

Seconded: Chair Rachel Smith

That this Policy lay on the table, and that a workshop be held with all relevant staff, to ensure that a holistic Policy for the process of both unsealed and sealed roading upgrade, and road vesting to the Maintenance Schedule, to be imbedded in the Policy.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Crs Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania, Members Sam Napia and Raniera Kaio

Against: Deputy Mayor Ann Court

Abstained: Cr John Vujcich and Member Belinda Ward

**CARRIED 9/1
LEFT TO LIE**

Note:

NTA staff to attend all future Strategy and Policy Committee meetings.
At 11:41 am, Cr Moko Tepania left the meeting and returned at 11:46 am.

6 INFORMATION REPORTS

6.1 RESIDENT OPINION SURVEY 2021/22

Agenda item 6.1 document number A3786091, pages 55 - 147 refers.

MOTION

Moved: Chair Rachel Smith

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee receive the report Resident Opinion Survey 2021/22.

AMENDMENT

Moved: Chair Rachel Smith

Seconded: Member Sam Napia

and that the Strategy and Policy Committee recommends that Council receive a report from the CEO demonstrating how the organisation will address these survey results.

Strategy and Policy Committee Meeting Minutes - **Unconfirmed**

26 July 2022

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Kelly Stratford, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Nil

CARRIED

The amendment became the substantive motion

RESOLUTION 2022/48

Moved: Chair Rachel Smith

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee receive the report Resident Opinion Survey 2021/22 and, that the Strategy and Policy Committee recommends that Council receive a report from the CEO demonstrating how the organisation will address these survey results.

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Kelly Stratford, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Nil

CARRIED

At 12:56 pm, Cr Moko Tepania left the meeting.

At 1:05 pm, Cr John Vujcich left the meeting.

6.2 STRATEGY AND POLICY ACTION SHEET UPDATE JULY 2022

Agenda item 6.2 document number A3778934, pages 148 - 152 refers.

RESOLUTION 2022/49

Moved: Member Raniera Kaio

Seconded: Cr Kelly Stratford

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

In Favour: Chair Rachel Smith, Deputy Chair David Clendon, Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Kelly Stratford, Members Belinda Ward, Sam Napia and Raniera Kaio

Against: Nil

CARRIED**7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Darren Edwards (General Manager Strategic Planning and Policy) closed the meeting with a karakia.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 1:17 pm.

The minutes of this meeting will be confirmed at the Strategy and Policy Committee Meeting held on 6 September 2022.

.....
CHAIRPERSON

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5 REPORTS

5.1 APPROVAL OF THE REVISED TERMS OF REFERENCE FOR THE JOINT CLIMATE CHANGE ADAPTATION COMMITTEE

File Number: A3737941

Author: Roger Ackers, Manager - Strategy Development

Authoriser: Janice Smith, Acting General Manager - Corporate Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval for a revised Terms of Reference for the Joint Climate Change Adaptation Committee.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- The Far North District Council, alongside Northland Regional Council, Whangarei District Council and Kaipara Council is a member Council of the Joint Climate Change Adaptation Committee (The Joint Committee) formed in late 2020.
- The membership of the Joint Committee consists of one elected member and one appointed iwi/hapū representative from each member Council.
- The Joint Committee requested that each Council review their respective policies with the goal of achieving consistency in the remuneration of iwi/hapū representatives appointed to the Joint Committee.
- In alignment with this request the Far North District Council adopted an Appointed Members Allowance Policy on 23 September 2021.
- On 7 March 2022, the Joint Committee recommended that each member Council adopt the revised Terms of Reference that now considers each Council's revised policy position for the remuneration of iwi/hapū representatives on the Committee.
- Approval is now sought for the revised terms of reference for the Joint Committee.

TŪTOHUNGA / RECOMMENDATION

That the Committee recommend to Council the adoption of the revised Terms of Reference for the Joint Climate Change Committee.

1) TĀHUHU KŌRERO / BACKGROUND

In 2018 a collective of council officers from all four councils in Northland commenced a series of regular meetings on how to take a collective, regional approach to climate change adaptation. This work culminated in the approval by the Chief Executives Forum to establish a climate change working group with the purpose of developing a regional collaborative approach to climate change adaptation planning for local government in Northland.

In early 2020 members from the working group proposed the establishment of a joint committee of council, as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002. Included in this proposal was a committee structure that included one elected member from each of the four Councils and one iwi/hapū representative appointed by each Council.

Each Council in turn approved the establishment of a Joint Climate Change Adaptation Committee (The Joint Committee) with the Far North District Council resolving to appoint the Joint Committee on 10 December 2020. This resolution included a request from his worship the Mayor and Cr Clendon to invite Te Kahu o Taonui to nominate two people with skills, attributes, or knowledge that will assist the work of the Joint Climate Change Adaptation Committee to be the Far North District Council iwi/hapū member and alternative iwi/hapū member of the Committee.

Te Kahu o Taonui nominated the following, as confirmed by the Far North District Council Team Leader - Maori Relationships on 28 March 2021, as the Far North District Council's nominated representative on the Joint Committee;

- Antony Thompson – Ngāti Whātua

A report seeking endorsement for each Council to adopt a Terms of Reference was put to the newly established Joint Committee on 21 April 2021. The Terms of Reference submitted included a clause on the remuneration for iwi/hapū representatives to the Committee.

The Joint Committee requested that each Council review their respective policies with the goal of achieving consistency in the remuneration of iwi/hapū representatives on the Committee.

The following changes and decisions were made to each individual Council's policies on the remuneration of appointed committee members;

- Northland Regional Council increased the total remuneration amount per meeting in their Appointed Members Policy
- The Far North and Kaipara District Councils aligned their policies with that of the NRC to payments of \$240.00 per meeting for each committee member. Far North District Council adopted its Appointed Member's policy on 23 September 2021 with these amendments
- The Whangarei District Council made a commitment to review their policy in its entirety after the 2022 elections. Their remuneration rate is currently set \$280.00 per meeting.

The draft Terms of Reference was updated to reflect the work done by each Council to align their respective policies with the following;

Respective iwi / hapū representatives will be remunerated and reimbursed by the nominating council in accordance with either the non-elected members remuneration policy of that council or alternatively the Northland Regional Council Non-Elected Members Allowances Policy.

The Joint Committee at its 7 March 2020 meeting recommended that each member Council adopt the revised Terms of Reference found in Attachment One.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Option One: The Far North District does not approve the amended Terms of Reference for the Joint Climate Change Adaptation Committee

Advantages:

- None

Disadvantages:

- The Far North District Council elected members and nominated iwi/hapū representatives are participating in a governing body under a different Terms of Reference than their counterparts as appointed and nominated by the other Councils that make up the Joint Committee.

Option Two (recommended option): The Far North District Council approves the amended Terms of Reference for the Joint Climate Change Adaptation Committee

Advantages:

- The Far North District Council elected members and appointed iwi/hapū representatives are participating in a governing body under the same Terms of Reference as their counterparts appointed and nominated by the other Councils that make up the Joint Committee.

Disadvantages:

- None

Take Tūtohunga / Reason for the recommendation

Staff recommend Option Two for the following reason:

- The Far North District Council members on the Joint Committee (elected members and appointed members) are operating under the same Terms of Reference as their counterparts from the other member Councils on the Joint Committee

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

The remuneration of the appointed member to the Joint Committee comes from the climate change cost centre.

ĀPITI HANGA / ATTACHMENTS

1. **Joint Climate Change Adatation Committee Terms of Reference - A3853850** [↓](#) 

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 proposed recommendation in this report is 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. | The Appointed Members Allowances Policy. |
| 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 proposed recommendation in this report has 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. | Joint Climate Change Adaptation Committee is formed under the Local Government Act 2002 (Clause 30(1)(b) of Schedule 7) as stated in the Terms of Reference. Section 4 (Treaty of Waitangi) of the Local Government Act states "In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes. This binds and holds the Joint Committee to account under the Local Government Act 2002 |
| 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 | Elected Members Members of Te Kahu o Taonui. |

| | |
|--|---|
| – youth, the aged and those with disabilities). | |
| State the financial implications and where budgetary provisions have been made to support this decision. | Remuneration of the appointed member comes from the climate change cost centre. |
| Chief Financial Officer review. | This report has been reviewed by the Chief Financial Officer. |

Joint Climate Change Adaptation Committee (JCCAC)**Terms of Reference (TOR)****March 2022****Background**

Climate change poses significant risks to the environment and people of Te Tai Tokerau - local government has responsibilities in reducing the impact of climate change (adaptation). It is essential that councils, communities and iwi / hapū work collaboratively to ensure an effective, efficient and equitable response to the impacts of climate change. Work on adaptation has already started between council staff with the formation of the joint staff working group Climate Adaptation Te Tai Tokerau and the development of a Climate Change Adaptation Strategy for Tai Tokerau. The formation of a joint standing committee of the Far North, Kaipara and Whangarei district councils and Northland Regional Council elected council members and iwi / hapū is fundamental to ensuring these outcomes are achieved in a coordinated and collaborative way across Te Tai Tokerau.

Role and Responsibilities

- 1) Provide direction and oversight of the development and implementation of climate change adaptation activities by local government in Te Tai Tokerau
- 2) Receive advice and provide direction and support to Climate Adaptation Te Tai Tokerau
- 3) Make recommendations to member councils to ensure a consistent regional approach is adopted to climate change adaptation activities
- 4) Act collectively as an advocate for climate change adaptation generally and within the individual bodies represented on the Committee
- 5) Ensure the bodies represented on the Committee are adequately informed of adaptation activity in Te Tai Tokerau and the rationale for these activities
- 6) Ensure the importance of and the rationale for climate change adaptation is communicated consistently within Te Tai Tokerau
- 7) Receive progress reports from Climate Adaptation Te Tai Tokerau

Membership

The Joint Climate Change Adaptation Committee (the committee) is a standing committee made up of elected members from the Far North, Kaipara and Whangarei district councils, the Northland Regional Council and representatives from Northland hapū and iwi.

The committee shall have eight members as follows:

One elected member from:

Kaipara District Council
Far North District Council
Whangarei District Council
Northland Regional Council

Iwi / hapū members:

One representative from iwi / hapū appointed by each council from within their jurisdiction. Where possible, this appointment should follow recommendations from council Māori advisory groups or committees.

Each council shall also appoint one alternative elected member and one alternative iwi / hapū member who will have full speaking and voting rights when formally acting as the alternate.

Status

The Committee is a joint standing committee of council as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 and shall operate in accordance with the provisions of Clause 30A of that Act. The committee is an advisory body only and has no powers under the Local Government Act 2002 (or any other Act) other than those delegated by decision of all member councils. The joint standing committee shall operate under Northland Regional Council Standing Orders.

Committee Chair and deputy Chair:

The Chair and Deputy Chair is to be appointed by the members at the first meeting of the committee.

Quorum

At least 50% of members shall be present to form a quorum.

Meetings

The Committee shall meet a minimum of two times per annum.

Service of meetings:

The Northland Regional Council will provide secretarial and administrative support to the joint committee.

Draft agendas are to be prepared by Climate Adaptation Te Tai Tokerau and approved by the Chair of the Committee prior to the Committee meeting.

Remuneration

Remuneration and / or reimbursement for costs incurred by council members is the responsibility of each council.

Respective iwi / hapū representatives will be remunerated and reimbursed by the nominating council in accordance with either the non-elected members remuneration policy of that council or alternatively the Northland Regional Council Non-Elected Members Allowances Policy.

Joint Committee not discharged at triennial elections

Pursuant to Clause 30(7) of Schedule 7 of the Local Government Act 2002, the councils have resolved that this joint committee is not discharged at the triennial elections. However, on coming into office following an election, a council may choose to review its appointments on the committee.

Amendments

Any amendment to the Terms of Reference or other arrangements of the Committee shall be subject to approval by all member councils.

5.2 NAMING POLICY - RECOMMENDATIONS FOR MAKING A NEW POLICY

File Number: A3814212

Author: Kirsten Griffiths, Strategic Planner

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

To recommend that the Council make a new Naming Policy.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- On 4 November 2021 the governing body approved the development of a new policy to guide the naming of roads, open spaces, and Council facilities.
- Workshops and discussions with Community Boards were undertaken between November 2021 and May 2022.
- Targeted engagement was undertaken on the draft Naming Policy with iwi/hapū representatives via Te Kahu o Taonui, Community Boards, members of the development community, and Northland Transportation Alliance staff, in July and August 2022.
- Attachment 1 is the proposed final Naming Policy for adoption.
- Attachment 2 is the proposed associated procedures for the implementation of the policy, included as explanatory information.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee recommends that Council:

- a) make the Naming Policy as per Attachment 1
- b) revoke the Road Naming and Property Numbering Policy 2014.

1) TĀHUHU KŌRERO / BACKGROUND

Elected members and other interested parties have expressed a desire to improve the road naming process, and to promote and support the use of appropriate names in te reo Māori in the Far North District. The review of the Road Naming and Property Numbering Policy 2014 identified problems with the road naming process, particularly with regard to consultation with mana whenua. Further research identified an opportunity to develop a consistent naming policy for Council-controlled community infrastructure such as roads (both public and private), open spaces (reserves, parks, walkways), and Council facilities (community halls, civic spaces, recreation facilities).

On 19 October 2021 the Strategy and Policy Committee agreed a recommendation to Council to develop a new Naming Policy for roads, open spaces, and Council facilities (Resolution 2021/38 refers). The governing body approved this recommendation on 4 November 2022 (Resolution 2021/58 refers).

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Relevant legislation

Under the Local Government Act 1974, part 21, 319(j), councils have power to name and to alter the name of roads. Under the Reserves Act 1977, section 16 (10), territorial authorities have the power to name reserves.

Under Section 10 of the Local Government Act 2002 the purpose of local government is “to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.” Ensuring that the names we give to community infrastructure reflect our people and their stories, and promoting the use of te reo Māori, will contribute to cultural wellbeing in the Far North district.

Te Ture mō Te Reo Māori 2016 / The Māori Language Act 2016 recognises te reo Māori as a taonga and an official language of Aotearoa New Zealand. Promoting and revitalising te reo Māori is part of the wider partnership between the Crown and tangata whenua.

Overview of the proposed new Naming Policy

The Council is responsible for naming public infrastructure such as roads, parks and reserves, and council-owned community facilities. The current policies about naming roads and reserves include some requirements for consultation with Māori, but in practice this has not always worked as well as it should. The Council wants to improve the process of consultation with mana whenua on names and promote and support the use of te reo Māori.

Key points:

- The responsibility for determining appropriate names for roads, public open spaces, and council facilities remains with the Council (as delegated to Community Boards).
- The Council will establish and administer a Naming Komiti in each ward, which will support the selection of te reo Māori names.
- Iwi/Hapū will have first opportunity to name any Council-controlled open spaces (reserves, parks, and walkways vested in the Council) and Council facilities (civic spaces, community halls, recreation facilities).
- Where a road (public or private) is identified in the District Plan as being at a site of cultural significance to Māori, iwi/hapū will have first opportunity to name that road.
- In other cases, if they wish to, applicants may make a request to the Naming Komiti either to request gifting of a Māori name, or to seek approval of a suggested Māori name for the road.
- Addressing standards for road naming and numbering must conform with The Australian/ New Zealand Standard Rural and Urban Addressing (AS/NZS4819:2011).
- The new policy will be accompanied by guidance that will clearly lay out the process, and criteria for choosing appropriate names.

Previous Policies to be replaced

The new Naming Policy will replace the Road Naming and Property Numbering Policy 2014. It may be noted that the new Parks and Reserves Policy 2022 does not include guidance for naming (unlike the previous Reserves Policy 2017), because the Council had already decided to include parks and reserves in the proposed new general Naming Policy.

The Art and Memorials in Public Places Policy 2017 also includes reference to naming roads, buildings, structures, and open spaces after people. This policy may be used in conjunction with the new Naming Policy (as it was with the Road Naming and Property Numbering Policy 2014 and Reserves Policy 2017), and so it will remain in place.

Significance and Engagement

The proposed new Naming Policy does not alter the Council's powers to name infrastructure; the Council already has the power to name roads, Council-controlled parks and reserves, and Council-controlled facilities. In addition, the current and former policies for naming roads and reserves already require a consultation process with mana whenua on Māori names. This process has not been working well for road naming, and therefore there has been a need to redesign it.

The proposed new Naming Policy does not greatly alter the policy settings for naming public infrastructure, but rather is primarily aimed at improving the process and providing better support for te reo Māori names. It does not impose any significant additional costs on ratepayers and is not likely to change levels of service. It does not meet the threshold for a formal consultation process according to the Council's Significance and Engagement Policy.

In addition, the issue of naming and renaming public infrastructure in te reo Māori has proven contentious in other territorial authorities, to a degree which far outweighs the low to moderate level of actual change that is being proposed.

Therefore, the recommended approach has been targeted engagement with interested parties and seeking their experience and feedback as the draft Naming Policy is refined.

Targeted engagement was undertaken on the draft Naming Policy with iwi/hapū representatives through Te Kahu o Taonui via email, Community Boards via discussions and email, members of the development community via meeting presentation, and Northland Transportation Alliance staff via discussion, in July and August 2022. Feedback on the aims of the policy and the proposed establishment of a Naming Komiti in each ward was generally positive. Some expressed concerns about adding additional time and bureaucracy to the process. This will be addressed through improved guidance and information for applicants, to be further developed as part of the policy implementation. Several suggested minor amendments and improvements have also been incorporated in the proposed policy and associated material.

Implications for Māori

A naming policy offers opportunities to enhance cultural wellbeing in our district. Names connect people to the unique identity, stories, culture, and environment of the places to which they belong. Supporting the choice of te reo Māori names for roads, public open spaces, and council facilities is part of reflecting the unique character of our district, where around 50% of our people are Māori and around 16% of our population speaks te reo Māori (compared with 4% national average).

Dissatisfaction with the consultation process of the current Road Naming and Property Numbering Policy 2014 has been expressed by iwi/hapū representatives. A core purpose of developing the new policy is to redesign this consultation process and to improve relationships between the Council and mana whenua.

Therefore, the new Naming Policy will have positive implications for Māori in the Far North district.

Take Tūtohunga / Reason for the recommendation


Adoption of the proposed new Naming Policy will:

- provide consistent and streamlined policy guidance for naming community infrastructure (roads, open spaces, and Council facilities);
- support the use of te reo Māori names in the Far North district;
- improve the consultation process with Māori for road naming;
- offer opportunities to build better relationships between the Council and mana whenua;
- improve guidance and support for developers and property owners; and,
- ensure a best practice approach.

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

The costs to implement the new policy will come from existing operational budgets.

ĀPITI HANGA / ATTACHMENTS

1. **Naming Policy FINAL - A3851580** [!\[\]\(09885fa7dbc7efea01a3982f2e00fbcd_img.jpg\)](#) 
2. **Procedures for applying the Naming Policy FINAL - A3851582** [!\[\]\(bd36bd94469b708b49ad0a25da1193a1_img.jpg\)](#) 

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 proposal has a low to medium significance, as determined by the Significance and Engagement Policy. The recommended approach was targeted engagement with interested parties. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Local Government Act 1974, part 21, 319(j). Reserves Act 1977, section 16 (10). Local Government Act 2002, section 10. Te Ture mō Te Reo Māori 2016 / The Māori Language Act 2016 |
| 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. | As approving names is part of the delegations to Community Boards, the views of all three Community Boards have been sought and considered, both during policy development and targeted engagement seeking feedback on the draft policy. |
| 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. | The new Naming Policy will have positive implications for Māori in the Far North district, through promoting and supporting the use of te reo Māori, improving the consultation process with mana whenua, and enhancing cultural wellbeing. |
| 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). | Targeted engagement was undertaken on the draft Naming Policy with iwi/hapū representatives via Te Kahu o Taonui, members of the professional development community, and Northland Transportation Alliance staff, in July and August 2022 |

| | |
|--|---|
| State the financial implications and where budgetary provisions have been made to support this decision. | There are no financial implications to this decision. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |

Naming Policy

Adopted:
Last updated:

Background

Councils have a significant role in the choice and approval of names for public infrastructure such as roads, parks and reserves, and Council facilities. Under the Local Government Act 1974, the Council has the power to name and to alter the name of roads. Under the Reserves Act 1977, the Council has the power to name reserves. In addition, from time to time the Council names Council facilities.

Previous policy guidance for naming Council-controlled infrastructure was provided in the Road Naming and Property Numbering Policy (2014), the Reserves Policy (2017), and the Art and Memorials in Public Places Policy (2017).

Application

This policy applies to infrastructure in the Far North District that is within the Council's power to name. This includes the naming and renaming of:

- roads – both public and private
- open spaces – reserves, parks, and walkways vested in the Council
- Council facilities – civic spaces, community halls, recreation facilities

Definitions

The following definitions apply to this Policy:

- **Applicant** – means the individual or entity making an application, which may include the Council, a consent holder, or the party developing the infrastructure.
- **Council** – means the Far North District Council.
- **Council facility** – means a facility controlled by the Council. Such facilities may include but are not limited to community halls, civic spaces, as well as sport, recreation, and entertainment facilities.
- **Far North District** - means the area of jurisdiction of the Far North District Council.
- **Mana whenua** – means Māori who have historic and territorial rights over the land.
- **Open space** – means reserves, parks, and walkways administered by the Council.
- **Park** – means Council-owned public open space held under the Local Government Act 2002 with a primary community, recreational, environmental, cultural, or spiritual function.
- **Private road** – means, as defined by section 315 of the Local Government Act 1974, any roadway on private land intended for the use of the public. Private roads are not maintained by the Council, but are formally named by the Council. Formal naming is required for formed private roads to ensure correct identification for key services such as emergency, postal, and utility services.
- **Private rights-of-way (private way)** – means, as defined by section 315 of the Local Government Act 1974, any way or passage on private land intended for the use of only certain persons or classes of person. Private rights-of-way are not maintained by the Council, but those that serve 6 or more properties should be formally named by the Council to aid correct identification for key services such as emergency, postal, and utility services.

- **Policy** – means the Council’s adopted Naming Policy.
- **Reserve** – means as defined under section 2 of the Reserves Act 1977.
- **Road** – means land defined as road by section 315 of the Local Government Act 1974, which includes land intended for use by the public generally. This includes access ways and service lanes.

Legislative and Policy Context

Under section 319(1)(j) of the Local Government Act 1974, councils have the power to name and to alter the name of roads. Under section 319(B)(1), councils have the power to allocate a number to any area of land or building or part of a building within their districts.

Road names must be approved by Toitū Te Whenua Land Information New Zealand. Road naming and property numbering must comply with the *Australian/ New Zealand Standard Rural and Urban Addressing (AS/NZS4819:2011)* and subsequent amendments.

Under section 16 (10) of the Reserves Act 1977, territorial authorities have the power to name reserves vested in them. The Council must follow the procedures in sections 16(10) and 16(10A) of the Reserves Act to name or rename a reserve.

It should be noted that the power to name (and rename) settlements (such as suburbs and localities) and geographic features, lies with the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa (NZGB). While this is outside its jurisdiction, the Council may make a proposal to the NZGB to name or rename a place or feature.

Strategic alignment

The policy will contribute to achieving the outcomes set out in the following strategic documents:

- Under section 10 of the Local Government Act 2002 the purpose of local government is “to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.” Ensuring that the names we give to community infrastructure reflect our people and their stories, and promoting the use of te reo Māori, will contribute to cultural wellbeing in the Far North District.
- Revitalising te reo Māori is part of the wider partnership between the Crown and tāngata whenua, as expressed in Maihi Karauna: The Crown’s Strategy for Māori Language Revitalisation 2019-2023.

Objectives

To promote social and cultural wellbeing by:

- encouraging and enabling the use of appropriate names in te reo Māori
- ensuring that locations of cultural significance for mana whenua are named appropriately
- enhancing placemaking through names that reflect the unique culture and identity of communities in the Far North District
- ensuring correct and clear addressing for emergency services and other key services (road naming)
- improving guidance for developers and property owners to consult with mana whenua, should they wish to choose a Māori road name

Policies

1. The Council will provide a consistent approach to determining appropriate names for roads, open spaces, and council facilities.
2. The Council will have a naming system for public infrastructure that will recognise and maintain the history and identity of our local communities, with te reo Māori names increasingly represented within the district.
3. The Council acknowledges and respects the Crown's responsibility as a Treaty partner and the requirement of local government to take into account the principles of Te Tiriti o Waitangi / the Treaty of Waitangi, specifically the obligations placed on the Council to provide opportunities for Māori to participate in decision-making and other council processes in a way which is meaningful to both parties.
4. The Council recognises it needs to establish meaningful and enduring relationships with Māori in order to enable effective participation in decision making while at the same time achieving mutually beneficial outcomes. Mana whenua hold mana and traditional associations with place and are the most appropriate authority to seek te reo Māori names from. They will be a partner in the process of selecting names for roads, open spaces, and Council facilities.
5. A Naming Komiti in each ward will support the selection of te reo Māori names. These Komiti will be resourced and administered by the Council.
6. This policy will not be applied retrospectively, except where individual renaming applications are received.
7. Names are to be agreed as early as possible in any development application process. This policy should form part of any subdivision design and approval process reference material.
8. Road names and road numbering must conform with *The Australian/ New Zealand Standard Rural and Urban Addressing (AS/NZS4819:2011)*.
9. Naming a private road or right-of-way does not mean that the Council accepts responsibility for the formation or maintenance of that private road or right-of-way.

Monitoring and Implementation

- Implementation of the policy will be monitored by the Council.
- This policy will be reviewed in response to issues that may arise, at the request of the Council, or in response to changes to legislative or statutory requirements (whichever occurs first).
- Amendment to this policy following a review may be subject to a public consultative process.

Procedures for applying the Naming Policy

Last updated:

Application

This document outlines the procedures for applying the Far North District Council's Naming Policy and should be read in conjunction with it. The Naming Policy applies to the naming and renaming of:

- roads – both public and private
- open spaces – reserves, parks, and walkways vested in the Council
- Council facilities – civic spaces, community halls, recreation facilities

Consultation with Māori

The Council recognises the requirement on local government to contribute to the Crown's broader relationship responsibilities by ensuring engagement with Māori is meaningful. The Council holds enduring relationships with our mana whenua partners. It is right that we seek guidance and advice from appropriate iwi entities and hapu kaikorero before we engage in long-term discussion relating to naming of Council-controlled assets.

When to consult:

1. Consultation begins at pre-consenting stage. The Council will ensure consent applicants are aware of our naming policy and procedures.
2. Iwi/Hapū will have first opportunity to recommend a name for any Council-controlled open spaces and Council facilities.
3. In the case of roads (public or private), where the road is identified in the District Plan as being at a site of cultural significance to Māori, iwi/hapū will have first opportunity to recommend a name for that road. In other cases, if developers and property owners wish to choose a Māori name, they must consult with iwi/hapū either to request gifting of a name, or to seek approval of a suggested name.

Who to consult:

1. Consultation will be conducted through a Naming Komiti in each ward (established by the Council).
2. These Komiti will be resourced and administered by the Council.

Procedure for consultation:

1. Naming requests will be sent via email to the Komiti allocated email address, administered by the Council.
2. At the discretion of the Naming Komiti, requests can be resolved via email or every 6 weeks at a Komiti hui.
3. Applicants will be invited to attend the Komiti hui that their naming request relates to.
4. On approval of the requests, all recommendations for suitable names will be forwarded to the next approval step (such as Community Board, or Northland Transportation Alliance in the case of roads).

Procedures

General procedures

1. Applicants, or managers of any project, where the naming of roads or open spaces is required, are advised to seek advice early from the Council and the Naming Komiti to ensure that their application will fulfil the requirements for consultation with Māori, in a timely manner.
2. The responsibility for making a Council decision on a name is determined by Council delegations (such as delegations to Community Boards to allocate names for previously unnamed roads).
3. The Council's decision on the choice of name is final.

Roads

1. Public roads vested in the Council shall be named.
2. Formed private roads and the forming of previously unformed paper roads providing access to 5 or more properties should be named. Private rights-of-way which provide access to 6 or more properties should be named.
3. Applications for naming roads are submitted as part of the resource consent process.
4. Where the road is identified in the District Plan as being at a site of cultural significance to Māori, iwi/hapū will have first opportunity to name that road. The applicant will make a request for three appropriate names to the Naming Komiti.
5. In other cases, if they wish to, applicants may make a request to the Naming Komiti either to request gifting of a Māori name, or to seek approval of a suggested Māori name.
6. Each application shall include three proposed names, listed in order of preference, with a brief statement about their significance.
7. The Council will refer the proposed road names to Toitū Te Whenua / Land Information New Zealand (LINZ) for approval.
8. After LINZ approval, the application will be referred to the relevant Community Board for approval.

Open spaces

1. Iwi/Hapū will have first opportunity to name any Council-controlled open spaces.
2. The local community will be consulted regarding proposals to name open spaces.

Council-controlled facilities

1. Iwi/Hapū will have first opportunity to name any Council facilities.

Renaming

1. The Council will only consider renaming roads in exceptional circumstances, as this change can be disruptive for residents, business, and providers of services.
2. Requests for renaming may be considered by the Council for the following reasons:
 - a. a change to infrastructure requires it (e.g. change of road layout)
 - b. the current name is offensive or inappropriate
 - c. the current name is inaccurate or misspelled
 - d. there is a duplicate or similar name causing confusion
 - e. the request addresses a significant wrong or grievance
 - f. any other reason the Council considers to be appropriate.
3. The local community and interested parties will be consulted regarding proposals to rename roads, open spaces, and community facilities.

Naming criteria and guidelines

Recommendations for names should include evidence that the proposed names meet one or more of the following criteria:

- An appropriate te reo Māori name where the site is important to mana whenua.
- Reference to stories about the history or culture of the place. Te reo Māori names are encouraged where appropriate.
- People who were important in the history of the area. If there is a suggestion to name the road, open space, or facility after a person, that person should have an established connection to the place or facility. In the case of a historical figure, the Council may seek advice regarding whether or not the name is appropriate.
- Reflecting the local landscape, flora or fauna. Te reo Māori names are preferred where appropriate.
- Following a specific theme in the location (where that theme is still considered appropriate for new names).

Names should be:

- Unique – not duplicated or closely similar to other names in the district.
- Short – preferably fewer than 12 characters. This is particularly the case for road names.
- Simple – easy to spell and pronounce.
- Respectful – unlikely to cause offence.

Names in more than one language (bilingual or trilingual) may be appropriate in some cases, but cannot be used for road names.

Road names and road numbering must conform with *The Australian/ New Zealand Standard Rural and Urban Addressing (AS/NZS4819:2011)*.

5.3 AMENDED PARKING BYLAW - APPROVAL OF DRAFT FOR PUBLIC CONSULTATION**File Number: A3831574****Author: Dan Bowmar, Policy Advisor****Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek approval of draft of amended Parking Bylaw 2022 for public consultation.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- On 10 February 2022, the Far North District Council received an Instrument of Delegation from the New Zealand Transport Agency authorizing the Council to control parking on the scheduled portions of State Highways in the district.
- On 07 April 2022, Council determined 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.
- On the 19 May 2022 the Parking Bylaw was made under Section 22AB of the Land Transport Act 1998.
- The Waka Kotahi delegation agreement requires Council to consult when amending a bylaw to include the delegations.
- A statement of proposal for an amended Parking Bylaw 2022 including a draft of the amended bylaw, is in Attachment 1.
- The recommended consultation period is between 19 October and 16 November 2022. The dates of oral submissions will be heard dependent upon the incoming Council structure.
- The Strategy and Policy Committee has the necessary delegations to conduct the hearing of submissions.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee:

- a) approves the proposal for an amended Parking Bylaw in Attachment 1 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.**
- b) approves the period for making written submissions on the statement of proposal in Attachment 1 between 12 October to 16 November 2022.**
- c) approves the Strategy and Policy Committee to hear any oral submissions and agrees to delegate, to the Chair, the power to arrange and change the date of the oral presentations of submissions.**
- d) directs Council staff to make all necessary logistical arrangements for oral submissions to be heard in person in the council Chambers or online via Microsoft Teams. The dates of oral submissions will be dependent upon the incoming Council structure.**
- e) authorises the Chief Executive to make minor changes to the proposal for an amended Parking Bylaw to correct grammatical or spelling errors, or formatting**

1) TĀHUHU KŌRERO / BACKGROUND

A Parking Bylaw was made by Council, on 19 May 2022, under section 22AB of the Land Transport Act 1998.

The purpose of this bylaw is to restrict or prohibit parking on roads and prescribe conditions for the use of parking places by:

- (a) limiting the period that vehicles may park on any part of the road:
- (b) limiting the parking of vehicles on some roads to vehicles of a specified class or description,
- (c) regulating any parking-related matters including (but not limited to) charges for the use of parking places, enhancing, or promoting road safety and providing protection for the environment.

Waka Kotahi has delegated the power of control of parking and stationary vehicle offences along four sections of highway to the Far North District Council. To enable the delegations, Council must make a bylaw.

The four sections of highway are

| Description | Road Positions | Approximate locations of delegation extent |
|-------------|---|--|
| Kawakawa | SH01N,198,12535 to SH011,0,1133 | Whitemans Road to Rayner Street |
| Paihia | SH011,14,2892 to SH011,14,1254 | Public toilets opposite Al Fresco's to Puketona Road |
| Kaitaia | SH01N,104,5250 to SH01N,104,8343 | Te Ahu to North Park Drive |
| Kaikohe | Between SH012,10,1062 and SH012,09,276 and SH015,9,1293 | Quarry Road to Orrs Road, and Junction of SH12 and 15 to Cumber Road |

On 19 May 2022, the Council determined that amending the Parking Bylaw 2022 is the most appropriate way of controlling parking on the scheduled portions of State Highways in Kaitaia, Paihia, Kaikohe and Kawakawa, as required by the delegations received from Waka Kotahi.

In addition, staff identified several areas that would benefit from mobility parking in the Far North District and proposes to increase mobility parking spaces. The amended schedule of mobility parking is also included in this proposal.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Form and content of amended bylaw

A draft of the amended bylaw is in the statement of proposal document (Attachment 1).

The bylaw has been drafted under Section 22AB of the Land Transport Act 1998.

The form of a bylaw is about its content and how it is drafted. A bylaw will be appropriate if it:

- deals with the identified problems
- meets the objectives it is intended to achieve
- is certain, e.g. it uses clear wording so people will understand what they are required to do
- is enforceable and able to be implemented and administered effectively and efficiently
- considers the relationship of Māori to land, water, sites, wāhi tapu, valued flora and fauna and other taonga
- complies with all relevant laws and legislation.

The costs and benefits of a bylaw also need to be considered and the form of a bylaw will be appropriate if the benefits outweigh the costs.

Proposed amendments to the Bylaw

To incorporate the state highways into the Parking Bylaw the following application clause needs to be inserted:

"This bylaw applies to all roads that are under the care, control, or management of the Far North District Council. This includes State Highways and sections of State Highways where Waka Kotahi have delegated their power of control to the Far North District Council."

Proposed amendments to the Schedules

The following amendments to the schedules are proposed:

- Including the state highways (and parts of state highways) into the relevant schedules that outline what restriction applies to those state highways/sections of state highways.
- Including a new schedule in the bylaw that outlines what parts of state highways have been delegated to Far North District Council.
- Including new mobility parks into Schedule 2 – Roads, or parts of roads, where parking is restricted to certain types of vehicles, Part B – Vehicles with approved disabled person's parking permit only.

New Zealand Bill of Rights Act 1990 preliminary assessment

Under section 155(3) of the Local Government Act 2002, the content of the new bylaw must be consistent with the New Zealand Bill of Rights Act 1990. Council staff have identified two rights that may be impacted by the new bylaw:

- Right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993 (section 19 of the New Zealand Bill of Rights Act 1990) – the provisions for disabled parking may impact on this right
- Right to be secure against unreasonable search or seizure, whether of the person, property, or correspondence (section 21 of the New Zealand Bill of Rights Act 1990) – the provisions for vehicles to be removed from the road may impact on this right

A full assessment of the impact of the bylaw on these rights cannot be done until the content of the bylaw is finalised. However, based on the content of the draft bylaw, Council staff consider any impact is justified as follows:

- section 19 right – the draft bylaw provisions for specified parking spaces to be used only by people with disabilities are permitted under section 19(2) of the New Zealand Bill of Rights Act 1990 as “measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged”
- section 21 right – the draft bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the draft bylaw) already exist in statutes
- section 21 rights – the bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the bylaw) are in statutes.

Proposal for consultation

The Instrument of delegation states the Council must:

- consult with the Transport Agency and the Commissioner of Police prior to making, amending, replacing, or revoking a bylaw of the kind enabled by this delegation.
- give public notice of the making of (or any amendment to, revocation of, or replacement of) a bylaw of the kind enabled by this delegation by publication in the Gazette.
- notify the Transport Agency within 3 days after a bylaw of the kind enabled by this delegation is made, or amended, revoked, or replaced and at the same time provide a copy of the bylaw, the amendment, or the replacement.

Section 83 of the Local Government Act 2002 sets out the requirements for information to be made available for consultation. Those requirements are to provide:

- the statement of proposal and the reasons for the proposal
- an analysis of the reasonably practicable options
- a draft of the proposed bylaw

Council staff have prepared a proposal document that meets the requirements of section 83. The statement of proposal document is in Attachment 1.

Consultation process

Section 83 of the Local Government Act 2002 stipulates a minimum length of one month for consultation. Therefore, Council staff recommend consultation to open between Wednesday 12 October and Wednesday 16 November 2022.

Council staff recommend people be encouraged to present their views primarily by making comments or submissions via the Council's website. A submission form will be provided for download on the website for people to print and use to make written submissions either by post or delivery to Council offices. A small number of printed copies of the proposal document and submission form will be made available at Council offices for people to use if they are not able to print the documents themselves. A link to the webpage for making submissions will be emailed to the Council's "subscribers" database and publicised on the Council's social media pages.

The proposed amended bylaw is likely to be of some interest to the public and Council staff expect some people will want to present their submissions orally to elected members. The Committee has delegated authority to hear submissions made during consultation on a bylaw. As the current local government triennium is coming to an end, it is not possible to set a date for the oral submission now. Staff therefore recommend the Committee delegate, to the Chair, the power to arrange and change the date of the oral presentations of submissions. The date to hear oral submissions can then align with the new triennium meeting calendar.

Take Tūtohunga / Reason for the recommendation

On 07 April 2022, Council determined that the Parking Bylaw be amended to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi.

The Local Government Act 2002 requires that Council consult when amending a bylaw.

A statement of proposal for an amended Parking Bylaw, including a draft of the amended bylaw, is in Attachment 1.

The recommended consultation period is for four weeks from 12 October and 16 November and the dates of oral submissions will be heard dependent on incoming council structure.

The Strategy and Policy Committee has the necessary delegations to conduct the hearing of submissions.

Next steps

If the Committee approves the recommendation, staff aim to present an analysis of submissions and a proposed final version of the amended Bylaw to the Strategy and Policy Committee first quarter 2023.

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

The cost of consultation to amend the Parking Bylaw will be met from within existing budgets.

ĀPITIHINGA / ATTACHMENTS

1. Statement of Proposal Parking Bylaw Amendment August 2022 - A3834965  

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 | In line with the Significance and Engagement Policy the recommendation to continue the bylaw with amendment will have little effect on financial thresholds, ratepayers, specific demographics or levels of service. The recommendation is consistent with existing plans and policies and we already consulted on the original bylaw. Therefore, the level of significance is low. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Section 22AB of the Land Transport Act 1998, Section 61(1) of the Government Rounding Powers Act 1989, Section 22AB(1)(m) to (o) (inclusive) of the Land Transport Act 1998, and Section 156 of the Local Government Act applies to the decision recommended in 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. | Parking has District wide relevance. The Community Board's views have already been sought via a Community Board Workshop in June. |
| 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. | Seeking the views and input of iwi in the development of bylaws is integral. Māori will be given an opportunity to contribute during the consultation stage of the bylaw development process. |
| 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). | Persons with disabilities and the elderly are most likely to be affected by mobility parking which improves their accessibility to businesses and services. The increase in mobility parking will greatly impact on these groups. Affected and interested parties will be given an opportunity to share their views and preferences during the consultation phase including; |

| | |
|--|--|
| | <ul style="list-style-type: none">• Community Boards• The Disability Advisory Group |
| State the financial implications and where budgetary provisions have been made to support this decision. | The costs of the consultation on the proposal to amend the Parking Bylaw will be met from within existing budgets. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |

Parking Bylaw 2022 Amendment Statement of Proposal

1 Context and situation

A Parking Bylaw was made in Council, on 19 May 2022, under section 22AB of the Land Transport Act 1998.

The purpose of this bylaw is to restrict or prohibit parking on roads and prescribe conditions for the use of parking places by:

- (a) limiting the period of time that vehicles may park on any part of the road;
- (b) limiting the parking of vehicles on some roads to vehicles of a specified class or description,
- (c) regulating any parking-related matters including (but not limited to) charges for the use of parking places, enhancing or promoting road safety and providing protection for the environment.

Waka Kotahi has delegated the power of control of parking and stationary vehicle offences along four sections of highway to the Far North District Council. To enable the delegations, Council must make a bylaw.

The four sections of highway are

| Description | Road Positions | Approximate locations of delegation extent |
|-------------|---|--|
| Kawakawa | SH01N,198,12535 to SH011,0,1133 | Whitemans Road to Rayner Street |
| Paihia | SH011,14,2892 to SH011,14,1254 | Public toilets opposite Al Fresco's to Puketona Road |
| Kaitaia | SH01N,104,5250 to SH01N,104,8343 | Te Ahu to North Park Drive |
| Kaikohe | Between SH012,10,1062 and SH012,09,276 and SH015,9,1293 | Quarry Road to Orrs Road, and Junction of SH12 and 15 to Cumber Road |

On 19 May 2022, the Council determined that amending the Parking Bylaw 2022 is the most appropriate way of controlling parking on the scheduled portions of State Highways in Kaitaia, Paihia, Kaikohe and Kawakawa, as required by the delegations received from Waka Kotahi.

In addition, staff identified several areas that would benefit from mobility parking in the Far North District and proposes to increase mobility parking spaces. The amended schedule of mobility parking is also included in this proposal.

2 The proposal

The Far North District Council proposes to make an amendment to the Parking Bylaw 2022 to include the Waka Kotahi delegations along state highways in Kaitaia, Paihia, Kaikohe, and Kawakawa and to increase mobility parking in the Far North District.

3 Reasons for the proposal

Amending the Parking Bylaw 2022 is the most appropriate way of addressing the four new state highway delegations in Kaitaia, Paihia, Kaikohe, and Kawakawa for the following reasons:

- include the four highway delegations to the existing bylaw

- adhere to all Waka Kotahi regulations for the delegated highways
- regulate parking and stationary vehicles on delegated state highways
- have one bylaw to cover parking and stationary vehicles rather than two, streamlining bylaw review and having one source of information for ease of access and understanding.
- extra resources.
- Without a bylaw, Council is not able to enforce parking along these sections of state highway.

4 Analysis of the reasonably practicable options

On 19 May 2022, Council considered three options with regards to how to enable to the State Highway delegations. The advantages and disadvantages of the options are summarised in the following table.

| Option | Advantages | Disadvantages |
|--|--|--|
| Option 1: Status Quo / Do Nothing Do not amend the existing bylaw Regulation of parking and stationary vehicles on state highways will not be able to occur. | No change management process required. No implementation costs required. | No ability to regulate parking and stationary vehicles on state highways. Competition for the use of space in central business districts between private motor vehicles and other transport modes continues to occur. Congestion on the limited number of routes into and through central business districts continues to occur. |
| Option 2: Amend the Parking Bylaw (recommended option) The Parking Bylaw is amended to include state highways. | New highway delegations are included in the parking bylaw. Adheres to the Waka Kotahi regulations for the delegated highways. Ability to regulate parking and stationary vehicles on delegated state highways. | No disadvantages identified. |
| Option 3: Create a separate bylaw for the highway delegations | New highway delegations are included in a new parking bylaw. Adheres to the Waka Kotahi regulations for the delegated highways. Ability to regulate parking and stationary vehicles on delegated state highways. | New bylaw for new highway delegations is separate to other parking. Separation of bylaws can be confusing and difficult for public to access and follow. Adds a new parking bylaw for council to review as well as current bylaw. |

Council determined that Option 2: Amend the Bylaw was the most appropriate option.

5 New Zealand Bill of Rights Act 1990 implications

Under section 155(3) of the Local Government Act 2002, the content of the new bylaw must be consistent with the New Zealand Bill of Rights Act 1990. Council staff have identified two rights that may be impacted by the new bylaw:

- Right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993 (section 19 of the New Zealand Bill of Rights Act 1990) – the provisions for disabled parking may impact on this right
- Right to be secure against unreasonable search or seizure, whether of the person, property, or correspondence (section 21 of the New Zealand Bill of Rights Act 1990) – the provisions for vehicles to be removed from the road may impact on this right

A full assessment of the impact of the bylaw on these rights cannot be done until the content of the bylaw is finalised. However, based on the content of the draft bylaw, Council staff consider any impact is justified as follows:

- section 19 right – the draft bylaw provisions for specified parking spaces to be used only by people with disabilities are permitted under section 19(2) of the New Zealand Bill of Rights Act 1990 as “measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged”
- section 21 right – the draft bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the draft bylaw) already exist in statutes
- section 21 rights – the bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the bylaw) are in statutes.

6 How to give your views on the proposal

The Council encourages any person or organisation affected by, or having an interest in, the Parking Bylaw to present their views on the proposal to the Council by making a submission. Submissions can be made by using any of the following methods:

- online at the Council's website www.fndc.govt.nz/have-your-say
- email your submission to submissions@fndc.govt.nz
- drop-off your submission at any Council service centre or library, details of their locations and opening times are listed at www.fndc.govt.nz/contact or you can get that information by phoning the Council on 0800 920 029
- post your submission to: Strategy Development Team, Far North District Council, Private Bag 752, Kaikohe 0440
- make an oral presentation of your submission at a meeting of the Council's Strategy and Policy Committee

Please include your full name and email address or postal address in your submission if you want:

- the Council to acknowledge receipt of your submission
- to make an oral presentation – you will be contacted about when and where the meetings for this are taking place.

Privacy statement

Please be aware, any submissions that are made on the amended Parking Bylaw become part of the public consultation process. As such, all submissions, any summaries of submissions, and any documents provided with your submission, are copied and made available to the Council's governing body as well as the public. Any personal information included with a submission such as your name is treated as part of the submission and will also be released publicly. Your submission and any personal information that you supply such as your name will not be treated as confidential unless you specifically request it in your submission.

6 Amendments to the Parking Bylaw

Replace Clause 4 Application

4 Application

~~This bylaw applies to roads within the Far North District that are under the control of the Far North District Council.~~

~~Related information~~

~~This bylaw does not apply to roads in the district that are state highways. State highways are regulated by Waka Kotahi (New Zealand Transport Agency).~~

To be replaced with:

4 Application

This bylaw applies to all roads that are under the care, control or management of the Far North District Council. This includes State Highways and sections of State Highways where Waka Kotahi have delegated their power of control to the Far North District Council

Make an amendment to Clause 21 Schedules

To add in a new subclause (7) which states:

(7) Schedule 6 lists the roads or parts of roads, where Waka Kotahi has delegated to council the power of control of parking and stationary vehicle offences.

Schedule 6 will include the following:

Schedule 6 – Roads, or parts of roads, where Waka Kotahi has delegated to council the power of control of parking and stationary vehicle offences.

| Description | Road Positions | Approximate locations of delegation extent |
|-------------|---|--|
| Kawakawa | SH01N,198,12535 to SH011,0,1133 | Whitemans Road to Rayner Street |
| Paihia | SH011,14,2892 to SH011,14,1254 | Public toilets opposite Al Fresco's to Puketona Road |
| Kaitaia | SH01N,104,5250 to SH01N,104,8343 | Te Ahu to North Park Drive |
| Kaikohe | Between SH012,10,1062 and SH012,09,276 and SH015,9,1293 | Quarry Road to Orrs Road, and Junction of SH12 and 15 to Cumber Road |

Make an amendment to Schedules 1 to 4

To include the parking restrictions on state highways or parts of state highways that Waka Kotahi has delegated to council as outlined in the tables below.

Schedule 1 – Roads or parts of roads, where stopping, standing, or parking a vehicle is prohibited as per clause 7 of the Parking Bylaw 2022

Roads or parts of roads, where stopping, standing, or parking a vehicle is prohibited at all times

| Road Name | Community | Side of Road | GPS Start | GPS End | Length (meters) |
|------------------|-----------|--------------|------------------------|------------------------|-----------------|
| Broadway (SH 12) | Kaikohe | Right | -35.404433, 173.806036 | -35.404662, 173.805603 | 46.8 |
| Broadway (SH 12) | Kaikohe | Left | -35.404524, 173.806107 | -35.404753, 173.805675 | 46.8 |
| Broadway (SH 12) | Kaikohe | Right | -35.405317, 173.804351 | -35.405468, 173.804047 | 32.3 |
| Broadway (SH 12) | Kaikohe | Left | -35.405357, 173.804525 | -35.40559, 173.80406 | 49.5 |
| Broadway (SH 12) | Kaikohe | Left | -35.405628, 173.803985 | -35.405676, 173.803891 | 10.1 |
| Broadway (SH 12) | Kaikohe | Right | -35.405696, 173.803604 | -35.405734, 173.803528 | 8.1 |
| Broadway (SH 12) | Kaikohe | Right | -35.405802, 173.803344 | -35.405841, 173.803268 | 8.1 |

| | | | | | |
|-----------------------|---------|-------|------------------------|------------------------|------|
| Broadway (SH 12) | Kaikohe | Left | -35.405812, 173.803627 | -35.405957, 173.803344 | 30.3 |
| Broadway (SH 12) | Kaikohe | Left | -35.40607, 173.803173 | -35.406151, 173.803011 | 17.2 |
| Broadway (SH 12) | Kaikohe | Right | -35.406178, 173.802599 | -35.406236, 173.802482 | 12.4 |
| Broadway (SH 12) | Kaikohe | Right | -35.406178, 173.802599 | -35.406236, 173.802482 | 12.4 |
| Broadway (SH 12) | Kaikohe | Right | -35.406223, 173.802509 | -35.406241, 173.802473 | 3.8 |
| Broadway (SH 12) | Kaikohe | Left | -35.406241, 173.802831 | -35.406268, 173.802777 | 5.7 |
| Broadway (SH 12) | Kaikohe | Right | -35.406294, 173.802365 | -35.406339, 173.802275 | 9.6 |
| Broadway (SH 12) | Kaikohe | Left | -35.406353, 173.802606 | -35.406371, 173.80257 | 3.8 |
| Broadway (SH 12) | Kaikohe | Right | -35.406402, 173.802148 | -35.406457, 173.802035 | 11.9 |
| Broadway (SH 12) | Kaikohe | Right | -35.406457, 173.802035 | -35.406493, 173.801959 | 7.9 |
| Broadway (SH 12) | Kaikohe | Right | -35.406502, 173.801941 | -35.406543, 173.801856 | 8.9 |
| Broadway (SH 12) | Kaikohe | Left | -35.406816, 173.801659 | -35.406834, 173.801622 | 4.0 |
| Broadway (SH 12) | Kaikohe | Left | -35.407014, 173.801249 | -35.407087, 173.801111 | 14.9 |
| Broadway (SH 12) | Kaikohe | Right | -35.408405, 173.798274 | -35.408494, 173.798106 | 18.2 |
| Broadway (SH 12) | Kaikohe | Left | -35.408516, 173.798349 | -35.408566, 173.798255 | 10.1 |
| Broadway (SH 12) | Kaikohe | Right | -35.408524, 173.79805 | -35.408543, 173.798012 | 4.0 |
| Broadway (SH 12) | Kaikohe | Right | -35.408647, 173.797816 | -35.408667, 173.797778 | 4.0 |
| Broadway (SH 12) | Kaikohe | Left | -35.408704, 173.797993 | -35.408739, 173.797928 | 7.1 |
| Broadway (SH 12) | Kaikohe | Right | -35.408756, 173.79761 | -35.408805, 173.797517 | 10.1 |
| Broadway (SH 12) | Kaikohe | Left | -35.408862, 173.797694 | -35.408911, 173.7976 | 10.1 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.406, 173.803289 | -35.406217, 173.803424 | 26.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.406049, 173.803172 | -35.406217, 173.803424 | 30.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.407097, 173.803956 | -35.406298, 173.803327 | 78.8 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.407225, 173.803885 | -35.407735, 173.804338 | 78.8 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.407912, 173.804297 | -35.407863, 173.804268 | 18.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.408968, 173.805085 | -35.408057, 173.804384 | 8.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.409032, 173.804976 | -35.409033, 173.805124 | 71.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.409121, 173.805178 | -35.409613, 173.805328 | 79.8 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.409202, 173.805226 | -35.409767, 173.805567 | 2.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.40925, 173.805108 | -35.409218, 173.805236 | 2.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.409717, 173.805391 | -35.409266, 173.805118 | 3.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.41087, 173.806216 | -35.409741, 173.805405 | 44.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.410941, 173.806111 | -35.411234, 173.806431 | 36.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.410949, 173.806116 | -35.411241, 173.806288 | 36.9 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.411032, 173.806312 | -35.411249, 173.806293 | 2.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.411079, 173.806193 | -35.411048, 173.806321 | 2.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.411571, 173.806483 | -35.411095, 173.806202 | 12.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.411778, 173.806594 | -35.41167, 173.806536 | 7.0 |
| Mangakahia Rd (SH 15) | Kaikohe | Right | -35.414856, 173.807905 | -35.411835, 173.806625 | 80.8 |
| Mangakahia Rd (SH 15) | Kaikohe | Left | -35.414914, 173.808061 | -35.415559, 173.808141 | 43.9 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.103087, 173.25919 | -35.103458, 173.259641 | 79.6 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.103502, 173.259216 | -35.10357, 173.259625 | 38.0 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.109559, 173.262276 | -35.109732, 173.262451 | 24.9 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.109682, 173.262216 | -35.109793, 173.262327 | 15.9 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.109808, 173.262528 | -35.109926, 173.262646 | 16.9 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.109883, 173.262418 | -35.110167, 173.262703 | 40.8 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.111297, 173.264038 | -35.111386, 173.26413 | 12.9 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.111368, 173.263938 | -35.111456, 173.26403 | 12.9 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.111475, 173.264222 | -35.111578, 173.264329 | 15.0 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.111545, 173.264122 | -35.111648, 173.264228 | 15.0 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.112305, 173.264987 | -35.112714, 173.265263 | 51.8 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.113234, 173.265613 | -35.113313, 173.265664 | 10.0 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.113284, 173.265497 | -35.113364, 173.265548 | 10.0 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.113382, 173.265712 | -35.113602, 173.26587 | 28.4 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.113437, 173.265598 | -35.113657, 173.265757 | 28.4 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.113547, 173.26583 | -35.113641, 173.265898 | 12.2 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.113602, 173.265717 | -35.113696, 173.265785 | 12.2 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.113649, 173.265904 | -35.113751, 173.265978 | 13.2 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.113649, 173.265904 | -35.113751, 173.265978 | 13.2 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.115793, 173.267282 | -35.115858, 173.26736 | 10.1 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.115858, 173.26736 | -35.115904, 173.267415 | 7.1 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.115869, 173.267188 | -35.115934, 173.267266 | 10.1 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.115904, 173.267415 | -35.115988, 173.267516 | 13.2 |

| | | | | | |
|---------------------|----------|-------|------------------------|------------------------|-------|
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.115934, 173.267266 | -35.11598, 173.267321 | 7.1 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.11598, 173.267321 | -35.116064, 173.267422 | 13.2 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.116262, 173.267842 | -35.117011, 173.267883 | 91.5 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.116325, 173.267735 | -35.117257, 173.267567 | 115.7 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.116685, 173.268038 | -35.116862, 173.267978 | 20.5 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.116916, 173.267945 | -35.117013, 173.267881 | 12.2 |
| SH 1 (Matthews Ave) | Kaitaia | Right | -35.116961, 173.267766 | -35.116993, 173.267745 | 4.1 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.117013, 173.267881 | -35.117045, 173.26786 | 4.1 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.117045, 173.26786 | -35.117117, 173.267812 | 9.1 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.117045, 173.26786 | -35.117345, 173.267669 | 38.2 |
| SH 1 (Matthews Ave) | Kaitaia | Left | -35.117261, 173.267714 | -35.117345, 173.267669 | 10.8 |
| SH 1 (North Rd) | Kaitaia | Right | -35.099345, 173.259556 | -35.099311, 173.259792 | 44.8 |
| SH 1 (North Rd) | Kaitaia | Left | -35.099415, 173.259515 | -35.09917, 173.259824 | 62.4 |
| SH 1 (North Rd) | Kaitaia | Left | -35.099469, 173.259772 | -35.100728, 173.259518 | 12.8 |
| SH 1 (North Rd) | Kaitaia | Left | -35.099492, 173.259679 | -35.100905, 173.259628 | 12.7 |
| SH 1 (North Rd) | Kaitaia | Right | -35.100792, 173.25965 | -35.100642, 173.25968 | 16.9 |
| SH 1 (North Rd) | Kaitaia | Left | -35.100983, 173.259618 | -35.10106, 173.259603 | 8.7 |
| SH 11 Marsden Rd | Paihia | Right | -35.277649, 174.083443 | -35.277482, 174.083029 | 41.9 |
| SH 11 Marsden Rd | Paihia | Left | -35.278235, 174.08478 | -35.277555, 174.082986 | 179.8 |
| SH 11 Marsden Rd | Paihia | Left | -35.278305, 174.08497 | -35.278279, 174.0849 | 7.0 |
| SH 11 Marsden Rd | Paihia | Right | -35.278387, 174.08543 | -35.278313, 174.08523 | 19.9 |
| SH 11 Marsden Rd | Paihia | Right | -35.278831, 174.08617 | -35.278502, 174.085739 | 105.4 |
| SH 11 Marsden Rd | Paihia | Left | -35.278832, 174.086387 | -35.278364, 174.08513 | 125.6 |
| SH 11 Marsden Rd | Paihia | Left | -35.27988, 174.089842 | -35.278862, 174.086467 | 390.9 |
| SH 11 Marsden Rd | Paihia | Left | -35.281328, 174.091873 | -35.27996, 174.089951 | 231.4 |
| SH 11 Marsden Rd | Paihia | Right | -35.281411, 174.092146 | -35.278839, 174.087706 | 553.6 |
| SH 11 Marsden Rd | Paihia | Left | -35.281473, 174.092082 | -35.281357, 174.091915 | 19.9 |
| State Highway 1 | Kawakawa | Right | -35.378977, 174.064144 | -35.379246, 174.064298 | 33.0 |
| State Highway 1 | Kawakawa | Right | -35.379344, 174.064354 | -35.379675, 174.064572 | 41.8 |
| State Highway 1 | Kawakawa | Left | -35.379859, 174.065503 | -35.379871, 174.065591 | 8.1 |
| State Highway 1 | Kawakawa | Right | -35.379955, 174.068713 | -35.38032, 174.069572 | 88.0 |
| State Highway 1 | Kawakawa | Left | -35.380257, 174.069726 | -35.380278, 174.069786 | 6.0 |

**Schedule 2 – Roads, or parts of roads, where parking is restricted to certain types of vehicles,
Part B – Mobility (Disabled) Parking**

Roads or parts of roads, where stopping, standing, or parking a vehicle is prohibited, at all times, except for vehicles displaying an approved disabled person's parking permit

| Road Name | Community | Side of Road | GPS Start | GPS End | Length (meters) |
|------------------|-----------|--------------|------------------------|------------------------|-----------------|
| Broadway (SH 12) | Kaikohe | Right | -35.40607, 173.802814 | -35.406101, 173.802751 | 6.7 |
| Broadway (SH 12) | Kaikohe | Left | -35.406281, 173.80275 | -35.406295, 173.802723 | 2.9 |
| Broadway (SH 12) | Kaikohe | Left | -35.406939, 173.801405 | -35.406957, 173.801368 | 4.0 |
| Broadway (SH 12) | Kaikohe | Left | -35.408674, 173.798049 | -35.408704, 173.797993 | 6.1 |

Schedule 3 - Roads, or parts of roads, where parking is restricted as per clauses 9,10, and 11 of the Parking Bylaw 2022

Part B - Places where the time limit is more than 30 minutes.

Roads or parts of roads, where stopping, standing, or parking a vehicle is restricted, at all times, to no more than the time period specified (more than P30)

| Road Name | Community | Side of Road | Time Limit (minutes) | GPS Start | GPS End | Length (meters) |
|------------------|-----------|--------------|----------------------|------------------------|------------------------|-----------------|
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.405151, 173.804683 | -35.405317, 173.804351 | 35.3 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.405218, 173.804799 | -35.405357, 173.804525 | 29.3 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.405469, 173.804047 | -35.405696, 173.803604 | 47.5 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.405589, 173.80406 | -35.405628, 173.803985 | 8.1 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.405676, 173.803891 | -35.405812, 173.803627 | 28.3 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.405734, 173.803528 | -35.405821, 173.803358 | 18.2 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.405851, 173.80325 | -35.405904, 173.803146 | 11.1 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.405903, 173.803147 | -35.40607, 173.802814 | 35.4 |

| | | | | | | |
|------------------|---------|-------|-----|------------------------|------------------------|------|
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.406101, 173.802751 | -35.406178, 173.802599 | 16.3 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406151, 173.803011 | -35.406241, 173.802831 | 19.1 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.406236, 173.802482 | -35.406294, 173.802365 | 12.4 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406245, 173.802822 | -35.406281, 173.80275 | 7.7 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406295, 173.802723 | -35.406349, 173.802615 | 11.5 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406372, 173.80257 | -35.406584, 173.80214 | 45.6 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406584, 173.802139 | -35.406816, 173.801659 | 50.6 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406834, 173.801622 | -35.406939, 173.801405 | 22.8 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.406957, 173.801368 | -35.407016, 173.801246 | 12.9 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.408494, 173.798106 | -35.408524, 173.79805 | 6.1 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.408543, 173.798012 | -35.408647, 173.797816 | 21.2 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.408566, 173.798255 | -35.408635, 173.798124 | 14.2 |
| Broadway (SH 12) | Kaikohe | Right | 60 | -35.408667, 173.797778 | -35.408766, 173.797591 | 20.2 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.408739, 173.797928 | -35.408862, 173.797694 | 25.3 |
| Broadway (SH 12) | Kaikohe | Left | 60 | -35.408911, 173.7976 | -35.409198, 173.797057 | 58.6 |
| SH 11 Marsden Rd | Paihia | Right | 240 | -35.27801, 174.08441 | -35.277648, 174.083442 | 96.8 |
| SH 11 Marsden Rd | Paihia | Right | 240 | -35.278205, 174.084941 | -35.27801, 174.08441 | 52.9 |
| SH 11 Marsden Rd | Paihia | Right | 240 | -35.278324, 174.08526 | -35.278205, 174.084941 | 31.9 |
| SH 11 Marsden Rd | Paihia | Left | 10 | -35.278364, 174.08513 | -35.278305, 174.08497 | 15.9 |
| SH 11 Marsden Rd | Paihia | Right | 240 | -35.278502, 174.085739 | -35.278387, 174.08543 | 30.9 |
| SH 11 Marsden Rd | Paihia | Right | 240 | -35.278839, 174.087704 | -35.278831, 174.086812 | 81.1 |

Staff identified proposed changes to mobility parking in the Far North

| Location | Township | Comments |
|--|----------|--|
| Broadway (SH 12) at Post Office | Kaikohe | New parallel bay |
| Broadway (SH 12) outside Hire Shop | Kaikohe | Create new angled bay with clearance zone |
| Broadway (SH 12) outside Thai Takeaway | Kaikohe | Remove mobility parking |
| *New* Memorial Ave near WINZ | Kaikohe | Create new parallel bay |
| Clendon Esplanade outside Foursquare | Rawene | Create new angled bay with clearance zone |
| Kohukohu Road outside Post Office | Kohukohu | Create new angled bay with clearance zone |
| Kohukohu Road at intersection with Rakautapu Rd. | Kohukohu | Create new parallel bay |
| Gillies Street at Post Office | Kawakawa | Create new perpendicular bay with clearance zone |
| Williams Road near Post Office | Paihia | Create new parallel bay |
| Fairway Drive serving Community Fitness | Kerikeri | Create new parallel bay |
| Melba Street at Remembrance Park | Kaitaia | Create two new parallel bays |
| Melba Street at Shackleton's Pharmacy | Kaitaia | Relocate existing parallel bay |
| Commerce Street at Old PaknSave | Kaitaia | Removal of mobility car park |
| Commerce Street at Post Office | Kaitaia | Create new parallel bay |
| Commerce Street at Bank Street | Kaitaia | Create new parallel bay |

5.4 MARITIME FACILITIES BYLAW - APPROVAL OF DRAFT FOR PUBLIC CONSULTATION

File Number: A3834950

Author: Dan Bowmar, Policy Advisor

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

To obtain approval for the new proposed Maritime Facilities Bylaw to be released for public consultation.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- On 07 April 2022, following review of Maritime Facilities Bylaw 2002 and Mooring Charges Bylaw 2002, the Council approved the development of a new Maritime Facilities Bylaw, under section 145 and 146 of the Local Government Act 2002.
- The Local Government Act 2002 requires that Council consult when making a bylaw.
- A proposal for a new Maritime Facilities Bylaw 2022 including a draft of the bylaw, is in Attachment 1.
- The recommended consultation period is between 12 October and 16 November 2022. The dates of oral submissions will be heard dependent upon the incoming Council structure.
- The Strategy and Policy Committee has the necessary delegations to conduct the hearing of submissions.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee:

- a) approves the proposal for a new Maritime Facilities Bylaw in Attachment 1 to be released for public consultation to meet the requirements of section 156 of the Local Government Act 2002.
- b) approves the period for making written submissions on the proposal in Attachment 1 between 12 October to 16 November 2022.
- c) approves to hear any oral submissions and agrees to delegate, to the Chair, the power to arrange and change the date of the oral presentations of submissions.
- d) directs Council staff to make all necessary logistical arrangements for people to be heard in person in the council Chambers or online via Microsoft Teams. The dates of oral submissions will be dependent upon the incoming Council structure.
- e) authorises the Chief Executive to make minor changes to the proposal for a new Parking Bylaw to correct grammatical or spelling errors, or formatting.

1) TĀHUHU KŌRERO / BACKGROUND

The Maritime Facilities Bylaw and the Mooring Charges Bylaw were made in Council on 2 August 2002.

Council Staff engaged Alan and Clarke to undertake a review of the two bylaws. As a result of the review, Council on 7 April 2022 determined to develop a new Maritime Facilities Bylaw pursuant to section 145 and 146 of the Local Government Act 2002.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Form and content of new bylaw

A draft of the proposed new bylaw is in the statement of proposal document (Attachment 1).

The bylaw has been drafted under section 145 and 146 of the Local Government Act 2002.

The form of a bylaw is about its content and how it is drafted. A bylaw will be appropriate if it:

- deals with the identified problems
- meets the objectives it is intended to achieve
- is certain, e.g. it uses clear wording so people will understand what they are required to do
- is enforceable and able to be implemented and administered effectively and efficiently
- considers the relationship of Māori to land, water, sites, wāhi tapu, valued flora and fauna and other taonga
- complies with all relevant laws and legislation.

The costs and benefits of a bylaw also need to be considered and the form of a bylaw will be appropriate if the benefits outweigh the costs.

Key points of the new Bylaw

The proposed new Maritime Facilities Bylaw:

- keeps the general intent of the previous maritime related bylaws in that it provides for protection from damage to the facilities and allows for Council to collect fees and charges.
- enables Council to restrict specified maritime facilities to recreational use protecting council's assets from damage by ensuring the maritime facility is suitable for its intended purpose based on their design, construction, and maintenance standard.
- enables users of maritime facilities to use the facilities safely, free from nuisance and offensive behaviour.

The Bylaw has been drafted according to best practice standard.

New Zealand Bill of Rights Act 1990 preliminary assessment

Part 2 of the New Zealand Bill of Rights Act 1990 sets out twenty rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society. Section 155(2)(b) of the Local Government Act 2002 requires the Council to determine if the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990. The Council will fully assess these implications before it makes the Maritime Facilities Bylaw.

A preliminary assessment has identified that Section 18: Freedom of Movement, may be impacted by the new bylaw in that the Council may limit access to maritime facilities according to commercial or recreational use and to ensure health and safety.

The purpose of the bylaw is to impose reasonable limitations on behaviour and access to maritime facilities to enhance the safety of the community and minimise the incidence of public disturbance. The provisions in the Proposed Maritime Facilities Bylaw are justified because they only limit the rights of individuals to the extent it is reasonable to do so, for other people's rights and freedoms to be maintained.

Therefore, any limitations on the right to freedom of movement are likely to be justified in accordance with the New Zealand Bill of Rights Act 1990.

A full assessment of the impact of the bylaw on these rights cannot be done until the content of the bylaw is finalised.

Proposal for consultation

The new Maritime Facilities Bylaw will be made under section 145 and 146 of the Local Government Act 2002. Under section 156 of the Local Government Act 2002 Council must consult using either the special consultative procedure or the requirements in section 82 of the Local Government Act.

Under the Council's Significance and Engagement Policy, the new bylaw does not meet the threshold for requiring the special consultative procedure as the new bylaw:

- does not involve the transfer of a strategic asset
- will not incur unbudgeted financial impacts
- will not have a significant impact on Māori, the public, or level of service as the new bylaw will have the same effect as the current bylaw.

Therefore, consultation needs to comply with section 82 of the Local Government Act 2002.

Section 82A of the Local Government Act 2002 sets out the requirements for information to be made available for consultation. Those requirements are to provide:

- the proposal and the reasons for the proposal
- an analysis of the reasonably practicable options, including the proposal
- a draft of the proposed bylaw

Council staff have prepared a proposal document that meets the requirements of section 82A. The proposal document is in Attachment 1.

Consultation process

Section 82 of the Local Government Act 2002 does not stipulate a minimum length of time for consultation but requires the Council, to give people “a reasonable opportunity” to present their views on the proposed bylaw. A consultation period of at least four weeks is considered best practice. Therefore, Council staff recommend consultation to open on 12 October 2022 and close on 16 November 2022 which is a period of five weeks.

Council staff recommend people be encouraged to present their views primarily by making comments or submissions via the Council's website. A submission form will be provided for download on the website for people to print and use to make written submissions either by post or delivery to Council offices. A small number of printed copies of the proposal document and submission form will be made available at Council offices for people to use if they are not able to print the documents themselves. A link to the webpage for making submissions will be emailed to the Council's “subscribers” database and publicised on the Council's social media pages.

The proposed new bylaw is likely to be of interest to the public and Council staff expect that there will be the request to present their submissions orally to elected members. The Committee has delegated authority to hear submissions made during consultation on a bylaw. As the current local government triennium is coming to an end, it is not possible to set a date for the oral submissions now.

Staff therefore recommend the Committee delegate, to the Chair, the power to arrange and change the date of the oral presentations of submissions. The date to hear oral submissions can then align with the new triennium meeting calendar.

Take Tūhunga / Reason for the recommendation

The Local Government Act 2002 requires that Council consult when making a bylaw. A proposal for a new Maritime Facilities Bylaw, including a draft of the Bylaw, is in Attachment 1. The recommended consultation period is for four weeks from 12 October and 16 November and the dates of oral submissions will be heard dependent on incoming council structure. The Strategy and Policy Committee has the necessary delegations to conduct the hearing of submissions.

Next steps

If the Committee approves the recommendation, staff aim to present an analysis of submissions and a proposed final version of the Bylaw to the Strategy and Policy Committee first quarter 2023.

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

The cost of consultation to make the bylaw will be met from within existing budgets.

ĀPITI HANGA / ATTACHMENTS

1. Proposal Maritime Facilities Bylaw 2022 - A3846822

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, during 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, consider 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 | In line with the Significance and Engagement Policy the recommendation to continue the bylaw with amendment will have little effect on financial thresholds, ratepayers, specific demographics or levels of service. The recommendation is consistent with existing plans and policies. Therefore, the level of significance is low. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Sections 82, 145, 146, and 156 of the Local Government Act 2002 apply to the decision recommended in 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. | Maritime facilities have District wide relevance. It is not within the delegations of the Community Boards. As the recommendation is to develop a district wide bylaw, the community Boards views have not been sought. |
| 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. | Seeking the views and input of iwi in the development of bylaws is integral. Māori will be given an opportunity to contribute during the consultation stage of the bylaw development process. |
| 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). | Affected and interested parties will be given an opportunity to share their views and preferences during the consultation phase. This includes: <ul style="list-style-type: none"> • Users of Maritime Facilities • Neighbouring Property Owners • Community groups concerned with Maritime Facilities |

| | |
|--|--|
| | <ul style="list-style-type: none">• Far North Holdings• Northland Regional Council |
| State the financial implications and where budgetary provisions have been made to support this decision. | The costs of the consultation on the proposal to amend the Maritime Facilities Bylaw will be met from within existing budgets. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |

Maritime Facilities Bylaw 2002 Proposal

1 Context and Situation

The Maritime Facilities Bylaw and the Mooring Charges Bylaw were made in Council on 02 August 2002.

As a result of a review of the two bylaws, Council determined to develop a new Maritime Facilities Bylaw, under section 145 and 146 of the Local Government Act 2002 on 07 April 2022.

2 The proposal

The Council proposes to make a new Maritimes Facilities Bylaw under section 145 and 146 of the Local Government Act 2002 to protect public health and prevent nuisance by regulating the use of maritime facilities under the control, management, or ownership of the Far North District Council or Far North Holdings Limited, to ensure the public can utilise these spaces safely, free from nuisances and offensive behaviour, and where applicable impose charges for the use of said maritime facilities.

3 Reasons for the proposal

The proposed new Maritime Facilities Bylaw:

- keeps the general intent of the previous maritime related bylaws in that it provides for protection from damage to the facilities and allows for Council to collect fees and charges.
- enables Council to restrict specified maritime facilities to recreational use protecting council's assets from damage by ensuring the maritime facility is suitable for its intended purpose based on their design, construction, and maintenance standard.
- enables users of maritime facilities to use the facilities safely, free from nuisance and offensive behaviour.

4 Analysis of the reasonably practicable options

On 22 March 2022, Council considered four options with regards to addressing the perceived problems regarding maritime facilities. The advantages and disadvantages of the options are summarised in the following table.

| Options | Advantages | Disadvantages |
|--|--|---------------|
| Option One: Make a new Maritime Facilities Bylaw (recommended option) | Bylaw will align with relevant laws and legislation. | None. |
| A new bylaw is developed | Bylaw will allow for easier enforcement of provisions. | |

| | | |
|--|---|---|
| <p>which amalgamates both the Maritime Facilities Bylaw and Mooring Charges Bylaw into a single Maritime Facilities Bylaw made under the Local Government Act 2002.</p> <p>The new Maritime Facilities Bylaw should include:</p> <ul style="list-style-type: none"> - a sliding scale fees system for both commercial and recreational users - the establishment of pre-specified commercial and recreations maritime facilities (zones). <p>Further engagement is required to draft the most appropriate form of bylaw.</p> | <p>Bylaw will have improved clarity and certainty.</p> <p>Bylaw will facilitate an appropriate balance of recreational and commercial use of maritime facilities.</p> <p>Bylaw will support the ongoing maintenance and long-term improvements required for maritime facilities.</p> <p>Having one bylaw relating to maritime facilities is an efficient and effective use of Council resources and will further support clarity regarding the regulation of maritime facilities.</p> | |
| <p>Option Two: Continue both the Maritime Facilities Bylaw and Mooring Charges Bylaw with amendments</p> <p>Both bylaws stay in force and amendments are made to ensure the bylaws:</p> <ul style="list-style-type: none"> -are made under the Local Government Act 2002. -are clear and certain. -allow for enforcement opportunities. -have an appropriate sliding scale fees system for both commercial and recreational users. -include the establishment of pre-specified commercial and recreations maritime facilities (zones). <p>Further engagement will be required to draft the most appropriate form of bylaw.</p> | <p>Bylaws will align with relevant laws and legislation</p> <p>Bylaws will allow for easier enforcement of provisions</p> <p>Bylaws will have improved clarity and certainty</p> <p>Bylaws will facilitate an appropriate balance of recreational and commercial use of maritime facilities</p> <p>Bylaws will support the ongoing maintenance and long-term improvements required for maritime facilities.</p> | <p>Having two bylaws relating to maritime facilities is not an efficient and effective use of Council resources and may lead to public confusion regarding the regulation of maritime facilities.</p> |

| | | |
|---|-------|---|
| Option Three: The Maritime Facilities Bylaw and Mooring Charges Bylaw continue without amendment The Bylaws stay in force with no changes | None. | The current form of both bylaws does not effectively address the perceived problem and is therefore not a viable option. |
| Option Four: Revoke both the Maritime Facilities Bylaw and Mooring Charges Bylaw and not make a new bylaw. | None. | There is no other regulatory instrument or method with which Council could otherwise manage and regulate the maritime facilities under its jurisdiction. Not having a bylaw in place would leave the maritime assets open to physical neglect and potentially inappropriate and hazardous use. For this reason, having no bylaw at all is not considered an option. |

Council determined that Option 1: Make a new Maritime Facilities Bylaw was the most appropriate option.

5 New Zealand Bill of Rights Act 1990 implications

Part 2 of the New Zealand Bill of Rights Act 1990 sets out twenty rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society. Section 155(2)(b) of the Local Government Act 2002 requires the Council to determine if the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990. The Council will fully assess these implications before it makes the Maritime Facilities Bylaw.

A preliminary assessment has identified that Section 18: Freedom of Movement, may be impacted by the new bylaw in that the Council may limit access to maritime facilities according to commercial or recreational use and to ensure health and safety.

The purpose of the bylaw is to impose reasonable limitations on behaviour and access to maritime facilities to enhance the safety of the community and minimise the incidence of public disturbance. The provisions in the Proposed Maritime Facilities Bylaw are justified because they only limit the rights of individuals to the extent it is reasonable to do so, in order for other people's rights and freedoms to be maintained.

Therefore, any limitations on the right to freedom of movement are likely to be justified in accordance with the New Zealand Bill of Rights Act 1990.

A full assessment of the impact of the bylaw on these rights cannot be done until the content of the bylaw is finalised.

6 How to give your views on the proposal

The Council encourages any person or organisation affected by, or having an interest in the Maritime Facilities Bylaw 2002 to present their views on the proposal to the Council by making a submission. Submissions can be made by using any of the following methods:

- online at the Council's website www.fndc.govt.nz/have-your-say
- email your submission to submissions@fndc.govt.nz
- drop-off your submission at any Council service centre or library, details of their locations and opening times are listed at www.fndc.govt.nz/contact or you can get that information by phoning the Council on 0800 920 029
- post your submission to: Strategy Development Team, Far North District Council, Private Bag 752, Kaikohe 0440
- make an oral presentation of your submission at a meeting of the Council's Strategy and Policy Committee

Please include your full name and email address or postal address in your submission if you want:

- the Council to acknowledge receipt of your submission
- to make an oral presentation – you will be contacted about when and where the meetings for this are taking place.

Consultation will take place between 12 October and 16 November 2022. The dates of oral submissions will be dependent on incoming council structure.

Privacy statement

Please be aware, any submissions that are made on the new Maritime Facilities Bylaw become part of the public consultation process. As such, all submissions, any summaries of submissions, and any documents provided with your submission, are copied and made available to the Council's governing body as well as the public. Any personal information included with a submission such as your name is treated as part of the submission and will also be released publicly. Your submission and any personal information that you supply such as your name will not be treated as confidential unless you specifically request it in your submission.

6.1 Draft Maritime Facilities Bylaw

Part 1: Preliminary provisions

1 Title

This bylaw is the Maritime Facilities Bylaw 2022.

2 Commencement

This Bylaw comes into force on XX Month 2022.

3 Application

This Bylaw applies to all maritime facilities owned, controlled or managed by the Far North District Council or Far North Holdings Limited.

4 Purpose

The purpose of this Bylaw is to regulate the use of maritime facilities under the control, management or ownership of the Far North District Council or Far North Holdings Limited, to ensure the public can utilise these spaces safely, free from nuisances and offensive behaviour, and where applicable impose charges for the use of said maritime facilities.

5 Interpretation

(1) In this Bylaw, unless the context otherwise requires:

Approval means an Approval granted under this Bylaw and includes all conditions to which the Approval is subject.

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

Boat Ramp means a constructed ramp sloping from the land toward the sea or a river for the purpose of launching a Vessel into the sea or river.

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

Commercial Operator means a person who operates or hires out a Vessel or equipment as part of any form of commercial enterprise for any kind of reward.

Council means the Far North District Council.

Fees means any due, fee or charge payable or able to be levied under this Bylaw. Fees and charges payable under this Bylaw is incorporated in the Far North District Council Fees and Charges Policy which is reviewed annually as part of the Council's annual plan.

Goods includes wares and merchandise of every description and all chalets, livestock and other articles.

Maritime Facility means any facility under the ownership, management or control of Far North District Council or Far North Holdings Limited which is constructed and used for the launching and landing of Vessels or equipment and includes wharves, marinas, boat ramps and any other such man-made structure.

Master means the person, not being a pilot, having command or charge of any Vessel

Mooring means anchoring or making fast to the shore, dock, seabed or foreshore; the securing or confining of a Vessel in a particular station, as by cables, anchors, line or chain.

Pilot means any person not belonging to a Vessel who has the conduct thereof.

Recreational Operator means a person who operates a Vessel or equipment for personal recreation.

Vessel means a ship, boat, hovercraft, kayak, floating platform, pontoon or any other description of vessel or equipment used or designed to be used in navigation by any form of propulsion.

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

- (2) The Interpretation Act 1999 applies to this Bylaw.
- (3) Explanatory notes and related information boxes are for information purposes only, do not form part of this Bylaw, and may be inserted, amended, or removed by the Far North District Council without any formality at any time.

Part 2: Substantive provisions

6 Use of Maritime Facilities

- (1) No person shall commit a nuisance on, under or about any Maritime Facility.
- (2) No person shall engage in any activity or unsafe practice on, under or about any Maritime Facility.
- (3) No person shall intimidate, endanger or obstruct any other person in their use of any Maritime Facility.
- (4) No person shall allow any Vessel that is not using a Maritime Facility to be so near to any Maritime Facility as to obstruct the approach of other Vessels.
- (5) No person shall undertake any behaviour or activity on or near any Maritime Facility that causes damage to that Maritime Facility or any Council property located in the vicinity of that Maritime Facility.
- (6) No person shall leave on or near any Maritime Facility any Vessel, trailer, equipment or motor vehicle which may obstruct the use of that Maritime Facility for a period of time longer than is reasonably expected to launch, secure or retrieve the Vessel
- (7) No person shall fish, nor swim from, nor engage in any underwater swimming or underwater activities from or near any Maritime Facility while that Maritime Facility is being used by any Vessel or any Vessel is approaching or departing that Maritime Facility.

7 Fees for the Recreational use of Maritime Facilities

- (1) All Recreational Operators must pay the applicable Fees for the use of Maritime Facilities as set out in the Far North District Council's Fees and Charges Policy. This may include Fees for specific types of activities or operations that may be carried out by the Recreational Operator.
- (2) No Recreational Operator may use any Maritime Facilities unless that have paid the required Fees under clause 7(1) of this Bylaw.
- (3) The above clauses shall have no effect if Council has not included Fees for the use of Maritime Facilities by Recreational Operators within the Far North District Council's Fees and Charges Policy.

8 Commercial Operators

- (1) No Commercial Operator shall use any Maritime Facility without written Approval from the Council, or Far North Holdings Limited.

9 Vessels Coming Alongside Wharves

The Master of any Vessel coming alongside any Wharf shall be responsible for the proper and safe berthing of that Vessel, and the Master and owner of the Vessel shall be responsible for any damage done to any Wharf in connection with that Vessel. The Council may repair any such damage and charge the cost of doing so against the Master or owner of the Vessel that caused the damage, such cost being recoverable by action in the appropriate Court of Law.

10 Berthing Directions

- (1) The Master of any Vessel berthing at any Maritime Facility, shall obey the instructions of the Council or any Authorised Officer
- (2) No Vessel shall remain berthed at any Maritime Facility, longer than is necessary to load or unload passengers or goods, provided that no Vessel shall remain berthed at any Wharf for more than 30 minutes without Approval from Council or any Authorised Officer.
- (3) Any Master required by the Council or any Authorised Officer to move any Vessel from any Maritime Facility, must do so immediately.

11 Cleaning Maritime Facilities

Before any Vessel is departs from any Maritime Facility, the Master or owner of that Vessel shall ensure that all dirt and rubbish deposited from that Vessel is cleared from the Maritime Facility.

12 Animals on Maritime Facilities

No person shall permit any animal to remain on any Maritime Facility for any time longer than is necessary for the loading or unloading of that animal onto a Vessel.

13 Goods, Items and Dangerous Goods

- (1) No person shall leave any goods or items unattended on any Maritime Facility.
- (2) The owner of any goods or items that are landed, loaded or placed on any Maritime Facility are liable and responsible for those goods.
- (3) No goods may remain on any Maritime Facility for more than 2 hours.
- (4) No person shall load or unload or caused to be loaded or unloaded from any Vessel on to any Maritime Facility any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character other than in sealed containers unless prior Approval has been obtained from Council.
- (5) Any person landing or causing to be landed from any Vessel on to any Maritime Facility any explosives, kerosene, motor spirits, fuel, oil or goods of a dangerous or flammable character shall cause the same to be removed from the Maritime Facility immediately on being landed.
- (6) Fuel bunkering on Maritime Facilities is prohibited unless prior Approval has been obtained from the Council. No bunkering will be approved by Council on wharves which have an operating on-site fuel service.

14 Removal of Goods

Where any Goods remain on any Maritime Facility for more than 2 hours, or where any such Goods hinder the loading or unloading of any Vessel, are an impediment to Vessels approaching

any Maritime Facility or obstruct any Maritime Facility, the Council or any Authorised Officer may have the Goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt of the Goods

15 Vehicles and Maritime Facilities

- (1) No person shall operate or move any vehicle on any Maritime Facility at a speed exceeding 10 km per hour.
- (2) No person shall leave any vehicle unattended on any Maritime Facility.
- (3) No person shall park a vehicle on any Maritime Facility other than in accordance with the Approval of Council or any Authorised Officer.

16 Closure of Maritime Facilities

The Council or any Authorised Officer may close all or part of any Maritime Facility whenever it is considered advisable to do so, and no person shall enter upon or use any Maritime Facility that is closed without the prior Approval of Council.

17 Requirement to Obey Council Signage

All persons in their use of Maritime Facilities must comply with any Council signage that has been erected in the vicinity of said Maritime Facilities.

18 Obstruction of Wharves

No person shall in any way obstruct or impede vehicle or foot traffic on any wharf.

19 Removal of Vessels

If the owner or Master of any Vessel does not comply with this Bylaw or any direction of Council or an Authorised Officer or cannot readily be located, Council or an Authorised Officer may authorise the removal of the Vessel to another place of reasonable safety. The Council nor the Authorised Officer shall be responsible for any loss of or damage to such Vessel or its equipment sustained for any reason during the course of or subsequent to its removal. Any expense incurred by the Council during such removal may be recovered from the owner or Master in an appropriate Court.

20 Wastewater Discharge

When berthing at, coming alongside or using any Maritime Facility the Master or owner of every Vessel must ensure that they have sealed all waste water discharge seacocks with the exception of bilge, refrigeration and engine cooling system discharge points and shall permit officers of the Northland Regional Council, Far North District Council or their agents to board Vessels at any time to inspect the Vessel and/or to check any discharges.

Part 3: Approvals

21 Approvals

- (1) Where any Approval from Council is required by this Bylaw, a person who seeks that Approval must:
 - a. Apply in writing to Council for the approval which may include using the applicable application form for that Approval;
 - b. Provide the information required or requested by Council; and

- c. If applicable, pay the fee for that Approval as set out in the Far North District Council Fees and Charges Policy.
 - d. Pay any applicable fees for the use of Maritime Facilities as set out in the Far North District Council's Fees and Charges Policy. This may include fees for specific types of activities or operations that may be carried out by the Commercial Operator.
- (2) Council may grant or refuse to grant the requested Approval.
- (3) The Approval from Council will be in written form and may include a licence, permit, order, letter or other written document.
- (4) The Approval may be granted on such terms and conditions as Council considers appropriate.
- (5) The Approval may be granted for a set term after which the Approval will expire.
- (6) Council may revoke the Approval if any of the terms and conditions of the Approval are not complied with.
- (7) Council may revoke any Approval that has been granted at any time if the circumstances under which the Approval was granted have changed since the Approval was granted.
- (8) Where an Approval can be granted by an Authorised Officer under this Bylaw, that Approval may be a verbal or in written form and may be granted on such terms and conditions as the Authorised Officer considers appropriate. The Authorised Officer may cancel said Approval at their discretion at any time.

Part 4: Enforcement

22 Offences

- (1) Every person who fails to comply with the requirements of this Bylaw or breaches this Bylaw commits an offence under the Local Government Act 2002 and is liable to the penalties set out in that Act
- (2) The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw.

Part 5: Savings and transitional provisions

23 Bylaw does not limit any other enactment

This Bylaw does not limit or affect the application of or the requirements in or under any other enactment.

24 Applications, Approvals in force as at commencement of this bylaw

Any licence, permit, order, letter or other written Approval provided by Council in respect of a Maritime Facility that was current as at the commencement of this Bylaw shall constitute an Approval under this Bylaw.

5.5 POU HERENGA TAI TWIN COAST CYCLE TRAIL BYLAW - RECOMMENDATIONS FOR MAKING AMENDMENTS

File Number: A3835468

Author: Briar Macken, Team Leader - Policy

Authoriser: Roger Ackers, Manager - Strategy Development

TAKE PŪRONGO / PURPOSE OF THE REPORT

To approve the adoption of the amended Pou Herenga Tai – Twin Coast Cycle Trail Bylaw.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- On 12 August 2021, Council determined to make amendments to the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw (Bylaw).
- On 14 June 2022, the Strategy and Policy Committee approved a proposal for an amended Bylaw to be released for public consultation.
- Consultation took place from 20 June to 20 July 2022 and oral submissions were heard on 26 July 2022.
- Council staff have analysed the submissions and recommend changes to the draft amended Bylaw in response to these submissions (attachment 1).
- Attachment 2 is the proposed final amended bylaw for adoption.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee recommend that Council:

- a) approves, the recommendations in the staff report on the Pou Herenga Tai - Twin Coast Cycle Trail Bylaw submissions and recommendations for consideration in attachment 1 that:**
 - i) No changes are made to clauses 1,3,4,5,8,9, and 10.**
 - ii) Clauses 2, 6, and 7 are amended to improve certainty and clarity as per the recommendations in section 4 of the staff report Analysis of Submissions – Pou Herenga Tai – Twin Coast Cycle Trail in attachment 1**
- b) amend the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw under sections 145, 156, and 160 of the Local Government Act 2002, and make the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw under section 11 of the Freedom Camping Act 2011.**

1) TĀHUHU KŌRERO / BACKGROUND

On the 08 September 2016, the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw (Bylaw) was made under section 145 of the Local Government Act 2002.

On 12 August 2021, the Bylaw was reviewed under section 158 of the Local Government Act 2002 and Council determined that the Bylaw should continue with amendment.

On 14 June 2022, the Strategy and Policy Committee approved a proposal for an amended Bylaw to be released for public consultation.

The period during which people could make submissions on the proposal was 20 June to 20 July 2022. Twenty-one submissions were received.

One submitter asked to make an oral submission and was heard by the Strategy and Policy Committee on 26 July 2022.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The report in Attachment 1 summarises the public submissions and makes recommended changes to the draft amended bylaw in response to these submissions. If these recommendations are agreed to, Council staff advise that the amended Pou Herenga Tai – Twin Coast Cycle Trail Bylaw in Attachment 2 is an appropriate form of bylaw for the purposes of section 155(2)(a) of the Local Government Act 2002.

Compliance with the New Zealand Bill of Rights Act 1990

As required by section 155(2)(b) of the Local Government Act 2002, before a local authority makes a bylaw, it must determine whether the proposed bylaw has any implications under the New Zealand Bill of Rights Act 1990.

Part 2 of the New Zealand Bill of Rights Act 1990 sets out twenty rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society.

An assessment under the Bill of Rights Act 1990 has identified the Bylaw may potentially have implications on Section 14: Freedom of Expression in that the bylaw prohibits anyone from advertising or applying graffiti to any part of the Trail. These restrictions are in place to prevent damage to the Trail and protect the community's interest in maintaining an open space. These restrictions are also to protect the health and safety of users from distracting advertising or graffiti. Overall, these restrictions have a minimal impact on the right of freedom of expression and are proportionate to the negative effects the restrictions are attempting to mitigate.

The Bylaw may also potentially have implications on Section 18: Freedom of Movement in that the Bylaw prohibits anyone to drive a motor vehicle on the Trail. These restrictions are in place to protect cyclists and pedestrians from harm as the trail is specifically designed for pedestrians and cyclists rather than vehicles. The bylaw's provisions are justified because they only limit the rights of individuals to the extent it is reasonable to do so in order to protect the health and safety of other individuals.

The Bylaw may also potentially have implications on Section 21: Security Against Unreasonable Search or Seizure, whether of the person, property, or correspondence. However, the bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the bylaw) are provided by statute. As such the bylaw does not raise any implications under section 21 of the Bill of Rights Act 1990.

Any limitations on the rights mentioned are likely to be reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. This is because the restrictions imposed are minimal, they provide benefits and protect the rights of the wider community and are proportional to the aims they are seeking to achieve. It is therefore assessed that the restrictions are justified in accordance with the New Zealand Bill of Rights Act 1990 and as such the bylaw is not currently considered to raise any Bill of Rights Act implications.

Amendments to the Bylaw

The review identified that some provisions in the current Bylaw are not certain or consistent with relevant laws and legislation.

Council staff have addressed the appropriateness of the form and content of the Bylaw by:

- drafting the bylaw under both the Freedom Camping Act 2011 and Local Government Act 2002
- improving the clarity and certainty of the bylaw in particular the definition of the Cycle Trail and providing clear maps of the Cycle Trail in Schedule 1
- removing provisions that duplicate legislation or existing policy instruments
- removing reference to revoked bylaws
- ensuring consistency across Council's bylaws
- removing provisions which may be considered ultra vires
- ensuring best practice drafting standards have been followed (as advocated by Parliamentary Counsel Office)
- using plain English

Take Tūtohunga / Reason for the recommendation

The amended Pou Herenga Tai Twin Coast Cycle Trail Bylaw in attachment 2 can be made, under section 145 of the Local Government Act 2002 and section 11 of the Freedom Camping Act 2011 because, following the changes recommended in the report in attachment 1, it:

- a) is an appropriate form of bylaw; and
- b) the bylaw provisions will be reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.

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

The costs to implement the amendments to the bylaw will come from existing operational budgets.

ĀPITIHINGA / ATTACHMENTS

1. Analysis of Submissions - Pou Herenga Tai - Twin Coast Cycle Trail - A3848153 [↓](#) 
2. Final - Pou Herenga Tai - Twin Coast Cycle Trail Bylaw - A3848173 [↓](#) 

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 | In line with the Significance and Engagement Policy the recommendation to continue the bylaw will have little effect on financial thresholds, ratepayers, specific demographics, or levels of service. The recommendation is consistent with existing plans and policies. Therefore, the level of significance is low. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | The Local Government Act 2002, sections 82, 83, 145, 155 and 160 and the Freedom Camping Act section 11 applies to the decision recommended in 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. | The Pou Herenga Tai – Twin Coast Cycle Trail Bylaw is not within the delegations of the Community Boards. As the recommendation is to continue a district wide bylaw, the community Boards views have not been sought. |
| 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. | The implications for Māori from the regulation of the Pou Herenga Tai – Twin Coast Cycle Trail are similar to the impacts on communities generally. The amended bylaw will have the same effect as the current bylaw. Māori had an opportunity to contribute during the consultation process. |
| 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). | Affected and interested parties were given an opportunity to share their views and preferences during the consultation phase including: <ul style="list-style-type: none"> • Pou Herenga Tai – Twin Coast Cycle Trail Trust • Northern Transport Alliance • Neighbouring property owners • Community groups concerned about the Cycle Trail in their community |

| | |
|--|---|
| State the financial implications and where budgetary provisions have been made to support this decision. | The costs to implement the amendments to the bylaw will come from existing operational budgets. |
| Chief Financial Officer review. | The report has been reviewed by the CFO |



Analysis of submissions

Pou Herenga Tai – Twin Coast Cycle Trail Bylaw

1 Background

On the 08 September 2016, the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw (Bylaw) was made under section 145 of the Local Government Act 2002. On 12 August 2021, the Bylaw was reviewed under section 158 of the Local Government Act 2002 and Council determined that the Bylaw should continue with amendment. On 14 June 2022, the Strategy and Policy Committee approved a proposal for an amended Bylaw to be released for public consultation. The period during which people could make submissions on the proposal was 20 June to 20 July 2022. Twenty-one submissions were received.

This report analyses the submissions and makes recommendations for amendments to the draft proposed amended Bylaw. A numbered list of people who made submissions is in the Appendix and these numbers are used to refer to the individual submissions in the body of this report.

Council staff from the following teams contributed to the analysis of the submissions:

- Strategy Development
- District Services
- Legal Services

2 Summary of submissions

Twenty-one submissions were received in total, with 17 of these received using the online submissions form. Of the online submissions, 11 supported the amendments in full, one supported the amendments in part, and five submitters did not support the amended bylaw.

The remaining four submissions were made offline. Two supported the bylaw amendment in full, and two suggested amendments. One person who made a written submission asked to submit verbally to the Strategy and Policy Committee and was heard by the Committee on 26 July 2022.

Where the submissions supported in part and made suggestions for changes, those suggestions are included in the analysis in section 4 of this report.

3 General feedback

The following feedback was received that is not related to a specific clause in the draft bylaw.

3.1 Support for Council amending the Bylaw in general

Ten of the submissions (01- 04, 07, 11, and 14 -17) that support the bylaw in full, made general comments that they support the proposed amendments to the Bylaw as it is reasonable, and consistent with the current bylaw. For example:

| | |
|-----------------------------|--|
| Submission 01 stated | <i>"Seems to cover all aspects and is readable".</i> |
| Submission 03 stated | <i>"The changes are sensible".</i> |
| Submission 17 and 18 stated | <i>"reasonable way to protect the trail".</i> |
| Submission 19 stated | <i>"Not much is changing".</i> |

Two submissions (19 and 20) support the bylaw in full but did not make further comment regarding their support of the bylaw.

Two submissions (11 and 20) provided suggestions for how the cycle trail could better align with community facilities to encourage further opportunities across the District.

Submission 18 and 21 outlined several concerns regarding activities that are prohibited under the bylaw but are conditions of easement agreements between Council and the landowners.

Submitter 18 stated that appropriate weed control does not seem to be occurring along the section of the Trail that crosses private property.

Staff analysis

General feedback in support of the proposed amended bylaw reinforces that the proposed amendments are not intended to change the intent of the current bylaw.

The design of the Pou Herenga Tai - Twin Coast Cycle Trail is out of scope of this bylaw consultation. However, feedback provided will be considered in upcoming strategic projects involving the use of open space, placemaking and social infrastructure.

The conditions of the easement agreements are not negated by this bylaw and all conditions in the easement agreements still stand. Under this bylaw, an easement agreement is also considered as approval from Council. Everything that was agreed to in the easement agreement would not be negated by this bylaw.

Weed control is out of scope of this bylaw. However, this information will be shared with the Pou Herenga Tai - Twin Coast Cycle Trail Trust who manage the day-to-day maintenance of the trail.

Staff recommendation

Council staff recommend no changes in response to these submissions.

3.2 Do not support Council regulating the Pou Herenga Tai – Twin Coast Cycle Trail in general

Five submissions (06, 08, 10, 12 and 13) do not agree that Council should regulate the use of the Pou Herenga Tai – Twin Coast Cycle Trail.

- | | |
|----------------------|---|
| Submission 06 stated | <i>"I don't support the cycleway in anyway shape or form due to their history and their trampling on mana whenua and ignoring their obligations under te Tiriti. The cycleway and their trust and everyone involved has absolutely no respect or show any responsibility to hapu collectively gathered on their marae." "They have no right to implement any law or bylaw over our area."</i> |
| Submission 08 stated | <i>"I don't agree to any of the walking trails as this effects our wahi tapu areas, litter, urinating, faeces."</i> |
| Submission 07 said | <i>"Funding should be spent on fixing up country roads." "Think about the needs of those living in those out of the way places that these tourists bike through"</i> |
| Submission 12 said | <i>"Because this is a blatant attempt to silence anyone who opposes Far North Holdings Limited This kind of anti-community modus operandi in forging ahead with projects without adequate and honest community consultation is a disgrace."</i> |
| Submission 13 said | <i>"All I can say is "no wonder our rates are so high"! What a lot of wordy"gobbledegook"! Pages of stuff that hardly anyone knows or cares about. I would like to know exactly how much this whole Pou Herenga Tai(!!!!) proposed by-law consultation cost the rate payer. Surely a few simple instructions posted up on the start of these expensive cycle ways</i> |

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should be sufficient for users to know how to behave on them. If not, let them build and pay for their own cycle ways. What costs you money you look after. As a rate payer I do not think that I should have to support in any way something I will never use."

Staff analysis

Submitters 06, 09, 12, 14 and 15 seem to have misunderstood the scope of the consultation. Whether or not the Council should invest in a cycle trail asset is out of scope of the intent of the proposed bylaw. Feedback provided will be considered in upcoming strategic projects involving the use of open space, placemaking and social infrastructure. However, since Council has already invested in building a cycle trail, the bylaw is one way for Council to protect the Pou Herenga Tai – Twin Coast Cycle Trail asset, therefore protecting rate payers investment.

The issues of littering, urinating and defecating in public is already an offence under legislation and enforcement can occur under various pieces legislation.

Under section 155(3) of the Local Government Act 2002, the content of the new bylaw must be consistent with the New Zealand Bill of Rights Act 1990. A full assessment of the impact of the bylaw on these rights cannot be done until the content of the bylaw is finalised.

However, a preliminary assessment has identified the Bylaw may potentially have implications on Section 14: Freedom of Expression in that the bylaw prohibits anyone from advertising or applying graffiti to any part of the Trail. These restrictions are in place to prevent damage to the Trail, to protect the community's interest in maintaining an open space, and to protect the health and safety of users from distracting advertising or graffiti. Overall, these restrictions have a minimal impact on the right of freedom of expression and are proportionate to the negative effects the restrictions are attempting to mitigate.

The Bylaw may also potentially have implications on Section 18: Freedom of Movement in that the Bylaw prohibits anyone to drive a motor vehicle on the Trail. These restrictions are in place to protect cyclists and pedestrians from harm as the trail is specifically designed for pedestrians and cyclists rather than vehicles.

The Bylaw may also potentially have implications on Section 21: Security Against Unreasonable Search or Seizure, whether of the person, property, or correspondence. However, the bylaw does not contain any new powers for search or seizure, the applicable powers (that are cross-referenced in the bylaw) are provided by statute. As such the bylaw does not raise any implications under section 21 of the Bill of Rights Act 1990.

The bylaw's provisions are justified because they only limit the rights of individuals to the extent it is reasonable to do so to protect the health and safety of other individuals. Any limitations on the rights mentioned are likely to be reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. This is because the restrictions imposed are minimal, they provide benefits and protect the rights of the wider community and are proportional to the aims they are seeking to achieve. It is therefore assessed that the restrictions are justified in accordance with the New Zealand Bill of Rights Act 1990 and as such the bylaw is not currently considered to raise any Bill of Rights Act implications.

Roads and the maintenance of roads in the District are out of scope of this Bylaw.

Staff recommendation

Council staff recommend no changes in response to these submissions.

4 Analysis and recommendations regarding the bylaw wording

The following section analyses the submissions made about clauses in the draft bylaw and recommends how to address these submissions in the bylaw.

4.1 Clauses not referred to in submissions

No submissions were made about the following clauses in the draft bylaw:

- Clause 1 Title
- Clause 3 Commencement
- Clause 4 Application
- Clause 5 Purpose
- Clause 8 Access to and over the Trail
- Clause 9 Offences
- Clause 10 Schedule - Maps

4.2 Clause 2 Meaning of Trail

Clause 2 outlines a description of the Trail.

Submission received

Submission 18 stated that the definition of the Trail includes the land within 2.5 metres of either side of the centre line of the formed path which defines the Trail as being 5 meters wide. However, the submitters easement agreement is for three meters not five.

Submission 21 made comment that some sections of the Trail are currently closed and that alternative routes are in place and therefore the schedules need amending.

Staff analysis

Staff acknowledge that the Trail can vary in width and is not always 5 meters wide.

Staff acknowledge that the Trail can from time to time be closed for several reasons and that the Trail route may change in the future. Closure of the Trail is discussed at 4.6.

Staff recommendation

To improve certainty and clarity Council staff recommend to include the words “the land” before the words “identified in Schedule 1” and to remove the words “ (a) The land within 2.5 metres of either side of the centre line of the formed path;”

To ensure the bylaw remains consistent with the formed path staff recommend adding the following sub clause “2.2 The council may, by resolution, add or remove or amend the land identified in the Schedule”.

Tracked changes to the clause as recommended

(1) For the purposes of this Bylaw, the **Trail** means the path formed by or on behalf of the Far North District Council for the intention of providing a largely off-road route from Opuā to Horeke for **cyclists**, **pedestrians**, riders of **mobility devices** or the riders of **wheeled recreational devices** to use. The **Trail** is formed over private land, Crown land, and **Council** controlled land and roads. The **Trail** is the land identified in Schedule 1 and includes:

- ~~(a) The land within 2.5 metres of either side of the centre line of the formed path;~~
- (b) Every bridge, culvert, and ford within the trail;
- (c) Each segment of a **road** identified in the trail maps (Schedule 1)

(2) The council may, by resolution, add or remove or amend the land identified in the Schedule.

4.3 Clause 6 Interpretation

Clause 6 outlines the interpretation and definition of the terms used within the bylaw.

Submission received

Submitter 21 made comment that the Pou Herenga Tai Twin Coast Cycle Trail Trust does not need a permit to hold events on the Cycle Trail as it is responsible for the maintenance and operations associated with the Cycle Trail.

Staff analysis

The Pou Herenga Tai Twin Coast Cycle Trail Trust is correct in that the Trust has delegated authority for many of the operations associated with the Trail.

Staff recommendation

To improve clarity Council staff recommend in the interpretation of the word Council to include the words “or organisation” after the words “person”.

Tracked changes to the clause as recommended

Council means the Far North District Council, or any person or organisation delegated or authorised to act on its behalf.

4.4 Clause 7 Use of the Trail subclause 8 Horses

Clause 7(8) restricts access to horses on the Trail to formed roads or when approved by Council.

Submission received

Submission 19 supported the Bylaw in full however requested access for horse riders as it is not safe to ride on the roads.

Staff analysis

Staff acknowledge that the horse-riding community would like more options to ride horses in the Far North District as the road is not safe. However, cyclists may scare horses, especially where the Cycle Trail is quite narrow, leading to potential harm to all users of the Cycle Trail. Horse hooves may cause damage to the Cycle Trail as the surface of the Cycle Trail is not suitable for horse use. Therefore, the Bylaw restricts access to the Cycle Trail for horses.

The feedback provided will be considered in upcoming strategic projects involving the use of open space, placemaking and social infrastructure.

Staff recommendation

Council staff recommend no changes in response to this submission.

4.5 Clause 7 Use of the Trail subclause 11 Dogs

Clause 7 (11) states No person shall bring any dog on to the Trail or allow any dog in their custody or under their control to remain on the Trail, unless the dog is on a leash or is within an area specified by the council’s Dog Management Policy as an area where dogs are permitted off the leash, or as a dog exercise area.

amending Clause 7 (11) to prohibit dogs along the whole length of the cycle trail because, *“Loose dogs and dogs on a long leash are dangerous for cyclists - they can chase, they can snap at legs or wheels of cyclists and cause cyclists to fall off the track”...‘Loose dogs, and dogs on long leashes, also pose a treat to vulnerable wetland birds on the trail. The Council has a responsibility to protect indigenous species that are classed as at risk by the NZ Threat Classification System. A number of wetland bird species are in that category.*

Submission 05 has suggested that Council invest in more off-leash exercise parks for dogs.

Submission 18 asks Council to amend the Bylaw to prohibit Dogs from along the length of the Cycle Trail which crosses private land as dogs can cause issues for farmers and their stock.

Staff analysis

Staff acknowledge that off-leash dogs can cause issues for farmers and their stock and can be hazardous to cyclists. It is for those reasons the Bylaw and associated dog management policy dogs already state that dogs on the trail must be always on a leash and that dogs are prohibited from sections of the Trail which cross private land.

There is no specific legal obligation on Council to undertake specific actions to protect indigenous species. This issue is relevant to certain areas within Council's role such as dog control and resource management.

Dog owners have a legal responsibility under the Dog Control Act 1996 to keep their dogs under control at all times. If their dog attacks an indigenous species that is a criminal offence under the Dog Control Act 1996 and Council would be responsible for investigating and potentially prosecuting the dog owner if warranted.

Staff recommendation

In order to improve clarity in clause 7(11), staff recommend inserting the words 'parts of' after the word 'on', replacing the words "unless the dog is on a leash or is within an area specified by the council's Dog Management Policy as an area where dogs are permitted off the leash, or as a dog exercise area" with "that are specified in the Council's Dog Management Policy as areas where dogs are not permitted. In all other areas of the Trail dogs are permitted provided they are on a leash and under control at all times".

Tracked changes to the clause as recommended

Dogs

(11) No person shall bring any dog on parts of ~~to~~ the Trail or allow any dog in their custody or under their control to remain on parts of the Trail, that are specified in the Council's Dog Management Policy as areas where dogs are not permitted. In all other areas of the Trail dogs are permitted provided they are on a leash and under control at all times. unless the dog is on a leash or is within an area specified by the council's Dog Management Policy as an area where dogs are permitted off the leash, or as a dog exercise area.

4.6 Clause 7 Use of the Trail further suggested subclauses

Submission received

Submission 18 requested that use of the Trail is restricted to daylight hours as the Trail may be more hazardous at night and more difficult for emergency services to attend a potential emergency situation. Landowners along the Trail may perceive that their property is more vulnerable to vandalism and theft at night by Users of the Trail.

Staff analysis

Staff acknowledge the concerns raised by the submitter regarding safety to both users of the Trail and landowners neighbouring the Trail at night. Council is committed to the Crime Prevention Through safer Environmental Design principles (CPTED). The issue of making the Trail safer at night needs to be investigated further, ensuring a holistic approach is taken to potential solutions. For example, improvements to the design of the Trail itself.

As previously discussed at 4.2, the Trail may need to be closed for several reasons including work regarding the development of alternative routes. Provisions can be provided for in the Bylaw to close the Trail or sections of the Trail. However, further investigation is required regarding the closure of the Trail at night.

Staff recommendation

Council staff recommend including the following subclause which states "Closure of the Trail

- (18) No person shall enter or access the Trail when the Trail has been closed by Council.
 (19) No person shall enter or access a part of the Trail when that part of the Trail has been closed by Council.”

Tracked changes to the clause as recommended

Closure of the Trail

(18) No person shall enter or access the Trail when the Trail has been closed by Council.

(19) No person shall enter or access a part of the Trail when that part of the Trail has been closed by Council. although further investigation is required.

APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED

| Number | Organisation |
|--------|--|
| 1 | Northland Experiences Ltd and Top Trail Cycle Hire Ltd |
| 2 | Individual submission |
| 3 | Individual submission |
| 4 | Individual submission |
| 5 | Individual submission |
| 6 | Individual submission |
| 7 | Individual submission |
| 8 | Individual submission |
| 9 | Individual submission |
| 10 | Individual submission |
| 11 | Individual submission |
| 12 | Individual submission |
| 13 | Individual submission |
| 14 | Individual submission |
| 15 | Vision Kerikeri |
| 16 | Carbon Neutral NZ Trust |
| 17 | Individual submission |
| 18 | Individual submission |
| 19 | Walking Access Commission |
| 20 | Creative Northland |
| 21 | Pou Herenga Tai Twin Coast Cycle Trail Trust |



Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016

Governing body of the Far North District Council

Resolution in Council 08 September 2016

Bylaw made under Section 145 of the Local Government Act 2002 and section 11 of the Freedom Camping Act 2011.

The bylaw was reviewed on 12 August 2021.

The bylaw is due for review by 12 August 2027.

Last updated

22 September 2022

Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016

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Objective ID A3705911

Last updated

22 September 2022

Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016

1 Title

The Bylaw shall be known as the Far North District Council Pou Herenga Tai - Twin Coast Cycle Trail.

2 Meaning of Trail

- (1) For the purposes of this Bylaw, the **Trail** means the path formed by or on behalf of the Far North District Council for the intention of providing a largely off-road route from Opuā to Horeke for **cyclists, pedestrians, riders of mobility devices** or the riders of **wheeled recreational devices** to use. The **Trail** is formed over private land, Crown land, and **Council** controlled land and roads.

The **Trail** is the land identified in Schedule 1 and includes:

- (a) Every bridge, culvert, and ford within the trail;
- (b) Each segment of a **road** identified in the trail maps (Schedule 1).

- (2) The council may, by resolution, add or remove or amend the land identified in the Schedule.

3 Commencement

This bylaw shall come into force on 1 October 2016.

4 Application

This bylaw applies to the **Trail** located within the district of the Far North District Council.

5 Purpose

The purpose of this Bylaw is to protect the **public** and **users** of the **Trail** from nuisance, promote public safety, minimise offensive behaviour and protect public infrastructure from misuse or damage.

6 Interpretation

- (1) Related information below is for information purposes, does not form part of this bylaw, and may be inserted, amended, or removed without any formality.
- (2) The Interpretation Act 1999 applies to this bylaw.
- (3) In this bylaw, unless the context otherwise requires: -
- approval** means written approval granted by Council and includes any conditions which the written approval is subject to.
 - authorised officer** means an officer appointed by Council to consider and make decisions on applications made under this Bylaw.
 - council** means the Far North District Council, or any person or organisation delegated or authorised to act on its behalf.
 - cycle** has the same meaning as section 2 of the Land Transport (Road User) Rule 2004.
 - cyclist** is a person who rides a Cycle.
 - freedom camp** has the same means as section 5 of the Freedom Camping Act.
 - mobility device** has the same meaning as section 2 of the Land Transport (Road User) Rule 2004.
 - moped** has the same meaning as in Section 2(1) of the Land Transport Act 1998.
 - motorcycle** has the same meaning as in Section 2(1) of the Land Transport Act 1998.
 - motor vehicle** has the same meaning as in Section 2(1) of the Land Transport Act 1998 but does not include a Mobility Device or a Wheeled Recreational Device.

Objective ID - A3705911

1

Last updated

22 September 2022

Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016

Related information

As at 19.11.2021 the definition is:

- (a) means a vehicle drawn or propelled by mechanical power; and
- (b) includes a trailer; but
- (c) does not include -
 - (i) a vehicle running on rails; or
 - (ii) [Repealed]
 - (iii) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
 - (iv) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
 - (v) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
 - (vi) a pedestrian-controlled machine; or
 - (vii) a vehicle that the Agency has declared under [section 168A](#) is not a motor vehicle; or
 - (viii) a mobility device

offence means an offence against this Bylaw and includes any failure to comply with any part of this bylaw.

pedestrian has the same meaning as section 2 of the Land Transport (Road User) Rule 2004.

road has the same meaning as in **section 315(1) of the Local Government Act 1974**.

stock includes any horse, cattle, sheep, goat, pigs, deer, alpaca or llama or other hoofed animals.

user means a person that uses the Trail and includes a **Pedestrian**, a **Cyclist**, the rider of a Mobility Device or the rider of a Wheeled Recreational Device.

vehicle has the same meaning as in section 2 of the Land Transport Act 1988.

Related information

As at 19.11.2021 the definition is:

- (a) means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- (b) includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include -
 - (i) a perambulator or pushchair;
 - (ii) a shopping or sporting trundler not propelled by mechanical power;
 - (iii) a wheelbarrow or hand-trolley;
 - (iv) [Repealed]
 - (v) a pedestrian-controlled lawnmower;
 - (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power;
 - (vii) an article of furniture;
 - (viii) a wheelchair not propelled by mechanical power;
 - (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this Definition;
 - (x) any rail vehicle.

Objective ID A3705911

2

Last updated

22 September 2022

Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016

vehicle crossing means the area of driveway, whether temporary or permanent, between a road and a private property boundary, intended for use by motor vehicles accessing the property.

wheeled recreational device has the same meaning as section 2 of the Land Transport (Road User) Rule 2004.

Related information

As at 19.11.2021 the definition is:

- (a) means a vehicle that is a wheeled conveyance (other than a cycle that has a wheel diameter exceeding 355mm) and that is propelled by human power or gravity; and
- (b) includes a conveyance to which are attached 1 or more auxiliary propulsion motors that have a combined maximum power output not exceeding 300 W.

7 Use of the Trail

User

- (1) The trail may be only used by **cyclists, pedestrians, riders of mobility devices and wheeled recreational devices** (includes scooters, hoverboards, e – scooters).

Vehicle

- (2) No person shall drive a **motor vehicle, a motorcycle or moped** on the Trail except -
 - (a) to cross over the **Trail** when entering, or exiting a **vehicle crossing**; or
 - (b) when the **Trail** is formed on or over a **road**; or
 - (c) when they have **Approval** from the **Council**.

Events

- (3) No person may use the **Trail** for an organised event without the written **Approval** of the **Council**.

Related information

Applications for events can be found at [FNDC Event Applications](#)

- (4) A User must at all times keep to the left side of the formed path on the Trail so that oncoming or following Users can pass on their right.
- (5) No person shall obstruct the entrances or exits to the Trail or unduly impede the passage of a User along the Trail.
- (6) At any time when there is not sufficient daylight to render clearly visible a cyclist at a distance of 100 metres, a cyclist must use a steady or flashing forward-facing white or yellow light and a steady or flashing rear-facing red light which are sufficiently brilliant to be visible in normal atmospheric conditions for a distance of at least 100 metres.
- (7) All Cyclists and riders of Mobility Devices when within any unlit Tunnels on the Trail must use the lights described in clause 7.6 at any time of the day or night.

Horses

- (8) No person shall ride, lead or take any horse or horse and cart on the Trail except:
 - (a) to cross over the Trail when entering, or exiting a vehicle crossing; or
 - (b) when the Trail is formed on or over a road; or
 - (c) when approved by the Council.

Objective ID A3705911

3

Last updated**22 September 2022****Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016****Related information**

The Land Transport (Road User) Rule 2004 includes other requirements that apply to leading or riding animals on roads and must be complied with on the roads where animals are permitted under this bylaw. For example, clause 11.14(4) prohibits a person from riding an animal on a footpath.

Stock

- (9) If Stock are on the **Trail** they have right of way. Stock are only permitted on the **Trail** under the following conditions:
- (a) to cross over the **Trail** when entering, or exiting a **vehicle crossing**; or
 - (b) when the **Trail** is formed on or over a **road**; or
 - (c) when **Approval** has been given by the **Council**; or
 - (d) as set out in an access agreement, or agreement of licence, lease or
 - (e) easement between adjacent private landowners and **Council**.
- (10) No User shall wilfully leave open any gate or make a gap in a fence for the purpose of permitting or causing any Stock to stray or wander on to the Trail or otherwise wilfully cause any Stock to stray or wander onto the Trail.

Dogs

- (11) No person shall bring any dog on parts of the Trail or allow any dog in their custody or under their control to remain on parts of the Trail, that are specified in the Council's Dog Management Policy as areas where dogs are not permitted. In all other areas of the Trail dogs are permitted provided they are on a leash and under control at all times.

Related information

See Council Dog Management Bylaw

[Bylaws Far North District Council \(fnzc.govt.nz\)](https://fnzc.govt.nz/)

- (12) No User shall place or leave on the Trail any object, materials or thing that may obstruct or in any way interfere with the passage of Users along the trail, unless Approval has been given by the Council and then only in accordance with such conditions imposed under that Approval.
- (13) No User shall do or cause or permit to be done any act whatsoever by which any damage is caused to the Trail. Such damage includes:
- (a) interfering with, harming or killing any wildlife natural features, plants, trees or shrubs or removing any soils, sand or naturally occurring materials on or near the Trail; or
 - (b) interfering with any ornament, statue, building, structure, fence, gate or facilities on the Trail; or
 - (c) polluting, defacing, disfiguring, or applying graffiti, posters or advertising signs or signs of any description on or to any part of the Trail.
- (14) No User shall wilfully or negligently cause or allow any oil, or any liquid likely to create a danger to Users, to escape onto any part of the Trail including any part having a sealed or paved surface.
- (15) No User shall Freedom camp on the Trail. No user may:
- (a) erect a tent, gazebo or similar device on the **Trail**; or
 - (b) camp overnight in a **motor vehicle** on the **Trail**.

Objective ID A3705911

4

Last updated**22 September 2022****Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016****Related information**

Depending on the location, nature or extent, a breach of this clause could result in:

- (a) A parking infringement fine of \$60 for inconsiderate parking under Schedule 2 Part 1 2(e) of the Land Transport Act 1962; or
- (b) An infringement fine under the Reserves Act 1977; or
- (c) An injunction under section 162 of the Local Government Act; or
- (d) An infringement fine under the Conservation Act 1987; or
- (e) A fine not exceeding \$20,000 under section 242 of the Local Government Act 2002; or
- (f) An infringement fine under the Freedom Camping Act 2011.

No fires

(16) No User may light a fire on the Trail or on land adjacent to the Trail.

Related information

Depending on the location, nature or extent, a breach of this clause could result in:

- (a) An infringement fine under the Reserves Act 1977; or
- (b) An infringement fine under the Conservation Act 1987; or
- (c) A fine not exceeding \$20,000 under section 242 of the Local Government Act 2002.

- (17) The Council may under section 163 of the Local Government Act 2002, remove or alter a work or thing that is or has been constructed in breach of this bylaw, and may recover the costs of the removal or alteration from the person who committed the breach.

Closure of the Trail

(18) No person shall enter or access the Trail when the Trail has been closed by Council.

(19) No person shall enter or access a part of the Trail when that part of the Trail has been closed by Council.

8 Access to and over the Trail

- (1) Except with the Approval of the Council no person shall establish a new Vehicle Crossing or path that:
 - (a) Crosses the Trail, or provides access to and from the Trail; and
 - (b) Is used or available for use by Cyclists, Pedestrians, riders of Mobility
 - (c) Devices, riders of Wheeled Recreational Devices or drivers of Motor Vehicles.
- (2) In granting Approval under clause 8 (1) of this Bylaw, the Council may impose such conditions as it thinks fit for the protection and safety of Users.

9 Offences

- (1) Every person who fails to comply with the requirements of this Bylaw commits an offence under the Local Government Act 2002 and is liable to the penalties set out in that Act.
- (2) Every person who fails to comply with the Freedom camping restrictions of this Bylaw commits an offence under the Freedom Camping Act 2011 and is liable to the penalties set out in that Act.
- (3) This bylaw does not limit the Council's powers under other legislation such as the Land Transport Act 1998, the Local Government Act 2002, the Reserves Act 1977, the Dog Control Act 1996, the Conservation Act 1987 and the Litter Act 1977 to take actions to enforce the provisions of this bylaw.

10 Schedule – Maps

Objective ID A3705911

5

5.6 OPEN SPACES STRATEGY - OPTIONS ANALYSIS

File Number: A3836700

Author: Briar Macken, Team Leader - Policy

Authoriser: Angie Thomas, Acting Chief Financial Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval to develop an Open Spaces Strategy.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- An Open Spaces strategy provides strategic direction for the management of the district's open spaces.
- Funding to support the development of an Open Spaces' Strategy was allocated in the 2021-2031 Long Term Plan.
- Staff engaged Munday Consulting to undertake a research report (attachment 1) describing key issues and opportunities in developing an open spaces strategy.
- An Open Spaces Strategy will be beneficial for the delivery of fit for purpose open spaces and will contribute to, support, and enhance other existing strategies, plans or policies of Council.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee recommend to Council to develop an Open Spaces Strategy.

1) TĀHUHU KŌRERO / BACKGROUND

Population growth, economic, and tourism opportunities are leading to more people wanting access to open space areas. In the absence of an open space strategy, it is challenging for Far North District Council to be able to plan consistently. Therefore, decisions are made in an ad hoc manner. Leading to a risk that valuable spaces can be developed, used, or rezoned for other purposes. The development, protection, and growth, of the open space network and improvements to the quality of open space is increasingly important.

An open spaces strategy provides strategic direction for the management of the district's open spaces ensuring that the open spaces network is well connected, fit for purpose, protected from encroachment, inappropriate use, and future proofed.

The opportunity to research and develop an open spaces strategy to support Council's goals and objectives has received support from Elected Members and funds to support the project have been allocated in the 2021-2031 Long Term Plan.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Council staff engaged Munday Consulting to undertake a comprehensive research report describing the key issues and opportunities to be considered in the development of an open space strategy. The report from Munday Consulting is attached (attachment 1).

The report describes the different categories of open spaces and makes recommendations to include the following open spaces in the strategy development (outlined in table 3 of the attached report):

- Council controlled parks and reserves (including natural areas)
- Off-road walkways and shared paths
- Civic areas
- Cemeteries
- Beaches, rivers and lakes (including harbours)

It is anticipated that collaboration will occur with the Department of Conservation and Northland Regional Council on the development of the OSS to ensure an integrated planning approach.

An open spaces strategy should be informed by or align with Council's existing strategies, plans or policies including but not limited to Far North 2100, District Plan, Long Term Plan 2021 - 2031 (outlined in table 4 of the attached report).

The report concluded that currently the lack of an open spaces strategy means decisions regarding open spaces in the Far North District are made in an ad hoc manner that is resulting in an open spaces network that is not planned for in a holistic and integrated fashion and may not have optimal outcomes. An important consideration is that currently the open space network in the district is not adequately future-proofed and Council risks losing opportunities for valuable potential open space land.

A single strategy document for open spaces is likely not only to be beneficial for the delivery of fit for purpose open spaces, but will also contribute to, support, and enhance other strategies, plans or policies of Council.

Option one: Develop an open spaces strategy (recommended option)

An open spaces strategy is developed to ensure the open spaces network is well connected, fit for purpose, protected from encroachment, inappropriate use, and future proofed.

| <i>Advantages and disadvantages of developing an open spaces strategy</i> | |
|--|--|
| Advantages <ul style="list-style-type: none"> • Support the achievement of community outcomes as identified in the Long-Term Plan 2021-2031 • Provides a strategic planning approach to support, inform, or align with key policies, plans and strategies (e.g., District Plan, Parks and Reserves Policy, Development Contributions Policy) • Ensures the open spaces network is fit for purpose and future proofed • Enables effective use of Council resources regarding open spaces | Disadvantages <ul style="list-style-type: none"> • Potential for unfulfilled expectations of the community as the long-term nature of an open spaces' strategy may lead to benefits not being apparent to the community in the shorter term. |

Option two: Status quo / Do nothing: Do not develop an open spaces strategy

Staff do not develop an open spaces strategy and rely on existing policy instruments to inform decisions

| <i>Advantages and disadvantages of continuing with the status quo</i> | |
|--|--|
| Advantages <ul style="list-style-type: none"> • None | Disadvantages <ul style="list-style-type: none"> • Decisions regarding open spaces continue to be made in an ad hoc manner. • Council risks losing opportunities for valuable potential open space land support • Council risks resources being used ineffectively and inefficiently regarding open spaces • Potential reputational risk as the community does not have an avenue to input into and support long term decisions regarding open spaces |

Take Tūtohunga / Reason for the recommendation

An open spaces strategy will ensure the open spaces network is well connected, fit for purpose, protected from encroachment, inappropriate use, and future proofed.

Next Steps

If Council agrees with the recommendation, staff will begin development on an open spaces' strategy. The first stage of strategy development will involve comprehensive engagement to understand how our community currently uses open spaces and their future aspirations for the Districts open spaces. An analysis of the information gathered during engagement will be shared with the Strategy and Policy Committee before drafting a strategy document.

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

The cost of developing an open spaces strategy will be met from existing operational budgets.

ĀPITI HANGA / ATTACHMENTS

1. Open Spaces Strategy - Research Report - A3848790 [↓](#) 

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 | In line with the Significance and Engagement Policy the recommendation to start developing an open spaces strategy is consistent with existing plans and policies and will have little effect on financial thresholds, ratepayers, specific demographics, or levels of service. Therefore, at this stage in the development process the level of significance is low. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | <p>An open spaces strategy will be informed by and align with Far North 2100, District Plan, Infrastructure strategy, FNDC Climate Change Roadmap, Transport Strategy, Parks and Reserves Policy, Northland Walking and Cycling Strategy, far North Spaces and Places Plan, Dog Management Policy, Development Contributions Policy and the following Long-Term Plan 2021-2031 community outcomes:</p> <ul style="list-style-type: none"> • Communities that are healthy, safe, connected, and sustainable • Proud, vibrant communities • Prosperous communities supported by a sustainable economy • A wisely managed and treasured environment that recognises the special role of tāngata whenua as kaitiaki. • We embrace and celebrate our unique culture and heritage and value it as a source of enduring pride. |
| 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. | An open spaces strategy has District wide relevance. However, it is anticipated that community boards will be integral to the development of such a strategy. Engagement will include community board input. |
| State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision | Seeking the views and input of Māori in the development of strategies is integral. Open spaces have significant wellbeing impacts for Māori and Māori will be given an |

| | |
|--|--|
| 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. | opportunity to contribute to the development of the strategy. |
| 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). | Interested and affected parties will be given an opportunity to share their views and preferences during the engagement phase including; <ul style="list-style-type: none"> • Community groups • Northland Regional Council • Department of Conservation • Northern Transport Alliance |
| State the financial implications and where budgetary provisions have been made to support this decision. | The cost of developing an open spaces strategy will be met from existing operational budgets. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |



HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Research Report

Open Spaces Strategy

June 2022

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Public Policy Solutions

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1 Purpose

To describe and discuss the key issues and opportunities to be considered in the development of an Open Space Strategy (OSS).

2 Context and Situation

The opportunity to research and develop an OSS to support Council's goals and objectives has received support from Elected Members and funds to support the project have been allocated in the 2021-2031 Long Term Plan.

Staff have long identified that an OSS would be of benefit to Council, aligning with best practice approaches, which is evident through the many other councils that have adopted this type of strategy. A draft Strategy was developed in 2008, however the project was not completed at that time.

A key first step in developing an OSS is to confirm the scope, approach, and purpose of the proposed Strategy, and to research and analyse how an OSS should or may align with, impact on, or potentially conflict with, other key strategies, plans and policies (SPPs) of Council, both statutory and non-statutory.

3 Objectives

The objectives of this report are to:

- provide an overview of the purpose of an OSS
- outline the potential scope or elements of an OSS, and the associated advantages and disadvantages
- provide an overview of how an OSS can support the four well-beings
- propose which types of open space should be included in an OSS
- outline how an OSS would impact on other SPPs of Council or other entities.

4 Problem and opportunity statement

Open spaces are a highly valued community asset. The need to provide an appropriate range of active and passive recreation and leisure opportunities is also reflected in Council's vision of 'Creating Great Places'.

The development, protection and growth of open spaces, and improvements to the quality of these, is increasingly important. Population growth, changes in community expectations, and economic and tourism opportunities all have implications for open spaces. With residential intensification, including subdivision of large productive land holdings, there are fewer larger sections and vacant land that provide incidental local recreation areas.

Open spaces are key contributors to cultural, ecological, environmental and amenity values. Ensuring these values are appropriately maintained and supported as the District evolves and grows is of great interest to the communities of the Far North District.

In addition to providing recreation opportunities, the secondary functions of open spaces are becoming increasingly significant, as residential areas intensify, and the need to provide connectivity and an active transport network (both pedestrian and shared paths) to support sustainability and address transport concerns becomes more pressing. Trees and other vegetation provide ecological corridors and networks for native plants, birds and animals. They also support drainage functions and ecosystem services, including rain infiltration and water detention for low frequency weather events. These functions provide additional important benefits to communities.

How open spaces are planned for, in terms of how they are used, what range of facilities should be provided, as well as the provision and creation of new open spaces is therefore a key consideration for councils.

The problem is that to date, open space acquisition and development has occurred in a largely ad hoc manner across the District. This can result in a range of issues, such as too much of only one type of recreational opportunities in an area, or very limited recreational and leisure opportunities in another. Likewise, where the District is experiencing growth, the opportunity to create the right type and mix of open spaces to support existing and new communities is often missed.

An OSS, based on best practice approaches and developed within the context of Council's other SPPs, provides the opportunity to establish a longer-term vision for the open spaces of the District, informed through community engagement.

An OSS ensures all elements of the open space network are considered as a whole, but also through an appropriate range of lenses, such as social and biodiversity needs. A particularly important element of an OSS is that it can detail Council's approach for open space provisioning connected to population growth.

5 Background and Analysis

5.1 What are open spaces?

5.1.1 Overview

A range of definitions can be applied to open spaces. The Project Scope and Mandate for this Strategy development have already proposed certain types of open spaces to be excluded from the OSS, with a more detailed analysis contained within this report (section 5.5) to fully inform the scope. This section provides a general overview to support understanding, as well as framing the more detailed analysis.

At a simple level, open space is land that is accessible to the public for movement, recreation, and social activities.

For the most part, this type of land is either owned or under the control of a local authority, or the Department of Conservation (DOC). In the past, school grounds and sports fields, under the control of the Department of Education, often provided accessible open space outside school hours, however this has become more restricted in recent years, with schools having

to control access for insurance purposes or due to vandalism. In some cases, open space is 'other' crown land, usually under the control of Land Information New Zealand (LINZ).

Some types of open spaces are privately owned, for example the Bay of Islands Golf Club. The use of these types of spaces may be limited to only some members of the community or may not be guaranteed into the future.

An element of developing an OSS is to analyse and describe the existing 'open space network' resulting in a database and associated map(s) of the range of recreation and leisure opportunities provided in the District. Generally, this will include all the above open spaces, to inform an understanding of the types and volume of available open spaces. This then also includes identifying potential limitations where open space is not under the control of Council.

The project scope for the OSS has identified that where other agencies or entities who control open spaces in the District wish to collaborate with Council in the development of the OSS, these are included in the scope. Staff are anticipating engagement with DOC on the development of the OSS at a minimum.

As indicated, local authorities have the primary responsibility for the provision of open space. Open space that is either owned or controlled by Council can be generally classified as follows:

- parks and reserves
- off-road walkways and cycleways
- other open spaces
- beaches
- civic spaces (such as town centre squares and pedestrian zones)
- roads and streets which incorporate footpaths, shared paths, and/or cycle lanes.

5.1.2 Parks and Reserves

Generally, when people consider 'open spaces' they think of parks and reserves. There are however key differences in how councils are required to manage, plan for and, if appropriate, dispose of these open spaces.

'Reserve' is generally used to describe a parcel of land that has been gazetted as a reserve pursuant to the Reserves Act 1977 (the Act). There are seven different classifications of reserves under the Act. Council must meet some general requirements regarding the administration and management of all reserves, as well as specific requirements depending on the type of classification of the reserve. Access and use of the reserve can also be controlled based on the classification, and this further informs the open spaces network and planning matters.

Reserves classified as 'recreation reserves' under the Act provide a fundamental component of public open space, with the purpose of a recreation reserve being:

"providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and

beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.”

Council also owns or manages various areas of publicly accessible land that are not gazetted as reserves, but that are owned and managed for a variety of purposes, including recreation, amenity, and preservation. These types of areas are usually called ‘parks’.

‘Sports Parks’ are a specific type of park or reserve, which often incorporate both built structures, such as indoor gymnasiums, as well as associated open spaces, usually configured and used for organised sporting activities like rugby or netball. These open spaces can be complemented by informal recreational facilities (e.g. playgrounds), as well as being available for informal recreational and sporting activities when not being used for organised sports.

Heritage and cultural sites, where under the control of Council, are usually either a distinct park or reserve in their own right, or are a component of a larger park or reserve area. In some cases, heritage and cultural sites are under the control of other organisations (e.g. Heritage New Zealand Pouhere Taonga). In those cases, an OSS would consider these in the same way as any other open space not under the control of Council.

Council controlled parks and reserves can provide opportunities to experience natural areas, but generally the larger areas in the District that provide more immersive nature experiences and the opportunity for tramping and overnight stays are provided by DOC.

Both reserves and parks have a level of legal protection regarding their continuing status.

Changing the classification of a reserve, or disposing of it is subject to a detailed process under the Act, including a formal consultation process.

Similarly, where land owned by a local authority has been used by a community as a park, it cannot be sold or otherwise disposed of without a public consultation process under Section 138 of the Local Government Act 2002.

5.1.3 Off-road walkways and shared paths

These elements are described as ‘off-road’ to ensure they are distinguished from footpaths, shared paths and cycle lanes/ways that may be provided as part of the roading network and which form part of the road. While these can support the wider open space network, they are subject to a range of specific roading related legal requirements that must be met and any planning for these is included in roading specific planning mechanisms.

Off-road walkways and shared paths/tracks (which allow a range of users, usually walkers and cyclists and sometimes horse riders) are often reserves, especially on the coast, where esplanade reserves or strips are commonly used to provide public access, and connect to beaches and other reserves and parks in the coastal environment. Off-road paths and tracks generally offer a higher level of amenity to users as they are separated from the noise and disturbance of motorised vehicles.

Access strips and unformed legal roads are also used for walkways and shared paths. These are often not technically described as ‘parks’ but again can provide linkages between

parks and reserves as well as the roading network, and can also provide independent recreation and leisure opportunities.

As well as providing access links and recreation opportunities, the ability for walkways and cycleways to support ecological corridors is well documented.

Across New Zealand, many walk and cycleways have been created by volunteer groups or trusts, either independently or in collaboration with councils and/or DOC. These can contain any combination of privately owned land, land under the control of council and/or DOC and can include easements or other legal instruments on all or some of the land. A local example of such a collaboration resulting in an open space provision is the Waitangi Mountain Bike Park, which is located on Crown land.

5.1.4 Other open spaces

Council owns or controls land that has a primary function unrelated to recreation or leisure activities, but which can also contribute to the open space network, as a 'secondary recreation function'.

Cemeteries provide a quiet space for passive leisure activities, such as reading and contemplation, as well as allowing for safe walking activities on their pathways. While most cemeteries are Council owned and managed, privately owned cemeteries do exist, and within the context of an OSS these would be considered in the same way other private open space is.

Cemeteries originally had an open space function when there was little space available to most citizens. Urban burial grounds in the 19th century were originally envisaged as public open spaces, and were professionally designed to be attractive places to visit.

As larger areas of land are taken up by cemeteries, and as residential areas extend into areas where cemeteries are located, there is increasing consideration of the use of cemeteries for compatible recreational and environmental functions.

Council also controls or owns land that is held for other purposes, such as drainage or utility reserves. These open spaces can often be made available for public access where this is compatible with other use and can therefore provide additional open space opportunities for communities.

The consideration of both primary and secondary uses of open spaces provides for more efficient outcomes. A drainage reserve would usually provide a poor environment for recreation, however a path within the edge of a drainage reserve may be constructed within the existing land or provided in a narrow additional area, whereas on a separate piece of land a wider width is recommended to provide good CPTED (Crime Prevention Through Environmental Design) outcomes. At the same time, a well-designed path can improve public surveillance of the drainage reserve and reduce vandalism and rubbish tipping. Shared paths and other accessways through the edges of sports parks can reduce vandalism by extending active use of the park.

5.1.5 Beaches, rivers and lakes

Many beaches, rivers and lakes across the District are used by communities and visitors alike for recreation and leisure activities, however these are technically neither parks or reserves.

The jurisdiction of beaches is complicated, with some matters the responsibility of district or city councils, and other matters for which a regional council is responsible. In certain circumstances, such as for a wildlife refuge, DOC may also have certain jurisdictions over a beach. In other cases, areas of a beach can be under private ownership attained through riparian rights.

In general terms however, most beaches will generally meet the criteria of an open space, in that they are accessible to the public and can be used for movement, recreation and social activities.

Often beaches are adjacent to an esplanade reserve or other type of council-controlled reserve, park, or walk/cycle way. These elements complement each other, and this is an important component of the open space network.

While the scope of this report includes rivers and lakes as part of this element, it is important to note that rivers and lakes can generally only be accessed and used for recreational purposes where there is an adjacent open space (or a road that is being managed as an open space), unlike beaches where road/pedestrian access only is required to access the beach itself to use for recreational activities. Therefore, rivers and lakes are generally only considered as part of the open space network where such access is provided, noting that future access provisions can be identified as part of the development of an OSS.

5.2 What is an 'Open Space Strategy'?

As indicated, many councils have SPPs for open space. These may use terms such as 'parks and reserves', 'parks and open spaces' or 'open space and facilities' in their titles. The focus of these can vary from a high-level aspirational approach, to a detailed strategic framework supported by an implementation plan, to a lower-level operational policy.

This report will focus on outlining an OSS that provides a detailed strategy with sufficient direction and detail to support the optimal development of the current open space network, as well as planning for additional open space land in the future. It is anticipated that as this project progresses there will be further refinements regarding the approach, scope and content of the final Strategy.

An OSS provides a framework to guide decisions on the provision, development and improvement of open space¹ in the District. For the strategy to reflect community aspirations, it will need to be developed in collaboration with the community.

¹ In the context of this report, the terms 'open space' and 'parks' will be used interchangeably.

An OSS provides transparency for the community and key stakeholders, such as developers, about Council's intended approach for future provision and acquisition of open spaces as well as divestment.

The overview of open spaces described in section 5.1 illustrates the complexity and linkages of the individual elements of an open spaces network. Best practice parks planning aims to achieve a wide range of outcomes for the community, including well-spaced neighbourhood parks, other recreational opportunities such as sports and destination parks and to align these outcomes with existing natural environments and features. A strategic and planned approach for these diverse types of open spaces helps to effectively optimise the desired outcomes, both now and into the future.

The development of an OSS includes the following key research elements and considerations:

- what kind of open spaces do we have
- what recreation opportunities do these provide, how are the open spaces being utilised, and if not, why not
- what secondary functions they do/can provide to meet other objectives, such as active transport or stormwater detention
- how the open spaces form a network within the surrounding geography
- what the appropriate mix, quantity and locations of open spaces are for our communities, both now and into the future
- in relation to the above, whether there are any gaps and how these could or should be provided for.

For most of the above matters, secondary research and existing data can be utilised, however for the more qualitative elements of the research, it may be appropriate to undertake primary research with a range of stakeholders and/or the public.

It is noted that Council does not necessarily have a single source of accurate data regarding existing open spaces in the District and it is likely significant work needs to be undertaken to fill the gaps with information held across the organisation.

To support the analysis and assessment of the above matters, and inform the strategic direction, an OSS often provides a framework hierarchy of parks that provide for different experiences for users. Recreation Aotearoa has developed a 'Parks Category Framework' which is often used to inform such a hierarchy. This includes:

- local or neighbourhood parks within close walking distances to residential areas, with limited facilities
- suburb or community parks with higher levels of development including larger playgrounds
- destination or premier parks with higher levels of development and use, and which are designed to also attract non-local users
- sports parks that provide for sports fields and associated facilities.

This hierarchy focuses on the experiences open space users can have and takes into consideration access issues. Access by different transport modes is a defining characteristic of this type of hierarchy. Local parks are generally provided within easy walking distance of residential areas, whereas community parks, sports parks and destination parks such as Korora Park are distributed at distances that take into account expected travel by car or public transport (if available).

Other types of open space categories include:

- nature parks, providing opportunities for people to experience nature, which can include active adventure activities (these areas are often only accessible by car, and more likely to be provided by DOC)
- recreation and ecological linkages
- cultural heritage parks and areas, including cemeteries
- beautification areas, for example botanic gardens and public gardens with formal display areas.

These elements assist in shaping the foundations of an OSS on which a strategic direction can be built.

OSSs will often include specific goals and objectives that relate to the provision of open spaces. These can be linked to a council's community outcomes and vision as well as the four well-beings as provided in the Local Government Act 2002. Section 5.3 of this report details how the proposed OSS would support the four well-beings.

Based on the initial research and analysis, the subsequent hierarchy and category approach, and informed by any goals and objectives, an OSS will detail its strategic direction elements, including, but not limited to:

- descriptions of the experiences that people can expect in the different types of open spaces provided, for example informal play opportunities, nature experiences or playground facilities, and the associated development requirements for those experiences
- outcomes related to community involvement and expression, including for example community gardens, parks names and sculptures
- how Council will protect natural and cultural heritage
- identifying secondary functions that can be achieved by parks, for example improving tree cover of township areas, or providing detention for low frequency rain events
- guidelines for optimising the open space network, including enhancing connections within the network (active transport routes and ecological corridors)
- a high-level action plan for implementing the strategy (for example, the review of existing SPPs to align with the strategy)
- a provision framework for both the existing and future open space network, which includes:
 - how Council plans to provide an equitable network of parks with varied experiences, for example local or neighbourhood parks within an easy walking distance

- an associated assessment criteria for acquisition and divestment of open space, including factors such as optimal size, contour, and road frontage requirements.

The provision framework described above is a key element of an OSS and should include provision metrics which guide or analyse the amount, type and distribution of open space required to provide adequate and equitable open space to communities. This may include walking distances to local playgrounds so that children are able to access them easily, and the population level at which an additional community or destination park is to be provided.

5.3 Open spaces strategies and the four well-beings

Local authorities are required to provide a role in promoting the social, economic, environmental, and cultural well-being of their communities.

The 2014 Design Council UK report: 'The value of public space: how high-quality parks and public spaces create economic, social and environmental value' ([designcouncil.org.uk](https://www.designcouncil.org.uk)) describes how:

- parks can assist in regeneration of areas and may affect property values
- parks have a value in mental health and longevity, and are important for young people
- provide a democratic forum for all citizens and provide a venue for social events
- can help the cultural identity of an area
- can accommodate active transport routes
- provide environmental benefit including improving air quality.

Table 1 below provides a summary overview of the contribution of open spaces to each of the well-beings.

Table 1

| Well-being | Open spaces contribution – providing and maintaining spaces for: |
|---------------|--|
| Social | <ul style="list-style-type: none"> • socialising • participation in leisure and recreation activities • connecting communities • mental and physical wellbeing |
| Economic | <ul style="list-style-type: none"> • providing tourism attractions and activities • supporting liveability and connectivity • placemaking |
| Cultural | <ul style="list-style-type: none"> • protecting cultural and historic heritage • experiencing art and cultural activities |
| Environmental | <ul style="list-style-type: none"> • the protection of natural areas (flora and fauna) • ensuring environmental sustainability through ecological corridors and other mechanisms |

Open spaces provide for both informal and formal recreation activities that support social connections and can contribute to community and local identity. Parks can have an emergency response function, for example as a gathering place at times of emergencies, or as an air ambulance landing facility.

The tourism sector in the District is based largely around the natural environment, and the range of open spaces provided are integral to, or support the key suite of tourism attractions and activities available.

Open space can protect ecosystems, natural features and landscapes and provide biodiversity corridors. Esplanade reserves in particular play an important role in climate change resilience and adaptation. Reserves can be important for hazard mitigation including by providing unbuilt areas for rainwater infiltration, and vegetation providing slope stability.

Planted parks provide a visual contrast to the built environment, which has increasing importance with higher residential development and larger buildings.

Vegetated parks may provide opportunities for mahinga kai and kaitiakitanga, and provide exposure to nature, particularly for urban residents. Cultural sites including Wāhi Tūpuna can be protected where the land is preserved as an open space.

An OSS developed through a thorough community engagement process provides an open space network underpinned by a holistic and integrated approach to meeting all four well-beings.

5.4 Advantages and disadvantages of open spaces strategies

5.4.1 Advantages

The main benefit of an OSS is to effectively achieve any recreational and other outcomes identified by Council and the communities it serves into the future.

5% of rates income is spent on recreation facilities, including parks and reserves, with additional funds spent on cemeteries (FNDC AP 2020–21). A co-ordinated and comprehensive planning approach, supported by a strategic direction set by Council and the community, will help to optimise the achievement of the identified goals and objectives, for the provision, development and maintenance of Council owned or controlled open spaces.

The inclusion of provision guidelines in an OSS, including provision metrics, together with associated assessment criteria, can guide Council in acquiring land that best meets the needs of current and future communities, and can identify the need for areas earlier in the development process when land values are lower.

An OSS provides a strategic planning approach that can support, inform, or align with key policies, plans and strategies of Council such as the District Plan and the Climate Change Roadmap, to ensure:

- valuable potential open space land is protected from development or rezoning

- appropriate land-use integration is achieved during developments
- central government funding applications can be supported or achieved
- climate change issues and natural hazard risks can be integrated
- developers will have clear direction on Council's expectations regarding open space provision requirements.
- opportunities are taken when presented where they fulfil an objective of the OSS

Additional benefits of an OSS include:

- provision of parks that reinforce local identity and culture
- parks that protect cultural or landscape features
- a parks network that takes account of biodiversity, green infrastructure, transport and other secondary functions
- a parks network that improves access to natural environments
- equitable parks provision
- parks that support both the local community and visitors
- providing for flexible land use, that supports potential emerging recreational activities
- supporting other non-statutory SPPs, such as an economic development or tourism strategy.

A specific advantage of an OSS relates to Council's current project to review the Development Contributions Policy (DCP).

Where a council chooses to have a DCP that requires development contributions, these are a fee charged by councils for new developments to contribute to the costs of building the infrastructure that supports the development, which can include roads, other infrastructure, and open spaces.

Where an OSS identifies a need for open spaces on either a per capita or area basis, this can be directly related to growth and charged as a development contribution. Where an OSS also identifies open space development requirements, for example expected development of local parks, this can also be charged as a development contribution.

The OSS supports a DCP by providing an approved framework for acquiring and developing new open space land to support developments. In such cases, an OSS can provide information on how much open space, or open space development is needed, and this can be used to guide what type and amount of contribution will be requested. Council can require a contribution from new developments, either in land or in cash, towards improving the open spaces network. This recognises that new developments bring more people to the District and these new residents create increased demand for open spaces.

As proposals are being assessed for these developments, Council can ensure that the proposed land will add value to the open space network. This is also a time to identify opportunities to fill gaps in the network, connecting new reserves to existing open spaces, and to active transport networks.

Projects to support growth generally need to be identified in Council's Long-Term Plan for development contributions to be charged, thereby committing Council to this expenditure, and the DC funds cannot be used for other purposes.

The DCP review process will expand and further detail how development contributions can or should be applied to open spaces, however an OSS is considered a key tool in supporting and guiding a DCP to achieve appropriately planned and funded contributions to support the expansion of the open space network because of growth.

Should Council not proceed with a DCP, then the acquisition provisions contained within the OSS will guide council planning and budgeting for land acquisition and disposal as part of its Long Term Plan development processes.

An OSS can be used to support discussions with developers through the resource consent application process. An OSS can ensure that any land provided as open space and vested in Council by a developer is suitable, both in the context of the development, but also the wider goals and objectives of the OSS.

Examples of recent open space strategies and plans that include provision guidelines, for either the provision of open spaces (provision guidance for acquisitions and disposals) and/or development guidelines (how various types of open spaces will be developed, e.g. facilities provided etc) are included in Table 2 below.

Table 2

| Council | SPP | Provision of open space | Open Space development guidelines |
|-------------------------------|--|--|--|
| Matamata Piako District | Parks and Open Spaces Strategy 2021-51 | Provision guidelines given for community, sports & recreation, and recreation & ecological linkage parks | Play provision and development guidelines |
| Queenstown Lakes District | Parks and Open Spaces Strategy 2021 | Accessibility (distance) requirements for different types of open spaces | |
| Queenstown Lakes District | Parks and Reserves Future Provision Plan (draft) | Provision guidelines for local parks and community parks, including references to DC requirements | Indicative amenity guidelines for all open space types |
| Kapiti Coast District Council | Toitū Kāpiti - Kāpiti Coast Open Space Strategy (Interim) 2022 | Benchmark comparisons of existing provision | Development guidelines included as 'potential characteristics' |

| Council | SPP | Provision of open space | Open Space development guidelines |
|----------------------------|---|---|--|
| Thames Coromandel District | Open Space and Community Facilities Strategy 2020 | Accessibility distances for neighbourhood parks | Discussion on current condition |
| Masterton District | Parks and Open Spaces Strategy 2021 | Assessment of current provision only | Reference to 'typical characteristics' |

5.4.2 Disadvantages

As with any document developed by Council, conflict can arise during the development of the document and the associated community engagement process. Open spaces and how they are managed and provided can be an emotive subject for communities, with divergent views on the best option(s). The community may not have a sufficiently cohesive view of how the strategic approach and/or goals and objectives of the strategy should be framed, or may consider the strategy does not go far enough to meet their aspirations.

Should the proposed OSS include any divestment/co-management/alternative uses for specific areas, this may engender considerable public interest and debate, leading to reputational risk.

Another disadvantage of an OSS is the potential to create unfulfilled expectations of the community. An OSS is generally a longer-term strategic document that is implemented over time and in conjunction with budgets set through Long Term and Annual Plan processes (and potentially development contributions). The benefits of the strategy may not be apparent to the community in the shorter term.

The inclusion of parks provision and development intentions in an OSS can open Council's performance in relation to these intentions to public scrutiny and/or questioning, should elements of the strategy not result in perceived or actual 'on the ground' timely outcomes.

As noted above, while development contributions can be seen as beneficial to Council in general, the requirement to identify projects and infrastructure provisions associated with development contributions in a Long Term Plan, commits Council to this expenditure, even when it may not be fully funded by development contributions received. Development contributions cannot be used to improve parks provision in areas where there is no growth. This is however not a disadvantage of an OSS, but has been included in this section for completeness.

Consideration of how provision guidelines are articulated within the Strategy must include whether to identify specific locations for future open spaces, as this may disadvantage Council's purchasing position.

5.5 What open space elements should be considered for an OSS?

Supported by the overview of the various elements provided in section 5.1, Table 3 provides a summary of the advantages and/or disadvantages of incorporating each element in an OSS, to support decisions regarding the final scope and approach of the proposed Strategy.

Table 3

| Type of open space | Advantages to include in OSS | Disadvantages to include in OSS |
|---|--|---|
| Council controlled parks and reserves (including natural areas) | Parks and reserves are provided specifically for the community for active and passive recreation activities. They form a significant proportion of the open space network and thus are a key component of any OSS. | None identified. |
| Off-road walkways and shared paths | Provide a specific recreation (and transport) function that is ideally planned as a network including connections to areas of parks. Off road networks generally provide higher amenity and user satisfaction. | Mixed ownership issues for some trails and tracks will require collaboration and agreement with relevant landowners. |
| Roads and streets | Footpaths, cycle lanes and shared paths in the road reserve can contribute to the overall open space network connectivity. Inclusion in an OSS allows for better connectivity planning. | These elements are subject to specific legal requirements and other detailed planning mechanisms, inclusion in the OSS could create confusion, duplication and misalignment. |
| Civic areas | Civic areas can contribute considerably to an open space network by providing informal leisure opportunities, especially for socialising and connecting. These are likely to be perceived by the public as useable open space areas. | Civic areas are often small areas of reserve, specifically set aside for this purpose and often do not provide much in the way of informal or other recreation possibilities. |

| Type of open space | Advantages to include in OSS | Disadvantages to include in OSS |
|--|--|---|
| Built sports and recreation facilities | Often provided in association with, and complimentary to, open spaces adjacent to the facility. | A built facility is not generally considered an 'open space'. Usually, such facilities are considered as part of a wider regional strategy and inclusion in the OSS could create duplication and misalignment. Open spaces in the vicinity of built facilities are intended to be included in the OSS. |
| Cemeteries | Cemeteries provided by Council can have important secondary recreation functions. Recreational use can improve surveillance and support reducing vandalism. They can provide specific types of recreation opportunities that complement the open space network. | Potential for perceived conflict with the primary function of the open space by the community, however this can be mitigated through appropriate planning and alignment. |
| Beaches, rivers and lakes (including harbours) | Beaches and open space adjoining a beach provide a high-quality recreational experience. This can be reinforced by additional land purchase and development to provide for higher levels of use. Beaches in the Far North District are an integral part of the recreation experience and need to be considered as such within the wider network. Identifying appropriate future access provisions to rivers and lakes is a key advantage in including rivers and lakes in an OSS. Beaches, harbours and their facilities can provide access to the | The jurisdiction on beaches, rivers and lakes can be complicated and includes usage issues such as dogs and vehicles. An OSS should ensure appropriate consideration of any additional policies or bylaws (including regional council bylaws) that may apply to individual beach environments. Northland Regional Council (NRC) has jurisdiction for harbours and marine reserves, and it is expected that appropriate collaboration and alignment will occur in the development of the OSS. |

| Type of open space | Advantages to include in OSS | Disadvantages to include in OSS |
|--|---|---|
| | water to experience marine recreation opportunities. | |
| DOC reserves (predominantly natural areas) | DOC reserves often can provide a different recreation experience for users than can be provided by reserves under the control of Council due to their often more remote locations, the exposure to nature and the opportunity for tramping and other activities. These reserves are therefore an important consideration in terms of providing an appropriate range of recreation experiences and consideration of biodiversity outcomes. | Council cannot control the types of use and access on reserves under the control of DOC, however the provision of such areas has a high level of long term assurance. It is considered appropriate agreement and collaboration with Department staff will support the inclusion of DOC reserves in the OSS. |
| Other Crown land (LINZ) | In some districts, land under the control of LINZ can add to an open space network. The detailed research to be undertaken for the development of the OSS will highlight whether there is sufficient and appropriate Crown land that should be considered for inclusion in the OSS. | See comments above regarding DOC reserves. Inclusion of this type of land in an OSS is subject to the agency's agreement to collaborate. |
| Other Council controlled land | Use of drainage and utility reserves can provide additional land links for access and ecological outcomes and can be particularly important in providing ecological or access networks. | Potential conflict with the primary function of the open space, however this can be mitigated through appropriate planning and alignment. |
| Other public spaces used for recreation | These are predominantly school grounds, including sports fields. These can contribute significantly to neighbourhood recreational use and tree cover and other outcomes and therefore can be | Can be considered but should not be relied on as a permanent part of open space due to changes in the ways many schools are managing access to their grounds after hours. |

| Type of open space | Advantages to include in OSS | Disadvantages to include in OSS |
|--|---|---|
| | considered as elements of the wider network. | Potential legal implications for joint arrangements with other entities. |
| Privately owned open spaces | Golf courses and similar types of open spaces contribute to the range of recreational opportunities in the District and should be considered as part of the open space network. | Areas such as private golf courses may not be open to the public, and can be sold. These should inform an OSS, but should not be relied on as a permanent part of open space provision. |
| Heritage and cultural areas under the control of Council | Cultural areas and heritage sites under the control of Council can add to the richness of a park experience and are important components of the open space network. | Can have limited development and/or other restrictions. |

For open spaces under Council's control, the above analysis indicates that most open spaces should be included in a comprehensive OSS. Two elements that should be considered for exclusion from the OSS are roads and streets, due to their detailed legal framework and existing planning mechanisms; and built sport and recreation facilities as they are not technically 'open spaces' and are also generally subject to other regionwide strategy and policy processes.

For open spaces under the control of agencies who also manage open spaces and facilities on behalf of, and for community use and access, such as DOC and NRC, it is anticipated that collaboration on the development of the OSS will occur, and the final Strategy will include an integrated planning approach.

For other open spaces, such as privately owned golf courses, walking tracks managed by community trusts, and school grounds; these may be taken into consideration and noted as part of the OSS, but will unlikely be elements that are actively planned for and managed as part of the Strategy, unless otherwise indicated by the landowner.

Alternatively, such land could be included in an OSS, but only where tenure is assured. Examples of assured tenure include access easements over private land and covenanted land adjoining parks which adds to the recreational and aesthetic experience.

Further potential refinement of this scope is anticipated as the project progresses and the finer details of the open space network and its elements are better understood.

5.6 The OSS and existing strategies, plans or policies of Council

Local authorities are rarely able to develop SPPs based on a 'clean sheet' approach. The range of statutorily required documents and their associated differing review cycles,

together with any additional non-statutory SPPs, can sometimes create challenges in developing a new SPP.

For example, while a new SPP may include a new best practice approach, this might be inconsistent with an existing bylaw that has only recently been reviewed. While it may be better to achieve Council's desired outcomes through the new approach, consideration of the implications on the existing SPP are also important.

As with most proposed SPPs therefore, a review of other council SPPs is a key element of the development process. It is important to determine what, if any SPPs address some or all the specific issues that have been identified through the problem and opportunity stage of the project, followed by a detailed stocktake of existing (and planned/in train/draft) documents to assess for potential alignment, duplication, or inconsistencies with the proposed new SPP.

Generally, such an analysis will have one of the following outcomes:

- The proposed SPP should be informed by and/or align with an existing SPP without reducing or changing the value of both the existing and proposed SPP
- The proposed SPP can/should support or add value to an existing SPP
- The proposed SPP duplicates matters addressed in an existing SPP
- The proposed SPP is inconsistent with an existing SPP, but it is considered appropriate to amend the existing SPP accordingly
- There are gaps in the existing suite of SPPs that would support or complement the proposed SPP.

In most cases, the review will indicate that the proposed SPP should be informed by/aligned with one or more existing SPPs as part of its development and implementation, or the SPP can be used to support and enhance an existing SPP.

Table 4 provides an overview of key SPPs of Council and indicates the outcome of the review of each.

Table 4

| SPP | Linkage to open spaces | Outcome for OSS development |
|----------------|---|--|
| Far North 2100 | <p>A non-statutory aspirational 'District Strategy', which envisages how the Far North might look in 80 years' time, based on the vision He Whenua Rangatira – a district of sustainable prosperity and wellbeing, including principles of environmental, social and cultural prosperity.</p> <p>Connections for open spaces are through at least two of the five 'drivers of change' outlined in the Strategy ('putting the wellbeing of communities</p> | Development to be informed by, and align with, principles and drivers of change. |

| SPP | Linkage to open spaces | Outcome for OSS development |
|--|--|--|
| | and people first', and 'protect the natural environment for future generations'). No specific open spaces content. | |
| Spatial Plan | Council is in the process of developing the Kerikeri / Waipapa Spatial Plan. A spatial plan is a key tool in capturing the aspirations of the communities it applies to and showing how or what of these aspirations can be achieved. A spatial plan is a future thinking document that includes growth projections in general as well as where that growth should occur and how and can include specific open space elements. | To be developed in conjunction with the Spatial Plan, will align with and give effect to specific elements of the Spatial Plan as a result. |
| District Plan (DP) | The District Plan currently being reviewed and revised under the National Planning Standards includes chapters and associated objectives, policies, and rules on open spaces in the District as well as providing for public access issues, particularly regarding esplanade reserves and esplanade strips. | Can provide guidance to and support the DP. Can possibly (due to timing) inform the current DP review process in terms of zoning to ensure that the plan adequately protects open spaces, and provides, maintains, and enhances public access to and along the coastal marine area, lakes, and rivers. |
| Long Term Plan (LTP) 2021-2031 /Community Outcomes | The LTP includes budgets and plans for open spaces for the ten-year period of the Plan, which will be supported through the Infrastructure Strategy, the Financial Strategy and any relevant asset management plans. This can include parks acquisition and development activities where these have been quantified through an OSS or other process. Maintenance and improvements and possibly land acquisition goals for open spaces may | Development to be informed by and align with Strategic Priorities and Community Outcomes. An analysis of the specific details of the relevant supporting documents to determine specific linkages to the OSS will be required for alignment but also to inform the development of the next LTP. |

| SPP | Linkage to open spaces | Outcome for OSS development |
|-----------------------------|---|--|
| | <p>have been provided in the supporting documents for the LTP.</p> <p>The LTP strategic priorities include:</p> <ul style="list-style-type: none"> • Enable sustainable economic development • Deepen our sense of place and connection • Better asset management <p>The LTP includes the following Community Outcomes that are relevant for open spaces:</p> <ul style="list-style-type: none"> • Communities that are healthy, safe, connected, and sustainable • Proud, vibrant communities • Prosperous communities supported by a sustainable economy • A wisely managed and treasured environment that recognises the special role of tāngata whenua as kaitiaki. • We embrace and celebrate our unique culture and heritage and value it as a source of enduring pride | |
| Infrastructure Strategy | <p>This document references a 'Living Asset Management Plan' to cover district facilities including open spaces.</p> <p>The limited reference to open space does not take account of secondary functions of open spaces including drainage retention and protection of other council assets including roads.</p> | <p>The OSS is likely better informed by and aligned with the Asset Management Plan referenced in the Strategy, rather than the Strategy itself.</p> <p>However, future reviews of the Asset Management Plan and Strategy may be informed by the OSS.</p> |
| FNDC Climate Change Roadmap | <p>This is a high-level document that details Council's broad approach to climate change, including key objectives and four key focus areas.</p> | <p>Development should be informed by the Roadmap and any subsequent climate change related SSPs of Council.</p> |

| SPP | Linkage to open spaces | Outcome for OSS development |
|---|--|--|
| (This is also informed by the Te Tai Tokerau Climate Adaptation Strategy for Northland) | <p>'Vulnerable parks and reserves' is listed as one of eight significant risks for Council in this document.</p> <p>Functions of an esplanade reserves and strips under Section 229 of the RMA include mitigating natural hazards, and it is expected that esplanade reserves and esplanade strips will have an increasing importance in coastal defences and at the same time are generally reduced in area by sea level rises.</p> | <p>Esplanade reserves are an important component of both an open space network and climate change adaptation.</p> <p>The OSS could provide direction on a range of matters that can support and enhance the achievement of the roadmap objectives and focus areas.</p> |
| Transport Strategy | <p>Includes a strategy and an integrated transport plan and recognises open space in investment objectives. Strategic responses include</p> <ul style="list-style-type: none"> to enhance and promote sustainable transport choices both 'within' and 'between' communities greater provision for shared active modes including making them more attractive. <p>While reference to parks and open spaces is not direct, provision of off-road facilities in parks is a commonly used solution to make active transport routes more attractive.</p> | <p>Development to be informed by, and align with the relevant aspects of the Transport Strategy.</p> <p>Future reviews of the Transport Strategy may benefit from alignment with and reference to the OSS.</p> |
| Reserves Policy 2017/ Draft Parks and Reserves Policy | Both the existing and draft Policies are entirely focused on open spaces and have considerable content that will likely be superseded by the approach and content of the OSS. | The OSS development should be undertaken in conjunction with a review of the Policy to ensure duplications are removed and the final policy is primarily operationally focused. An option may be to incorporate the Parks and Reserves Policy into the OSS. |
| Northland Walking and | This document is at a strategic level, and it is unclear if proposed 'enhancement' sections of trails will be located in public or private land, | Development should be informed by the Strategy, likely requiring a level of collaboration |

| SPP | Linkage to open spaces | Outcome for OSS development |
|---|---|--|
| Cycling Strategy | <p>however council controlled open spaces can provide an opportunity for off-road cycle trails that can assist in activating parks.</p> <p>Half of the Far North Cycle Trail is located on Te Oneroa-a-Tōhē / Ninety Mile Beach, and large sections of the Twin Coast Cycle Trail are located on parks including esplanade reserves, whereas the Kauri Coast Cycle Trail is an on-road trail.</p> | <p>with private landowners and other entities.</p> <p>The final OSS may support future reviews of this Strategy.</p> |
| Kōkiri ai te Waka Hourua/ Far North Spaces and Places (Facilities) Plan | <p>The Far North Spaces & Places Plan is a facility-focussed plan developed in conjunction with the regional strategy for play, active recreation, and sport – Kōkiri ai te Waka Hourua.</p> <p>The regional strategy provides the high-level strategic framework to guide future decision making, with the district level plan providing more detailed guidance for the Far North part of the region.</p> <p>The Plan mentions open spaces, however the content largely relates to facilities to support active sport and recreation activities.</p> | <p>While built recreation facilities are to be excluded from the OSS, the wider approach of the Strategy and Plan should inform the development of the OSS.</p> |
| Dog Management Policy | <p>This statutory policy provides, among other things, where dogs can be allowed off-leash or on-leash as well as providing areas prohibited for dogs, or areas where dogs are the priority users (dog parks).</p> | <p>Development to be informed by this Policy, noting this may still result in recommended approaches that are inconsistent with the current Policy.</p> <p>Any consultation on the OSS may provide a baseline for future amendments to the Policy to align with the OSS.</p> |

| SPP | Linkage to open spaces | Outcome for OSS development |
|---|---|---|
| Stormwater Strategy (draft) | <p>The draft document includes the following focus areas:</p> <ul style="list-style-type: none"> Stormwater flooding does not create a hazard to our community or cause damage to properties Urban streams, aquatic habitats and coastal marine environment are healthy and accessible. <p>Stormwater flooding is already linked to the climate change issues as already provided and has implications for parks and reserves. The focus on the health of natural waterways has direct linkages to the management of open spaces.</p> | <p>Development to be informed by and aligned with the Strategy. Depending on timeframes, an ideal approach would be to develop the OSS and this Strategy in conjunction with each other.</p> <p>The OSS could provide direction on a range of matters that can support and enhance the achievement of the objectives of the Strategy.</p> |
| Development Contributions Policy DCP) | <p>The overall purpose of a DCP has been outlined in section 5.4.1 of this report. Council's current approach is to not collect development contributions.</p> <p>Should a review of the Policy determine that development contributions should be collected, this has clear linkages and implications for open spaces.</p> | <p>An OSS is a key tool in providing a framework to base development contributions on and would inform and support such a Policy.</p> |
| Structure Plans, Township Plans, Concept Plans, Community Development Plans | <p>Council has a range of these types of plans. These have not been analysed in depth and the status of these in terms of being 'active' documents of Council is unclear.</p> <p>However, in general terms, these plans are all developed in conjunction with the relevant communities and provide an expression of each communities' aspirations. It is highly likely that the final plans include elements of leisure and recreation goals and objectives and therefore have links to open spaces.</p> | <p>Development to be informed by plans as required.</p> |

| SPP | Linkage to open spaces | Outcome for OSS development |
|---|---|---|
| Engineering Standards | <p>This document provides guidance to design and construction of reserves by reference to NZS:4404.</p> <p>This document is at an operational level and is not relevant to the OSS development.</p> | N/A |
| <p>Other non-statutory policies:</p> <ul style="list-style-type: none"> ▪ Cemeteries ▪ Art and Memorials in Public Places ▪ Camping in Public Places ▪ Community Gardens ▪ Equity and Access for People with Disabilities ▪ Footpaths ▪ Public Toilets | <p>These policies all have content and approaches that are linked to open spaces, either specifically, such as the Cemeteries Policy, or generally such as the Equity and Access for People with Disabilities Policy.</p> <p>Therefore, all will have implications for the development of the proposed OSS.</p> | <p>The OSS development will need to address any potential inconsistencies and duplications across these policies.</p> <p>In some cases, alignment between the OSS and a policy is appropriate, in other cases it may mean a recommendation to review and update the existing policy or even revoke it. The OSS may also support and enhance existing policy provisions.</p> |

6 Conclusion

At present, the lack of an OSS means decisions regarding open spaces in the Far North District are made in an ad hoc manner that is resulting in an open spaces network that is not planned for in a holistic and integrated fashion, and may not have optimal outcomes. An important consideration is that currently the open space network in the District is not adequately future-proofed and Council risks losing opportunities for valuable potential open space land.

This research report has outlined and described what an open space strategy is, how it is developed and what key matters a best practice OSS should address. The range of individual open space elements that could be included within the proposed Strategy have

been described, together with an analysis of the advantages and disadvantages for their inclusion.

The analysis of the linkages of an OSS to other existing SPPs of Council and other agencies indicates how much of an important element open space is to a wide variety of outcomes, goals and objectives of Council. A single strategy document for open spaces is likely not only to be beneficial for the delivery of fit for purpose open spaces, but will also contribute to, support and enhance other SPPs of Council.

Should the project to develop the OSS proceed, the detailed research and analysis required, as outlined in this document, will be reported back to Council to inform future decisions on the final approach, scope and content of the OSS.

5.7 KERIKERI BAY OF ISLANDS SPEED LIMIT REVIEW STATEMENT OF PROPOSAL**File Number: A3845803****Author: Kirsten Griffiths, Strategic Planner****Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To adopt a Statement of Proposal for consultation purposes and to seek approval to consult on proposed new speed limits in the Kerikeri - Bay of Islands catchment area.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

This agenda item seeks the adoption of a Statement of Proposal (SOP) for consultation purposes. The SOP proposes new speed limits in the Kerikeri Bay of Islands catchment area as part of the implementation of the governments Road to Zero National Road Safety Strategy and a new Setting of Speed Limits Rule 2022.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee:

- a) approve the attached “Statement of Proposal – Interim Speed Management Plan for Kerikeri Bay of Islands Catchment Area” for consultation.**
- b) confirms that the submission period for the speed limit review will open on 28th October and close on 5th December, with oral submissions to be scheduled in February 2023.**
- c) undertakes consultation on the proposed changes to speed limits set out in the attached Statement of Proposal in accordance with the Principles of Consultation set out in Section 82 of the Local Government Act 2002.**
- d) delegates the Chief Executive to make any necessary minor drafting or presentation amendments to the attached Statement of Proposal and to approve the final design and layout of the documents prior to final printing and publication.**

1) TĀHUHU KŌRERO / BACKGROUND

This section should give context for the report. What happened to lead to this report and why is this report required now? Refer to relevant previous decisions, with enough information that readers can track down reports if needed.

Keep it high level and concise.

Council, in its capacity of Road Controlling Authority is reviewing speed limits across the Far North District as part of central governments Road to Zero Road Safety Strategy. The review process is being led by the Northland Transportation Alliance and has a goal of setting safe and appropriate speed limits that will reduce fatal and serious injury crashes.

The decisions that Council are taking today enables staff to consult on proposed speed limit changes. This request for Council to approve the Statement of Proposal and submission dates enables consultation to be undertaken immediately after the local body elections. If Council do not approve the Statement of Proposal for consultation purposes, the next opportunity will be the end of February 2023. This will result in an approximate 4-month delay in the review and cause knock-on delays to the wider speed review programme.

The decisions taken today do not adopt the proposed changes until all submissions and technical information are available and final recommendations are made. The oral submissions and consideration of submissions and associated decision will be undertaken by the new Council following local body elections in mid-October.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Why is this area being reviewed?

The Kerikeri Bay of Islands area has undergone consistent and ongoing development in recent years, and it is necessary to review speed limits to ensure that they match the changing road environment. There has also been vocal community support for speed limit reductions in the catchment, particularly in the Kerikeri and Waipapa areas.

The review area has also been chosen because it includes nine roads that have been identified as High Benefit (top 10%), where a lower speed limit is expected to significantly reduce serious harm or fatal crashes. The total review area has been expanded from these core roads to include a wider catchment area that is a manageable size for the review process.

Submission Period

The Setting of Speed Limits Rule 2022 requires Council to consult in accordance with the Principles of Consultation as set out in Section 82 of the Local Government Act 2002. To achieve this requirement, the following submission period is recommended:

- Submissions Open: 28th October 2022
- Submissions Close: 5th December 2022

It is anticipated that oral submissions will be held in February 2023.

Public consultation

The Setting of Speed Limits Rule 2022 requires consultation to be undertaken in accordance with the principals of consultation set out in Section 82 of the Local Government Act 2002. *Note: Section 3.9(5) of the Setting of Speed Limits Rule specifically states that there is no requirement to consult in accordance with Section 83 of the LGA 2002 (Special Consultative Procedures).*

Consultation and communication will be coordinated with the concurrent speed limit reviews being undertaken in the Whangarei and Kaipara Districts. The principals of consultation (Section 82 LGA 2002), along with other specific consultation requirements set out in the Rule will be given effect to by:

- The Statement of Proposal, along with detailed technical review information will be made available on council's website and at relevant service centres.
- Public notice will be placed in media with the information able to be viewed at Council service centres. This public notice will be followed up with media releases throughout the submission period.
- Key stakeholders and local stakeholders, as identified by Council and Section 22AD (3) of the Land Transport Act 1998 will be directly notified.
- Marae within the review area, along with other iwi partners will be directly notified and provided the opportunity to discuss the proposals.
- Where appropriate, community information drop-in sessions will be held.

Community feedback in decision making

The setting of speed Limits Rule 2022 identifies a range of matters that the Road Controlling Authority (Council) must consider and assess when proposing a new speed limit. This includes the wider road environment; the safe design speed of the road; adjacent land-uses; what the road is used for; and the current average speed on the road. Community feedback is one aspect that must be considered.

Options

Option 1: Approve the Statement of Proposal for consultation and associated consultation timetable. Approval of the Statement of Proposal provides staff the authority to seek community

feedback on proposed speed limits in accordance with the Setting of Speed Limits Rule 2022. This will enable the ongoing speed limit review process to move forward and avoid consequential delays to the overall speed limit review programme.

Option 2: Approve the Statement of Proposal for consultation, with amendments. The proposed speed limits within the Statement of Proposal are consistent with national and regional assessment criteria. The proposals provide an evidence based starting point for community engagement and consultation. Any amendments to proposed speed limits may not appropriately address all the required assessment criteria.

Option 3: Do not approve the Statement of Proposal for consultation. If the Statement of Proposal is not approved for consultation, there will be a minimum 3-to-4-month delay in the speed limit review programme, leading to consequential delays in the wider programme. A significant delay in this speed limit review will impact on the production of the longer-term Regional Speed Management Plan.

Next steps

Following the submissions and hearings process, a detailed Recommendations Report will be produced. This Report will detail the feedback received and take into consideration all the matters that must be considered under the Setting of Speed Limits Rule. The new Council will be asked to consider this information and make decisions on the final speed limits.

Take Tūtohunga / Reason for the recommendation

The Statement of Proposal is the result of significant work to review speed limits within the Kerikeri Bay of Islands catchment area. Approval of the Statement of Proposal for consultation purposes will enable staff to commence the next stage of the speed limit review process.

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

This decision allows staff to undertake consultation, there are no ongoing financial and budgetary implications of this decision. However, it should be noted that changes to speed limits will incur an initial cost for new signage, which will be met within existing budgets.

ĀPITI HANGA / ATTACHMENTS

1. Kerikeri BOI Speed Limit Review Statement of Proposal - A3847585 [↓](#) 

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 | In line with the Significance and Engagement Policy the recommendation to consult on the proposed speed limits is consistent with existing plans and policies and does not involve the transfer of ownership of an asset. Therefore the level of significance is not high. The recommendation will have little effect on financial thresholds, ratepayers, or levels of service. However, the proposed speed limits will most likely generate public interest and have an effect on the community therefore, the level of significance is medium. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Land Transport Act 1998 Land Transport (Register of Land Transport Records – Speed Limits) Regulations 2022. Setting of Speed Limits Rule 2022 |
| 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 proposal does not have District wide relevance. The process for making speed limits is now regulated by the National Speed Limits Register. However the appropriate Community Board's are encouraged to share their views as part of the consultation process. |
| 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. | <ul style="list-style-type: none"> • The principals of consultation (Section 82 LGA 2002), along with other specific consultation requirements set out in the Rule will be given effect to by: • The Statement of Proposal, along with detailed technical review information will be made available on council's website and at relevant service centres. • Key stakeholders and local stakeholders, as identified by Council and Section 22AD (3) of the Land Transport Act 1998 will be directly notified. |

| | |
|--|--|
| | <ul style="list-style-type: none"> • Marae within the review area, along with other iwi partners will be directly notified and provided the opportunity to discuss the proposals. |
| 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). | <ul style="list-style-type: none"> • The principals of consultation (Section 82 LGA 2002), along with other specific consultation requirements set out in the Rule will be given effect to by: • The Statement of Proposal, along with detailed technical review information will be made available on council's website and at relevant service centres. • Key stakeholders and local stakeholders, as identified by Council and Section 22AD (3) of the Land Transport Act 1998 will be directly notified |
| State the financial implications and where budgetary provisions have been made to support this decision. | There are no ongoing financial implications associated with this decision. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |



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Statement of Proposal Speed Limits Review – Kerikeri – Bay of Islands

Introduction

Far North District Council is a Road Controlling Authority and is responsible for setting speed limits on all roads within the Far North District (except State Highways). Council is reviewing speed limits across the district as part of a nationwide programme under the governments "Road to Zero" National Road Safety Strategy. The aim of the review is to reduce the number of serious injury and fatal crashes on our roads by setting safe and appropriate speed limits that better match the road environment.

This 'Statement of Proposal' (SOP) is the document that is made available to you as part of the consultation process. The SOP sets out the proposed speed limit changes, along with some background information on the proposal to assist you in providing your thoughts to Council on the topic. More detailed technical information on how proposed changes to speed limits are arrived at is available on Councils website at www.fndc.govt.nz/haveyoursay

The area that this SOP covers include the:

- Kerikeri urban area.
- Opuia urban area.
- Paihia urban area.
- Bay of Islands catchment area, as set out in the map below.

Background

There is a need to reduce deaths and serious injuries on the road network; but also, ensure that people and goods can move around the road network efficiently. To do this we need to ensure that the speed limits on our roads are safe and appropriate for the road conditions and the purpose for which the road is used.

All Councils are required to review the speed limits on roads within their District as part of the Governments Road to Zero Road Safety Strategy. Because we have so many roads, we have decided to use a staged approach to reviewing speed limits, with the highest risk areas being reviewed first.

New Setting of Speed Limit Rule

A new Setting of Speed Limits Rule (2022) came into force on 19th May 2022. The new Rule makes a number of changes to how we review and set new speed limits. Some of these changes are explained below and include:

- New Speed Management Plans
- New rules for setting speed limits around schools
- A new National Speed Limit Register (NSLR).

What is a Speed Management Plan?

A Speed Management Plan sets out how speed on our roads will be managed over time, including setting of new speed limits to better match the road environment and identifying infrastructure needs to support speed limits. A Speed Management Plan has a strong emphasis on coordinating speed and road safety on a regional basis.

Schools

The new rule sets out new requirements and acceptable speed limits near schools. The aim is to make walking and cycling to and from schools much safer. The new Rule requires us to set a permanent and variable speed limit of 30kph outside many schools.

National Speed Limit Register

The new Rule sets up a National Speed Limit Register. This has now taken over from our local Bylaws as the way in which speed limits are identified and enforced.

What is in this Statement of Proposal

Before finalising and setting any new speed limits and preparing a Speed Management Plan, Council wants to hear your views. This Statement of Proposal provides you with the proposed new speed limits in the review area, including the background and reasons for the proposed speed limits and a summary of the statutory issues Council is required to consider when setting speed limits.

We will provide ongoing information about our speed review programme on our website at www.fndc.govt.nz/haveyoursay

When changing a speed limit, we are required to consider a range of matters, including crash risk information, the design and nature of the road and the surrounding land-uses, especially how the road is accessed from properties and what the road is used for. We are also required to consider the community views on any proposed speed limit. We are currently seeking those community views.

Your Feedback

Before finalising and setting any new speed limits, Council want to hear your views and feedback on our proposals.

This Statement of Proposal provides you with the background and reasons for the proposed speed limits, as well as a summary of the statutory issues Council is required to consider when setting speed limits and where you can get more information. This Statement of Proposal also sets out the proposed changes to speed limits in the review area in map form.

If you want more detailed information on the matters that we have considered when proposing the new speed limits, you can visit our website at www.fndc.govt.nz/haveyoursay for detailed speed review reports and additional information.

You can also call us on 0800 920 029 or 09 401 5200 or visit one of our offices if you would like to have a copy sent to you.

How to have your say

Your views on the proposed new speed limits are important to us, but we need your feedback by **4:30pm on Monday 5th December 2022.**

There are several ways you can have your say. You can download a submission form from our Website and email, post or deliver it to us. You can also make a submission online.

Please ensure that you state in your submission if you want to present your submission in person at a Council hearing.

How to make a submission

Council encourages any person or organisation with an interest in proposed changes to speed limits in the Kerikeri – Bay of Islands area to provide feedback on those proposals. Submissions can be made between **Friday 28th October to 4:30pm Monday 5th December 2022**. To make a submission you can:

- submit online <https://www.fndc.govt.nz/haveyoursay>
- email your comments to submissions@fndc.govt.nz
- drop-off a written submission at any Council service centre or library (Attention: NTA Speed Limit Review)
- post your submission to: Far North District Council, Private Bag 752, Kaikohe 0440.

Timeline for considering the proposed speed limit changes

| | |
|-----------------------------------|---|
| Submissions Period: | Friday 28th October to 4:30pm Monday 5th December 2022 |
| Hearings (if required): | February 2023 |
| New speed limits come into force: | To be advised |

Reasons for the proposed new speed limits

Council, as the Road Controlling Authority are reviewing speed limits across the Far North District as part of central government's Road to Zero - Road Safety Strategy. The goal is to set safe and appropriate speed limits that will reduce fatal and serious injury crashes. The proposed changes to speed limits also take account of the changing road environment, including the volume of traffic as well as current and planned development.

In response to changes in the road environment, including new development; increased traffic; the construction of new walking and cycling facilities; along with an assessment of the safe and appropriate speed for the road environment and other road safety factors; Council is proposing to amend speed limits in the Kerikeri – Bay of Islands catchment area by creating an Interim Speed Management Plan. The primary reasons for the proposed amendments are:

- To better match the road speed limit with the wider road environment to lower the potential for fatal, serious injury and minor crashes.
- To respond to a changing environment, including existing, new, and planned developments.
- To respond to increased traffic volumes.
- Lower the potential for fatal and serious injury crashes, including those involving pedestrians and cyclists by providing for a safe and appropriate speed limit.
- To meet new speed limit requirements around schools.

In addition to the overall reasons set out above, the following roads within the Review Area have been identified as priority High Benefit (top 10%) roads where better speed management will have a significant impact on lowering serious injury and fatal crashes:

- Hautapu Road
- Hupara Road
- Oromahoe Road
- Williams Road (Pahia)
- Butler Road (Kerikeri)
- Kurapari Road
- Redcliffs Road
- Te Tii Road
- Otaha Road

The roads identified above have the highest benefit speed management opportunities, whether that opportunity is engineering up or where the lowering of speed limits to match the current operating speed, so they are self-explanatory and credible to road users.

This Statement of Proposal provides the overall reason for the proposed changes to the speed limits. There is more information in the detailed speed review Technical Report. This Report can be viewed on our website at www.fndc.govt.nz/haveyoursay.

Will it take longer to get where I am going?

In most cases, the average driver will get to their destination in about the same time that they are now. This is because the actual speed that you drive on a road is often much slower than the posted speed limit. The Technical Report (available on Council's website) provides details on the free flow speed of roads in the review area. We are required to consider the Mean Operating Speed (average actual speed on that road) when setting a speed limit.

People who travel at an unsafe speed, whether or not they are exceeding the speed limit, may experience a small increase in journey time, but for many journeys, this will be measured in seconds rather than minutes.

A 5km journey travelled at 100km/h will take 3 minutes, the same journey travelled at 80km/h will take just 45 seconds longer.

Speed Environments

New speed limit rules now allow us to set a wider range of speed limits that are appropriate for the road environment.

Matching the speed limit with the road environment achieves safer, more appropriate and predictable speed limits. If you drive down one road, the speed limit should be similar to any other road that has the same look and feel to it.

We have provided a description of the speed limits expected in different road environments that we have used to set safe and appropriate speed limits that are consistent across Northland.

| | |
|---------------|--|
| 20kph | Shared Space areas that are predominantly used for pedestrian activities. Areas will typically include street furniture and landscaping, or street design that promotes casual pedestrian activities. Some beaches. |
| 30kph | Shared Space areas that provide equal access to pedestrians, cyclists and motor vehicles. Beach access, including informal parking for pedestrian access to beaches and some parts of smaller urban centres and coastal settlements. Central Business District areas, particularly where there is on-road parking and pedestrians crossing roads at either controlled or uncontrolled crossing points, but not a formal shared space. Some urban areas where there are facilities that generate significant additional pedestrian activity such as shopping centres, sports facilities or other developed recreational areas, or where there are "slow street" urban design features. |
| Schools 30kph | The Setting of Speed Limits Rule requires that most schools have a permanent or variable speed limit of 30kph. |
| 40kph | Urban residential areas. Unsealed roads that are particularly narrow, torturous or are short access only roads that may have a higher non-traditional vehicle use (eg: horses or |

| | |
|-------------------------|---|
| | agricultural vehicles). |
| 50kph | Urban roads that are utilised as key arterial routes within the community and where those roads exhibit urban safety features such as marked cycleways, and other road safety markings, including traffic and pedestrian separation. |
| Schools less than 60kph | The Setting of Speed Limits Rule requires that schools identified as Category 2 have a maximum speed limit of 60kph (or less). Category 2 schools include rural schools where there is no associated pedestrian activity in the road environment (including off-street pick up and drop off for all vehicles, including school busses). |
| 60kph | Semi-urban or rural roads that meet one or more of the following criteria: <ul style="list-style-type: none"> • Significant industrial or commercial activity • A road principally used for access to rural residential dwellings with a narrow single lane carriageway or no centre line marking • A road where significant residential or other development is directly accessed, including approaches to urban areas. • Some urban arterial routes • Unsealed roads |
| 70kph | <ul style="list-style-type: none"> • Transitional roads that do not meet the 60kmph semi-urban speed environments but have characteristics that an 80kmph speed limit is inappropriate. |
| 80kmph | <ul style="list-style-type: none"> • General rural sealed roads with clearly marked centre lines, shoulder areas and are not tortuous in terms of curves. |
| 100kmph | <ul style="list-style-type: none"> • Rural arterial routes that are of high quality with a wide carriageway, lane separation and exhibit other engineered safety features. |

Statutory Considerations

Speed limits are set in accordance with the Setting of Speed Limits Rule 2022 and the Land Transport Act 1998. The Setting of Speed Limits Rule requires Council to prepare Speed Management Plans that identify proposed speed limit changes and a schedule for implementing those changes.

In proposing new speed limits as part of a speed Management Plan, Council, in its capacity as a Road Controlling Authority must have regard to:

- Any Government Policy Statement on Road Safety
- The principals and outcomes of the National Road Safety Strategy – Road to Zero
- Waka Kotahi (NZTA) speed management guidance, including mean operating speeds on roads
- Speed limits on adjoining roads
- The function and use of the road
- Crash risk for all road users
- The characteristics of the road and roadsides
- Adjacent land-use

- The number of intersections and property accessways
- Traffic volume
- Any planned modifications to the road
- The mean operating speed of the road (how fast vehicles currently travel on the road)

Detailed information about the matters that Council must have regard to is provided in a separate "Speed Review Technical Report" which can be viewed on our website at www.fndc.govt.nz/haveyoursay

Road to Zero Strategy

All Councils are required to review speed limits on roads within their District as part of the Government's Road to Zero Strategy. The Road to Zero Strategy adopts a vision of a New Zealand where no one is killed or seriously injured in road crashes and sets a target for reducing annual deaths and serious injuries by 40 percent by 2030. This speed limit review has been undertaken as part of the implementation of the Road to Zero Strategy.

One of the five main focus areas to achieve the overall vision is to "Improve road safety of our cities and regions through infrastructure improvements and speed management". The Strategy recognises that improving people's skills and behaviours as road users will be critical to its success, but that this alone will not fix the problem and that it also requires fixing a transport system that fails to protect people. To do this, attention is to be given to improving physical road infrastructure, lifting the safety of our vehicle fleet and by tackling unsafe road speeds.

Government Policy Statement on Land Transport

The Road to Zero Strategy is also supported, as a priority, by Te Tauākī Kaupapa Here a te Kāwanatanga mā ngā waka whenua - The Government Policy Statement on Land Transport (GPS). The GPS sets out the Government's priorities for allocating transport funds over the next 10-year period. It also covers the allocation of funding through the National Land Transport Fund (NLTF) for activities such as public transport, state highway improvements, local roads and road safety.

All local authorities need to ensure that spend on transport reflects Government priorities outlined by the GPS. Strategic Priority 1 is to "Develop a transport system where no one is killed or seriously injured", with one of the key indicators being deaths and serious injuries where speed, amongst other things, was a contributing factor. Council are therefore dedicating resources to reviewing speed limits to align with this priority.

Proposed Changes

The Review Area Map identifies the entire area that we are reviewing.

Where we are proposing a change to the speed limit on a road, we have identified the road and set out the current posted speed limit and the proposed new speed limit in tables. We have also included a map of the proposed new speed limits.

In most cases, the proposed new speed limits on open roads will reduce to 80kph because our roads do not meet the safety standards of a higher speed limit. The proposed speed limits on unsealed roads will be generally lower than that of a sealed road.

Within our coastal communities, we are proposing slower speed limits of 40kph for most residential streets and 30kph in areas where there are more pedestrians accessing beaches or retail establishments. This is intended to provide a safer road environment for the residents and visitors to those communities. There are some residential areas in Opuā where we are proposing a 30kph speed limit because the roads are particularly narrow and tortuous.

School Speed Limit Zones

The Setting of Speed Limits Rule 2022 requires us to set a 30kph speed limit (either permanent or variable) outside all urban schools and those schools where students actively use the road to access the school, for example, where school bus drop-off does not occur off-road, or students walk along or cross the road to access the school. The requirement applies to all urban schools and some rural schools. Rural schools where there is no active use of the road environment by student pedestrians, can only have a speed limit of 60kph or less.

The following schools are within the review area:

- Opuia School (Franklin Road – Opuia)
- Paihia School (School Road – Paihia)
- Kerikeri Primary School (Hone Heke Road – Kerikeri)
- Kerikeri High School (Hone Heke Road – Kerikeri)
- Riverview School (Riverview Road – Kerikeri)
- Bay of Islands International Academy (Purerua Road – Te Tii)
- Matauri Bay School (Wainui Road – Matauri Bay)
- TKKM o Whangaroa (Wainui Road – Matauri Bay)
- One School Global Campus Kerikeri (Blue Gum Lane)
- Harvest School (361 Waipapa Road)

Kerikeri – Bay of Islands Speed Review Area

The Kerikeri – Bay of Islands Catchment is set out in the map below (Figure 1). The area extends to the east of State Highway 10 and State Highway 1 from Whangaroa Harbour to State Highway 11 (Kawaka to Opuia) in the south. Note that the review area does not include State Highways or the township of Kawakawa.



Figure 1: Kerikeri – Bay of Islands Speed Limit review Area

Note: This Map provides an outline of the Kerikeri – Bay of Islands Catchment Area being reviewed. Due to the scale of the map, not all roads are shown.

Proposed Speed Limit Changes – Kerikeri - Bay of Islands Catchment

In Far North District Council's capacity as the Road Controlling Authority (RCA), the following amendments to the posted speed limits within Kerikeri – Bay of Islands Catchment area as set out in figure 1 (above) are proposed:

Kerikeri urban area

Within the Kerikeri urban area, it is proposed to set 40kph speed limits on most residential roads. This is intended to provide a safer environment for residents, particularly pedestrians and cyclists. It is proposed to retain some arterial roads at the 50kph. There are also new school zones within the urban area. The school zones are set out in more detail under their own headings.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Access Heights | 50 | 40 |
| Access Road | 50 | 40 |
| Amokura Drive | 50 | 40 |
| Amsharlo Drive | 50 | 40 |
| Ao Marama Place | 50 | 40 |
| Aranga Road | 50 | 40 |
| Augusta Place | 30 | 30 |
| Awhitu Road | 50 | 40 |
| Barrett Place | 50 | 40 |
| Baska Voda Drive | 50 | 40 |
| Blacks Road | 50 | 40 |
| Blue Marlin Drive | 50 | 40 |
| Blue Marlin Drive Extension | 50 | 40 |
| Butler Road | 30 | 40 |
| Campbell Lane | 50 | 40 |
| Cannon Drive | 50 | 40 |
| Cannon Drive Extension | 50 | 40 |
| Charlotte Kemp Drive | 50 | 40 |
| Clark Road (Kerikeri) | 50 | 30 |
| Cobham Court | 50 | 40 |
| Cobham Road from Kerikeri Rd to Hobson Ave | 30 | 30 |
| Cobham Road from Hobson Ave to Kerikeri Inlet Rd | 50 | 50 |
| Cobham Road Service Lane | 30 | 30 |
| Cochrane Drive | 50 | 40 |
| Darwin Road | 50 | 40 |
| Edkins Road (Kerikeri) | 50 | 40 |
| Fairway Drive Kerikeri Rd to Augusta Place | 50 | 30 |
| Fairway Drive from Augusta Place to Golf View Rd | 30 | 40 |
| Fairway Drive Service Lane 1 | 30 | 30 |
| Fairway Drive Service Lane 2 | 30 | 30 |

Table 1: Summary of proposed Speed Limit changes – Kerikeri urban area

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Fieldview | 50 | 40 |
| Fuller Terrace (Kerikeri) | 50 | 40 |
| General Gates Avenue | 50 | 40 |
| Golf View Road | 50 | 40 |
| Greenway Drive | 50 | 40 |
| Hall Road | 50 | 40 |
| Hawkins Crescent | 50 | 40 |
| Heritage Bypass from Kerikeri Rd for first 50m | 50 | 50 |
| Heritage Bypass | 80 | 80 |
| Heron Hill | 50 | 40 |
| Hobson Avenue (Kerikeri) | 30 | 30 |
| Homestead Road | 30 | 30 |
| Homestead Road Service Lane 1 | 30 | 40 |
| Homestead Road Service Lane 2 | 30 | 30 |
| Hone Heke Road from Cobham Dr to Baska Voda Dr | 50 | 40 |
| Hone Heke Road from Baska Voda Dr to 65 Hone Heke Rd (School Zone) | 50 | 30 |
| Hone Heke Road from 65 Hone Heke Rd to Kerikeri Rd | 50 | 40 |
| Jacaranda Place | 50 | 40 |
| James Kemp Place | 50 | 40 |
| Karaka Drive | 50 | 40 |
| Kemp Road | 50 | 40 |
| Kendall Road | 50 | 40 |
| Keridale Lane | 50 | 40 |
| Kerikeri Grove | 50 | 40 |
| Kerikeri Inlet Road from Cobham Rd to 300m past Hoult's Way | 50 / 80 | 50 |
| Kerikeri Inlet Road from 300m past Hoult's Way to 50m north of One Lane Bridge (approx. 313 Kerikeri Inlet Rd) | 80/100 | 60 |
| Kerikeri Inlet Road from One Lane Bridge (approx. 313 Kerikeri Inlet Rd) to end | 100 | 80 |
| Kerikeri Road from SH10 to 50m south of Greenway Dr | 80 | 60 |
| Kerikeri Road from 40m south of Greenway Dr to 50m south of Butler Rd | 50 | 50 |
| Kerikeri Road from 50m south of Butler Rd to 50m north of Clark Rd | 30 | 30 |
| Kerikeri Road from 50m north of Clark Rd to Heritage Bypass roundabout | 50 | 50 |
| Kerikeri Road from Heritage Bypass roundabout to end | 50 | 40 |
| Kilountain Place | 50 | 40 |
| King Street | 50 | 40 |
| Kingfisher Drive | 50 | 40 |

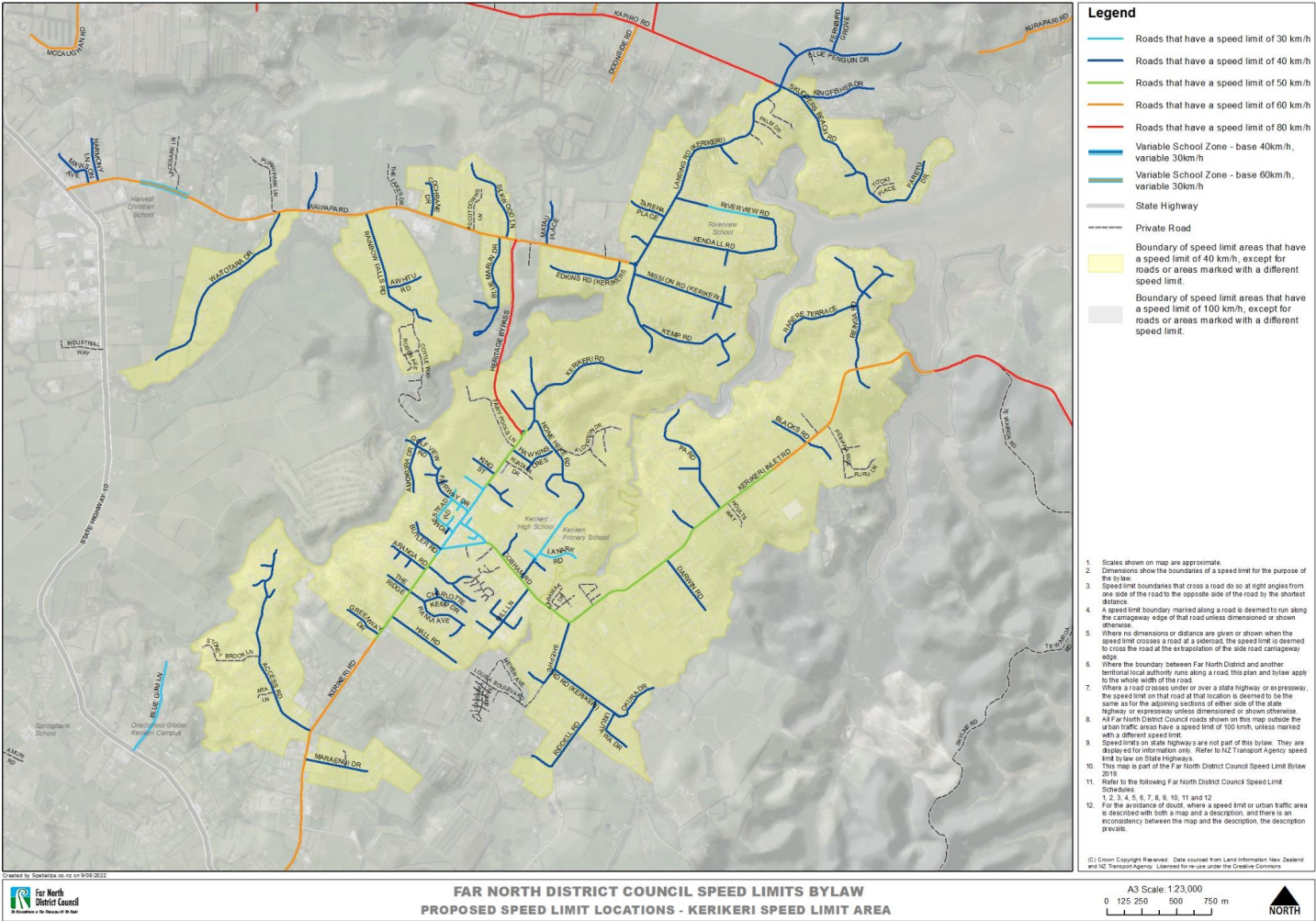
Table 1 (cont.): Summary of proposed Speed Limit changes – Kerikeri urban area

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Kotare Heights | 50 | 40 |
| Lanark Road (School Zone) | 50 | 30 |
| Landing Road (Kerikeri) | 50 | 40 |
| Limelight Lane | 50 | 40 |
| Maraenui Drive | 50 | 40 |
| Marsden Place (Kerikeri) | 50 | 40 |
| Martha Clarke Lane | 50 | 40 |
| Masonic Lane | 30 | 30 |
| Mill Lane | 50 | 40 |
| Mission Road (Kerikeri) | 50 | 40 |
| Norfolk Place | 50 | 40 |
| Oakridge Drive | 50 | 40 |
| Okura Drive | 50 | 40 |
| Oripiro Road | 50 | 40 |
| Pa Road | 50 | 40 |
| Paretu Drive | 50 | 40 |
| Peacock Garden Drive | 50 | 40 |
| Pickmere Lane | 50 | 40 |
| Rainbow Falls Road | 50 | 40 |
| Ranui Avenue | 50 | 40 |
| Rarere Terrace | 50 | 40 |
| Reinga Road | 50 | 40 |
| Riddell Road | 50 | 40 |
| Riverbank Drive - Through Road | 50 | 40 |
| Riverstone Lane | 50 | 40 |
| Riverview Road from Landing Rd to 20 Riverview Rd | 50 | 40 |
| Riverview Road from 20 Riverview Rd to 45 Riverview Rd (School Zone) | 50 | 30 |
| Riverview Road from 45 Riverview Rd to end | 50 | 40 |
| Sammaree Place | 50 | 40 |
| Selwyn Place (Kerikeri) | 50 | 40 |
| Shepherd Road (Kerikeri) | 50 | 40 |
| Silkwood Lane | 50 | 40 |
| Skudders Beach Road | 50 | 40 |
| St Andrews Place | 50 | 40 |
| Stella Drive (East) | 50 | 40 |
| Stella Drive (West) | 50 | 40 |
| Tareha Place | 50 | 40 |
| Tarutaru Lane (School Zone) | 50 | 30 |
| Tasman Place | 50 | 40 |

Table 1 (cont.): Summary of proposed Speed Limit changes – Kerikeri urban area

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| The Lookout | 50 | 40 |
| The Ridge | 50 | 40 |
| Totara Place (Kerikeri) | 50 | 40 |
| Tuatahi Place | 50 | 40 |
| Tui Place (Kerikeri) | 50 | 40 |
| Urutawa Drive | 50 | 40 |
| Waipapa Landing Place | 50 | 40 |
| Waipapa Road from SH10 to 50m before Landing Rd | 80 | 60 |
| Waipapa Road 50m before Landing Rd to Roundabout | 50 | 40 |
| Waipapa/Landing Road Rab | 50 | 40 |
| Waitotara Drive | 50 | 40 |
| Wendywood Lane | 50 | 40 |
| Wentworth Terrace | 50 | 40 |
| Woodley Place | 50 | 40 |

Table 1 (cont.): Summary of proposed Speed Limit changes – Kerikeri urban area

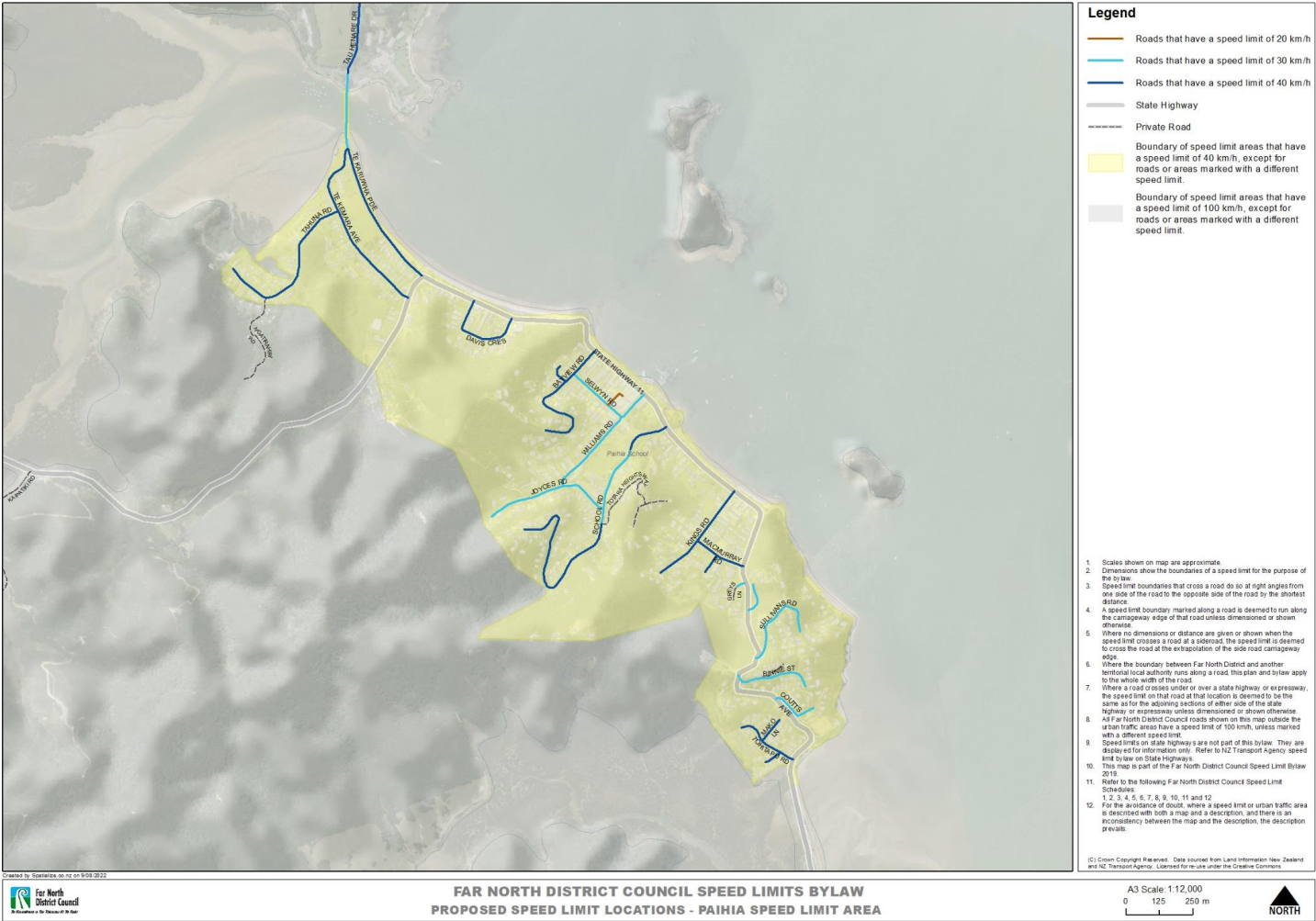


Paihia urban area

Paihia is a small community that has a strong tourism focus. The town centre has significant pedestrian activity, and the proposed 30kph speed limit reflects this. In addition, the school is located near the town centre. In accordance with the new Setting of Speed Limits Rule 2022, the proposed 30kph zone has been extended to encompass the school.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Bayview Road (Paihia) | 50 | 40 |
| Bedggood Close | 50 | 40 |
| Binnie Street | 50 | 30 |
| Coutts Avenue | 50 | 30 |
| Davis Crescent (Paihia) | 50 | 40 |
| Greys Lane | 50 | 30 |
| Joyces Road | 50 | 30 |
| Kings Road | 50 | 40 |
| Kowhai Crescent (Paihia) | 50 | 40 |
| Macmurray Road | 50 | 40 |
| Mako Lane (Paihia) | 50 | 40 |
| Moana Avenue | 50 | 40 |
| School Road (Paihia) | 50 | 40 |
| Seaview Heights Road | 50 | 30 |
| Selwyn Road (Paihia) | 50 | 30 |
| Selwyn Road Service Lane | 50 | 20 |
| Sullivans Road | 50 | 30 |
| Tahuna Road (Paihia) | 50 | 40 |
| Te Karuwha Parade from SH11 to Bridge | 50 | 40 |
| Te Karuwha Parade from Bridge to Tau Henare Dr | 30 | 30 |
| Te Kemara Avenue | 50 | 40 |
| Tohitapu Road | 50 | 40 |
| Veronica Street | 50 | 30 |
| Williams Road | 50 | 30 |

Table 2: Summary of proposed Speed Limit changes – Pahia urban area

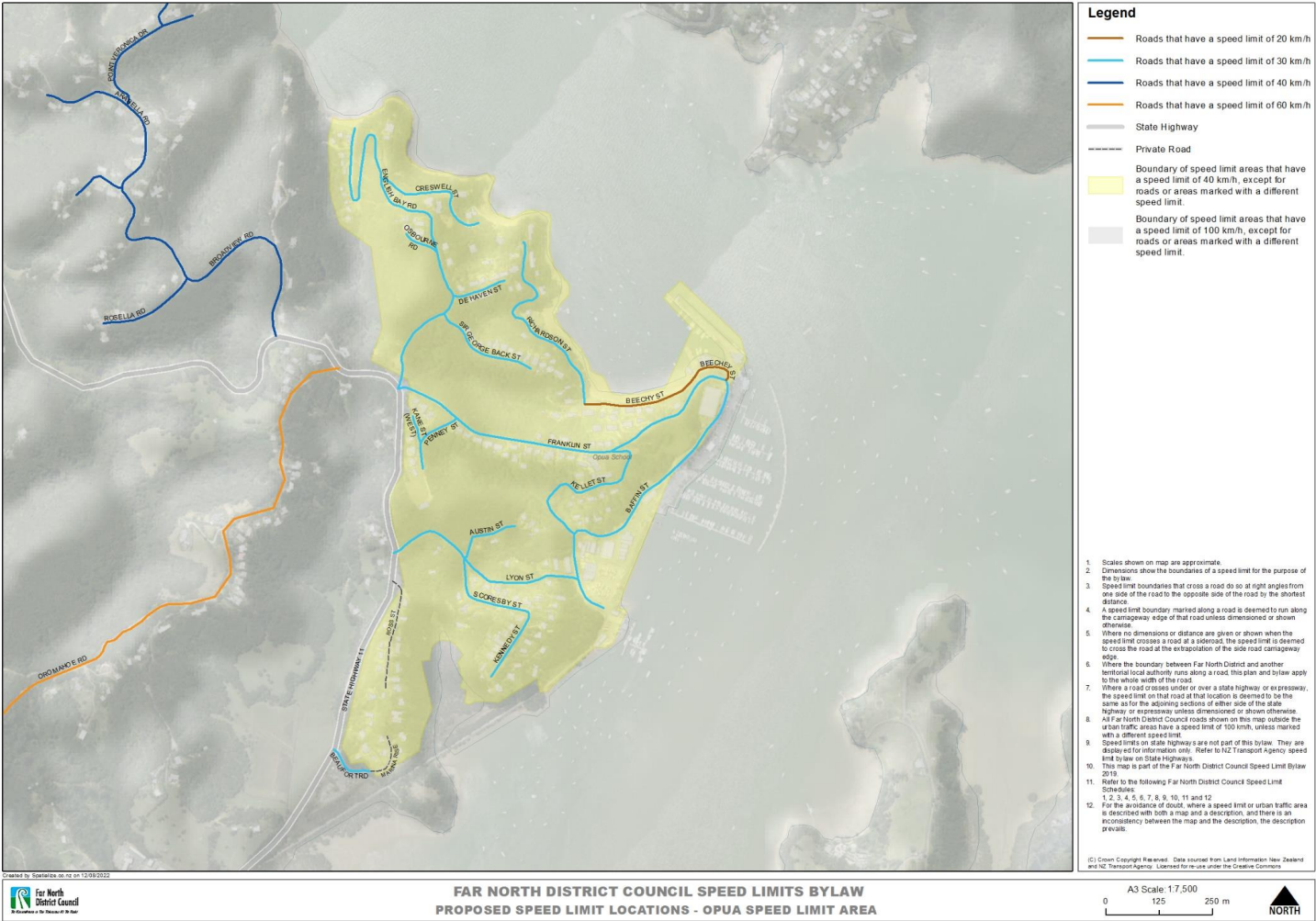


Opua urban area

Opua is characterised by very narrow tortuous residential streets. In many cases, the carriageway is single lane with no lane markings and very little manoeuvring room. A slower safer streets 30kph speed limit has been proposed for these streets. A 30kph speed limit has been proposed on Franklin Street as this road provides pedestrian access to Opua School and has frequent queues for the Opua Ferry.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|-------------------------------|-----------------------------|----------------------|
| Austin Street | 50 | 30 |
| Baffin Street | 50 | 30 |
| Beechey Street | 50 | 20 |
| Creswell Street | 50 | 30 |
| De Haven Street | 50 | 30 |
| English Bay Road | 50 | 30 |
| Franklin Street (School Zone) | 50 | 30 |
| Kane Street (East) | 50 | 30 |
| Kane Street (West) | 50 | 30 |
| Kellet Street | 50 | 30 |
| Kennedy Street | 50 | 30 |
| Lyon Street | 50 | 30 |
| Osbourne Road | 50 | 30 |
| Penney Street (Opua) | 50 | 30 |
| Richardson Street | 50 | 30 |
| Scoresby Street | 50 | 30 |
| Sir George Back Street | 50 | 30 |

Table 3: Summary of proposed Speed Limit changes – Opua urban area

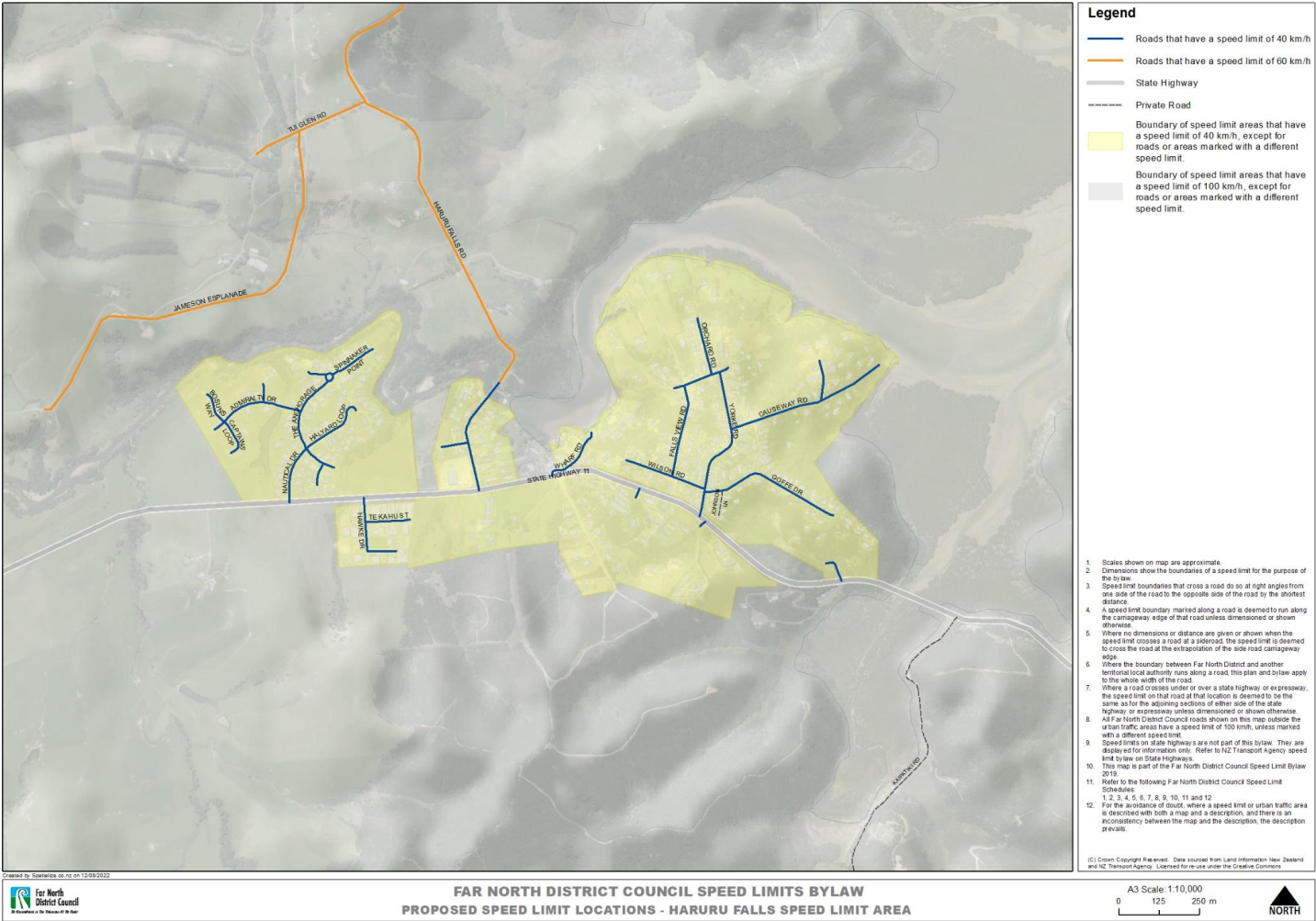


Haruru Falls urban area

Haruru Falls is a small community with new subdivision developments. A 40kph speed limit has been proposed within the residential community, which is consistent with other small communities across Northland. The proposed 40kph speed limit is intended to provide a safer environment for residents, especially pedestrians and cyclists.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Admiralty Drive | 50 | 40 |
| Ash Grove Circle | 50 | 40 |
| Bosuns Way | 50 | 40 |
| Captains Loop | 50 | 40 |
| Causeway Road | 50 | 40 |
| Falls View Road | 50 | 40 |
| Garden Court | 50 | 40 |
| Goffe Drive | 50 | 40 |
| Halyard Loop | 50 | 40 |
| Haruru Falls Road from SH11 to northern side of bridge | 50 | 40 |
| Hawke Drive | 50 | 40 |
| Kaipatiki Rise | 50 | 40 |
| Mooring Close | 50 | 40 |
| Nautical Drive | 50 | 40 |
| Orchard Road (Haruru Falls) | 50 | 40 |
| Riverglen Drive | 50 | 40 |
| Skippers Close (Watea) | 50 | 40 |
| Spinnaker Point | 50 | 40 |
| Te Kahu Street | 50 | 40 |
| The Anchorage | 50 | 40 |
| The Anchorage East | 50 | 40 |
| Waterview Place | 50 | 40 |
| Wharf Road (Haruru Falls) | 50 | 40 |
| Wilson Road | 50 | 40 |
| Yorke Road | 50 | 40 |
| Yorke Road (East) | 50 | 40 |

Table 4: Summary of proposed Speed Limit changes – Haruru urban area

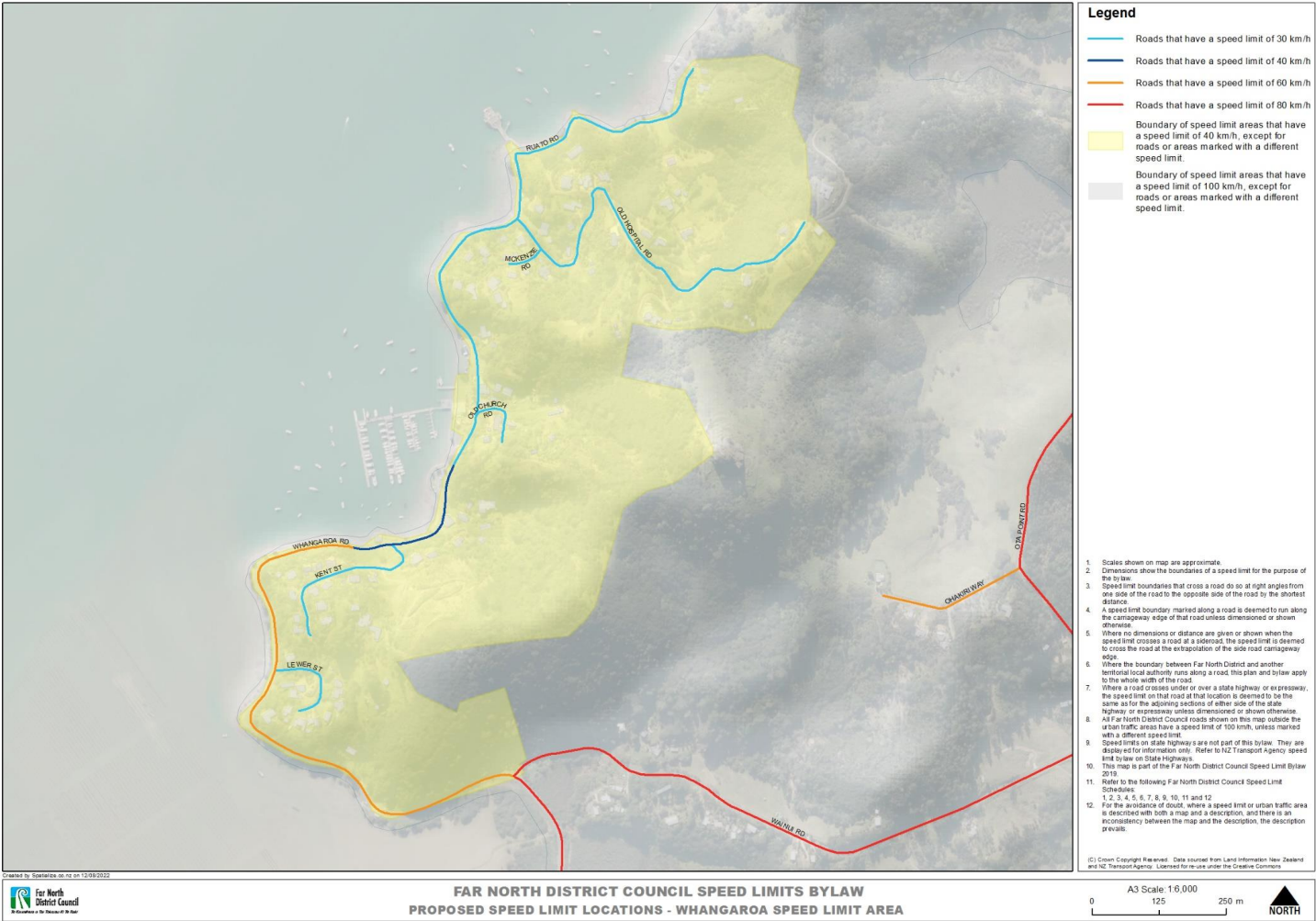


Whangaroa urban area

Whangaroa is a small community located along the Whangaroa Harbour with most of the residential streets traversing a very steep topography, with narrow and tortuous carriageways. A 30kph speed limit has been proposed for most of the roads within this area, except the main entry into the Whangaroa village. The proposed 30kph speed limit is intended to provide a safer environment for residents, especially pedestrians and reflects the high number of visitors to this community.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Kent Street (Whangaroa) | 50 | 30 |
| Lewer Street | 100 | 30 |
| Mckenzie Road (Whangaroa) | 50 | 30 |
| Old Church Rd Service Lane | 50 | 30 |
| Old Church Road (Whangaroa) | 50 | 30 |
| Old Hospital Road | 50 | 30 |
| Ruato Road | 50 | 30 |
| Whangaroa Road | 50 | 30 |
| Whangaroa Road from Wainui Rd to 75m west of Kent St | 100 | 60 |
| Whangaroa Road from 75m west of Kent St to 100m south of Old Church Rd | 50 | 40 |
| Whangaroa Road from 100m south of Old Church Rd to end | 50 | 30 |

Table 5: Summary of proposed Speed Limit changes – Whangaroa urban area



Roads that are outside of the urban areas

The roads set out in the tables below and the map are located outside of the larger urban areas (identified above), but within the overall review area. Proposed speed limits reflect the road environment, for example, unsealed or tortuous. Generally sealed roads that are not tortuous have been proposed as 80kph. In some cases, a lower speed limit has been proposed due to a higher crash risk or other road environment considerations.

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|---|-----------------------------|----------------------|
| Ake Ake Road | 100 | 40 |
| Amsharlo Drive | 50 | 40 |
| Anchorage Heights | 100 | 40 |
| Arabella Road | 50 | 40 |
| Atwell Road | 100 | 60 |
| Bayly Road | 100 | 40 |
| Beaufort Road | 50 | 30 |
| Bledisloe Road | | 20 |
| Blue Gum Lane (school zone) | 100 | 30 |
| Blue Penguin Drive | 50 | 40 |
| Bristow Road | 100 | 30 |
| Broadview Road | 50 | 40 |
| Bush Point Road (Doves Bay) | 100 | 40 |
| Cavalli View Road | 100 | 60 |
| Conifer Lane | 100 | 60 |
| Cottle Hill Drive | 100 | 60 |
| Davis Strongman Place | 100 | 60 |
| Doonside Road | 100 | 60 |
| Doves Bay Road | 100 | 40 |
| Edmonds Road | 100 | 60 |
| Equestrian Drive | 100 | 60 |
| Fantail Rise | 50 | 40 |
| Fernbird Grove | 50 | 40 |
| Furness Road | 100 | 60 |
| Hansen Road (Purerua) | 100 | 60 |
| Harmony Lane | 50 | 40 |
| Haruru Falls Road from Puketona Rd to north side of bridge | 50 | 40 |
| Haruru Falls Road from north side of bridge to Tui Glen Rd | 100 | 60 |
| Haruru Falls Road from Tui Glen Rd to end | 100 | 60 |
| Hauriri Road | 100 | 60 |
| Hautapu Road | 100 | 60 |
| Hewitt Road (50m road leading to a carpark and Conservation estate. | 100 | 30 |

Table 6: Summary of proposed Speed Limit changes – roads outside the urban areas

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Hihitahi Rise | 50 | 40 |
| Hikurua Road | 100 | 60 |
| Huia Road | 100 | 60 |
| Hupara Road | 100 | 80 |
| Hupara Road | 100 | 60 |
| Hupara Road (East) | 100 | 60 |
| Jameson Esplanade | 100 | 60 |
| Kapiro Road from SH10 to 50m west of roundabout | 100 | 80 |
| Kapiro Road from west of roundabout to end | 50 | 40 |
| Keri Downs Road | 100 | 60 |
| Kingfisher Drive | 50 | 40 |
| Kotuku Road | 100 | 60 |
| Kurapari Road | 100 | 60 |
| Leacock Road | 100 | 60 |
| Mahinepua Road | 100 | 60 |
| Martin Road (Kaeo) | 100 | 60 |
| Matangirau School Road | 100 | 40 |
| Matau Place | 50 | 40 |
| Matauri Bay Road | 100 | 80 |
| Matauri Beach Road from Matauri Bay Rd to 1581 Matauri Beach Rd | 100 | 60 |
| Matauri Beach Road from 1581 Matauri Beach Rd to end (including all subdivision) | 100 | 40 |
| Matauri Link Road | 100 | 60 |
| Mawson Avenue | 50 | 40 |
| Mccaughan Road | 100 | 60 |
| Mcdonalds Road (Oromahoe) | 100 | 60 |
| Mcgee Road | 100 | 60 |
| Mcintyres Road | 100 | 60 |
| Mckenzie Road (Purerua) | 100 | 60 |
| Ngahuhu Road | 100 | 60 |
| Ohakiri Way | 100 | 60 |
| Oihi Road | 100 | 60 |
| Opito Bay Road to 407 Opito Bay Rd | 100 | 80 |
| Opito Bay Road from 407 Opito Bay Rd to end | 100 | 40 |
| Orangewood Road | 100 | 60 |
| Orchard Road (Kapiro) | 100 | 80 |
| Oromahoe Road | 100 | 60 |
| Ota Point Road from Wainui Rd to 100m before 103 Ota Point Rd | 100 | 80 |
| Ota Point Road from 100m before 103 Ota Point Rd to end | 100 | 40 |

Table 6 (cont.): Summary of proposed Speed Limit changes – roads outside the urban areas

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Otaha Road | 100 | 60 |
| Pathways Drive | 50 | 40 |
| Pinehill Road | 100 | 60 |
| Point Veronica Drive | 50 | 40 |
| Point Veronica Drive Extension | 50 | 40 |
| Porters Access Road | 100 | 40 |
| Porters Access Road Extension | 100 | 40 |
| Pounamu Place | 50 | 40 |
| Puketiro Place | 50 | 40 |
| Purerua Road from to 110m before Te Tii Rd | 100 | 80 |
| Purerua Road from 110m before Te Tii Rd to end | 100 | 60 |
| Purerua Road Variable School Zone from proposed 80 / 60 kph boundary to 200m past Te Tii Rd intersection | 100 | Variable 30 |
| Quinces Landing | 100 | 40 |
| Rangihoua Road | 100 | 60 |
| Rangitane Loop Road | 50 | 40 |
| Rangitane Road from Redcliffs Rd to 177 Rangitane Rd | 100 | 80 |
| Rangitane Road from 177 Rangitane Rd to Rangitane Loop Rd | 100 | 60 |
| Redcliffs Road from Kapiro Rd to Rangitane Rd | 100 | 80 |
| Redcliffs Road from Rangitane Rd to end | 100 | 60 |
| Retreat Road | 100 | 60 |
| Rigden Road | 100 | 60 |
| River Drive Road | 100 | 60 |
| Riwahi Way | 50 | 30 |
| Rosella Road | 50 | 40 |
| Rowsell Lane | 100 | 40 |
| Scoresby Street | 50 | 30 |
| Smeath Road (Hupara) | 100 | 60 |
| Smith Camp Road | 80 | 30 |
| Somerville Road | 100 | 60 |
| Spoonbill Drive | 50 | 40 |
| Stanners Road from SH10 to end of seal | 100 | 80 |
| Stanners Road from end of seal to end | 100 | 60 |
| Takou Bay Road from SH10 to Otaha Rd | 100 | 80 |
| Takou Bay Road Otaha Rd to end | 100 | 60 |
| Tanikaha Lane | 100 | 80 |
| Taraire Road | 100 | 60 |
| Tau Henare Drive | 50 | 40 |

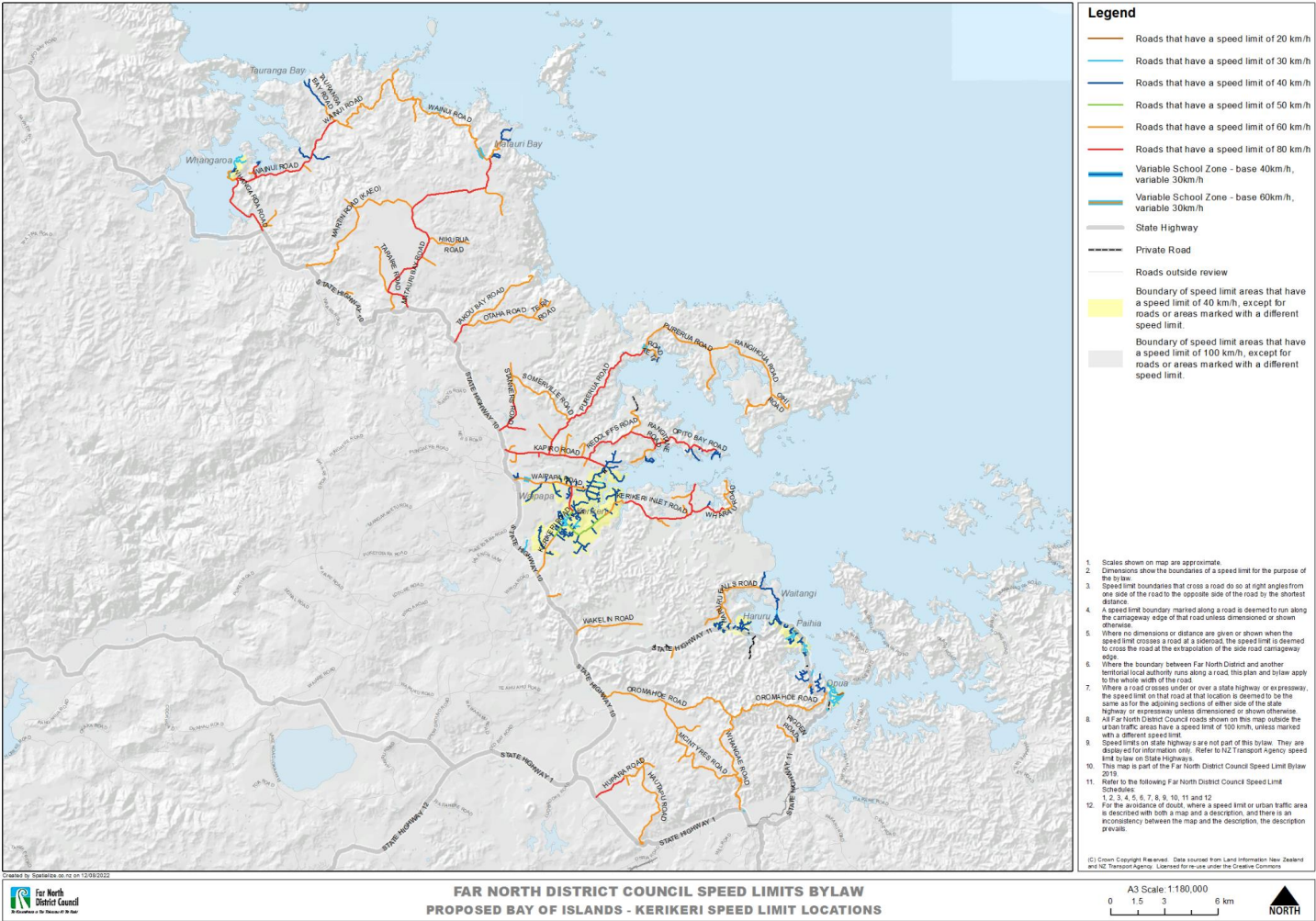
Table 6 (cont.): Summary of proposed Speed Limit changes – roads outside the urban areas

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Taumata Close | 50 | 40 |
| Tauranga Bay Beach Road from Tauranga Bay Rd to 20m before campground | 50 | 40 |
| Tauranga Bay Beach Road from 20m before campground to end | 50 | 30 |
| Tauranga Bay Road from Wainui Rd to Tauranga Bay Beach Rd | 100 | 60 |
| Tauranga Bay Road from Tauranga Bay Beach Rd to end | 50 | 40 |
| Te Haumi Drive | 50 | 40 |
| Te Karuwha Parade | 50 | 30 |
| Te Kowhai Point Road | 100 | 60 |
| Te Ra Road | 100 | 60 |
| Te Tapui Road | 100 | 40 |
| Te Tii Road from Purerua Rd to Te Tii Rd Extension | 100 | 60 |
| Te Tii Road from Te Tii Rd Extension to end | 100 | 40 |
| Te Tii Road Variable School Zone from Purerua Rd for 50m | 100 | 60/30 |
| Te Tii Road Extension | 100 | 40 |
| Tepene Tablelands Road | 100 | 60 |
| Thompsons Access | 100 | 60 |
| Tikorangi Road | 100 | 40 |
| Tui Glen Road | 100 | 60 |
| Tui Grove (Paihia) | 50 | 40 |
| Waikoura Road | 100 | 60 |
| Waimangaro Road | 100 | 60 |
| Wainui Road from Matauri Bay Rd to Tauranga Bay Rd | 100 | 60 |
| Wainui Road from Tauranga Bay Rd to Whangaroa | 100 | 80 |
| Wainui Road (Whakarara Rd - Variable School Zone) from 350m from Matauri Bay Rd for a distance of 620m | 100 | 60/30 |
| Wainui Valley Road | 100 | 60 |
| Waipapa Road from SH10 for a distance of 90m | 70 | 60 |
| Waipapa Road from 90m east of SH10 to 372 Waipapa Rd | 80 | 60 |
| Waipapa Road from 372 Waipapa Rd to 331 Waipapa Rd (School zone) | 80 | 60 / 30 |
| Waipapa Road from 331 Waipapa Rd to 20m west of Edkins Rd | 80 | 60 |
| Waipapa Road from 20m west of Edkins Rd to end | 50 | 40 |
| Wairangi Road | 100 | 60 |
| Waitapu Creek Road | 100 | 60 |

Table 6 (cont.): Summary of proposed Speed Limit changes – roads outside the urban areas

| Road Name | Existing Posted Speed Limit | Proposed Speed Limit |
|--|-----------------------------|----------------------|
| Wakelin Road | 100 | 60 |
| Whangae Road | 100 | 60 |
| Whangaroa Road from SH10 to Wainui Rd | 100 | 80 |
| Wharau Road from Quines Landing to end of seal | 100 | 80 |
| Wharau Road unsealed section | 100 | 60 |
| Wharengaere Road | 100 | 60 |
| Yacht Drive (Opito Bay) | 100 | 40 |

Table 6 (cont.): Summary of proposed Speed Limit changes – roads outside the urban areas



Schools

Opua School (Franklin Road – Opua)

Opua School is located on Franklin Road, which is the main access road into the Opua commercial area and the Opua ferry. It is proposed to extend a permanent 30kph speed limit from the intersection with State Highway 11, past the school to the end of Franklin Road where it intersects with Lyon Street.

The proposed extent of the 30kph zone is consistent with proposed speed limits throughout Opua and provides for the school area, as well as a slower speed limit where vehicles queue for the ferry.

The proposed 30kph speed limit also includes Kellet Street. It should be noted that Kellet Street is very narrow and tortuous. We would be proposing a 30kph speed limit on Kellet Street whether or not the school was there.



Paihia School (School Road – Paihia)

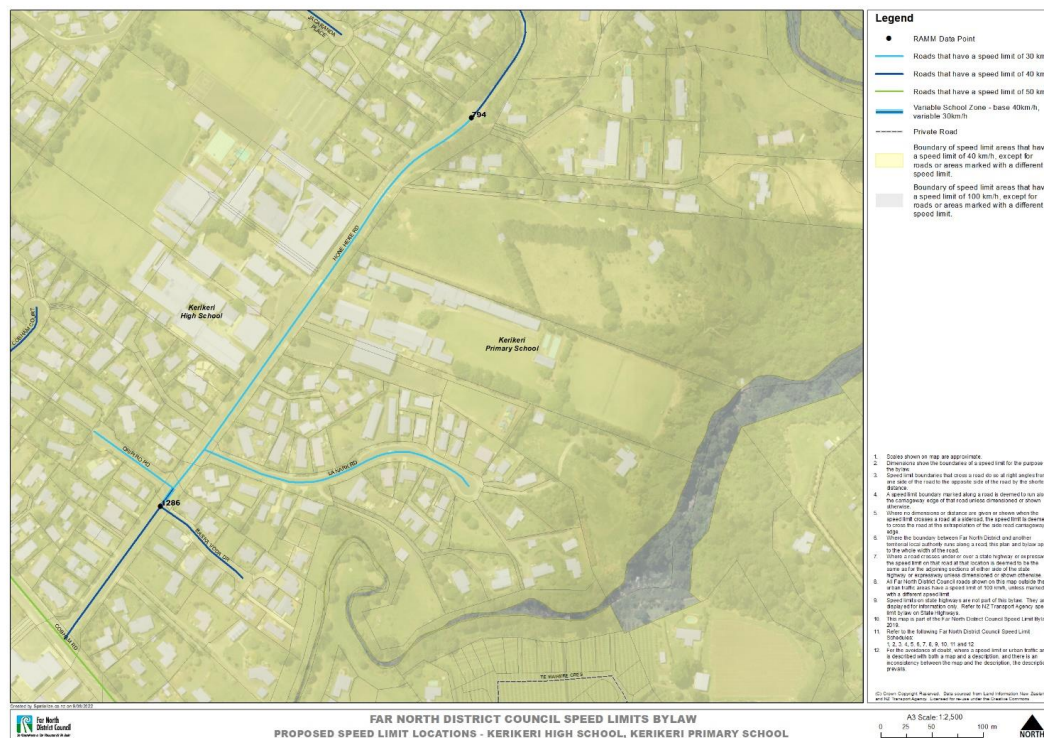
Paihia School is located near the central commercial area of Pahia. A permanent 30kph speed limit is proposed around the school, encompassing the main student walking and cycling routes to the school. The permanent 30kph zone links to the proposed 30kph zone within the central commercial area on Williams Street. The proposed speed limits are intended to provide a safe environment for school students walking between the commercial area and the school, as well as the heightened number of pedestrians on Williams Street.



Kerikeri Primary School and Kerikeri High School (Hone Heke Road – Kerikeri)

Kerikeri Primary School and Kerikeri High School are located on opposite sides of Hone Heke Road. In addition to the main schools, there is an early childhood centre located on Lanark Road. A permanent 30kph speed limit has been proposed in this area as it is a busy school area, with potential for students and other pedestrians crossing the road and walking to school. The proposed 30kph zone includes some side streets as these are expected to be walking routes to and from the school.

It is expected that additional physical works will be planned within the proposed 30kph area to support a slower speed.



Riverview School (Riverview Road – Kerikeri)

Riverview School is located on Riverview Road. Riverview School has two turning bays and some on-street parking. The two turning bays are limited in size and are not fully separated from the road, resulting in potential for students to move onto the road carriageway. A permanent 30kph speed limit is proposed for approximately 370m along the school frontage, including the approaches.

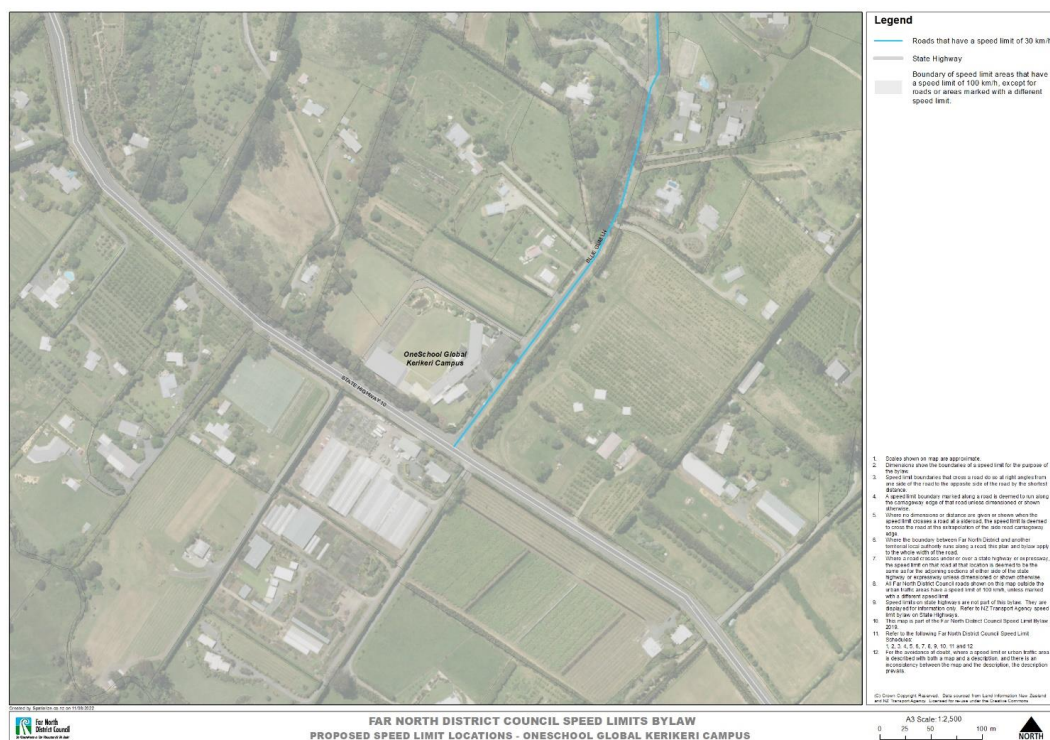
Riverview Road has a narrow carriageway with no centreline markings. It is therefore a slow speed road. We are therefore considering extending the 30kph speed limit to encompass the full length of Riverview Road.



One School Global Campus Kerikeri (Blue Gum Lane)

One School Global Campus is located on the corner of State Highway 10 and Blue Gum Lane. The entry to the school is located on Blue Gum Lane. There is no on-street parking and all pick-up and drop off facilities are separated from the road carriageway.

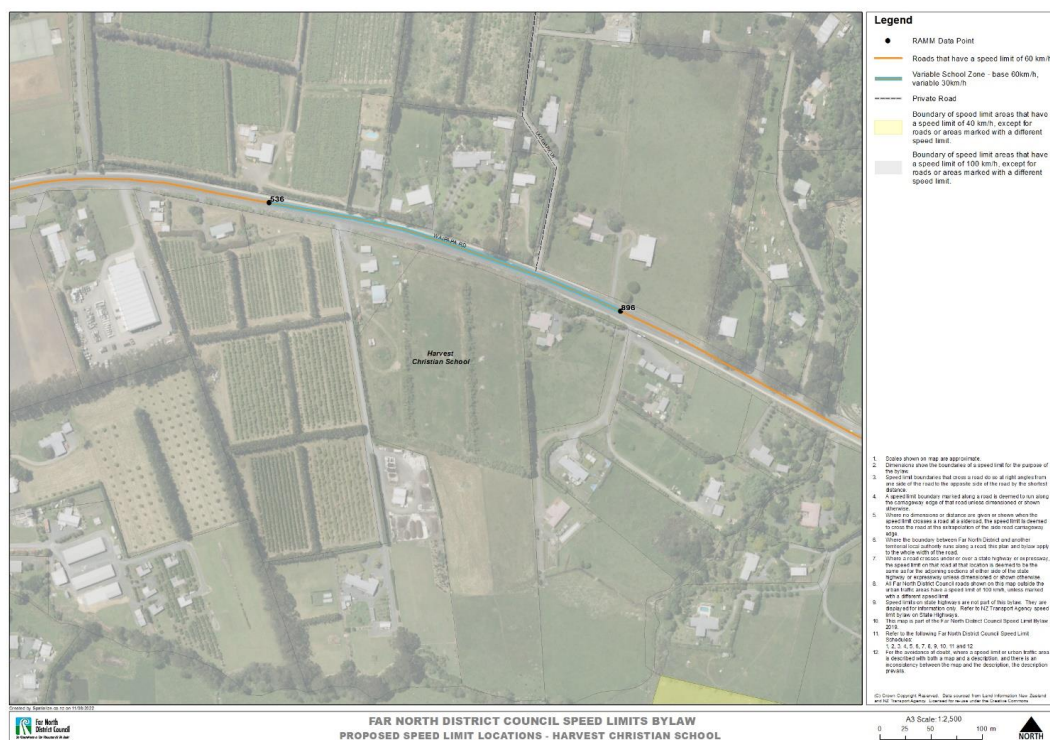
Although there are no pedestrian facilities, a 30kph permanent speed limit is proposed. It is proposed to extend the 30kph speed limit along the length of Blue Gum Lane and Manako Place. The extended 30kph zone reflects the very narrow carriageway along most of Blue Gum Lane and Manako Place, along with the primarily residential land uses.



Harvest School Waipapa (361 Waipapa Road)

Harvest School is a new build school that is expected to open in 2023. A 30kph Variable Speed Limit is initially proposed for an approximately 360m stretch of Waipapa Road to incorporate the school frontage and its approaches.

It should be noted that, at the time of consultation, this school is still under construction. The proposed Variable Speed Limit will not be implemented until the school opens. It will also be necessary to review the school variable speed limit once student travel patterns can be accurately established.

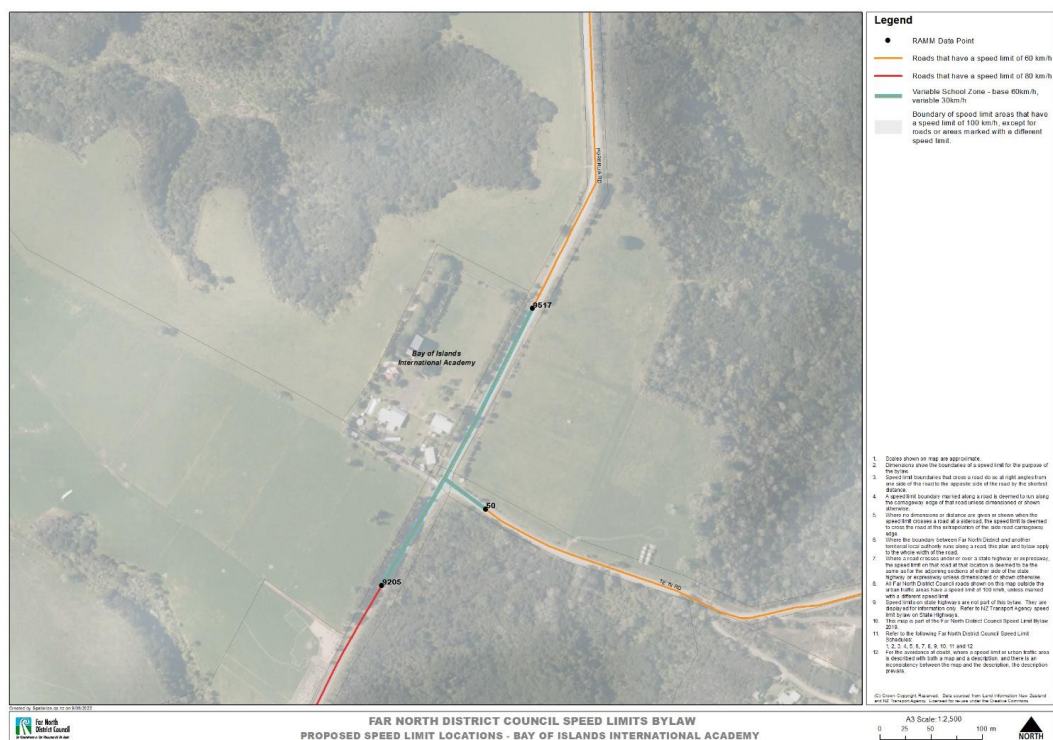


Bay of Islands International Academy (Purerua Road – Te Tii)

The Bay of Islands International Academy is located near the intersection of Purerua Road and Te Tii Road. Busses pick up and drop off students at a bus stop a short distance along Te Tii Road and students walk the short distance to the Academy.

Purerua Road is sealed along the frontage of the academy, with the seal ending approximately 200m past the Academy entrance. The unsealed section of Purerua Road is proposed to be 60kph. We are proposing to extend the 60kph speed limit (on the unsealed part of Purerua Road) to a point 110m before the intersection with Te Tii Road. This will enable a variable 30kph school speed zone to extend from that point to past the Academy and for a short distance along Te Tii Road. The speed limit when there are no students on the road will be 60kph outside the Academy.

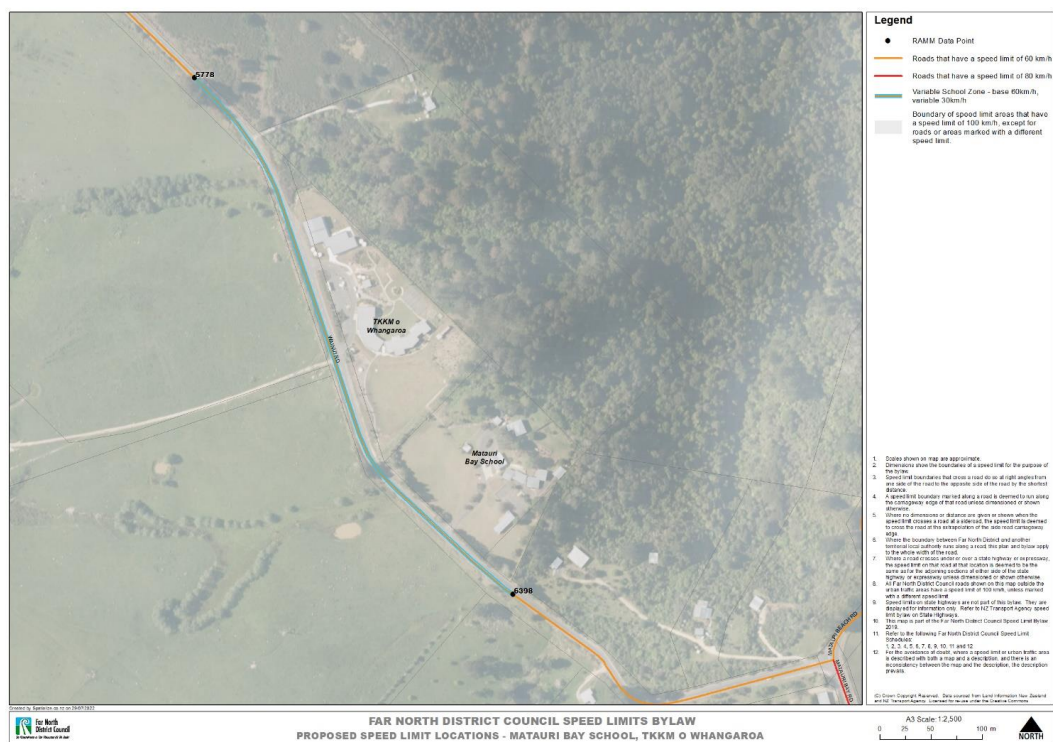
The proposed speed limits around the Academy reflect the requirements of the new Setting of Speed Limits Rule and associated guidance, as well as speed related complaints around the school.



Matauri Bay School and TKKM o Whangaroa (Wainui Road – Matauri Bay)

Matauri Bay School and TKKM o Whangaroa are located side by side on Whakarara Road (Wainui Rd). There is a footpath from the nearby community on Te Tapui Road. The footpath is narrow and there is little or no separation from the road carriageway.

It is proposed that the section of road outside the schools has a speed limit of 60kph, with a variable speed limit of 30kph when children are present. Consideration has also been given to extending the variable speed limit to the intersection with Matauri Bay Road. Extending the Variable Speed Limit will provide a safer walking environment for students who walk to school. A permanent 30kph speed limit may also be required under the new Setting of Speed Limits Rule 2022.



5.8 'TE PUĀWAITANGA' - BAY OF ISLAND / WAIPAPA SPORTS HUB GOVERNANCE ARRANGEMENTS

File Number: A3545152

Author: Sheryl Gavin, Manager - Corporate Planning & Community Development

Authoriser: Roger Ackers, Manager - Strategy Development

TAKE PŪRONGO / PURPOSE OF THE REPORT

To consider sustainable governance arrangements for Te Puāwaitanga - Bay of Islands / Waipapa Sports Hub.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Phase one of the construction of Te Puāwaitanga (the Bay of Islands / Waipapa Sports Hub) is under way.

Phase one will deliver several multi-use playing fields and cricket pitches, parking for 300 cars and six buses, and an ablutions block incorporating changing and toilet facilities. These facilities are expected to be in use in the upcoming summer sports season. The phase one cost is \$10.785 million. \$2 million was provided by the Government's COVID-19 Response and Recovery Fund. The remaining \$8.785 million is funded by Council through its Long-Term Plan.

Phase two expects to establish an indoor facility to accommodate sporting and social spaces and enterprises such as meeting rooms, community spaces and a café.

Te Puāwaitanga's working group considered several potential asset ownership and governance options and recommends a partnership arrangement between Council and an independent community organisation (a trust) with an operating model that generates operating surpluses that are re-invested in the organisation.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee recommends to Council that a partnership structure between Far North District Council and an independent community entity be negotiated to ensure the sustainable long-term governance and management of Te Puāwaitanga.

1) TĀHUHU KŌRERO / BACKGROUND

Te Pūawaitanga - Bay of Islands Sports Hub is a \$10.759 million sporting centre being developed in Waipapa. It will address the shortage of facilities in the region, support growing participation in sports and help meet future demand in Northland, as one of the fastest growing regions in the country.

Council funding of \$8.759 million was supplemented with \$2 million from the Government's COVID-19 Response and Recovery Fund. This is sufficient to complete the first stage of the development which includes several multi-use playing fields and cricket pitches, parking for 300 cars and six buses, and an ablutions block incorporating changing and toilet amenities. These facilities are expected to be in use in the upcoming summer sports season.

Subsequent stages, currently unfunded, are expected to include additional fields and sport/recreation spaces for activities such as softball, croquet, and dog training, clubrooms, a competitive gymnastics facility, community spaces, and perhaps one or two commercial/social enterprises.

The working group understands that ratepayer funding for development beyond the first stage may not be granted and will therefore seek funding assistance from sources other than Council. Ultimately, the value of the complex could be well over \$35 million, with substantial operating costs, so it is important that a suitable structure be confirmed for the ownership of assets and ongoing operations of the hub with little, if any, financial impact on the ratepayer.

In the past, Council has arranged for these types of facilities to be managed by legally formed trusts or incorporated societies, usually with a management agreement or operating lease in place. A similar arrangement seems applicable in this situation.

The working group's recommendations are presented below for Committee (and subsequent Council) consideration.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Two decisions are needed. The first is the overall structure and relationships of the various entities with an interest in Te Puāwaitanga, and the second is asset ownership.

To help it work through options, the working group engaged with Global Leisure Group, a specialist sport, recreation, and community planning consultancy. GLG brought to the table commonly used and workable governance and management structures used across the country in other similar community facilities.

GLG met with strategic partners Sport Northland and Ngāti Rēhia, potential future funders, and sporting codes wanting to affiliate with the hub including football, league, gymnastics, cricket, and hockey. They also met with representatives from the Te Hiku Sports Hub to share their governance and management experiences and learnings. This was followed by a well-attended working group workshop to consider feedback and ideas and agree a preferred way forward.

As a foundation to the conversation, the various parties agree that a formal structure is needed. This is common across community facilities like Te Puāwaitanga. The most common legal form adopted is the Incorporated Society which protects individual members in certain situations and gives the organisation the right to sign contracts, lease premises, operate bank accounts and apply for funding assistance.

Decision 1: What structure will ensure the most sustainable future?

Three broad options were considered in detail:

Option 1: Local authority takes a lead role in the governance and management of the facility, with all clubs and organisations considered to be users.

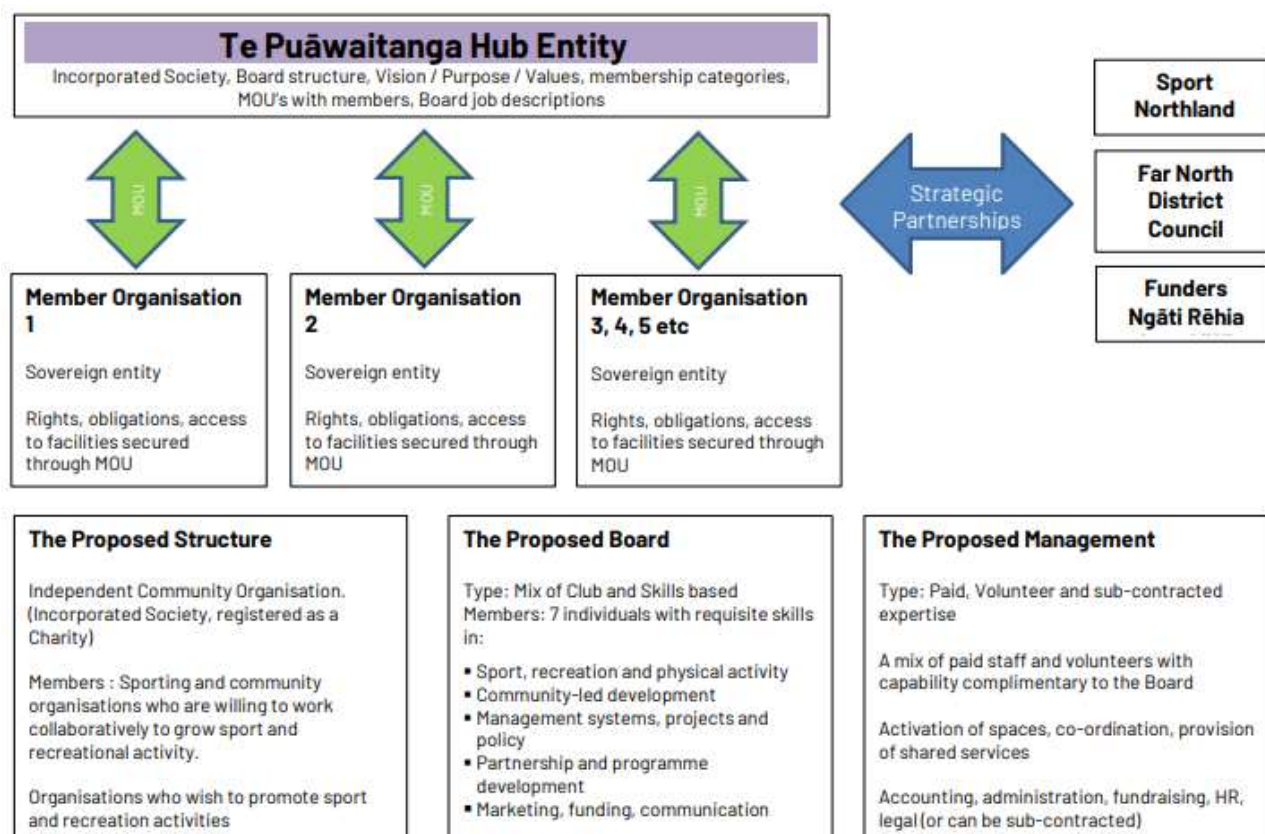
While the management of community assets is typically a function of a local authority, the management of sports hubs is not. Council is not resourced to take a lead role and establishing a team to do so would have a direct funding impact on the ratepayer. Council is also not eligible for many external funding sources that will be needed to develop and run the facility.

Option 2: Individual club or organisation (often the largest/resident club) takes a lead role with other clubs and organisations viewed as users of the facility.

It seems evident from investigations that this option often leads to one club or user group having an undue influence over the facility, creating a perception that the facility belongs to one group, not the wider community.

Option 3: Independent entity/trust with legal status a lead role, with a formal structure and constitution, and agreements with member or affiliated groups and strategic partners. The working group recommends this option because it ensures skills-based governance with community focus wider than an individual sports code and eligibility for grant funding opportunities.

The working group recommends the below structure:



GLG have drafted a constitution for the incorporated society and a draft Memo of Understanding to formalise the agreement between the incorporated society and member groups. Both are attached.

Ensuring financial sustainability

The NZ Sporting Facilities Framework 2014 (published by Sport NZ) states recognises that:

“Often, communities have found the money to build a facility, only to struggle with the on-going operational and maintenance costs. Choices made to lower the initial capital cost often lead to higher “whole of life” cost. The “BIG Three” operational costs (staffing, energy, repair, and maintenance) can, when combined, account for 75% of all costs. If these three main operational costs are not tightly controlled, over time the financial sustainability of the development will be placed under great pressure.”

Rather than a break-even or not-for-profit approach, the working group recommends that Te Puāwaitanga operate as a *non-profit distributing organisation* or NPDO operating model. This allows the hub to create profit generating surpluses to fund activity. Initially a small operating grant (circa \$50,000 per annum) may be required, but budget forecasts (attached) show surpluses that would be re-invested in a comprehensive maintenance programme to ensure that the entity's assets are not left to degrade over time to the extent where renewals become unaffordable. Of note is the potential for social enterprises such as a café and gym to generate revenues that will reduce the need for ratepayer support.

Sources of revenue will include membership fees, hire charges, programming, social enterprise (e.g. rented office space, commercial operations such as physio or sports retail, a café, a fitness gym), any operating grants Council is able to provide, and funding from external sources.

Decision 2: Who owns the assets?

In considering asset ownership arrangements the working group acknowledged the following important drivers:

- Encouraging a sense of community ownership and engagement within the hub;
- Allowing the hub the freedom to identify sources of funding and generate sustainable income streams; and
- Understanding and planning for the whole-of-life cost of the assets, including day to day maintenance and longer-term renewals and replacements.

Three options were considered:

Option 1: 100% Council ownership. All assets, including land, buildings (incl fittings and fixtures), fields, lights, carparks, access roads etc would sit on the Council balance sheet. Annual depreciation costs would be funded by the ratepayer.

Option 2: 100% Community ownership. This option requires a legal entity be set up. All assets would sit on the entity's balance sheet. Annual depreciation costs would be funded by the entity.

Option 3: Shared ownership between Council and the community. Again, a legal entity would need to be established so that asset ownership could be spread between Council and the community. This would entail splitting asset ownership across Council and the entity. The working group recommends this option.

There are strengths and weaknesses in all three options. While complete community ownership is used in other multi-sport hubs around the country, GLG's experience is that as the scale of the capital development increases there is an increasing need for financial help from the local authority to fund the full lifecycle costs of the facilities and cover operating deficits. This puts a significant financial burden on ratepayers, and in some cases leads to deferred maintenance and assets that have degraded to the point of needing replacement at significant cost.

The recommendation is for carparks, access roads, public toilets, changing rooms and field/carpark lighting to remain in Council ownership.

Vertical structures and buildings (except for the changing rooms) would be owned by the incorporated society.

Take Tūtohunga / Reason for the recommendation

Stage one of Te Puāwaitanga will soon be operational and stage two design and funding activities continue. The working group recognises that a critical factor to the long-term success of Te Puāwaitanga is a fit for purpose governance and management structure that provides maximum benefit and value to Council and the community, and that the recommendations in this report support this outcome.

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

The recommendations in this report have little in the way of financial implications at this point. Should the Committee (and subsequently Council) agree with the recommendations the working group will proceed to set up the structure and put agreements in place. Any unbudgeted financial implications will be identified through that process. The working group's activities in the meantime continue to be funded out of current budgets.

ĀPITI HANGA / ATTACHMENTS

1. **GLG Report Te Puawaitanga Structure & Draft Documents - A3859521** [!\[\]\(ebd6bb7e63799a540c476e56de06a0ed_img.jpg\)](#) [!\[\]\(e43afbdc743fd9d9a5a6d3c334ee35c3_img.jpg\)](#)
2. **Te Puawaitanga 10yr Financial Forecast - A3859523** [!\[\]\(7bdb7a0d8bc456bf78d3c87f99586f5c_img.jpg\)](#) [!\[\]\(ac4918d513c8c222db0d525550a16080_img.jpg\)](#)
3. **Te Puawaitanga Usage of Space - A3859528** [!\[\]\(371c3e5ec0c5f3fc458fa533d77c7fc7_img.jpg\)](#) [!\[\]\(0e216c816c36e3895ce065be6eda9e00_img.jpg\)](#)

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 | Not significant. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Long Term Plan 2021-31. |
| 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. | Te Puāwaitanga is expected to be a district-wide asset as a destination facility. Community Board's views have therefore not been sought. |
| 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. | The Te Puāwaitanga working group has strong representation from Ngāti Rēhia, and this representation will continue with Ngāti Rēhia a strategic partner with the new legal entity. |
| 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). | All demographics have an interest in the provision of sporting facilities in the Far North, and they are well-represented by the members of the working group and the prospective structure and its member affiliations. |
| State the financial implications and where budgetary provisions have been made to support this decision. | None. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |

Te Puāwaitanga



"DRAFT" ESTABLISHMENT DOCUMENTS

Vision, Purpose, Values
Ownership / Governance / Sustainability
Constitution
Partnership Agreement / MOU



08 March 2022

Confidential to Te Puāwaitanga & FNDC**1 Introduction**

Ross Jamieson and Richard Hutchinson of Global Leisure Group visited Kerikeri on 24 and 25 February 2022. The purpose of the visit was to meet with project partners and stakeholders, with a view to formally advancing the establishment of Te Puāwaitanga.

Meetings were held with :

- Sport Northland (Stu)
- Kerikeri Football Club (James)
- Department of Internal Affairs / Lotteries (Aya)
- Northland Hockey (Mike, Chris)
- Kerikeri Rugby League / Makos (Tim)
- Te Hiku Sports Hub, Kaitaia (Mark)
- Far North District Council (Darren, Rachel, Tanya)
- **Te Puāwaitanga Working Group – Workshop (see “2” below)**
- Kerikeri Gymnastics (Jaime, Sarah, Janet)
- Kerikeri Cricket (Simon)

Ross and Richard have returned from the visit enthused and positive about the opportunity ahead. Not only is Te Puāwaitanga desperately needed in the community and region, but the degree of collaboration amongst the various partner groups is incredibly encouraging.

With FNDC and Government shovel ready funding already in place, work has commenced on the access road off SH10. A resource consent process (notified) has also begun, expected to take 6 months. Initial funding (CIRCA \$9M) will be applied to access roading, car parking, drainage, field development (football, rugby league and cricket), gender neutral toilets and lighting.

The next priority is changing facilities, gymnastics space, social rooms / viewing deck, kitchen, bar and storage facility. The potential also exists for a recreation space (indoors), hockey turf, administration offices, 1km permitter walk / run track, playground, café (social enterprise), as well as dog training and croquet spaces.

This paper includes :

- Vision, Purpose, Values (DRAFT)
- Information on asset / facility ownership options, as well as governance and sustainability concepts
- Constitution (DRAFT)
- Partnership Agreement / Memo of Understanding (DRAFT)

Subsequently, Global Leisure Group will be providing :

- 10-year Indicative Operational Budget (complete by the end of March 2022)
- Lease Agreement (pending preferred ownership structure)
- Governance Plan, including Board Job Descriptions (pending agreement on governance structure)



Confidential to Te Puāwaitanga & FNDC

2 Working Group – Workshop on 25 February

The following are the minutes / action points of the Workshop, as distributed by Far North District Council :

ATTENDEES

- Cllr. Rachel Smith (Acting Chair)
- James Coleman (Football)
- Tim O'Leary (League)
- Jaime Pavlicevic (Gymnastics)
- Simon Hart (Cricket)
- Chris Galbraith (Cricket)
- Christopher Baker (Hockey)
- Mike Warren (Hockey)
- **Ross Jamieson (GLG)**
- **Richard Hutchinson (GLG)**

ATTENDEES

- Darren Edwards (FNDC)
- David Clamp (FNDC)
- Jeanette England (FNDC)
- Sheryl Gavin (FNDC)
- Suzy McCall (FNDC)
- Ana Mules (FNDC)
- Tanya Heath (FNDC)

APOLOGIES

- Cllr. Ann Court (Dep Mayor/Chair)
- Nora Rameka (Ngāti Rēhia)
- Kipa Munro (Ngāti Rēhia)
- Roger Ackers (FNDC)

AGENDA

- Introduction / Preamble
- Session Agenda / Desired Outputs
- Relationship Continuum
- Asset Ownership
- Hub & Governance Focus
- Vision, Purpose & Values
- Legal Structure
- Key Documents (Partnership Agreement (MOU) / Constitution / Charitable Trust / Lease with FNDC?)
- Governance Board (planning and establishment)
- General Discussion / Q&A
- Operational Chat – if time allows

ACTION ITEMS

| Description | Owner | Due Date |
|---|-------|-------------|
| Summarise Ownership Options including: <ul style="list-style-type: none"> • Pros and Cons for each • Funding implications • Revenue generating options | GLG | 18 MAR 2022 |
| Provide template to assist WG to develop Vision, Purpose and Values | GLG | 18 MAR 2022 |
| Provide templates or example to assist WG to develop <ul style="list-style-type: none"> • Constitution document • Partnership agreement (MOU or ToR) • Lease agreement | GLG | 18 MAR 2022 |

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3 Vision, Purpose, Values

The following is a starting **DRAFT** template / concept for the members of the Working Group to consider, and change to suit.

Our Vision

The inclusive, connected and sustainable delivery of club and community led sport and recreation, to inspire the people of the Far North to engage in healthy activity.

Themes applied from naming workshop : Active, health, strength, resilience

Our Purpose

To work positively with our members and the wider community, to provide fit for purpose, accessible, sporting and recreational facilities, for tamariki, pake and whanau, and to fully maximise the opportunities Te Puāwaitanga provides.

Themes applied from naming workshop : Family, gathering, teamwork, growth, learning

Our Values

| | |
|----------|------------------------------------|
| W | Wellbeing for all |
| H | Healthy competition |
| A | Active communities |
| K | Kindness in all that we do |
| A | All are welcome |
| U | United we are stronger |
| T | Tangata whenua at our heart |
| E | Excellence is our aim |

Whakaute = Respect (will need this peer reviewed by Ngāti Rēhia)

Themes applied from naming workshop : Wellbeing, competition, challenge, excellence, performance, expressions

Our Partners

The Communities of Kerikeri, Waipapa, the Far North and all of Northland, including but not limited to; pre-schools, schools and colleges, clubs and centres, businesses and professionals, religious and ethnic groups, whanau, hapu and iwi, gaming and charitable Trusts, regional and national sports organisations, sport and recreation providers, and the Far North District Council.

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4 Ownership / Governance / Sustainability Discussion**Asset Ownership**

In considering the options for the asset ownership there are a number of key drivers which need to be considered. These include:

- The ability to secure a sense of community ownership and engagement within the asset.
- Flexibility to enable community management to identify additional sources of funding, along with the freedom to generate sustainable income streams through facility use and social enterprise.
- The long-term lifecycle costs of the assets and the ability to secure the ongoing asset maintenance and depreciation.

There are three key approaches that can be considered:

- Council ownership
- A partnership / hybrid approach
- Community ownership

Before expanding on the strengths and weaknesses of these approaches, it is important to note that **"ownership" should NOT be confused with "control"**, where operational leases can be implemented to ensure community management rights are protected.

Key Ownership Structures / Options

| Feature | Council Ownership | Partnership Approach | | Community Ownership |
|--|-------------------|----------------------|----------------|---------------------|
| | | Council Owns | Community Owns | |
| Traditional approach with major / significant community facilities | | | | |
| Asset sits on Council Balance Sheet | | | | |
| Assets sits on Hub Balance Sheet | | | | |
| Long term asset maintenance and depreciation sits with Council | | | | |
| Long term asset maintenance and depreciation sits with Hub / Community | | | | |
| Secure and enhances community engagement | | | | |
| Ability to secure additional sources of income | | | | |
| Ability to secure investment into facility development | | | | |
| Operational and management flexibility | | | | |

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As outlined in the table above, there are a number of strengths and weaknesses with all potential asset ownership models which may be considered.

Developing a fully community owned model has been shown to provide a number of benefits and is utilised in a significant number of other multisport hubs around New Zealand.

However, experience has shown that as the scale of the capital development increases, there is an increasing requirement for greater engagement with the local authority to ensure that the full lifecycle costs of the facilities are considered.

Our Recommendation

As highlighted in our workshop, given the scale of this investment, and upon further consideration, we recommend that a partnership / hybrid model be adopted at Te Puāwaitanga :

Fields, car parks, access roads, public toilets, changing rooms and field / car park lighting :

- Owned by Far North District Council (FNDC)
- Maintained (annually and long term) by FNDC
- Field bookings, either :
 - FNDC manage and operate field bookings (and charge Clubs and users accordingly), or
 - FNDC allow Te Puāwaitanga to manage and operate field bookings (potential revenue stream)
- Need to ensure protection of Te Puāwaitanga (and Member Clubs) rights to field, changing room etc access

Vertical structures / buildings :

- Owned by Te Puāwaitanga (Incorporated Society)
- Maintained (annually and long term) by Te Puāwaitanga
- Te Puāwaitanga need to ensure long term asset replacement planning
- Venue / space bookings controlled and managed by Te Puāwaitanga (key part of revenue mix)
- Land lease / usage agreement with FNDC for land the building(s) sit on

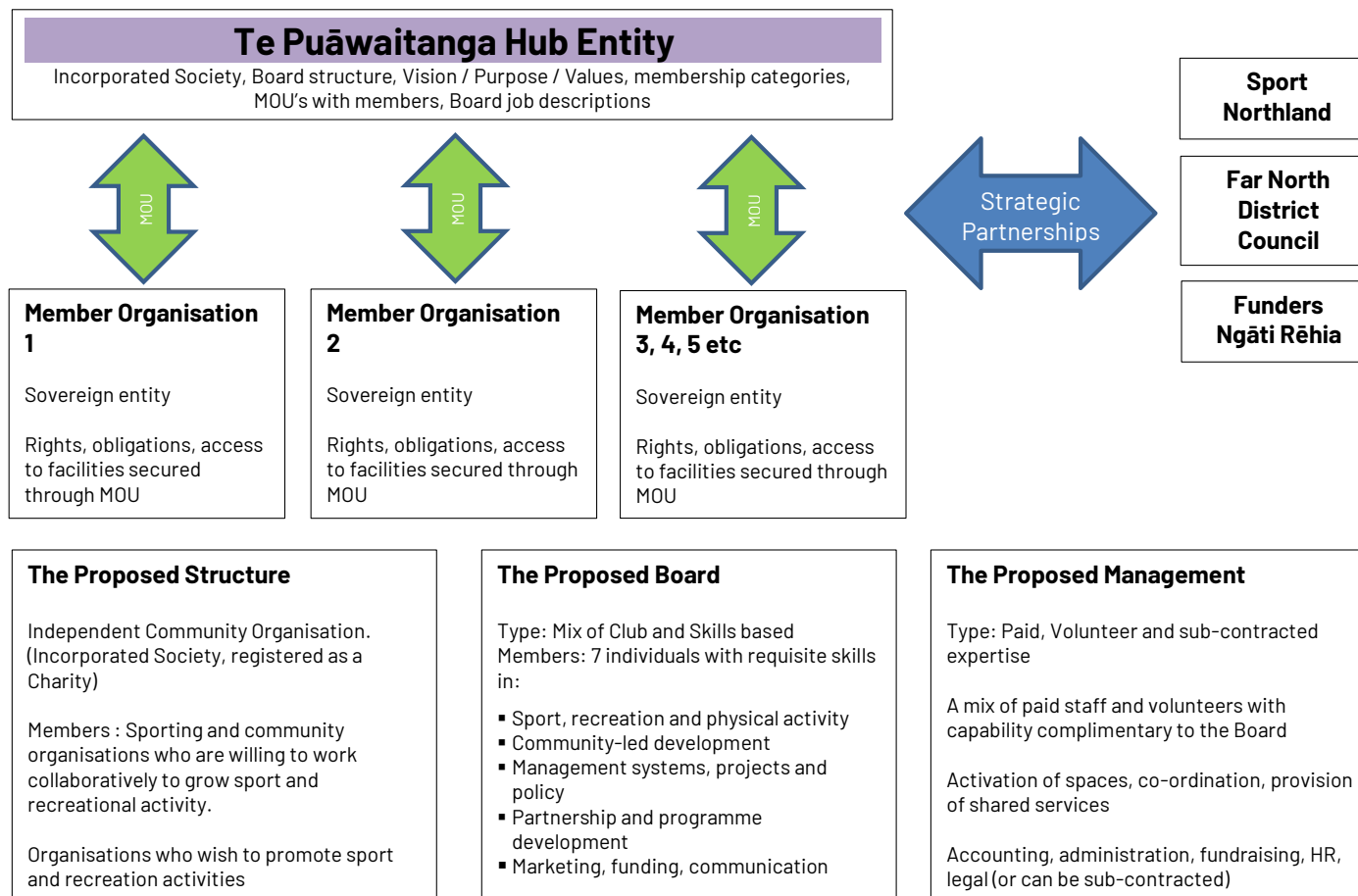
Confidential to Te Puāwaitanga & FNDC**Governance Approaches**

Whilst much of this has been discussed previously, I thought the below summary table would be a helpful reference and resource. It outlines the different approaches that have been taken to form a sport and recreation hub (SRH). Te Puāwaitanga has elected to proceed with the independent entity approach.

| | | |
|----------------------------|---|--|
| Local Authority | <p>This model involves the Local Authority taking a lead role in the governance and management of a hub facility</p> <p>All clubs and organisations are viewed as users of the facility</p> | <ul style="list-style-type: none"> ▪ The local authority has been seen as taking a lead role in the provision of sport and recreation facilities and infrastructure ▪ The local authority has a traditionally a strong track record in supporting the long-term asset management of facilities ▪ Can be seen to be influenced by changing political drivers – not local sport and recreation needs ▪ Not viewed as being flexible and adapting quickly to new opportunities , or changing community sport and recreation demand ▪ Local authority provision is not eligible for some grant funding opportunities ▪ Leads to lower levels of 'ownership' of the facility |
| Individual Club | <p>This model involves an individual club or organisation taking a lead role in the provision of a hub facility</p> <p>One club (often the largest / resident club) takes a lead with other clubs and organisations viewed as users of the facility</p> | <ul style="list-style-type: none"> ▪ Often a strong / resident club has experience in managing facilities ▪ Other clubs / organisations often viewed as users / tenants with user agreements to secure access rights ▪ One organisation is able to apply for a wider range of funding opportunities on behalf of the facility ▪ Potential for one club / user group to have undue influence over the facility ▪ Decisions can be driven by maximising the benefits to one group or another over and above the community ▪ Facility often viewed as belonging to one group, not to the wider community |
| Independent Entity / Trust | <p>This model involves the establishment of an independent community organisation to take a lead role in the provision of a hub facility</p> | <ul style="list-style-type: none"> ▪ Focus on facilities to maximise usage for sport, recreation, and wider community ▪ Skills based governance with community focus wider than an individual sports code ▪ Organisation is able to apply for a wider range of funding opportunities on behalf of the facility ▪ Requires partnership approaches to achieve collective benefits ▪ Transition to a multi-sport hub culture requires support to maximise the benefits. Focus on the greater good as well as individual needs. ▪ Many have difficulty ensuring capability of organisation in smaller communities ▪ Requires clubs / codes to embrace the collective / community good |

GREEN items are positive attributes, whilst RED can be negative (or has risk) attributes.

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Recommended Community-Led Governance and Management Structure

Te Puāwaitanga : DRAFT Establishment Documents, March 2022

7

Confidential to Te Puāwaitanga & FNDC**Sustainability (Revenue)**

Previously the approach of operating community sports facilities has been to adopt a “not for profit” operating model. This model of financial planning has given little consideration of the on-going costs associated with facilities over time and has largely focused on just financially surviving “year to year”, whilst always seeking community grant funding to maintain operational viability on an annual basis.

An **Non-Profit Distributing Organisation (NPDO)** approach is what is needed today if we are to enable Sport and Recreation Hubs to create profit generating surpluses to fund activity. An NPDO is acknowledged as a business first, that seeks to create surpluses, that are then put back into growing the business (or reinvesting in services or community / club benefit, rather than making distributions to shareholders). This business first approach can be applied to Hubs even if they are primarily operating in a charitable mode for community benefit.

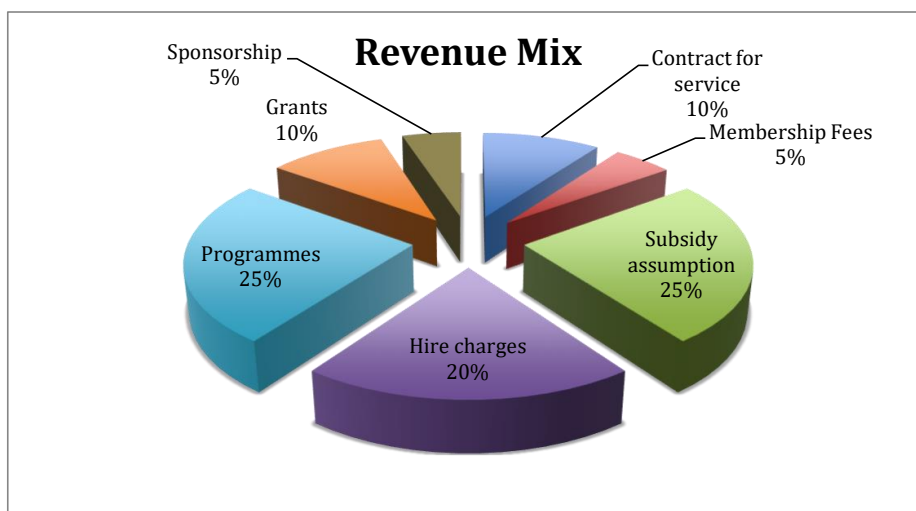
Experience tells us that “break even” is viewed as success in many circumstances for clubs. This is often the perception of a “not for profit” sport club, for example, where there are few revenue opportunities.

In the New Zealand Sporting Facilities Framework 2014 published by Sport NZ it was identified that:

“Often, communities have found the money to build a facility, only to struggle with the on-going operational and maintenance costs. Choices made to lower the initial capital cost often lead to higher “whole of life” cost. The “BIG Three” operational costs (staffing, energy, repair and maintenance) can, when combined, can account for 75% of all costs. If these three main operational costs are not tightly controlled, over time the financial sustainability of the development will be placed under great pressure.”

Income profile

The chart below shows a summary of the suggested revenue mix, based on good practice. The income mix is likely to change due to key components identified in the planning stages e.g. spaces that are more adaptable will enhance the likelihood of maximising income streams.

Recommended Revenue Mix of a typical Sport & Recreation Hub

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Sources of Revenue

Membership Fees

Membership fees are an important consideration however have limited potential to make a significant contribution towards the overall operational costs of the Hub.

Hire Charges

Hire charges have the potential to generate a significant revenue stream for the Hub. It is essential that when access and usage agreements are developed that sustainable hire charges are adopted for the core / member clubs, and that all other times are available to be managed by the Hub to generate additional hire fees.

Programming

The development of activity programmes, both social and non-core sporting activities (eg. after school programmes, holiday programmes, health and fitness activities, marital arts) is a key mechanism for the Hub to build wider community ownership of the facility, but also establish sustainable income streams which are not reliant on the core user groups and clubs. When developing activity programmes there is potential to access a wider range of external funding opportunities given the greater scope of activities. Programmes can either be created and staffed internally, or contracted from existing providers.

Social Enterprise

Social enterprise as a mechanism to grow profit from activity, utilising of profit centres to assist in the operation of social causes, taking pressure off funders and government and other welfare agencies. A number of for profit cost centres (pre-schools, fitness gyms, cafes, commercially focused programmes e.g. climbing walls) have traditionally been run as businesses, but through the lens of social enterprise. Funds generated this way provide the ability to generate commercial activity that will reduce reliance on funding and grants and increase self-sufficiency through diversity of income.

Social enterprise opportunities include:

- Office space. Renting administration and office space to sporting codes / clubs
- Developing complimentary commercial space aligned to use of the site, e.g. physio or sporting retail
- Café. The Hub will create a high footfall area with high level of utilisation during the day time, which will support the operation of a café and service the coffee/snack needs to users and spectators
- Social sport leagues. In partnership with the core users, non-traditional sporting leagues and activities to promote modified versions of the game.
- Fitness gym. Providing a focus on the users of the site. A commercial operation with sole beneficiary being the Hub entity.
- Support services for clubs / users to utilise the skills and expertise of the Hub entity.

Operational Subsidy

Whilst a number of smaller Hub facilities are able to operate without an operational subsidy, experience has shown that large scale Hub facilities require an operational subsidy to ensure viability.

The level of subsidy required will be dependent on many factors, in particularly the decisions made regarding social enterprise, however it is considered that the Far North District Council would have to make a commitment to underwrite the operation in order of \$50k to \$100k per annum. The need for, and quantum of this subsidy, will become more apparent when we develop the 10-year Operational Budget Forecast.

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5 Constitution (DRAFT)**CONSTITUTION**
July 2022**1. Name**

The name of this Incorporated Society is the **Te Puāwaitanga** ("Te Puāwaitanga"), incorporated under number XXXXXXXX.

2. Office

The registered office of Te Puāwaitanga is at XXXXXXXX, Waipapa, Northland. Due notice of any change in place of the registered office shall be given to the Registrar of Incorporated Societies, and to all Members of Te Puāwaitanga.

3. Objectives

The objectives of Te Puāwaitanga are to be beneficial to the community by:

- (a) raising finance, designing, building, managing, maintaining, administering and operating fit for purpose facilities at Te Puāwaitanga on behalf of, and for the benefit, of Members of the Society ("Members") and the wider community;
- (b) assisting in and fostering the development and growth of sporting, recreation and other leisure activity;
- (c) improving the health, connectivity, happiness, and welfare of people in the community;
- (d) to seek out and obtain funding and other resources and apply such funding and resources for the benefit of Te Puāwaitanga, and therefore its members and the wider community;
- (e) conserving, advancing, promoting and protecting the interests of all Members;
- (f) assisting in the development and promotion of its Members' activities, in so far as they are charitable under the law, including:
 - the provision of community, sport and recreational activities to children, youth, adults, and the elderly, to promote connectiveness and health in the community;
 - the ongoing development and improvement of facilities for its Members' activities.
- (g) to do all such things and undertake such activities as may be necessary, incidental, or conducive to the advancement of these objectives.
- (h) in attaining its objectives, Te Puāwaitanga shall recognise the views and expectations of tangata whenua, in keeping with the Treaty of Waitangi.

And be beneficial to the Member Clubs by fostering.

- (i) operational savings;

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- (ii) the sharing of "best practice" among all partners, including collaboration on membership, marketing, funding, and administration;
- (iii) efficiencies from shared services in a fit for purpose facility;
- (iv) community awareness of Member Club offerings, programmes, and opportunities;
- (v) improved sporting performance and pathways;
- (vi) storage opportunities;
- (vii) priority venue booking opportunities, at discounted Member Club rates;
- (viii) realistic and affordable annual membership levy (commencing at NZ\$20, plus GST if any, per annum per Club Member);
- (ix) the embracing of all cultures, all genders, and all ages, in that way facilitating a connected, active, and healthy community.

Pecuniary gain is NOT an objective of Te Puāwaitanga.

4. Powers

The Society, in addition to any statutory powers, will have the powers of a natural person to do all things necessary or desirable for the attainment or advancement of any one or more of its objects including, without limitation, the power to:

- (a) raise and receive funds by way of subscriptions, fees, grants, donations, sponsorship, legacies and bequests, gifts, or otherwise accepting that any amount payable on being admitted to membership of the Society, and the date by manner in which payment is due, shall be set from time to time by resolution of a Board Meeting;
- (b) the Society may impose a membership levy on Members in any financial year, set by the Board at a realistic, appropriate, and affordable level, and set the date by manner in which such payment is due;
- (c) use such funds to pay the costs and expenses of advancing the Society's objects, and for that purpose employ such people as may be necessary;
- (d) purchase, lease, hire or otherwise acquire, and exchange, sell, lease, or otherwise dispose of, real or personal property, rights, or privileges; negotiate and execute joint venture agreements and other contracts;
- (e) borrow or raise money by debenture, bond, mortgage, or other means, with or without security (up to a maximum of \$20,000, before Members must agree by majority vote);
- (f) invest or otherwise deal with the property of the Society in accordance with the provisions of these rules;
- (g) establish subsidiaries, incorporate, or become a shareholder of, companies, and become a Member of any Society;
- (h) determine who may be members of Te Puāwaitanga;
- (i) commence, defend, or settle any legal proceeding; and
- (j) do all lawful acts and things necessary, incidental, or conducive to the attainment or advancement of the Society's objects.

Confidential to Te Puāwaitanga & FNDC**5. Members**

5.1 The membership of Te Puāwaitanga (collectively called "Members") shall consist of:

Member Clubs

A Member Club of Te Puāwaitanga shall be any Incorporated Society, or Charitable Trust, or a Club, which is affiliated to their national or regional body and who has sought and applied for membership and admitted as a Member Club by the Board. Member Clubs which were signatories to the Te Puāwaitanga Constitution, on establishment, are Founding Members.

Affiliate Members

An Affiliate Member is any group as may be nominated by any of the Board or a Founding Member, and who has sought and applied for membership and been admitted as an Affiliate Member by the Board.

5.2 Board to determine applications for Membership:

The Board may make rules determining the procedure to be followed by any applicant for membership and shall have sole discretion, to determine whether any applicant may be admitted to membership, so that any organisation applying for Founding Membership shall:

- (a) Be a society incorporated under the Incorporated Societies Act 1908; or a charitable trust incorporated under the Charitable Trust Act 1957; or
- (b) Be affiliated to their national or regional body; and shall
- (c) Be involved in the delivery of sport, education, community, religious, multi-cultural, business, or recreation related activity; and
- (d) Be involved in the support of the Objects of Te Puāwaitanga.

5.3 Cessation of Membership:

Any Member may cease to be a Member by:

- (a) Resignation, giving the Board not less than three months' notice in writing which notice will only be valid if the Member, at the time of giving such notice, has paid all monies due and owing to the Society; or
- (b) Failing to renew membership in accordance with any procedure for renewal as the Board may determine from time to time

5.4. Suspension of a Member:

The Board may suspend, by notice in writing, the membership of any Member:

- (a) Who it deems, acting reasonably, to have failed to comply with these rules;
- (b) Who it deems, acting reasonably, to have engaged in conduct unbecoming of a Member, or prejudicial to the interests of the Society; or
- (c) Whose payment of any fees stipulated by the Board, in accordance with rule 5.7, is in arrears.

Such suspension will continue in force until the Board deems, acting reasonably, that the Member is no longer in breach, or the suspension is lifted by a majority vote of Members at a general meeting. Prior to taking such steps, mediation per clause 16 should be attempted in good faith.

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A General Meeting of Members may, by majority (minimum 75%) vote, expel any Member of the Society.

5.6 Return of Society property:

Any Member who ceases to be a Member for any reason shall immediately return to the Board any property belonging to the Society which the Member may have acquired while a Member.

5.7. Membership Fees:

The Board shall set, from time to time, the fees payable by Members, at realistic, appropriate, and affordable levels, and the date and manner in which such fees are payable.

5.8 Obligations of Members:

Members acknowledge and agree that they:

- (a) Are bound by these rules, and any regulations, decisions, or further rules issued by the Board;
- (b) Submit to the jurisdiction of the Society and its Board; and
- (c) Must treat all information relating to the commercial arrangements entered into by the Society as strictly confidential and must not disclose any information regarding the Society to any third party, or use that information for any purpose other than to fulfil the objects of the Society, without the prior written approval of the Society, and that this obligation of confidentiality will survive the cessation of their membership of the Society and continue to bind them.

5.9 Register of Members:

- (a) The Board shall keep a register of members, which shall record the full name, contact details, dates of admission, class of membership and the dates at which they became Members.
- (b) If a Members contact details change, that Member shall provide the updated details to the Secretary.
- (c) Each Member shall provide such other details as the Board requires.
- (d) Members shall have reasonable access to the register of Members.

6. Board6.1. The Board is the governing body of Te Puāwaitanga.

6.2. Powers of Board

- (a) The affairs of Te Puāwaitanga shall be governed by a Board constituted under Rule 6.3;
- (b) Subject to this Constitution and the Act (see Definitions), the Board:
 - (i) Will have oversight of the business and affairs of Te Puāwaitanga;
 - (ii) May exercise all such powers and functions as may be exercised by Te Puāwaitanga, other than those powers and functions that are required by this Constitution to be exercised by the Members in General Meeting; and

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- (iii) Has power to perform all such acts and things as appear to the Board to be essential, or appropriate, for the proper management of the business and affairs of Te Puāwaitanga.

6.3. Board Composition

- (a) The Board shall consist of **seven (7) board** members:
 - (i) **Three (3) elected** board members voted by members at an AGM (refer Rule 6.4(a), but prior to the first ever AGM, by the Appointments Panel, refer 6.5.
 - (ii) **Three (3) appointed** to the Board, appointed by the Appointments Panel, refer 6.5.
 - (iii) One (1) appointed Chairperson, appointed by the Appointments Panel, refer 6.5.

Note, the General Manager, or nominee, of Te Puāwaitanga, will attend all Board meetings (unless the Board decides otherwise), but will not hold a formal Board position, or have voting rights.

- (b) Any Board representative or officer of the Society, or any person intending to stand for election or appointment as a Board representative or officer, shall declare, prior to such election or appointment, or at the time the conflict arises, any conflict of interest. The Secretary of the Society shall keep a register of such conflicts.
- (c) The Board may at any time co-opt up to four additional members, with specific skills, for a period deemed necessary and appropriate by the Board. Such co-opted members shall not have any vote.

6.4 Term of Office

- (a) The term of office for each elected Board Member shall be for a period of three (3) years.
- (b) The term of office of each appointed Board Member shall be for a period of three (3) years.
- (c) Notwithstanding Rules 6.4(a) and 6.4(b) each Board Member shall be eligible for reappointment. The maximum number of years of service shall not exceed two (2) consecutive terms.
- (d) Notwithstanding Rules 6.4(a) and 6.4(b), some appointments may be for less than three (3) years, in order to create some staggering of expiration dates.

6.5 Appointments Panel

- (a) The Appointments Panel shall be independent of the Board and shall consist of:
 - (i) The Chair of Te Puāwaitanga
 - (ii) A Sport Northland Representative (or nominee)
 - (iii) A Far North District Council Representative (or nominee)
 - (iv) A representative of a Member Club (refer (d) below)
 - (v) **A representative of Ngāti Rēhia**
- (b) The Chair of the Appointments Panel will be the Chair of Te Puāwaitanga.
- (c) The Appointments Panel shall:

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- Advertise, identify, and invite suitable candidates to apply for membership.
- Assess candidates who have applied, including via interviews and meetings.
- Determine which candidate(s) are to be appointed to the Board.
- Receive and assess any nominations from Members for election membership.
- Recommend to the Te Puāwaitanga General Manager the elected nominee's, in priority order, for those present and entitled to vote.

- (d) The Member Club position (6.5 (a)(iv) above) on the Appointments Panel shall be appointed by way of an Electoral College, consisting of 2 members of each Founding Member Club.

Each Club has the ability to select its own representatives to the Electoral College, with the expectation they are members of that Clubs Committee or Board. Selection will be by way of majority vote for each position.

- (e) The Appointments Panel will sit for a term of three (3) years, whereas the Electoral College will reconvene to select a new Appointments Panel. Members of the Appointments Panel can serve multiple terms, if so, selected by the Electoral College.
- (f) Notwithstanding Rules 6.5 (a) through (e), in exceptional circumstances Members of the Society may at a general meeting agree to a variation in the approach to Board appointments. Any new approach must be agreed unanimously by the Members present and entitled to vote and will apply only until the following Annual General Meeting.

6.6 Vacancies on Board / Specialists

- (a) An appointed Board member, who resigns prematurely, shall be replaced for the balance of their term. The Board may co-opt a person onto the Board to cover this period.
- (b) An elected Board member who resigns prematurely shall be replaced at the next AGM; their replacement will serve out the period of the replaced board member.
- (c) The Board has the power to co-opt a person onto the Board to fill a vacancy created by someone resigning prematurely, or for a defined special project. This co-opted person will not have voting rights on the Board.

6.7 Quorum for Board Meetings

Four (4) Members of the Board present at a Board Meeting shall constitute a quorum.

6.8 Officers

At the first Board Meeting following the AGM, the Board shall elect, by a majority vote, the following officers :

- (i) Deputy Chairperson
- (ii) Treasurer
- (iii) Secretary

6.9 Functions of the Secretary

- (a) Keep minutes of the resolutions and proceedings of each General Meeting and each Board meeting in the Society's minute book and the Board's minute book. The Secretary must record in the minutes of a Board meeting the names of the persons present.

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- (b) Keep the Board informed promptly of all significant events.
- (c) Maintain regular communications with Members.
- (d) Provide such information as may be reasonably requested by any Member.
- (e) Regularly liaise and communicate with local and central government agencies, industry groups and associated organisations.
- (f) Complete such other duties as the Board may determine from time to time.
- (g) Timely distribution of Board Minutes to Founding Member Clubs.

6.10 Treasurer to Keep Accounts

The Treasurer must collect all money due to the Society and make (or approve) all payments authorised by the Society. The Treasurer must also keep accurate books and accounts of the financial affairs of the Society including full details of receipts and expenditure, and ensure the Society complies with its financial reporting obligations.

6.11 Board Meetings

- (a) The Board must meet at least four times each calendar year, or more regularly as required.
- (b) The Board shall meet at such place and at such times and in such manner as it shall determine.
- (c) The Chairperson shall chair Board meetings, or in his or her absence, any other Board Member determined by the Board.
- (d) Each Member of the Board present at a meeting of the Board is entitled to one vote (by show of hands) and in the event of an equality of votes on any question the Chairperson may exercise a second, or casting, vote.
- (e) A resolution in writing, signed or assented to by facsimile, email or other form of visible or other electronic communication by all Board Members shall be valid and effectual as if it had been passed at a meeting of the Board duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Board Members.
- (f) A meeting of the Board may be held where one or more of the Board Members is not physically present at the meeting, provided that:
 - (i) Notice of the meeting is given to all Board Members in accordance with the procedures agreed from time to time by the Board.
 - (ii) All Board Members participating in the meeting are able to communicate with each other effectively simultaneously, and instantaneously, whether by means of telephone or video conferencing facility, or by any other form of communication.
 - (iii) If any failure in communication prevents Rule 6.11 (f) (ii) from being satisfied and such failure results in the quorum not being met, or maintained, the meeting shall be suspended until Rule 6.11 (f) (ii) is satisfied again. If not satisfied within 15 minutes from the time of interruption the meeting shall be deemed to have been terminated or adjourned.
 - (iv) Any meeting held where one or more Board Members is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Board Member is there present, and if no Board Member is there present, the meeting shall be deemed to be held at the place where the Chairperson of the meeting is located.

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The Board may appoint Sub-Committees of the Society consisting of such persons and for such purposes as the Board thinks fit. Sub-Committees will only have the powers and duties that are conferred on them by the Board. Any Sub-Committee recommendations are not binding on the Board.

6.13 Indemnity

The Members of the Board, any committee appointed under these rules and any Members, will at all times be held indemnified by the Society from and against all claims, acts, proceedings and damages made, suffered or sustained by a Board or Committee representative, or Member, as a result of his, or her, carrying out in good faith, the requirements of the Board, Committee or the Society.

7. General Meetings

Reference in these rules to general meetings includes both special general meetings and annual general meetings.

7.1. Notice to be Given

The Board shall cause at least 21 clear days' notice of a General Meeting to be given to each Member in writing, which notice shall state the place, date, time and nature of the proposed business to be transacted at the meeting.

7.2. Business of Meeting

- (a) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- (b) A Member desiring to bring any business before a meeting shall give at least 28 days' notice in writing of that business to the Board, which shall include that business in a notice calling the next General Meeting, after the receipt of the notice.

7.3 Quorum

The quorum for a general meeting shall be 4 Members entitled to vote. No business may be transacted at a general meeting unless a quorum is present. If a quorum is not present at the time for commencement of a meeting, then:

- (a) If the meeting was convened at the request of Members, the meeting is automatically dissolved; or
- (b) In any other case, the meeting is automatically adjourned to the same time and day in the following week and shall be held in the same place unless this is not reasonably possible, in which case the Board will specify another place by notice to the Members to be issued not less than 2 days before the date of the adjourned meeting.

7.4 Absence of Quorum

If a quorum is not present at the time of commencement of an adjourned meeting, the meeting is automatically dissolved.

Confidential to Te Puāwaitanga & FNDC7.5. Chairperson

The Chairperson must preside as chairperson at each general meeting of the Society. If the chairperson is absent, the Deputy Chairperson is to preside at that meeting. If both the Chairperson and the Deputy Chairperson is absent, the Members present must elect one of their number to preside as chairperson at that meeting.

7.6. Annual General Meeting

The Society must convene an annual general meeting of its Members in **May** of each calendar year.

7.7. Business of the Annual General Meeting

The ordinary business of each annual general meeting shall be to:

- (a) confirm the minutes of the last annual general meeting and any other meeting of Members held since that meeting;
- (b) receive from the Board, reports on the business and financial transactions of the Society during the last financial year and since the last meeting of Members;
- (c) elect Board Members of the Society;
- (d) consider motions;
- (e) transact any special business, of which notice is given in accordance with these rules; and
- (f) agree the approach to be adopted for independent assurance of the financial statement for the following year.

7.8. Special General Meetings

Any general meeting of Members, except the annual general meeting, is a special general meeting. The Board may convene a special general meeting whenever it thinks fit.

7.9. Special General Meetings at request of Members

The Board must convene a special general meeting if at least 75% of the Members request the Board to do so in writing. Such request must state the purpose of the special general meeting and be signed by the Members making the request.

7.10. Adjournment of Meetings

The Chairperson of a general meeting at which a quorum is present may adjourn the meeting with the agreement of at least 50% of the votes at that meeting. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given as in the case of the original meeting. No business may be transacted at the meeting when it is reconvened except business left unfinished at the original meeting.

7.11. Votes

A Member is entitled to vote at a general meeting unless it owes an amount to the Society that is overdue. A Founding Member has two votes on any question that is to be decided at a general meeting. An Affiliate Member has one vote on any question that is to be decided at a general meeting. Votes must be given personally by the Member's appointed delegate. If votes on a question are tied, the chairperson of the meeting is entitled to exercise a casting vote.

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A question that is to be decided at a general meeting of the Society is to be decided on a show of hands. Unless a poll is demanded in accordance with these rules, a declaration by the chairperson that a resolution has been carried, carried unanimously, carried by a particular majority, or lost, plus an entry to that effect in the minute book of the Society, is evidence of that fact, without proof of the number, or proportion, of the votes recorded for and against that resolution.

7.13. Demanding of Poll

If at least three Members entitled to vote at a general meeting demand a poll on a question that is to be decided at the meeting, the chairperson must comply with that demand. The demand may be made before a show of hands or immediately after the chairperson's declaration on a show of hands. In the latter case, the poll overrides the show.

7.14. Timing of Poll

A poll that is demanded on the election of a chairperson, or on a question of an adjournment, must be taken immediately. Any other poll must be taken before the close of the meeting.

7.15. Postal Voting

- (a) Postal voting (including but not limited to voting by land mail, email, facsimile transmission or any other form of visible or electronic transmission) may be held from time to time in such instances as the Board may determine (other than in respect of matters which must be passed by Special Resolution) and shall be held in accordance with procedures prescribed by the Board.
- (b) All postal voting shall be conducted under conditions of a secret ballot and shall be scrutinised by an impartial person duly appointed by the Board to conduct the ballot.

7.16. Removal of Officer or Representative

A general meeting of the Society may resolve to remove an officer of the Society, or a Board representative.

This may occur before the officer's or representative's term of office ends, and

- (a) in the case of an officer being removed, the Board may appoint another officer in his or her place, for the remainder of the officer's term;
- (b) in the case of an elected representative being removed, the general meeting may appoint another representative in his or her place, for the remainder of the term;
- (c) in the case of an appointed representative being removed, the Board may appoint another representative, in his or her place for the remainder of the term.

8. Financial Matters8.1 Financial Year

The financial year of Te Puāwaitanga shall commence on **1 April** and end on **31 March** in the following year. This may be altered from time to time by the Board and ratified by Members at a subsequent General Meeting

8.2 Annual Report

The Board shall prepare an annual report, for presentation to the Annual General Meeting, which contains:

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- (a) The annual financial statements as required under the Act; and
- (b) An annual report as to the year's activities (collectively known as the annual report);

8.3 Annual Financial Statement

The annual financial statement in Rule 8.2 (a) shall be subject to an appropriate level of independent scrutiny agreed by members. At a minimum, the annual financial statement will be reviewed by a practicing-chartered accountant, appointed by the Board, who shall not be a member of the Board or an employee of Te Puāwaitanga.

The annual financial statement in Rule 8.2(a) shall be audited by an auditor, if so decided by the Board, who shall be a practicing chartered accountant.

8.4 Inspection of Books of Account

The books of accounts of Te Puāwaitanga shall be kept at the office of Te Puāwaitanga, or at such place as the Board may determine, and shall be open to inspection by Members, at such reasonable times as agreed by the Board.

8.5 Treasurer to register Financial Statements

The treasurer will send the annual financial statements, and a certificate in the required form, signed by the treasurer, certifying that the annual financial statements have been approved, to the Registrar of Incorporated Societies.

9. Application of Income

- 9.1. The income assets and property of Te Puāwaitanga shall be applied solely towards the promotion of the objects of Te Puāwaitanga.
- 9.2. Save as is provided in this Constitution:
 - (a) No portion of the income, property, or assets of Te Puāwaitanga shall be paid, or transferred directly, or otherwise, to any Member, or Board Member, of Te Puāwaitanga.
 - (b) No remuneration, or other benefit in money or monies, shall be paid or given by Te Puāwaitanga to any Member, or Board Member, of Te Puāwaitanga.
 - (c) Nothing in Rule 9.2(a) or 9.2(b) shall prevent payment in good faith, of or to, any Member or Board Member for;
 - i Any services rendered to Te Puāwaitanga, whether as an employee or otherwise.
 - ii Goods supplied to Te Puāwaitanga in the ordinary and usual course of business.
 - iii Interest on money borrowed from any Member, or Board Member, of Te Puāwaitanga.
 - iv Rent for premises demised, or let, by any Member, or Board Member, of Te Puāwaitanga.
 - v Any approved out of pocket expenses incurred by the Member, or Board Member, on behalf of Te Puāwaitanga for any other reason.

Provided any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties, dealing at arm's length, in a similar transaction.

Confidential to Te Puāwaitanga & FNDC**10. Common Seal**

- 10.1 Te Puāwaitanga shall have a common seal.
- 10.2 The Board shall determine when, and by whom, the common seal is to be used and shall make provision for its safe custody in accordance with the Act.

11. Indemnity

Te Puāwaitanga shall indemnify its Board Members, officers, and employees against all damages and costs (including legal costs), for which any such Board Member, or employee may be, or become, liable to any third party, as a result of any act or omission, except wilful misconduct;

- (a) In the case of a Board Member, or officer of Te Puāwaitanga, performed or made whilst acting on behalf of, and with the authority (express or implied) of the Board; and
- (b) In the case of an employee, performed or undertaken in the course of, and within the scope of, their employment by Te Puāwaitanga.

12. Insurance

Te Puāwaitanga may take out Officers Liability Insurance cover for its Board Members, with such insurance company, and on such terms and conditions, as the Board shall decide.

13. Liquidation or Winding Up

- 13.1 Te Puāwaitanga may at any time be put into liquidation if:
- (a) 75% of those entitled to vote at an Annual General Meeting, or Special General Meeting, of which fifty percent (50%) or more must be Founding Members, as laid out in this Constitution, pass a resolution appointing a liquidator; and
 - (b) Such resolution is confirmed in a subsequent Special General Meeting, called for that purpose, and held no earlier than 30 days and no later than 60 days after the date on which the resolution was passed.
- 13.2 Upon the appointment of a liquidator, the relevant provisions of the Act shall apply to the liquidation of Te Puāwaitanga.
- 13.3 Upon liquidation, or winding up, of Te Puāwaitanga, the surplus assets available after the payment of all liabilities shall be applied to the benefit of Te Puāwaitanga, in so far as Te Puāwaitanga remains charitable. In the instance that Te Puāwaitanga no longer seeks to exist, or it passes into non-charitable ownership, the surplus assets shall be applied to the benefit of any charitable body (defined as charitable under New Zealand law and have charitable purposes under the Charities Act 2005), which the Board determines will further the objects of Te Puāwaitanga, but in no circumstances shall the assets be paid to, or distributed among, the Members.

14. Alteration to the Rules

- 14.1 This Constitution may only be amended, added to, or appealed by, resolution of 75% of the votes of those Members present at an Annual, or Special General Meeting.
- 14.2 Notice of intention to alter this Constitution must be given by a Member to the Board no later than 21 days prior to an Annual Meeting, or Special General Meeting.

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- 14.3 Any rule change may not contravene the purposes, or charitable objects, of Te Puāwaitanga.
- 14.4 Any alterations should be provided within three months to the Register of Incorporated Societies and the Department of Internal Affairs – Charities Services.

15. Regulations, Bylaws and Policies

- 15.1 The Board may make regulations and/or bylaws and policies and alter, amend, or rescind the same as occasions may require, and enforce penalties for their breach. Such regulations, bylaws and policies shall have the same force and effect as this Constitution, but shall not in any way oppose, or be in conflict with, this Constitution. Such regulations, bylaws and policies shall be published to the Members from time to time, or made available to Members, on request.

16. Disputes and Matters Not Provided For

- 16.1 If any dispute arises out of the interpretation of this Constitution or any Rules, resolutions, or policies implements pursuant to this Constitution, or any matter arising which is not provided for in this Constitution, then such dispute or matters shall be referred in writing to the Board, whose decision shall be final and binding.
- 16.2 If the dispute or matter in Rule 16.1 above is between the Board and a Member, or between one or more Board Members ("the parties") the dispute or matter shall be resolved as follows:
- (a) By the parties acting in good faith to seek an agreement; or failing such agreement
 - (b) By a party or parties appointing an independent third person to mediate between them (with the cost of mediation shared 50/50); or failing such agreement at mediation
 - (c) By referring the dispute or matter to the Sports Disputes Tribunal of New Zealand in accordance with the Rules of that Tribunal and/or as directed by that Tribunal.

17. Definitions

In this Constitution, unless a contrary intention appears:

| | |
|-------------------|---|
| "Founding Member" | means a Member, which upon establishment of Te Puāwaitanga, supports the Objects of Te Puāwaitanga, and which may apply for, and satisfy, all criteria for eligibility for membership as may be specified by the Board. |
| "Board" | means the controlling body of Te Puāwaitanga. |
| "Board Member" | means a member of the Board. |
| "Financial Year" | means the year commencing on 01 April and concluding 31 March. |
| "General Meeting" | means a meeting of Members. |
| "Member" | means a Member of Te Puāwaitanga for the time being. |
| "Regulations" | means any regulations made by the Board under the Rules. |
| "Rules" | means the Rules of Te Puāwaitanga as set out in this Constitution. |
| "Seal" | means the common seal of Te Puāwaitanga. |
| "Resolution" | means a resolution passed in a General Meeting in accordance with this Constitution. |
| "Objects" | means the objects of Te Puāwaitanga. |
| "Society" | means Te Puāwaitanga. |

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"Sports Disputes Tribunal" means the Tribunal, established under the Sport and Recreation New Zealand Act 2002, to hear and determine sports related disputes, including appeals.

"Act" means the Incorporated Societies Act 1908.

18. Interpretation

In this Constitution unless the context requires otherwise:

Plural and Singular words in the singular, include plural, and vice versa.

Persons references to persons include references to individuals, companies, corporations, partnerships, firms, joint ventures, trusts, associations, and other entities.

Statutes references to any statutes, include statutes which amend, or replace them.

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6 Partnership Agreement / Memo of Understanding (DRAFT)**Memorandum of Understanding**

Between

Te Puāwaitanga (Hub)

and

XXX Club, XXX Club, etc (Organisations)

This document summarises the relationship, expectations and obligations between Te Puāwaitanga and its member organisations and partners. It is prepared and agreed to as a set of principles, rather than a binding legal document.

What Hub will offer to members where required and requested:

- Facilitate the development of an over-arching strategy plan for Te Puāwaitanga.
- Priority access and discounted hire charges for the Te Puāwaitanga facilities, storage spaces and fields.
- Undertake lease negotiations with Far North District Council (collectively if deemed appropriate by the members).
- Lead the negotiation of shared services purchasing agreements (power, IT, internet, waste disposal, cleaning, building maintenance i.e. plumbers, electricians, photocopiers, stationary, food, alcohol etc.).
- Assistance at no cost, with operational grant funding applications each year to gaming machine trusts and other appropriate funders.
- Review and assist with registration and database processes to ensure the organisation meets its obligations under legislation relating to incorporated societies / trust deeds.
- Support to ensure all other relevant legislative requirements are met.
- Review of the constitution of the organisation, including a list of recommendations to improve and modernise the organisation's constitution.
- Provide templates of generic health and safety policies, and assistance to specifically adapt these relevant to the organisation's needs, to ensure the organisation complies with relevant health and safety legislation (good practice examples may be shared across organisations).
- Assistance in the review, or development and ongoing implementation, of a strategic plan for the organisation.
- Assistance in engaging and communicating with the Far North District Council, Sport Northland, Regional Sports Organisations, Schools and others, to further the interests of the organisation as it relates with these parties.
- Not admit any organisation to Te Puāwaitanga that is in direct competition with any member organisation.
- **Member clubs to contribute additionally here**

Areas of ambition that Hub seek to be able to offer:

- Advance development of the fields, car parks, toilets / changing rooms, gymnasium, social rooms, kitchen, bar and training facilities.
- Assistance with capital projects, or redevelopments, if they lead to multi-code and multi-user spaces, as well as increasing space for member sports.
- Assistance with marketing and promotion, via the engagement of a social media expert available to all member organisations.
- Facility maintenance, management operations, compliance, utilisation and programming (booking) if deemed appropriate by members.

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- As capacity increases, to employ the services of staff to develop and deliver collaborative events, programmes, activities, services and opportunities to widen the sport and recreation experience for our community.

In return, the organisations commit to:

- Representatives attending six-monthly meetings, or briefings, as organised by Te Puāwaitanga.
- Representatives attend the Te Puāwaitanga Annual General Meeting.
- Communicate to Te Puāwaitanga any major pressing issues relating to the organisation.
- Make every effort to abide by its own constitution and all relevant legislative requirements, particularly its obligations under legislation relating to its status as an incorporated society or trust.
- Positively endorsing Te Puāwaitanga in the community and encouraging patronage and use.
- Paying annual membership fees and facility hire, so long as appropriate and reasonable, as set by the Te Puāwaitanga Board.

Unless specifically requested, Te Puāwaitanga will leave the organisation to undertake its own affairs relating to:

- Management of facilities it owns and operates.
- Promotion and development of the organisation as a provider of, and participant in, their sport or activity.
- Recruitment of new members and volunteers.
- Coaching, team selection, officiating, organising sporting and social events, and any other club business.
- Requirements as set down by their Regional Sports Organisation.
- Any, and all, other activity that is mandated within the objects of the organisation.

Signed:

Te Puāwaitanga

Signature

Name

AND:

Organisation 1

Signature

Name

Organisation 2

Signature

Name

Organisation 3

Signature

Name

Organisation 4

Signature

Name

Dated

| Te Puāwaitanga : 10yr Financial Forecast | | | | | | | | | | |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Operational Budget, including income and expenditure | | | | | | | | | | |
| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
| Income | | | | | | | | | | |
| Venue Fees | | | | | | | | | | |
| Member Club / Social / Meeting Spaces | \$ 29,520 | \$ 29,520 | \$ 29,520 | \$ 30,996 | \$ 32,546 | \$ 34,173 | \$ 35,882 | \$ 37,676 | \$ 39,560 | \$ 41,538 |
| Member Club / Sport / Recreation Spaces | \$ 46,080 | \$ 46,080 | \$ 46,080 | \$ 48,384 | \$ 50,803 | \$ 53,343 | \$ 56,011 | \$ 58,811 | \$ 61,752 | \$ 64,839 |
| Member Club / Administration / Storage Spaces | \$ 15,840 | \$ 15,840 | \$ 15,840 | \$ 16,632 | \$ 17,464 | \$ 18,337 | \$ 19,254 | \$ 20,216 | \$ 21,227 | \$ 22,288 |
| Community Group Hire | \$ 20,000 | \$ 20,000 | \$ 20,000 | \$ 21,000 | \$ 22,050 | \$ 23,153 | \$ 23,153 | \$ 24,310 | \$ 25,520 | \$ 26,802 |
| Commercial / Business Group Hire | \$ 15,000 | \$ 15,000 | \$ 15,000 | \$ 15,750 | \$ 16,538 | \$ 17,364 | \$ 18,233 | \$ 19,144 | \$ 19,144 | \$ 20,101 |
| Cleaning Charges | \$ 8,574 | \$ 9,025 | \$ 9,500 | \$ 9,975 | \$ 10,474 | \$ 10,997 | \$ 11,547 | \$ 12,125 | \$ 12,731 | \$ 13,367 |
| AV / Technology Hire | \$ 5,000 | \$ 5,250 | \$ 5,513 | \$ 5,788 | \$ 6,078 | \$ 6,381 | \$ 6,700 | \$ 7,036 | \$ 7,387 | \$ 7,757 |
| Membership Fees | | | | | | | | | | |
| Hub Affiliation fee | \$ 19,600 | \$ 19,600 | \$ 20,000 | \$ 21,700 | \$ 23,375 | \$ 25,037 | \$ 26,787 | \$ 28,625 | \$ 30,550 | \$ 32,563 |
| Community Funding (OPEX) | | | | | | | | | | |
| Community Trusts (Local & National) | \$ 30,000 | \$ 35,000 | \$ 40,000 | \$ 45,000 | \$ 50,000 | \$ 55,000 | \$ 60,000 | \$ 65,000 | \$ 70,000 | \$ 70,000 |
| Shared Services resource direct funding | \$ - | \$ - | \$ - | \$ 12,500 | \$ 13,125 | \$ 13,781 | \$ 14,470 | \$ 15,194 | \$ 15,954 | \$ 16,751 |
| FNDC OPEX / Subsidy Grant | \$ 50,000 | \$ 50,000 | \$ 50,000 | \$ 60,000 | \$ 60,000 | \$ 60,000 | \$ 70,000 | \$ 70,000 | \$ 70,000 | \$ 70,000 |
| Programmes & Services | | | | | | | | | | |
| School Holiday Programme | \$ - | \$ 2,500 | \$ 2,500 | \$ 3,500 | \$ 3,500 | \$ 4,500 | \$ 4,500 | \$ 5,500 | \$ 5,500 | \$ 5,500 |
| Childcare / OSCAR Programme | \$ - | \$ 24,000 | \$ 25,200 | \$ 26,400 | \$ 27,783 | \$ 29,172 | \$ 30,631 | \$ 32,162 | \$ 33,770 | \$ 35,459 |
| Bar, Kitchen & Catering | | | | | | | | | | |
| Bar Operations Net Profit | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 |
| Kitchen / Cafe Operations Net Profit | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 |
| Kitchen / Catering hire fees | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 |
| Other | | | | | | | | | | |
| Sponsorship / Donations | \$ - | \$ - | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,500 |
| Total Income | \$ 254,614 | \$ 286,815 | \$ 299,153 | \$ 337,685 | \$ 359,734 | \$ 376,077 | \$ 405,387 | \$ 429,112 | \$ 447,050 | \$ 459,203 |
| Expenditure | | | | | | | | | | |
| Staff Wages (Includes Kiwisaver) | | | | | | | | | | |
| General Manager | \$ 48,750 | \$ 65,000 | \$ 68,250 | \$ 71,663 | \$ 75,246 | \$ 79,008 | \$ 82,958 | \$ 85,000 | \$ 85,000 | \$ 85,000 |
| Community Engagement Officer | \$ - | \$ - | \$ - | \$ 25,000 | \$ 27,500 | \$ 30,250 | \$ 33,275 | \$ 36,603 | \$ 40,263 | \$ 44,289 |
| Programme Managers | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Shared Services Manager / Contractor | \$ - | \$ - | \$ - | \$ 25,000 | \$ 26,250 | \$ 27,563 | \$ 28,941 | \$ 30,388 | \$ 31,907 | \$ 33,502 |
| OSCAR Staff | \$ - | \$ 14,400 | \$ 15,120 | \$ 15,876 | \$ 16,670 | \$ 17,503 | \$ 18,378 | \$ 19,297 | \$ 20,262 | \$ 21,275 |
| Cleaner Wages | \$ 10,560 | \$ 11,088 | \$ 11,642 | \$ 12,225 | \$ 12,836 | \$ 13,478 | \$ 14,151 | \$ 14,859 | \$ 15,602 | \$ 16,382 |
| ACC Levy | \$ 500 | \$ 750 | \$ 750 | \$ 1,250 | \$ 1,313 | \$ 1,378 | \$ 1,447 | \$ 1,519 | \$ 1,595 | \$ 1,675 |
| Utilities | | | | | | | | | | |
| Gas | \$ 1,500 | \$ 1,575 | \$ 1,654 | \$ 1,736 | \$ 1,823 | \$ 1,914 | \$ 2,010 | \$ 2,111 | \$ 2,216 | \$ 2,327 |
| Electricity | \$ 8,500 | \$ 8,925 | \$ 9,371 | \$ 9,840 | \$ 10,332 | \$ 10,848 | \$ 11,391 | \$ 11,960 | \$ 12,558 | \$ 13,186 |
| Telephone & Internet | \$ 3,000 | \$ 3,150 | \$ 3,308 | \$ 3,480 | \$ 3,657 | \$ 3,840 | \$ 4,029 | \$ 4,234 | \$ 4,456 | \$ 4,695 |
| Waste Disposal / Collection | \$ 2,000 | \$ 2,100 | \$ 2,205 | \$ 2,315 | \$ 2,431 | \$ 2,553 | \$ 2,680 | \$ 2,814 | \$ 2,955 | \$ 3,103 |
| SKY TV | \$ 1,500 | \$ 1,575 | \$ 1,654 | \$ 1,736 | \$ 1,823 | \$ 1,914 | \$ 2,010 | \$ 2,111 | \$ 2,216 | \$ 2,327 |
| Rates | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Water Usage | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Repairs & Maintenance | | | | | | | | | | |
| Cleaning Materials | \$ 2,400 | \$ 2,520 | \$ 2,646 | \$ 2,778 | \$ 2,917 | \$ 3,063 | \$ 3,216 | \$ 3,377 | \$ 3,546 | \$ 3,723 |
| General R&M | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 |
| Alarm Monitoring | \$ 1,500 | \$ 1,575 | \$ 1,654 | \$ 1,736 | \$ 1,823 | \$ 1,914 | \$ 2,010 | \$ 2,111 | \$ 2,216 | \$ 2,327 |
| Pest Management / Prevention | \$ 2,500 | \$ 2,625 | \$ 2,756 | \$ 2,894 | \$ 3,039 | \$ 3,191 | \$ 3,350 | \$ 3,518 | \$ 3,694 | \$ 3,878 |
| Building, Fire & AC Inspections | \$ 2,600 | \$ 2,730 | \$ 2,867 | \$ 3,010 | \$ 3,160 | \$ 3,318 | \$ 3,484 | \$ 3,658 | \$ 3,841 | \$ 4,033 |
| FNDC Ground Lease | | | | | | | | | | |
| FNDC Ground Lease fee | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 |
| Insurance | | | | | | | | | | |
| Building, plus Hub owned chattels | \$ 30,000 | \$ 31,500 | \$ 33,075 | \$ 34,729 | \$ 36,465 | \$ 38,288 | \$ 40,203 | \$ 42,213 | \$ 44,324 | \$ 46,540 |
| Office Administration | | | | | | | | | | |
| Bank Account Fee's | \$ 150 | \$ 158 | \$ 165 | \$ 174 | \$ 182 | \$ 191 | \$ 201 | \$ 211 | \$ 222 | \$ 233 |
| Office consumables / stationery | \$ 1,800 | \$ 1,890 | \$ 1,985 | \$ 2,084 | \$ 2,188 | \$ 2,297 | \$ 2,412 | \$ 2,533 | \$ 2,659 | \$ 2,792 |
| Subscriptions & Fee's | \$ 750 | \$ 788 | \$ 827 | \$ 868 | \$ 912 | \$ 957 | \$ 1,005 | \$ 1,055 | \$ 1,108 | \$ 1,163 |
| Other | | | | | | | | | | |
| Depreciation / Asset Replacement | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 | \$ 90,000 |
| Low Value Asset Purchases | \$ 5,000 | \$ 2,500 | \$ 1,000 | \$ 1,000 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 | \$ 2,500 |
| General Expenses | \$ 2,500 | \$ 2,625 | \$ 2,756 | \$ 2,894 | \$ 3,039 | \$ 3,191 | \$ 3,350 | \$ 3,518 | \$ 3,694 | \$ 3,878 |
| Staff Training / Personal Development | \$ 2,500 | \$ 2,625 | \$ 2,756 | \$ 2,894 | \$ 3,039 | \$ 3,191 | \$ 3,350 | \$ 3,518 | \$ 3,694 | \$ 3,878 |
| Entertainment Allowance | \$ 1,500 | \$ 1,575 | \$ 1,654 | \$ 1,736 | \$ 1,823 | \$ 1,914 | \$ 2,010 | \$ 2,111 | \$ 2,216 | \$ 2,327 |
| GM Motor Vehicle Lease and 50% fuel | \$ 7,500 | \$ 7,500 | \$ 7,500 | \$ 7,875 | \$ 7,875 | \$ 7,875 | \$ 8,269 | \$ 8,269 | \$ 8,269 | \$ 8,682 |
| Advertising / Marketing | \$ 7,500 | \$ 7,875 | \$ 8,269 | \$ 8,682 | \$ 9,116 | \$ 9,572 | \$ 10,051 | \$ 10,553 | \$ 11,081 | \$ 11,635 |
| Total Expenditure | \$ 239,510 | \$ 272,048 | \$ 280,363 | \$ 341,296 | \$ 357,342 | \$ 371,165 | \$ 387,711 | \$ 401,141 | \$ 414,764 | \$ 428,091 |
| Net Surplus / Loss | \$ 15,104 | \$ 14,767 | \$ 18,790 | \$ (5,611) | \$ 2,393 | \$ 4,912 | \$ 17,676 | \$ 27,972 | \$ 32,286 | \$ 31,112 |

| Sensitivity Analysis Based on Year 3 of operation | | | | |
|---|------------|-----------|------------|-----------|
| Sensitivity Analysis | OPEX Costs | Revenue | Net result | |
| Base projection (Year 3) | 100% | \$280,363 | 100% | \$299,153 |
| Optimistic | 90% | \$252,327 | 110% | \$329,068 |
| Realistic | 100% | \$280,363 | 90% | \$269,237 |
| Pessimistic | 110% | \$308,399 | 85% | \$254,280 |
| Black hat | 125% | \$350,454 | 75% | \$224,364 |

| Revenue from Member Club Usage (conservative) | | | | | | | | | |
|---|---------------------|--------------|--------------------|---------------------|--------------|--------------------|--------------------|---------------------|------------------|
| Regular weekly use by member clubs | Winter Weekly Hours | Winter Weeks | Winter Total Hours | Summer Weekly Hours | Summer Weeks | Summer Total Hours | Annual Total Hours | Members Hourly Rate | Revenue |
| SPACE | | | | | | | | | |
| Social Lounge / Bar | 14 | 24 | 336 | 12 | 24 | 288 | 624 | \$ 15 | \$ 9,360 |
| Kitchen / Cafe | 20 | 24 | 480 | 20 | 24 | 480 | 960 | \$ 15 | \$ 14,400 |
| Meeting Room | 6 | 24 | 144 | 6 | 24 | 144 | 288 | \$ 20 | \$ 5,760 |
| Total Social / Meeting Spaces | | | 960 | | | 912 | 1,872 | | \$ 29,520 |

Assumptions



Refer table below, with 5% increase applied annually from Year 4 onwards, to recognise venue usage growth
 Refer table below, with 5% increase applied annually from Year 4 onwards, to recognise venue usage growth
 Refer table below, with 5% increase applied annually from Year 4 onwards, to recognise venue usage growth
 Conservative based on 50% of Toitu Poneke at \$20 per space per hour, 5% increase applied annually from Year 4 onwards
 Conservative based on 33% of Toitu Poneke at \$50 per space per hour, 5% increase applied annually from Year 4 onwards
 Based on Toitu Poneke at \$9,500pa after 3 years, with 20% reduction applied for conservatism, then 5% increase per annum (\$70 per clean)
 Based on 50% of Toitu Poneke, charging commercial customers for technology use, to support meetings and workshops etc, increasing 5% per annum

Refer table below

Based on Toitu Poneke for OPEX / Salaries etc, increasing as membership grows - suggest aim to be no more than 20% of total income mix
 50% funding from either clubs, trusts or FNDC
 To be agreed with FNDC

50% of Toitu Poneke, who use an existing 3rd party supplier to deliver, so no wages / set-up costs
 From year 2 onwards, based on 10 kids per session, 5 sessions per week, 40 weeks, at \$12 per kid, then growing at 5% per annum

Conservative based on similar operations, opportunity for growth

Conservative based on similar operations, opportunity for growth

Conservative based on similar operations, opportunity for growth

Conservative estimates and significant headroom here, especially if able to sell signage, name rooms / spaces etc

All tasks, including club engagement, venue promotion and bookings, year 1 (30hrs at \$65,000pa) / year 2 (full time); 5% growth pa, capped at \$85,000pa

Commences Year 4 (20hrs at full time salary of \$50,000pa), then 10% extra hours per year, capped at \$50,000

Employed on a needs basis only, and costed into fees charged to attendees (so corresponding income to offset)

From Year 4, if need apparent, focusing on media, communications, membership and financial roles, 15-20 hours per week

Allowance based on 60% of OSCAR income above

48 weeks x 10hrs per week x \$22 per hour, with 5% increase per annum

Estimate

Per Toitu Poneke, with 5% increase annually

Per Toitu Poneke, with 5% increase annually

\$250 per month, increasing to \$400 when Operations Mgr joins, plus 5% growth pa

Based off Toitu Poneke, plus 5% growth pa

Based off Toitu Poneke, plus 5% growth pa (note - this is just a 50% charge, balance charged to using clubs)

Negotiated FOC with FNDC as part of ground lease / arrangement?

Assumed included in Rates

\$200 per month x 12 months, with 5% increase per annum

Starting small as new venue, but increasing as ageing occurs

Based off Toitu Poneke, plus 5% growth pa

Per Toitu Poneke, plus 5% growth per annum

Per Toitu Poneke, plus 5% growth per annum

Negotiated based on land that building sits upon (assumes FNDC provide changing room clearing for free)

Estimated "replacement cover", with 25% deduction for FNDC insurance grant, with 5% premium increase annually

Based off Toitu Poneke, plus 5% growth pa

\$150 per month, plus 5% growth pa

Based off Toitu Poneke, plus 5% growth pa

Allowance to support asset replacement fund development and growth, based on 1% per annum of a \$9m structure (straight line)

Estimated

Based off Toitu Poneke, plus 5% growth pa

Allowance, includes annual national hub conference

Includes staff time party, hosted function for key club management

Based off Toitu Poneke, plus 5% growth every 3 year lease term

Based off Toitu Poneke, plus 5% growth pa, mostly social media, newsletters, word of mouth

| | | | | | | | | | | | | |
|--|----|----|-------------|------|----|-------------|---------------|-----------|-----------|--------------|---------------|---|
| Fields | 84 | 24 | 2016 | 80 | 24 | 1920 | 3,936 | \$ | - | \$ | - | Assume no field charge, or any revenue goes to FNDC |
| Gymnastics Hall | 60 | 24 | 1440 | 60 | 24 | 1440 | 2,880 | \$ | 12 | \$ | 34,560 | |
| Changing Rooms (Fields) | 30 | 24 | 720 | 22.5 | 24 | 540 | 1,260 | \$ | - | \$ | - | Assume no field changing room charge, or any revenue goes to FNDC |
| Changing Rooms (Gym - Private) | 60 | 24 | 1440 | 60 | 24 | 1440 | 2,880 | \$ | 4 | \$ | 11,520 | |
| Total Sport / Recreation Spaces | | | 5616 | | | 5340 | 10,956 | \$ | 16 | \$ | 46,080 | |
| Administration Office | 40 | 24 | 960 | 40 | 24 | 960 | 1,920 | \$ | 5 | \$ | 9,600 | |
| Storage Space / Units | 60 | 26 | 1560 | 60 | 26 | 1560 | 3,120 | \$ | 2 | \$ | 6,240 | |
| Total Administration / Storage Spaces | | | | | | | 5,040 | \$ | | \$ | 15,840 | |
| Note, excludes Family Room / Child Care Centre - shown separately as a social enterprise 3rd party provider | | | | | | | | | | Total | \$ | 91,440 |

| Calculation of Club Membership Fees (paid to Hub for affiliation), includes players, coaches, management & social members | | | | | | | | | | |
|--|-------------------|------------------------|--------------------------|-----------------------|----------------------------|----------------------|------------------------|------------------------|---------------------|-----------|
| Year | Fee Per member | Football Membership | Gymnastics Membership | Cricket Membership | Rugby League Membership | Hockey Membership | New Club Membership | New Club Membership | Total Membership | Revenue |
| 1 | \$ 20 | 450 | 330 | 150 | 50 | - | - | - | 980 | \$ 19,600 |
| 2 | \$ 20 | 450 | 330 | 150 | 50 | - | - | - | 980 | \$ 19,600 |
| 3 | \$ 20 | 450 | 330 | 150 | 70 | - | - | - | 1,000 | \$ 20,000 |
| 4 | \$ 20 | 475 | 365 | 175 | 70 | - | - | - | 1,085 | \$ 21,700 |
| 5 | \$ 25 | 475 | 365 | 175 | 90 | 50 | 20 | - | 1,175 | \$ 29,375 |
| 6 | \$ 25 | 475 | 365 | 175 | 90 | 50 | 20 | 20 | 1,195 | \$ 29,875 |
| 7 | \$ 25 | 500 | 400 | 200 | 110 | 75 | 30 | 20 | 1,335 | \$ 33,375 |
| 8 | \$ 30 | 500 | 400 | 200 | 110 | 75 | 30 | 30 | 1,345 | \$ 40,350 |
| 9 | \$ 30 | 500 | 400 | 200 | 130 | 100 | 40 | 30 | 1,400 | \$ 42,000 |
| 10 | \$ 30 | 500 | 400 | 200 | 130 | 100 | 40 | 40 | 1,410 | \$ 42,300 |

Same fee for senior and junior members, per Toitu Poneke model

| Member Club Usage Overlay (derived from GLG survey responses, excludes Hockey and any new clubs joining over time) | | | | | | | | | | | |
|--|-------------------------------|----------|--------------|-----------------------------|-----------------------|-----------------------------|-----------------------|----------------------------------|------------------------------|-------------|---------------------|
| Time of Day | Winter Season / Configuration | | | | | | | | | | |
| | Field | Field | Field | Gymnastic Hall | Changing (Fields) | Changing (Gym) | Social Rm / Bar | Kitchen / Café | Meeting Room | Family Room | Office (Admin) |
| Monday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Football | Football | | Gymnastics | | Gymnastics | | Gymnastics | | Gymnastics | Football Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | Football (1 per mth) | | |
| Tuesday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Football | Football | Rugby League | Gymnastics | Rugby League | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Football Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Wednesday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Football | Football | | Gymnastics | | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Football Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Thursday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Football | Football | Rugby League | Gymnastics | Rugby League | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Football Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Friday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | | | | Gymnastics | | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Football Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Saturday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | Football | Football | Rugby League | Gymnastics (5 times a year) | Football Rugby League | Gymnastics (5 times a year) | Football Rugby League | Football Gymnastics Rugby League | | Football | |
| * 1600 - 1800 hrs | | | | | | | | | | | |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Sunday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | Football | Football | Rugby League | Gymnastics (5 times a year) | Football Rugby League | Gymnastics (5 times a year) | Football Rugby League | Rugby League Football Gymnastics | | Football | |
| * 1600 - 1800 hrs | | | | | | | | | | | |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Time of Day | Summer Season / Configuration | | | | | | | | | | |
| | Field | Field | Field | Gymnastic Hall | Changing (Fields) | Changing (Gym) | Social Rm / Bar | Kitchen / Café | Meeting Room | Family Room | Office (Admin) |
| Monday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | Cricket | Cricket | | Gymnastics | Cricket | Gymnastics | | Gymnastics | | Gymnastics | Gymnastics |
| * 1600 - 1800 hrs | | | | | | | | | | | |
| * 1800 - 2100 hrs | | | | | | | | | Cricket (any day) | | |
| Tuesday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Cricket | Cricket | | Gymnastics | Cricket | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Wednesday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Cricket | Cricket | | Gymnastics | Cricket | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Thursday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | Cricket | Cricket | | Gymnastics | Cricket | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Gymnastics |
| * 1600 - 1800 hrs | | | | | | | | | | | |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Friday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | Cricket | Cricket | | Gymnastics | Cricket | Gymnastics | | Gymnastics | Gymnastics (timing flexible) | Gymnastics | Gymnastics |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Saturday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | Cricket | Cricket | | Gymnastics (5 times a year) | Cricket | Gymnastics (5 times a year) | Cricket | Cricket | | | |
| * 1600 - 1800 hrs | | | | | | | | | | | |
| * 1800 - 2100 hrs | | | | | | | | | | | |
| Sunday | | | | | | | | | | | |
| * 0800 - 1000 hrs | | | | | | | | | | | |
| * 1000 - 1200 hrs | | | | | | | | | | | |
| * 1200 - 1400 hrs | | | | | | | | | | | |
| * 1400 - 1600 hrs | | | | | | | | | | | |
| * 1600 - 1800 hrs | | | | Gymnastics (5 times a year) | | Gymnastics (5 times a year) | | Gymnastics (5 times a year) | | | |
| * 1800 - 2100 hrs | | | | | | | | | | | |

GLG Comments

We have made some timing assumptions here, but generally in line with indications from clubs (per survey)

Obvious synergies, with the "red" fields highlighting where clubs will be required to share space (nothing insurmountable here on face value, can be managed through space design, compromise, simultaneous sharing)

6 INFORMATION REPORTS

6.1 FEEDBACK ON THE MINISTRY FOR THE ENVIRONMENT NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY, EXPOSURE DRAFT

File Number: A3818272

Author: Andrew McPhee, Senior Policy Planner

Authoriser: Janice Smith, Chief Financial Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of the report is to inform the Strategy and Policy Committee of feedback submitted by the Far North District Council on the Ministry for the Environment National Policy Statement for Indigenous Biodiversity exposure draft.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Central Government is in the process of preparing a National Policy Statement for Indigenous Biodiversity (NPS-IB). Between November 2019 to March 2020, the Ministry for the Environment (MfE) sought public feedback on the introduction of a National Policy Statement to help protect precious flora and fauna. Over 7000 pieces of feedback were received, including from Far North District Council (Council). Subsequently in 2022, feedback is now sought by MfE on an NPS-IB exposure draft.

Feedback was prepared by Council and was provided to MfE on 21 July 2022.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee receive the report Feedback on the Ministry for the Environment National Policy Statement for Indigenous Biodiversity, Exposure Draft.

TĀHUHU KŌRERO / BACKGROUND

The need for a National Policy Statement for Indigenous Biodiversity was recognised by central government as early as 2000 and an attempt was made in 2011 to prepare a National Policy Statement. This was not progressed due to a lack of stakeholder agreement.

The first draft of the current proposed NPS-IB was developed by the Biodiversity Collaborative Group between March 2017 and October 2018. The group comprised Forest and Bird, Federated Farmers, an iwi advisor to the Iwi Chairs' Forum, New Zealand Forest Owners' Association, Environmental Defence Society, and infrastructure industries.

A proposed NPS-IB was prepared by MfE in 2019 and went out for general consultation along with several questions on its content. Council prepared and lodged feedback on 12 March 2020 (see Attachment 1).

After consideration of over 7,000 pieces of feedback from the release of the proposed NPS-IB, MfE released an NPS-IB exposure draft in June 2022. The main changes in the NPS-IB are stated by MfE as being:

- adequately providing for activities which are important for peoples' economic wellbeing, such as farming, forestry and the provision of infrastructure and energy
- identifying indigenous biodiversity, which is significant, and clearly outlines the process for managing effects on it without requiring SNAs to be split into 'high' and 'medium' categories
- recognising tangata whenua as kaitiaki and allows for development of Māori land in partnership with tangata whenua, including Māori landowners
- outlining management for geothermal areas and public land which previously only had placeholders.

Feedback was prepared by Council on the exposure draft for the NPS-IB and lodged with the MfE on 21 July 2022 (see Attachment 2).

The timing required to provide feedback meant approval could not be obtained through the Strategy and Policy Committee (STRAT). The feedback was prepared inhouse by a Council officer and content was consulted on with the following people:

- the Chair of the STRAT;
- the General Manager – Strategic Policy and Planning; and
- the Manager – District Planning

The feedback was lodged under delegated authority through the Strategy and Policy Committee Terms of Reference.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Much of Councils feedback concentrated on the proposed policies within the NPS-IB exposure draft of relevance to the district. Further feedback included points on the following:

- Scale of resource – The draft Significant Natural Area (SNA) mapping identified 685 SNAs in the Far North District covering approximately 282,696 hectares, affecting 42% of the district and approximately 10,000 properties. The Far North District is significantly overrepresented in terms of potential SNA coverage when compared to the other Territorial Authorities in the region:

| District | Private land (ha) | Council land (ha) | DoC land (ha) |
|-----------------|--------------------------|--------------------------|----------------------|
| Far North | 152,693 | 2,704 | 105,012 |
| Whangarei | 48,495 | 310 | 57,314 |
| Kaipara | 29,432 | 494 | 15,277 |

- Cost and resource implications – Future ground truthing, mapping and reporting of SNA to the degree required by the NPS-IB will have large financial and resourcing implications for the Far North community. Council does not know how it would be able to fund the mapping and monitoring of SNAs required by the NPS-IB. In 2020, Council estimated the total costs for NPS-IB activities as \$810,000 and the total biodiversity programme costs as \$297,750 per annum. The multiplicity of resource management processes/roles requiring technical input, and limited level of funding for engagement and monitoring, are significant barriers to iwi participation. Council is concerned that if not adequately resourced or upskilled the outcomes of consultation under the NPS-IB will be mixed. Whilst the draft implementation plan recognises that most councils will require additional budget and resources, Council is concerned that there is very little guidance as to how funding will be targeted and allocated. It is essential for central government to ensure that adequate funding and technical resource are available to Council, tangata whenua and other landowners.
- Community awareness, understanding and participation – Council does not feel it will be able to meet the timeframes outlined in the NPS-IB unless Central government agencies to take a lead role in raising the public's awareness of the nation-wide mandatory approach for protecting and maintaining indigenous biodiversity and clearly define the responsibilities of central government agencies, local authorities, tangata whenua and landowners.



It is expected that the feedback submitted by Council and other stakeholders will be further considered by Central Government and will contribute to the content and makeup of the NPS-IB.

MfE anticipates that Gazettal of the NPS-IB will be in December 2022.

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

There are no financial implications for Council contributing by way of further feedback to MfE on the NPS-IB. The preparation of the feedback was absorbed within existing budgets.

ĀPITI HANGA / ATTACHMENTS

1. **FNDC feedback on the Proposed National Policy Statement for Indigenous Biodiversity (12 March 2020) - A2864675** [↓](#) 
2. **FNDC feedback on the National Policy Statement for Indigenous Biodiversity exposure draft (21 July 2022) - A3803934** [↓](#) 



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12 March 2020

Ministry for the Environment
indigenousbiodiversity@mfe.govt.nz

RE: Proposed National Policy Statement for Indigenous Biodiversity

The Far North District Council (Council) welcomes the opportunity to provide feedback to the Ministry for the Environment regarding a proposed National Policy Statement for Indigenous Biodiversity (NPS-IB).

The feedback is structured to provide general comments on the topic followed by responses to the targeted and specific questions raised in the 'He Kura Koiora i hokia' discussion document.

GENERAL COMMENTS

1. Biodiversity has declined in New Zealand due to the introduction of pests and land fragmentation arising from land clearance and conversion. Council recognizes that a National Policy Statement for Indigenous Biodiversity is a way forward to halt this decline, and to better manage indigenous biodiversity throughout the country. The Far North has attempted to provide specific policy provisions in the past to maintain biodiversity and encountered strong feedback from communities about proposed planning methods to protect indigenous flora and fauna. This included ceasing a district planning process and restarting the plan-making process, at considerable cost to the council and community. For this reason, Council is acutely aware of the need for a balance between our responsibilities for sustainable management of natural resources, while enabling the wellbeing of our communities.
2. The Far North District covers 732,400 hectares, with 282,696 hectares being identified as a potential Significant Natural Area (SNA) through a comprehensive mapping project in collaboration with Whangarei and Kaipara District Councils. This amounts to 42% of the District. This includes 685 individual potential SNAs which have been identified, mapped and described through this process. Although Council supports the need for an overarching direction in order to manage and maintain indigenous biodiversity, we are also aware that a balance needs to be struck in order to cater for the needs of our communities. This is especially pertinent in our District where there is a large amount of vegetation cover, and a large amount of undeveloped land.
3. Through the SNA mapping, approximately 10,000 properties have been identified as having an SNA on them. Of this, 19.43% have a site coverage of above 80% potential SNA. This large amount of coverage paired with the stringent policy framework that is likely to apply to areas with SNAs may have a large effect on the use and development of land in the Far North. Currently, the most stringent policy framework for protecting SNAs occurs in the coastal environment under the Regional Policy Statement for Northland. Our analysis suggests that 22% of private property in the coastal environment that has an SNA identified on the site has more than 80% SNA coverage. This may represent a test of reasonable use under Section 85 of the RMA and Council may face subsequent costs for compensation.

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4. The Far North comprises of a significant amount of Māori land (approximately 17% of land area), with initial analysis showing that 52% of Māori Freehold land in the Far North is coincident with an SNA. Council supports an **enabling** framework for SNAs on Māori land in order to ensure that aspirations for land development on these sites is not limited, while indigenous biodiversity is maintained. With the Government's push to enable Māori land, achieving this enablement may be difficult with the large amount of coverage of SNAs on Māori land. The potential for achieving economic wellbeing through the activation of traditional land may be significantly diminished through the policy intervention. The Far North District Council considers that the Government's policy statements on Enabling Maori Freehold Land and the NPS-IB need to ensure they are aligned to achieve the government's desired outcomes.
5. The implementation requirements of the NPS-IB will have large financial and resourcing implications in the Far North District. As well as this, the timeframes set out by the NPS-IB will mean that territorial authorities will be required to undertake a significant amount of work in tight timeframes. These timeframes, as well as our financing and resources constraints, are of concern to Council.

Targeted Questions

1. **Do you agree a National Policy Statement for Indigenous Biodiversity (NPSIB) is needed to strengthen requirements for protecting our native plants, animals and ecosystems under the Resource Management Act 1991 (RMA)? Yes/no? Why/why not?**

Yes. As a matter of national significance, national direction will assist territorial authorities in providing the most appropriate policies and techniques to adequately manage indigenous biodiversity. Degradation of natural capital under the existing framework is evidence to suggest that a more cohesive approach is required.

2. **The scope of the proposed NPSIB focuses on the terrestrial environment and the restoration and enhancement of wetlands. Do you think there is a role for the NPSIB within coastal marine and freshwater environments? Yes/no, why/why not?**

Yes, the interconnectivity and complexity of natural systems that we are trying to protect would benefit from a holistic approach. Integrated management methods between territorial and regional authorities would need to be considered and reviewed to achieve this approach.

3. **Do you agree with the objectives of the proposed NPSIB? Yes/no? Why/why not? (see Part 2.1 of the proposed NPSIB)**

Yes. The objectives are generally supported; however Council considers that there is some overlap between Objective 3 and Objectives 4, 5 and 6. Hutia te Rito is an overarching concept which encompasses the integrated management of indigenous biodiversity to enhance and restore indigenous biodiversity, and therefore the concept is repeated throughout the later objectives.

4. **Hutia te Rito recognises that the health and wellbeing of nature is vital to our own health and wellbeing. This will be the underlying concept of the proposed NPSIB. Do you agree? Yes/no? Why/why not?**

Yes, we support the use of the concept of Hutia te Rito to underpin the direction of the NPS-IB; however it should not be the only guiding principle as there is intrinsic value in the integrity of endemic habitats and ecosystems outside of the value that they have to individuals and communities.

Hutia te Rito, as an underlying concept of the proposed NPSIB, is not difficult to agree with from a tangata whenua paradigm. Through the creation story of Rangi-nui and Papa-tū-ā-nuku, the whakapapa of all things demonstrates that humankind is dependent on the natural world in the hierarchy. However, as the s32 report identifies, "it is unclear exactly what will be required to understand and operationalise Hutia te Rito in practice." And "understanding and operationalizing Hutai (sic) te Rito will require resourcing and upskilling".

It is this lack of detail and understanding about implementation that will be most challenging for the Far North District where a high number of SNAs and a lack of resourcing for both council and tangata whenua will be an issue.

5. Does the proposed NPSIB provide enough information on Hutia te Rito and how it should be implemented? Yes/no. Is there anything else that should be added to reflect te ao Māori in managing Indigenous Biodiversity?

No, there is not enough information and guidance in the NPSIB on Hutia te Rito or how it should be implemented. The discussion document describes what the Biodiversity Collaborative Group envisaged for Hutia Te Rito e.g: "initiate early consultation to ensure Māori perspectives are considered". There needs to be early, fully resourced collaboration, more than consultation. The right people in the right place with the right skills. The discussion document (p25) also says: "The proposed NPSIB provides for a broader participation, allowing councils to involve iwi/Māori – as opposed to only iwi authorities. The following approaches show how councils, tangata whenua, and communities could work together well, specifically for implementing the proposed NPSIB. Those with an iwi participation agreement may wish to include the proposed NPSIB (when finalised) in their agreement". The Far North District has 11 mandated iwi authorities for the purposes of the RMA. To date no Mana Whakahono ā Rohe participation agreements have been initiated by iwi authorities in the district. The tangata whenua context in the district is complex, there are many hapū and marae, more than 40% of the population identifies as Māori and approximately 17% of the district is whenua Māori 52% of which may have SNAs within it. Full collaborative engagement across the district would be time consuming and resource heavy for both council and tangata whenua.

6. Do you think the proposed NPSIB appropriately takes into account the principles of the Treaty of Waitangi? Yes/no? Why/why not?

The NPSIB talks about the Treaty of Waitangi. From a tangata whenua perspective Māori signed Te Tiriti o Waitangi so the NPSIB should at the least refer to Te Tiriti o Waitangi/The Treaty of Waitangi, simultaneously. Partnership is the key principle and the NPSIB does not go far enough to implement the recommendations from the Biodiversity Collaborative Group Paper Te Kahu o te Taiao (June 2018) which could reflect this principle. It is silent on enhanced iwi management plans, improved mechanisms for delivering control and a commitment to capacity building. Collaboration and co-design requires time, expertise and resourcing. Who will provide this?

The guidance on how it could be done or how either party will be resourced to do this is vital.

7. What opportunities and challenges do you see for the way in which councils would be required to work with tangata whenua when managing indigenous biodiversity? What information and resources would support the enhanced role of tangata whenua in indigenous biodiversity management? Please explain.

From the Wildlands SNA Study of Tai Tokerau there are over 600 Significant Natural Areas (SNAs) identified in the FN District. In addition, of the 17% of the district that is Māori freehold land (about the same amount of Crown land administered by DoC) 52% of Maori Freehold Land (MFL) in the FN District has an SNA identified and 18% of all the SNAs identified are on MFL. There are only 23 Ngā Whenua Rāhui Kawenata within the district. More than 45% of the district's population is Māori,

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there are 11 mandated iwi authorities for the purposes of the RMA as well as number of Hapū and Iwi with whom FNDC has memoranda of understanding. There are also many Hapū and marae. Tangata whenua are kaitiaki as well as landowners.

The NPS is not explicit about Councils providing additional financial support and/or incentives to protect, maintain or enhance indigenous biodiversity. Tangata whenua who take the responsibility and obligation of kaitiakitanga seriously are already not resourced to cope with the status quo and are often seeking funding from councils and other organisations for resourcing or simply doing it for aroha. For tangata whenua as landowners the chances that SNA coverage is so extensive that it totally precludes use and development is yet to be understood in the district. However, the consequences could be high and adversely affect the ability of tangata whenua to achieve the benefits of developing papakainga and further connecting to their land. The NPS makes a clear statement that these benefits need to be recognised in regional and district level planning provisions – high certainty.

- 8. Local authorities will need to consider opportunities for tangata whenua to exercise kaitiakitanga over indigenous biodiversity, including by allowing for sustainable customary use of indigenous flora. Do you think the proposed NPSIB appropriately provides for customary use? Yes/no, please explain.**

On the face of it yes, but further information will be needed on defining sustainable customary use.

- 9. What specific information, support or resources would help you implement the provisions in this section (section A)?**

Resourcing and prioritizing the development of a “high trust” relationship with tangata whenua would help to implement the provisions in this section. These relationships will be critical in terms of implementing the NPS-IB, and a focus needs to be on enabling councils and tangata whenua to be able to build these relationships.

- 10. Territorial authorities will need to identify, map and schedule Significant Natural Areas (SNAs) in partnership with tangata whenua, landowners and communities. What logistical issues do you see with mapping SNAs, and what has been limiting this mapping from happening?**

The scale and cost of specialist services to inform mapping has been the greatest impediment to undertaking a review of Significant Natural Areas (SNAs) to date. Balancing is also a consideration when it is necessary to take into account other matters of national significance and understanding the interactions of spatial relationships and sometimes competing objectives. We have recently undertaken a SNA mapping project in collaboration with the other territorial authorities in our region in order to respond to the regional responsibility to map SNAs, as required by Northland's Regional Policy Statement (RPS).

- 11. Of the following three options, who do you think should be responsible for identifying, mapping and scheduling of SNAs? Why?**

- a. territorial authorities
- b. regional councils
- c. a collaborative exercise between territorial authorities and regional councils.

Council supports option C as this recognizes the capacity to share knowledge and expertise at a regional scale. This will enable collaboration and promote integrated management and effective monitoring between local authorities. In our experience with our recent SNA mapping exercise, input of regional council expertise and perspective was key in scoping and informing the project direction.

12. Do you consider the ecological significance criteria in Appendix 1 of the proposed NPSIB appropriate for identifying SNAs? Yes/no? Why/why not?

Yes. The ecological significance criteria in Appendix 1 correspond to the significance criteria used in Appendix 5 of Northland's Regional Policy Statement. This significance criteria has gone through a Schedule 1 process. The RPS significance criteria informed our recent SNA mapping project.

13. Do you agree with the principles and approaches territorial authorities must consider when identifying and mapping SNAs? (see Part 3.8(2) of the proposed NPSIB) Yes/no? Why/why not?

Yes, these are principles which Council supports. At this stage, we are yet to initiate consultation with potentially affected landowners of our draft SNA mapping; however these approaches will be taken into account when undertaking this consultation.

14. The NPSIB proposes SNAs are scheduled in a district plan. Which of the following council plans should include SNA schedules? Why?

- a. regional policy statement
- b. regional plan
- c. district plan
- d. combination

Council considers that the minimum would be for SNAs to be scheduled in a district plan, however a combination of scheduling in both district and regional plans would be seen as an ideal outcome in order to promote collaboration between local authorities. This would also likely result in a more comprehensive approach since the identification of SNAs may come from a variety of different channels with differing responsible authorities (i.e. the identification of an SNA through a subdivision process at a district level versus the identification of an SNA through a regional process).

15. We have proposed a timeframe of five years for the identification and mapping of SNAs and six years for scheduling SNAs in a district plan. Is this reasonable? Yes/no. What do you think is a reasonable timeframe and why?

Council generally supports the timeframe, however in order to achieve appropriate outcomes for cultural outcomes (i.e. identifying taonga) capacity building will be essential. If resources are not available to allow for a partnership approach, any achievement of a prescriptive timeframe will be challenging.

16. Do you agree with the proposed approach to the identification and management of taonga species and ecosystems? (see Part 3.14 of the proposed NPSIB) Yes/no? Why/why not?

Unsure, as Section 3.9 Summary of Recommendations in Ko Aotearoa Tēnei talks about "control" by Māori of environmental management in respect of taonga, and "partnership" models for environmental management in respect of taonga, and "effective influence and appropriate priority" to the kaitiaki interests in all areas of environmental management. It is not certain that, as written, Part 3.14 will go far enough to achieve these outcomes.

17. Part 3.15 of the proposed NPSIB requires regional councils and territorial authorities to work together to identify and manage highly mobile fauna outside of SNAs. Do you agree with this approach? Yes/no? Why/why not?

We would support a collaborative approach to identifying and managing highly mobile fauna, including working with regional council and other agencies, including the Department of Conservation and non-governmental organisations, such as landcare groups, who are well informed, connected and already achieve positive outcomes in regards to this issue. Non-statutory methods may offer particular value in providing effective techniques and programs. For example, in a local

context, Northland has a number of non-governmental agencies such as Reconnecting Northland who aim to provide wildlife corridors and minimize ecological fragmentation across the region.

18. What specific information, support or resources would help you implement the provisions in this section (section B)?

Any technique which fosters a network approach would be supported by Council. This includes supporting community and non-governmental organizations that promote ecological outcomes and building capacity for tangata whenua to both manage and monitor ecosystems. Data sharing between government agencies and communities could be used to promote continuous improvement in understanding ecological conditions and trends and prioritizing the implementation of projects. The NPS-IB is also likely to have a large cost to Council, and we are concerned about our lack of funding and resources in order to effectively implement it.

19. Do you think the proposed NPSIB provides the appropriate level of protection of SNAs? Yes/no? Why/why not? (see Part 3.9 of the proposed NPSIB)

We understand what is being sought by the classification between Medium and High SNAs, however we also understand that there is a lack of confidence in the methodology used to discern between the two categories. We agree with the approach of providing an appropriate level of enablement for medium SNAs which will balance the protection of values associated with natural resources, while enabling other wellbeings (i.e economic, social, cultural). However, would like to understand the evaluative process used to determine the distinction between medium and high categories.

20. Do you agree with the use of the effects management hierarchy as proposed to address adverse effects on indigenous biodiversity instead of the outcomes-based approach recommended by the Biodiversity Collaborative Group? Yes/no? Why/why not?

Yes, Council supports the use of the effects management hierarchy as it enables other wellbeing outcomes and may further minimize the potential for landowners to not achieve a reasonable use on existing allotments. There is however concerns about the appropriateness of applying the high and medium classification across our district as there may not be a sufficient level of balance between enabling land uses and protecting biodiversity outcomes. The Regional Policy Statement for Northland seeks to avoid adverse effects in the coastal environment, in accordance with the New Zealand Coastal Policy Statement (NZPCS). Consequently, in the context our district there is a much more confined area which is subject to the most stringent policy framework.

21. Are there any other adverse effects that should be added to Part 1.7(4), to be considered within and outside SNAs? Please explain.

No, Council considers that the adverse effects listed in Part 1.7(4) are adequate.

22. Do you agree with the distinction between high- and medium-value SNAs as the way to ensure SNAs are protected while providing for new activities? Yes/no/Unclear? Please explain. If no, do you have an alternative suggestion?

Yes, we agree with the distinction between medium and high value SNAs as it is a more nuanced approach in order to enable appropriate development in sensitive locations. What is less clear, is the ecological appropriateness of this approach in the context of our district and further technical input on this parameter is considered prudent.

23. Do you agree with the new activities the proposed NPSIB provides for and the parameters within which they are provided for? (see Part 3.9(2)-(4) of the proposed NPSIB) Yes/no? Why/why not?

We support the list, especially in regards to the tangata whenua considerations given that over 50% of Maori land in our District has recently been mapped as being a potential SNA. Council is mindful that these activities (such as new residential activities, papakainga and marae) may generate further effects which are not necessarily anticipated, such as new accesses, roading and earthworks. Further regard to macro-scale spatial planning processes and competing national direction policies would be beneficial to incorporate into the list of new considerations. For example, steering lifestyle developments away from highly productive land to peri-urban areas may have adverse effects on sites which have identified potential SNAs on them.

24. Do you agree with the proposed definition for nationally significant infrastructure? Yes/no? Why/why not?

We would consider it appropriate to also include regionally significant infrastructure in this definition, as this is detailed in Northland's Regional Policy Statement.

25. Do you agree with the proposed approach to managing significant indigenous biodiversity within plantations forests, including that the specific management responses are dealt with in the NESPF? (see Part 3.10 of the proposed NPSIB) Yes/no? Why/why not?

Yes, we consider this as the most appropriate and practicable approach to managing forestry, as it means that forestry is consistently managed through the NES-PF while avoiding crossover between the NPS-IB and NES-PF.

26. Do you agree with managing existing activities and land uses, including pastoral farming, proposed in Part 3.12 of the proposed NPSIB? Yes/no? Why/why not?

Yes, Council agrees with this approach, however further feedback and engagement is required from our farming communities,

27. Does the proposed NPSIB provide the appropriate level of protection for indigenous biodiversity outside SNAs, with enough flexibility to allow other community outcomes to be met? Yes/no? Why/why not?

Yes, Council supports the level of protection provided for indigenous biodiversity outside of SNAs. This approach generally corresponds with Northland's Regional Policy Statement.

28. Do you think it is appropriate to consider both biodiversity offsets and biodiversity compensation (instead of considering them sequentially) for managing adverse effects on indigenous biodiversity outside of SNAs? Yes/no? Why/why not?

Yes. The consideration of both biodiversity offsets and biodiversity compensation allows for further flexibility in areas outside of SNAs which Council supports.

29. Do you think the proposed NPSIB adequately provides for the development of Māori land? Yes/no? Why/why not?

No – the provisions do not include economic development activities.

This means the activity can proceed provided it is on land that is within a medium-value SNA, and there is no practicable alternative location. Adverse effects would be addressed through the effects management hierarchy, which is a common approach under the RMA, instead of avoided as per Part 3.9(1).

30. Part 3.5 of the proposed NPSIB requires territorial authorities and regional councils to promote the resilience of indigenous biodiversity to climate change. Do you agree with this provision? Yes/no? Why/why not?

Council agrees with the principles of building the resilience of indigenous biodiversity in order to respond to climate change. However, the potential burden of the provisions, in particular Part 3.5(b)(c) could extrapolate into some unexpected costs and outcomes for council and communities. For example, Northland Brown Kiwi connectivity spans across peri-urban areas in the Far North which may significantly reduce development potential. Council would be interested in understanding how these implementation requirements will need to be put in place by territorial authorities.

31. Do you think the inclusion of the precautionary approach in the proposed NPSIB is appropriate? (see Part 3.6 of the proposed NPSIB) Yes/no? Why/why not?

Yes, we agree that the precautionary approach is appropriate in ensuring a consistent approach to risk management in a natural resource management context.

32. What is your preferred option for managing geothermal ecosystems? Please explain.

a. Option 1

b. Option 2

c. Option 3

d. Or your alternative option – please provide detail.

We consider that Option 3 is the preferred option for managing geothermal ecosystems. Although we recognize that geothermal ecosystems are highly localized, including some which are highly modified for power generation, an overarching national policy framework would ensure a consistent approach to managing these unique and rare ecosystems. However, we also recognize that geothermal energy production is important in terms of reducing New Zealand's reliance on non-renewable energy sources, and this should be taken into account in the policy framework.

33. We consider geothermal ecosystems to include geothermally influenced habitat, thermo-tolerant fauna (including micro-organisms), and associated indigenous biodiversity. Do you agree? Yes/no? Why/why not?

Yes, we agree that geothermal ecosystems encompass habitat, as well as indigenous fauna and flora. However, implementing a policy framework to protect micro-organisms may create an extra layer of complexity to the NPS-IB.

34. Do you agree with the framework for biodiversity offsets set out in Appendix 3 of the NPSIB? Yes/no? Why/why not?

Yes, we agree with the framework for biodiversity offsets. Council is currently in the course of implementing a policy framework represented in Northland's Regional Policy Statement which echoes the biodiversity offset principles represented in Appendix 3. The no net loss, preferably net gain principle fits with the Resource Management Act's framework.

35. Do you agree with the framework for biodiversity compensation set out in Appendix 4 of the NPSIB? Yes/no? Why/why not? Include an explanation if you consider the limits on the use of biodiversity compensation set out in Environment Court decision: Oceana Gold (New Zealand) Limited v Otago Regional Council as a better alternative.

Yes, Council agrees with the framework for biodiversity compensation set out in Appendix 4 of the NPSIB. We consider this to be the most practical way to compensate for more than minor adverse residual effects, and will reduce the burden on both the applicant, and Council's monitoring and compliance resourcing.

36. What level of residual adverse effect do you think biodiversity offsets and biodiversity compensation should apply to?

a. More than minor residual adverse effects

b. All residual adverse effects

c. Other. Please explain.

Council considers that more than minor residual adverse effects should be covered by the biodiversity offset and compensation framework.

37. What specific information, support or resources would help you implement the provisions in this section (section C)?

Council does not currently have in-house staff who have ecological expertise, which would be required in order to adequately implement the provisions in section C. Council has recently gone through an expensive and resource intensive to identify draft Significant Natural Areas, and from this experience we realize the cost and resource burden of implementing provisions surrounding natural areas. In particular, we recognize the importance having up to date scientific information to inform our decisions around indigenous biodiversity, and this is something which is both cost and resource intensive. As well as this, remote sensing, GIS processes and data gathering which make monitoring and efficiency and effectiveness reviews more timely and affordable would be advantageous. Council considers that collaborative efforts between territorial authorities, regional councils and central government in order to share information and resources would be advantageous in order to assist with implementation of the Section C provisions.

38. The proposed NPSIB promotes the restoration and enhancement of three priority areas: degraded SNAs; areas that provide important connectivity or buffering functions; and wetlands. (see Part 3.16 of the proposed NPSIB) Do you agree with these priorities? Yes/no? Why/why not?

Although Council agrees with these priorities, we have serious concerns about territorial authorities being responsible for identifying SNAs whose ecological integrity is degraded, as well as areas that provide important connectivity or buffering functions. This is likely to be an onerous task which will be resource, time and cost intensive, especially since we have recently undertaken a task to identify SNAs, and this project would be a significant add-on to the work which we have already undertaken. It is also unclear to Council as to why this responsibility would fall onto a territorial authority, when the management of wetlands is also the responsibility of regional councils. As well as this, areas which provide important connectivity or buffering functions imply that they are of a scale which could potentially span across territorial boundaries, meaning that regional councils would be in a much better position to adequately identify and manage them. Council welcomes the opportunity to collaborate with our regional partners as much as possible, however it is currently unclear how this collaboration will be initiated or will operate, and how the responsibilities will be broken down equally and practically between territorial and regional authorities. There is also significant crossover between what is required in Regional Biodiversity Strategies and the work that territorial authorities are required to undertake to identify SNAs, as well as the areas referred to in subclause (1)(b) and (c). We seek clarity on how this process should take place, as well as a firm timeline in order to solidify the responsibility of these processes, so that Council and its ratepayers are not left to undertake a significant body of work with little to no resourcing assistance from regional council and central government. Incremental steps to achieving this end may be appropriate in order to reduce significant cost and resourcing gaps.

39. Do you see any challenges in wetland protection and management being driven through the Government's Action for healthy waterways package while wetland restoration occurs through the NPSIB? Please explain.

As an integrated management approach, Council considers that this is an appropriate measure. A framework which includes checks and balances is important to ensure that the implementation requirements of both policy statements are not overly onerous to landowners and are proportionate to the value of the recovering asset.

40. Part 3.17 of the proposed NPSIB requires regional councils to establish a 10 per cent target for urban indigenous vegetation cover and separate indigenous vegetation targets for non-urban areas. Do you agree with this approach? Yes/no? Why/why not?

- The role of identifying urban areas should not fall to regional councils especially where the council is not a high growth area in the context of the NPS-UD
- Many territorial authorities in regional areas are challenged with the affordable deployment of infrastructure to meet expected growth demands of housing and business areas. Imposing a one size fits all target is not considerate of the spatial planning challenges at a macro-level.
- Councils are also considering how to respond to the requirements of the NPS-HPL, this too can impact on satisfying an urban and peri-urban target of IB.
- Urban areas should be havens for companion animal ownership which may present issues when aiming for indigenous biodiversity targets and associated pest management requirements.

41. Do you think regional biodiversity strategies should be required under the proposed NPSIB or promoted under the New Zealand Biodiversity Strategy? Please explain.

Council considers that an integrated approach would be appropriate in order to encourage a consistent approach to biodiversity strategies nationwide. Overarching direction through a New Zealand Biodiversity Strategy would be seen as advantageous in order to inform regional biodiversity strategies. We consider that the requiring of a regional biodiversity strategy is important in order to address regional issues.

42. Do you agree with the proposed principles for regional biodiversity strategies set out in Appendix 5 of the proposed NPSIB? Yes/no? Why/why not?

Yes, Council agrees generally with the proposed principles for regional biodiversity strategies. However, there is significant cross over between what is required to do by regional authorities in regional biodiversity strategies and what is required to do by territorial authorities under other sections of the NPS-IB. For example, territorial authorities are required to identify and map SNAs, yet regional councils are also required to include all SNAs in their region in the strategy. Council considers that a holistic collaborative approach between district council, regional council and other stakeholders (QEII, other NGOs) would result in clarity regarding responsibilities. The biodiversity strategy should minimise the potential impact on ratepayers through identifying funding programs which are the responsibility of either regional or territorial authorities.

43. Do you think the proposed regional biodiversity strategy has a role in promoting other outcomes (e.g., predator control or preventing the spread of pests and pathogens)? Please explain.

Yes, understanding the risk and context of different pests in bioregions is an integral part of the management of indigenous biodiversity. In order to achieve positive environmental outcomes, funding pest management projects for community groups and landowners should be an integral part of the biodiversity strategy and should represent an integrated management approach between territorial and regional authorities, thereby minimizing the ratepayer burden.

44. Do you agree with the timeframes for initiating and completing the development of a regional biodiversity strategy? (see Part 3.18 of the proposed NPSIB) Yes/no? Why/why not?

Council's preference is for the identification of wetlands and SNAs whose ecological integrity is degraded (subclauses 3.16 (1)(a) and (b)) become the responsibility of regional authorities, or a collaborative effort, in which case the timeline of the regional biodiversity strategy may be viable.

45. What specific information, support or resources would help you implement the provisions in this section (section D)?

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Council recognizes that there are a number of successful organizations who undertake conservation projects in our region and ensuring that there are avenues for communication and collaboration between council and these groups will be integral in order to ensure that the methods are implemented successfully.

There may be programs in place which could inform or contribute to a strategic approach, a local example from Northland regional council is their farm environment plan. Working with existing successful programs at a fine scale that can then translate to landscape and catchment scale outcomes. Information on farm management plans can be found here:

<https://www.nrc.govt.nz/environment/land/farm-environment-plans/water-quality-improvement/#What>

46. Do you agree with the requirement for regional councils to develop a monitoring plan for indigenous biodiversity in its region and each of its districts, including requirements for what this monitoring plan should contain? (see Part 3.20) Yes/no? Why/why not?

Although Council agrees that a monitoring plan should be in place, Part 3.20 reiterates the need for the responsibilities in Section 3.16 to be transferred to regional councils rather than territorial authorities. In the monitoring plan under Part 3.20, regional councils required would be required to assess the ecological integrity of SNAs, which hypothetically would be the responsibility of territorial authorities under Section 3.16. This breakdown of responsibilities needs clarification in order to avoid duplication and to maximise the agglomeration of knowledge and resources. Consideration should also be given to Mana Whakahono a Rohe where monitoring is a mandatory component of any agreement. The cultural measures highlighted in Section 3.2 may have a mandatory role to play in this.

47. Part 4.1 requires the Ministry for the Environment to undertake an effectiveness review of the proposed NPSIB. Do you agree with the requirements of this effectiveness review? Yes/no? Why/why not?

Yes, the identified methods are considered to be a part of a rational monitoring framework.

48. Do you agree with the proposed additional information requirements within Assessments of Environment Effects (AEEs) for activities that impact on indigenous biodiversity? (see Part 3.19 of the proposed NPSIB). Yes/no? Why/why not?

At this stage, we expect to incorporate the requirements of Part 3.19 into our consolidated district plan review, due for notification at the end of 2020.

Council considers that the requirements of Part 3.19 could have the potential to be onerous and costly for resource consent applicants, especially when needing to consider the effect on areas identified as highly mobile fauna areas and habitats of indigenous fauna. This information may not be readily available, or may become expensive to acquire if specialist input is required in determining or evaluating these areas. Council does not currently have the resources to have in-house ecologists, and this may create a resourcing issue.

Although including the effects on areas providing connectivity or buffering in an assessment of environmental effects is generally supported by Council, further definition around these terms would be appreciated. Without a specific definition, areas which provide connectivity or buffering may consist of relatively small strands of trees, or potentially non-indigenous species, which may create onerous requirements for resource consent applicants to protect areas of vegetation which fall outside of SNAs.

49. Which option for implementation of the proposed NPSIB do you prefer? Please explain.

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- a. **Implementation as soon as reasonably practicable – SNAs identified and mapped in five years, scheduled and notified in plans in six years.**
- b. **Progressive implementation programme – SNAs identified and mapped within seven years, scheduled and notified in plans in eight years.**

Since Council are currently undertaking our SNA mapping, we anticipate that this will be incorporated into our District Plan review which will fall within the timeframe of option A. However, our current mapping does not differentiate between medium and high SNAs which will be another layer of cost and work. We anticipate that identifying taonga will require a collaborative effort which will involve capacity building, and this may take a considerable amount of time, so we would encourage a reasonable time period in which to achieve this. In addition to this, from a tangata whenua perspective, a progressive implementation programme will be necessary as the task will be large and will require a complex collaboration programme.

50. Do you agree with the implementation timeframes in the proposed NPSIB, including the proposed requirement to refresh SNA schedules in plans every two years? Yes/no? Why/why not?

Council considers that a five year timeframe to refresh SNA schedules within the plan would be more appropriate, as this would align with Council's Section 35 requirements under the RMA. The resources required for a plan change are significant, and therefore we would be hesitant to undertake this process every two years. As well as this, we consider that SNAs which have been identified through other processes (i.e. resource consent applications) are afforded a high level of protection despite potentially sitting outside of the scheduled SNAs in the plan, and therefore it is unlikely that adverse effects would occur in these areas regardless.

51. Which of the three options to identify and map SNAs on public conservation land (PCL) do you prefer? Please explain.

- a. **Territorial authorities identify and map all SNAs including public conservation land**
- b. **Public conservation land deemed as SNAs**
- c. **No SNAs identified on public conservation land**
- d. **Other option.**

Council consider Option A to be the best option. Identifying and mapping SNAs on public conservation land means that there will be a level of consistency for recognising areas of significance across both public and private land, using a standard set of criteria. Having this consistency will allow for an integrated management approach between different government agencies, including councils and the Department of Conservation. Having SNAs mapped on public conservation land will also mean that there is a certain level of transparency when it comes to the management of public land, for example with weed and pest management programs in these areas.

52. What do you think of the approach for identifying and mapping SNAs on other public land that is not public conservation land?

We agree with this approach. Having a consistent approach to mapping SNAs across all public and private land will lead to a higher level of effectiveness and efficiency when it comes to managing these areas. This will also add to the efficiencies of monitoring and evaluating effectiveness for any future plans.

53. Part 3.4 requires local authorities to manage indigenous biodiversity and the effects on it of subdivision, use and development, in an integrated way. Do you agree with this provision? Yes/no? Why/why not?

Yes. Integrated management is a desirable approach in that it offers greater cohesion between different fields of regulatory management. Additionally, it may offer up opportunities for delivering support including financial grants to manage and maintain biodiversity. For example, in a local context, there may be the opportunity for us to work with the regional council on their Farm Environment Plan program.

54. If the proposed NPSIB is implemented, then two pieces of national direction – the NZCPS and NPSIB – would apply in the landward-coastal environment. Part 1.6 of the proposed NPSIB states if there is a conflict between instruments the NZCPS prevails. Do you think the proposals in the NPSIB are clear enough for regional councils and territorial authorities to adequately identify and protect SNAs in the landward-coastal environment? Yes/no? Why /why not?

We consider that there may be some further need to delineate roles between regional and territorial authorities. The Regional Policy Statement for Northland takes into account the NZCPS and avoids adverse effects on significant areas of vegetation within the coastal environment. We therefore consider this to be an appropriate cascade of policy instruments in order to avoid adverse effects on vegetation within the coastal environment.

55. The indicative costs and benefits of the proposed NPSIB for landowners, tangata whenua, councils, stakeholders, and central government are set out in Section 32 Report and Cost Benefit Analysis. Do you think these costs and benefits are accurate? Please explain and provide examples of costs/benefits if these proposals will affect you or your work.

The Section 32 high level cost benefit analysis indicates that there will be a cost and a high certainty of the costs for Iwi/Hapū to resource engagement in the development of provisions in plans to implement the NPSIB. It also indicates that there is insufficient information on how well resourced tangata whenua are to cope with this additional involvement. It could be said with a reasonable certainty that for Iwi/Hapū in the Far North District there is no resource in terms of people or putea to be involved in this process and that central government will need to resource tangata whenua because local government also has no resource.

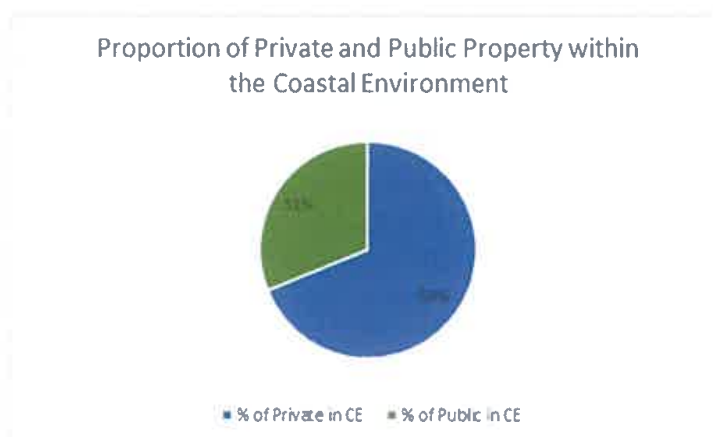
There may be issues with the overall reasonable use of land given the spatial coverage of SNA's in the Far North District. A high level analysis of spatial coverage of SNAs and consideration of the current NRC regional policy framework has suggested that a significant area of the Far North would be captured by the stringent coastal environment policy framework. This may represent an overall cost in terms of reasonable use. The following analysis sets out some of these spatial relationships:

FNDC land tenure overview statistics:

- 74% of FNDC by area is private property.

Coastal Environment:

- 12% of FNDC by land area is in the Coastal Environment – this is both public and private property.
- Of the property that falls within the Coastal Environment 69% is Private and 31% is public property.



FNDC SNA sites Overview:

- 18% of FNDC SNA's by area are in the Coastal Environment.

Private Property in SNA and in Coastal Environment:

- Property/land that intersects with an SNA site and is in Coastal Environment makes up 3% of All FNDC Land by Area.
- Private Property in SNA and in Coastal Environment makes up 5% of All FNDC Private Property by area.
- 28% of All Land (Public and Private property) which is in the Coastal Environment also have SNA sites on them.
- 41% of Private Property by area which is in the Coastal Environment also intersects an SNA site.

There is a proportion of coastal environment land area that is substantially covered by significant natural areas. This can translate into impacts on reasonable use and under section 85 of the Resource Management Act may result in claims for compensation by landowners.

56. Do you think the proposed NPSIB should include a provision on use of transferable development rights? Yes/no? Why/why not?

No. Transferable development rights will be complex to implement, as well as difficult to demonstrate the net benefit given the likely loss of indigenous biodiversity.

57. What specific information, support or resources would help you implement the provisions in this section (section E)?

Resources to assist with cultural knowledge and monitoring to assist with identifying taonga would be required to adequately implement section E. In-house ecological expertise in order to effectively monitor and support the assessment of areas of indigenous biodiversity to increase our overall understanding of these areas would also assist us in implementing this section.

58. What support in general would you require to implement the proposed NPSIB? Please detail.

- a. Guidance material**
- b. Technical expertise**
- c. Scientific expertise**
- d. Financial support**

e. All of above

f. Other (please provide details).

E and F. Council considers that involving community groups and non-governmental organisations would be beneficial in order to utilize the local knowledge and expertise that they have and allow them to contribute to conserving indigenous biodiversity as a part of a holistic approach. This would also likely lead to other efficiencies, as well as improve relationships between government and non-government bodies. We also consider that scientific expertise should also include matauranga Māori.

59. Do you think a planning standard is needed to support the consistent implementation of some proposals in the proposed NPSIB? Yes/no? If yes, what specific provisions do you consider are effectively delivered through a planning standard tool?

A mapping convention would assist in standardizing the significant natural areas GIS mapping. As well as this, integrating definitions of terms used in the NPS-IB into the planning standards would be useful to create standard uses of definitions across different pieces of legislation. Where possible, definitions should be carried over from the NPS-IB into the planning standard, however a broad suite of definitions being included in the planning standard would create standardization and consistency across the board.

60. Do you think there are potential areas of tension or confusion between the proposed NPSIB and other national direction? Yes/no? Why/why not?

Yes. The National Policy Statement on Highly Productive Land has the aim of maximizing future productive potential for highly versatile soils, however under the NPS-IB if these areas falls within SNAs, the potential to use these areas for intensive productive purposes is severely diminished.

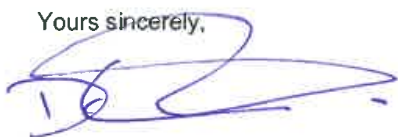
In the Far North, we have disparate urban environments which may also coincide with areas of regenerating indigenous vegetation which may have achieved conservation significance. At a macro-scale, this level of emerging protected biodiversity may constrain the potential for urban growth in otherwise appropriate locations.

61. Do you think it is useful for RMA plans to address activities that exacerbate the spread of pests and diseases threatening biodiversity, in conjunction with appropriate national or regional pest plan rules under the Biosecurity Act 1993? Yes/no? Why/why not?

From a territorial authority perspective, we consider that incorporating pest management into RMA plans adds another layer of monitoring that we would be unlikely to be able to resource.

If you require any further information, please do not hesitate to contact Greg Wilson, Manager – District Planning, on 09 401 5200 or by email at greg.wilson@fndc.govt.nz.

Yours sincerely,



Darrell Sargent

General Manager Strategic Planning and Policy



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21 July 2022

Ministry for the Environment

indigenousbiodiversity@mfe.govt.nz

RE: Far North District Council feedback on the Ministry for the Environment National Policy Statement for Indigenous Biodiversity, Exposure Draft, June 2022

The Far North District Council (Council) provided feedback on the November 2019 Draft National Policy Statement for Indigenous Biodiversity (NPSIB) in March 2020. Council welcomes the further opportunity to provide feedback on the June 2022 exposure draft of the NPSIB.

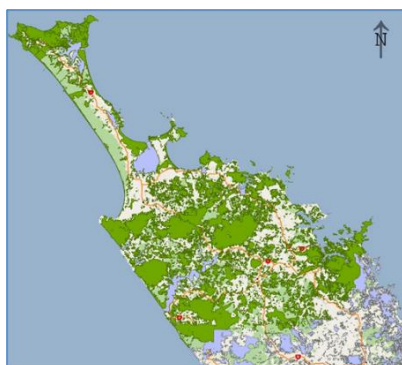
Council values the Ministry's guidance for creating a more explicit and focused planning framework for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (SNAs) and maintenance of indigenous biodiversity throughout Aotearoa New Zealand.

Council appreciates the ongoing central government support that will be provided to enable local authorities to maintain the integrity of indigenous biodiversity, particularly given the considerable difficulties experienced by Council to date (as backgrounded below) in seeking to satisfy the requirements of the Resource Management Act 1991 (the Act) and give effect to Part 2 of the Act. Our submission is structured to provide

- Key points highlighting the challenges and risks that implementation of the proposed framework will pose, drawing on our experience
- Further background on the Far North context of protection of indigenous species and habitats
- More detailed feedback on specific elements of the exposure draft

Key points of feedback

Scale of Resource



As part of a preliminary assessment, in 2019 Wildlands Consultants mapped extensive areas of SNA in the Northland region. Wildlands identified 685 SNAs in the Far North District covering approximately 282,696 hectares, affecting 42% of the District and approximately 10,000 properties. Of this, 19.43% had a site coverage of above 80% potential SNA. There is a significant amount of Māori land in the Far North district, approximately 17% of all land in the District, made up of 3,865 Māori freehold land blocks. In comparison, the neighbouring Districts have: 756 Māori land blocks, or 0.5% of Māori land, within Whangarei District 291 Māori land blocks, or 0.8% of Māori land, within Kaipara District.

Of the 17% of the District that is Māori freehold land (about the same amount of Crown land administered by the Department of Conservation) 52% of Māori Freehold Land in the District has a SNA identified and 18% of all the SNAs identified are on Māori Freehold Land.

Potential SNA Coverage (ha) in Northland by Territorial Authority (2019 Wildlands)

| District | Private | Council | DOC |
|-----------|---------|---------|---------|
| Far North | 152,693 | 2,704 | 105,012 |
| Whangarei | 48,495 | 310 | 57,314 |
| Kaipara | 29,432 | 494 | 15,277 |

The adjacent table shows the respective coverage of potential SNAs in each of Northland's territorial authorities, with a breakdown of private land, Council-owned land and Department of Conservation land (figures are shown in hectares). Far North has a significant amount of potential SNAs in private ownership, which is 58% of the identified SNAs and 20.8% of the total land area of the Far North District.

Cost and Resource Implications

Given the District's variable topography, including many small SNAs that are not contiguous and/or are relatively isolated; future ground truthing, mapping and reporting of these areas to the degree required by the NPSIB will have large financial and resourcing implications for the Far North community. If Council were able to source ecologists to undertake the work, Council does not know how it would be able to fund the mapping and monitoring of SNAs required by the NPSIB. In 2020, Council estimated the total costs for NPSIB-only activities as \$810,000 and the total biodiversity programme costs as \$297,750 per annum. Council emphasizes the need for central government to ensure that adequate funding and technical resource are available to Council, tangata whenua and other landowners.

From the hikoi: Scrap SNAs the demand at huge Kaikohe protest

12 Jun, 2021 8:58 AM



Hikoi to the Far North District Council in Kaikohe. Photo / Peter de Graaf

<https://www.nzherald.co.nz/northern-advocate/news/from-the-hikoi-scrap-snas-the-demand-at-huge-kaikohe-protest/QXF0IMYQ625MVLQM5005ATOMAM/>

Community Awareness, Understanding and Participation

As outlined below, Council has faced many challenges and controversy in its commitment to protect and enhance the District areas of indigenous biodiversity. Council supports an integrated approach, provided that:

- Central government agencies to take a lead role in raising the public's awareness of the nation-wide mandatory approach for protecting and maintaining indigenous biodiversity.
- The responsibilities of central government agencies, local authorities, tangata whenua and landowners are clearly defined and enabled, and avoid the duplication of resources (particularly in terms of future resource management reforms).
- Adequate and timely technical information, expertise and funding is available in the short and long term to address capacity and resourcing issues for local authorities, tangata whenua and landowners, i.e. for ground-truthing, assessments and consultation.
- Council will not be able to meet the timeframes outlined in the NPSIB if these matters are not addressed.

Background Protection of SNAs in the Far North District

Although its endeavours have met with strong opposition, Council has shown an ongoing commitment towards protecting indigenous vegetation and habitat in the District. Significant barriers have included limited understanding of the regulatory framework guiding Council (including the Resource Management Act (the Act) and the Regional Policy Statement for Northland (RPS)), the geography of the District, the challenges of inadequate technical and financial resourcing to identify SNAs, and the difficulty in securing the essential 'buy-in' of key stakeholders.

Proposed Far North District Plan 1996

On 2 September 1996, as part of consultation to include a schedule of SNAs in its District Plan, Council circulated correspondence to approximately 1,800 landowners relating to approximately 884 sites surveyed by the Department of Conservation as including PNAs. Council sought comment regarding the indicative areas and the methods that could be used to protect the areas. Notwithstanding their feedback, landowners were advised of Council's intention to map the areas for inclusion within the District Plan, with any inaccuracies to be addressed through public submissions, ongoing consultation with landowners and future ground-truthing of the areas.

The District Plan was adopted by Council, notified 31 October 1996, and varied in March 1997 mainly in response to public submissions over various matters, particularly SNAs. The variation made substantial changes regarding habitats.

The District Plan and SNAs were subject to public protest marches organised by Grey Power, ratepayer groups and Federated Farmers, and petitions were submitted locally and nationally to 'can the plan'.

At a Council meeting 1 October 1998, Council resolved:

- To adopt voluntary protection of indigenous flora and fauna for the General Rural and Minerals zones as set out in a revised District Plan.
- That the District Plan be released for public comment on 6 April 1999 through an informal process.
- To withdraw the District Plan (as publicly notified 31 October 1996) upon receipt of a fully signed agreement with District landowner and resource user representatives to achieve protection of significant indigenous flora and fauna. If an accord could not be reached by 19 October 1998, Council would publicly notify a change to the Transitional District Plan to include vegetation clearance rules.
- To establish an interim Significant Natural Area Committee (comprising the District Plan Committee).
- To consult with other parties such as the Department of Conservation and Northland Regional Council to contribute towards the cost of a comprehensive aerial photographic survey of the District.

The 1996 District Plan was withdrawn 19 October 1998, with an accord subsequently signed with representatives for farmers and foresters providing interim protection for SNAs.

SNAs are not mapped under Council's September 2009 Operative District Plan (ODP). Rules around indigenous vegetation clearance are covered in Sections 12.1 and 12.2 of the ODP. The permitted activity thresholds provide for clearance for specific purposes, or the level of clearance is determined by the overlay, zone, location, age and/or areas of vegetation affected. Chapter 13 'subdivision' requires the continued preservation of areas of significant indigenous vegetation or significant habitats of indigenous fauna, as defined by the criteria within Appendix III of the Regional Policy Statement (RPS).

Proposed Far North District Plan 2022

Council remains acutely aware of its need to balance the importance of maintaining and enhancing indigenous biological diversity in the District whilst enabling its diverse communities to provide for their social, economic and cultural well-being. Council has again endeavoured to achieve this balance in its second-generation District Plan that is approaching public notification. Drafted prior to the release of the NPSIB exposure draft and approved for public consultation on 14 June 2022, the Proposed Far North District Plan (PDP) is to be publicly notified 27 July 2022. The proposed 'Ecosystems and Indigenous Biodiversity' chapter of the PDP has been heavily influenced by public feedback on a mapping project that was circulated to approximately 8000 landowners in 2021 identifying SNAs on their land.

As part of a joint project in 2021 with Kaipara and Whangarei District Councils, Council identified and mapped significant natural areas (SNA) within the District. This exercise was undertaken to meet the three Councils' statutory responsibilities for controlling the use of land to maintain indigenous biological diversity which is an issue of significance identified in the RPS. Appendix 5 of the RPS prescribes assessment criteria for areas of indigenous vegetation and habitats of indigenous fauna and this directed the assessment. Council had neither the financial nor staff resources available for the level of ground truthing of SNA required or undertaking its preferred stakeholder consultation for the extensively mapped SNAs. The methodology included using existing literature, aerial photography and limited field assessment to identify the presence of native plants and habitats with high ecological value as per Appendix 5 of the RPS. Council circulated the draft ecological reports and maps detailing the SNA for comment.

Based on the criteria in Appendix 5 of the RPS, approximately 42% of the District was mapped through this process as potentially containing SNA and therefore included in the DDP. In summary:

- A total of 685 SNAs were identified by Wildlands Consultants, covering an area of 282,696 hectares, which is approximately 42% of the area of the Far North District. Of that 42%, approximately half are located on public land (already zoned as conservation land) and half on land in private ownership.
- Approximately 10,000 properties were identified as including SNA. Of these properties approximately 20% exceed 80% SNA coverage.
- Approximately 52% of Māori Freehold land in the District contains SNA.

Public feedback expressed strong oral and written opposition to the District-wide mapping of SNA. This included protests by tangata whenua, farmers and other landowners who considered that the mapped SNAs undermined their sovereignty and property rights. Tangata whenua expressed concern that the mapping represented a 'land grab' and further appropriations of Māori land by the Crown, undermining te tino rangatiratanga and kaitiakitanga. This opposition culminated in a large hikoi to Council where tangata whenua delivered a petition against the SNA mapping process.

In response to the public reaction, Council's Strategy and Policy Committee resolved to withdraw the SNA maps and decided that they would not be included in the 2022 PDP.

The management approach for the 2022 PDP 'Ecosystems and indigenous biodiversity' chapter includes policies that give effect to higher order policy direction and a rule framework focused on indigenous vegetation clearance rules with more stringent thresholds within SNAs. As the 2022 PDP does not include district-wide SNA mapping, it requires an ecological assessment when indigenous vegetation clearance over 100m² per calendar year is proposed. Council anticipates submissions will express concern regarding difficulties engaging suitably qualified ecologists, the associated costs and time delays incurred because of these factors.

If indigenous vegetation is identified as a SNA through the resource consent process, or through voluntary identification by a landowner, there is a mechanism within the 'Ecosystems and indigenous biodiversity' chapter to add SNAs to a schedule in the 2022 PDP. If the schedule is not updated through submissions, updates may be some years away through Council initiated plan changes after the plan is operative.

The policy framework also provides stronger recognition of tangata whenua as kaitiaki and landowners as stewards of indigenous biodiversity. The need to ensure the protection of indigenous biodiversity is balanced with the ability of people and communities to provide for their social, economic and cultural well-being.

The policy framework in the 2022 PDP for SNAs and indigenous biodiversity gives effect to the higher-level policy direction in the the New Zealand Coastal Policy Statement and the RPS for Northland for the protection of SNAs, within and outside the coastal environment.

Specific comment on NPSIB

In reviewing the exposure draft of the NPSIB and in developing the following submission to respond to the Ministry's request for engagement and comment on its workability, Council has placed emphasis upon the unique characteristics of the Far North District, noting:

- Whilst the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance under section 6(c) of the Resource Management Act 1991 (the Act), providing for the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, and other taonga is also a matter of national importance (section 6(e) of the Act).
- As per section 7, Council is required to *"have particular regard to — (a) kaitiakitanga: (aa) the ethic of stewardship... (d) intrinsic values of ecosystems"*.
- Overall, the Northland population has a higher rate of socio-economic deprivation than other regions in New Zealand and is limited by its low population density. Due to an inability to capitalize upon land development this has resulted in an uncommonly large proportion of land likely to be categorised as SNA through future ecological assessments. This creates a tension between the need for Council to stimulate further economic opportunities and growth, and avoiding a loss of ecosystem representation and extent.
- The Far North District has a significant population who identify as Māori, and less who identify as belonging to European, Pacific peoples and Asian ethnic groups.
- The Far North District contains a considerable number of parcels of Māori freehold land, Māori customary land and general land owned by Māori, as defined in Te Ture Whenua Māori Act 1993 (TTWMA). It is recognised that this legal and governance framework for Māori land provides for a unique situation for tangata whenua.
- There are significant areas of indigenous biodiversity in the District and on Māori land.
- Council has insufficient financial and technical resources to complete the detailed identification required for SNAs on a District-wide basis.
- Tangata whenua will have the opportunity to have greater involvement in indigenous biodiversity management however this will be severely limited by their availability of financial and technical resources to dedicate to the process.

- There is a limited supply of suitably qualified ecologists in the District and Region. This is unlikely to change in the foreseeable future, particularly as the demand for services from territorial authorities, tangata whenua, landowners and the community driven through the NPSIB is likely to far outweigh availability. In terms of technical assessments and monitoring requirements, this will cause significant delays and financial costs that are beyond the control of Council, tangata whenua and the community. Landowners may not be able to easily establish whether an SNA is present and requires consent because of the costs associated with obtaining technical assessments.
- Large tracts of indigenous vegetation create a high risk of legal challenges due to the high percentage of coverage which may render some properties incapable of reasonable use (dependent upon the protective framework).

Policy 1: Indigenous biodiversity is managed in a way that gives effect to Te Rito o te Harakeke

Te Rito o te Harakeke is defined in Part 1, subclause 1.2 and includes six essential elements to guide tangata whenua and local authorities towards maintaining the integrity of indigenous biodiversity, and recognising the intrinsic value and mauri of indigenous biodiversity as well as people's associated connections and relationships.

Policy 1 is to be implemented (primarily) through subpart 1 subclauses 3.2 (Te Rito o te Harakeke) and 3.3 (Tangata whenua as kaitiaki).

Policy 1 requires indigenous biodiversity to be managed in a way that *gives effect* to Te Rito o te Harakeke, and subclause 3.2 sets out minimum provisions as to how this is to be implemented. The NPSIB does not address the principles of Te Tiriti o Waitangi/the Treaty of Waitangi in the management of indigenous biodiversity.

Te Tiriti o Waitangi/The Treaty of Waitangi should be referred to simultaneously. Partnership is a key principle and the NPSIB does not go far enough to implement the recommendations from the Biodiversity Collaborative Group Paper Te Kahu o te Taiao (June 2018) which could reflect this principle. It is silent on enhanced iwi management plans, improved mechanisms for delivering control and a commitment to capacity building. Collaboration and co-design require time, expertise and resourcing, and it is not clear who will provide this. The guidance on how it could be done or how parties will be resourced to do this is critical.

Policy 2: Tangata whenua are recognised as kaitiaki, and enabled to exercise kaitiakitanga for indigenous biodiversity in their rohe (territory), including through:

- (a) enabling tangata whenua to manage indigenous biodiversity on their land; and
- (b) the identification and protection of indigenous species, populations and ecosystems that are taonga.

Policy 2 is to be implemented (primarily) through subpart 1 subclauses 3.3 (Tangata whenua as kaitiaki) and 3.5 (Social, economic and cultural wellbeing), subpart 2 subclause 3.12 (SNAs on Māori land), and subpart 3 subclauses 3.18 (Māori land) and 3.19 (Identified taonga).

Broadly, all New Zealand's native species are taonga and point (b) above includes regional taonga. 'Acknowledged taonga' is defined in the NPSIB as meaning indigenous species, populations, or ecosystems that are identified as taonga by tangata whenua under subclause 3.19. Identified taonga means acknowledged taonga that are identified in a district plan (as provided for in subclause 3.19). This requires every territorial authority to work together with tangata whenua using an agreed process.

The emphasis of subclause 3.3 is upon identifying local approaches to give effect to Te Rito o te Harakeke, initiating early and meaningful consultation with tangata whenua, and recognising the different levels of whānau, hapū, and iwi decision-making structures. It requires local authorities to work with tangata whenua

in investigating the use of mechanisms available under the Act to involve tangata whenua in the management of, and decision-making about, indigenous biodiversity (such as transfers or delegations of power, joint management agreements and iwi participation arrangements).

Where areas of indigenous biodiversity fall outside of Māori land, it is unclear if point (b) above:

- Is limited to the requirement for territorial authorities to consult with tangata whenua when preparing policy statements and plans to broadly identify species, populations and ecosystems that are taonga in the District, with consultation regarding site specific taonga to be later addressed through resource consent consultation, or
- Is intended to provide the opportunity for tangata whenua to seek input to the physical management of indigenous biodiversity outside of Māori land. If this is the case, this is a broader issue extending beyond the District and further guidance in the NPSIB will be required to identify how this can occur on private land.

Limited resourcing for tangata whenua in the Far North will be a significant barrier to identifying taonga. Council supports the intent of clause 3.19 but is uncertain how it will be able to meet its obligations given the overlapping interests of tangata whenua in some localities, the number of hapū within the District, and breadth of consultation/engagement involving tangata whenua outside of the NPSIB process. More targeted feedback and input could be facilitated if the NPSIB provided clearer direction regarding process.

Subclause 3.18(5) states local authorities must consider and realise opportunities to provide incentives for the protection and maintenance of indigenous biodiversity, and the protection of SNAs and identified taonga, on Māori land. This is supported; however it is considered appropriate that such incentives should apply to all indigenous biodiversity. This also requires consideration at a national level as to how local authorities and tangata whenua will be resourced.

Subclause 3.21(3) states local authorities must consider providing incentives for restoration in priority areas, and in particular where those areas are on Māori land, in recognition of the opportunity cost of maintaining indigenous biodiversity on that land. This is supported; however it is considered appropriate that such incentives should apply to all indigenous biodiversity. This also requires consideration at a national level as to how local authorities and tangata whenua will be resourced.

Policy 4: Indigenous biodiversity is resilient to the effects of climate change

Policy 4 is to be implemented (primarily) through subpart 1 subclause 3.6 (Resilience to climate change).

While subclause 3.6 lists restoration, managing biosecurity risk and the enhancement of the connectivity between ecosystems, further direction is required, for example addressing factors such as the regional council's management of water and soil conservation, and genetic enhancement/rescue. Emphasis should also be placed in the NPSIB upon the role of indigenous vegetation mitigating climate change by storing carbon in vegetation and soils, removing carbon dioxide from the atmosphere, and mitigating flooding and associated siltation. It is also noted that native vegetation can earn carbon credits.

Policy 5: Indigenous biodiversity is managed in an integrated way, within and across administrative boundaries

Policy 5 is to be implemented (primarily) through subpart 1 subclause 3.4 (Integrated approach).

Subclause 3.4 supports an integrated approach, providing for the coordinated management and control of subdivision, use and development as it affects indigenous biodiversity across administrative boundaries.

The regional policy statement and future regional biodiversity strategy will address integrated management within and across the Region's administrative boundaries.

Far North, Kaipara and Whangarei District Councils entered into a memorandum of understanding to work together on a significant natural area project, with Far North District Council being the lead agency. To date, Far North District Council has progressed as follows -

- Stage 1 desktop assessment included a literature review, defining the methodology to be used to assess significance, and preliminary mapping and significance assessment of each District's SNAs to be undertaken by Wildland Consultants. Mapping was to be based upon the significance criteria detailed in Appendix 5 of the Regional Policy Statement for Northland.

Stage 1 has been completed.

- Stage 2 ground-truthing includes targeted-ground truthing, mana whenua and specialist engagement, refining and validating the SNAs, preliminary planning and evaluation workshop, and drafting of the provisions.

Given limited resourcing and Covid 19 restraints, Far North District Council sought to initiate stage 2 through releasing the desktop maps and associated information to affected landowners and interested parties as a draft for comment, anticipating follow up site visits with affected landowners. However in response to the public reaction, Council's Strategy and Policy Committee resolved that Council would withdraw the SNA maps and no further investigation would be undertaken pending commencement of the NPSIB. Hence there is no mapping in the PDP which relies upon mapping if an area is identified as SNA through the resource consent process, or through voluntary identification by a landowner, with a mechanism within the 'Ecosystems and indigenous biodiversity' chapter to add SNAs to Schedule 4 in the PDP.

As demonstrated above, the three District Councils in the Northland Region actively support an integrated approach across boundaries, however lack of resourcing has been a significant factor influencing and limiting the staged process. Whilst the Ministry proposes increased guidance, funding and targeted support, Council remains concerned that factors outside of its control will inhibit its ability to manage indigenous biodiversity.

The capacity of tangata whenua across the District may also be variable in terms of their capacity to engage in the process.

Policy 6: Significant indigenous vegetation and significant habitats of indigenous fauna are identified as significant natural areas (SNAs) using a consistent approach

Policy 6 is to be implemented (primarily) through subpart 2 which will assist in ensuring a consistent approach identifying SNA.

For identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna, the PDP adopts the criteria detailed in Appendix 5 of the Regional Policy Statement for Northland. Council supports the use of Appendix 1 of the NPSIB that lists the criteria for identifying areas that qualify as SNA.

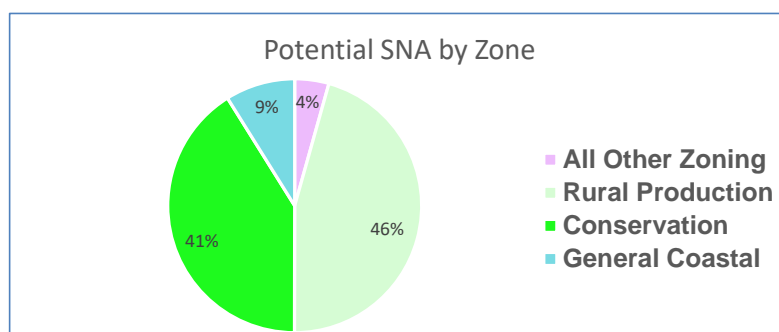
As emphasised previously, Council's primary concern relates to funding, resourcing and implementing consistently across boundaries.

The NPSIB does not seem to adequately recognise or identify the significant role and/or the resources of regional councils and the Department of Conservation who currently employ or contract staff with the required technical expertise and scientific knowledge for identifying and managing SNAs.

The Department of Conservation is the primary agency responsible for public conservation land and is already actively managing indigenous biodiversity within its estate. The estate is not subject to the same development demands as private property and this is recognised in subclause 3.11(5). Notwithstanding the exception of this clause, it appears to be a duplication of function and an ineffective use of funds/resources to capture public conservation land within the mapping requirements of the NPSIB, particularly in the Far North

District where of the 282,696 hectares identified by Wildlands Consultants as SNA, approximately half is public conservation land.

The chart below shows the respective coverage within the existing zones under the Operative District Plan. The Rural Production zone, which aims to provide land for the District's main economic activities (forestry, farming and horticulture), represents 46% of the identified potential SNA area. Forty one percent of the identified SNAs are zoned Conservation (which is predominately public owned land), and 9% are zoned General Coastal.



Subclause 3.8(3) states that if requested by a territorial authority, the relevant regional council must assist the territorial authority in undertaking its district-wide assessment. Far North District Council has very limited resourcing and will require significant support, both nationally and regionally. It is unclear to what extent will the regional council be obliged to 'assist'.

Subclause 3.8(3) states that if a territorial authority becomes aware (as a result of a resource consent application, notice of requirement or any other means) that an area may be an area of significant indigenous vegetation or significant habitat of indigenous fauna that qualifies as a SNA, the territorial authority must conduct an assessment of the area. Council does not support the mandatory requirement. Depending on the proposal, it may be more appropriate that the applicant or requiring authority undertake the assessment at their expense.

Subclause 3.24 (1) requires that every local authority must require that if a resource consent application is required in relation to an indigenous biodiversity matter, the application is not considered unless it includes a report prepared by a qualified and experienced ecologist. It is not clear what is an 'indigenous biodiversity matter' is. For example, could it be argued that resource consent for a reduced building setback from indigenous vegetation requires an ecological assessment when it is intended to address fire hazards or other factors.

The Northland Regional Pest and Marine Pathway Management Plan 2017-2027 includes Pest Plan for the eradication or effective management of specified pest species or groups of pests, i.e. provisions for managing kauri dieback. The Pest Plan will operate within Northland, which covers a total area (land and sea) of 3,008,425 hectares, including the land area, surface water bodies (rivers, lakes and streams) and coastal waters. The Plan empowers the regional council to exercise the relevant advisory, service delivery, regulatory and funding provisions available to deliver the specific objectives identified in this Plan. The Northland Regional Pest and Marine Pathway Management Plan 2017-2027 could be adapted to address some of the NPSIB requirements. The NPSIB must encourage local authorities to combine and minimise the number of statutory documents where possible.

Policy 7: SNAs are protected by avoiding and managing adverse effects from new subdivision, use and development

Given the interpretation of 'avoid' post the King Salmon decision, how can adverse effects on SNA be managed when there is a requirement to avoid? Presumably, there can be no adverse effects where they are avoided.

Subpart 1.5 'Fundamental concepts', part (3) states:

- (3) *Maintenance of indigenous biodiversity*
The maintenance of indigenous biodiversity requires at least no reduction, as from the commencement date, in the following:
- (a) *the size of populations of indigenous species:*
 - (b) *indigenous species occupancy across their natural range:*
 - (c) *the properties and function of ecosystems and habitats:*
 - (d) *the full range and extent of ecosystems and habitats:*
 - (e) *connectivity between, and buffering around, ecosystems:*
 - (f) *the resilience and adaptability of ecosystems*

To achieve compliance with this would require all the above to be assessed prior to the commencement of the NPSIB and Council has no capacity for this. Further to this, in terms of the ongoing monitoring requirements, there is no direction as to how this would be managed, i.e. responsibilities, frequency and funding. It is difficult to envisage that Council would have the capacity for ongoing monitoring.

It also appears that a number of policies are in direct conflict with Policy 7.

Policy 15: Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of specified highly mobile fauna is improved

Policy 15 is to be implemented (primarily) through subpart 3 subclause 3.20 and Appendix 2.

Specified highly mobile fauna means the Threatened or At Risk species of highly mobile fauna that are identified in Appendix 2.

It is unclear whether the areas require mapping and if any mapping relates to wider terrestrial areas or is limited to areas of habitat within indigenous vegetation outside of a SNA.

Policy 16: Regional biodiversity strategies are developed and implemented to maintain and restore indigenous biodiversity at a landscape scale.

Suggest the term should be 'landscape-scale conservation'. Clause 1.6 Interpretation should define the term used as it is not commonly known.

Policy 17: There is improved information and regular monitoring of indigenous biodiversity

Subclause 3.25 addresses monitoring by regional councils, however this relates to process and it is unclear which authority will be responsible for enforcing this.

The regions throughout Aotearoa New Zealand are unique, not least because of the spatial distribution, diversity, quality and tenure of indigenous biodiversity. The costs of implementing the NPSIB will therefore vary significantly between local authorities. Costs per capita are anticipated to be relatively high in the Far North District.

Whilst the draft implementation plan recognises that most councils will require additional budget and resources, Council is concerned that there is very little guidance as to how funding will be targeted and allocated. There are 78 local authorities in Aotearoa New Zealand, comprising 11 regional councils and 67 territorial authorities, and each will have significant responsibilities under the NPSIB.

Te Tai Tokerau has one regional council, three district councils and 13 iwi whose tribal boundary falls either partially or entirely within Te Tai Tokerau; Te Aupōuri, Ngāti Kuri, Ngāti Kahu, Te Rarawa, Ngāi Takoto, Ngāti Hine, Ngāti Kahu/Ngāpuhi ki Whaingaroa, Ngāti Kahu ki Whangaroa, Ngāpuhi, Ngāti Wai, Te Roroa, Te Uri o Hau and Ngāti Whātua. An initial assessment by Wildlands has indicated SNA areas within the Far North, Whangarei and Kaipara Districts are 260,409 hectares, 106,119 hectares and 45,203 hectares respectively.

The multiplicity of resource management processes/roles requiring technical input, and limited level of funding for engagement and monitoring, are significant barriers to iwi participation. Hence iwi planning documents in Te Tai Tokerau are diverse in content and approach. There is a concern that if not adequately resourced or upskilled, despite the commitment of territorial authorities, tangata whenua, landowners and the community, the outcomes of consultation under the NPSIB will also be mixed.

In summary, without more detailed direction and assistance from central government addressing the matters raised above, it is very difficult to envisage how local authorities and tangata whenua throughout Aotearoa New Zealand will be adequately resourced to consistently implement the NPSIB in the initial stages.

Council appreciates the opportunity to provide further feedback on the NPSIB and has attempted to address the Ministry's request for comment on its workability within the timeframe provided. Council welcomes further discussion to address any of the matters raised.

If you require any further information, please do not hesitate to contact Greg Wilson, Manager – District Planning, on 027 4038993 or by email Greg.Wilson@fndc.govt.nz

Yours sincerely



Darren Edwards

General Manager Strategic Planning and Policy

6.2 I-SITE SECTION 17A SERVICE DELIVERY REVIEW

File Number: A3838222

Author: Jacine Warmington, Manager - Community and Customer Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To share the findings of the Far North and Whangārei District Council i-SITEs Section 17A service delivery review, provided in the attached report prepared by Morrison Low.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Morrison Low was commissioned to review the delivery of the Far North (FNDC) and Whangārei (WDC) District Councils' i-SITE visitor information centres (i-SITEs) in accordance with the requirements of Section 17A of the Local Government Act 2002.

The review looked at the performance of the current service delivery model and evaluated a range of other potential service delivery arrangements. An assessment of the current arrangements was undertaken and, through review of documentation and discussion with key staff, were able to understand the current issues and potential opportunities and the options available for future delivery.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee receive the report i-SITE Section 17A Service Delivery Review.

TĀHUHU KŌRERO / BACKGROUND

The i-SITEs have been heavily impacted by Covid with a significant reduction in visitor numbers due to NZ's border being closed and lockdowns impacting domestic tourism. This, together with an ongoing change in the way people access visitor information (with more information being accessed online), has meant that the current arrangements need to be reviewed. Whilst the pandemic has had a significant negative impact on the tourism industry, the borders have now re-opened, and it is anticipated that international visitors will return soon.

This review also reflects the national review conducted by the i-SITE New Zealand board in 2021 with a proposed tier system of facilities moving forward: Tier 1 concept stores in key locations and secondary Tier 2 facilities, supported by a Tier 1 site.

In an effort to gain alignment with neighbouring Whangārei District Council a joint review was carried out.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Following an assessment of options for future delivery of i-SITE services against strategic objectives and agreed assessment criteria, the attached report provides details for the recommended way forward and the associated cost implications.

The overall recommended way forward is to retain the i-SITEs in their current locations but to optimise those sites and the network by providing additional services, such as pop-up sites or virtual sites, to meet demand during the peak season and also to strengthen the collaborative partnering with other interested stakeholders.


The results show good alignment in direction for Far North and Whangārei District Councils which will support the two councils continuing to work collaboratively on the delivery of their respective i-SITE services.

The next steps for the Far North i-SITEs would be to further investigate the preferred options and develop an i-SITE Strategy.

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

There are no financial implications.

ĀPITIHINGA / ATTACHMENTS

1. i-SITE Service Delivery Review - Morrison Low Report - A3849926 [↓](#) 



Far North
District Council



Whangarei
District Council

Far North & Whangārei District Councils i-SITEs

Section 17A review

August 2022

Document status

| Job # | Version | Written | Reviewed | Approved | Report Date |
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Executive summary

Overview

Morrison Low was commissioned to review the delivery of the Far North (FNDC) and Whangārei (WDC) District Councils' i-SITE visitor information centres (i-SITEs) in accordance with the requirements of Section 17A of the Local Government Act 2002.

The review looked at the performance of the current service delivery model and evaluated a range of other potential service delivery arrangements. We undertook an assessment of the current arrangements and, through review of documentation and discussion with key staff, were able to understand the current issues and potential opportunities and the options available for future delivery.

Why are we doing this?

The i-SITEs have been heavily impacted by Covid with a significant reduction in visitor numbers due to NZ's border being closed and lockdowns impacting domestic tourism. This, together with an ongoing change in the way people access visitor information (with more information being accessed online), has meant that the current arrangements need to be reviewed. Whilst the pandemic has had a significant negative impact on the tourism industry, the borders have now re-opened, and it is anticipated that international visitors will return soon.

This review also reflects the national review conducted by the i-SITE New Zealand board in 2021 with a proposed tier system of facilities moving forwards: Tier 1 concept stores in key locations and secondary Tier 2 facilities, supported by Tier 1 sites.

The i-SITE network is at a crossroads - a traditional brick-and-mortar visitor-centric network which needs to change, because our visitor markets are changing along with how Kiwis see tourism.

The network is highly trusted by users and has a strong reputation among stakeholders. However, it has inconsistent standards and levels of service and lacks a long-term game plan, capital investment for improvements and standardisation, and a strong digital strategy.

Source: Visitor Information Network (VIN) Inc Future Network Proposal 2021

Where are we now?

The Far North has three i-SITE Visitor Centres located in Paihia (Bay of Islands), Kaitia (Te Ahu) and Hokianga (Opononi).

The Whangārei i-SITE is located alongside State Highway 1 at Tarewa Park in Raumanga. With its location, it is seen as the gateway facility to the North.

The Far North and Whangārei i-SITES provide visitor information for the people of Northland and visitors, both domestic and international.

The sites are resourced through a mix of permanent and casual staff to service the peak summer season. Each of the i-SITES is open year-round with FNDC also sharing resources across customer services.



Figure 1 Northland i-SITES



Recommended future options

Following an assessment of options for future delivery of i-SITE services against strategic objectives and agreed assessment criteria, Table 1 captures the recommended way forward for each council and the associated cost implications.

The overall recommended way forward is to retain the i-SITES in their current locations but to optimise those sites and the network by providing additional services, such as pop-up sites or virtual sites, to meet demand during the peak season and also to strengthen the collaborative partnering with other interested stakeholders.

The results show good alignment in direction for FNDC and WDC which will support the two councils continuing to work collaboratively on the delivery of their respective i-SITE services.



Table 1 Recommended future options for the i-SITES

| Solution | Far North | | Whangārei | |
|---------------------------|---|--|--|--|
| | Preferred way forward | Cost implications | Preferred way forward | Cost implications |
| Extent of services | The recommended way forward is to retain the i-SITES in their current locations but to encourage additional foot traffic through increased visibility and enhancements. This could include improved signage, or leases for café facilities or other retail. Additional services at peak times (either through the summer months or when a cruise ship is due) could include pop-up or mobile i-SITES. Virtual sites could also be an option, such as when physical sites are unstaffed. | | | |
| | <ul style="list-style-type: none"> Enhanced sites: Facilities developed to attract more visitors Additional peak season services and virtual / digital services | <ul style="list-style-type: none"> Costs dependent on upgrades agreed: <ul style="list-style-type: none"> Signage low cost Improved IT / systems largely provided for through VIN membership and tiered system Increased revenue through commission and retail with no additional operational costs Additional peak season services would require additional resources but would generate more revenue Virtual services would have capital outlay but minimal resource needs <p>Additional permanent site at Awanui would have significant capital cost and would require additional operational resources.</p> | <ul style="list-style-type: none"> Enhanced sites: Facility developed to attract more visitors Additional peak season services and, maybe, virtual / digital services | <ul style="list-style-type: none"> Costs dependent on upgrades agreed: <ul style="list-style-type: none"> Signage low cost Development of reserve would have capital cost No cost for establishment of café (would likely be some revenue through lease) Improved IT / systems largely provided for through VIN membership and tiered system Increased revenue through commission and retail with no additional operational costs Additional peak season services would require additional resources but would generate more revenue |



| Solution | Far North | | Whangārei | |
|--------------------|--|--|--|--|
| | Preferred way forward | Cost implications | Preferred way forward | Cost implications |
| National direction | <ul style="list-style-type: none"> Mix of Tier 1 (Paihia) and Tier 2 sites The Tier 1 site would support Tier 2 sites in both Far North and Whangārei | <ul style="list-style-type: none"> Current VIN fee between \$1,650 - \$2,805 per site per annum <u>Capex / re-branding costs</u> Tier 1 site (Paihia) – 50/50 split between FNDC and central government with indicative fit-out costs of \$200,000 - \$500,000 (to be completed between 2023-2026) Tier 2 sites – n/a <u>Annual costs</u> Tier 1 site (Paihia) - \$5,000 - \$10,000 per annum Tier 2 sites (Kaitaia and Hokianga) - \$1,500 - \$3000 per site per annum | <ul style="list-style-type: none"> Tier 2 - secondary site (similar to status quo) The Paihia Tier 1 site would support the Whangārei Tier 2 site under the intent of the tiered i-SITE system | <ul style="list-style-type: none"> Current VIN fee between \$1,650 - \$2,805 per site per annum <u>Capex / re-branding costs</u> Tier 2 sites – n/a <u>Annual costs</u> Tier 2 sites - \$1,500 - \$3000 per annum |
| | <p>The Tier 1 Paihia site would be re-branded with central government contributing to capital investment.</p> <p>There would be standardised national systems for all Tier 1 i-SITES. Data sharing would be introduced and there would be nationally integrated digital assets with Facebook and Google My Business channels, centrally managed with local pages.</p> <p>Requirements for Tier 2 sites would be similar to now with a modified sub-brand to link them to the network. Operational aspects of the business would be standardised with Tier 1 such as fees and charges, data sharing, booking engines, Wi-Fi and brochure racking.</p> | | | |
| Service delivery | <p>Continue to deliver the service through in-house management and operations. The i-SITE activity would continue to be governed by each council alone, setting their own future direction with continued funding through rates, commission and retail.</p> <p>It is recognised that there would be benefits in these organisations working alongside and supporting each other. This could be strengthened through developing a collective Memorandum of Understanding (MOU) where objectives are set and roles and responsibilities defined. Regular collective meetings would enable the sharing of information and ideas to support tourism promotion across the region in a more structured way.</p> <p>Partnering /collaborative working with each other and interested agencies such as Northland Inc. and DOC would have minimal cost impact and has the potential for significant benefit across the region. There would be some cost, mainly in time, to develop and agree an MOU or other form of partnering agreement.</p> | | | |



Next steps

The next steps for the Far North i-SITES would be to further investigate the preferred options and develop an i-SITE Strategy:

Far North

Table 2 Next steps for the Far North i-SITES

| | |
|--|--|
| 1. Further develop preferred way forward | <ul style="list-style-type: none"> • Endorse the recommended way forward • Work with WDC in the first instance to investigate formalising collaboration (e.g. MOU) and then extend to other partners • Identify, cost and implement specific service improvements e.g. signage, pop-ups and virtual sites • Further develop cost and implementation models for preferred options, possibly using business case approach |
| 2. Development of the Far North i-SITE Strategy <i>Can be progressed in parallel with or separate to 1 above</i> | <p>The Far North i-SITE Strategy will support the implementation of the S17A review outcomes and will build on the VIN Inc. i-SITE Future Strategy, Tai Tokerau Northland Inc. Destination Management Plan and other related regional initiatives and strategies. It will include:</p> <ul style="list-style-type: none"> • Vision for the future • Current situation and the challenges we are dealing with • How visitor information services are changing • Our preferred option for delivery of the i-SITE / visitor information services (from the S17A review) • How we intend to implement our preferred way forward and how we will fund it (develop costs further) |

Whangārei

The next steps for the Whangārei i-SITE would be to further investigate the preferred options:

Table 3 Next steps for the Whangārei i-SITE

| | |
|---|--|
| 1. Further develop preferred way forward | <ul style="list-style-type: none"> • Endorse the recommended way forward • Work with WDC in the first instance to investigate formalising collaboration (e.g. MOU) and then extend to other partners • Identify, cost and implement specific service improvements e.g. signage, pop-ups and virtual sites and development of the adjacent reserve. • Further develop cost and implementation models for preferred options, possibly using business case approach |
|---|--|



1 Introduction

Morrison Low was commissioned by Far North District Council (FNDC) and Whangārei District Council (WDC) to review the delivery of the i-SITE visitor information centres (i-SITEs) in accordance with the requirements of Section 17A (s17A) of the Local Government Act 2002.

The review looked at the performance of the current service delivery model and considered and evaluated a range of other potential service delivery arrangements. We undertook an assessment of the current arrangements and, through review of documentation and discussion with key staff, were able to understand the current issues and potential opportunities and the options available for future delivery.

The i-SITEs have been heavily impacted by Covid. This together with a change in behaviour and the way people use visitor centres (with more information being accessed online) has meant that the current arrangements are in need of review.

2 Service delivery reviews

2.1 Section 17A

Service delivery reviews are a legislative requirement under s17A of the Local Government Act 2002 (the Act) which states:

“A local authority must review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services and performance of regulatory functions.”

The Act goes on to specify that a review must be undertaken in the following circumstances:

- When a significant change to the level of service is proposed
- Within two years of a contract or binding agreement expiring
- At any other time, but no less than six years following the last review.

Where a review is required to be undertaken, as a minimum, the review must consider the following:

- Governance and funding by:
 - Council alone; or
 - In a shared governance arrangement with one or more other local authorities.
- Service delivery by:
 - The local authority (i.e., in-house)
 - A CCO owned by the local authority or jointly owned with another shareholder (e.g. another local authority or private party)
 - Another local authority (e.g. through a shared service arrangement); or
 - Another person or agency (e.g. outsourced contract or by opting out).

It is important to note that a s17A service delivery review is not a review of the current levels of service, an organisational review of the teams delivering the services or a detailed assessment of the processes used by the teams. Those matters are outside of the requirements of s17A.

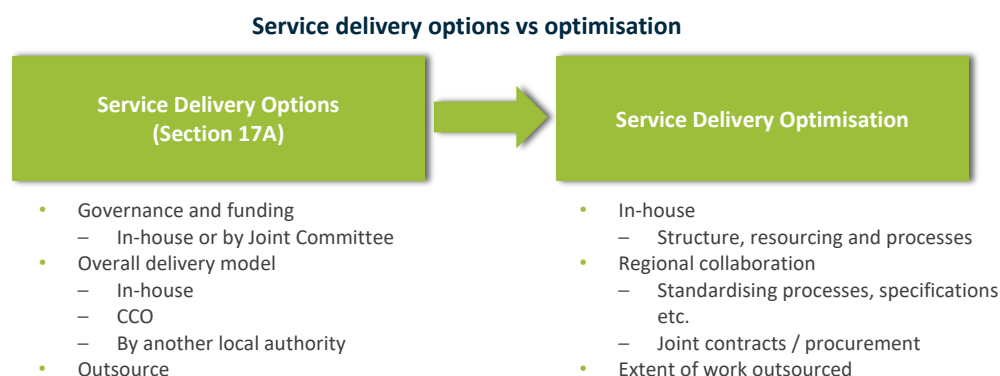


2.2 Service delivery optimisation

Section 17A of the Act is focused on the overall service delivery mechanism for each council activity that delivers local infrastructure, local public services, or the performance of regulatory functions.

For services delivered in-house, the local authority is expected to continually be seeking opportunities to increase the effectiveness and efficiency of the service delivery including through opportunities to work collaboratively with other local authorities. This is summarised below.

Figure 2 Ongoing service delivery optimisation after a s17A review



2.3 Funding

Section 17A specifies the service delivery and governance options that need to be considered but is less prescriptive about funding options.

The focus of s17A is on service delivery and decisions regarding funding are not a key decision-making variable when looking at service delivery options. Regardless which service delivery model is accepted, the funding options remain the same and are continually assessed and refined as part of regular service optimisation reviews, when changes to service are proposed (e.g. as part of the Long-Term Plan) or when Council reviews its revenue and financing policy. For this reason, this s17A review focuses on service delivery options and the associated governance options, with funding options being optimised as part of the implementation of the preferred service delivery option.

The i-SITEs are currently funded through a mixture of sources including:

- Fees and charges (e.g. booking fees, retail)
- General rates
- Alternative funding sources such as government contributions or grants.



3 i-SITE National Network Review

i-SITE New Zealand is the official visitor information network with over 60 i-SITE visitor centres around New Zealand. The network provides international visitors, domestic travellers and locals with comprehensive, up to date information and a New Zealand-wide booking service for activities, attractions, accommodation and transport.

The i-SITE brand is managed by Tourism New Zealand and accredited members (including the FNDC and WDC sites) must meet standards in staff training, professionalism and information technology. Each i-SITE is individually owned and operated with funding through booking fees, retail sales and other income, supported by local government.

Pre-Covid, centres across the network were used by over 700,000 international holiday visitors each year and collectively assisted with 7.6 million visitor inquiries. A total of \$57.4m per year was generated in travel sales booked through the centres. For every \$1 of direct sales made by the network, there was a \$1.48 total additional spending in the wider economy¹.

However, even before the pandemic, a number of i-SITES had already closed, visitor numbers were trending down, visitor spending had significantly reduced due to direct booking competition and operational costs were rising. In the wake of the pandemic, despite increased domestic and local visitor numbers and spending, overall visitor numbers have fallen by 57% and spend by a further 62%.

It has been recognised that the way the network operates needs to change as visitor markets are changing. In 2019 the i-SITE New Zealand board initiated the Future Network Strategy, to identify measures that would make the network more relevant to visitors, owners and other stakeholders, including the communities that centres operate in. The outcomes of that programme of work were considered in a national i-Site business case completed in July 2021. The business case found that standards and levels of service are inconsistent and there is a lack of long term planning for sustainability, capital investment for improvements, standardisation and digital strategy.

The recommended preferred way forward is a Tiered Network Model.

- Tier 1 locations would be concept stores in key locations. These would choose to meet higher membership requirements and coinvest with the government in an internal upgrade to provide an enhanced visitor experience. They would continue to be members of Visitor Information Network (VIN Inc), a subsidiary of Tourism New Zealand, who manage the i-SITE brand.
- Tier 2 locations would operate under a secondary brand, with lower membership commitments to reflect their ongoing investment. They would not be members of VIN Inc. but would operate under a license agreement.

The two Tiers would work in partnership and be closely aligned. Tier 1 concept stores would work closely with the Tier 2 locations, with each promoting each other to customers along with promotion of the wider network.

Central Government funding to support the proposed tier system for i-SITES has recently been confirmed.

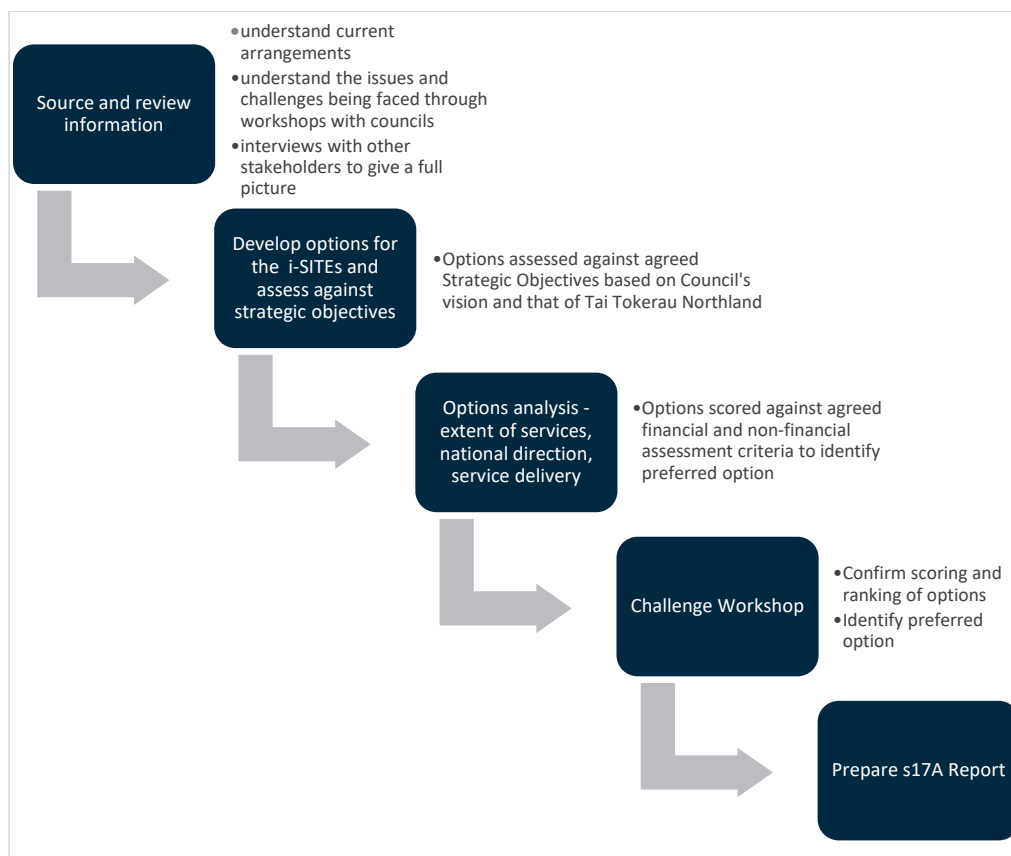
¹ I-SITE Business Case, Stafford Strategy, July 2021



4 Service delivery review methodology

The key steps undertaken for this review were:

Figure 3 Review methodology



Workshops were held with both councils:

Workshop 1 (onsite May 2022): understand current situation and identify issues and opportunities

Workshop 2 (via videoconference August 2022): Challenge workshop to review and agree the preferred way forward

For both these workshops, individual council sessions were facilitated followed by a joint meeting to provide a collective view.

An additional presentation was made to elected members of WDC in Whangārei in July 2022 to outline the process being taken.



5 Current service delivery arrangements

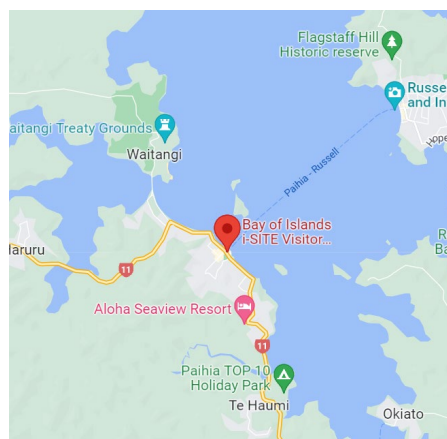
5.1 Far North District Council

5.1.1 Facilities

The Far North has three i-SITE Visitor Centres located in Paihia (Bay of Islands), Kaitaia (Te Ahu) and Hokianga (Opononi). The i-SITES provide visitor information for the people of Far North and Northland and visitors, both domestic and international. As well as providing visitor information, the i-SITES provide council customer services for the local communities, with staff skilled in both areas.

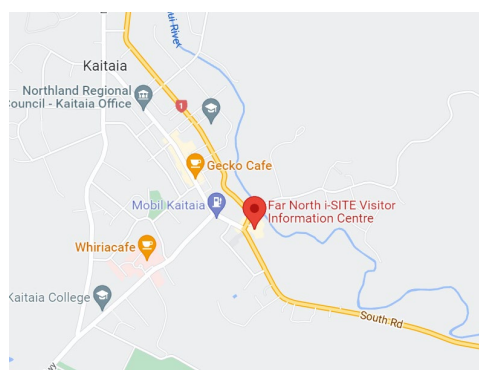
The Paihia i-SITE is the largest facility in the Far North and is located at the landward end of the wharf in Paihia.

Figure 4 Paihia i-SITE



The Far North i-SITE is located within the Te Ahu Centre in Kaitaia which also houses, amongst other facilities, the Kaitaia Library and the Te Ahu Museum.

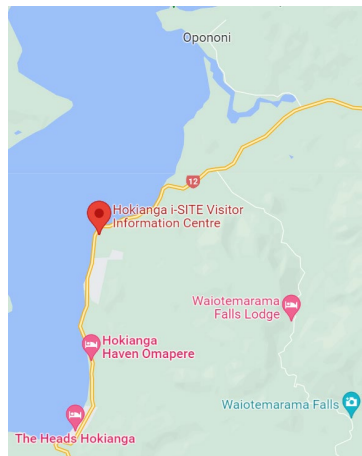
Figure 5 Kaitaia i-SITE at Te Ahu





The Hokianga i-SITE is located on State Highway 12 just south of Opononi and has a shared space with a café.

Figure 6 Hokianga i-SITE at Opononi



The i-SITEs include space to meet and talk to specialist information consultants, areas dedicated to information and brochures about local businesses and tourism operators, and retail areas. Functions of the i-SITEs include:

- i-SITE visitor information – provides expert advice and booking services for both locals and visitors on accommodation, events, travel and tour bookings.
- Department of Conservation (DOC) enquiries and permits.

The sites also provide council customer service activities such as access to internet and rates services.

5.1.2 Management structure

The i-SITE facilities form part of the District Services group as shown below in the diagram below. At times, i-SITE staff share resources across other Council departments such as customer services and the library at Te Ahu.



Figure 7 District Services Organisation Structure



5.1.3 Financial information

The i-SITEs are funded through rates, commission and retail sales.

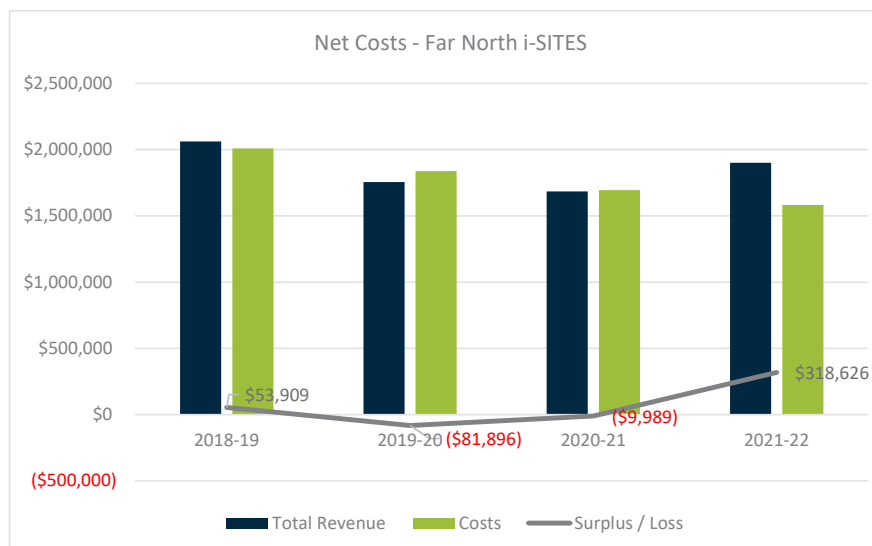
Table 4 Far North financial data

| Year | Revenue and costs | Funding Sources |
|---------|---|---|
| 2018-19 | <ul style="list-style-type: none"> Revenue - \$2.06 million Costs - \$2.01 million (\$920,000 operating expenses / \$1.09 million allocated costs) Surplus of approximately \$54,000 | LTP: Rates 70%-89% User charges 11%-30% |
| 2019-20 | <ul style="list-style-type: none"> Revenue - \$1.76 million Costs - \$1.84 million (\$870,000 operating expenses / \$970,000 allocated costs) Loss of approximately \$82,000 | |
| 2020-21 | <ul style="list-style-type: none"> Revenue - \$1.68 million Costs - \$1.69 million (\$900,000 operating expenses / \$790,000 allocated costs) Loss of approximately \$10,000 | |
| 2021-22 | <ul style="list-style-type: none"> Revenue - \$1.90 million Costs - \$1.58 million (\$840,000 operating expenses / \$740,000 allocated costs) Surplus of approximately \$320,000 | |

These figures reflect the lower revenue through the pandemic and the reliance on rates to cover costs.



Figure 8 Costs and revenue – Far North i-SITES



5.1.4 Levels of service

Levels of service have been established for the i-SITES in the 2021/31 Long Term Plan and relate to the provision of facilities for visitors and locals. These results, taken from the Annual Reports, show the impact of the pandemic on visitor numbers although increased revenue in 2020-21 has shown profits margins improve.

Table 5 Far North Levels of Service

| Level of Service | Performance Measure | Performance 2018/19 | Performance 2019/20 | Performance 2020/21 | Target 2020/21 | Target 2021/22 |
|--|---|---------------------|---------------------|--------------------------|-------------------------------|-----------------------------|
| To provide booking and information services through the District's Information Centres, influencing visitors to stay longer and spend more | Visitor bookings numbers through the information centres will show an increase each year. | 14.2% | -14.6% | -18.7% | ≥1% | ≥1% increase |
| | Increase net profit on retail sales by 1.5% per year (profit increase on previous year). | 1.8% | -0.07% | 8.8% | Retail sales net profit ≥1.5% | Retail sales net profit ≥1% |
| | Customer / visitor satisfaction | 99.0% | 99.3% | n/a unable to measure | ≥1% increase on previous year | Maintain / increase |



5.2 Whangārei District Council

5.2.1 Facilities

The Whangārei i-SITE is located alongside State Highway 1 at Tarewa Park in Raumanga. With its location, it is seen as the gateway facility to the North. The i-SITE provides visitor information for the people of Whangārei and Northland and visitors, both domestic and international.

Figure 9 Whangārei i-SITE



There was a second i-SITE in the Whangārei Basin area which also provided Council customer services, but this closed in November 2021 with the site now used by the Whangārei Art Museum. WDC is now considering a pop-up site in the Basin area to service demand in peak season.

Functions of the i-SITE include:

- i-SITE visitor information – provides expert advice and booking services for both locals and visitors on accommodation, events, travel and tour bookings.
- Department of Conservation (DOC) enquiries and permits.
- Public toilets.
- Provision of retail facilities

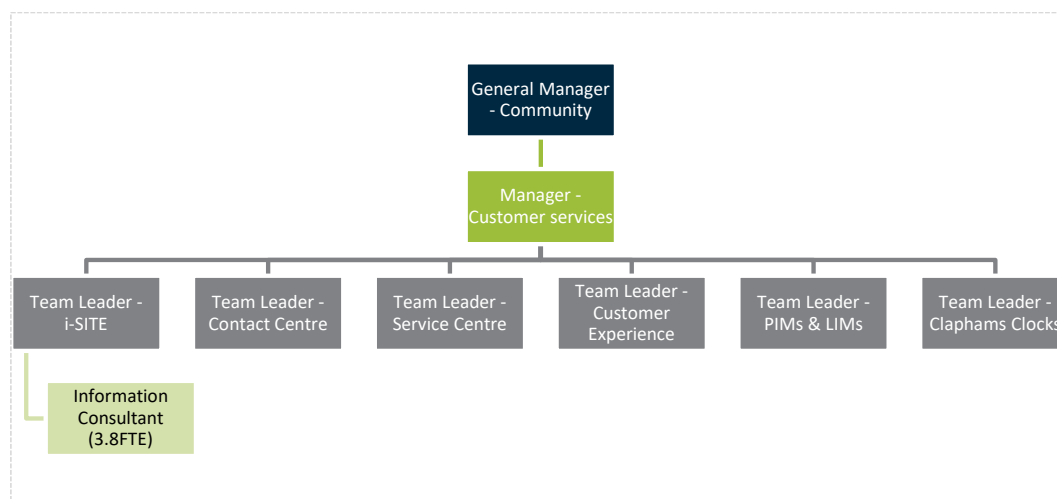
There is also an area for a café but this is currently unoccupied.

5.2.2 Management structure

The i-SITE activity forms part of the Customer Service Team as shown below.



Figure 10 Customer Services Organisation Structure



Resource for the i-SITE comprise:

- Full-time i-SITE Manager
- 3.8 FTE Information Consultants (incl 1 full time FTE vacant)

5.2.3 Financial information

The i-SITEs generally operate at a loss and are funded through rates, commission and retail sales.

Table 6 Whangārei financial information

| Year | Revenue and costs | Funding Sources |
|---------|--|---|
| 2020/21 | <i>Actual</i> <ul style="list-style-type: none"> • Costs - \$584,751 • Commission and retail sales - \$20,000 (site closed 5 months) | LTP: Rates 80%-100% User charges 0%-20% |
| 2021/22 | <i>Budget</i> <ul style="list-style-type: none"> • Costs - \$539,166 • Commission and retail sales –\$10,600 (data available to April 2022 / site closed 3 months) | |

Note: These figures are indicative, reflecting the impact of Covid.



5.2.4 Levels of service

Levels of service have been established for the i-SITE in the 2021/31 Long-Term Plan and relate to visitor satisfaction.

Table 7 Levels of Service - Whangārei

| Level of Service | Performance Measure | Target | Performance 2018/19 | Performance 2019/20 | Performance 2020/21 |
|--|---|-----------------------------------|---------------------|---------------------|---------------------|
| Council will provide, through the Whangārei visitor centres, an accurate booking and information service which influences more visitors to stay longer and spend more | Visitors' satisfaction with the service provided by the information consultants at our information centres. | 75% of 'very satisfied' customers | 80% | 100% | 86% |



6 Issues and opportunities

6.1 Overview

In undertaking this review, through discussions with staff and other stakeholders and through review of information, the following issues and opportunities were identified for the i-SITES.

Table 8 Issues and opportunities

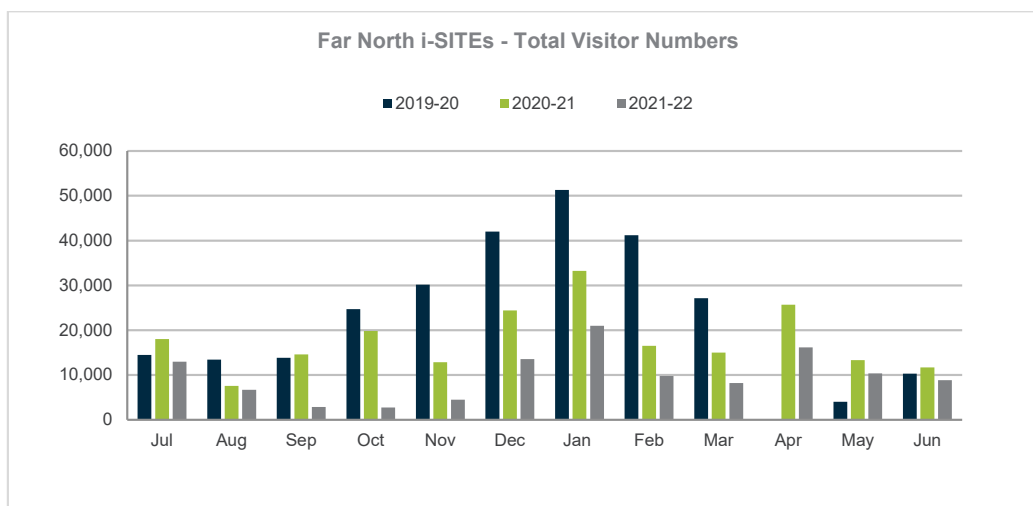
| Issue / Opportunity | Discussion |
|------------------------------------|--|
| Visitor numbers and revenue | <ul style="list-style-type: none"> • Covid lockdowns and loss of international visitors has resulted in drop in numbers • Digital technology changing use of i-SITES • Sites could be more 'visible' • Ability to generate foot traffic with shared arrangements for other services, agencies or businesses e.g. retail, ticketing, café / other FNDC and WDC customer services / shared space with other agencies e.g. DOC, Northland Inc |
| Digital information | <ul style="list-style-type: none"> • Facilitating the gap between online information and personal service and experience • Develop online communication channels for periods when i-SITE not staffed • Using technology to convert enquiries and requests for free information into sales • Options for virtual i-SITES or panels |
| Resources | <ul style="list-style-type: none"> • Recruitment and retention of i-SITE personnel challenging in current market • Access to expertise through the national i-SITE network and working with WDC • Does the i-SITE national network review change this? |
| Community connections | <ul style="list-style-type: none"> • Could the facility, or its co-located activities, support the local economies across the Far North and Whangārei? |
| The facilities | <ul style="list-style-type: none"> • Right locations? Should there be more / less? • Good condition and fit-for-purpose? • Are the facilities safe? |



6.2 Far North visitor numbers

The graphs below show the general decline in numbers over the last three years:

Figure 11 Total visitor numbers – Far North i-SITEs



The data shows a general decline in numbers over last 3 years and is also reflective of closures through the pandemic.

Peak season for all sites is December through to February.

The charts below show that Paihia sees in the order of 10 times the number of visitors than Hokianga and Kaitiā, peaking at around 45,000 in January 2020.

Figure 12 Total visitor numbers – Paihia i-SITE

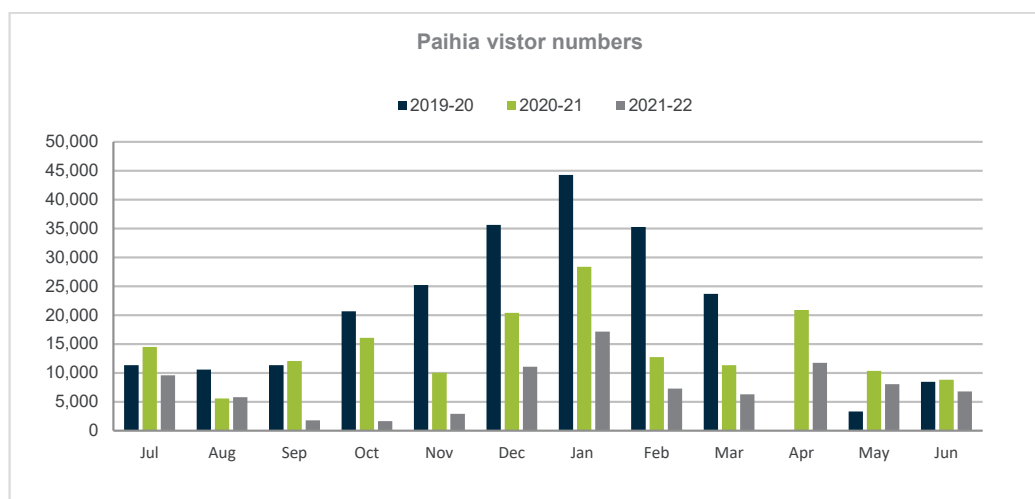




Figure 13 Total visitor numbers – Hokianga i-SITE

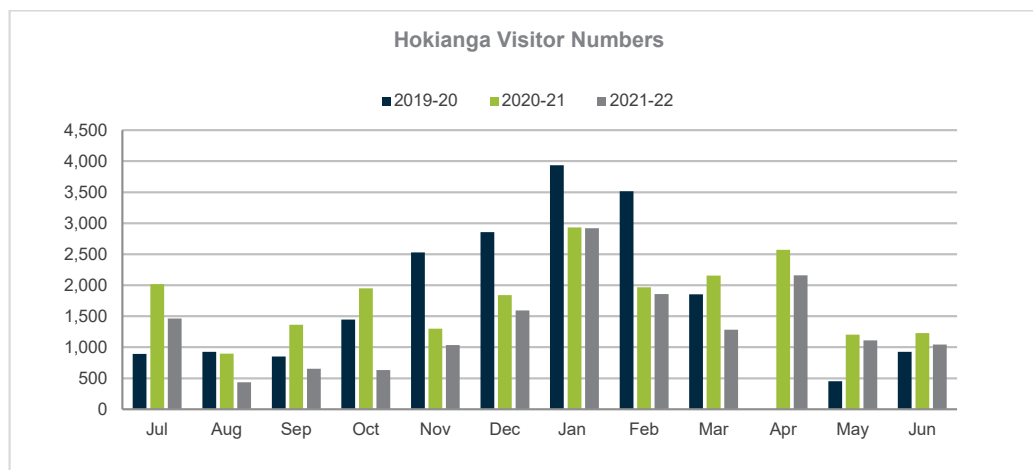
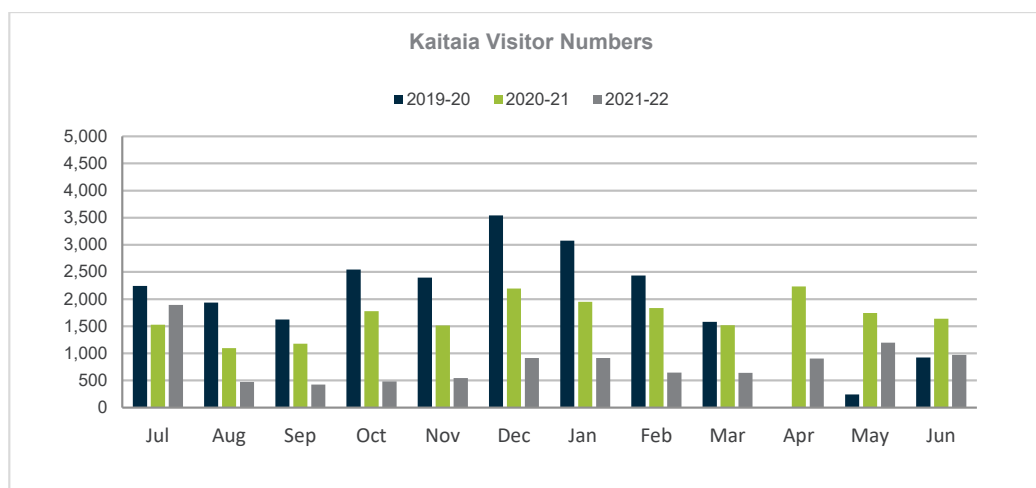


Figure 14 Total visitor numbers – Te Ahu - Kaitaia i-SITE

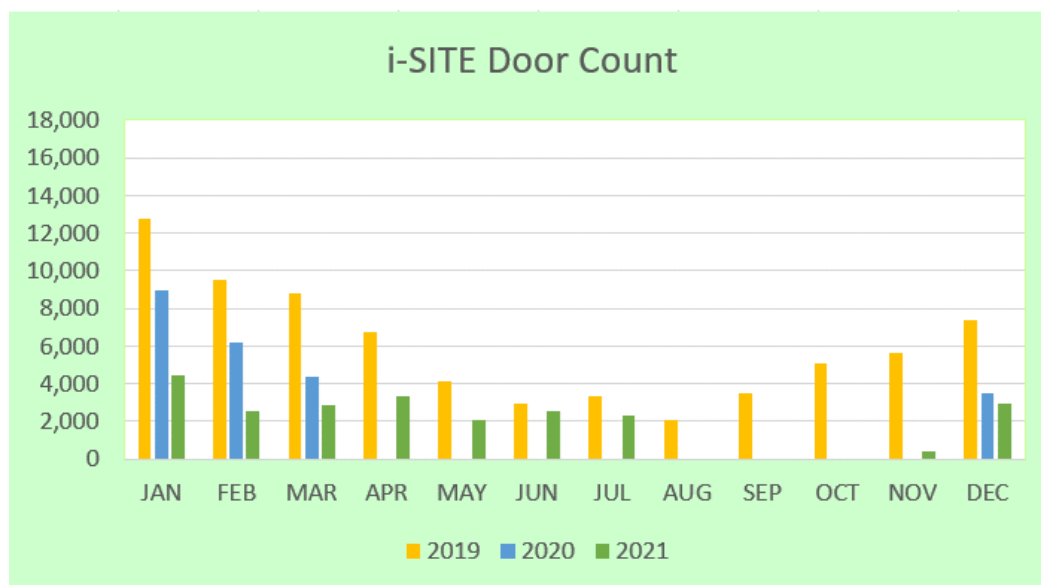


6.3 Whangārei visitor numbers

The graph below shows the general decline in numbers over the last three years. As can be seen from the data, numbers were declining pre-Covid. The site was closed for a total of eight months over the pandemic.



Figure 15 Visitor numbers – Whangārei i-SITE





7 Regional considerations

As part of the s17A review, consideration has been given to the opportunity to further collaborate with neighbouring councils and other stakeholders. Stakeholders and their potential for collaboration is shown in the table below

Table 9 Regional considerations

| Organisation | Relationship in Northland |
|---|---|
| Far North i-SITES | Far North District Council has three i-SITES, located in Paihia, Opononi (Hokianga) and at the Te Ahu Centre in Kaitiaki. Staff across both FNDC and WDC have good relationships and regularly communicate. |
| Whangārei District Council (WDC) | WDC currently has one i-SITE located alongside State Highway 1 at Tarewa Park in Raumanga. With its location, it is seen as the gateway facility to the North and is in an excellent location to promote and provide information for the Far North. Staff across FNDC and WDC have good relationships and regularly communicate. Both councils are keen to further develop their collaborative partnership as partly demonstrated through this joint review. |
| Kaipara District Council (KDC) | Kaipara District Council does not have any i-SITES in the district. They are however a shareholder of Northland Inc. KDC are keen to pursue options for working with both FNDC and WDC on initiatives to promote tourism in Northland. |
| Northland Inc. | Northland Inc is the Regional Economic Development Agency for Northland and is funded by an operational contribution from the Northland Regional Council, Far North District Council and Kaipara District Council as shareholders and is project funded through public and private agencies including central government. Northland Inc's Mission is <i>'To identify and focus on those activities and relationships that will strengthen, diversify, and grow Te Tai Tokerau Northland economy to help achieve equity and environmental sustainability'</i> . To deliver on this mission, they work with organisations and institutions in Tai Tokerau Northland and public and private sectors with a common purpose to deliver on the mission. Northland Inc. have expressed an interest in further developing a collaborative partnership with both FNDC and WDC. |
| Department of conservation (DOC) | DOC has limited resources in the Northland region and are keen to investigate options for more collaborative working with the Northland councils to promote their facilities. There are no DOC visitor centres in the Northland region although there are a number of offices. DOC is reliant on the Far North and Whangārei i-SITES to provide information on sites of interest and places to visit. |



8 Service delivery options

8.1 Overview

Options were identified and then assessed against agreed strategic objectives and financial and non-financial assessment criteria.

The initial results were presented and discussed with key staff at a challenge workshop, first as individual councils and then collectively. The tables below present the final results of the assessments.

Appendices A and B contain the full options assessments with scoring.

8.2 Strategic objectives

8.2.1 Vision and community outcomes

Tai Tokerau Northland Vision: *To enhance the value of our visitor experiences in collaboration with iwi, hapū and stakeholders, for the benefit of our communities, businesses, the environment, and future generations*

Far North Vision: *He Whenua Rangatira – A District of Sustainable Prosperity and Well-Being*

Far North Community Outcomes:

Proud, Vibrant Communities

Prosperous communities supported by a sustainable economy

Communities that are healthy, safe, connected and sustainable

Connected communities that are prepared for the unexpected

A wisely managed and treasured environment that recognises the role of tangata whenua as kaitiaki

We embrace and celebrate our unique culture and heritage and value it as a source of enduring pride

Whangārei Vision: *An inclusive, resilient and sustainable District*

Whangārei Community Outcomes:

Efficient and resilient core services

Positive about the future

Caring for the environment

Proud to be local

8.2.2 Agreed strategic objectives for s17A review

Taking into account FNDC's and WDC's strategic direction through their vision and community outcomes and considering Tai Tokerau Northland's vision, strategic objectives for the i-SITEs were developed in consultation with key staff from both councils.



The service delivery options would be assessed against these objectives on a yes / partial / no basis.

Table 10 Strategic objectives

| Far North | Whangārei |
|---|---|
| <ol style="list-style-type: none"> 1. A service that supports Council's vision of sustainable prosperity and well-being 2. Providing information to visitors to promote the Far North and support economic wellbeing, embracing our unique culture and heritage 3. Delivering a sustainable, meaningful and cost-effective activity for ratepayers | <ol style="list-style-type: none"> 1. A service that supports Council's vision of an inclusive, resilient and sustainable District 2. Providing information to visitors to promote our tourism sector and support economic wellbeing 3. Delivering a sustainable, meaningful and cost-effective activity for ratepayer |

8.3 Financial and non-financial assessment criteria

Financial and non-financial criteria were developed and agreed with key staff from the two councils. These are shown in the table below.

Table 11 Assessment Criteria

| Financial Criteria (30%) | Non-financial Criteria (40%) |
|--|---|
| <ul style="list-style-type: none"> • Set up costs (10%) • Governance and management costs (10%) • Operational costs (10%) | <ul style="list-style-type: none"> • Quality and efficient delivery of service through skilled staff and fit-for-purpose facilities and systems (15%) • The ability to be agile and adaptable (respond quickly to changing expectations and requirements) (15%) • Simplicity of governance and management (10%) • Supporting regional collaboration (10%) • Keeping community services local (employ local staff) (10%) • Acceptable and manageable level of risk (10%) |

8.4 Far North - Analysis of options

8.4.1 Extent of services

The i-SITES have been heavily impacted by Covid. This together with a change in behaviour and the way people use visitor centres (with more information being accessed online) has meant that the status quo is not sustainable. Whilst no option scored a 'no' against any of the strategic objectives, the status quo was only assessed as a 'partial' against the objectives, recognising this in relating to efficiency of service.

The preferred option for the i-SITES in the Far North is to retain the facilities in their current locations and to optimise those sites through enhancing the existing facilities and providing additional services such as pop-up services /sites during peak season or providing virtual services. By enhancing the sites, such as through improved signage, foot traffic will be increased, providing additional revenue and promoting the district, Northland and local tourism operations. This option also fully supports the strategic objectives. There would be benefit in FNDC and WDC working together and also with other organisations such as Northland Inc to maximise the potential of any pop-up sites.



Reduction of services through closing of sites that attract less visitors is not recommended. All three sites provide other council customer services throughout the year and a large geographic area supports the retention of all sites.

An additional site at Awanui was also considered but not recommended, primarily due to costs and also due to ongoing local government reform presenting some uncertainty. This location has the potential to maximise visitors through the door due to its location where state highways 1 and 10 meet. There would be significant capital costs to establish a new site with additional resourcing costs.

The option of moving the Te Ahu site to Awanui was also considered but the benefits of being in its current location are deemed to be strong. The site is located with other council facilities and close to other community amenities. Staff are also shared with the library and customer services in this location. It is considered to be more beneficial to retain sites in their current locations but consider a pop-up site in Awanui during peak season (under preferred option A3).

Table 12 Extent of services options

| Option | Description | Score | Summary of assessment |
|--|--|-------------------|---|
| Option A1: Status quo | Current sites: Paihia, Hokianga, Kaitaia. | 3.0 - Possible | <ul style="list-style-type: none"> The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective |
| Option A2: Enhanced Site | Facility/ies developed to attract more visitors Examples could be improved signage, increased retail, café | 3.1 - Possible | <ul style="list-style-type: none"> More visible and better developed site/s would attract both locals and visitors Site/s would become a destination Could be significant benefit with little cost Te Ahu site in particular has the added facilities of A&P grounds, pool, movie theatre etc which could be better used as a drawcard to visit the i-SITE |
| Option A3: Additional peak services | Enhanced site + additional peak season services or virtual / digital service providing additional sites of information. <ul style="list-style-type: none"> Could be additional mobile / pop up sites during peak summer season (e.g. Awanui) or provision of digital / virtual services at alternative locations. Could be considered as a shared arrangement with other Northland councils, DOC, Northland Inc. | 3.2 – Recommended | Benefits of enhanced site (Option A2) + <ul style="list-style-type: none"> Opportunity to build on service provided through peak summer months or by providing additional digital services Will be establishment costs and additional operational costs so permanent additional site not justified Benefits of considering this as a shared arrangement with other Northland councils / stakeholders |



| Option | Description | Score | Summary of assessment |
|-------------------------------------|---|-----------------------|--|
| Option A4: Reduced sites | Services reduced <ul style="list-style-type: none"> Paihia would remain as now Possible closure of less-used site/s | 2.7 – Not recommended | <ul style="list-style-type: none"> Operational costs would reduce but coverage of the large geographic area of the Far North would be reduced (nothing on the west coast) Sites also provide a customer service facility which would be lost |
| Option A5: A3 + A4 | Number of permanent sites reduced with additional services | 3.0 - Possible | <ul style="list-style-type: none"> Operational costs would be reduced in less-used site/s with services supplemented as appropriate to service demand. |
| Option A6: New site/s | Change in location or addition of site/s <ul style="list-style-type: none"> Re-location of current site/s to more visible location and / or additional sites established based on a considered demand / need | 2.7 – Not recommended | <ul style="list-style-type: none"> High cost to establish a new site / relocate Benefits of retaining Te Ahu location - shared resource across Council depts / co-located with other community facilities Additional sites = higher operational costs More cost-effective to make existing sites more 'visible' with additional peak season services |

8.4.2 National direction

Opting out of the tiered system was considered to only partially meet the strategic objectives, being less efficient without the support from i-SITE network.

The preferred option for Far North is to establish the Paihia site as a Tier 1 facility with Hokianga and Kaitiaki as Tier 2 operations. Tier 2 is considered to be more or less status quo but Tier 1 would see investment in the branding of the site and would support the Tier 2 sites.

Opting out of the VIN network was also considered but not recommended as the central support systems would be lost.

Table 13 National direction options

| Option | Description | Score | Summary of assessment |
|---|--|-----------------------|---|
| Option B1: Tier 1 Rebranded concept store | <ul style="list-style-type: none"> i-SITE/s would be Tier 1 'concept store/s' in key location/s. Rebranded under a new membership arrangement with VIN Inc Financial benefits available to upgrade sites, but higher membership fee Costs for fit out likely to be 50/50 split with central govt | 2.9 – not recommended | <ul style="list-style-type: none"> Still part of VIN Benefit of upgrades being partly funded through central govt and greater access to central support Not cost-effective to run more than 1 site as a Tier 1 |



| Option | Description | Score | Summary of assessment |
|---|--|-----------------------|---|
| Option B2: Tier 2 Secondary site | <ul style="list-style-type: none"> Tier 2 licence agreement Tier 2 locations not part of the VIN Inc network but access to network systems etc | 3.0 - Possible | <ul style="list-style-type: none"> Still have benefits of IT systems, networks etc but under agreement with VIN not a licence. If Tier 2 only, would likely not attract support of Tier 1 operations (closest would likely be Auckland) |
| Option B3: Mixed Mix of Tier 1 and Tier 2 sites | <ul style="list-style-type: none"> Combination of Options B1 and B2 Paihia would be Tier 1 with Kaitaia and Hokianga being Tier 2 | 3.4 – Recommended | <ul style="list-style-type: none"> Tier 1 site would support Tier 2 sites so would have benefits of Tier 1 whilst not having costs associated with establishment of multiple Tier 1 sites. |
| Option B3: Opt-out Not part of i-SITE network | <ul style="list-style-type: none"> FNDC could still operate independent facility or could close the facility altogether For the purpose of this exercise, assume still in operation as an independent (opting out considered under Service Delivery) | 2.5 - Not recommended | <ul style="list-style-type: none"> Less able to deliver the expected service - negative impact on tourism industry in the north |

8.4.3 Service delivery

The preferred option is to continue to deliver the i-SITE services as an in-house operation but to enhance key collaborative relationships with WDC and other key stakeholders such as DOC and Northland Inc as well as possibly Northland Regional Council and Kaipara District Council. This option also best meets the strategic objectives enabling support in the FNDC and Tai Tokerau visions, providing information to visitors that will support economic wellbeing and providing a cost-effective service through sharing information and initiatives.

A number of options were considered but not recommended for further consideration due to complexity of governance arrangements for a non-complex and relatively low-cost activity. These include establishment of a CCO/CCTO either as FNDC alone or under a joint arrangement with other councils, establishment of a partnership or formal shared arrangements with other council/s.

Whilst there would be a cost benefit in not continuing the services, opting out and allowing the private sector to provide visitor information services is not recommended. Council would lose control over delivery of the service which may impact in tourism promotion. In the current arrangement, Council plays an impartial role which may be lost with a private operator.



Table 14 Service delivery options

| Option | Description | Score | Summary of assessment |
|--|---|-----------------------|--|
| Option C1: Status quo Sites owned and operated in-house (by Council) | <ul style="list-style-type: none"> Council continues to own and operate the i-SITE Levels of service are based on historical patterns of delivery, with changes in response to community demand or changes in patterns of use Council provides strategy and policy direction | 3.0 - Possible | <ul style="list-style-type: none"> The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective |
| Option C2: Enhanced status quo Status quo with increased partnering with interested agencies | Partnering /collaborative working with other interested agencies e.g. shared space / co-location with DOC, Northland Inc or an agreement to work together in a more formal way | 3.6 – Recommended | <ul style="list-style-type: none"> Benefits of different organisations working alongside and supporting each other Could introduce MOU to support partnering Potential for shared space arrangements but more likely i-SITEs working with WDC / DOC / Northland Inc / Business Assocs etc to be able to promote the area / local businesses etc |
| Option C3: Out-source operations Owned by council, operations outsourced | <ul style="list-style-type: none"> Council outsources the i-SITE operations but continues in a management / governance role Facility would continue to be owned by Council Council continues to provide strategic direction | 3.0 - Possible | <ul style="list-style-type: none"> Outsourcing option may drive efficiencies depending on format of contract and performance measures Council would not have the responsibility to employ staff Loss of control as well as a loss of benefits of sharing resources across Council depts |
| Option C4: Shared services By shared service agreement with another council(s) | <ul style="list-style-type: none"> Council enters into shared services agreement with other Northland Council/s to manage and provide the i-SITE services FNDC and other council(s) provide their own strategy, policy direction but enter into a formal shared services arrangement to manage and provide planning and/or operational services | 2.8 – Not recommended | <ul style="list-style-type: none"> Some complexity to agree shared services arrangements Governance complexities However, potential opportunities such as efficiencies of scale Shared resourcing an unlikely benefit due to geographic spread |
| Option C5: CCO/CCTO (FNDC) Transfer of operations to a newly formed CCO/CCTO | <ul style="list-style-type: none"> Transfer of operations to a newly formed CCO/CCTO with a board of directors / committee Council will retain a strategy and policy direction function | 1.9 - Not recommended | <ul style="list-style-type: none"> Complexity to governance arrangements Turnover of the facility does not justify the relatively high set up costs for a CCO/CCTO |



| Option | Description | Score | Summary of assessment |
|--|--|-----------------------|---|
| Option C6: Partnership Transfer of operations to a Trust, Joint Venture or other partner | Management of facility transfers to a Trust, Joint Venture or other partnership arrangement e.g. Iwi or a National i-SITE group or commercial operator | 1.6 - Not recommended | <ul style="list-style-type: none"> Significant set up complexity (i.e. cost) More complex governance arrangements Turnover of the facility does not justify the relatively high costs for a developing and establishing a partnership |
| Option C7: Joint CCO/CCTO owned by Council and other local authorities | <ul style="list-style-type: none"> Similar to option C5 but with one or more of the other Northland Councils as joint owners | 2.1 - Not recommended | <ul style="list-style-type: none"> Complexity and cost to agree shared governance arrangements Some potential for reduced operational costs but likely to be relatively high set-up cost |
| Option C8: Council opts out | <ul style="list-style-type: none"> Council ceases operations Service may be provided by private organisation | 3.1 - Possible | <ul style="list-style-type: none"> Assessed as a possible option on the assumption that this service is provided by private operation No costs to Council Council would have no control over operation which may impact on tourism promotion |

8.5 Whangārei - Analysis of options

8.5.1 Extent of services

The i-SITE has been heavily impacted by Covid. This together with a change in behaviour and the way people use visitor centres (with more information being accessed online) has meant that the status quo is not sustainable. Whilst no option scored a 'no' against any of the strategic objectives, the status quo was only assessed as a 'partial' against the objectives, recognising this in relating to efficiency of service

The preferred option is to retain the i-SITE and to optimise the site through enhancing the existing facilities and providing additional services such as pop-up services /sites during peak season or potentially providing virtual services. By enhancing the site and making it a destination, foot traffic will be increased, providing additional revenue and promoting the district, Northland and local tourism operations. Potential enhancements include establishment of a café onsite, improved signage and development of a family friendly activity (such as a maze or a playground) on the adjacent reserve.

There would be benefit in the councils working together and with other organisations such as Northland Inc and DOC to maximise the potential of any pop-up sites. Costs could also be shared.



Table 15 Extent of services options

| Option | Description | Score | Summary of assessment |
|--|--|-------------------|---|
| Option A1: Status quo | Current site State Highway 1 | 3.0 - Possible | <ul style="list-style-type: none"> The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective |
| Option A2: Enhanced Site | Facility/ies developed to attract more visitors Examples could be improved signage, increased retail, café (procuring now), development of reserve with a family friendly activity | 3.1 - Possible | <ul style="list-style-type: none"> More visible and better developed site/s would attract both locals and visitors Site/s would become a destination Could be significant benefit with little cost |
| Option A3: Additional peak services | Enhanced site + providing additional sites of information <ul style="list-style-type: none"> Could be additional mobile / pop up sites during peak summer season or provision of digital or possibly virtual services at alternative locations Could be considered as a shared arrangement with other Northland councils, DOC, Northland Inc | 3.2 – Recommended | <ul style="list-style-type: none"> Benefits of enhanced site + Opportunity to build on service provided through peak summer months or by providing additional digital services Would be establishment costs and some additional operational costs Benefits of considering this as a shared arrangement with other Northland councils / stakeholders |

8.5.2 National direction

Opting out of the tiered system was considered to only partially meet the strategic objectives, being less efficient without the support from i-SITE network.

The preferred option for Far North is to establish the Paihia site as a Tier 1 facility with Hokianga, Kaitaia and Whangārei as Tier 2 operations. Tier 2 is considered to be more or less status quo but Tier 1 would see investment in the branding of the site and would support the Tier 2 sites.

Opting out of the VIN network was also considered but not recommended as the central support systems would be lost.



Table 16 National direction options

| Option | Description | Score | Summary of assessment |
|---|---|-----------------------|---|
| Option B1: Tier 1 Rebranded concept store | <ul style="list-style-type: none"> i-SITE/s would be Tier 1 'concept store/s' in key location/s Rebranded under a new membership arrangement with VIN Inc Financial benefits available to upgrade sites, but higher membership fee Costs for fit out likely to be 50/50 split with central govt | 2.9 – Possible | <ul style="list-style-type: none"> Still part of VIN Benefit of upgrades being partly funded through central govt and greater access to central support |
| Option B2: Tier 2 Secondary site | <ul style="list-style-type: none"> Similar to status quo Tier 2 licence agreement Tier 2 locations not part of the VIN Inc network but access to network systems etc | 3.0 – Recommended | <ul style="list-style-type: none"> Still have benefits of IT systems, networks etc but under agreement with VIN not a licence. If Tier 2 only, could build on support of Tier 1 operations (closest would likely be Far North if they opt for Tier 1, otherwise Auckland) |
| Option B3: Opt-out Not part of i-SITE network | <ul style="list-style-type: none"> WDC could still operate independent facility or could close the facility altogether. For the purpose of this exercise, assume still in operation as an independent (opting out considered under Service Delivery) | 2.5 - Not recommended | <ul style="list-style-type: none"> Less able to deliver the expected service - negative impact on tourism industry in the north |

8.5.3 Service delivery

The preferred option is to continue to deliver the i-SITE services as an in-house operation but to enhance key collaborative relationships with FNDC and other key stakeholders such as DOC and Northland Inc as well as possibly Northland Regional Council and Kaipara District Council. This option also best meets the strategic objectives enabling support in the FNDC and Tai Tokerau visions, providing information to visitors that will support economic wellbeing and providing a cost-effective service through sharing information and initiatives.

A number of options were considered but not recommended for further consideration due to complexity of governance arrangements for a non-complex and relatively low-cost activity. These include establishment of a CCO/CCO either as FNDC alone or under a joint arrangement with other councils, establishment of a partnership or formal shared arrangements with other council/s.

Whilst there would be a cost benefit in not continuing the services, opting out and allowing the private sector to provide visitor information services is not recommended. Council would lose control over delivery of the service which may impact in tourism promotion. In the current arrangement, Council plays an impartial role which may be lost with a private operator.



Table 17 Service delivery options

| Option | Description | Score | Summary of assessment |
|--|---|-----------------------|--|
| Option C1: Status quo Sites owned and operated in-house (by Council) | <ul style="list-style-type: none"> Council continues to own and operate the i-SITE Levels of service are based on historical patterns of delivery, with changes in response to community demand or changes in patterns of use Council provides strategy and policy direction | 3.0 - Possible | <ul style="list-style-type: none"> The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective |
| Option C2: Enhanced status quo Status quo with increased partnering with interested agencies | Partnering /collaborative working with other interested agencies e.g. shared space / co-location with DOC, Northland Inc or an agreement to work together in a more formal way | 3.6 - Recommended | <ul style="list-style-type: none"> Benefits of different organisations working alongside and supporting each other Could introduce MOU to support partnering Potential for shared space arrangements but more likely i-SITEs working with WDC / DOC / Northland Inc / Business Assocs etc to be able to promote the area / local businesses etc |
| Option C3: Out-source operations Owned by council, operations outsourced | <ul style="list-style-type: none"> Council outsources the i-SITE operations but continues in a management / governance role Facility would continue to be owned by Council Council continues to provide strategic direction | 3.0 - Possible | <ul style="list-style-type: none"> Outsourcing option may drive efficiencies depending on format of contract and performance measures Council would not have the responsibility to employ staff Loss of control as well as a loss of benefits of sharing resources across Council depts |
| Option C4: Shared services By shared service agreement with another council(s) | <ul style="list-style-type: none"> Council enters into shared services agreement with other Northland Council/s to manage and provide the i-SITE services FNDC and other council(s) provide their own strategy, policy direction but enter into a formal shared services arrangement to manage and provide planning and/or operational services | 2.8 – Not recommended | <ul style="list-style-type: none"> Some complexity to agree shared services arrangements Governance complexities However, potential opportunities such as efficiencies of scale Shared resourcing an unlikely benefit due to geographic spread |
| Option C5: CCO/CCTO (WDC) Transfer of operations to a newly formed CCO/CCTO | <ul style="list-style-type: none"> Transfer of operations to a newly formed CCO/CCTO with a board of directors / committee Council will retain a strategy and policy direction function | 1.9 - Not recommended | <ul style="list-style-type: none"> Complexity to governance arrangements Turnover of the facility does not justify the relatively high set up costs for a CCO/CCTO |



| Option | Description | Score | Summary of assessment |
|--|--|-----------------------|---|
| Option C6: Partnership Transfer of operations to a Trust, Joint Venture or other partner | Management of facility transfers to a Trust, Joint Venture or other partnership arrangement e.g. Iwi or a National i-SITE group or commercial operator | 1.6 - Not recommended | <ul style="list-style-type: none"> Significant set up complexity (i.e. cost) More complex governance arrangements Turnover of the facility does not justify the relatively high costs for a developing and establishing a partnership |
| Option C7: Joint CCO/CCTO owned by Council and other local authorities | <ul style="list-style-type: none"> Similar to option C5 but with one or more of the other Northland Councils as joint owners | 2.1 - Not recommended | <ul style="list-style-type: none"> Some potential for reduced operational costs but likely to be relatively high set-up costs Complexity and cost to agree shared governance arrangements |
| Option C8: Council opts out | <ul style="list-style-type: none"> Council ceases operations Service may be provided by private organisation | 3.1 - Possible | <ul style="list-style-type: none"> Assessed as a possible option on the assumption that this service is provided by private operation No costs to Council Council would have no control over operation which may impact on tourism promotion |

8.6 Recommended way forward

8.6.1 Preferred options

The impact of Covid together with a change in behaviour and the way people use visitor centres (with more information being accessed online) has meant that the status quo is no longer a sustainable business model.

Whilst the pandemic has had a significant negative impact on the tourism industry, the borders have now reopened and it is anticipated that cruise ships and visitors will return.

The overall recommended way forward is to retain the i-SITES in their current locations but to optimise those sites and the network by providing additional services, such as pop-up sites or virtual sites, to meet demand during the peak season and also to strengthen the collaborative partnering with each other interested stakeholders.

The results show good alignment in direction for FNDC and WDC which will support future collaborative partnering.



Specific to each element of the review, the preferred options are:

Table 18 Northland i-SITES – preferred way forward

| Solution | Preferred way forward | |
|---------------------------|---|---|
| | Far North | Whangārei |
| Extent of services | <ul style="list-style-type: none"> Enhanced sites: Facilities developed to attract more visitors Additional peak season services and virtual / digital services <p>To retain the i-SITES in their current locations but to encourage additional foot traffic through increased visibility and enhancements. This could include improved signage, or leases for café facilities or other retail. Additional services at peak times (either through the summer months or when a cruise ship is due) could include pop-up or mobile i-SITES. Virtual sites could also be an option, such as when physical sites are unstaffed.</p> | |
| National direction | <ul style="list-style-type: none"> Mix of Tier 1 (Paihia) and Tier 2 sites The Tier 1 site would support Tier 2 sites in both Far North and Whangārei | <ul style="list-style-type: none"> Tier 2 - secondary site (similar to status quo) The Paihia Tier 1 site would support the Whangārei Tier 2 site under the intent of the tiered i-SITE system <p>Tier 1 site would be re-branded with central government contributing to capital investment. There would be standardised national systems for all Tier 1 i-SITES. Data sharing would be introduced and there would be nationally integrated digital assets with Facebook and Google My Business channels, centrally managed with local pages.</p> <p>Requirements for Tier 2 sites would be similar to now with a modified sub-brand to link them to the network. Operational aspects of the business would be standardised with Tier 1 such as fees and charges, data sharing, booking engines, Wi-Fi and brochure racking.</p> |
| Service delivery | <p>Continue to deliver the service through in-house management and operations.</p> <p>The i-SITE activity would continue to be governed by each council alone, setting their own future direction with continued funding through rates, commission and retail.</p> <p>Continue collaboration between the Far North and Whangārei i-SITES, and potentially extended this to other councils (e.g. Kaipara) and key stakeholders (e.g. DOC or Northland Inc). Consider formalising this collaboration/</p> <p>It is recognised that there would be benefits in these organisations working alongside and supporting each other. This could be strengthened through developing a collective Memorandum of Understanding (MOU) where objectives are set and roles and responsibilities defined. Regular collective meetings would enable the sharing of information and ideas to support tourism promotion across the region in a more structured way.</p> | |



8.6.2 Outline cost assessment of preferred options

The table below provides an outline assessment of costs to implement the preferred options.

Table 19 Outline costs - preferred way forward

| Solution | Cost implications | |
|---------------------------------------|---|---|
| | Far North | Whangārei |
| Extent of services | <ul style="list-style-type: none"> Enhanced sites: would be dependent on upgrades agreed: <ul style="list-style-type: none"> Signage low cost Improved IT / systems largely provided for through VIN membership and tiered system Enhanced sites (and foot traffic) would deliver increased revenue through commission and retail with no additional operational costs Additional peak season services would require additional resources but would generate more revenue Virtual services would have capital outlay but minimal resource needs <p>An additional permanent site at Awanui would have significant capital cost to establish and would require additional operational resources.</p> | <ul style="list-style-type: none"> Enhanced sites: would be dependent on upgrades agreed: <ul style="list-style-type: none"> Signage low cost Development of reserve would have capital cost No cost for establishment of café (would likely be some revenue through lease) Improved IT / systems largely provided for through VIN membership and tiered system Enhanced sites (and foot traffic) would deliver increased revenue through commission and retail with no additional operational costs Additional peak season services would require additional resources but would generate more revenue |
| National direction² | <ul style="list-style-type: none"> Current VIN fee between \$1,650 - \$2,805 per site per annum | |
| | <p><u>Capex / re-branding costs</u></p> <ul style="list-style-type: none"> Tier 1 site (Paihia) – 50/50 split between FNDC and central government with indicative fit-out costs of \$200,000 and \$500,000 (to be completed between 2023-2026) Tier 2 sites – n/a <p><u>Annual costs</u></p> <ul style="list-style-type: none"> Tier 1 site (Paihia) - \$5,000 - \$10,000 per annum Tier 2 sites (Kaitaia and Hokianga) - \$1,500 - \$3000 per site per annum | <p><u>Capex / re-branding costs</u></p> <ul style="list-style-type: none"> Tier 2 sites – n/a <p><u>Annual costs</u></p> <ul style="list-style-type: none"> Tier 2 sites - \$1,500 - \$3000 per annum |
| Service delivery | <p>Partnering /collaborative working with each other and interested agencies such as Northland Inc. and DOC would have minimal cost impact and has the potential for significant benefit across the region.</p> <p>There would be some cost, mainly in time, to develop and agree an MOU or other form of partnering agreement.</p> | |

² Source: VIN Inc Future Network Proposal, Executive Summary July 2021



9 Next Steps

This s17A review has confirmed that both FNDC and WDC should continue to provide i-SITEs across the district but that those sites should be optimised by enhancing sites and providing additional services to meet demand.

9.1 Far North District Council

The next steps for the Far North i-SITEs would be to further investigate the preferred options and develop an i-SITE Strategy:

Table 20 Next steps for the Far North i-SITES

| | |
|--|--|
| 3. Further develop preferred way forward | <ul style="list-style-type: none"> • Endorse the recommended way forward • Work with WDC in the first instance to investigate formalising collaboration (e.g. MOU) and then extend to other partners • Identify, cost and implement specific service improvements e.g. signage, pop-ups and virtual sites • Further develop cost and implementation models for preferred options, possibly using business case approach |
| 4. Development of the Far North i-SITE Strategy <i>Can be progressed in parallel with or separate to 1 above</i> | <p>The Far North i-SITE Strategy will support the implementation of the S17A review outcomes and will build on the VIN Inc. i-SITE Future Strategy, Tai Tokerau Northland Inc. Destination Management Plan and other related regional initiatives and strategies. It will include:</p> <ul style="list-style-type: none"> • Vision for the future • Current situation and the challenges we are dealing with • How visitor information services are changing • Our preferred option for delivery of the i-SITE / visitor information services (from the S17A review) • How we intend to implement our preferred way forward and how we will fund it (develop costs further) |

9.2 Whangārei District Council

The next steps for the Whangārei i-SITE would be to further investigate the preferred options:

Table 21 Next steps for the Whangārei i-SITE

| | |
|---|--|
| 2. Further develop preferred way forward | <ul style="list-style-type: none"> • Endorse the recommended way forward • Work with WDC in the first instance to investigate formalising collaboration (e.g. MOU) and then extend to other partners • Identify, cost and implement specific service improvements e.g. signage, pop-ups and virtual sites and development of the adjacent reserve. • Further develop cost and implementation models for preferred options, possibly using business case approach |
|---|--|



Appendix A Options Assessment – Far North District Council

| i-Site Service Delivery Options Review | | | | | | | | | | | | | | | | | | | |
|--|--|--|---|---|--|--|--|---|--|---|--|--|--|--|--|---|---|--|---|
| Client: | | Far North District Council | | | | | | | | | | | | | | | | | |
| Review date: | | August 2022 | | | | | | | | | | | | | | | | | |
| Version | | Draft | | | | | | | | | | | | | | | | | |
| | | A. EXTENT OF SERVICES | | | | | | B. NATIONAL DIRECTION | | | | C. SERVICE DELIVERY | | | | | | | |
| | | A1 | A2 | A3 | A4 | A5 | A6 | B1 | B2 | B3 | B4 | C1 | C2 | C3 | C4 | C5 | C6 | C7 | C8 |
| | | Status quo | Enhanced Site | Option A2 + Additional services | Reduced sites | Option A3 + A4 | New site/s | Tier 1 | Tier 2 | Mixed | Opt-Out | Status quo | Enhanced Status Quo | Out-source operations | Shared services | CCO/CCTO (FNDC) | Partnership | Joint CCO/CCTO | Council opts out |
| Service delivery options | | Current sites: Paihia, Hokianga, Kaitiaki | Facility/ies developed to attract more visitors | Additional peak season services or virtual / digital services. | Reducing services | Number of permanent sites reduced with additional services | Change in location or addition of site/s | Rebranded concept store | Secondary site | Mix of Tier 1 and Tier 2 sites | Not part of i-SITE network | Sites owned and operated in-house (by Council) | Status quo with increased partnering with interested agencies | Owned by council, operations out-sourced | By shared service agreement with another council(s) | Transfer of operations to a newly formed CCO/CCTO | Transfer of operations to a Trust, Joint Venture or other partner | By joint CCO/CCTO owned by Council and other local authorities | Council ceases operations. |
| Description of option: | | Current sites - 3 locations - Paihia, Kaitiaki (part of Te Ahiu), Hokianga (co-location with cafe) | Examples could be improved signage, increased retail | Enhanced site + Providing additional sites of information. Could be additional mobile / pop up sites during peak summer season (eg Awanui) or provision of digital / virtual services at alternative locations. Could be considered as a shared arrangement with other Northland councils, DOC, Northland Inc. | Services reduced. Paihia would remain as now. Possible closure of less-used site/s. | Permanent sites reduced (Option A4) but boosted through additional services; either peak season or digital / virtual sites | Re-location of current site/s and / or additional sites established based on a considered demand / need | i-SITE/s would be Tier 1 'concept store/s' in key location/s. Rebranded under a new membership arrangement with VIN Inc. Financial benefits available to upgrade sites, but higher membership fee. Costs for fit out likely to be 50/50 split with central govt | Tier 2 licence agreement. Tier 2 locations not part of the VIN Inc network but access to network systems etc | Combination of Options B1 and B2. Paihia would be Tier 1 with Kaitiaki and Hokianga being Tier 2 | FNDC could still operate independent facility or could close the facility altogether. For the purpose of this exercise, assume still in operation as an independent (opting out considered under Service Delivery) | Council continues to own and operate the i-SITE. Levels of service are based on historical patterns of delivery, with changes in response to community demand or changes in patterns of use. Council provides strategy and policy direction. | Partnering /collaborative working with other interested agencies e.g. shared space / co-location with DOC, Northland Inc or an agreement to work together in a more formal way | Council outsources the i-SITE operations but continues in a management / governance role. Facility would continue to be owned by Council. Council continues to provide strategic direction. | Council enters into shared services agreement with other Northland Council/s to manage and provide the i-SITE services. | Transfer of operations to a newly formed CCO/CCTO with a board of directors / committee. Council will retain a strategy and policy direction function | Management of facility transfers to a Trust, Joint Venture or other partnership arrangement e.g. Iwi or a National i-Site group or commercial operator | Similar to option C5 but with one or more of the other Northland Councils as joint owners. Some potential for reduced operational costs but likely to be relatively high set-up costs | Service may be provided by private organisation |
| | | Weighting | | | | | | | | | | | | | | | | | |
| Strategic Objectives | | | | | | | | | | | | | | | | | | | |
| A service that supports Council's vision of sustainable prosperity and well-being | | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Partial - if service provided by others |
| Providing information to visitors to promote the Far North and support economic wellbeing, embracing our unique culture and heritage | | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - would reduce coverage of the Far North | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Yes - option can support this | Partial - some loss of control | Yes - option can support this | Partial - if service provided by others |
| Delivering a sustainable, meaningful and cost-effective activity for ratepayers | | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - cost implication of additional site/s | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - no formal support from i-SITE network | Partial - efficiencies with current arrangements are limited | Yes - option can support this | Partial - some loss of control | Yes - some efficiencies will be introduced | Partial - option can support this but governance complexity may make it less affordable | Partial - some loss of control | Partial - governance complexity | Partial - if service provided by others |
| | | Weighting | | | | | | | | | | | | | | | | | |
| Financial benefits: | | 30% | 0.9 | 0.7 | 0.5 | 1.1 | 0.9 | 0.5 | 0.7 | 0.9 | 0.7 | 0.9 | 0.9 | 0.7 | 0.9 | 0.5 | 0.5 | 0.5 | 1.5 |
| Set up costs | | 10% | 3 | 1 | 1 | 3 | 3 | 1 | 1 | 3 | 1 | 3 | 3 | 3 | 3 | 1 | 1 | 1 | 5 |
| Governance and management costs | | 10% | 3 | 3 | 1 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 3 | 1 | 1 | 1 | 1 | 5 |
| Operational costs | | 10% | 3 | 3 | 3 | 5 | 3 | 1 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 5 |
| Non-financial benefits: | | 70% | 2.1 | 2.4 | 2.7 | 1.6 | 2.1 | 2.2 | 2.2 | 2.1 | 2.7 | 1.6 | 2.1 | 2.9 | 2.1 | 1.4 | 1.1 | 1.6 | 1.6 |
| Quality and efficient delivery of service through skilled staff and fit-for-purpose facilities and systems | | 15% | 3 | 5 | 5 | 3 | 5 | 5 | 5 | 3 | 5 | 1 | 3 | 5 | 3 | 3 | 1 | 3 | 3 |
| The ability to be agile and adaptable (respond quickly to changing expectations and requirements) | | 15% | 3 | 3 | 5 | 1 | 1 | 3 | 3 | 3 | 5 | 3 | 5 | 3 | 3 | 1 | 1 | 1 | 1 |
| Simplicity of governance and management | | 10% | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 3 | 1 | 3 | 3 | 5 | 1 | 1 | 1 | 1 | 5 |
| Supporting regional collaboration | | 10% | 3 | 3 | 3 | 3 | 3 | 3 | 5 | 3 | 5 | 3 | 5 | 3 | 5 | 3 | 3 | 5 | 1 |
| Keeping community services local (employ local staff) | | 10% | 3 | 3 | 3 | 1 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 3 | 3 | 3 | 3 | 3 |
| Acceptable and manageable level of risk | | 10% | 3 | 3 | 3 | 3 | 3 | 1 | 1 | 3 | 1 | 3 | 3 | 3 | 3 | 1 | 1 | 1 | 1 |
| Total score (financial plus non-financial benefits, out of 5) | | 100% | 3.0 | 3.1 | 3.2 | 2.7 | 3.0 | 2.7 | 2.9 | 3.0 | 3.4 | 2.5 | 3.0 | 3.6 | 3.0 | 2.8 | 1.6 | 2.1 | 3.1 |
| Overall assessment: | | Possible | Possible | Preferred | Not recommended | Possible | Not recommended | Not recommended | Possible | Preferred | Not recommended | Possible | Preferred | Possible | Not recommended | Not recommended | Not recommended | Not recommended | Possible |
| Commentary: | | The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective | More visible and better developed site/s would attract both locals and visitors. Site/s would become a destination. Could be significant benefit with little cost. Te Ahiu site in particular has the added facilities of A&P grounds, pool, movie theatre etc which could be better used as a drawcard to visit the i-SITE too | Benefits of enhanced site + Opportunity to build on service provided through peak summer months or by providing additional digital services. Will be establishment costs and additional operational costs so permanent additional site not justified. Benefits of considering this as a shared arrangement with other Northland councils / stakeholders | Operational costs would reduce but coverage of the large geographic area of the Far North would be reduced (nothing on the west coast). Both Kaitiaki and Hokianga have benefit of shared space. Would lose the benefits of providing other Council services at each site. | Operational costs would be reduced in less-used site/s with services supplemented as appropriate to service demand. | High cost to establish a new site / relocate. Benefits of retaining Te Ahiu location - shared resource across Council depts / co-located with other community facilities. Additional sites = higher operational costs. More cost-effective to make existing sites more 'visible' with additional peak season services. | Still part of VIN. Benefit of upgrades being partly funded through central govt and greater access to several support. Not cost effective to run more than 1 site as a Tier 1 | Still have benefits of IT systems, networks etc but under agreement with VIN not a licence. If Tier 2 only, would likely not attract support of Tier 1 operations (closest would likely be Auckland) | Tier 1 site would support Tier 2 sites so would have benefits of Tier 1 whilst not having costs associated with establishment of multiple Tier 1 sites. | Less able to deliver the expected service - negative impact on tourism industry in the north | The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective | Benefits of different organisations working alongside and supporting each other. Could introduce MOU to support partnering. Potential for shared space arrangements but more likely i-SITEs working with DOC / Northland Inc / Business Assocs etc to be able to promote the area / local businesses etc | Outsourcing option may drive efficiencies depending on format of contract and performance measures. Council would not have the responsibility to employ staff. However, there would be a loss of control as well as a loss of benefits of sharing resources across Council depts | Some complexity to agree shared services arrangements. Governance complexities. Potential opportunities such as efficiencies of scale. Shared resourcing an unlikely spread. | Complexity to governance arrangements. Turnover of the service does not justify the relatively high set up costs for a CCO/CCTO | Significant set up complexity (i.e. cost). More complex governance arrangements. Turnover of the facility does not justify the relatively high costs for a developing and establishing a formal partnership | Complexity to governance arrangements. Whilst there would be some benefits of collaboration, turnover of the facilities does not justify the relatively high set up costs for a CCO/CCTO | Assessed as a possible option on the assumption that this service is provided by private operation. No costs to Council. Council would have no control over operation which may impact on tourism promotion |



Appendix B Options Assessment – Whangārei District Council

| i-Site Service Delivery Options Review | | | | | | | | | | | | | | | | |
|--|--|--|--|---|--|--|---|--|---|--|--|---|--|--|---|-----|
| Client: | | Whangarei District Council | | | | | | | | | | | | | | |
| Review date: | | August 2022 | | | | | | | | | | | | | | |
| Version | | Draft | | | | | | | | | | | | | | |
| | | A. EXTENT OF SERVICES | | | B. NATIONAL DIRECTION | | | C. SERVICE DELIVERY | | | | | | | | |
| | | A1 | A2 | A3 | B1 | B2 | B3 | C1 | C2 | C3 | C4 | C5 | C6 | C7 | C8 | |
| | | Status quo | Enhanced Site | Option A2 + Additional services | Tier 1 | Tier 2 | Opt-Out | Status quo | Enhanced Status Quo | Out-source operations | Shared services | CCO/CCTO (WDC) | Partnership | Joint CCO/CCTO | Council opts out | |
| Service delivery options | | Current site State Highway 1 | Facility developed to attract more visitors | Additional peak season services or virtual / digital services. | Rebranded concept store | Secondary site (similar to status quo) | Not part of i-SITE network | Owned and operated in-house (by Council) | Status quo with increased partnering with interested agencies | Owned by council, operations out-sourced | By shared service agreement with another council(s) | Transfer of operations to a newly formed CCO/CCTO | Transfer of operations to a Trust, Joint Venture or other partner e.g. Iwi or commercial operator. | By joint CCO/CCTO owned by Council and other local authorities | Council ceases operations. | |
| Description of option: | | Current site offering i-SITE services only | Examples could be improved signage, increased retail, café (procuring now), development of reserve with a family friendly activity | Enhanced site + Providing additional sites of information. Could be additional mobile / pop up sites during peak summer season or provision of digital / virtual services at alternative locations. Could be considered as a shared arrangement with other Northland councils, DOC, Northland Inc. | i-SITE would be a Tier 1 'concept stores' in key location. Rebranded under a new membership arrangement with VIN Inc. Financial benefits available to upgrade sites, but higher membership fee. Costs for fit out likely to be 50/50 split with central govt | Tier 2 licence agreement. Tier 2 locations not part of the VIN Inc network but access to network systems etc. Similar to status quo | WDC could still operate independent facility or could close the facility altogether. For the purpose of this exercise, assume still in operation as an independent (opting out completely discarded under Service Delivery) | Council continues to own and operate the i-SITE. Levels of service are based on historical patterns of delivery, with changes in response to community demand or changes in patterns of use. Council provides strategy and policy direction. | Partnering / collaborative working with other interested agencies e.g. shared space / co-location with DOC, Northland Inc. | Council outsources the i-SITE operations but continues in a management / governance role. Facility would continue to be owned by Council. Council continues to provide strategic direction. | Council enters into shared services agreement with other Northland Council/s to manage and provide the i-SITE services. WDC and other council(s) provide their own strategy, policy direction but enter into a formal shared services arrangement to manage and provide planning and/or operational services | Transfer of operations to a newly formed CCO/CCTO with a board of directors / committee. Council will retain a strategy and policy direction function | Management of facility transfers to a Trust, Joint Venture or other partnership arrangement e.g. Iwi or a National i-Site group or commercial operator | Similar to option C5 but with one or more of the other Northland Councils as joint owners. Some potential for reduced operational costs but likely to be relatively high set-up costs | Service may be provided by private organisation | |
| | | Weighting | | | | | | | | | | | | | | |
| Strategic Objectives | | | | | | | | | | | | | | | | |
| A service that supports Council's vision of an inclusive, resilient and sustainable District | | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Partial - if service provided by others | |
| Providing information to visitors to promote our District and support economic wellbeing | | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - some loss of control | Partial - option can support this but need to ensure local line of sight | Yes - option can support this | Partial - some loss of control | Yes - option can support this | Partial - if service provided by others | |
| Delivering a sustainable, meaningful and cost-effective activity for ratepayers | | Partial - efficiencies with current arrangements are limited | Yes - option can support this | Yes - option can support this | Yes - option can support this | Yes - option can support this | Partial - no formal support from i-SITE network | Partial - efficiencies with current arrangements are limited | Yes - option can support this | Partial - some loss of control | Yes - some efficiencies will be introduced | Partial - option can support this but governance complexity may make it less affordable | Partial - some loss of control | Partial - governance complexity | Partial - if service provided by others | |
| | | Weighting | | | | | | | | | | | | | | |
| Financial benefits: | | 30% | 0.9 | 0.7 | 0.5 | 0.7 | 0.9 | 0.9 | 0.9 | 0.7 | 0.9 | 0.5 | 0.5 | 0.5 | 1.5 | |
| Set up costs | | 10% | 3 | 1 | 1 | 1 | 3 | 3 | 3 | 3 | 3 | 1 | 1 | 1 | 5 | |
| Governance and management costs | | 10% | 3 | 3 | 1 | 3 | 3 | 3 | 1 | 3 | 1 | 1 | 1 | 1 | 5 | |
| Operational costs | | 10% | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 5 | |
| | | | | | | | | | | | | | | | | |
| Non-financial benefits: | | 70% | 2.1 | 2.4 | 2.7 | 2.2 | 2.1 | 1.6 | 2.1 | 2.9 | 2.1 | 1.4 | 1.1 | 1.6 | 1.6 | |
| Quality and efficient delivery of service through skilled staff and fit-for-purpose facilities and systems | | 15% | 3 | 5 | 5 | 5 | 3 | 1 | 3 | 5 | 3 | 3 | 1 | 3 | 3 | |
| The ability to be agile and adaptable (respond quickly to changing expectations and requirements) | | 15% | 3 | 3 | 5 | 3 | 3 | 3 | 5 | 3 | 3 | 1 | 1 | 1 | 1 | |
| Simplicity of governance and management | | 10% | 3 | 3 | 3 | 1 | 3 | 3 | 3 | 5 | 1 | 1 | 1 | 1 | 5 | |
| Supporting regional collaboration | | 10% | 3 | 3 | 3 | 5 | 3 | 3 | 5 | 3 | 5 | 3 | 3 | 5 | 1 | |
| Keeping community services local (employ local staff) | | 10% | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 3 | 3 | 3 | 3 | 3 | |
| Acceptable and manageable level of risk | | 10% | 3 | 3 | 3 | 1 | 3 | 1 | 3 | 3 | 3 | 1 | 1 | 1 | 1 | |
| Total score (financial plus non-financial benefits, out of 3): | | 100% | 3.0 | 3.1 | 3.2 | 2.9 | 3.0 | 2.5 | 3.0 | 3.6 | 3.0 | 2.8 | 1.9 | 1.6 | 2.1 | 3.1 |
| Overall assessment: | | Possible | Possible | Preferred | Possible | Preferred | Not recommended | Status Quo | Preferred | Possible | Not recommended | Not recommended | Not recommended | Not recommended | Possible | |
| Commentary: | | The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective | More visible and better developed site would attract both locals and visitors. Site would become a destination. Could be significant benefit with little cost. | Benefits of enhanced site + Opportunity to build on service provided through peak summer months or by providing additional digital services. Will be establishment costs and additional operational costs so permanent additional site not justified. Benefits of considering this as a shared arrangement with other Northland councils / stakeholders | Still part of VIN. Benefit of upgrades being partly funded through central govt and greater access to central support | Still have benefits of IT systems, networks etc but under agreement with VIN not a licence. If Tier 2 only, could build on support of Tier 1 operations (closest would likely be Far North if they opt for Tier 1, otherwise Auckland) | Less able to deliver the expected service - negative impact on tourism industry in the north | The current arrangements deliver services that are reasonably efficient, however, some room for improvement to make the service more effective | Benefits of different organisations working alongside and supporting each other. Could introduce MOU to support partnering. Potential for shared space arrangements but more likely i-SITEs working with DOC / Northland Inc / Business Assoc etc to be able to promote the area / local businesses etc | Outsourcing option may drive efficiencies depending on format of contract and performance measures. Council would not have the responsibility to employ staff. However, there would be a loss of control as well as a loss of benefits of sharing resources across Council depts | Some complexity to agree shared services arrangements. Governance complexities. However, potential opportunities such as efficiencies of scale. Shared resourcing an unlikely benefit due to geographic spread | Complexity to governance arrangements. Turnover of the facility does not justify the relatively high set up costs for a CCO/CCTO | Significant set up complexity (i.e. cost). More complex governance arrangements. Turnover of the facility does not justify the relatively high costs for a developing and establishing a partnership | Complexity to governance arrangements. Whilst there would be some benefits of collaboration, turnover of the facilities does not justify the relatively high set up costs for a CCO/CCTO | Assessed as a possible option on the assumption that this service is provided by private operation. No costs to Council. Council would have no control over operation which may impact on tourism promotion | |

6.3 STRATEGIC PLANNING & POLICY BUSINESS QUARTERLY APRIL - JUNE 2022**File Number:** A3847212**Author:** Gayle Andersen, Executive Assistant to General Manager**Authoriser:** Darren Edwards, General Manager - Strategic Planning and Policy**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To inform the Strategy and Policy Committee about the activities undertaken by the Strategic Planning and Policy Group.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The Strategic Planning and Policy Business Quarterly provides an overview of Strategic Planning and Policy activity for the quarter ending June 2022.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee receive the report Strategic Planning & Policy Business Quarterly April - June 2022.

TĀHUHU KŌRERO / BACKGROUND

The Strategic Planning and Policy Group is responsible for strategic planning and policy, corporate planning, inwards investment and community funding, community and Māori development, district planning, strategic council relationships and the supporting of Council groups / departments with engagement. The Group's work programme has been refined to deliver identified service outcomes such as key performance indicators and projects of strategic importance to Council.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The Strategic Planning and Policy Group has developed a Business Quarterly report to provide an update on the broad spectrum of projects it is responsible for. The report, combined with the extensive range of services the Group provides, will be revised, and updated on a quarterly basis to reflect changes in projects, scope of work and complexity.

In addition to this update, the business group will continue to apprise Elected Members via the usual channels of Council and Committee reports.

The purpose of the Business Quarterly is to show the planned progress of the work programme and the regular service delivery work undertaken by the Group.

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

There are no financial implications or budgetary provision required.

ĀPITIHINGA / ATTACHMENTS

1. Strategic Planning & Policy Business Quarterly April - June 2022 - A3846765  



Strategic Planning & Policy Business Quarterly

**HE ARA TĀMATA
CREATING GREAT PLACES**
Supporting our people

Digital Strategy
page 16

Te Hono: The team's purpose is to support the organisation to build and maintain enduring relationships with Iwi/Māori. To act as a key contact to provide support to Iwi/Māori in navigating through Council's processes and policies and to support the organisation to develop capabilities and competencies to engage effectively with Iwi/Māori

Corporate Planning & Community Development

Corporate Planning

Annual Plan

The Annual Plan for 2022-23 was adopted in June 2022. The final version can be found [here](#)

Pre-election Report (PER)

The PER is a legislative requirement of the Local Government Act. It provides voters and candidates with information about the issues and opportunities facing the district, promoting informed public discussion in the lead up to the local body elections. The PER has been completed and can be found on the Council website [here](#)

Engagement

Demand for engagement support across the organisation continues to grow, and our IAP2 framework is providing a solid base for a consistent approach. We are gradually shifting to a space in which engagement design is considered at the outset of a project and are continuing to work with the Project Management Office and teams on the ground to refine and embed good engagement practice and improve our resources.

Supporting Māori Engagement

The Engagement Team is working with Te Hono to ensure that we are complementing their work to drive effective Māori engagement. Links to Te Hono's knowledge base have been built into engagement templates to prompt consideration of tangata whenua matters and Council's responsibilities under Te Tiriti o Waitangi when planning engagement. In addition to systems and process, we must develop a culture that considers a Māori worldview as part of engagement design.

Strategic Planning and Policy Projects

Key projects in the Strategic Planning and Policy space that the Engagement Team is supporting include the Proposed District Plan, the Climate Change Programme, and the Kerikeri Waipapa Spatial Plan.

There has been a steady flow of consultation on the suite of policies and bylaws. As part of these consultations, the oral submissions process has been reviewed to bring it more into line with both the Local Government Act requirements and the principles of best practice for public participation.

Reserves Act

A fit-for-purpose engagement model to support the development of Reserve Management Plans throughout the district is being developed. While each project requires area-specific engagement plans, we can apply a standardised approach that follows an agreed sequence and reflects the IAP2 design, plan, manage framework. Assistance is also being provided to the Property Team with consultation on extended ground leases.

Infrastructure Projects

Te Hono has been working with the Infrastructure Planning Team to gather up the resource consent advice in relation to cultural matters that are of particular concern to tangata whenua. The Engagement Team continues to provide support for these teams and is available as required in considering engagement approaches and sequencing.

Community Development

Community Plans

The refresh of Community Plans (CP) that are more than 10 years old continues. The Okaihau CP has been completed and received by the Kaikohe-Hokianga Community Board. The Whangaroa CP is in draft and has gone to the community for ratification. The draft plan for Ohaeawai will be completed by the end of July 2022 and the Horeke CP, which is a new plan, is still in development.

Mayors Taskforce for Jobs

Forty two Sustainable Employment Outcomes have been achieved in Kaikohe as part of the Mayors Taskforce for Jobs (MTFJs) Community Recovery funded project. MP Louise Upston recently visited MTFJs partners and toured the Ngawha Innovation and Enterprise Park.

Council's youth programme is supporting young people in their personal and professional development. Two Far North District Council cadets have been accepted into the MTFJs TUIA programme and are attending wananga across the country. Another cadet will be attending the one month Outward Bound course which has been made possible through a substantial MTFJs scholarship.

Youth Council

Members of the Youth Council will be in Wellington at the end of July 2022 attending the Festival for the Future. This has been made possible by grant funding received from the Ministry of Youth Development.

Community Wellbeing and Placemaking

There has been a renewed community interest in the Dark-Sky movement. The International Dark-Sky Association works to protect the night skies for present and future generations. Staff are working to connect communities and agencies.

Staff also continue to explore the concept of localism with Far North communities. A community group has formed in South Hokianga, and a second group is coming together in Rawene. Kaikohe has strong interest as has Ohaeawai, and staff have received expressions of interest from both Kaitaia and Whangaroa.

In the Te Hiku / North Hokianga area, staff are working with Kaitaia Business Association to update the Partnership Agreement / MOU with Far North District Council, providing ongoing support to the Te Hiku Community Board strategic planning process and a Broadwood Bridge community hui was held in June 2022.

In the Bay of Islands Ward, staff are working with the Taumatamakuku Community and other agencies to spatially identify community aspirations. This plan will then be used to secure funding to deliver on these aspirations via agency and community funding processes. The next community hui is due to take place on August 1, 2022. Staff are also supporting the Bay of Islands-Whangaroa Community Board to complete their strategic plan.

The Grow Kaikohe Community Economic Development (CED) Workshop Series will run from 1-14 August 2022. This free series explores "What is innovation and how does it contribute to community economic development?" It includes 6 workshops and pop-up events to create wide community reach. A map capturing future business, employment, skills and training and CED opportunities will be created post event.

Community development staff continue to assist in the implementation of our Nothing But Net Far North Digital Strategy. Well established community networks are proving invaluable in the delivery of this strategy.

Nothing But Net is a finalist in the Local Government NZ Excellence Awards, with the winner being announced on 22 July 2022.

Funding

Staff administer a total of \$926,470 in funding annually. Funding streams include the Events Investment Fund, Community Board Placemaking Grant, Rural Travel Fund, Creative Communities and Community Board Community Grant Funding.

Community Board Funding

Bay of Islands-Whangaroa Community Board

Bay of Islands-Whangaroa Community Board helped fund a diverse range of activities, including contributions to a Rainbow Rangitahi drop-in centre (with Bald Angels Trust), the relocation of the Kerikeri Domain playground to Totara North, the Matariki festival fireworks in Paihia and a contribution to the Friends of Williams House for the creation of a permanent exhibition space.

Kaikohe-Hokianga Community Board

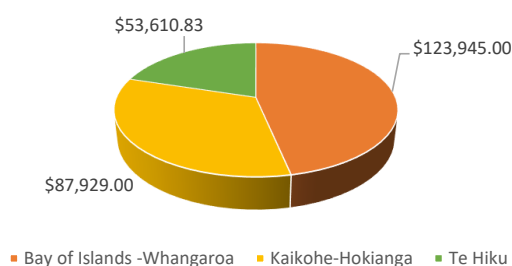
Kaikohe-Hokianga Community Board has supported a number of projects, including the re-grassing of the Kohukohu Bowling Club green, architect fees for the Kaikohe Rugby Football and Sports Club upgrade and a contribution to the Freedom Whare project that helps homeless whanau in the Ward.

Te Hiku Community Board

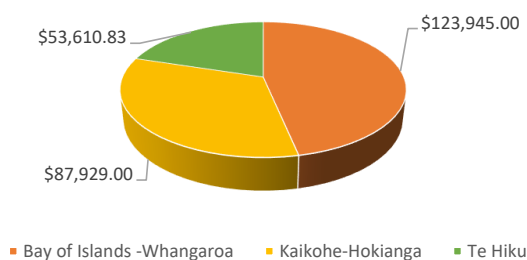
Te Hiku Community Board helped Te Hapua Sports Recreation Club with a contribution towards the re-roofing of their building and the upgrading of their septic drainage. The Board also granted funding for Matariki ki Ahipara to Ahipara Aroha and to Pamapurua School for basketball hoops.

All three Boards contributed funding towards Far North Land Search and Rescue.

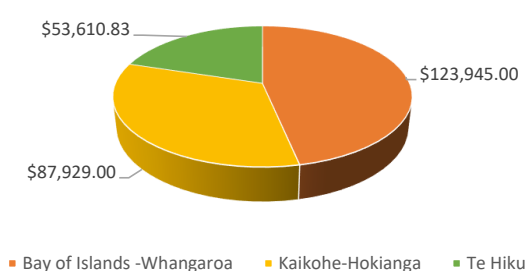
Applications by Board



Amount Requested by Board



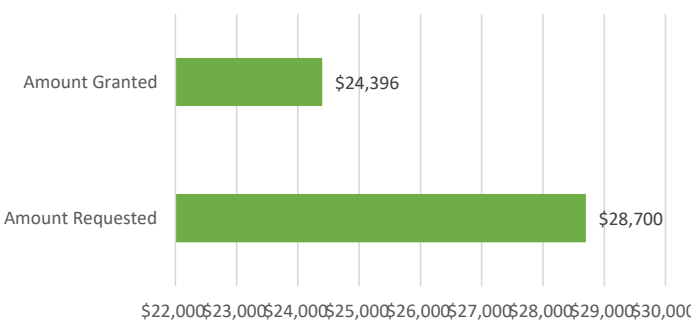
Amount Granted by Board



Creative Communities

Creative Communities funded a range of art-based activities including a song writing workshop, a photographic poetry jam through several schools, musicals and concerts in Kerikeri and Kohukohu as well as several Matariki exhibitions. The number of applications remains steady, and it was good to see a number of new applicants from across the district.

Creative Communities June 2022

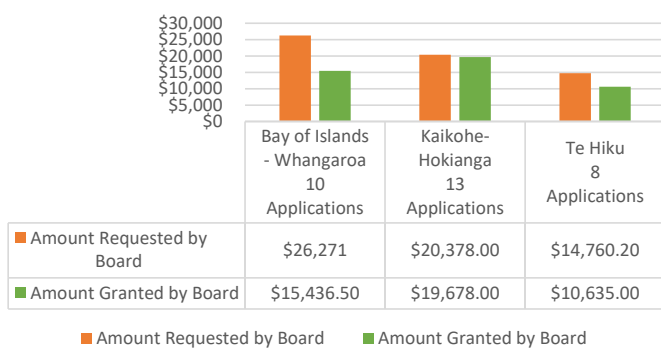


| Category | Amount |
|------------------|----------|
| Amount Granted | \$24,396 |
| Amount Requested | \$28,700 |

Rural Travel Fund

The winter Rural Travel funding round was back to pre-COVID application levels with 31 applications being received across the 3 Wards. The Kaikohe-Hokianga Community Board contributed additional funds towards Rural Travel funding from their own Community Fund as they recognise the need from applicants within their Ward is high and the limited funds available are a barrier for the residents in their area.

Winter Rural Travel Funding



| | Bay of Islands - Whangaroa 10 Applications | Kaikohe-Hokianga 13 Applications | Te Hiku 8 Applications |
|---------------------------|---|-------------------------------------|---------------------------|
| Amount Requested by Board | \$26,271 | \$20,378.00 | \$14,760.20 |
| Amount Granted by Board | \$15,436.50 | \$19,678.00 | \$10,635.00 |

Kai Ora Fund

The Kai Ora Fund is a small community grants process to support innovative projects that address food security, benefit the wider community, and encourage employment and economic development in the region. The fund started in 2015 as a partnership between the Te Tai Tokerau Primary Health Organisation and the Far North District Council but has grown to become a multi-agency initiative. Fifty eight applications (of which 34 were from the Far North District) were received in this funding round and the panel is currently in the final stages of assessing the applications, with final decisions and workshops to be held in July 2022.

District Planning

Developing and Notifying the Proposed District Plan – Progress

Major milestones were achieved in the April to June 2022 quarter with authorisation being obtained to proceed with notification of the Proposed District Plan (PDP) in July 2022.

Progress and ongoing engagement on the making of the new plan was reported leading up to the approval to notify and the evaluation of the draft plan continued with a focus on: -

- Targeted engagement on draft Heritage Areas
- Removal from the draft plan of the mapping method for Significant Natural Areas (SNAs).
- Refinement of plan provision based on feedback from the 'jump on board' engagement
- Continuation of iwi engagement in accordance with the consultation requirements of Clause 3B of Schedule 1 of the Resource Management Act

Consultation on Documents Incorporated by Reference to the PDP took place in May. The technical documents, including new Engineering Standards, are a necessary step prior to the notification of the PDP, in accordance with the requirements of clause 34 of Schedule 1 of the RMA.

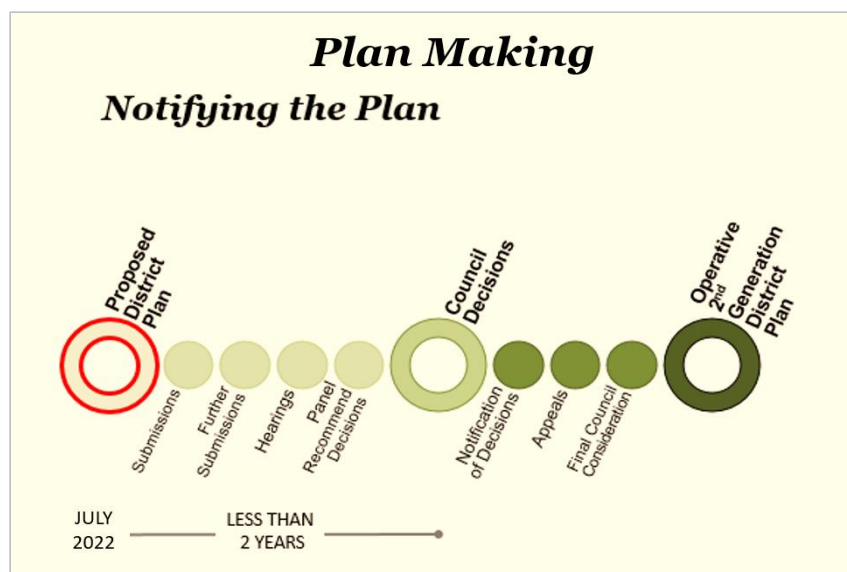
The making of the PDP also incorporated a process for designations to be updated. There are 191 designations included in the PDP. Of these 146 were rolled over from the Operative District Plan with modification, 43 rolled over without modification, 1 designation has been removed and 2 new designations have been introduced.

The final version of the e-plan was published for the May Strategy and Policy Committee Agenda along with associated documentation.

There is a body of technical analysis and evaluation against regulatory requirements contained in a suite of evaluation reports to support the PDP (Section 32 Reports). These reports are designed to be read with the PDP as planning assessment and technical evidence supporting the provisions in the PDP. A total of 37 separate reports covering each section of the District Plan were finalised and provided to the Strategy and Policy Committee to support the consideration for the notification of the PDP.

Authorisation of the PDP means that the District Plan team will be engaging with Far North communities to support their participation in the next stage of the plan making process.

The post notification steps in the process are represented in the following graphic:



Strategy

Status of Policy Projects








The following tables provide a status of the active strategy, policy, and bylaw development projects

Status Key







- on target to complete policy project
- at risk of not completing on time
- will not meet dates without major interventions and / or decision by Council


Strategy Development

| Strategy Project | Current Stage | Actions undertaken April – June 2022 | Next Touchpoint | Status |
|--|--------------------|--|---|--------------------------------------|
| Far North 2100 | Activate | Council adopted Far North 2100 on 4 November 2021 | Status Report to 6 September 2022 Strategy and Policy Committee | ● |
| Climate Change Roadmap: Regional Climate Change Adaptation Strategy | Consult / Activate | Joint Submission on the National Adaptation Plan was endorsed by Joint Climate Change Adaptation Committee on 30 May 2022. | Approval of updated Terms of Reference for Joint Committee – 6 September 2022 Strategy and Policy Committee. Proposed pilot projects for Far North District to go into the Regional Coastal Adaptation Programme – 6 September 2022 Strategy and Policy Committee. | ● |
| Kerikeri/Waipapa Spatial Plan (Revision of the Kerikeri/Waipapa Structure Plan 2007) | Research | 4 May 2022: Workshop with Elected Members on Project Governance, Constraint mapping and engagement Procurement of current state assessment completed Government agencies bus trip and workshop completed Hui with Hapū Governance Rōpū. | Paper to 6 September 2022 Strategy and Policy Committee – Foundation Document. | ● |
| Population Reforecast | Activate | Information Report to 14 June 2022 Strategy and Policy Committee | Website content to be updated Updated information in Elected Members lounge. | ● |

| Strategy Project | Current Stage | Actions undertaken April – June 2022 | Next Touchpoint | Status |
|--|---------------|--|--|---|
| Northland to Auckland – Urban Growth Agenda | Concept | Ministry of Housing and Urban Development have cancelled this project. | |  |
| Open Spaces Strategy | Research | Research report complete | Options report to be presented to Strategy and Policy Committee 6 September 2022 |  |
| Art, Culture, and Heritage Strategy | Consult | Early engagement Drafting of strategy | Paper due to Strategy and Policy Committee 6 September 2022 |  |
| Solid Waste Strategy | Research | Population projections completed Waste audits completed. | Options report due to Strategy and Policy Committee third quarter 2022 |  |
| Stormwater Strategy (supporting Infrastructure and Asset Management) | Research | Project Planning commenced Engagement planning commenced. | Project currently on hold due to capital works projects |  |
| Te Waka Hourua – Far North Spaces & Places (Facilities) Plan 2021-2030 | Activate | Council approved the support in principle of the Far North Spaces and Places Plan on 4 November 2021 | Status report to 6 September 2022 Strategy and Policy Committee The following are underway that are specifically mentioned in the Spaces and Places Plan. <ul style="list-style-type: none"> • Te Puāwaitanga • Te Hiku Sports Complex • Lindvart Park |  |
| Regional Accessibility Strategy (support Whangarei District Council as the lead Council) | Research | Engagement planning completed Engagement resources in development | Options report due first quarter 2023 |  |

Policy Development










| Policy Project | Current Stage | Actions undertaken April - June | Next Touchpoint | Status |
|---|----------------------|---|--|---|
| Climate Change Assessment Policy: Climate Change Roadmap | Design | Options paper presented to Committee 03 May 2022. | Draft policy due to the Strategy and Policy Committee end of 2022 |  |
| Community Initiated Infrastructure Rooding Contribution | Design | Draft policy complete | Draft policy to be presented to Committee 26 July 2022 |  |
| Limits of Council Responsibility for Formation Maintenance of Roads | Design | Second Internal staff workshop planned for August 2022 | Options report due to Strategy and Policy Committee third quarter 2022. |  |
| Class 4 Gambling and TAB Venue | Design | | Draft policy due to Strategy and Policy Committee third quarter 2022 |  |
| Equity and Access for People with Disabilities | Design | Drafting of amendments complete Targeted engagement complete | Draft policy due to Strategy and Policy Committee 26 July 2022. |  |
| Naming Policy | Design | Drafting of policy provisions complete Workshop with Community Boards (combined) complete Targeted engagement underway | Draft policy to be presented to Strategy and Policy Committee fourth quarter 2022. |  |
| Reserves Policy | Activate | Draft presented to Strategy and Policy Committee 14 June 2022 Draft presented to Council 30 June 2022 | Project complete |  |
| Easter Sunday Trading | Design | Proposal for consultation presented to Strategy and Policy Committee 03 May 2022 Consultation complete Analysis of submissions complete | Analysis of submissions due to Committee 26 July 2022 |  |

| Policy Project | Current Stage | Actions undertaken April - June | Next Touchpoint | Status |
|------------------------|---------------|--|---|---|
| Parking | Research | Research underway | Options report due to Strategy and Policy Committee second quarter 2022 |  |
| Trees and Vegetation | Research | Research underway | Research and options report due to Strategy and Policy Committee third quarter 2022 |  |
| Alfresco Dining Policy | Activate | Research complete Options report complete Options report presented to Committee 14 June 2022 Options report presented to Council 30 June 2022 | Project complete |  |

Next tranche of proposed policy development projects awaiting concept development and approval

- Smokefree Environments
- Placemaking policies (subject to change)
 - Placemaking Policy
 - Urban Design Guidelines
 - Street Lighting
 - Footpaths

Bylaw Development

| Bylaw Project | Current Stage | Actions undertaken April – June 2022 | Next Touchpoint | Status |
|---|--------------------------|---|--|---|
| Parking Bylaw | Activate | Final adoption report presented to Committee 03 May 2022 Final adoption report presented to Council 19 May 2022 | Project complete |  |
| Parking on State Highways | Design | Options report for parking on state highways presented to Council 7 April 2022 Drafting of Bylaw amendments underway | Proposal for consultation due to be presented to Committee 06 September 2022 |  |
| Road Use Bylaw | Activate | Final adoption report presented to Committee 03 May 2022 Final adoption report presented to Council 19 May 2022 | Project Complete |  |
| Speed Limits | Now regulated nationally | Recommendation to revoke Bylaw presented to Council 30 June 2022 | Bylaw to revoke 15 July 2022 |  |
| Pou Herenga Tai Twin Coast Cycle Trail | Consult | Proposal for consultation presented to Committee 14 June 2022 Consultation period open 20 June | Oral submissions to be heard 26 July 2022. |  |
| Vehicles on Beaches | Activate | Final adoption report presented to Committee 03 May 2022 Final adoption report presented to Council 19 May 2022 | Project complete |  |
| Reserves | Consult | Proposal for consultation presented to Committee 14 June 2022 | Oral submissions to be heard 26 July 2022. |  |
| Maritime Facilities and Mooring Charges | Design | Options report presented to Council 7 April 2022 Drafting of bylaw underway | Draft and Proposal for consultation due to Committee 06 September 2022 |  |
| Animal Control | Research | Research report underway | Options report due to Committee fourth quarter 2022 |  |

Next Tranche of bylaw development projects awaiting concept development and approval

- Nuisance
- Wastewater Drainage

Te Hono



Status of Work Programme




The following table provides an update on current work programme progress

Status Key

- On target
- In progress
- Stalled or not started

| Project | Progress | Milestones | Expected completion | Status |
|---|---|---|--|---------------------------------------|
| Undertake a Tiriti Audit to assess the organisations performance in acting in accordance with statutory obligations; and to understand opportunities for improvements | Investigation of other Councils who have undertaken the audit and outcomes. Discussion of a joined-up contract across Northland TLAs to lessen costs Discussions are taking place. Whangarei District Council Note: In line with this an audit of Memorandums of Understanding is being undertaken with regard to Far North District Council's actions to meet its responsibilities outlined within each document. Once the findings are analysed recommendations will be made for improvement. | Investigation of options being conducted Course of action decided. Internal or external Contract or through recruitment, undertake audit Report results Organisation agrees implementation Funding, if required, in time for Annual Plan 23/24 for consideration | Aug 2022 Aug 2022 Sep 2022 Oct / Nov 2022 Nov / Dec 2022 | ● |
| Work with Māori to co-design a mechanism to enable Participation of Māori in decisions of Council – at a governance level | Discussion underway with Elected Member - Te Ao Māori Portfolio Te Hono is working with Democracy Services and has provided recommendations regarding Māori representation on Standing Committees | Mandate and support from Te Kahu o Taonui Amendments to internal policies Selection process confirmed. Selections conducted Selections Ratified | Feb 2022 May 2022 Jun 2022 Jul 22 Jul 22 | Completed |

| Project | Progress | Milestones | Expected completion | Status |
|--|--|--|---|---|
| Provide an annual contestable fund to assist two Māori in the Far North to attend the Making Good Decisions Course | Investigated timetable for courses. | Confirmation of 2022 Dates Source Funding Advertise and promote Selection (and process) | Feb 2022 Aug 2022 Aug 2022 Sep / Oct 2022 |  |
| Develop a Māori Cultural Competencies Framework to grow the cultural capabilities of staff to Te Ao Māori | Having the capability in Te Hono to design and facilitate is paramount and is part of recruiting the right talent. Included in the development of the framework will be multiple Māori Related supporting policies. Framework concepts: <ul style="list-style-type: none"> • Available to all staff • Prioritised to needs vs. wants • Stepped approach to learning, dependant on needs • Multiple teaching methods • Far North District Council centric, built by us, for us. | Kaiārahi Recruitment Planning and research are underway on existing frameworks Supporting policies Complete analysis, define scope, confirm levels and content. Conduct Build Re-confirm scope, finalise build, scope external delivery Conduct trial Test and Adjust Roll-out to Far North District Council | Continuing Completed In Draft Aug 2022 Aug 2022 Aug 2022 Dec 2022 Jan 2023 Feb 2023 |  |

| Project | Progress | Milestones | Expected completion | Status |
|---|--|---|---|---|
| <p>Provide Information sessions on Memorandums of Understanding, Environmental Management Plans as part of onboarding (Stage 1)</p> <p>Discuss legislative obligations to Māori, Treaty settlement legislation and Te Whakaputanga, from a Māori perspective. Delivered by subject matter experts as part of MCCF (Stage 2)</p> | <p>The first of these are being developed for the first on-boarding session for new staff, this is conducted at a very basic level.</p> <p>Trial completed - discussion underway with People & Capability for onboarding Stage 1.</p> <p>Once this is completed and assessed targeted sessions for other parts of council will be developed and integrated into the MCCF for delivery.</p> | <p>Trial assessment at on-boarding</p> <p>Content and approach evaluation</p> <p>Stage 1 Induction package.</p> <p>Available on Te Hono Webpage June 22.</p> <p>Stage 2 rollout</p> | <p>Oct 2021</p> <p>February 2022</p> <p>New presentation rolled out May 22.</p> <p>With Māori Cultural Competency Framework</p> |  |
| Te Hono support/advice to policy team for Naming Policy | The internal policy will be developed in 2022. The external policy or guidelines will be developed alongside LINZ, who have the Far North programmed for 2023. As many of the requests beside road naming are for reserves, waterways, maunga, it is expedient to align processes within the policy implementation or in guidelines. | <p>Waiting on LINZ Schedule for engagement and naming in the Far North</p> <p>Discussions/ engagement still being conducted with policy team</p> | <p>2023</p> <p>July 22</p> |  |
| Māori related policies and/or guidelines | <p>The following Māori related policies will either be stand-alone or will be added as a supplement to current Far North District Council policies:</p> <ul style="list-style-type: none"> • Te Reo and Tikanga Policy • Koha Policy supplement • Māori Engagement Policy | <p>In Draft</p> <p>Discussion and refinement</p> <p>Adoption</p> | <p>Mar 2022</p> <p>July 2022</p> <p>Oct-Dec 2022</p> |  |

Māori Relationships / Partnerships**Operational**

In the last report Te Hono was going to look at how relationships based on true 'partnership' can be realised. In the last quarter at the operational level there have been gains made by creating and supporting hapū working groups on two of our current projects (Kerikeri / Waipapa Spatial Plan and Kaikohekohe Wastewater Treatment Plant). The vibe within the working groups is positive and bodes well for nurturing positive enduring relationships with those particular groups and by association (word of mouth) their extended hapū groupings. At an operational level and dependent upon the project, this form of positive relationship building may be the benchmark for the future.

Whilst the Māori Engagement Policy is not ready for adoption, the basic principles of Tika/Pono (honesty and transparency), Manaaki (support) and Mahi Tahi (working as one) have been applied by the project teams for current projects. The Māori Engagement Policy once adopted will formalise both the concepts and also the practical application of concepts which will then be adopted by all Council units engaging with Māori.

Governance

At a governance level we celebrate the completion of appointing Māori representatives on Standing Committees. This has gone a long way in building Māori trust in the Council, a Council that 'keeps it's word' and supports Māori participation.

Māori Development / Capability / Capacity

Te Hono currently has two vacant positions, one being a policy/projects specialist and the other an iwi/hapū development and community engagement specialist. Once these have been filled Te Hono will be able to develop Māori based policies and initiatives to enable true Māori development / capability / capacity into the future.

Digital Strategy

Goals for the Far North Digital Strategy – 3-year outlook – Nothing But Net

- **Tuhono** - Connect. The Far North will have world class mobile and broadband infrastructure by 2023 and every school aged child will have internet access in the home.
- **Whakatipu** - Grow. The Far North will challenge the pre-covid economic model and use technology to create a new state of being that embraces disruption, collaboration and localism and has positive social impacts.
- **Korero mai, Korero atu** – Speak up, Speak out. The Far North will be known as a tech-friendly district with a skilled workforce.
- **Manaaki** – Care. Our people will be digitally literate and have the support they need to use connectivity to help take better care of themselves, each other, our culture and our environment.
- **Whakarato** – Deliver. The Far North District Council will embrace new technology and use connectivity to create great places and support our people.

Key Achievements

Tuhono – Connect. Whakarato – Deliver

1. Working with the Tourism Infrastructure Funding to deliver public wi-fi in Paihia and Russell – this project is almost complete and is awaiting back-haul fibre to be installed. Initial testing demonstrates great service and connectivity and sets the template for other public wi-fi initiatives.
2. Developing a public wi-fi stream to “fill the gaps” in coverage areas and leverage current digital infrastructure with a future focus on smart cities. Work streams are being developed to outline the scope. A procurement plan is being created to support this workstream and is evolving to cover circa 30+ locations e.g., Kaikohe, Kaitaia, Awanui.
3. Continued engagement with key partners such as Spark, (including their mobile team, Māori Development team and Spark Foundation) Vodafone and Chorus to gain an understanding of the current and future state. Also working closely with Amazon Web Service and Microsoft around learning pathways and setting up a technology focus at the Ngawha Innovation Park.
4. Engagement with Ministry of Business Innovation and Employment (MBIE) and Crown Infrastructure Partners (CIP) around future investment opportunities continues along with work on collating locations where coverage needs to be addressed as part of the “Future of Connectivity programme.
5. Challenging the current model and raising investment in digital services, including connectivity, affordability, and investment with Central Government Ministers

Whakatipu – Grow. Manaaki – Care

- Nothing But Net (NBN) has been enlisted to assist with the technology hub at the Ngawha Innovation Park and is working closely with Far North Holdings, key tenants, Amazon Web Service (AWS), Microsoft, Spark and Vodafone to develop and fine tune the requirements of technology, learning and working opportunities (including fibre, wi-fi, IoT, smart devices and learning / employment pathways in Cloud and technology disciplines).
- Far North District Council is now the Chair of the Northland Digital Enablement Group (DEG). Regular meetings have been held with a focus on sharing learnings and deliverables. Other councils and CCO's are reaching out for information and assistance in delivery and design.
- A plan is being Developed to work with local providers and Te Kōhanga (Kaikohe) around digital learning programmes, with outcomes for internships, scholarships, and further education. This is under action, with the programme to start in the next semester.

Korero mai, Korero atu – Speak up, Speak out

- Speaking and advocating for better connectivity and focus on core areas especially for the Far North. Engaging with community groups such as Whariki, Amotai etc.
- Working with Te Puni Kōkiri around better and closer engagement with marae and papakāinga to deliver connectivity and inclusion programmes for all involved to become enabled by technology and create “champions” across hapū and iwi in the Far North.

Whakarato – Deliver

- Fibre has been ordered and design to be signed off to deliver public wi-fi at the Bay of Islands Airport with an October 2022 go live date/
- An application to the Tourism Infrastructure Fund to enable smart opportunities (such as smart bench, lighting, bins, recycling, public wi-fi and IoT environmental sensors) has been submitted.
- Progressing and developing the Ngawha Innovation Park and getting partners to work with Council to assist in delivery solutions is underway. A learn to work partnership with AWS and Microsoft is being created along with a smart innovation lab to demonstrate and create pathways to work in the technology sector.
- Work with volunteer organisations to assist with digital inclusion, training and equity is continuing
- Delivering an IoT and external Digital strategy for FNDC, to create a Smart District approach and leveraging technology to deliver outcomes for FNDC and the communities we serve. This is under action and will be presented to the Infrastructure Committee at the end of August.
- Regular hui with key stakeholders have been undertaken to enable a coordinated and consistent approach. The Nothing But Net programme has been presented to Whariki and Amotai to build the value that can be derived through meaningful partnerships. We continue to work with Te Puni Kōkiri and other councils to investigate further connectivity and access to learning and employment opportunities within the technology sector.

What is next:

- Adding to the partnership eco-system for the future state objectives of the Nothing But Net strategy, including the Digital Marae programme & Network for Learning (N4L) to leverage their networks and community engagement.
- Continued engagement and lobbying of the Rural Connectivity Group (RCG), MBIE, CIP, Chorus, and other partners to improve the coverage footprint of Northland and the Far North in particular and create a detailed map to highlight areas of deprivation and lack of coverage to use to advocate for further targeted investment from Central Government.
- Deliver and create a Proof of Concept (POC) to disrupt the current thinking around connectivity, exploring Starlink as an alternative, for Marae and papakāinga.
- Working closely with communities to understand the issues and gaps in detail and develop solutions that meet the objectives and outcomes that feed directly into the work being done with central government and partners.
- Working with Te Hono, as well as partnerships with Whariki, Amotai and Te Puni Kōkiri.
- Working internally around an innovation hub or hubs in Kaikohe and other key locations to bring in staff and external stakeholders to deliver new and relevant services from Council.
- Progressing and developing the Ngawha Innovation Park and getting partners to work with Council to assist in delivery solutions.

- Continue the active engagement with the Northland Digital Enablement Group, with cooperation around the Digital Strategy to cover all of Northland.
- Nothing But Net – Plan on a Page which is under development and due for completion in the next quarter.
- Complete the workstream and procurement plan to deliver solutions for communities to meet connectivity and ongoing skills development (due for completion in the next quarter).
- Working with the Communications Team to develop a communications strategy to advise, both internal and external stakeholders of improvements made to connectivity and where to access support for digital skills.
- Work with the Association of Information Management Local Government (ALGIM) to advocate and influence central government decisions for the Future of Local Government, with a focus on digital services.
- Partnering with Panguru and Motuti communities to deliver fibre to the marae and homes and connect the schools and communities to better broadband and improved mobile coverage.
- Far North District Council and Nothing But Net to take a leadership position around smart technologies and connectivity especially to rural locations by leveraging our partners, expertise, and delivery.
- Creation of a centre of excellence in the digital/smart space, delivering ongoing sustainable outcomes such as jobs, education, support of communities, environmental outcomes.

6.4 STRATEGY AND POLICY ACTION SHEET UPDATE AUGUST 2022**File Number:** A3859915**Author:** Marlema Baker, Democracy Advisor**Authoriser:** Aisha Huriwai, Team Leader Democracy Services**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To provide the Strategy and Policy Committee with an overview of outstanding decisions from 1 January 2020.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Action sheets provide the meeting with oversight of decisions not yet implemented or completed.
- This report and attachment are as at August 2022.
- There are 5 outstanding action sheet items.
- A verbal update on the Action Sheet items will be provided at the meeting at the request of the committee members.

TŪTOHUNGA / RECOMMENDATION

That the Strategy and Policy Committee receive the report Action Sheet Update for August 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 are a mechanism to communicate with elected members, progress by staff on implementing resolutions of a formal meeting.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

This report includes 5 outstanding items. A majority of 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.

Staff are encouraged to provide commentary that keeps in mind

- Consistent wording indicating a traffic light, on track off track terminology.
- The date and promise culture that the organisation strives for.

Take Tūtohunga / Reason for the recommendation

To provide the Strategy and Policy Committee with an overview of outstanding committee 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.

ĀPITIHINGA / ATTACHMENTS

1. **Action Sheet - SPP August 2022 - A3860138** [↓](#) 

| OUTSTANDING ACTIONS REPORT | | | |
|---|--|---|------------------------------------|
| Division: Committee: Officer: | | Strategy and Policy Committee | |
| | | Printed: Friday, 19 August 2022 11:52:15 AM Date From: 1/01/2020 Date To: 19/08/2022 | |
| Meeting | Title | Resolution | Notes |
| Strategy and Policy Committee 19/10/2021 | Naming Policy Proposal Author: Kirsten Griffiths | RESOLUTION 2021/38 Moved: Chair Rachel Smith Seconded: Cr Moko Tepania That the Strategy and Policy Committee recommend that Council agree to develop a new Naming Policy for roads, open spaces, and Council facilities. CARRIED | Targeted engagement is underway |
| Strategy and Policy Committee 14/06/2022 | Amended Pou Herenga Tai Twin Coast Cycle Trail Bylaw - Approval of Draft for Public Consultation Author: Briar Macken | RESOLUTION 2022/40 Moved: Cr John Vujcich Seconded: Cr Moko Tepania That the Strategy and Policy Committee: a) approves the proposal for an amended Pou Herenga Tai – Twin Coast Cycle Trail Bylaw in Attachment 1 to be released for public consultation to meet the requirements of section 156 of the Local Government Act 2002 b) approves the period for making written submissions on the statement of proposal in Attachment 1 be from 20 June 2022 to 20 July 2022 c) approves the Strategy and Policy Committee will hear any people wanting to present their submissions orally on Tuesday 26 July 2022 and agrees to delegate, to the Chair, the power to change the date of the oral presentations of submissions d) directs Council staff to make all necessary logistical arrangements for people to be heard, on 26 July 2022, either in person in the Council chambers or online via Microsoft Teams. CARRIED | Part b), c) and d) are in progress |

| OUTSTANDING ACTIONS REPORT | | | |
|--|---|--|--|
| Division: Committee: Strategy and Policy Committee Officer: | | Printed: Friday, 19 August 2022 11:52:15 AM Date From: 1/01/2020 Date To: 19/08/2022 | |
| Meeting | Title | Resolution | Notes |
| Strategy and Policy Committee 14/06/2022 | Nothing But Net Programme Update Author: Tom Frost | RESOLUTION 2022/41 Moved: Cr Felicity Foy Seconded: Cr Kelly Stratford That the Strategy and Policy Committee receive the report “Nothing But Net Programme Update”; a) and that a paper be provided by the “Nothing But Net” team to the Infrastructure Committee on the options and costs for technology for data input in regard to rubbish bins, public toilet usage/frequency of use and cleaning, and the frequency of mowing of each reserve, and that recommendations be provided for the use of such technology as part of the New Reserve and Public Amenities Services contract that is coming up for review. CARRIED | Report will be provided to the 7 September 2022 Infrastructure Committee meeting |
| Strategy and Policy Committee 14/06/2022 | Parks and Reserves Policy Development Author: Ross Baker | RESOLUTION 2022/38 Moved: Cr Kelly Stratford Seconded: Cr Moko Tepania That the report 'Parks and Reserves Policy Development' from the '8 February 2022' meeting be uplifted from the table. The Strategy and Policy Committee recommends to Council: a) that research into a reduction in the use of herbicides on Council owned land be completed in line with the 2023-24 Annual Plan process and that either the Parks and Reserves Policy be amended in the future to capture the reduction in the use of herbicides or include such reference in the proposed Vegetation Policy. b) adopt the Parks and Reserves Policy. CARRIED | Part a) is in progress. Part b) is complete |

| OUTSTANDING ACTIONS REPORT | | | |
|--|--|--|------------------------------------|
| Division: Committee: Strategy and Policy Committee Officer: | | Printed: Friday, 19 August 2022 11:52:15 AM Date From: 1/01/2020 Date To: 19/08/2022 | |
| Meeting | Title | Resolution | Notes |
| Strategy and Policy Committee 14/06/2022 | Proposal for Consultation - Draft Parks and Reserves Bylaw Author: Zac Whitsitt | RESOLUTION 2022/39 Moved: Deputy Mayor Ann Court Seconded: Cr John Vujcich That the Strategy and Policy Committee recommend that Council: a) approve that the Parks and Reserves Bylaw be drafted under both the Reserves Act 1977 and the Local Government Act 2002 as it is the most appropriate way of addressing the problems of nuisance, health and safety and offensive behaviour on Council-controlled parks and reserves b) approve the Proposal for a new Parks and Reserves Bylaw in Attachment 1 to be released for public consultation to meet the requirements of the Local Government Act 2022 Section 156 c) approve the period for making written submissions on the proposal be from 1 July to 29 July 2022 d) approve the Strategy and Policy Committee to hear any oral submissions at the 26 July 2022 meeting, and agrees to delegate, to the Chair, the power to change the date of the oral presentations of submissions e) directs Council staff to make all necessary logistical arrangements for oral submissions to be heard on 26 July 2022, either in person in the Council chambers or online via Microsoft Teams. CARRIED | Part c), d) and e) are in progress |
| Strategy and Policy Committee 26/07/2022 | Amendments to Community Initiated Infrastructure - Roding Contribution Policy Author: Kirsten Griffiths | The procedural motion became the substantive motion RESOLUTION 2022/48 Moved: Cr Kelly Stratford Seconded: Chair Rachel Smith That this Policy lay on the table, and that a workshop be held with all relevant staff, to ensure that a holistic Policy for the process of both unsealed and sealed roading upgrade, and road vesting to the Maintenance Schedule, to be imbedded in the Policy. | In progress |

| OUTSTANDING ACTIONS REPORT | | | |
|--|--|---|---|
| Division: Committee: Officer: | | Strategy and Policy Committee | |
| | | Printed: Friday, 19 August 2022 11:52:15 AM Date From: 1/01/2020 Date To: 19/08/2022 | |
| Meeting | Title | Resolution | Notes |
| | | CARRIED LEFT TO LIE | |
| Strategy and Policy Committee 26/07/2022 | Easter Sunday Shop Trading Policy - Recommendations for Making a new Policy Author: Donald Sheppard | The procedural motion became the substantive motion. RESOLUTION 2022/46 Moved: Member Sam Napia Seconded: Cr Moko Tepania That the proposed Easter Sunday Shop Trading Policy lie on the table to provide for email-invited input from religious organisations, including any inter-denomination associations, in the district. CARRIED LEFT TO LIE | In progress |
| Strategy and Policy Committee 26/07/2022 | Accessibility Policy – Recommendation for making a new policy Author: Zac Whitsitt | The amendment became the substantive motion. RESOLUTION 2022/45 Moved: Cr Felicity Foy Seconded: Cr Kelly Stratford That the Strategy and Policy Committee recommends that Council: a) make the Accessibility Policy 2022 for the Far North District Council b) revoke the Equity and Access for People with Disabilities Policy 2016. c) request that the implementation plan for this policy be bought back to the Strategy and Policy Committee for approval. CARRIED | At the meeting held 11 August 2022 Council resolved part a), b) and c). Part c) is in progress |

7 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---|--|--|
| 7.1 - Kaikohe Library Progress Report | <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> | 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 |

8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

9 TE KAPINGA HUI / MEETING CLOSE