



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Ordinary Council Meeting

Thursday, 21 September 2023

Time: 10:00 am
Location: Council Chambers
Memorial Ave
Kaikohe

Membership:

Kahika - Mayor Moko Tepania - Chairperson
Kōwhai - Deputy Mayor Kelly Stratford
Cr Ann Court
Cr Felicity Foy
Cr Hilda Halkyard-Harawira
Cr Babe Kapa
Cr Penetaui Kleskovic
Cr Steve McNally
Cr Mate Radich
Cr Tāmati Rākena
Cr John Vujcich

Far North District Council
Ordinary Council Meeting
will be held in the Council Chambers, Memorial Ave, Kaikohe on:
Thursday 21 September 2023 at 10:00 am

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1 KARAKIA TIMATANGA / OPENING PRAYER

Ka tuku mātou kia kaha mai ngā māngai kua whiriwhirihia mō Te Kaunihera o Tai Tokerau ki te Raki ki te mahi me te ngākau auaha me te whakamahi i ngā pūkenga me te mātauranga i roto i ngā wānanga me ngā whakataunga kia whakatūria ai tētahi Hapori e matatika ana, e tū kotahi ana ka mutu ka whakapiki anō i te oranga o tō tātou rohe, ka whakatau anō i ngā take o te rohe i runga i te tika me te pono.

We ask that through Council discussions and decisions the representatives we have elected may govern the Far North District with imagination, skill and wisdom to achieve a fairer and more united Community that enhances the wellbeing of our district and solves the District's problems efficiently and effectively.

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

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

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

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

3 NGĀ TONO KŌRERO / DEPUTATIONS

- Te Kura a Iwi o Ōmanaia Tauira Tuakana regarding Student Voices and matters of concern.
- Sean Stratton regarding sewage and wastewater at his Tokerau Bay property.

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

5 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A4372973

Author: Marlema Baker, Democracy Advisor

Authoriser: Casey Gannon, Manager - Democracy Services

PURPOSE OF THE REPORT

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

RECOMMENDATION

That Council confirm the minutes of the Council meeting held 24 August 2023 as a true and correct record.

1) BACKGROUND

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

2) DISCUSSION AND OPTIONS

The minutes of the meetings are attached.

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

Reason for the recommendation

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

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

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

ATTACHMENTS

- 1. Council Minutes 24 August 2023 - A4353260** [↓](#) 

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example, youth, the aged and those with disabilities).	This report is asking for minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Ordinary Council Meeting Minutes - **Unconfirmed**

24 August 2023

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 24 AUGUST 2023 AT 10:00 AM**

PRESENT: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Babe Kapa, Cr Steve McNally, Cr Mate Radich, Cr Tāmati Rākena, Cr John Vujcich

IN ATTENDANCE: Belinda Ward (Chair – Bay of Islands-Whangaroa Community Board) Kawiti Waetford (Kaiwhakawhiti Reo Language Interpreter), Adele Gardner (Chair – Te Hiku Community Board).

STAFF PRESENT: Guy Holroyd (CEO), Calvin Thomas (NTA), Roger Ackers (Group Manager-Planning & Policy), Andy Finch (District Engineer), Jonathan Slavich (Chief Financial Officer), Jill Coyle (Group Manager – People & Transformation), Kevin Johnson (Group Manager – Delivery & Operations), Janice Smith (Group Manager – Corporate Services), Carla Ditchfield (Manager – Legal Services), Jacine Warmington (Group Manager - Strategic Relationships), Ruben Garcia (Group Manager – Community & Engagement), Tania Steen (Manager – Property & Facilities), Ken Lewis (Manager – Communities and Engagement), Rochelle Deane (Manager – Compliance), Eden Ramsey (Finance & Customer Services), Casey Gannon (Manager – Democracy Services), Marlema Baker, (Democracy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika/Mayor Moko Tepania opened the meeting and commenced with a karakia.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2023/92

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That the apologies from Cr Penetaui Klescovic and Kaikohe-Hokianga Community Board Chair Chicky Rudkin be accepted and a leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

- Roger Crowden (in-person 1st speaker) & Pierre Fernandez (virtual 2nd Speaker) regarding Fluoridation of Kerikeri and Kaitia Water Supply. Opposed to compulsory fluoridisation in Northland drinking water and water in New Zealand in general.
(Tabled documents Objective ID: A4377431, A4377428 and A4377425)
- Hinewhare Harawira: Item 6.4 Ground Lease to Paihia Sea Scouts - Te Kemara Avenue Paihia Maintains that Hapū groups are not “the public” and should not be defined as such. Notes that what is said about Ngāti Rāhiri on page 47 (Discussions and Options) portrays the Hapū in a negative light and asks that Council report both sides (for and opposed) fairly. Ngāti Rāhiri Hapū supports option 1 recommended by the Community Board.

Page 1

- Karen Ulrich: Karikari Peninsula comparing % of Rate Increase as related to Land Value % increases (tabled document Objective ID A4376590)
- Staff to inform Mrs Ulrich on the process of providing a late submission for Karikari Peninsula due to extenuating circumstances.

A full recording of these deputations can be found on the Far North District Council Facebook Page

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Meetings now being livestreamed to the Far North District Council Facebook page.
- The Māramataka Māori today is Tamatea Kai Ariki – low energy day.
- Northland College will be holding a breakfast fundraiser on 25 August to raise money for the Cancer Society Daffodil Day.
- Acknowledged the passing of Dunn Mihaka, te reo and kaupapa Māori advocate.
- Acknowledged Rhonda-May Whiu 16 years at Council and shifting from Democracy Services team to Transaction Services.
- Welcomes Grace Hamlin and Lisa Nelson to the Strategic Relationships Service.
- Council will be confirming the minutes from the 4 August Council meeting to tidy up the resolution for 1 Wharo Way Ahipara & Pohutukawa Tree resolution. This will not change the scope or hold up the process of moving forward with the purchase.
- Councillor John Vujcich's Members Report was omitted from the last agenda and is included as a tabled document.

5 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A4336359, pages 6 – 17 refers

RESOLUTION 2023/93

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council confirm the minutes of the Council meeting held 3 August 2023 and Extraordinary Council meeting held 14 August 2023 as a true and correct record.

Correction to pg 10 item 7.1 Mayor and Councillors Reports: Cr Vujcich's reports 4/07/2023 was not omitted.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 COMMUNITY BOARD MINUTES - AUGUST 2023

Agenda item 7.2 document number A4336417, pages 106 - 123 refers

RESOLUTION 2023/94

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council note the following Community Board minutes:

- a) **31 July 2023 - Bay of Islands-Whangaroa Community Board**

- b) 1 August 2023 - Te Hiku Community Board
c) 2 August 2023 - Kaikohe-Hokianga Community Board

CARRIED

6.1 CEO DELEGATION FOR EXTERNALLY FUNDED PROJECTS

Agenda item 6.1 document number A4329512, pages 18 - 23 refers

RESOLUTION 2023/95

Moved: Cr Ann Court
Seconded: Cr Mate Radich

That Council:

- a) continue to approve the delegation for the Chief Executive Officer to authorise Direct Award Professional Services contracts up to a value of \$500,000 per contract, for Ministry of Business, Innovation and Employment funded projects, for period from 24 August 2023 to 30 June 2024.
- b) continue to approve the delegation for the Chief Executive Officer to authorise award construction contracts, for all Ministry of Business, Innovation and Employment funded projects, for period from 24 August 2023 to 30 June 2024.
- c) approve Agile Procurement Strategies for externally funded projects, effective 24 August 2023.
- d) instruct the Chief Executive Officer to provide a quarterly information only report to the Council for Ministry of Business, Innovation and Employment funded procurement activity.
- e) review the efficiency and effectiveness of these strategies one year after approval.

CARRIED

Cr Court would like included in the recommendation above information on:

- How have we achieved compliance in section 5.
- Disability action group and framework.
- Report to include all professional services cost.

6.2 VEHICLE WARRANT AND REGISTRATION ENFORCEMENT

Agenda item 6.2 document number A4300463, pages 24 - 40 refers

MOTION

Moved: Kōwhai - Deputy Mayor Kelly Stratford
Seconded: Cr Steve McNally

That Council approves the permanent enforcement of stationary vehicle Warrant of Fitness (WoF) and Vehicle Registration offences across the Far North District.

In Favour: Crs Moko Tepania, Kelly Stratford, Ann Court, Hilda Halkyard-Harawira and John Vujcich

Against: Crs Felicity Foy, Babe Kapa, Penetaui Kleskovic, Steve McNally, Mate Radich and Tāmāti Rākena

LOST 5/6

6.3 ROAD RENAMING REQUEST WAA HOTERENE ROAD TO KARAWHE ROAD, MATAWAIA

Agenda item 6.3 document number A4306264, pages 41 - 45 refers

RESOLUTION 2023/96

Moved: Cr John Vujcich

Seconded: Cr Mate Radich

That Council agree to rename 'Waa Hoterene Road', Matawaia to 'Karawhe Road', Matawaia.

Abstained: Crs Hilda Halkyard-Harawira and Tāmati Rākena

CARRIED

6.4 GROUND LEASE TO PAIHIA SEA SCOUTS - TE KEMARA AVENUE PAIHIA

Agenda item 6.4 document number A4328925, pages 46 - 51 refers

RESOLUTION 2023/97

Moved: Cr Ann Court

Seconded: Cr Hilda Halkyard-Harawira

That Council, acting under delegation and pursuant to Section 61 Reserves Act 1977, grants:

- a) a new ground lease to Scouts Aotearoa over the Local Purpose (community activities) Reserve being approximately 238 square metres of Lot 40 DP 43842, held in New Zealand Gazette 2002 page 21 and vested in Far North District Council on deposit DP 43842 as a local purpose reserve.

The terms of the proposed lease shall be:

Term: 3 years with dates aligning with Te Kura Kōhangahunga Tōpū o Te Tai Tokerau Lease.

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- \$118 plus GST for 2023/24 and reviewed annually in conjunction with the FNDC fees and Charges Schedule.

- b) with further conditions negotiated and agreed upon by the Group Manager Delivery and Operations and Scouts Aotearoa.

CARRIED

6.5 RANGITOTO RESERVE, MANGONUI

Agenda item 6.5 document number A4299406, pages 52 - 55 refers

MOTION

Moved: Cr Felicity Foy

Seconded: Cr Hilda Halkyard-Harawira

That Council:

- a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve.
- b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve

classification.

AMENDMENT

Moved: Cr Hilda Halkyard-Harawira

Seconded: Cr Tāmati Rākena

c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.

CARRIED

The amendment became the substantive motion.

RESOLUTION 2023/98

Moved: Cr Hilda Halkyard-Harawira

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council:

- a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve.
- b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve classification.
- c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.

CARRIED

NOTE: Kahika/Mayor Tepania requests a briefing paper on how many reserves Council has, what their classifications are, how many have reserve management plans and how many can be sold.

6.6 INITIATION OF PUBLIC CONSULTATION FOR GROUND LEASE TO HOKIANGA BOWLING CLUB OVER 61 CLENDON ESPLANADE, RAWENE

Agenda item 6.6 document number A4330060, pages 56 - 59 refers

RESOLUTION 2023/99

Moved: Cr John Vujcich

Seconded: Kahika - Mayor Moko Tepania

That Council:

- a) commences public notice as required by the Reserves Act 1977 on the granting of a new ground lease to Hokianga Bowling Club Incorporated, over approximately 2700.9m2 of land being Sections 153, 157 and 158 TN OF Rawene, located at 61 Clendon Esplanade, Rawene and vested in Far North District Council as recreation reserve.

The terms of the proposed lease shall be:

Term: 15 years (5+5+5) – allowed for under the Reserves Act 1977

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- \$118 plus GST for 2023/24 and reviewed annually in conjunction with the FNDC fees and Charges Schedule.

- b) appoint the Kaikohe – Hokianga Community Board to hear any submissions received in response to the public notice and to make recommendations to Council.

CARRIED

6.7 COUNCIL SUBMISSION ON THE NATIONAL POLICY STATEMENTS FOR RENEWABLE ELECTRICITY GENERATION AND ELECTRICITY TRANSMISSION

Agenda item 6.7 document number A4256471, pages 60 - 64 refers

RESOLUTION 2023/100

Moved: Cr Steve McNally

Seconded: Kahika - Mayor Moko Tepania

That the Council receive the report Council Submission on the National Policy Statements for Renewable Electricity Generation and Electricity Transmission.Abstained: Cr Steve McNally**CARRIED****6.8 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - AUGUST 2023**

Agenda item 6.8 document number A4345733, pages 65 - 77 refers

RESOLUTION 2023/101

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Felicity Foy

That Council :*Item 4.2 - Proposed District Plan Hearing Process and Hearing Panel*

- a) approve of the updated list of approved Independent Commissioners (Attachment 1 - Commissioners with 'Making good decisions' certification – July 2023).
- b) rescind part of the 11 February 2010 delegation 10.2 Hearing Delegations for District Plan Changes *"And that Councillors will be appointed to the hearing panel for Council initiated plan changes by Council;"* and replace with *"And that Councillors may be appointed to the hearing panel for Council initiated plan changes by Council"*.
- c) rescind part of the 5 September 2022 delegation 5.2 Expressions of Interest for Independent Hearings Commissioners *"d) make recommendations on public and private plan changes; and"* and replace with *"d) hear and determine or make recommendations on public and private plan changes; and"*.
- d) confirm a Proposed District Plan hearing panel of five panel members, including two with chairing endorsement and one with skills and expertise in matters relating to Te Tiriti O Waitangi/Treaty of Waitangi, Kaupapa Māori and Matauranga Māori.

Item 5.2 - Ahipara Iwi/Hapu Environmental Management Plan (IHEMP)

- a) support the Ahipara Takiwā Environmental Management Plan.

Item 5.3 - Ngāti Hine Iwi/Hapu Environmental Management Plan (IHEMP)

- a) support the Ngāti Hine Environmental Management Plan.

CARRIED**7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****7.1 MAYOR AND COUNCILLOR'S REPORTS**

Agenda item 7.1 document number A4329470, pages 78 - 105 refers

RESOLUTION 2023/102

Moved: Cr John Vujcich

Seconded: Kahika - Mayor Moko Tepania

That Council:

- a) note the report from Cr John Vujcich dated 14.07.23 which was omitted from the 3 August 2023 Council agenda.
- b) note the reports submitted by Kahika – Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira Babe Kapa, Tāmāti Rākena, Steve McNally and Cr John Vujcich.

CARRIED

Kahika/Mayor Tepania requests that the Elected Member reports be extracted from each agenda and uploaded to the FNDC website and deposited in each elected members portal so the general public can access them.

7.3 COUNCIL ACTION SHEET UPDATE AUGUST 2023

Agenda item 7.3 document number A4340224, pages 124 - 124 refers

RESOLUTION 2023/103

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council receive the report Council Action Sheet Update August 2023.

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2023/104

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Felicity Foy

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
8.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

	<p>expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	
8.2 - Contract 7/21/185 Lighting Maintenance and Renewals Contract Extension	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
8.3 - Kerikeri Waste Water Treatment Plant – Funding Request for Easement	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
8.4 - 11 Matthews Ave, Kaitia	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
8.5 - Chief Executive Officer Appointment	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(i) - the withholding of the</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would</p>

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	information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	exist under section 6 or section 7
<p>And that Kawiti Waetford (Kaiwhakawhiti Reo Language Interpreter) be allowed to remain in the meeting.</p> <p style="text-align: right;">CARRIED</p>		

Meeting adjourned for lunch 1:06pm returning at 1:30pm.

At the conclusion of the public excluded session Council confirmed the information and decisions contained in the part of the meeting held with public excluded **not be restated** in public meeting.

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Kahika/Mayor Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 3:48 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 21 September 2023.

.....
CHAIRPERSON

6 NGĀ PŪRONGO / REPORTS

6.1 CARRY FORWARDS FOR CAPITAL PROGRAMME 2022-23

File Number: A4358908

Author: Angie Thomas, Team Leader - Accounting Services

Authoriser: Jonathan Slavich, Chief Financial Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of the report is to identify the projects that Project Managers are requesting be carried forward to the 2023-24 financial year. The projects are identified individually and a summary by activity including funding requirements is also included.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Like many other businesses, Far North District Council encountered delays due increased inflationary pressure and resource delays during 2022/23. The many weather events during the past year have also impacted delivery, particularly in Roothing.
- This impacted on the ability to deliver projects in some areas and as a result a significant proportion of the capital works budget was re-assessed and moved into the 2023/24 Annual Plan.
- The 2022/23 capital works budget contained work that was being funded externally and some of that work is yet to complete.
- Of the projects that remained in the 2022/23 capital programme, a number are yet to complete and for that reason, the budget now needs to be considered for carry forward to 2023/24. The total sum to be carried forward within the report is \$51,583,548 of which \$8,495,694 relates to externally funded work, \$24,824,406 relates to Roothing and \$2,365,309 relates to footpath work that is delivered by the Northland Transport Alliance (NTA) and also impacted by the weather events.
- The remaining carry forwards total is \$15,895,139

TŪTOHUNGA / RECOMMENDATION

That the Council approve the capital budgets identified in the report "Carry Forwards for Capital Programme 2022-23" totalling \$51,583,548 be carried forward to the 2023-24 financial year.

1) TĀHUHU KŌRERO / BACKGROUND

At 30 June 2023, a number of capital projects had not been started or completed due to a number of reasons.

The capital works overall position for the 2022-23 year (including carry forwards from 2021-22) was:

	\$m	% of total budget
Capital Budget 2022-23 - LTP	130.0	
Opex Rolling Over Including Roothing	1.9	
Carry Forwards 2021-22	44.1	
Total budget for projects	175.9	
Budget Moved to 2023-24 AP, Outer Years or Cancelled	(55.4)	31.47%
Actual expenditure	(69.0)	39.21%

Balance to carry forward	51.6	29.32%
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2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The carry forward projects are by each of the following activities:

	\$	% of total C/Fwd
Corporate Services	\$1,764,389	3.42%
Community Services	\$14,730,002	28.56%
Stormwater	\$916,746	1.78%
Investments	\$1,000,000	1.94%
Refuse	\$571,827	1.11%
Water	\$3,625,555	7.03%
Wastewater	\$4,030,183	7.81%
Roading	\$24,827,406	48.13%
Customer Services	\$117,981	0.23%

And funded as follows:

Loan funding	\$20,936,571	41%
Renewal funding	\$8,811,504	17%
Subsidy/external funding	\$19,168,505	37%
Reserves	\$2,666,968	5%

It should be noted that 69.18% of the requested carry forward sum relates to projects that are funded by external support, roading, or footpath work that is delivered by the NTA and also impacted by the weather events. Carry forwards not linked to these total \$15,895,139, or the remaining 30.52%. Of this sum the more material areas in Community and Corporate Services are:

1. \$452k for GIS upgrade, aerial imagery and LIDAR - delays due to bad weather and not securing a new fly over for updated aerial imagery
2. \$77k for pool vehicles replacement - vehicles are on order but delivery has been delayed by supplier
3. \$127k for Council Chambers and Meeting Room Audio Visual Upgrade Project - orders have been placed and work due to commence once equipment received
4. \$397k for Kerikeri Sports Complex - Contract is awarded and funds committed to Keriland Earthworks for Car Park Improvements at the Sports Complex - Programme was delayed to allow Winter sports to be completed
5. \$138k for Unahi Wharf with project now in progress with funds fully committed
6. \$300k for Jaycee Park/Centennial Park, with a redesign in progress for the skate park
7. \$341k for Kaitaia - North Park Toilets - Project committed, and now the finalising lease with Gull
8. \$245k for Mill Bay jetty renewal, contract now been awarded with jetty replacement to be complete in early 2024
9. \$514k for New Maritime Recreation projects with carry forward for West, East and North projects with Boat ramps, trailer park development and pontoon upgrades

10. \$163k for Parks & Reserves - District Wide Playground Shade sails - Shade sails Stage 1 is 90% completed, just sail at Memorial Park to go up. Savings will go towards Stage 2.



Take Tūtohunga / Reason for the recommendation

To enable the capital projects identified to be completed.

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

The budgets identified in the attached report would be in addition to those adopted in the 2023-24 year of the Annual Plan. Overall funding limits will not be exceeded as these projects have been included as completed in the opening balances of 2022/23.

ATTACHMENTS

1. Carry Forwards for Capital Programme 2022-23 Detail FINAL - A4365345  
2. Carry Forwards for Capital Programme 2022-23 Summary FINAL - A4365344  

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	Low.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	None.
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.	There are no implications for Community Boards.
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 special implications for Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	This is to seek approval to carry forward 2022/23 incomplete project budgets.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

Summary Carry Forwards 2022-23									
	Application of Capital Projects					Funding			
	New Works	Renewal Works	External Funded Opex	Retained Earnings Funded Opex	Loan Funded Opex	Loan	Reserves	Depreciation	Subsidy / Grant
Corporate Services	509,272	1,255,116				655,500		1,108,889	
Community Services	12,184,393	2,475,581		46,707	23,320	8,614,293	46,707	2,444,464	3,624,536
Stormwater	198,369	718,376				198,369	186,437	531,939	
Investments		1,000,000						1,000,000	
Refuse	484,755	86,532				484,755		86,532	
Water	3,343,355	194,765		87,435		2,617,833	87,435	194,765	725,522
Wastewater	2,068,549	1,463,710			497,924	2,826,609		1,203,575	
Roading	13,111,131	9,287,642	2,428,633			5,466,660	2,346,388	2,195,912	14,818,446
Customer Services	72,552	45,428				72,552		45,428	
	31,972,377	16,527,152	2,428,633	134,142	521,244	20,936,571	2,666,968	8,811,504	19,168,505
					51,583,548				51,583,548

CAPITAL WORKS PROGRAMME CARRY FORWARDS					
Actual vs Forecast					
30 June 2023					
Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Corporate Services					
Office Equipment	72,755	163,051	90,297	90,297	Office equipment renewals are expensed as and when replacements are required which are difficult to time within the year
Pool Vehicles	607,967	684,598	76,631	76,631	Pool Vehicles budget is required for further vehicle purchases
Upgrade of Computer Systems	-	44,814	44,814	44,000	Citrix Virtual Desktop Replacement Project
Property Aerial Photography	-	86,016	86,016	86,016	Due to bad weather we could not secure a new fly over so will have to move it out to the new financial year
EDRMS Project	-	113,510	113,510	113,510	Focus on an EDRA upgrade project, to be defined
Video Conferencing	1,760	129,147	127,387	127,147	Council Chambers and Meeting Room Audio Visual Upgrade Project
GIS Upgrade	-	266,640	266,640	266,640	Due to bad weather, we could not secure a new fly over for updated Aerial Imagery so will have to move it out to the next financial year
IT Servers & Storage	68,818	404,070	335,252	335,000	IT Servers and Storage Upgrades and Replacements
IT Comms Equipment renewals	133,641	143,064	9,422	9,422	Aruba Wi-Fi Replacement Project
Peripheral Computer Equipment	15,691	80,000	64,309	30,000	Peripheral Computer Equipment such as Desktop Scanners, Hand Held Scanners, Building Inspector Mobile Printers, Label Printers, Receipt Printers, Screens, etc.
Desktop Computer Equipment	248,514	310,803	62,289	50,000	Computer Equipment such as Laptops, Tablets, Accessories, PC's, Thin Client Computers, Docking Stations, Monitors, RAM, Monitor Arms, Hard Disks, etc.
Tablets	40,326	66,779	26,453	26,453	Apple iPad's, Windows Surface Pro Tablets, Tablet Accessories.
ICT Support for Alliance	-	10,300	10,300	10,000	ICT Support for NTA and FNWA Alliances
External Delivery - Public Facing	-	70,000	70,000	70,000	Work will start this year with the launch of the PPM tool
FN2100 GIS Delivery	138,680	155,919	17,239	17,239	Project still continues this financial year
FNDC Local Maps	14,631	25,807	11,176	11,176	Project still continues this financial year
Programme Manager FTE - referred back from 281046	50,815	153,326	102,511	102,511	Programme Manager FTE role still ongoing
Smart District Action Plan	432,434	472,811	40,377	40,377	Project commenced in 2022/23 - minor work still ongoing therefore budget transfer to 2023/24 for completion required
Support Projects - Additional Scoping	31,906	36,576	4,670	4,670	Project commenced in 2022/23 - minor work still ongoing therefore budget transfer to 2023/24 for completion required
Open Data Standards and Delivery	35,100	103,000	67,900	67,900	Project still continues this financial year
Aerial Imagery and LIDAR	-	185,400	185,400	185,400	Due to bad weather, we could not secure a new fly over for updated Aerial Imagery so will have to move it out to the next financial year.
Total Corporate Services				1,764,389	
Community Services					
HFTE Upgrade Programme(DFX0029)	169,538	312,127	142,589	142,589	Project underway, required for the existing programme
Kerikeri Sports Complex	12,974	410,000	397,026	397,026	Contract is awarded and funds committed to Keriland Earthworks for Car Park Improvements at the Sports Complex - Programme was delayed to allow Winter sports to be completed
Halls Western Renewals	-	11,680	11,680	11,680	Not renewals, required for Rawene Hall renovations
HFTE Awanui, Planned Renewals(DFP1077)	20,000	33,684	13,684	13,684	Site specific Health & Safety works continuing FY24
HFTE Kaikohe, Planned Renewals(DFP1079)	49,633	96,000	46,367	46,367	Project underway, required for the existing programme
Opononi Housing for the Elderly(DFP1084)	-	124,287	124,287	124,287	Site specific Health & Safety works continuing FY24

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Amenity Lighting Eastern (DFP0166)	9	58,547	58,538	58,538	Kerikeri bowling club access light
Amenity Lighting Northern (DFX0168)	9	85,972	85,963	85,963	Allocated to Te Hiku Revitalisation
Amenity Lighting Western (DFX0595)	6,699	68,333	61,634	61,634	Awaiting Community Board direction
Kerikeri Squash Relocation	923,811	1,008,247	84,436	84,436	Stage 2 & 3 of KK Squash we be completed by Nov 2023, all available budget and external funds to be carried forward. Foundation Nth Funds of \$449,412.00 due in Aug 2023
Footpaths Eastern Ward (TRP1094)	350,324	716,597	366,273	366,273	The Footpaths Western Ward (TRP1094) project is ongoing
Footpaths Northern Ward (TRP1094)	-	283,005	283,005	283,005	The Footpaths Northern Ward (TRP1094) project is ongoing.
Footpaths Western Ward (TRP1094)	270,458	1,174,212	903,754	903,754	The Footpaths Western Ward (TRP1094) project is ongoing
Horeke Public Toilets	-	92,700	92,700	92,700	Toilet upgrade in progress
Unahi Wharf	262,497	400,000	137,503	137,503	Project in progress, funds fully committed
Kerikeri Maritime(DFP0506)	17,000	130,789	113,789	66,100	Repair of Paihia Stone jetty and approach committed. Pile Replacement at Waipapa Landing
Jaycee Park/Centennial Park	10,468	310,381	299,913	299,913	Redesign in progress Skate park
Kaero Hall Renewals	-	12,000	12,000	12,000	Leaking roof issue, funding required for this replacement of spouting
Kohukohu Hall (DFP0195)	29,393	36,615	7,222	7,222	Further reforecast due in 23/24 to complete renovation and re-piling of Kohukohu Hall
Opononi Hall renewals	801,639	908,909	107,270	50,000	Final project works underway, defects rectification
Paihia halls renewals	1,206	30,000	28,794	28,794	Further funding will be brought into 23/24 to complete full window and joinery replacement. Procurement is approved and Contract awarded to Bay Builders to carry out in May 2024
Kaikohe Memorial hall renewals	311,675	376,812	65,137	65,137	Outstanding work to complete
Disability Access Halls Western	-	20,600	20,600	20,600	Accessibility programme underway
Kaitaia Parks & Reserves	4,813	149,658	144,845	144,845	Te Hiku Netball - please transfer to PR141729. Works underway.
Kaikohe Parks & Reserves	260,429	314,801	54,372	54,372	Final project cost committed
Moerewa Parks & Reserves	-	13,547	13,547	13,547	These funds were committed to Moerewa Shade Sail - Nisbett Park, should be spent
Paihia Parks & Reserves	-	4,854	4,854	4,854	Part of the Focus Paihia waterfront project
Western Bin Benches Bollards Signs Tables(DFX0434)	57,814	114,314	56,500	56,500	Project underway but complexities around consenting have delayed progress. Asset Management has signs being replaced, carry forward remaining \$56,500
Opito Bay Toilets (DFP0720)	1,562	3,000	1,438	1,438	Budget committed, further budget reforecast with delivery in 2023/24, Procurement is completed and contract will be awarded to Permaloo for delivery
Kororipo Basin Building(DFP0439)	71,476	91,074	19,598	19,598	Sub floor replacement Plough and feather project in Aug
Community Hub Kaikohe	-	61,300	61,300	61,300	Funding will be required to carry forward into 23-24 to support the Kaikohe Library new build project
Kaitaia - North Park Toilets	6,796	347,452	340,656	340,656	Project committed, finalising lease with Gull
Ward Wide Town Beautification / Improvements Northern	-	55,858	55,858	55,858	Community board to allocate
Kaikohe Streetscape Upgrade	441,544	522,660	81,116	81,116	Community board to allocate
HFTE Ahipara, Reactive Renewals(DFP0492)	-	10,300	10,300	10,300	Site specific Health & Safety works continuing FY24
HFTE Awanui, Reactive Renewals(DFP0493)	1,356	20,600	19,244	19,244	Site specific Health & Safety works continuing FY24
HFTE Kaikohe, Reactive Renewals(DFP0495)	4,066	42,230	38,164	38,164	Site specific Health & Safety works continuing FY24
HFTE Kaitaia, Reactive Renewals(DFP0496)	9,344	60,770	51,426	51,426	Site specific Health & Safety works continuing FY24
HFTE Kawakawa, Reactive Renewals(DFP0497)	-	6,695	6,695	6,695	Site specific Health & Safety works continuing FY24
HFTE Kerikeri, Reactive Renewals(DFP0498)	-	15,450	15,450	15,450	Site specific Health & Safety works continuing FY24
HFTE Kohukohu, Reactive Renewals(DFP0499)	-	7,725	7,725	7,725	Site specific Health & Safety works continuing FY24

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
HFTE Omapere, Reactive Renewals(DFP0500)	8,579	14,420	5,841	5,841	Site specific Health & Safety works continuing FY24
HFTE Rawene, Reactive Renewals(DFP0501)	24,360	41,602	17,242	17,242	Site specific Health & Safety works continuing FY24
HFTE Waima, Reactive Renewals(DFP0502)	-	4,120	4,120	4,120	Site specific Health & Safety works continuing FY24
Footpath Loop Te Ahu - Te Hiku Sports Hub	27,712	60,000	32,288	32,288	The Footpath Loop Te Ahu - Te Hiku Sports Hub project is ongoing.
Jetty renewal, Mill Bay	-	244,700	244,700	244,700	Carry forward, contract awarded mill bay jetty replacement will be complete in early 2024
New Maritime Recreation	21,591	535,970	514,379	514,379	Carry forward for West, East and North projects with Boat ramps, trailer park development and pontoon upgrades
HFTE Horeke, Reactive Renewals(DFP0494)	2,875	5,150	2,275	2,275	Site specific Health & Safety works continuing FY24
Opuia-Paihia Walkway Boardwalk	376,293	513,000	136,707	136,707	Carry forward into Stage 2, in consenting phase of the project being delivered by Hoskins Civil
Cable Bay Block Road Footpath	9,355	530,409	521,054	521,054	The Cable Bay Block Road Footpath physical works will commence September 2023.
Kotare Drive, Mangonui Footpath	3,052	15,000	11,948	11,948	The Kotare Drive, Mangonui Footpath project has been delayed and funds redirected to Cable Bay Block Road physical works.
Koutu Point Road, Opononi Footpath	1,025	30,000	28,975	28,975	Footpath renewals carry forward per NTA agreement
Taumatamakuku Settlement Road Footpath	140,593	265,000	124,407	124,407	Footpath renewals carry forward per NTA agreement
Kellet Street, Opuia Footpath	-	20,000	20,000	20,000	Footpath renewals carry forward per NTA agreement
Florence Street, Russell Footpath	-	1,500	1,500	1,500	Footpath renewals carry forward per NTA agreement
Reed Street, Moerewa Footpath	41,658	106,300	64,642	64,642	Footpath renewals carry forward per NTA agreement
Oruru Road Footpath	130,248	170,000	39,752	39,752	The Oruru Road Footpath project is ongoing.
Russell Cemetery Development (DFP0005)	17,840	125,000	107,160	107,160	Project underway
Rangitane Reserve Public Toilet (DFP0083)	121,546	205,400	83,854	83,854	Project delay due to possible Archaeological site, awaiting NZ Heritage sign off and Hapu approval with Ngapuhi. Toilet procured and awaiting install.
Parks & Reserves, District Wide Playground Shade sails	196,512	360,000	163,488	163,488	Shade sails Stage 1 is 90% completed, just sail at Memorial Park to go up. Savings will go towards Stage 2
Te Hiku Sports Hub - Netball Courts	1,401,999	1,422,222	20,224	20,234	Project finalisation
Pukenui Coastal Walkway (DFP1108)	40,983	100,000	59,017	59,017	Project underway
New Playground Equipment - Korora Park, Kaitaia (DFP1093)	-	77,250	77,250	77,250	Part of Te Hiku revitalisation project
Awanui Playground - New Shade Sail (DFP0067)	-	41,200	41,200	41,200	Part of Te Hiku revitalisation
Kaikohe Memorial Park - Outdoor Stage (DFP0052)	-	20,000	20,000	20,000	Awaiting Community Board decision
Kerikeri Domain, Footpath and lighting	466,223	600,000	133,777	133,777	Kerikeri Domain Management Plan delivery continues 2023 - 2024. Additional works required.
Opononi Maritime Public Car and Boat Trailer Park	833,219	2,000,000	1,166,781	1,166,781	Project in design and planning phase.
Paihia Waterfront Improvements	222,099	461,224	239,125	239,125	Project on hold during Cruise ship season. This is for foot pathing
TIF Round 6					
Rangiputa Boat Trailer Parking (TIF Round 6)	13,728	145,000	131,272	131,272	December 2023 Completion date. On track. Extended due cyclone damage
Smart Bins High Use Areas (TIF Round 6)	103,798	111,132	7,334	7,334	Carried over for MBIE 2yr maintenance support
Waipapa Landing Carpark (TIF Round 6)	4,924	320,873	315,949	35,000	Construction of main carpark is complete. MBIE operational contribution and Smart light/camera install pending.
Kaikohe Freedom Camping Upgrade (TIF Round 6)	211,568	625,000	413,432	413,432	Due for completion by 31 December 2023
TIF Round 5					
Cape Reinga Road (Te Paki i-Site) Dump Station	9,774	50,372	40,598	12,000	Carry over to cover MBIE 2yr operational grant
Te Paki Stream Toilets	186,455	245,640	59,185	20,000	Complete. Carry over for MBIE 2yr operational support grant
TIF Round 4					
Waitangi Boat Ramp Toilets (TIF)	152,781	368,416	215,635	215,635	Project is in delivery and will be completed in the next 2 months. Toilet is onsite at Waitangi

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Cable Bay Carpark TIF Funded	140,437	252,269	111,832	111,832	Budget to remain for second coat chip seal of Northern and Layover carparks
PGF Funded					
Lindvart Park PGF Gymnasium(DFP0053)	2,150,000	3,460,000	1,310,000	1,310,000	Externally funded, this is still to be drawn down to complete the facilities.
Lindvart Park Initiative	-	744,300	744,300	744,300	Externally funded, this is still to be drawn down to complete the facilities.
Waipapa Sports Hub - PGF(DFP0037)	3,317,459	5,696,628	2,379,169	2,379,169	Weather event delays prevented works going according to program.
Te Hiku o te Ika - PGF(DFX0887)	3,101,726	3,623,601	521,875	521,875	Outstanding works to complete
Omapere Freese Park Erosion					
Omapere Freese Park Erosion	940,856	1,545,000	604,144	604,144	Works in progress, balance required to complete project.
		Total Community Services		14,730,001	
Stormwater	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Stormwater Minor Capital Works(SWX0856)	88,618	342,251	253,633	30,000	Carry forward of budget to meet commitments raised at 30 June 2023.
Kaitaia Parkdale Crescent Stormwater Renewals(SWP0324)	57,098	230,000	172,902	172,902	Detailed design in progress and expected to be completed by Dec 2023. Funds required for detailed design moving into construction. AP24 has additional budget for construction.
Stormwater Reactive Renewals(SWX0815)	200,999	241,232	40,233	20,000	Required to meet existing commitment as at 30 June 2023.
Kaitaia Urban Stormwater Resource Consents	36,320	75,000	38,680	38,680	Required to meet existing commitment for consents support investigations as at 30 June 2023.
Remediation Costs 22 Karamea Road, Mangonui	473,563	660,000	186,437	186,437	Required to meeting existing commitment for construction
348a SH12 Omapere - stream culverting & pipe renewal	84,868	486,202	401,334	401,334	Detailed design now complete. Construction planned for the summer season.
Marreine Place, Whatuwhiwhi flood alleviation works	32,608	100,000	67,392	67,392	Required to meet existing commitment for construction delay and DOC approval.
		Total Stormwater		916,746	
Investments	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Strategic Property Improvements	-	1,000,000	1,000,000	1,000,000	Funding associated with remedial work at 11 Matthews Ave, Kaitaia. Work needs to link into site development therefore carry forward required
		Total Investments		1,000,000	
Refuse	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Refuse Recovery Centre Kaitaia(SOP0884)	-	20,000	20,000	20,000	Detailed design of sewage pump to meet resource consent requirements
Transfer Station Renewals(SOX0630)	2,512	59,281	56,769	30,156	Cancel \$26K to cover Northern overspend. Renewal program required to tidy up sites for new contracts
District Wide Recycling Facilities	3,265	15,225	11,960	11,960	Renewal program required to tidy up sites for new contracts
Kaitaia Transfer Station	3,552	52,203	48,651	48,651	Sewage pump upgrade to meet consent requirements
Eastern Transfer Station Upgrades(SOX0361)	9,020	22,754	13,734	13,734	Upgrades required to meet new resource consent requirements and Iwi expectations after consent consultation
Western Transfer Station Upgrades(SOX0141)	17,594	72,884	55,291	55,291	Upgrades required to meet new resource consent requirements and Iwi expectations after consent consultation
Kaitaia Weighbridge Relocation	392,712	784,208	391,496	391,496	Shed Extension and associated civil works are nearing completion, expect work to finish in August/Sept 2023. Further civil works are planned at this site during 23/24, this will take up any unspent funds.
		Total Refuse		571,287	
Customer Services	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Library Stocks(DSX1040)	9,579	10,879	1,300	1,300	To cover orders pending and created in the 2022-23 financial year
Information Centres	-	9,051	9,051	9,051	This will be required if FNDC goes with the I-site
Library Stocks - Large Print	22,748	25,988	3,240	3,240	To cover orders pending and created in the 2022-23 financial year
Library Stocks - Talking Books	8,107	9,629	1,523	1,523	To cover orders pending and created in the 2022-
Paihia I-Site Refurbishment(DSP0778)	1,151	18,028	16,877	16,877	This will be required if FNDC goes with the I-site NZ proposal.

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Kaikohe Library (DSP0030)	39,594	50,000	10,406	10,406	Funding will be required to carry forward into 23-24 to support the Kaikohe Library new build project
Kerikeri Library Renewals	8,723	13,530	4,807	4,000	Items for renewal were sourced but not ordered in 22-23 due to supplier issues, will be spent in 23-24 FY
Library Stocks - DVDs	7,320	7,374	54	54	To cover orders pending and created in the 2022-23 financial year
Library Renewals - FNDC Selection	35,907	36,117	210	210	To cover orders pending and created in the 2022-23 financial year
Library Payments Technology	-	42,960	42,960	35,000	pay supplier upon acceptance - will be completed early in 23-24 FY
Procter Library Refresh	1,755	10,708	8,953	8,000	Items for renewal were sourced but not ordered in 22-23 due to supplier issues, will be spent in 23-24 FY
CCTV Rawene Service Centre	1,420	4,730	3,310	3,310	Issue with last year's purchase order for completed works, funds needed to carry forward to offset this overspend
CCTV Procter Library Kerikeri	17,460	39,350	21,890	21,890	Issue with last year's purchase order for completed works, funds needed to carry forward to offset this overspend
CCTV Paihia Library	21,615	24,735	3,120	3,120	Issue with last year's purchase order for completed works, funds needed to carry forward to offset this overspend
Total Customer Services				117,981	
Wastewater	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Pump Stations East coast	677	322,124	321,447	321,447	Required to meet existing commitments to 30 June 2023 and complete FY23 programme of works
Pump Stations Paihia	9,622	183,909	174,287	174,287	Required to meet existing commitments to 30 June 2023, construction underway July 2023. Budgets from PR551226, & 551134 required to be carried forward and added to this PR551005.
Wastewater Telemetry (WWX0423)	211,235	526,184	314,949	314,949	Multi year project in progress, required to meet existing commitments to 30 June 2023
East Coast WWTP Resource Consent (WWP1144)	-	2,250	2,250	2,250	To be added to budget previously retimed to FY24. Budget relates to consent conditions required to be met by specified dates. Some linkage with the EC trial underway.
Kohukohu PS	339	38,500	38,161	38,161	Programmed annual work now in delivery FY24
Whatuwhiwhi PS (WWP1014)	2,492	56,527	54,035	54,035	Programmed annual work now in delivery FY24
Kaikohe PS	466	71,500	71,034	71,034	Programmed annual work now in delivery FY24. Additional funding required to complete programmed work
Opononi Resource Consent	61,354	141,118	79,764	79,764	Hearing adjourned (May), Council decision on discharge to land (Aug), Consultation with submitters (Sept), Reconvened hearing (Oct), Decision from panel expected in December
Whangaroa Pump Station	11,767	46,435	34,668	34,668	Programmed annual work now in delivery FY24. Budget required to meet existing commitment
Rawene Resource Consent	96,090	224,821	128,731	128,731	Application lodged, put on hold for year while working on alternative (better off funding/TMoTW). Further information/notification may be required by NRC. Administration of application needed in interim.
Wastewater New Minor Capital Works (WWX0371)	27,101	38,060	10,959	10,959	Budget carry forward required to meet commitments raised at 30 June 2023, all works are in progress.
Opononi Pump Stations	339	124,146	123,807	123,807	Programmed annual work that has been scheduled for delivery
Paihia Waitangi Major PS	311	16,038	15,727	15,727	Budget to be carried forward on to PR551005

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Kerikeri WWTP Consent	1,478	167,500	166,022	166,022	Consent application process in progress. Engagement (Oct), technical assessments (Oct-Dec), drafting application (Dec-Feb), lodgement (Mar-Apr)
Paihia Specified Works	37,132	55,860	18,728	16,000	Required to meet existing commitment completed in July 2023.
Kohukohu Resource Consent	63,652	125,000	61,348	61,348	Hearing adjourned (May), Council decision on discharge to land (Aug), Consultation with submitters (Sept), Reconvened hearing (Oct), Decision from panel expected in December
Kaitaia Reduction of Wastewater Overflows Option (WWP0659)	-	10,000	10,000	10,000	Multi year project to address abatement notice. Changes to stage 1 works informed by CCTV and I/I investigations. Updated design work in progress.
District Wide Sludge Management	231,117	729,041	497,924	497,924	Work is in progress - carry forward is required to complete works and cover commitments already placed in FY24
Hihi WWTP Construction (WWP0655)	553,386	1,003,322	449,936	449,936	Construction for Stage 1 works in progress. Existing commitments for Stages 1&3 and contract management
Kawakawa Hundertwasser Memorial Park Pipeline Realignment	1,726	67,049	65,323	65,323	Pipe reline solution requires redesign due to pipe deterioration, budget required to carry forward for final design.
Kaikohe Discharge Consent	3,001	10,000	6,999	6,999	Consultation costs and response to further information request
Russell WWTP UV Unit	787	267,861	267,074	267,074	Project is in progress
District Wide H&S Waste Water Plant Improvements	4,324	19,789	15,465	15,465	Budget required to meet existing commitment
Ahipara WWTP UV Treatment (WWP0388)	-	100,000	100,000	100,000	Compliance project in detailed design, budget added to FY24 budget
Health & Safety Pump Station Improvements	5,483	27,553	22,070	22,070	Required to meet existing commitments
Hihi Discharge Consent	17,824	25,000	7,176	7,176	Cultural Impact Assessment for Treatment Plant
Kaeo Discharge Consent (WWP0394)	9,564	30,000	20,436	20,436	Consultation costs and response to further information request
Kaikohe Septage Screen	315	175,000	174,685	174,685	Screen on order, lead time is 26 weeks
Kaitaia WWTP Installation of Septage Screening	-	90,000	90,000	90,000	Screen on order, lead time is 26 weeks
Kawakawa Pump Station Upgrades	14,498	111,636	97,138	97,138	Programmed annual work now in delivery FY24
Kawakawa WWTP Aerator Upgrade	124,176	280,000	155,824	155,824	Project is in progress and is linked with East Coast WWTP aerator renewal
Kawakawa WWTP Stream Diversion (WWP0999)	18,458	30,000	11,542	11,542	Project in progress, budget required to meet existing commitment
Lonely Valley Road Pump Station Replacement	176,889	220,000	43,111	43,111	Project in progress, budget required to meet existing commitment
Opononi Treatment Plant Improvements (WWP0840)	-	150,000	150,000	150,000	Compliance driven project, ready for detailed design, funds to be added to AP24 budget
Russell WWTP Pond Liner Replacement	82,665	181,987	99,322	99,322	Project in progress, budget required to meet existing commitments
Taipa WWTP Upgrade	354,718	465,400	110,682	110,682	Project works for aerator upgrade, budget required to meet existing commitments, linked to Kawakawa WWTP aerators
Odour Unit Jacaranda Pump Station (WWP1134)	-	14,500	14,500	14,500	Detailed design in progress, budget to be added to AP24 funds
Kerikeri WWTP Lab Building	49,714	57,500	7,786	7,786	Project completed in July, budget required to meet existing commitment
Total Wastewater				4,030,183	
Water	Actual	Forecast 21/22	Variance	Budget to be	Reason for carry forward - Commentary
Intake Rising Main Upgrade Kerikeri	708,468	817,113	108,645	108,645	Carry Forward. Unknown ground conditions variation work. Final Claim of \$4K Aug or Sept 23
Kaikohe Zonal Monitoring	53,015	250,000	196,985	196,985	Project in progress, budget required to meet existing commitment
Kaitaia WTP Backwash Tank Rebuild	77,453	291,762	214,309	100,000	Project completed in July, budget required to meet outstanding commitment
Moerewa WS- Pembroke, Massey, Ranfurley & Reed(WAP0944)	124,599	201,445	76,846	76,846	Project linked to Moerewa stormwater improvements project and additional reticulation renewals are expected

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Stream Intake Structure Upgrade- Screen/Weir	47,566	291,010	243,444	243,444	Carry Forward. 90% complete. Intake screen install and commissioning delayed due to KIC raw water upgrades on other raw water line potential risk to raw water treatment. Re-programmed for Sept 01 2023.
Water treatment plant relocation Paihia (WAP0596)	36,497	50,634	14,137	14,137	Project in consultation, budget to be added to AP24 budget
Kerikeri WTP Sand Filter Renewal	209,757	223,470	13,713	12,000	Project completed. final claim due Sept 23
Taraire Hills WTP Chlorine Room	91,459	94,696	3,237	3,237	Project in progress, budget from PR571199 to meet expected budget shortfall.
Kaitaia Te Maire Reservoir Pump Upgrade(WAP0660)	526	31,413	30,887	30,887	Project scoped and delivery about to commence, budget required to meet existing commitment
Water supply network planned renewals, Kawakawa & Moerewa(WA	-	51,500	51,500	51,500	Project linked to Moerewa stormwater improvements project and additional reticulation renewals are expected
Water treatment plant Paihia - Land Purchase (WAP0596)	57	150,057	150,000	150,000	Process started Jul/Aug 23 - Landowners now contacted.
Puketona Stream Intake	15,927	50,956	35,029	35,029	Carry Forward 90% complete. Intake screen install and commissioning delayed due to KIC raw water upgrades on other raw water line potential risk to raw water treatment. Re-programmed for Sept 01 2024.
Opononi WTP Clarifier Pre-Membranes	126,501	128,117	1,616	1,616	Materials purchased, budget required to meet existing commitment
Kaikohe WTP Clarifier Membrane	239,589	246,974	7,385	7,385	Materials purchased, budget required to meet existing commitment
IAF - Kainga Ora					
IAF Kainga Ora Infrastructure Project Concept Design & Feasibility Costs	462,565	550,000	87,435	87,435	Council approved Opex funding for feasibility studies Res: 2022/69, will be recovered by Council when the first tranche of IAF funding is drawn down.
Better off Funding					
Better off Funding Holding PR	-	725,522	725,522	725,522	Externally funded on-going work programme
Water 3-Waters Reform	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Kaitaia New Source (Sweetwater) - 3 Waters Reform	1,419,653	3,032,792	1,535,888	1,535,888	Commissioning of plant and modifications required to complete project. Expected to be completed by December
Monument Hill Drought Impact - 3 Waters Reform	-	559,506	559,506	230,000	Project remains unfinished due to resource being withdrawn to cover emergency works due to various weather events. \$50,000 to be reforecast to PR571333.1.1.4917 to meet project shortfall.
Kerikeri WTP New Clarifiers - 3 Waters Reform	617,036	808,379	191,343	15,000	Carry Forward. Final Claim of \$15K Aug or Sept 23
			Total Water	3,625,555	
Roading	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Emergency Works	8,160,078	15,911,908	7,708,011	7,568,994	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Unsealed Road Metalling	2,947,829	5,782,211	2,834,382	2,834,382	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Sealed Road Resurfacing	4,188,575	4,349,931	161,356	161,356	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Drainage Renewals	804,932	895,610	90,678	90,678	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Pavement Rehabilitation	3,187,736	3,523,141	335,405	335,405	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Structures Component Replacements	1,691,287	3,194,117	1,502,830	1,502,830	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.

Project	Actual	Forecast 22/23	Variance	Budget to be carried forward	Reason for carry forward - Commentary Required
Bridges and Structures Renewals	1,123,412	1,974,592	851,180	851,180	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Traffic Services Renewals	396,461	524,437	127,976	127,976	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
Road Improvements	4,627,317	6,147,100	1,749,711	1,599,711	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 100%.
Minor Improvements	5,257,259	10,768,868	5,511,609	5,511,609	Funds required to complete works. Waka Kotahi NZTA have agreed to carry forward their share @ 69%.
FNDC & External Funded Projects	5,068,418	9,700,454	4,535,595	4,243,285	Budget required to meet existing commitment.
			Total Roothing	24,827,406	
		TOTAL CARRY FORWARDS		51,583,548	

6.2 KAIKOHE WWTP WORKING GROUP - RECOMMENDATION FOR UPGRADE**File Number:** A4364238**Author:** Ben Bowden, Design Engineer - FNW**Authoriser:** Andy Finch, District Engineer**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek approval regarding the recommendation of the Kaikohe Wastewater Treatment Plant (WWTP) working group for an upgrade of the Wastewater Treatment Plan (WWTP).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Resource consent authorising the discharge of treated wastewater from the Kaikohe WWTP into the Wairoro Stream expired in 2021. An application to renew that consent was lodged prior to the expiry date. A requested for the application to be put on hold was made to enable engagement with iwi/hapū.
- Iwi/hapū engagement has been undertaken via a working group formed with representatives of Ngā Hapū o Kaikohekohe in accordance with a Terms of Reference (TOR) signed on 02 June 2022.
- Commitments of the TOR included fully investigating options for achieving a land-based discharge of treated wastewater and identifying the Best Practicable Option (BPO) for the upgrade of the Kaikohe WWTP.
- The Proposed Regional Plan for Northland has a policy D.4.3 which requires that any application to discharge wastewater to water will generally not be granted unless a discharge to land has been considered and found not to be environmentally, economically, or practicably viable. Therefore, this will need to be answered for the discharge consent to be progressed.
- Potential sites for discharge to land (DtL) were identified and a preferred site was taken forward for onsite investigations and a concept design. Investigations found that due to limitations of the soils onsite, this option would only be able to accept 40 – 60% of the flows from the Kaikohe WWTP. This information, along with an estimated cost of \$24.86M, led the working group to reject this site, further investigations are required to find a suitable and acceptable site.
- The working group considered a long list of options for upgrading the Kaikohe WWTP. Overtime these options were refined to a shortlist from which the preferred option of a Membrane Bioreactor (MBR) was decided on. This decision is documented in the meeting minutes as per attachment 1.
- An elected member workshop has been set for the 12th September. This is to inform Councillors of the process and recommendations of the Kaikohe WWTP working group in preparation for this report to council.
- Due to the value and timing of construction for the recommended upgrade, notification of this significant decision was submitted to the National Transition Unit – Water Services Reform Programme. Their decision to accept the project has been included in the Asset Management Plan (AMP) for Wai Tamaki ki Te Hiku.
- If there is an interruption to the transfer of 3 waters services from local government then budgetary provision needs to be included in the LTP24-34 process to enable the construction of the recommended option.

TŪTOHUNGA / RECOMMENDATION**That Council:**

- a) approve the Kaikohe Wastewater Treatment Plant working group's recommendation of a Membrane Bioreactor to the Kaikohe Wastewater Treatment Plant**

- b) budgetary provision of \$25.65M be included in the Long Term Plan 24-34 process for the purpose of constructing the recommended upgrade**
- c) agree not to pursue the option of discharging treated wastewater from the Kaikohe Wastewater Treatment Plant to land at this time, as part of the application to replace the resource consent authorising the discharge of contaminants from the Kaikohe Wastewater Treatment Plant, on the basis that the preferred site was deemed not practically or economically viable.**
- and that the Council notes that:**
- d) engagement with the Ngā Hapū o Kaikohekohe, via the Kaikohe Wastewater Treatment Plant working group, will continue to investigate discharge to land options; and**
- e) should possible site(s) be identified, and an agreement is made with landowners, a separate request to fund onsite investigations and concept design to determine the site is practicability and economically viable will be made.**

1) TĀHUHU KŌRERO / BACKGROUND

Northland Regional Council (NRC) resource consent authorising discharge of treated wastewater from the Kaikohe WWTP into the Wairoro Stream had an expiry date in 2021.

To support the resource consent renewal application, in 2020 staff engaged consultants to undertake a high-level assessment of the WWTP and recommend a suitable upgrade option that would enable the wastewater to be treated to the standard required by new legislation. No stakeholder engagement was carried out to inform this high-level options assessment. Staff also undertook a desktop analysis of land within 10km of the Kaikohe WWTP to determine whether discharging treated wastewater (WW) to land, rather than water, might be practicably feasible and affordable.

In May 2021 staff reported to Council that WW discharge to land was assessed as practicably feasible but not affordable for the community of Kaikohe. The Council resolution to that report was for staff to progress to landowner and iwi engagement to seek to identify a preferred site for receiving treated wastewater near the Kaikohe WWTP.

In November 2021 the Northland Regional Council (NRC) resource consent authorising discharge of treated wastewater from the Kaikohe WWTP into the Wairoro Stream expired (consent granted 2005). Staff lodged an application with NRC to renew this consent prior to the expiry date, triggering s124 of the Resource Management Act (RMA) that allows Far North District Council (FNDC) to continue to discharge treated wastewater in accordance with the expired resource consent until a decision is made on the renewal application. Once the application was accepted by NRC, FNDC requested the application be put on hold to enable meaningful engagement with iwi/hapū to be carried out.

To achieve this, a Terms of Reference (TOR) was established as per attachment 2 which was signed and agreed to by representatives from:

- Te Uri O Hua
- Ngāti Whakaeke
- Ngāti Tautahi
- Ngāti Kura
- Te Matarahurahu
- Te Takotokē
- Far North District Council

Commitments of the TOR included fully investigating options for achieving a land-based discharge of treated wastewater and identifying the Best Practicable Option (BPO) for the upgrade of the Kaikohe WWTP. An external provider was brought on to facilitate multiple workshops with the Kaikohe WWTP working group to work through these matters.

From these workshops the working group has approved the recommendations proposed in this report.

Full details of the engagement process will be discussed at length in the elected member workshop to be held on the 12th September in Council Chambers.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Kaikohe WWTP Upgrade

To meet the water quality conditions of a renewed consent to discharge to water, the current Kaikohe WWTP requires an upgrade. Ammonia and E. coli being the key focuses for treatment upgrade. An external technical expert was engaged to advise the working group on the options for an upgrade.

A long list of 20 options was presented to the working group which included options from previous work done in preparation for the consent application in 2021 and additional options brought forward by the external expert. The working group discussed the merits of each option, eliminating 16 options and identifying 4 to proceed to a short-list as per attachment 3.

Options 2 (Modified Ludzack-Ettinger) and 4 (Moving Bed Bioreactor) from the short-list were then discounted after further discussion leading to the remaining 2 options being compared in detail to arrive at a preferred option.

Options 1 (Sequential Batch Reactor) and 3 (Membrane Bioreactor) were considered the most viable by the working group. There are currently Sequential Batch Reactors (SBR's) in both Kerikeri and Russell, though there are no Membrane Bioreactors (MBR's) operating in the district.

The predicted water quality improvements for the discharge to the Wairoro stream were calculated and are represented in Figure 3 below. The water quality components assessed were Total Nitrate (TN), Total Phosphorus (TP), E. coli, and Total Suspended Solids (TSS). These components were compared for Upstream of the discharge point (US), predicted downstream of discharge point for SBR and MBR, and the current quality measured downstream of the discharge point.

ANZG (2018) stands for the Australia & New Zealand Guidelines for freshwater and the red dotted line represents the trigger value for investigating algal growth in a stream. NPS-FM stands for the National Policy Statement for Freshwater Management and the orange/black dotted lines represent the suggested water quality for safe swimming with respect to E. coli levels.

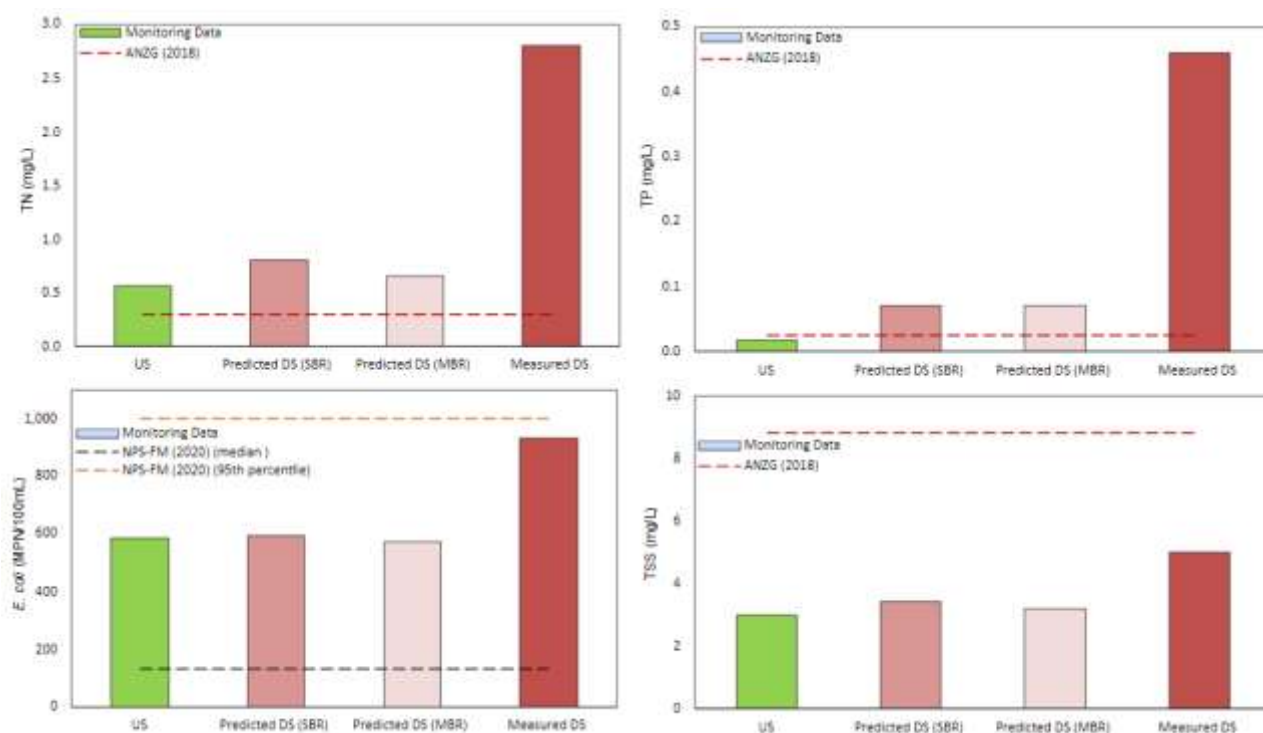


Figure 3: Water Quality Comparisons

The graphs show that the MBR option is the best performing option which results in a significant increase in treatment. It should be noted that the MBR is the highest level of treatment available in New Zealand at this time. Based on this, the Kaikohe WWTP working group has recommended option 3 – MBR as the preferred option for upgrade.

Option 1 was estimated at a cost of \$21.7M with a -30% to +50% uncertainty. At this estimated cost the rating impact would be an annual increase of ~\$900/year as in Figure 1 below.

CAPITAL Rate - per connection		Y1	Y2	Y3	Y4
Option 1		\$ -	\$ 919.01	\$ 916.00	\$ 892.64
OPERATING Rate per connection		Increase in average rate			
Option 1		\$ 8.49			

Figure 1: Option 1 – SBR Rating Impact

Option 3 was estimated to cost \$25.65M with a -30% to +50% uncertainty. At this estimated cost the rating impact would be an annual increase of ~\$1100/year as per Figure 2 below.

CAPITAL Rate - per connection		Y1	Y2	Y3	Y4
Option 3		\$ -	\$ 1,110.87	\$ 1,107.32	\$ 1,079.68
OPERATING Rate per connection		Increase in average rate			
Option 3		\$ 8.49			

Figure 2: Option 3 – MBR Rating Impact

Note: Rating impacts have been based on the current number of rated wastewater connections and will be impacted by both water reform and housing intensification currently underway.

Discharge to Land Investigations

The Proposed Regional Plan for Northland has a policy D.4.3 which requires that any application to discharge wastewater to water will generally not be granted unless a discharge to land has been considered and found not to be environmentally, economically, or practicably viable. To progress the

discharge consent for Kaikohe WWTP a position statement about the viability of discharge to land must accompany the application.

The Kaikohe WWTP working group has clearly provided their preference for working towards a discharge to land as opposed to a continued discharge to the Wairoro Stream.

To achieve this, FNDC conducted an analysis of the land within a 10km radius of the Kaikohe WWTP. This analysis excluded land within the area of interest (AOI) that would not be practicably suitable to support a discharge to land at a desktop level. 40 properties were identified with sufficient potentially suitable land to consider discharge to land.

These 40 properties were discussed with the Kaikohe WWTP working group, who then identified the culturally significant sites for removal from consideration. The remaining properties were then ranked based on their potential for discharge to land. The top 15 properties were then contacted to understand the landowner's interest in either selling their land or leasing it for discharge to land.

Only 1 landowner was willing to sell the land identified from these top 15 properties. Onsite soil testing and a costed concept design was then achieved as per attachment 3. The cost of achieving discharge to this site was estimated to be \$24.86M with an uncertainty of -30% to +50%. The rating impact of proceeding with this option would therefore approximately double the increased annual rates from what is identified in Figures 1 & 2.

The concept design also found the amount of treated wastewater the site could take. This was found to range between 36% – 60% of the flows from the Kaikohe WWTP due to the limited drainage characteristics of the soil as shown in Figure 4. A year containing significant rainfall would be closer to the 36% whilst in a drought 60%. Additional land of the same soil characteristics would not affect these percentages.

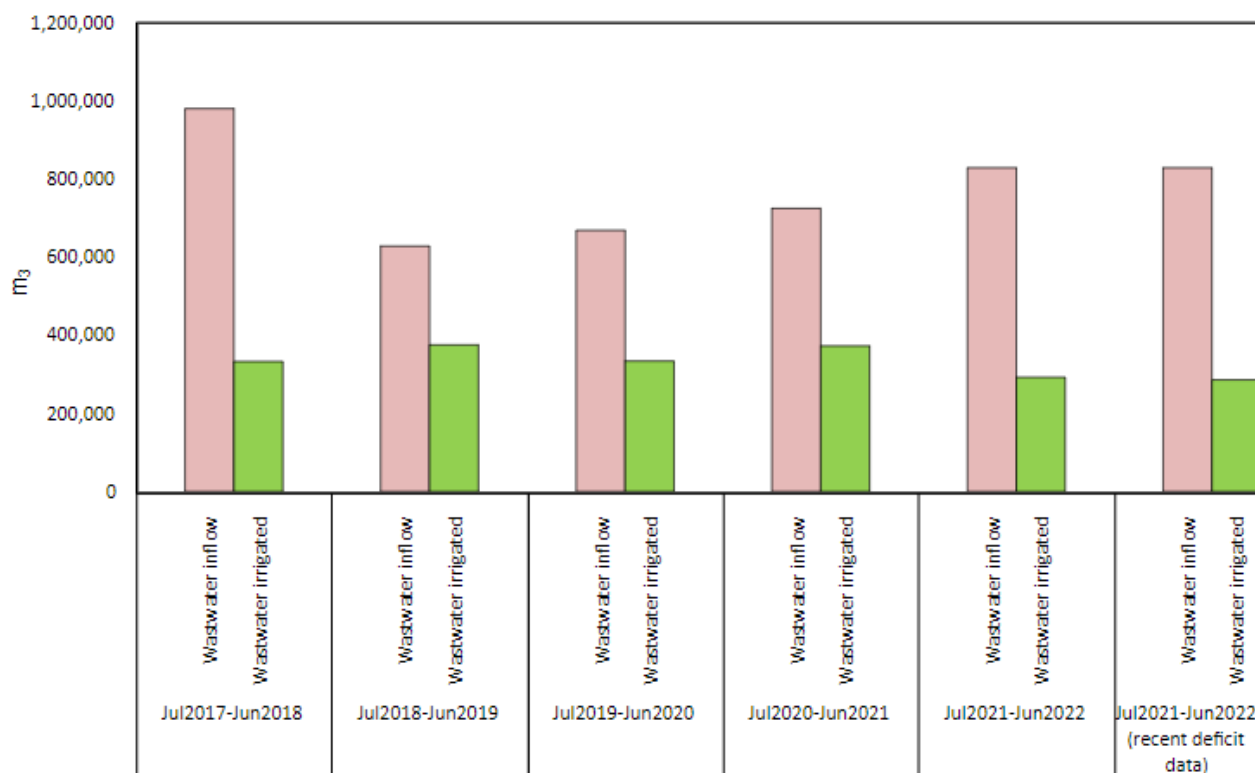


Figure 4: Kaikohe WWTP Flows V.S. Amount Irrigated to Land

Based on these findings, the Kaikohe WWTP working group does not recommend this site be progressed for discharge to land as it is found practicably and economically non-viable. As a result, further investigation into alternative sites is required to find a site which is deemed viable to the

working group. Should such a site be found then it will be reported to council with a request for funding to achieve onsite soil investigations and a concept design.

Notification of Significant Decision to NTU

It should be noted that Entity A was supportive of a MBR upgrade and have been notified of the recommendation for this report and accepted it as per attachment 4. This was done due to the value and timing of construction for the recommended upgrade. Their decision to accept the project has been included in the Asset Management Plan (AMP) for Wai Tamaki ki Te Hiku.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The Kaikohe WWTP working group has through a series of workshops determined that a Membrane Bioreactor (MBR) is their preferred upgrade option for the Kaikohe WWTP. This upgrade would meet and exceed water quality requirements for a continued discharge to water. It is noted that the MBR is the highest performing treatment plant available in New Zealand at present.

While preferred discharge to land site was found with a landowner interested in selling the property, limitations of the soil and the high estimated cost led to the working groups decision to not proceed with the site due to it being practicably and economically non-viable.

It remains a core focus of the working group to achieve a discharge to land. Therefore, continued investigations will take place to assess all possible remaining options.

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

Council has made budgetary provision totalling \$6.85M which is currently timed for FY24 – FY27. This budgetary provision is insufficient to meet the cost of the recommended upgrade. An additional \$19M would be required. The indicative rating impact of a council funded upgrade totalling \$25.65M is an \$1100 per annum increase to the capital rate and a \$8.50 increase in the operation rate for Kaikohe wastewater ratepayers.

Current financial year budgetary provisions of \$400,000 is available to initiate detailed design of the recommended upgrade option.

Budgetary provision totalling \$31.25M is included in the asset management plan (AMP) submitted to the National Transition Unit (NTU). This has been timed for FY25 – FY28. The recommended upgrade information submitted to the significant decisions department of the NTU, which has responded with approval as per attachment 4.

ĀPITI HANGA / ATTACHMENTS

1. **Kaikohe WWTP Project Online Hui Minutes 290623 - A4366962** [!\[\]\(098e47036f78288d477e334896a43770_img.jpg\) !\[\]\(4eae4ca9e3bdd839cea72df3843a6754_img.jpg\)](#)
2. **2022-06-02 Kaikohe WWTP Working Group - Signed Terms Of Reference - A4196494** [!\[\]\(85c10fe0ae97c3e2f0e940987ab0a900_img.jpg\)](#)
3. **Kaikohe WWTP Short Lists Options Report - A4365946** [!\[\]\(886bb00f68a0102765319f7e3e73d979_img.jpg\) !\[\]\(0fbfb77cc5f54acd9a6cc5e2e99729c4_img.jpg\)](#)
4. **Far North DC #99 Confirmation Letter - signed - A4365801** [!\[\]\(bcfed6d10b13d512440f89f52a81eafd_img.jpg\) !\[\]\(7c161aecd27f28132b5df13a9dbd5b32_img.jpg\)](#)

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 recommended option for an MBR upgrade holds a high level of significance which meets the criteria set out in the policy. This is due to environmental and financial implications.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	<p>The recommended upgrade will provide an increased treatment quality which would ensure compliance for a discharge to water upon its commission. This will allow for the resource consent renewal to take place and provide for minimal contamination of the Wairoro Stream.</p> <p>The Proposed Regional Plan for Northland has a policy D.4.3 which requires that any application to discharge wastewater to water will generally not be granted unless a discharge to land has been considered and found not to be environmentally, economically, or practicably viable.</p> <p>The recommendation in this report does not rule out a discharge to land in the future should a suitable site be found.</p>
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.	<p>The provision of wastewater services is not a community board delegation and the views of the Kaikohe-Hokianga community board have not been sought.</p> <p>The issue of establishing discharge to land schemes is a district wide issue, which has been focused via this report on the community of Kaikohe, because of the need to replace discharge resource consents for this community.</p>
<p>State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.</p> <p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	<p>Discharge to land is the culturally appropriate method of discharge for treated wastewater. Engagement with the Kaikohe WWTP working group has been undertaken for this purpose.</p> <p>Te Uri o Hua, Ngāti Whakaeke, Ngāti Tuatahi, Ngāti Kura, Te Matarahurahu, Te Takotokē hapū are represented on the working group.</p>

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 rate payers that are connected to, or have the ability to connect to, a public wastewater scheme will be affected by this matter. Consideration of the economic impact of establishing land disposal schemes has been considered via the rating impact of the activity.
State the financial implications and where budgetary provisions have been made to support this decision.	<p>Council currently has budget provision for \$6.5M for an upgrade to the Kaikohe WWTP. An additional \$19M would be required to fund the recommended upgrade which would have a total rating increase of \$1100 in capital rates and \$8.50 operational rates annually for the rate payers of Kaikohe wastewater.</p> <p>Current funding would support detailed design of the recommended upgrade.</p> <p>Budgetary provision totalling \$31.25M is included in the asset management plan (AMP) submitted to the National Transition Unit (NTU). The recommended upgrade has notified to the NTU and agreed to.</p>
Chief Financial Officer review.	The Chief Financial Officer (CFO) has reviewed this report.

Minutes of Meeting

Kaikohe WWTP Working Group Online Hui 29 June 2023

Held Thursday 29th June at 1.00pm

at Far North District Council (FNDC) office in Kaikohekohe

Present:

Ngā Hapū representatives: Mane Tahere [MT], Tamaiti Wihongi [TW], Paul Wihongi [PW], Floyd Wihongi [FW], Karena Rameka [KR], Scarlet Mokaraka [SM].

Far North District Council (FNDC) representatives: Jaye Michalick [JM] (via Teams), Ben Bowden [BB], Tanya Proctor [TP].

Beca representatives: Garrett Hall [GH] (via Teams), Brigitte Priestley [BP] (via Teams).

Apologies: Ted Wihongi (FNDC), Arama Tahere.

Distribution: All attendees

Chair: Ben Bowden

Meeting Notes/Actions: Brigitte Priestley

Item	Action
<p>1 Wastewater Treatment Plant (WWTP) Options</p> <p>PW opened the meeting with a karakia.</p> <p>Beca presented some additional slides on the SBR and MBR processes and provided some examples (Sequenced Batch Reactor (SBR) = Project Pure, Membrane Bioreactor (MBR) = Meremere WWTP, Pukekohe WWTP).</p> <p>At 1.30pm KR requested we put the Hui on hold to allow Hapu time to discuss the BPO. TP from FNDC also attended as mana whenua.</p> <p>The hui resumed at 2.00pm.</p>	
<p>2 Selection of the BPO</p> <p>MT confirmed Nga Hapu's preference as the following:</p> <ul style="list-style-type: none"> • WWTP upgrade to be MBR as this is the highest known level of treatment (the 'Rolls-Royce'). • Hapu have ruled out 80A Jorden Road for discharge to land; wish to keep investigating other sites for a discharge to land (DtL) scheme. • Want to keep the option of Electrocoagulation (EC) open; want to remain informed about the results of the trial at Taipa WWTP. • Want to be acknowledged as kaitiaki in the next stage of the process; want to have a co-governance role / be involved in the decision-making process. • Want to address the additional development in Kaikohe under the Infrastructure Acceleration Fund (IAF) and put pressure on developers with regards to wastewater management. 	

Minutes of Meeting

Item	Action
<p>JM asked if Nga Hapu support keeping the constructed wetlands, noting that approx. 10% of the daily treated wastewater flow will always need to go to the wetlands to keep them operational, even if a DtL scheme is developed. MT confirmed that they want to keep them, and that this is also part of the path to land disposal.</p> <p>JM confirmed she supports the selection of the MBR system and the ruling out of 80A Jordan Road.</p> <p>MT noted that they see land discharge as a continuum and still want to be working towards that as part of this process.</p> <p>Next steps: Beca will now prepare the BPO report outlining the selection of the BPO, the process to date, and the other matters that require further consideration.</p>	<p>Beca to prepare BPO report</p>
<p>3 Promotional Video</p> <p>JM mentioned the proposed promotional video outlining the process to date and the selection of the BPO. Hapu would like to do filming down at the awa including drone footage of the awa. Also proposed having interviews with the Working Group members.</p> <p>BP reminded the group of the key narratives for the video as discussed during the hui on 7 March 2023:</p> <ul style="list-style-type: none"> • History of this working group process • The importance of the awa • Aspirations of the working group for the WWTP • The working group process 	<p>Working Group to organise promotional video</p>
<p>4 Resource Consent</p> <p>The group discussed the resource consent application. BP noted that Beca can propose some draft conditions as part of the resource application for the new MBR plant.</p> <p>Hapu identified that they would like the following covered in the draft conditions:</p> <ul style="list-style-type: none"> • A requirement to keep Nga Hapu engaged. • A requirement to continue investigating a DtL scheme. BP noted that this would also need to have a timeframe for when the DtL scheme would need to be confirmed. • A requirement for adequate wastewater quality monitoring. • A requirement to only allow correct connections. 	<p>Beca to include in the future resource consent application.</p>



Minutes of Meeting

Item	Action
<p>JM noted that a trade waste bylaw may be required to address the issue of connections. This would usually specify maximum concentrations of contaminants that a commercial operation can discharge to the sewer. MT asked if this could include embalming fluids. JM clarified that it should relate to any commercial / trade wastewater.</p>	<p>Beca to include a recommendation for a trade waste bylaw in the BPO report</p>
<p>5 Wetland Planting Plan</p> <p>Beca provided some slides on the proposed Wetland Planting Plan for the constructed wetlands (CWLs) and noted in particular the need for a by-pass during the desludging and replanting that would send treated wastewater from the maturation pond to the natural wetland.</p> <p>Nga Hapu asked about the quality of the wastewater entering the awa during the bypass. BP noted that the quality is likely to be worse, however the natural wetlands are providing some level of contaminant removal as shown in the Mass Balance Assessment.</p> <p>MT asked if this is part of the initial improvements to the WWTP. FNDC noted that this is a substantial piece of work and will need to be entered into the LTP to follow on from the desludging of the oxidation pond.</p> <p>Wetland improvements to be included in the BPO report.</p> <p>MT noted that there are a lot of separate matters to discuss, including the wetlands, and requested separate hui for each of these matters.</p> <p>Meeting closed at 2.30pm.</p>	<p>Beca to include CWL improvements in the BPO report.</p> <p>BB to set up hui.</p>

Minuted by: Brigitte Priestley



TERMS OF REFERENCE FOR THE KAIKOHE WASTEWATER TREATMENT PLANT CONSENT RENEWAL WORKING GROUP

1. Core Principles

The Kaikohe Wastewater Treatment Plant Consent Renewal Working Group is a formally established Working Group of the Far North District Council.

The Working Group is established to forge a pathway forward for the relationship and partnership between Te Uri o Hua, Ngāti Whakaeke, Ngāti Tautahi and the Far North District Council ("Council"). The Working Group is made up of senior representatives appointed by these hapū and the Council.

Matarahurahu - ue OR ACD
Te Takotokey Ngati Kuva i-w
The Working Group commits to the following principles in their ongoing work together:

- Te Tiriti o Waitangi: Confirms the relationship of hapū and whānau with the Crown and the constitutional place of hapū and whānau in Aotearoa.
- Rangatiratanga: Acknowledging the authority and responsibility whānau, hapū and iwi carry for Māori, the wider community and the broader environment.
- Tohungatanga: Recognising the expert knowledge and wisdom tangata whenua carry.
- Manaakitanga: Recognising the responsibility to respect and care for all things created.
- Whānaungatanga: Acknowledging that all things are connected and impact on each other and therefore the importance of understanding and maintaining these relationships
- Ūkaipō: Acknowledging the nurturing relationship hapū and whānau have with their papakāinga and whānau, and their responsibility to sustain and maintain and enhance these relationships.
- Kotahitanga: Confirming the ultimate goal of the Working Group is to achieve unity, harmony and solidarity.

2. Kaupapa

The establishment of the Working Group and its kaupapa recognises the mana of ngā hapū o Kaikohe.

The Working Group is made up of senior representatives of each relevant hapū party to this agreement and the Council.

The Working Group will provide a sound platform for the hapū and Council to come together and work collaboratively. The immediate Kaupapa of the Working Group is to:



- Lead the investigation, supported by technical expertise, into discharging treated wastewater to land from the Kaikohe Wastewater Treatment Plant.
- Lead the investigation, supported by technical expertise, into Best Practicable Option¹ (BPO) for upgrading the plant to further improve the standard of the discharge.
- Report recommendations for preferred options for discharge to land and BPO to Council elected members.
- Ensure appropriate consultation, engagement, and partnership with hapū and whānau.
- Receive confirmation that initial improvements to the existing treatment plant Council committed to in the letter dated 27 August 2021 have been implemented (refer to Appendix 1).

3. Ngā hapū o Ngāpuhi ki roto

There are several hapū in Kaikohe, with the predominant hapū being Te Uri-O-Hua, Ngati Whakaeke, Ngati Tautahi. These hapū are closely related through whakapapa and hitori. Each hapū have authority for certain areas, eg: specific Whenua, Wahi tapu, Wai, Wai puna, Awa or Pa. Our pepeha make mention of our maunga, awa, marae, Whakapapa, Tupuna, hapū, and iwi. This identifies who we are and how we connect to these areas. Because of our relationship and tikanga there is total respect and support for each other.

Wairoro / Waioro-oro starts from Te Pua Rd and ends at the Mangakahia end of Ngapipito Rd as it joins to the Punakitere awa. Wairoro / Waioro-oro was a safe food source as well as being used for other purposes, before being polluted by wastewater discharge and other means. You could safely drink the water, catch tuna, eat the watercress, kanga wai. It was also used mo nga take wairua, hiki tapu, whakawatea, iri iri (Baptism) kaukau, enei tumomo mahi.

The hapū party to this agreement respects the other whānau and hapū downstream of the Wairoro / Waioro-oro who are also affected by discharges to its waters. They continue to have korero for their respective areas, and the hapū, party to this agreement, do not speak for them.

4. Background

The Kaikohe Wastewater Treatment Plant currently discharges treated wastewater into a tributary of the Wairoro / Waioro-oro Stream. The discharge is authorised by AUT.002417.01.03. The resource consent has a term of 16 years and expires 30 November 2021. An application for a replacement consent was lodged in August 2021 and placed on hold to enable the kaupapa of the Working Group.

¹ Best Practicable Option has the same meaning as defined in the Resource Management Act 1991



The intention is that the application for replacement consent will remain on hold whilst the immediate kaupapa (above) is being worked through and the Working Group considers the application, or an alternative application is ready to proceed.

5. Terms of Reference

5.1 Vision

Kia whakahokia te mauri ora o te wai ki tōna āhua mo ngā whakatupuranga kei te haere mai.

To return the life essence of the water to how it was for the future generations to come.

Kia whakamanatia ngā whakapapa me te mana o ngā hapū ki ōna maunga kōrero, me ōna awa manawa, me ōna mana Motuhake, ki raro te wairua o He Whakaputanga me Te Tiriti o Waitangi.

To recognise the whakapapa and authority of hapū over their rohe in accordance with the spirit of He Whakaputanga and Te Tiriti o Waitangi.

5.2 Values

The parties making up the Working Group will work together with the intention and commitment to establish a collaborative, positive, and balanced relationship exercising good faith, cooperation, flexibility and responsiveness in working together.

The parties to the Working Group will commit to building knowledge and understanding of each other's tikanga and incorporate this when working together.

5.3 Commitments

The Working Group is committed to:

- Fully investigating the options for achieving a land-based discharge of treated wastewater from the Kaikohe Wastewater Treatment Plant.
- Reviewing the process for receiving septage and sludge at the Kaikohe Wastewater Treatment Plant including associated costs, fees and charges, and how tikanga can be considered in decisions about what septage and sludge is received at the plant.
- Working together to identify the Best Practicable Option for upgrading the plant that meets the vision of this Working Group to bring back the mauri of the wai for the benefit of the community.



5.4 Key Tasks

- To investigate the feasibility of discharging treated wastewater to land, including:
 - Agreeing to target project milestones and timeline
 - Agreeing the relevant criteria, for the site selection of any proposed sites for land-based disposal of treated wastewater for consideration.
 - Agreeing the short list of sites and from the short list, agreeing a preferred site (or sites) on which physical investigations will be commissioned by Council, to determine the suitability of the site(s) for land-based wastewater disposal.
 - Considering the results of the physical investigations, end-use options and landowner input for the preferred site(s) for land-based wastewater disposal site.
 - Agreeing the method of wastewater disposal to land, for which a preliminary design and cost estimate (for a land-based wastewater disposal scheme at the preferred site) will be prepared by appropriate technical experts.
 - Reaching a consensus on whether wastewater disposal at the selected site is practicably feasible. The target timeline for the Working Group is to report to Council elected members where possible by July 2023 and no later than December 2023.
- To simultaneously determine the Best Practicable Option (BPO) for upgrading the plant to improve the standard of the discharge. The target timeline for the Working Group is to report to Council elected members where possible by July 2023 and no later than December 2023.
- To review current resource consent monitoring programme and reporting methods to identify opportunities for improvement. Opportunities considered by the Working Group shall include hapū involvement in the monitoring programme. Report to Council on the findings and recommendations.
- To receive and be provided with expert advice on monitoring results following implementation of the initial improvements Council committed to in the letter dated 27 August 2021 (refer to Appendix 1). Where wastewater monitoring results indicate that the initial improvements and measures have been insufficient to achieve compliance with the current resource consent, the Working Group will investigate and report on further options for improvement.

5.5 Membership

(a) Working Group

The Working Group is to comprise representatives of the hapū party to this agreement and Council and will include as a minimum:

- Three hapū representatives appointed by Te Uri o Hua, Ngāti Whakaeke and Ngāti Tautahi



- Two senior Council staff
- Any other Council staff as required to support any meetings that require Council delegations that are not held by the regular attendees.
- Any other hapū members as required to support discussions on the perspectives of a particular hapū or issue.

With the consensus of the founding members of the Working Group (Te Uri o Hua, Ngāti Whakaeke, Ngāti Tautahi and Council) other hapū can become a party to this agreement. Other hapū that become a party to this agreement shall be entitled to appoint a hapū representative to the Working Group, and the resourcing set out in section 5.7(a) shall apply.

(b) Technical Expertise

Technical expertise will be provided to support the work of the Working Group. This will include, but is not limited to the following:

- Mātauranga Māori: An expert in applying mātauranga Māori.
- Wastewater Engineering: An independent wastewater engineer who is suitably qualified, specialises in wastewater engineering and is experienced in land-based wastewater disposal systems.

Technical experts will be selected by mutual consent. Where additional technical expertise is required to support the work of the Working Group, the Working Group will identify a shortlist of suitably qualified experts for consideration. Technical expertise may also include peer review services and decision-making facilitation if required.

(c) Administrative Assistance

- Council will provide appropriate staff to facilitate the administrative and substantive work undertaken by the Working Group.

5.6 Responsibilities

(a) Council:

- Fully commits to working with hapū representatives to achieve the vision and commitments of the Working Group.
- Will not progress the existing resource consent application or decisions on the future of the plant while the work of the Working Group is ongoing unless required to do so by the Northland Regional Council.
- Staff will liaise with members of the Working Group to keep them updated to ensure they are fully informed of the agreed work being completed.



- Will regularly brief Council elected members on the progress of the Working Group and report any feedback to the Working Group.
- Key Council elected members will be brought to the table as required.
- Council elected members will consider any recommendation(s) from the Working Group and provide the Working Group with the Council's decision(s) in a timely manner.
- Will hold an electronic master folder containing / storing all key documentation and information especially minutes, reference material, plans and maps associated with the project and this information will be shared with the Working Group members.
- Will endeavour to maintain consistency in their appointed Working Group members in order to maintain continuity of mana tangata, kanohi kitea, knowledge and built relationships.
- Council will use its best endeavours to avoid unnecessary delays in order to achieve agreed project milestones.

(b) Hapū Representatives:

- Will liaise with and report back to all respective hapū and marae and provide all feedback to the Working Group on a regular basis.
- Will provide cultural direction to support the Working Group.
- Will, when appropriate, call hui or wānanga among themselves or more broadly with marae or whānau when the information and decisions of the Working Group need to be considered more widely.
- Will ensure that opportunities are extended to other key hapū to come to the table as required.

(c) Shared Responsibilities

- Work in accordance with the vision and core principles set out in this agreement.
- Manage activities in order to achieve agreed project milestones.
- Engage with the owners of land identified as being potentially suitable for a discharge to land or its associated infrastructure (pipelines, pump stations etc).
- Engage with the wider community to report on the progress and outcomes of the Working Group.
- Prepare reports and recommendations to Council elected members, Council committees or full Council as required, including any final report and recommendation.

5.7 Resourcing

(a) Hapū Representatives

- Council will pay a meeting allowance of \$250 per hapū party to this agreement per meeting. For clarity, this sum is to cover the costs of meeting attendance, meeting preparation,



mileage to the meetings, and any work associated with reporting back to respective hapū and marae. Each hapū may choose to have more than one representative present at meetings but only one allowance per hapū will be paid.

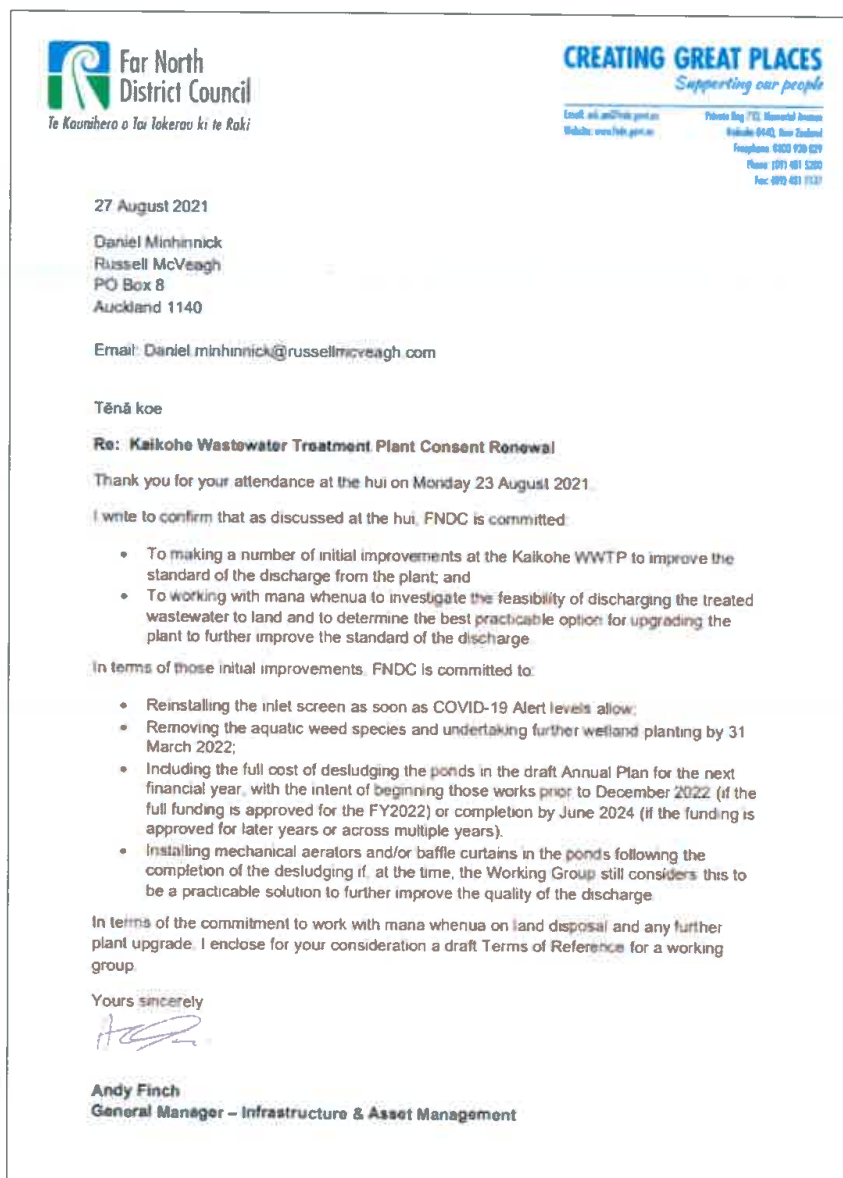
- It may be necessary for Working Group members to undertake work outside regular meetings (and associated ancillary tasks), such as meetings during the Annual Plan or Long Term Plan preparation and/or meetings of Council to present recommendations. It is acknowledged personal expense because of participating in other work, workshops and hui may be incurred. Council will resource the Working Group members for additional work under the principle that members should not be financially disadvantaged by the work requirements of the Working Group. This will include support for hui and wananga around te mauri o te wai with other hapū spanning the length of the discharge route.

(b) Technical Expertise

- As outlined in paragraph 5.6 independent technical expertise will be engaged to support the work of the Working Group and any recommendations made to Council.
- Council will resource the technical expertise. The scope of involvement will be agreed to by the Working Group but must be within the budgets approved by Council.

5.8 Decision Making and Recommendations to Council Elected Members

- The Working Group will follow best practice approaches when identifying and shortlisting disposal to land and treatment plant upgrade options, and when reporting and making recommendations to Council.
- Recommendations reported to Council elected members for achieving disposal of treated wastewater to land and the Best Practicable Option for the treatment of the wastewater will be by consensus of the Working Group.
- If consensus cannot be reached, an independent facilitator will be selected by the Working Group from a shortlist provided by Council staff to assist with a resolution.





6. Counterparts

This document may be executed in two or more counterparts, all of which will together be deemed to constitute one and the same document. A party may enter into these Terms of Reference by signing a counterpart copy and sending it to the other party or parties, including by facsimile or email.



7. Acceptance

In signing these Terms of Reference each party acknowledges that it has read the document in its entirety and agrees to be bound by it.

These Terms of Reference are dated 2nd day of June 2022

For and on behalf of TE URI O HUA:

Signature(s): [Signature] [Signature] _____
 Names(s): Tamara Wihongi Paul Wihongi _____
 & Position: _____
 (if applicable)

For and on behalf of NGĀTI WHAKAEKE:

Signature(s): [Signature] [Signature] _____
 Names(s): EARLET MOKARAKA Beke Kopa _____
 & Position: _____
 (if applicable)

For and on behalf of NGĀTI TAUTAHĪ:

Signature(s): [Signature] [Signature] _____
 Names(s): mane Tahere Hayden Tahere _____
 & Position: Co-Chair Te Chair Te Whare _____
 (if applicable) Irirangi marae Awhina Ngati Tautahi

For and on behalf of FAR NORTH DISTRICT COUNCIL:

Signature: [Signature] _____
 Names(s): Andy Finch _____
 & Position: General Manager – Infrastructure & Asset Management _____
 (if applicable)



Te Takotoke, Ngati Kuwa -
 f. Wittongi
 Iamaiti Wittongi
 Paul . Wittongi

MT
 H. T. ACK

P. Ayezi
 Te Matarahurahu/ Ngati Ue
 Collin Rameka
 L. Rameka
 SCARLET MOKARAKA
 Babe Kapa

P. Ayezi
 A.D.
 L. Rameka
 S. Rameka

Sensitivity: General



Kaikohe Wastewater Treatment Plant Upgrade Options and Discharge to Land Scheme

Updated Short List Report

Prepared for Far North District Council
Prepared by Beca Limited

2 June 2023



Creative people together transforming our world

Sensitivity: General

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Appendices

- Appendix A – Long List Options for Kaikohe WWTP (Beca 2022)
- Appendix B – Kaikohe WWTP Mass Balance Assessment (Beca, 2023)
- Appendix C – Kaikohe WWTP Performance Assessment (Jacobs, 2021)
- Appendix D – Cost Schedules
- Appendix E – Site 13 Soil Investigations Report (McLeod, 2023)
- Appendix F – High level concept treated wastewater transfer route



Kaikohe WWTP Short Lists Options Report | 4700562-1792113892-854 | 2/06/2023 | i

Sensitivity: General

Revision History

Revision N°	Prepared By	Description	Date
1	Jolanta Liutkute	Short list options for WWTP upgrade	27/02/2023
2	Farza Feizi	Discharge to land scheme added	02/06/2023

Document Acceptance

Action	Name	Signed	Date
Prepared by	Jolanta Liutkute		27/02/2023
	Farza Feizi		02/06/2023
Reviewed by	Claire Scrimgeour		02/06/2023
Approved by	Garrett Hall		02/06/2023
on behalf of	Beca Limited		

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Kaikohe WWTP Short List Options Report | 4700562-1792113892-854 | 2/06/2023 | ii

Sensitivity: General

| Introduction and Context |

1 Introduction and Context

Beca Ltd (Beca) have been assisting the Kaikohe Working Group through a best practice decision making framework towards developing a Best Practicable Option (BPO) for the future treatment and discharge of wastewater at the Kaikohe Wastewater Treatment Plant (WWTP).

The WWTP treats municipal wastewater from Kaikohe Township, waste activated sludge from Russell, and sewage and sludge from septic tanks across the Far North District¹. The plant has experienced a range of performance issues and over time the quality of the wastewater discharged from the Kaikohe WWTP has declined causing seasonal non-compliances with existing consented discharge standards. In particular the WWTP has experienced seasonal exceedances of total-ammoniacal nitrogen, flow rate, pH, dissolved oxygen levels, and E. coli concentrations of treated wastewater at the Wairoro Stream monitoring sites.

The resource consent for the discharge (consent number CON20100241701) expired on 30 November 2021 and Far North District Council (FNDC) applied for a new discharge consent in August 2021 (currently on hold). The Assessment of Effects on the Environment Report prepared by Beca in August 2021¹ for the proposed resource consent notes that the proposal is for a stated consent with a 15-year duration that will allow the WWTP to continue to operate until upgrades or alternative disposal methods can be developed. The proposal was for the continuation of the existing discharge to water for three years to allow improvements to the plant to be undertaken, with a new plant/major plant upgrade to be commissions by year six which is either a land or water-based discharge.

The new plant will need to achieve discharges that comply with the bottom-line attributes as set out in the National Policy Statement for Freshwater Management (2020) (NPSFW) as well as the minimum standards of the Proposed Regional Plan for Northland (August 2022) (PRP). Although it is not clear what effluent quality parameters will be proposed for a new consent it is highly likely that if the current discharge to the stream would continue, nutrient reduction and UV disinfection will be required. It has been previously determined that based on the existing discharge quality, upgrades to the WWTP are required for either land or water discharge.

In order to determine the BPO for the Kaikohe WWTP, and subsequently determine the nature of the resource consent required, a Working Group consisting of senior representatives from Te Uri o Hua, Ngati Whakaeke, Ngati Tautahi and FNDC was formed. The Terms of Reference for the Kaikohe Wastewater Treatment Plant Consent Renewal Working Group, signed 2 June 2022, states that the immediate Kaupapa of the Working Group is to lead the investigation into discharging treated wastewater to land and lead the investigation into the BPO for upgrading the plant.

The Working Group have attended a number of Workshops in 2022 and 2023 in order the develop options for the BPO and have now shortlisted the options for the WWTP upgrade. The group have also selected a site for consideration in a discharge to land scheme. The purpose of this report is to confirm the short listed WWTP upgrade options and their associated costs as well as outline a possible discharge to land scheme.

1.1 WWTP Upgrade Options

A Long List Options Report² was prepared by Beca in September 2022 to outline options for a major plant upgrade to the Kaikohe WWTP with the purpose of improving the quality of the discharge. The long list of options including a brief description of each option and what the proposed upgrade is targeting is summarised

¹ Kaikohe Wastewater Treatment Plant Discharge Consent Application: Assessment of Effects on the Environment Report, Beca, August 2021.

² Long List Options for Kaikohe Wastewater Treatment Plant, Beca, September 2022.

Sensitivity: General

| Introduction and Context |

in Table A1 in Appendix A. These options were presented to the Working Group at workshop 2 held 14 October 2022 and in a follow up online hui on 27 October 2022.

To guide the Working Group in the process, a preliminary assessment using traffic light criteria (see Figure 1) of the long list options was undertaken by Beca before workshop 2. It should be noted that Beca's initial ratings and recommendations were to provide guidance only and in no way restricted the final ratings of the Working Group. The long list of WWTP upgrade options along with Beca's recommendations for shortlisting the options are listed in Table A2 in Appendix A.

	Recommended
	Could be considered
	Not recommended

Figure 1. Traffic Light Assessment Criteria.

The results of the preliminary traffic light assessment were presented to the Working Group on 14 October 2022 and the group were invited to undertake their own assessment for short listing the proposed long list options to determine their preference based on the information provided. This was then completed by the Working Group during the online hui on 27 October 2022. A short-list of four treatment plant upgrade technologies was confirmed and these options are:

- 1) Sequenced Batch Reactor (SBR) and UV disinfection
- 2) Modified Ludzack-Ettinger (MLE) and UV disinfection
- 3) Membrane Bioreactor (MBR)
- 4) Moving Bed Bioreactor (MBBR) for pond effluent polishing, plus installation of Dissolved Air Flotation (DAF) for solids separation, and UV disinfection

At workshop 3, which was held on 3 March 2023, the BPO short-list options were presented and discussed with the Working Group to identify a potential preferred process upgrade option. Further details of these options are presented in section 2 of this report.

1.2 Basis of Design for WWTP Upgrade

Flows and loads were developed to provide inputs into the high-level concept designs for the short-listed options. These are based on the current (2022) and expected future (2055) wastewater production volumes at Kaikohe WWTP. The proposed basis of design for the Kaikohe WWTP is outlined in Table 1 below.

There are two sources of the flows to the Kaikohe WWTP, influent (wastewater) and septage. The average current influent flow is estimated using the average influent flow (2020 to 2022) from the flow data provided by FNDC³. The influent flow data is further assessed by incorporating the Kaikohe population projection data of FNDC⁴ to get the current influent flow per capita. The future influent flow rates were determined by applying current per capita rates (current) to a future population projection. It is noted that the Kaikohe WWTP has high

³ WWTP flow data, March 2020 to July 2022, provided by FNDC.

⁴ Far North District Population Projections for FNDC, Infometrics, May 2022.

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levels of stormwater inflow and infiltration which influence the influent flows used for design. Further refinement of the design for peak flows will be needed in any future design stage.

The current septage flow is estimated by taking the average septage flow data per discharge day to Kaikohe WWTP over the period 2019 to 2021. The future septage flows are calculated using a population projection approach based on population data in 2055.

An assessment of the current wastewater composition was carried out based on the data provided by FNDC which includes two weeks of sampling data⁵. As the data on septage concentrations to Kaikohe WWTP is unavailable, septage data (from 2012 to 2019) available from Waipa District Council was used as the basis for the assessment⁶. Limited sampling was undertaken for Waipa, however, it was assessed as suitable to use as the basis of design. Septage sampling and characterisation at Kaikohe is recommended to inform further design stages of the WWTP upgrades.

The current Kaikohe WWTP influent loads were calculated based on the wastewater composition concentration and flows monitoring data (average of influent and septage flows) provided by FNDC. The design loads for the future (2055) are calculated based on the future flows that have been evaluated using the population projection (the population projections only went as far as 2055).

Table 1. The basis of design used for the design and the cost estimates.

Parameter	Unit	Average
Design Flows and Loads – Current (2022)		
Population	pp	4,852
Flow (influent with septage)	m ³ /day	1,819
Carbonaceous biochemical oxygen demand (cBOD ₅)	Kg/day	461
Ammonia (NH ₃ -N)	Kg/day	85
Total Nitrogen (TN)	Kg/day	121
Total Kjeldahl Nitrogen (TKN)	Kg/day	118
Total Suspended Solids (TSS)	Kg/day	658
Design Flows and Loads – Future (2055)		
Population	pp	5,459
Flow (influent with septage)	m ³ /day	2,057
Carbonaceous biochemical oxygen demand (cBOD ₅)	Kg/day	522
Ammonia (NH ₃ -N)	Kg/day	96
Total Nitrogen (TN)	Kg/day	137
Total Kjeldahl Nitrogen (TKN)	Kg/day	133
Total Suspended Solids (TSS)	Kg/day	744

The quality of treated wastewater discharged from the Constructed Wetland (CWL) final discharge location is monitored by FNDC as part of the consent conditions every 14 days. Treated wastewater quality results at the CWL from July 2017 to June 2022 are presented in Table 2. In addition, the effluent target limits (standard 1

⁵ WWTP flow data, March 2020 to July 2022, provided by FNDC.

⁶ Summary of Septage Concentration, 2012 to 2019, Waipa District Council.

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and standard 2) are proposed which was used for different options. The proposed effluent limits are based on mass balance calculations and data extrapolation⁷ to meet the water quality requirements in the context of Proposed Regional Plan for Northland (PRPN, December 2022), the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZWQ, 2018) and National Policy Statement for Freshwater Management (NPS-FM, 2020) in the downstream of the treated wastewater discharge location (shown in Table 2). See Appendix B for the mass balance calculations.

The two treatment standards broadly represent the following:

- 1) Treatment standard 1 – a high quality effluent suitable to achieve compliance with the PRPN water quality limits for total ammoniacal-N and nitrate-N downstream after reasonable mixing. The water quality downstream will be suitable for swimming; and
- 2) Treatment standard 2 – a very high quality effluent suitable for compliance with PRPN water quality limits and achieving the highest effluent quality using state of the art technology. The water quality downstream will be suitable for swimming.

Whilst both standards are suitable for discharge to freshwater, it is the working group's desire to continue to investigate some form of land discharge. This work currently assumes that these treatment qualities will be suitable for discharge to land, but even if a discharge to land scheme is implemented in the future, some form of water discharge will be required to relieve pressure on the land during periods of unsuitable ground conditions or very wet weather. Chemical phosphorus removal has been allowed for in all options, however should a land discharge option progress, phosphorus removal may not be required all year round due to the potential ability of land treatment to remove phosphorus.

These effluent limits are proposed to apply after all controlled treatment processes i.e. after UV disinfection or membrane filtration. The future role of the CWL are subject to further discussion with the Working Group. It is noted that there is potential for the CWL to reduce effluent quality through natural contamination such as bird droppings but they could also provide a valuable solids polishing stage if needed to meet discharge requirements.

Table 2. Current effluent data (CWL) and proposed design limits for different options.

Parameter	Unit	Median (existing)*	Design limits for SBR, MLE and MBBR options (standard 1)	Design limits for MBR option (standard 2)
Ammoniacal Nitrogen (NH ₄ -N)	mg/L	31	-	-
Total Suspended Solids (TSS)	mg/L	51	< 20	< 10
Carbonaceous biochemical oxygen demand (CBOD ₅)	mg/L	17	< 20	< 10
Dissolved inorganic Nitrogen (DIN)	mg/L	37.2	-	-
Dissolved reactive phosphorus (DRP)	mg/L	3.7	-	-
Total Nitrogen (TN)	mg/L	34	8-10	4**
Total Phosphorus (TP)	mg/L	5.2	1-2	1-2
<i>Escherichia coli</i> (<i>E. coli</i>)	cfu/100 mL	6,867	1,000 (10,000 at 95%ile)	100 (1000 at 95%ile)

*The data for CWL are from July 2017 to June 2022

⁷ Kaikohe Wastewater Treatment Plant Mass Balance Assessment, Beca, February 2023.

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****Requires a highly specified plant and very highly trained operators with backup resources**

1.3 Discharge to Land Options

Table A3 of Appendix A sets out the long list of discharge methods and whether Beca recommended those be carried forward to the short list or not.

Based on information presented to the Working Group as part of workshop 2, held on 14 October 2022, and the follow up online hui on 27 October 2022, the following discharge options are recommended by Beca:

a) Discharge to land using Slow Rate Irrigation

Slow rate irrigation method is the most common method for discharge of treated wastewater to land.

This method involves a controlled rate of discharge to a vegetated land surface where the wastewater infiltrates into the plant root zone and essential nutrients are taken up by the vegetation. Deficit/non-deficit methods will be determined based on land availability. Investigations are ongoing into areas of potentially suitable land, however early work has indicated that a combination of poorly draining soils and wet winters means that a future 100% discharge to land scheme may not be feasible.

b) Combined land and water discharge scheme

A combined land discharge and water discharge scheme utilising slow rate irrigation method is proposed to manage treated wastewater discharges when soil moisture conditions prevent discharge to land. This system is favoured for sites with poorly draining soils that cannot accommodate treated wastewater discharges during wet winter months due to soil moisture saturation. Due to poor draining soils in the vicinity of the Kaikohe WWTP, a combined land and water discharge scheme (CLWD) option may offer a means of supporting a partial land discharge scheme without a prohibitively large winter storage requirement.

The Working Group undertook their own traffic light assessment of the discharge to land options and ngā hapū decided the only option they are willing to make GREEN is discharge to land. This includes both deficit and non-deficit slow rate irrigation options and includes storage and a relief valve. All other options were RED and would only be assessed if land application was proven not to be possible.

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2 Short Listed WWTP Upgrade Options

2.1 Overview and Assumptions

The existing Kaikohe WWTP comprises of an inlet screen, two anaerobic ponds, an oxidation pond, a maturation pond (currently functioning as part of the CWL) and a series of constructed wetland (CWL, comprising of 4 cells). This report refers to anaerobic ponds as follows:

- Anaerobic pond – a small anaerobic pond as originally designed. This pond is used occasionally, and
- Anaerobic pond new – an anaerobic pond which was added to WWTP later and currently used continuously

The WWTP also includes a sludge lagoon (to the north of the oxidation pond) and the geobags storage area (to the east of the oxidation pond) (Figure 2). The final CWL discharges to a natural wetland (NWL) and then from the wetland discharges to the Wairoro Stream via an unnamed tributary.

The designated area for the proposed shortlisted upgrades options is presented in Figure 3 and includes:

- SBR, MLE or MBR upgrade dedicated area outlined in red; and
- MBBR upgrade dedicated area outlined in green.

All the options except the MBBR option will be new stand-alone WWTPs. For stand-alone options, the anaerobic and oxidation ponds would be decommissioned or if feasible, could be reused as part of a land discharge scheme (e.g. the oxidation pond could be reused as a storage facility for treated wastewater prior to irrigation). It would be desirable to retain the anaerobic pond for septage receipt and pre-treatment. The MBBR option would be an upgrade of the existing system. The treatment would comprise of anaerobic ponds and oxidation pond before further treatment in the MBBR and associated clarifier. Constructed wetlands could be reused for effluent polishing only and is not considered as part of the treatment for all options.

The WWTP site has a number of site constraints, such as slope, access and dedicated sludge storage areas (current and future) which limit the area available for new treatment structures. Therefore, the building platform for all of the upgrades is proposed to be created by reclaiming part of the existing oxidation pond. For all the options except MBBR, the anaerobic and oxidation ponds will be operational until the new plant is constructed. Both ponds will be desludged and decommissioned (unless suitable to be reused for land irrigation storage) after the new plant is operational. Given that the oxidation pond currently has spare capacity for BOD treatment^a (see Appendix C) it is expected that current pond performance will not be affected by the small pond area reduction during the construction period; assuming that the planned oxidation pond desludging activity is undertaken first. Desludging of the ponds can be undertaken by removing sludge to geobags. Draining the ponds and leaving sludge to dry naturally is possible if the ponds are not needed for irrigation storage and after the new WWTP is in place. The approximate reclaimed area varies between options and is as follows:

- SBR - 2,400 m²
- MLE - 1,800 m²
- MBR 1,800 m²
- MBBR 1,000 m²

^aKaikohe WWTP Performance Assessment, 11 August 2021 by Jacob.

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Figure 2. Existing Kaikohe WWTP.



Figure 3. Designated areas for proposed upgrades.



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As mentioned in section 1, the following options were selected for inclusion in the short list assessment. Each of the short list options are described below regardless of discharge to the receiving environment (i.e., land discharge and/or water discharge). The proposed upgrade options are considered for the design horizon until 2055.

2.2 Recommendations for Inlet Screening

A minimum size of 5 mm screen and grit removal will be required for SBR and MLE options. For MBBR, reinstatement of the existing screen is required and (due to legacy detritus in the ponds) screening is required on the recycle stream to the MBBR. The normal size of screen for the MBR option is usually 1 to 2mm, as a secondary screen following 5 or 6mm primary screening.

2.3 Sequence Batch Reactor (SBR) and UV disinfection

The SBR option is proposed as a new stand-alone treatment plant. Realignment of the existing road and reclamation of the oxidation pond will be required to build the new SBR system on the existing site (as shown in Figure 3). An existing inlet facility replacement, including grit removal will be required as part of an upgrade. It is proposed that the current screen is replaced with an integrated inlet works unit consisting of a 5 mm screen and grit removal system. Based on per capita screenings amount of 75g/p/d, it is expected that around 400 kg of screenings per day will be generated by 2025.

SBR technology includes wastewater treatment by activated sludge (biomass), where treatment process and separation of the biomass occurs in the same reactor in a timed sequence. Two reactors are proposed for simultaneous operation, this would allow for continuous treatment as treatment cycles can be configured independently from each reactor. This would also allow the SBR system to be designed with a high degree of flexibility in terms of treating varying flows and concentrations and to achieve specific treatment quality requirements. A total volume of approximately 4,400 m³ is required for two SBRs, allowing 2,200 m³ for each reactor. A splitter chamber will be required to direct the flows to the individual SBRs. The reactors will be equipped with a fine bubble diffused aeration system with the blowers for air supply. Longitudinally, each reactor will be divided into anoxic zones followed by an aerobic zone (known as IDEA configuration). Supplementary carbon may be required to achieve the proposed total nitrogen target in the effluent. Therefore a carbon dosing system should be allowed for in master planning and cost estimating. The reactors would operate in a cycle of fill & aerate, settle and decant phases. A decanting tank will be provided for treated wastewater wherefrom treated effluent will be taken to UV disinfection prior to discharge to land and/or CWL.

Eventually the biomass concentration in the SBRs will rise and will exceed the operational limits. A portion of biomass will become excessive and will have to be removed from the reactor, this is called waste activated sludge (WAS). WAS will be pumped to a decanting storage tank, where it will be concentrated before dewatering by a screw press. The dewatered sludge (1.4 m³/d) would eventually be taken offsite for disposal/further treatment.

A new septage receiving station including screen and grit removal is proposed as part of the upgrades. A balancing tank or approximately 75 m³ would be required prior to the SBRs, which would be equipped with a mixer and dosing pump. To reduce the load to SBRs septage would be dosed overnight.

Phosphorus removal is likely to be required for a stream discharge scheme, but unlikely to be required for a land discharge scheme. This option assumes, that phosphorus reduction will be achieved by dosing Alum directly to SBR tanks. A small dosing pump will be required to dose Alum directly from the storage tank.

The process diagram for the SBR option is provided in Figure 4 below.

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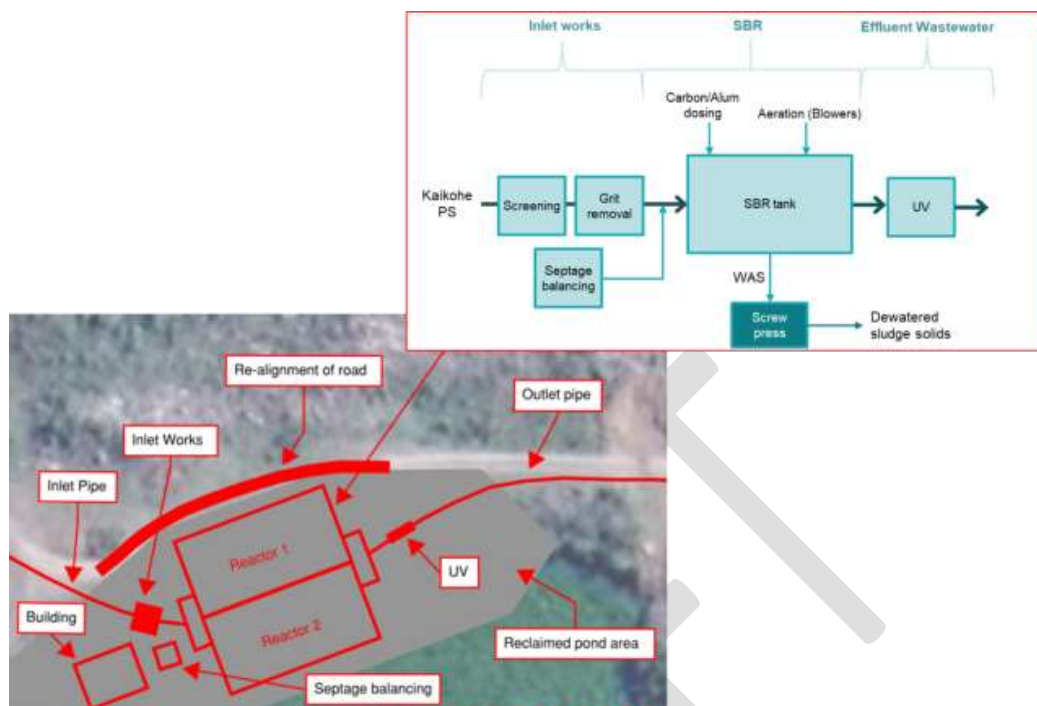


Figure 4. Process Diagram of Standalone SBR Plant.

2.4 Modified Ludzack-Ettinger (MLE) and UV disinfection

Similar as for SBR options, MLE will be a standalone option which will not reuse any of the existing assets and will require reclamation part of the pond to create a building platform and upgraded access. The proposed process comprises of inlet works, biological reactor (pre denitrification zone, aeration zone, post denitrification zone, re-aeration zone), secondary clarification and UV disinfection. Similar to SBR, an inlet facility is proposed to be an integrated inlet works unit consisting of a 5 mm screen and grit removal.

Screened wastewater would undergo grit removal to protect downstream mixers and avoid grit build-up in the reactors. Two reactors (with a total volume of approximately 2,500 m³) will be provided for redundancy and flexibility, therefore pre-treated wastewater will first go to the splitter chamber, before entering each reactor. First wastewater will enter the pre denitrification zone, followed by aeration zone, post anoxic zone and finally re-aeration zone. Nitrogen removal will be achieved in two stages, where nitrates created in the aeration zone will be first returned to the pre-anoxic zone. Incoming carbon will be used for denitrification in the pre-anoxic zone, however it is unlikely that incoming carbon would be sufficient to achieve total the nitrogen target in the effluent. Therefore, a post-anoxic zone will be required to remove residual nitrates, supplementary carbon will be dosed to this zone. A re-aeration zone is required after the post-anoxic zone to increase oxygen levels before treated effluent is discharged. Mechanical mixers will be required to ensure good mixing in both anoxic zones and aeration in aerobic and re-aeration zones. A pump will be required for creating the internal recirculation.

Treated wastewater will be separated from sludge in a conventional gravity clarifier and disinfected by UV prior to discharge to land and/or CWL. A portion of sludge settled in the clarifier will be returned to the anoxic zone (RAS) to maintain the treatment process. The excess biomass would rapidly accumulate, and this would need to be wasted and stabilized. Similar to SBR option, sludge decanting tanks and a screw press would be used

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for sludge management. The dewatered sludge (2.3 m³/d) would eventually be taken offsite for disposal/further treatment.

Similar to SBR, septage management will be required, which will include a receive station and a balancing tank as described in the SBR option.

Phosphorus removal is likely to be required for a stream discharge scheme, but unlikely to be required for a land discharge scheme. This option assumes, that phosphorus reduction will be achieved by dosing Alum to post denitrification zone. A small dosing pump will be required to dose Alum directly from the storage tank.

The process diagram for MLE Option is provided in Figure 5 below.

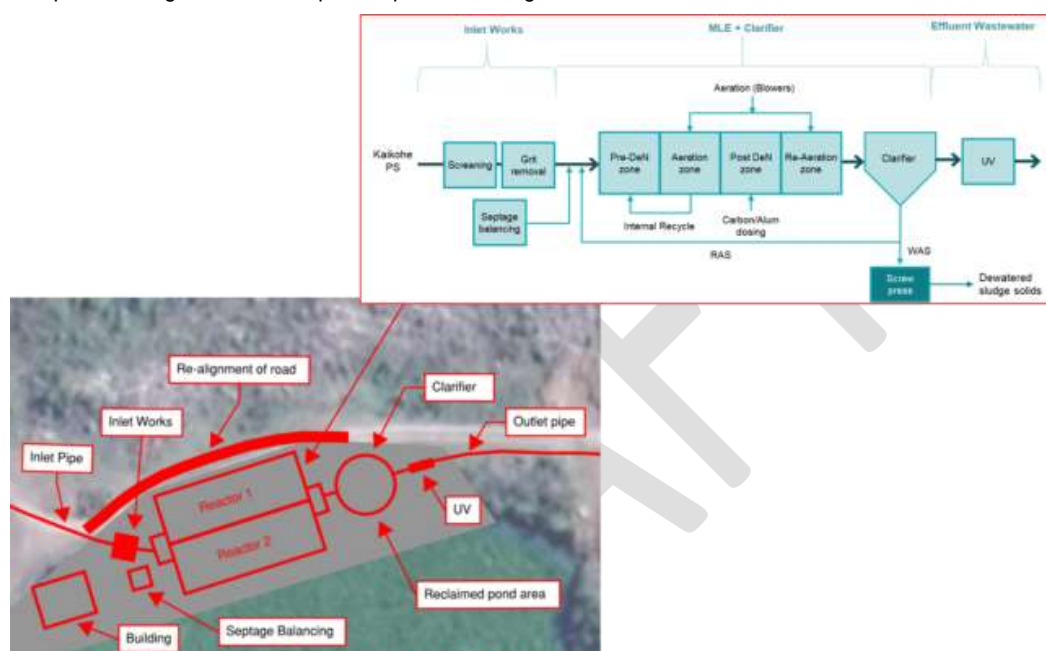


Figure 5. Process Diagram of Standalone MLE plant.

2.5 Membrane Bioreactor (MBR)

MBR is another activated sludge treatment plant option which will completely replace the existing pond infrastructure. The MBR plant will be very similar to MLE, except that membrane ultrafiltration will be used instead of a secondary clarifier. The inlet facility would be upgraded to an integrated unit, similar as proposed to the SBR and MLE options, however a second 1 mm screen will need to be added after grit removal to protect the membranes. As shown in the figure below, road re-alignment and reclamation of oxidation pond will be required to build the new MBR system on the site.

MBR is a physical variant of the activated sludge process, which comprises a biological reactor and solids removal by membranes. Biologically, the proposed process is similar to the MLE plant which will include the same zones as described in MLE option above except that the membranes are used instead of a conventional clarifier to separate solids. Membrane treatment also removes most bacteria in the wastewater, therefore UV disinfection would not be required to achieve the proposed effluent quality regarding *E. coli*. Although the MBR

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could significantly reduce bacteria, it cannot reduce virus. It is expected that all the upgrades could achieve 4 log norovirus removal⁹ therefore a provisional UV unit is included as part of the upgrade.

Two reactors (total volume of approximate 1,800 m³) will be provided for redundancy and flexibility. Screened wastewater therefore would go first to the splitter chamber, before entering each reactor. A balancing tank of approximately 600m³ is included to balance peak wet weather flows as part of the upgrades. External carbon dosing is likely to be required to achieve total nitrogen target levels in the effluent and because the MBR option will be targeting a lower total nitrogen concentration (than all the other options), more carbon will be dosed to the post anoxic zone. Two membrane trains with two membrane cassettes in each train would be provided for redundancy. To sustain the activated sludge concentration in the reactor, a portion of sludge separated in the membrane tank would be return back to the anoxic zone (RAS). Similar to the above options, any excess sludge from the membrane tanks will be transferred to sludge storage tanks and then to a screw press for dewatering. The dewatered sludge (2.2 m³/d) would eventually be taken offsite for disposal/further treatment.

Similar to SBR, septage management will be required, which will include receival station and a balancing tank as described in the SBR option.

Phosphorus removal is likely to be required for a stream discharge scheme, but unlikely to be required for a land discharge scheme. Similar to MLE, this option assumes, that phosphorus reduction will be achieved by dosing Alum to post denitrification zone. A small dosing pump will be required to dose Alum directly from the storage tank.

The process diagram for MBR Option is provided in Figure 6 below.

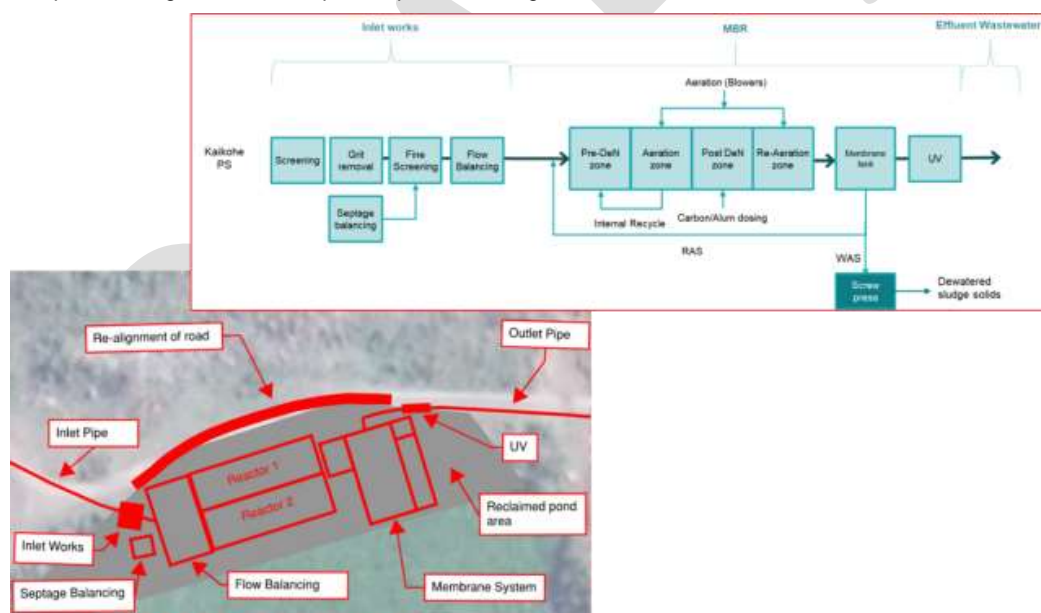


Figure 6. Process Diagram of Standalone MBR Plant.

⁹ Viral log reduction assessment Kaikohe WWTP, e-mail Beca, 13/12/2022

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2.6 Moving Bed Bioreactor (MBBR) for effluent polishing, Dissolved Air Flotation (DAF) and UV disinfection

The MBBR Option envisages that the existing pond system (anaerobic and oxidation ponds) will continue to operate and an MBBR plant will be added for effluent polishing. Due to space restrictions around the oxidation pond outlet area, it is proposed that the MBBR is installed on a reclaimed pond area, similar to the options above (refer to Figure 3). Due to site constraints, it is proposed that Dissolved Air Flotation (DAF) unit and UV unit would be installed close to the MBBR. This therefore means that the anaerobic ponds would not be used for denitrification (due to layout constraints), and hence MBBR itself will be configured to achieve both nitrification and denitrification.

It is understood that the current inlet facility including septic receipt is not operational, however will be reinstated as part of a short-term upgrade. The incoming wastewater will be screened and will undergo treatment in anaerobic pond where from wastewater will enter the oxidation pond for further treatment. A new pump station will be installed to pump oxidation pond effluent to the new MBBR plant for nitrogen removal (refer to Figure 3).

As the other options, the MBBR would comprise two reactors for redundancy and flexibility. A total volume of approximately 750 m³ is required for two reactors. One reactor will be configured as aerobic and one as an anoxic zone. Reactors will be equipped with an aeration system and mixers accordingly. As mentioned above, it is not viable to use the existing anaerobic ponds for denitrification and use incoming carbon, therefore carbon dosing will be required. Unlike the above options, MBBR will be configured as a flow through reactor, without internal recirculation, therefore the anoxic zone will follow the aerobic zone, were carbon and Alum (for phosphorus removal) will be dosed to. Treated wastewater will need to be separated from the solids, therefore DAF is proposed for solids separation. UV disinfection will be required after the DAF. Treated wastewater will be discharged as per the existing discharge scheme, therefore a gravity pipeline will need to be installed to return effluent after the oxidation pond (existing discharge line from the oxidation pond or directly to the CWL).

Excess sludge from DAF system will be transferred to a sludge storage tank and then to a screw press system. Similar to the above options, dewatered sludge (1.7 m³/d) will have to be removed from site for disposal/further treatment.

As mentioned above, phosphorus reduction will be achieved by dosing Alum to the anoxic zone. A small dosing pump will be required to dose Alum directly from the storage tank.

The process diagram for MBBR Option is provided in Figure 7 below.

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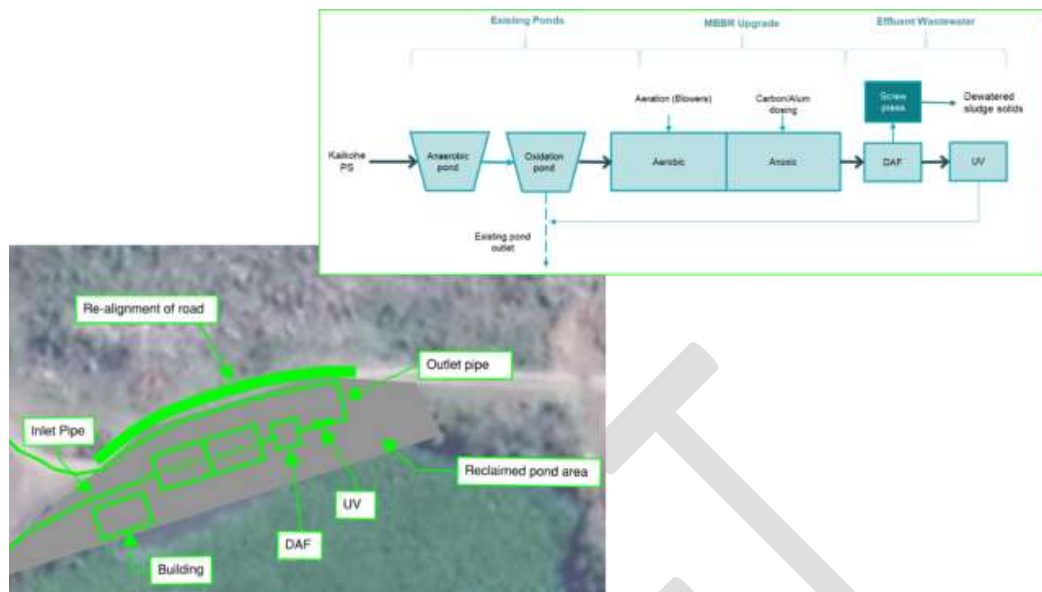


Figure 7. Process Diagram of MBBR Option.

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3 Whole of Life Carbon for WWTP Upgrade

A comparative whole of life carbon (WOLC) assessment has been completed on each of the four WWTP upgrade options (note: this does not include carbon calculations for the discharge to land scheme). This includes both capital (embodied) carbon associated with constructing the new assets, as well as operational carbon (operating associated emissions). "Carbon" in this context refers to tonnes carbon dioxide equivalent (tCO₂-e), a standard metric to account for the relative warming impact of different greenhouse gas (GHG) sources.

3.1 Scope and Methodology

The following methodology was used for completing the whole of life carbon for each of the four WWTP upgrade options.

- For the operational emissions
 - The WSP baseline¹⁰ assessment and assumptions for existing Kaikohe WWTP were reviewed. This assessment has been updated with new inputs developed as part of this shortlisting exercise (i.e. inputs as per the 'Section 1.2 Basis of Design' above) to establish a more representative baseline of the Kaikohe WWTP emissions.
 - To determine the operational carbon estimates an assessment of operational emissions was developed for each option including estimated electricity use and biogenic emissions from wastewater treatment, and solids disposal associated emissions.
- For the capital emissions
 - A review of the key inputs from the design and cost estimates was completed and used to estimate approximate quantities of materials required for each option (high level only)
 - The capital carbon was assessed using a bottom-up approach which utilised quantity and rate-based information with emissions factors from the ISC materials calculator (Infrastructure Sustainability Council Materials Calculator New Zealand Version v2.0, 2019) and environmental product declarations (EPDs) from suppliers. The assessment was only completed for major equipment items (reactors, storage tanks, major pipelines and other major plant structures and equipment).
- The capital and operational carbon assessments were then combined to compare whole of life carbon estimates (excluding end-of-life / decommissioning, which is typically a small component of the overall lifetime emissions of a long-lived infrastructure asset).

The scope of the carbon assessment is summarised in

¹⁰ Carbon Inventory Report for Far North District Council, Period Financial Year 2018/2019. WSP, 6 July 2020.

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Table 33. Scope of Comparative Carbon Assessments

Emissions	Definition	Inclusions	Exclusions	Methodology
Capital (up front embodied) carbon emissions	Emissions associated with construction of the project reported as tCO ₂ -e	<ul style="list-style-type: none"> Major items only - embodied emissions in materials and construction-related emissions 	<ul style="list-style-type: none"> Items insignificant to the outcome and/or lacking suitable emissions factors (e.g. mechanical and E&IC equipment) Any changes common between all options 	<ul style="list-style-type: none"> Rate and quantity based information ISC materials calculator EPDs from suppliers
Operational carbon emissions	Emissions associated with the operation of the project reported as tCO ₂ -e/input time period or project design life	<ul style="list-style-type: none"> Energy / electricity consumption Wastewater process emissions (CH₄ + N₂O) associated with treatment Comparative solids management / disposal emissions 	<ul style="list-style-type: none"> Wastewater sewer emissions assumed 0 (accounted for at the WWTP in line with current international best practice) Effluent disposal emissions from wetland & land discharge (common & similar effluent load between all options) 	<ul style="list-style-type: none"> Water NZ 2021 Carbon Accounting Guidelines for Wastewater Treatment Ministry for the Environment 2022 emissions factors Literature-based emissions factors to support Water NZ default factors where required

Key assumptions associated with the comparative carbon assessments are:

- Highest whole of life carbon option will score worst in the MCA
- The comparison is on the treatment process and comparative difference in solids management only (it is assumed network, conveyance and discharge of treated effluent is common/the same across all options)
- Being based on a cost estimate for each option, the carbon assessment has the same approximate level of accuracy, being -30% to +50% for concept level design.
- The whole of life carbon was assessed over 2022 to 2055 (in line with the design horizon for the upgrade).

3.2 Operational Carbon

3.2.1 Comparison to Previous Baseline

To develop the Option 4 pond-MBBR emissions estimate, the emission figures from the existing plant (WSP baseline¹¹) were re-evaluated using the updated influent flows and nutrient loadings as determined in the Basis of Design (Section 1.2) and taken from previous assessments. In particular, the use of sampling results from Jacob's oxidation pond effluent monitoring allowed for quantification of BOD and Nitrogen removal, and assumed percentages of nutrient removal across the oxidation pond as used in the WSP baseline were no longer required. Note, the assumption for 50% removal of BOD across the anaerobic pond from the WSP baseline was retained. The sludge emissions associated with desludging of the existing oxidation pond (for Option 4 only) and disposal in geobags on-site (treated as an uncapped landfill) were also able to be estimated using quantities of dry solids from the Conhur desludging estimates (Conhur Kaikohe WWTP Desludge Proposal 2022, we have assumed this to be annualised over 15 years of sludge accumulation). These updated figures

¹¹ Carbon Inventory Report for Far North District Council, Period Financial Year 2018/2019. WSP, 6 July 2020.

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were then used alongside current Water NZ¹² emissions factors to estimate the total tCO₂-e emitted from the Kaikohe WWTP in 2022.

A global warming potential (GWP) basis of IPCC AR5 was used (i.e. GWP of N₂O = 265, and GWP of CH₄ = 28) and also applied to all comparative assessments.

The total emissions for 2022 were estimated to be 1,880 tCO₂-e, which is significantly higher than the WSP baseline of 646 tCO₂-e (which was for the 2018/19 year). The reasons for the difference includes:

- The significant increase in emissions is due to the significant increase in input flow and loads (i.e. newly established Basis of Design in Section 2) rather than use of default per capita flows and loads
- Solids disposal emissions for desludging of ponds to geobags on site have been added (estimated to add another ~ 400 tCO₂-e)
- New information on interstage concentration downstream of the oxidation pond is now available (rather than assumptions of percent nutrient removal)
- Emission factors have been updated to reflect the new Water NZ guideline (from the IPCC factors used in the WSP baseline). The emission factor for a deep anaerobic pond (>2m) has been used, based on the pond having a depth of ~2.3m.
- A different GWP basis may have been utilised.

It should be noted that this new estimate does not include emissions from pond/plant electricity use, chemical use or the wetlands. Based on the Water New Zealand 'sequential factor' method, this assumes no emissions associated with the wetland (based on the assumption of no removal of nutrients across the wetlands). If required by FNDC we can complete a more detailed review and summary of the differences between the baselines.

3.2.2 Upgrade Options

The operational carbon emissions were assessed for each of the four upgrade options: SBR, MBR, MLE, and MBBR. The following methods and assumptions were used to assess the various contributions to carbon emissions.

- **Energy / electricity consumption**

Electricity consumption was estimated from the power rating of the blowers, the power rating of the MBBR WAS pumps and a kWh/m³ electricity use of UV reactors from Metcalf & Eddy. All equipment was assumed to be operating 24 hours per day, 365 days per year. Emissions factors for electricity consumption and electricity transmission and distribution losses (MfE, 2022 using 2020 factor – latest available) were then utilised to calculate the carbon emissions. It is noted that there would be some additional electricity use from the RAS pumps and mechanical inlet works, however these have been assumed to be relatively consistent between options and insignificant in comparison, therefore have been excluded.

- **Chemicals / chemical consumption**

Chemical consumption was estimated using equipment sizing spreadsheets (with wastewater composition) to determine the alum and carbon dosing required for treatment in each option. Emissions factors (ISC 2019) for each of these chemicals were then used to determine the associated carbon emissions. It should be noted that acetic acid is typically dosed as carbon, however this did not have an appropriate emissions factor and hence the equivalent ethanol dosing was utilised in emissions calculations.

¹² Carbon Accounting Guidelines for Wastewater Treatment: CH₄ and N₂O. Water New Zealand, August 2021.

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- **Wastewater process emissions (CH₄ + N₂O) associated with treatment**

The wastewater process emissions were estimated using the Water NZ Carbon Accounting Guidelines. These guidelines utilise flow and load information alongside emissions factors for different types of treatment processes to calculate process carbon emissions. The flows and loads were sourced from the Basis of Design calculations, short list options development sizing, as well as the previously mentioned oxidation pond effluent loadings from Jacob's monitoring.

Minor N₂O emissions are associated with the wetlands (similar across all options) however in line with the Water NZ CH₄ 'sequential stages' method, no CH₄ emissions have been associated with the wetlands due to the assumption of no BOD removal across the wetland.

- **Comparative solids management / disposal emissions**

The waste activated sludge for each option was estimated using process sizing spreadsheets which factor in the influent loading and addition of chemicals. This allowed for the determination of the dry solids requiring disposal in each option. It was assumed for all options that sludge will be stored on-site in geobags as is currently done. On-site geobags are treated as an uncapped landfill in terms a disposal emission factor. The MBBR solids management emissions were estimated with a reduced emissions factor (degradable organic carbon 'DOC' content of 0.3 kg/kg) compared to the activated sludge process options (DOC content of 0.5 kg/kg) to account for some sludge treatment occurring in the ponds. We note, different sludge disposal methods are currently being investigated as part of a wider solids management strategy which could result in solids being reused or going to landfill. If solids were taken to a capped landfill, this would significantly reduce the estimated solids emissions. As the strategy is unconfirmed, we have maintained the geobags disposal assumption for comparison purposes.

Note that pond desludging emissions have not been included for the SBR, MLE and MBR options, even though in the short-term these options will still require pond desludging prior to construction of the new plant. However, once the ponds have been decommissioned, there will not be ongoing associated emissions with pond desludging, and hence these have been included from the comparative options assessment.

Based on these methodologies and assumptions, the operational emissions profile for each option for 2022 is shown in Figure 8 below.

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| Whole of Life Carbon for WWTP Upgrade |

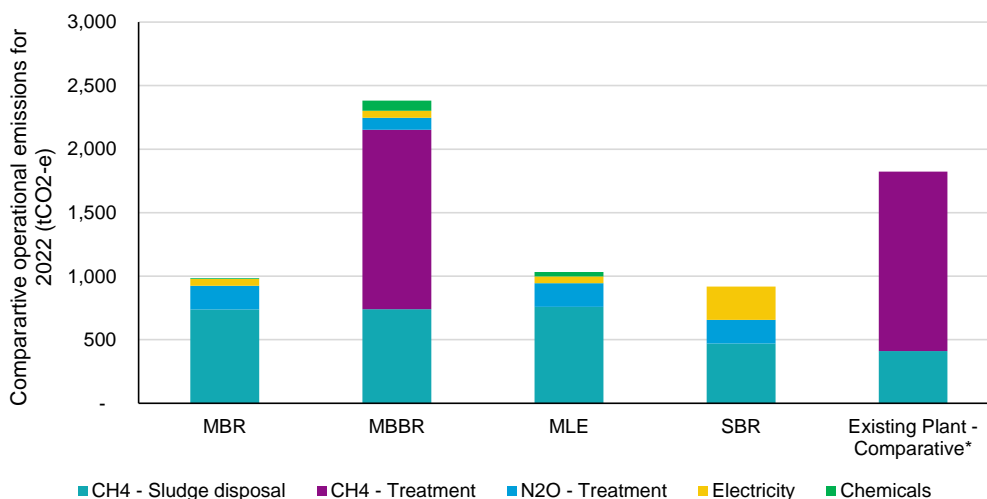


Figure 8. Comparative operational emissions for each WWTP upgrade option in 2022, tCO₂-e
 *Electricity and chemical use not estimated for existing plant.

As can be seen, the key differentiation between the plants is the use of the anaerobic and oxidation ponds for the MBBR upgrade option, which results in a significant amount of CH₄ - treatment emissions. Within the three activated sludge options, the key differences lie in the emissions from sludge management and electricity use.

3.2.3 Forecast out to 2055

The operational emissions for 2055 were calculated using the future influent flows and nutrient loadings as determined in the Basis of Design (Section 1.2). For this assessment, the 2022 and 2055 operational emissions were then applied to the whole of life carbon assuming a linear increase in emissions each year from 2022 to 2055. In reality, the WWTP may instead see a step change in carbon as additional connections or housing developments are brought online resulting in an increase in flows and loadings. This level of detail has not been included in the WOLC assessment.

3.3 Capital Carbon

The capital carbon estimation was completed by assessing significant plant structures that varied between the plants. This was a high level assessment only and the following items were excluded due to being consistent between all four options, not having a suitable emissions factor, or insufficient design detail at this stage.

- Outlet pipe from reactor to constructed wetlands
- Mechanical equipment including blowers and pumps¹³
- WAS pump station
- Screw press¹²
- UV treatment
- Split chamber

¹³ Although there may be some differences in capital carbon emissions due to the size of the blowers and pumps and screw press, these differences are assumed to be minimal and negligible in comparison to the capital emissions of major equipment items.

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| Whole of Life Carbon for WWTP Upgrade |

- Grit removal (no suitable factor)

The following items were estimated for the capital carbon assessment using various methodologies:

- **Reactors, Clarifiers, and Buildings**

Capital carbon emissions of the reactors, clarifiers and buildings were estimated by calculating the volume of concrete used in construction, with assumed floor thickness of 0.3m, outer wall thickness of 0.3m, inner wall thickness of 0.2m and roof thickness of 0.3m if applicable. The concrete was assumed to be 45 MPa Normal Grade, Allied Concrete, with an emission factor of 414 kg CO₂-e/m³ concrete. The concrete was assumed to contain reinforcing bar with 200 kg/m³ in reactors/clarifiers and 80 kg/m³ in building floor slabs. The steel rebar was assumed to be Glenbrook steel, with an EF of 3.97 kg CO₂-e/kg.

- **Stainless Steel Sludge Storage Tank and MBBR Tanks**

The sludge storage tank capital carbon emissions were estimated by calculating the volume of steel used in construction, with an assumed wall thicknesses of 0.1 m. A steel – structural columns and beams emissions factor (BRANZ CO₂NSTRUCT Calculator V2.0 2021) was used for calculating the associated carbon emissions.

- **Earthworks – Reclamation of Pond Area**

Earthworks capital carbon emissions were estimated by calculating diesel use based on a L/m³ rate for import to fill. Then an emissions factor for diesel was applied. To calculate the volume of earthworks required for each option associated with the reclaimed pond, the area was estimated from the site layouts (Figure 4, Figure 5, Figure 6, and Figure 7 above), and this was multiplied by an assumed backfill of 1.5 m (pond depth). Earthworks associated with constructing the new treatment plants were not accounted for.

- **Inlet Works/Membranes**

Inlet works capital carbon including screens were estimated from previous assessments using an emissions factor for tCO₂-e/m³/d of wastewater treated. Similar methods were used for membrane capital carbon estimation (tCO₂-e/cassette).

- **Major Pipelines**

The pipeline for the MBBR option pumping wastewater from the oxidation pond to the inlet was estimated using a pipe calculator with EPDs for Polyethylene pipelines. The pipeline was assumed to be SDR17 PE100 to determine an appropriate pipe wall thickness and hence volume of material. We have excluded all treatment plant pipework from the capital carbon emissions assessment (assumed similar between all options).

The results of the comparative capital carbon emissions assessment are shown in Figure 9 below.

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| Whole of Life Carbon for WWTP Upgrade |

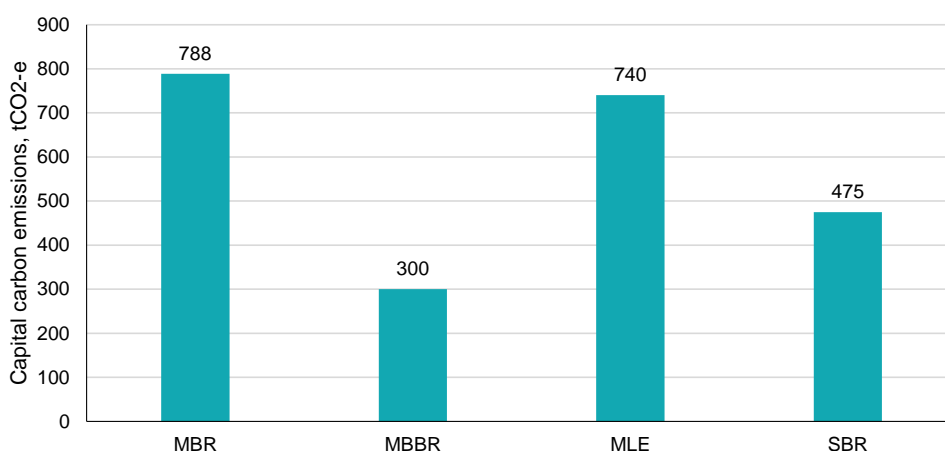


Figure 9. Comparative capital carbon emissions for each WWTP upgrade option, tCO₂-e

We note that over the asset lifetime (out to 2055), operational emissions will dominate over capital emissions and therefore the difference in comparative capital emissions has much less of an impact on the whole of life carbon. However, it should be noted that each plant will have greater capital emissions than what is shown in the Figure 8 above, due to the high level assessment of major capital items only, and exclusion of consistencies between options.

3.4 Whole of Life Carbon Comparison

The comparative whole of life carbon (WOLC) was estimated by taking the operational emissions out to 2055 and the capital emissions required for the upgrades. The operational emissions for 2055 were estimated using the same methodology as for Section 3.2.2 above.

Over the design life, capital replacements of mechanical and electrical equipment will be required, but this has not been included in the WOLC comparison due to being similar between all options. Additionally, the impact of these replacements will be minor compared to the impact of the annual operational emissions.

Effluent disposal emissions from wetland and land discharge were excluded due to being common and having similar effluent load between all options. We note as per Table 2 that MBR is expected to have slightly better treatment (lower effluent load). If disposal emissions were quantified, this would result in slightly lower emissions for this option.

Figure 10 shows the cumulative operational emissions over time assuming the upgrades occur in 2024.

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| Whole of Life Carbon for WWTP Upgrade |

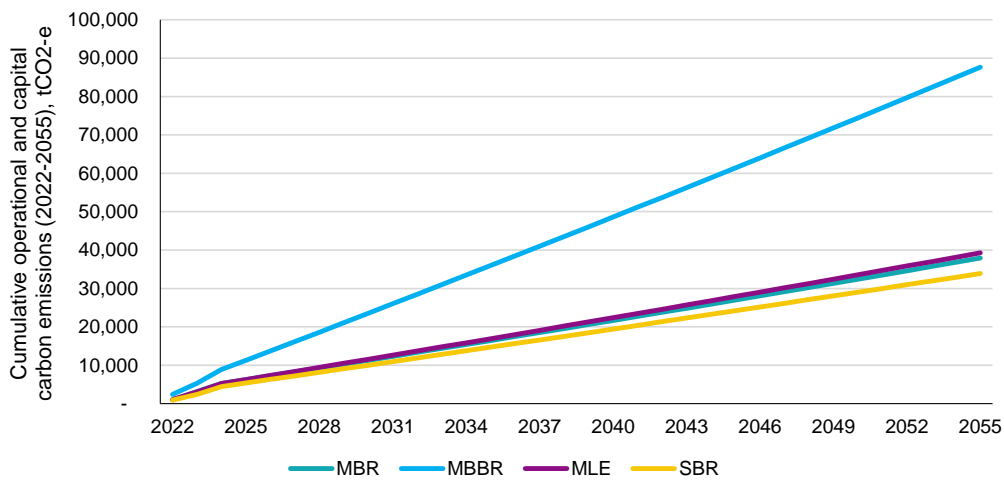


Figure 10. Cumulative whole of life carbon emissions from 2022 to 2055, tCO₂-e (Comparative)

From this assessment, it can be seen that there are relatively small differences in whole of life carbon emissions between the three activated sludge treatment options, whereas the MBBR upgrade results in more than three times the carbon emissions of these. This is due to process methane emissions associated with operation of the anaerobic and oxidation ponds.

These results are to be taken forward for use in the MCA.

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| High level Comparative Capital Costs for WWTP Upgrade |

4 High level Comparative Capital Costs for WWTP Upgrade

4.1 Cost Estimations

High level capital cost estimates were undertaken for four shortlisted WWTP upgrade options presented above. These cost estimates are for the WWTP upgrade only and exclude land discharge costs. Treatment upgrade costs are summarized and presented in Table 4 and should read in conjunction with the notes and Section 4.2 below. The cost schedules are included as Appendix D.

Table 4. High level Capital Cost Estimates for upgrade options.

Kaikohe WWTP Upgrade	Option 1	Option 2	Option 3	Option 4
	SBR + UV	MLE + UV	MBR + UV	MBBR + DAF + UV
Total cost (excl provisional) NZD excl GST, MIL	21.41	20.97	24.87	17.57
Total provisional cost NZD excl GST, MIL	0.29	0.29	0.78	0.29
Total cost including provisional NZD excl GST, MIL	21.7	21.26	25.65	17.57

Notes:

- SBR option sizing includes Infrastructure Acceleration Fund (IAF) flows and loads, as it would be the most preferred configuration option for an upgrade. The cost presented for this option is for total flow of 2,513 m³/d including 456 m³/d of IAF flow. Total reactor size is approximately 4,400 m³ including 790 m³ of IAF volume, therefore reactor without IAF could be approximately 25% smaller, and therefore cheaper.
- MBR options has a higher effluent quality for TN removal, therefore the cost cannot be compared directly like for like. If the effluent quality requirement would be the same, MBR cost would be slightly lower due to smaller reactor sizes.
- MBBR cost includes a full flow recycle from the oxidation pond and allows for TN removal to the same level as MLE. However this could not be compared to MLE directly as BOD removal requirements are different for this option than for MLE. Also, solid separation technology (DAF) used in MBBR is significantly more expensive than the one used in MLE (conventional clarifier).
- The reclaimed area in the oxidation pond required for the building platform varies across the options and adds significant cost.
- Provisional costs for all options includes power upgrade and dosing allowance for phosphorus removal. Provisional costs for MBR option also include UV upgrade costs.

4.2 Assumptions and Exclusions

It should be noted that the cost estimates provided as part of the Services are not a statement of absolute cost, rather they will have an accuracy range commensurate with various factors such as the extent of relevant information provided, the certainty of data and the level of detail available at the time of preparation.

The cost estimates presented in this section are typically based on extrapolation of recent similar project pricing, historical quotes for some equipment items, industry unit rates and Beca's general experience. The estimates are based on incomplete design and other information and are not warranted or guaranteed by Beca. The accuracy of these estimates is not expected to be better than approximately -30% to +50% for the scope of described in this document and are not suitable for final Capex approval. These estimates are for comparison between the options only. Further design should be undertaken if a more reliable estimate is required.



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| High level Comparative Capital Costs for WWTP Upgrade |

A contingency has been included in the estimate to cover items of unforeseen detail and design development. This contingency is expected to be converted to scope, and therefore should not be regarded as discretionary. The accuracy range indicated above reflects the accuracy after and including the contingency.

Note that the indicated accuracy above is based on the scope of the mentioned information only and there are no allowances for work outside these boundaries or for scope changes.

Assumptions:

- Work during normal hours only.
- The project will be procured on a competitive basis.
- The contractor will be given free access to the Contract Works site.

Exclusions:

- Ground improvement and/or piling
- Excavation in rock
- Contaminated material removal
- Asbestos removal/disposal
- Relocation of existing services and utilities
- Spares
- Fencing and gates
- Training
- GST
- Forex fluctuations
- Hedging
- Escalation after March 2023
- Capitalised interest
- Costs to date / sunk costs
- Operating costs
- Insurance costs
- Legal and finance fees
- Risk items
- Covid-19 related costs
- Consents
- Property costs

Sensitivity: General

| Treated Wastewater Disposal to Land Concept Design |

5 Treated Wastewater Disposal to Land Concept Design

To support the assessment of feasibility of treated wastewater discharge from Kaikohe WWTP to land at a preferred site, a high-level discharge to land concept design and cost estimating for a single preferred land discharge site has been prepared. The design and cost estimation include conveyance and storage requirements including irrigation infrastructure.

During an online hui on 30 November 2022 the working group and Beca assessed several sites for land discharge of treated wastewater from the Kaikohe WWTP. The Working Group subsequently determined that site #13 was the preferred site for land disposal of treated wastewater and should be progressed to the next stage, site investigations. The preferred site is located at 80A Jordan Road, Kaikohe.

The Kaikohe Discharge to Land – Site #13 Summary report¹⁴ was prepared by FNDC which provided results of a desktop assessment (including site information, land cover information, nearby potential dwelling, lidar contours, soil information, designation and drainage class exclusion zones, flood land, waterways, and high slope land) to review potential parcels within the preferred site. The suitability of the land parcels for irrigation was not discussed in the summary report.

5.1 Site Investigations

On 23 February 2023, Malcolm McLeod of Manaaki Whenua – Landcare Research, accompanied by Brigette Priestley (Beca) and Ben Bowden (FNDC), undertook a soil appraisal of site #13 to review the soils on lands with contiguous slope less than 15 degrees, and to make a preliminary assessment of the suitability of soils for land disposal of treated wastewater¹⁵. The report is included as appendix E of this report.

The site investigations demonstrated that soils on the lower terraces in the southwest of the site showed waterlogged topsoil with signs of pugging from stock access. Pale brown subsoils indicated that waterlogging to the surface occurs for long periods of the year on these areas. Based on the field evidence, the areas in the south west of the site would be restricted for use as a discharge to land scheme as only isolated areas are above the water table.

The higher terraces showed a greyish brown topsoil over a very pale, hard E horizon over a clayey lower subsoil (see figure 11). The presence of this E horizon along with the clayey nature of the subsoil suggests these areas have low hydraulic conductivity. The colour and texture of the subsoils also indicates waterlogging for some period of the year. Deficit irrigation may be possible, but the land would not be able to stocked with animals as this would cause pugging and further reduce infiltration.

On the rolling slopes, the presence of the E horizon and the clayey subsoil suggests that during year round application, excess treated wastewater is likely to move through the topsoil and move laterally on the clayey subsoil, presenting as seepage at the bottom of the slopes.

¹⁴ Kaikohe Discharge to Land – Site #13 Summary, In Depth Look at Site #13, October 2022, Far North District Council.

¹⁵ McLeod, M. 2023. Soil Information for potential FNDC wastewater discharge site. Prepared for Beca Limited by Manaaki Whenua/Landcare Research, April 2023.

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| Treated Wastewater Disposal to Land Concept Design |



Figure 11. Photo of sampling location 1099 at Site 13 showing presence of pale E horizon and clayey subsoils.

5.2 Pump Station Design and Conveyance to the site

A high-level pump station concept design was undertaken and a potential pipeline route was identified to deliver treated wastewater from the Kaikohe WWTP to the preferred site (Site #13). The pump station and pipeline design assumed the following:

- a) The pump station will be located at the Kaikohe WWTP site adjacent to the new WWTP
- b) Adopted pumping design flow 50 L/s. This will provide the following approximate pumping time per day:
 - 12 hrs based on the average daily flow of 2099 m³/d (2055)
 - 19 hrs based on the theoretical max daily irrigation capacity of 3350 m³/d
- c) It is assumed that a surface mounted centrifugal pump will be installed after the new WWTP to transfer treated wastewater from the storage pond to the irrigation system. The pump is assumed to be housed in a standard shed together with controls for the pump.
- d) Treated wastewater storage of 58,000 m³ will be provided at the WWTP in the existing ponds. The ponds will need to be de-sludged before being used for this purpose. Assessment of algal growth in the ponds and provision of filters will need to be considered at the next design stage.
- e) Treated wastewater quality will be sufficient for the pumping purpose to avoid biofilm forming in the pipeline. Discharge location for pipeline assumed to be at the entry to the site on a relatively flat area.
- f) Pipework to be constant diameter throughout the proposed route (see **Error! Reference source not found.F**).
- g) The estimated size of the PE pipeline is OD280 PE100 SDR 11 (PN12.5).

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| Treated Wastewater Disposal to Land Concept Design |

- h) The pipeline will be buried along the road in a road corridor and enter each site via the nearest road avoiding crossing other private property where practical. A short section of the route crosses private property and an easement is likely to be required.
- i) Three minor stream crossings are required on the route.
- j) Assumed no clashes with existing utility services (e.g. electricity, telecommunications) and road structures.

5.3 Irrigation System Area

According to the Site #13 Summary report¹⁶, the potential irrigatable area is 224 ha (property area 262 ha). The area which could be suitable for irrigation, determined by FNDC for the site, is presented in Figure 131213 shown in green colour. Figure 141314 shows a 20 m buffer from boundary, 150 m buffer from nearby dwellings, and unviable areas (boggy/isolated) in order to indicate where spray irrigation is unlikely to be viable across the irrigatable area. The unviable areas have been identified based on the site visit undertaken by FNDC and Malcolm McLeod, and underlying slope of the area. Accounting for buffers and boggy/isolated areas reduces the irrigatable area from 224 ha to 111.8 ha.

Spray irrigation is proposed for irrigation of the land at the preferred site (Site #13). The components of spray irrigation systems consist of a pump, a main line and laterals, a flow meter, flow control and pressure-regulating valves, a timer to regulate the time and duration of irrigation, and sprinkler heads that apply the water in spray method. Water is pumped through the main lines and distributed out to the lateral lines, then from the laterals to sprinkler heads. In the sprinkler irrigation, as shown in Figure 121112, sprinkler heads (typically a wobblers style head that minimize evaporation or misting) are used for directing water in controllable directions.



Figure 1211. Irrigation sprinklers operating at Taupo wastewater discharge site¹⁷

¹⁶ Kaikohe Discharge to Land – Site #13 Summary, In Depth Look at Site #13, October 2022, Far North District Council.

¹⁷ MfE Wastewater Sector Report 2020, Chapter 5

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| Treated Wastewater Disposal to Land Concept Design |



Figure 1312. Potential disposal to land site with 20 m boundary buffer.

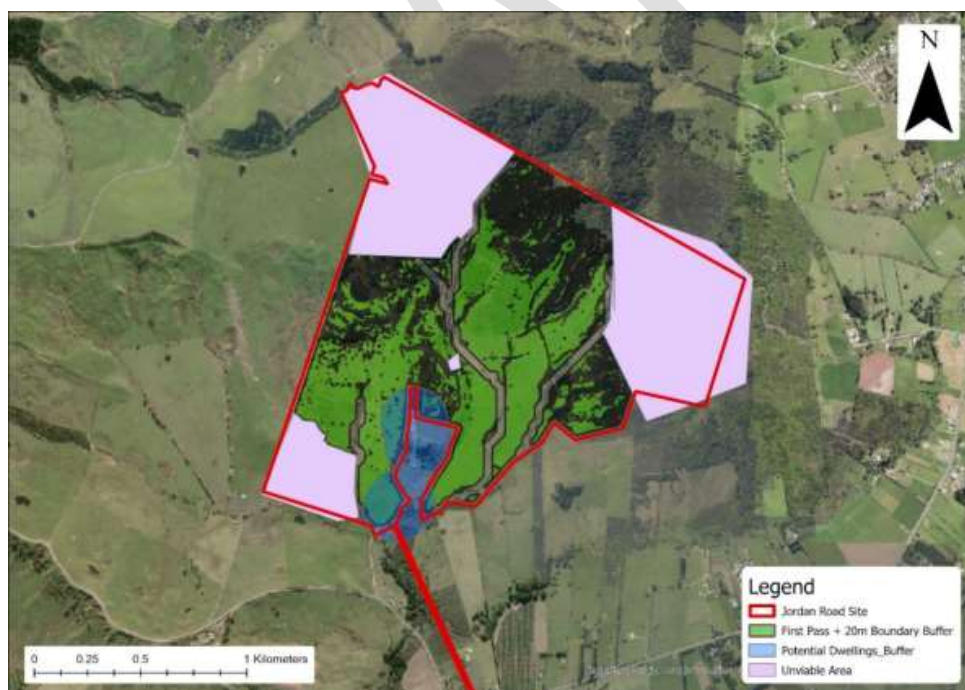


Figure 1413. Potential disposal to land site showing buffer zones and unviable areas.

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Treated Wastewater Disposal to Land Concept Design

The soils at the site consist of KR (Kara silt loam), WFm (Whakapara mottled clay loam), PD, PDH (Puketitoti sandy loam), RP, RPH (Riponui clay & sandy clay), WKa (Wharekohe sandy loam), and YCeH (Waiotira clay). Overall, this land is considered drainage class 2 (Imperfect). A soil map showing the soil locations is shown in Figure 151415.

Site investigations in February 2023¹⁸ focused on KR+WFm and WKa soils as these areas were identified as having a contiguous slope of <15°. Further details of these site investigations can be found in the report from Landcare research appended to this report (see Appendix E). The report concluded that these areas are generally restricted by slow hydraulic conductivity in the clayey subsoil. As such, these soils are not considered suitable for non-deficit irrigation.

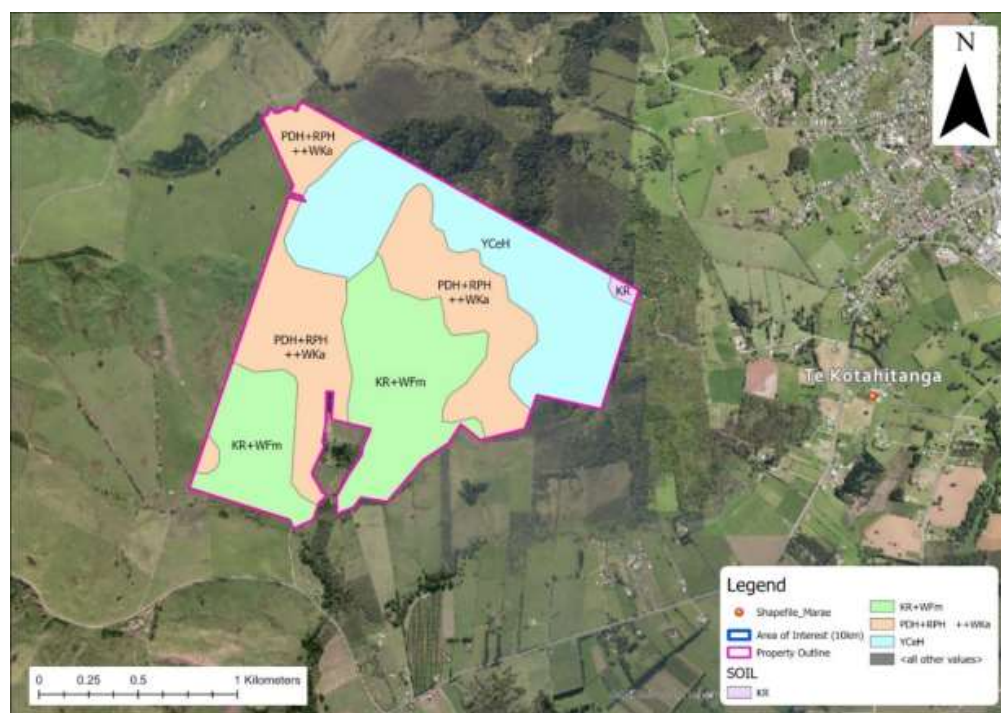


Figure 1514. Soil Locations.

High-level modelling was applied to determine how much wastewater could be irrigated in a deficit irrigation system given the storage available, land area available and local climatic conditions. Flow data provided by FNDC for the period July 2017 – June 2022 was used for the model with an adjustment to allow for growth to 2055. Rain data and soil moisture deficit were taken from data provided by NIWA (Kaikohe AWS) for the period July 2017 – June 2022.

The predicted irrigation information for the discharge of treated wastewater from the Kaikohe WWTP in 2055 is summarised in

Table 555 below. The storage for treated wastewater will be the existing oxidation pond. The approximate area of the pond is 43,000 m² with a depth of 1.5 m, therefore the available storage pond volume will be 58,000 m³, allowing 10% for reclaiming part of the existing oxidation pond for new WWTP.

¹⁸ McLeod, M. 2023. Soil Information for potential FNDC wastewater discharge site. Prepared for Beca Limited by Manaaki Whenua/Landcare Research, April 2023.

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Treated Wastewater Disposal to Land Concept Design

Table 55. Average Irrigation information for treated effluent discharge 2055.

Average Inflow (m ³ /day)*	Annual Rainfall (mm/year)	Available Area (ha)	Maximum application rate (mm/day)	Available storage (m ³)	Nitrogen loading (kgN/ha/year)**
2,099	1,488	111.8	3	58,000	31

*20% growth in wastewater inflow has been considered for 2055.

**The assumed effluent N concentration (total nitrogen) is 10 mg/L (derived based on information in Table 2 (Design limits for SBR, MLE and MBBR options (standard 1))

The irrigated volume accounts for the down time when irrigation will not be possible due to weather and soil conditions. The upper limit daily irrigation rate is assumed to be 3 mm/day and deficit irrigation was assumed, therefore, no irrigation will occur if the rainfall will be greater than 3 mm/day and soil moisture deficit will be lower than 3 mm/day. Table 66 and Figure 161516 show the total wastewater inflow and total volume wastewater that is predicted to be irrigated (based on rainfall data, soil deficit data, upper limit daily irrigation rate, available storage area and available land area) per each hydrological year (July 2017 to June 2022). The proportion of wastewater irrigated varies from 34-60% of the total flow in 2055 with more irrigation occurring in drier years.

Table 66. Wastewater inflow and wastewater volume irrigated for five hydrological years based on the available land area (111.8 ha).

Hydrological Year	Annual Rainfall (mm)	Wastewater inflow (m ³) (A)	Volume wastewater predicted to be irrigated (m ³) (B)	% Irrigation (B/A)
Jul 2017-Jun 2018	1,874	980,131	332,790	34%
Jul 2018-Jun 2019	969	628,206	375,558	60%
Jul 2019-Jun 2020	1,207	668,616	333,941	50%
Jul 2020-Jun 2021	1,676	724,771	372,806	51%
Jul 2021-Jun 2022	1,714	828,690	292,517	35%

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| Treated Wastewater Disposal to Land Concept Design |

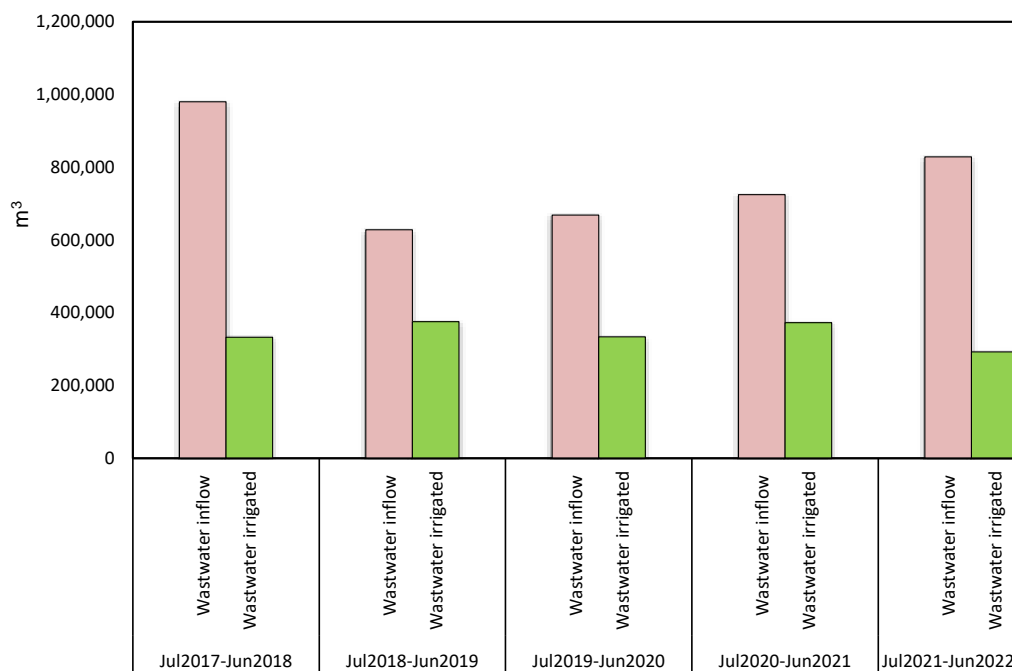


Figure 1615. Wastewater inflow and wastewater volume irrigated for five hydrological years based on the existing land area (111.8 ha).

Further technical work on soil suitability, slope, irrigation system layout and application rates is recommended before progressing the land irrigation system.

Sensitivity: General

| Cost Estimates for Discharge to Land Scheme |

6 Cost Estimates for Discharge to Land Scheme

The cost estimates provided in Section 4 of this report are for the WWTP upgrades only, and do not include the costs for installing a land discharge scheme. Land discharge system components include:

- a) New pump station located at Kaikohe WWTP site
- b) Pipeline between Kaikohe WWTP and land discharge site
- c) Irrigation infrastructure at land discharge site

Beca has developed a high level cost estimate below for the treated wastewater transfer to Site #13 and land discharge scheme (see Appendix D). Lining of the existing pond has not been allowed for in the cost estimate. This will be in addition to the costs for the WWTP upgrade as presented in Table 4 above.

Table 7. High level Capital Cost Estimate for discharge to land system

Item	Capital Cost \$M
Pump station and pipeline	7.32
Irrigation system (112 ha)	7.75
Indirect costs (P&G, Investigation, Design, Consenting)	4.03
Contingency and Risk allowances	5.76
Total cost NZD excl GST	24.86

The assumptions and exclusions outlined in Section 4.2 also apply to this cost estimate.

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| Next Steps |

7 Next Steps

The information in this report will be presented to the Working Group during the next workshop on 16 June 2023. It is intended that during that workshop, the Working Group will determine the BPO for the Kaikohe WWTP.

Following selection of the BPO, Beca will draft a BPO Report which provides a summary of the work undertaken and the final BPO including the final estimated cost. Brief comments will be made on a potential consenting strategy for the BPO.

Should the BPO include a discharge to land option, we envisage during this time that FNDC will follow the steps outlined in the Wastewater Discharge to Land: Good Practice Guide¹⁹ document, prepared for FNDC in 2022, for developing the concept further to preliminary design and detailed design for the WWTP upgrade option and discharge to land scheme, through to obtaining the consent for the upgraded discharge.

These next steps for the land discharge should include:

1. Further soil investigations at the site to determine the ability of the soil to receive treated wastewater (this could include soils tests to establish parameters such as hydraulic conductivity, chemical composition and physical characteristics with depth);
2. The installation of groundwater monitoring boreholes at the site to establish groundwater levels and quality for at least a 12 month period;
3. Baseline monitoring of surface water features at the site to establish baseline water quality, aquatic ecology and connectivity to groundwater at the site;
4. Further refined GIS mapping of the site to determine areas suitable for discharge of treated wastewater and spatial variability of differing soil types across the site;
5. Assessment of options for land use and discharge methods for the future discharge scheme (e.g. native forestry, exotic forestry, pastoral farming, spray irrigation, sub-surface irrigation etc.);
6. Consideration of treated wastewater storage options and management of storage (including issues such as algae growth and odour potential from the storage system);
7. Establishment of an irrigation concept design including nutrient modelling to assess effects of the future discharge to land compared to the existing baseline on groundwater and surface water nutrient levels;
8. Further concept design to a level to establish greater capital and operating cost certainty including the conveyance and land discharge system;
9. Effects assessments (soil, groundwater, air quality, surface water quality and ecology) suitable for inclusion within a resource consent application to the Northland Regional Council.

¹⁹ Beca, 2022. Wastewater Discharge to Land: Good Practice Guidance. Prepared for Far North District Council. 01 February 2022. Available at: <https://www.fndc.govt.nz/Our-services/Wastewater-and-stormwater/Wastewater/Wastewater-treatment-plants/Taipa-Wastewater-Treatment-Plant/Taipa-Wastewater-Transformation-Project/2022-Wastewater-Discharge-to-Land-Guidance-Document-Beca>

Sensitivity: General

A

Appendix A – Long List Options for Kaikohe WWTP (Beca 2022)

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Sensitivity: General

B

Appendix B – Kaikohe WWTP Mass Balance Assessment (Beca, 2023)

DRAFT

Sensitivity: General

C

Appendix C – Kaikohe WWTP Performance Assessment (Jacobs, 2021)

DRAFT

Sensitivity: General

| [Next Steps](#) |

D

Appendix D – Cost Schedules

Sensitivity: General

| Next Steps |

E

Appendix E – Site 13 Soil Investigations Report (McLeod, 2023)

Sensitivity: General

| Next Steps |

F

Appendix F – High level concept treated wastewater transfer route



Te Tari Taiwhenua
Internal Affairs

Ben Bowden
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1 August 2023

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Phone: +64 4 495 720
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Kia ora Ben,

Confirmation of Far North District Council significant decision

Thank you for notifying us of a Far North District Council decision that may be considered significant under the Water Services Entities Act 2022 (Act). This notification relates to the upgrade of the Kaikohe Wastewater Treatment Plant (Decision).

The Chief Executive of DIA has delegated to me his power to confirm decisions under clause 33(2) of schedule 1 of the Act. Having reviewed the information you supplied, I have agreed to **confirm** the Decision.

Please contact us at intendeddecisions@dia.govt.nz or significantdecisions@dia.govt.nz if you have further intended decisions (use the later address for decisions you consider may be significant), and we will respond within approximately 20 working days.

If your decision is of greater urgency or is complex, we will discuss timeframes with you.

Nāku noa, nā

Heather Shotter,
Executive Director – National Transition Unit - Water Services Reform Programme

6.3 MAINTENANCE AND RENEWAL CONTRACTS – INCREASES IN CONTRACT VALUES**File Number: A4369422****Author: Apikali Rokobigi, Maintenance Lead****Authoriser: Calvin Thomas, General Manager - Northland Transportation Alliance****TAKE PŪRONGO / PURPOSE OF THE REPORT**

The purpose of this paper is to request that Council approves an increase in contract values to meet Council's contractual obligations for the Road Maintenance and Renewals Contracts 7/18/100 (North Area) and 7/18/101 (Southern Area), covering Emergency Work road recovery activities, additional capital projects, and general activities covered within the scope of contract, through to June 30, 2024.

The process of increasing approved contract values involves the release of existing approved and allocated 2023/24 Annual Plan budgets for these activities, and is a procedural requirement for any long-term contracts, spanning several years, where provision is required to be made for completion of unplanned activities.

All works that have been completed to date, and future works that are covered by the requested extension of contract value, a covered by existing approved and allocated Planned Works budgets or Emergency Works reserves budgets and associated National Land Transport Fund Financial Assistance (ranging from 69% for planned works through to 89%/100% for Emergency Works).

WHAKARĀPOPO MATUA / EXECUTIVE SUMMARY

This report

- provides background and summarises the emergency work road recovery, unforeseen financial impacts through July 2022 to June 2023 and an increase in total contract value to facilitate capital projects as summarised in Table 1.1 below, and

Table 1.1 – Estimated total contractual value.

Description	North Area Con 7/18/100	South Area Con 7/18/101
Current approved value of the contracts (Total values since 1 st July 2018)	\$ 97,718,819.92	\$ 83,035,276.51
Contract Value increase request	\$ 15,370,962.95	\$ 14,972,413.45
The proposed new value of these contracts	\$ 113,089,782.87	\$ 98,007,689.96

- confirms the contract expenditure to date and the values requested for approval for contract term, is fully covered through the following existing and future approved budgets:
 - Historic (2018/22, 2022/24) approved funding for roading maintenance, renewals, and associated improvement budgets.
 - Additional approved funding and subsidies for Emergency Works.
 - Additional Capital Projects delivered under the Road Maintenance Contracts.
- confirms all works have and will continue to be delivered in line with procurement guidelines and within the scope of the contract works

TŪTOHUNGA / RECOMMENDATION

That Council:

- notes the increase in contract values requested does not require any additional unbudgeted investment, and**

- b) **approves the contract value for 7/18/100 North Area Road Maintenance and Renewals Contract to be increased by the value of \$ 15,370,962.95 and the total contract value increased to \$113,089,782.87 exclusive of GST.**
- c) **approves the contract value for 7/18/101 South Area Road Maintenance and Renewals Contract to be increased by the value of \$14,972,413.45 and the total contract value increased to \$98,007,689.96 exclusive of GST.**

1) TĀHUHU KŌRERO / BACKGROUND

These contracts commenced on 1 July 2018 for an initial four-year period with provisions to extend the contract for a further two plus one, plus one years; (4+2+1+1 years), dependant on the Contractor's performance.

Council approved Separable Portion 2, an extension of 2-year contract from July 2022 to June 2024 **Council Resolution [2021/59] and [2022/60]**.

These are measure and value contracts and the actual payments to the contractors are based on the quantity of works completed and the tendered schedule of rates. All these works are completed within the Council's approved budget in any one year.

As competitive rates are received through a long-term contract arrangement, combined with Council's desire to achieve delivery targets, a large total value of both Council and externally funded works are delivered through these contracts via direct award, noting that within the contracts there is a requirement for a minimum of 30% of the awarded works to be sub-contracted to local contractors.

The previous contract value increase approved by Council provided an estimated value for separable portion 2. Since the approval of separable portion 2, the Far North local roading network has experienced impacts from 10 distinct severe weather events, along with a value of additional capital work improvements being added to the total amount expended through these contracts. Without further increase to the approved contract values, we will be exceeding the current approved limit before the end of the second Separable Portion (30th June 2024), and therefore defaulting on Councils contractual and legal responsibilities.

The full scope of completed and remaining work for each contract, funded through combination of approved LTP roading budgets and additional central government funding (increased Emergency Works subsidy), is summarised in the tables on the following pages.

Contract 7/18/100 FNDC North

Table 2.1 – Recommended new Contract Value for 7/18/100 FNDC North

Roading Works – Contract 7/18/100 FNDC North		
Description	Value (\$)	Comment
SUBTOTAL 2.2	97,718,819.92	Council Approved Contract Value Increase. Council Resolution [2021/59] and [2022/60]. July 2018 – June 2024 (6 years)
SUBTOTAL 2.3	12,960,962.95	Additional Funded & Forecast Emergency Works for 2022/23 and 2023/24
SUBTOTAL 2.4	2,410,000.00	2022/23 - 2023/24 Additional Capital Works - Completed and Annual Works Plan
Total North	\$ 113,089,782.87	New Contract Value

The recommended Contract Value for 7/18/100 FNDC North is made up as follows:

Table 2.2 - Council Approved Contract Value Increase for Contract 7/18/100 FNDC North.

Roading Works – Contract 7/18/100 FNDC North		
Description	Value (\$)	Comment / Reason
SUBTOTAL 2.2	\$ 97,718,819.92	Council Approved Contract Value Increase. Council Resolution [2021/59] and [2022/60]. July 2018 – June 2024 (6 years)

Table 2.3 – Additionally Funded Emergency Works and Forecast Expenditure added to Contract 7/18/100 FNDC North

Other funded Roading Works	Value	Comment/Reason
July 2022 Storm Event	700,865.56	Initial Response Phase 1 to Storm Event completed and additional funded works
August 2022 Storm Event	2,343,280.00	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
Anniversary Weekend & Cyclone Gabrielle 2023 Event	1,868,734.73	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
May 2023 Storm Event	1,712,987.69	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
June 2023 Storm Event	1,335,094.97	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
2023/2024 Forecast Emergency Works	5,000,000.00	2023/2024 Future Initial Response Phase 1 & Minor repairs Phase 2 Storm Event
SUBTOTAL 2.3	\$ 12,960,962.95	Additional Funded & Forecast Emergency Works

Table 2.4 – Additionally Funded Capital Works and Expenditure added to Contract 7/18/100 FNDC North

Roading Works – Contract 7/18/100 FNDC North		
Description	Value (\$)	Comment / Reason
High Risk Rural Road Corridor Safety Treatments	1,800,000.00	Additional Programmed for 2023/24
Corridor Safety Treatments & High-Risk Intersection Safety Treatments	210,000.00	Additional Programmed for 2023/24
School Zone Speed Management	200,000.00	Additional Programmed for 2023/24
Oruru Road Footpath	200,000.00	Completed for 2022/23
SUBTOTAL 2.4	\$ 2,410,000.00	2022/23 - 2023/24 Completed and Annual Works Plan

*Contract 7/18/101 FNDC South**Table 3.1 – Recommended new Contract Value for 7/18/101 FNDC South*

Roading Works – Contract 7/18/101 FNDC South		
Description	Value (\$)	Comment
SUBTOTAL 3.2	83,035,276.51	Council Approved Contract Value Increase. Council Resolution [2021/59] and [2022/60]. July 2018 – June 2024 (6 years)
SUBTOTAL 3.3	14,059,372.70	Additional Funded & Forecast Emergency Works for 2022/23 and 2023/24
SUBTOTAL 3.4	913,040.75	2022/23 - 2023/24 Additional Capital Works - Completed and Annual Works Plan
Total South	\$ 98,007,689.96	New Contract Value

The recommended Contract Value for 7/18/101 FNDC South is made up as follows:*Table 3.2 - Council Approved Contract Value Increase for Contract 7/18/101 FNDC South completed to date*

Roading Works – Contract 7/18/101 FNDC South		
Description	Value (\$)	Comment / Reason
SUBTOTAL 3.2	83,035,276.51	Council Approved Contract Value Increase. Council Resolution [2021/59] and [2022/60]. July 2018 – June 2024 (6 years)

Table 3.3 – Additionally Funded Emergency Works and Forecast Expenditure added to Contract 7/18/101 FNDC South

Other funded Project	Value (\$)	Comment / Reason
July 2022 Storm Event	445,489.37	Initial Response Phase 1 to Storm Event completed and additional funded works
August 2022 Storm Event	581,283.67	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
November 2022 Storm Event	177,160.00	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
Anniversary Weekend & Cyclone Gabrielle 2023 Event	3,929,396.72	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
May 2023 Storm Event	3,211,398.62	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works
June 2023 Storm Event	714,644.32	Initial Response Phase 1 & Minor repairs Phase 2 to Storm Event completed and additional funded works

2023/2024 Forecast Emergency Works	5,000,000.00	2023/2024 Future Initial Response Phase 1 & Minor repairs Phase 2 Storm Event
SUBTOTAL 3.3	\$ 14,059,372.70	Additional Funded & Forecast Emergency Works

Table 3.4 – Additionally Funded Capital Works and Expenditure added to Contract 7/18/101 FNDC South

Roading Works – Contract 7/18/101 FNDC South		
Description	Value (\$)	Comment / Reason
Corridor Safety Treatments & High-Risk Intersection Safety Treatments	200,000.00	Completed and Additional Programmed for 2023/24
School Zones & Speed Management	550,000.00	Additional Programmed for 2023/24
Taumatamakuku Footpath	163,040.75	Completed for 2022/23
SUBTOTAL 3.4	\$ 913,040.75	2022/23 - 2023/24 Completed and Annual Works Plan

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

These two contracts involve carrying out maintenance (including emergency works) and renewal works across the local road network, covering approximately 900 kilometers of sealed and 1600 kilometers of unsealed road.

The core scope of works includes routine road maintenance, drainage maintenance, vegetation control, traffic facilities maintenance, street cleaning, sign maintenance, road marking, footpath maintenance, road strengthening, road surface maintenance, pre-reseal repairs and renewals as well as emergency response and other authorised road works.

For Council to meet its existing contractual obligations, completing the original 4-year contract period (Separable Portion 1, expired in 30 June 2022) and the extension of 2-year current contract period (Separable Portion 2, expiring in 30 June 2024) per **Council Resolution [2021/59] and [2022/60]**, an increase in contract value is required, noting that the funds required for this increase in contract value cover emergency works and additional capital projects delivered under these contracts and are covered by existing approved and allocated 2023/24 Annual Plan budgets.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The reason for the recommendation that both contract values be increased is:

- to recognise the emergency works impact, resulting from July 2022 – June 2023 events that increased the work volumes and associated expenditure, now impacting on the forecast exceedance of approved contract value(s), (*refer to Annex. 1*) and
- to ensure the Contractors can fulfil their obligations to undertake the works required for 2023/24 Financial Year (FY).

To ensure continuation of these essential Roding activities the NTA seeks to formalise approvals for increased contract value, with sufficient funding to meet the required work demand and ensure Council fulfils its funding, contractual and legal obligations under the contracts.

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

Council approves a financial authority to spend up to the value of the tendered value when awarding a contract. If that financial authority is exceeded, then staff are required to return to Council for a new or additional financial authority to cover the remaining obligations of the contract.

These additional works completed through the North and South contracts have resulted in the original financial authority being exhausted. This does not mean Council has exceeded the overall budgets, with the additional works being funded from existing approved annual Roding LTP / Annual Plan budgets and approved external funding received.

The additional funding approval sought is budgeted within the adopted 2021/2031 LTP and does not result in any unbudgeted expenditure.

This is a measure and value contract and the actual payments to the contractors are based on the quantity of works completed and the tendered schedule of rates. All these works are completed within the Council's approved budget in any one year.

In summary it has been estimated to meet their obligations to the end of Separable Portion 2 (30 June 2024);

- a) the value of works required for the North Area will be **\$ 15,370,962.95 + GST**. This will take the approved contract value to **\$ 113,089,782.87 + GST** (see Tables 1.1 & 2.1 above), and
- b) the value of works required for the South Area will be **\$ 14,972,413.45 + GST**. This will take the approved contract value to **\$ 98,007,689.96 + GST** (see Tables 1.1 and 3.1 above).

(See attachment Annex 1)

ĀPITI HANGA / ATTACHMENTS

1. **ANNEX 1 - Maintenance and Renewals Contracts - Increases in Contract Value - A4383610** [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The decisions or matters of this agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the publication of this agenda on the Council website.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The additional funding approval sought is budgeted within the adopted 2021/2031 LTP and does not result in any unbudgeted expenditure.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District wide.
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.	No specific implications to Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	No specific implications.
State the financial implications and where budgetary provisions have been made to support this decision.	Refer to Financial Implications section of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report

ANNEX 1

Name	Phase Identifier	Status	23/24	Total	Start	Final
			FAR	Budget		
EW FNDC July 2022	Construction - Initial Response - EW July 2022	Funding Approved	69	\$ 1,146,355.00	2022/23	2023/24
EW - Far North DC August 2022	Construction - Phase 1 - Initial Response - EW August 2022	Funding Approved		\$ 184,291.00	2022/23	2022/23
EW - Far North DC August 2022	Construction - I & D of all sites & Practitioner Solutions Const.	Funding Approved	69	\$ 3,000,000.00	2022/23	2023/24
EW - Far North DC August 2022	Construction - Initial Response - EW August 2022 (Normal FAR+20%)	Funding Approved		\$ 1,275,450.00	2022/23	2022/23
EW Far North DC November 2022	Construction - Initial Response - EW November 2022	Funding Approved	69	\$ 177,160.00	2022/23	2023/24
EW Far North DC Anniversary weekend & Cyclone Gabrielle 2023	Construction - Initial Response - Anniversary & Cyclone Gabrielle	Funding Approved	100	\$ 4,413,000.00	2022/23	2023/24
EW Far North DC Anniversary weekend & Cyclone Gabrielle 2023	Construction - Minor Remedial - Anniversary & Cyclone Gabrielle	Funding Approved	100	\$ 1,460,000.00	2022/23	2023/24
EW Far North DC Anniversary weekend & Cyclone Gabrielle 2023	Construction - Major Works - Anniversary & Cyclone Gabrielle	Funding Approved	69	\$ 1,642,000.00	2023/24	2023/24
EW Far North DC May 2023	Construction - Phase 1 - Initial Response - EW May 2023	Funding Approved	69	\$ 1,329,681.00	2022/23	2023/24
EW Far North DC May 2023	Construction - Phase 2 - Minor Remedial Works - EW May 2023	Funding Approved	69	\$ 3,954,176.00	2022/23	2023/24
EW Far North DC June 2023	Construction - Phase 1 - Initial Response - EW June 2023	Under Review	89	\$ 776,649.00	2023/24	2023/24
EW Far North DC June 2023	Construction - Phase 2 - Major Remedial Works - EW June 2023	Under Review	89	\$ 1,400,400.00	2023/24	2023/24
EW Far North DC June 2023	Construction - Phase 2 - Major Remedial Works - EW June 2023	Under Review	89	\$ 1,324,800.00	2023/24	2024/25

6.4 LEASE EXTENSION REQUEST AUPOURI NGATI KAHU TE RARAWA (ANT) TRUST**File Number:** A4329032**Author:** Michelle Rockell, Team Leader - Property Management**Authoriser:** Kevin Johnson, Group Manager - Delivery and Operations**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek resolution from Council on the renewal and granting of a new lease to Aupōuri Ngāti Kahu – Te Rarawa (ANT) over Tangonge Domain, Kaitaia.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Current Lessee: Aupouri Ngati Kahu-Te Rarawa Trust Inc (ANT Trust), being the umbrella organisation for Open the Curtains (OTC).
- Current Lease Term: 5 years, 1 September 2018 – 31 August 2023.
- Renewal: A further period of 5 years, 1 September 2023 – 31 August 2028 - Provided lease obligations have been met, there is sufficient community need for the specified activity and it is in the public's interest.
- Schedule 2 of the lease, the OTC Operational Management Plan, is the guiding document for the community lead project for better utilisation of the Reserve.
- ANT wish to apply for third party funding and have requested a 30-year lease extension with final expiry on 31 August 2058.

Reserves Act Schedule 1: allows for a term 'not exceeding 33 years' and requires public notice. Information report to the Te Hiku Community Board - June 2022, was amended to include a recommendation to Council to initiate the process of a new long-term lease. The process to initiate a new long-term lease was commenced in January 2023 when FNDC staff requested background information from the Trust. This information was received in June 2023. This report was presented to the Te Hiku Community Board on 2 August 2023 who recommended the approval of the 5 year term plus options 2, the initiation of public consultation for a new 30 (15+15) ground lease.

TŪTOHUNGA / RECOMMENDATION**That Council:**

- a) **approve the renewal of a further 5 year term, expiring on 31 August 2028, as allowed for in the current lease to Aupōuri Ngāti Kahu – Te Rarawa Trust over Tangonge Domain, being Recreation Reserve DP 108 Title NA530/132, located at 63 Bonnet Road, Kaitaia.**

The terms being:

- **Term: 5 years**
- **\$118 plus GST per year in conjunction with the Fees & Charges Policy for 2023/24 and reviewed annually.**

- b) **commences the public consultation process on the granting of a new ground 30 (15+15) year lease to Aupōuri Ngāti Kahu – Te Rarawa Trust over Tangonge Domain, being Recreation Reserve DP 108 Title NA530/132, located at 63 Bonnet Road, Kaitaia.**

The terms of the proposed lease shall be:

- **Term: 30 Years (15+15)**
- **Rental: As per FNDC Fees and Charges Schedule for a Community lease.**
- **\$118 plus GST for 2023/24 and reviewed annually in conjunction with the FNDC Fees and Charges Schedule.**

- c) That the Te Hiku Community Board is appointed to hear any submissions received in response to the consultation process and to make recommendations to Council.**

1) TĀHUHU KŌRERO / BACKGROUND

Te Hiku Community Board were presented this report on 2 August 2023 who amended the recommendation to the above: the renewal of the current lease for a further 5 years plus the initiation of public consultation on the granting of a new 30 (15+15) year lease.

Please note, should public consultation be initiated and ultimately, a new lease granted, this will replace and suspend the current lease that has final expiry 31 August 2028. This recommendation allows for continuity of the lease whilst public consultation can occur alongside.

ANT Trust is a not-for profit organisation who were granted a lease over Tangonge Domain, Kaitia, in September 2018. This lease allowed OTC, a community group operating under ANT Trust, to redevelop and transform the Domain into a safe and pleasant space for whānau in Kaitia West to gather, play and socialize. The site was being used to dump landfill and refuse, graze cows and a dog walking space.

At the time of granting the lease, OTC presented an Operational Management Plan (attached to lease, see attachment schedule below) which outlines how the development and maintenance of the Domain for the lifespan of the lease. This includes a Mara kai garden, fruit tree orchard, basketball court, children's playground, walking track and exercise stations. To date, these above developments have not been carried out.

Projects completed to date include:

- Development of the 2019 Tangonge Domain Concept Plan.
- 2020 Condition Report & Feasibility Study (funding obtained prior to the lease)
- 2021 Community Consultation which advised that ANT Trust also consider other ideas for the Domain.
- 2022 land development: clearing of outer drains and foundation work, grading and contouring of fields and areas for exercise track and parking area, and grassing of playing fields.
- 2023 building refurbishment: power supply reconnected, new lighting, water supply reconnected, storm water drainage cleaned and fully functional toilets.
- Community events to date:
 - Kiwi Tag: October to November 2022 and June 2023.
 - Christmas in the Paddock: December 2022
 - Touch Under 16s mixed: Feb 2023

Developments to date have cost over \$80,000.00, with full development expecting to cost approximately \$800,000.00. All proposed plans will depend on funding availability and be developed around specific project areas.

ANT Trust believe that a 30-year lease will provide funders the security they require to fund major programme works.

ANT Trust have not made any funding applications to FNDC since the commencement of the lease.

In June 2022, an information report was presented to the Te Hiku Community Board to give the Board an understanding of the current situation. It included the following recommendation:

TŪTOHUNGA / RECOMMENDATION

That the Te Hiku Community Board receive the report Tangonge Recreation Reserve - Status of Existing Lease.

This recommendation was changed by the Community Board to the following:

8.2 TANGONGE RECREATION RESERVE - STATUS OF EXISTING LEASE

Agenda item 8.2 document number A3625814, pages 271 - 272 refers

RESOLUTION 2022/59

Moved: Chairperson Adele Gardner

Seconded: Member Jaqi Brown

That the Te Hiku Community Board;

- a) **receive the report Tangonge Recreation Reserve - Status of Existing Lease,**
- b) **recommends to Council that the process for a new long-term lease commence now, and**
- c) **that the existing lease remain in place until the new long-term lease is executed.**

CARRIED

The above recommendation did not progress to Council as it was simply an Information Report.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

As per the lease, the renewal for one further period of 5 years is “...contingent on the Lessor being satisfied that the terms and conditions of the lease have been complied with, that there is sufficient need for the recreational activity specified in the lease, and further that it is in the public interest to renew the lease and not in the public interest that some other sport, game or recreation activity be given priority. It is not an automatic right of renewal.”

Given the little progress that has been made to meet the aspirations of the Operational Management Plan (attached to current lease, see attachment schedule below), FNDC staff do not support nor deem appropriate a new 30 (15+15) year lease at this time.

Should a further 5-year term renewal be given, FNDC staff will meet with ANT Trust regularly to assess progress and development of the Domain.

The requested 30-year lease is outside of the existing lease agreement; therefore a new lease along with public consultation would be required. Public consultation provides the opportunity for other community groups to present alternative uses for the reserve.

As per the FNDC Parks and Reserves Policy 2022, Council can grant exclusive leases to part or all a reserve for a maximum term of 15 years with a further right of renewal for 15 years if it deems such terms to be appropriate.

Option 1 (recommended):

That the Te Hiku Community Board recommends to Council:

- a) Approve the renewal of a further 5 year term, expiring on 31 August 2028, as allowed for in the current lease to Aupōuri Ngāti Kahu – Te Rarawa Trust over Tangonge Domain, being Recreation Reserve DP 108 Title NA530/132, located at 63 Bonnet Road, Kaitaia.

The terms being:

- \$118 plus GST per year in conjunction with the Fees & Charges Policy for 2023/24 and reviewed annually
- Term: 5 years

- b) Decline Aupōuri Ngāti Kahu – Te Rarawa Trust request to extend the lease.

This allows ANT Trust to make some progress with the development of the Domain as set out in the Operational Management Plan. It will also provide the Community Board and Council with the satisfaction that the terms and conditions of the lease are being complied with.

Option 2:

That the Te Hiku Community Board:

- a) recommends to Council that the public consultation process is commenced on the granting of a new ground 30 (15+15) year lease to Aupōuri Ngāti Kahu – Te Rarawa Trust over Tangonge Domain, being Recreation Reserve DP 108 Title NA530/132, located at 63 Bonnet Road, Kaitia.

The terms of the proposed lease shall be:

Term: 30 Years (15+15)

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- ☐ \$118 plus GST for 2022/23 and reviewed annually in conjunction with the FNDC Fees and Charges Schedule.

- b) is appointed to hear any submissions received in response to the consultation process and to make recommendations to Council.

Option 3:

Decline the request to renew the term and terminate the current lease to Aupōuri Ngāti Kahu – Te Rarawa Trust due to insufficient progress having been made in the past 5 years.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Though 5 years does not provide funders with long term guarantee, it does give ANT Trust enough time to carry out fundraising events to fund the smaller projects that were initially proposed in the Trusts Operational Management Plan. This, coupled with regular check ins by FNDC staff to support the Trust with their developments, can determine if a new 30 year lease to ANT Trust is beneficial to the community.

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

Renewing the lease does not create any financial implications for Council. ANT Trust is responsible for all maintenance of the grounds and building.

The issuing of a new 30-year (15+15) lease would require publication costs in association with public notice and all costs would be incurred by Council.

ĀPITI HANGA / ATTACHMENTS

1. 2019 Concept Plans - A4249907 [!\[\]\(693fcb3caaca16f960792dd4ef78f66d_img.jpg\)](#) [!\[\]\(9c6bb19b0f713ce4c978fc97945488c7_img.jpg\)](#)
2. 2020 Condition Report and Feasibility Study - A4249909 [!\[\]\(23263ed0fd0aeb8a53f2a13da8e5026a_img.jpg\)](#) [!\[\]\(e12e0adb82993fc7ec4eb247e42c4f70_img.jpg\)](#)
3. 2023 ANT lease extension TANGONGE 090623 - A4249911 [!\[\]\(39ad1907ce6023cfdaae6ae2a000608b_img.jpg\)](#) [!\[\]\(9e52b995092a66ce8459ad237c763c30_img.jpg\)](#)
4. Aupouri Ngati Kahu - Te Rarawa Trust lease signed and dated 1 Sept 2018 - 31 Aug 2028 - A4051783 [!\[\]\(7e90f31e3ea17be4877ffec6ab80403e_img.jpg\)](#) [!\[\]\(6358994854c6129e46b2948d81b99233_img.jpg\)](#)

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	Medium- we are requesting the Community Boards feedback and recommendation.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	FNDC Parks and Reserves Policy 2022: The Policy supports a long-term lease being offered to community orientated groups wanting a permanent base, requiring significant financial investment.
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.	Delegation to Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan
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.	ANT Trust represents the iwi of Aupōuri, Ngāti Kahu and Te Rarawa. Their requests presented to FNDC have been considered in the recommendation. Public consultation occurred at the time of granting the lease. Far North District Council recognises the significant role of tangata whenua as set out in the Working with Māori chapter in the Long Term Plan 2021-2031. It will be important to notify iwi/hapū in the Kaitaia locality of the lease proposal should public consultation occur.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This is a renewal of an existing lease and the community were consulted at the time of granting of the lease.
State the financial implications and where budgetary provisions have been made to support this decision.	All upgrade and maintenance costs fall to the lessee. The FNDC Fees and Charges Policy sets out the rental for leases over reserve land.

	Public consultation will require publications costs with FNDC will incur.
Chief Financial Officer review.	The CFO has reviewed this report.

CLIENT CONCEPT SET

TANGONGE DOMAIN
BUILDING ADDITION
CLIENT CONCEPT SET

SHEET LIST & INDEX	
SHEET NAME	SHEET NO.
COVER SHEET & INDEX	01
PRESENTATION	02
SITE PLAN (OVERALL)	03
SITE PLAN	04
FLOOR PLAN	05
ELEVATIONS	06

BONNETTS ROAD,
KAITAIA, 0410

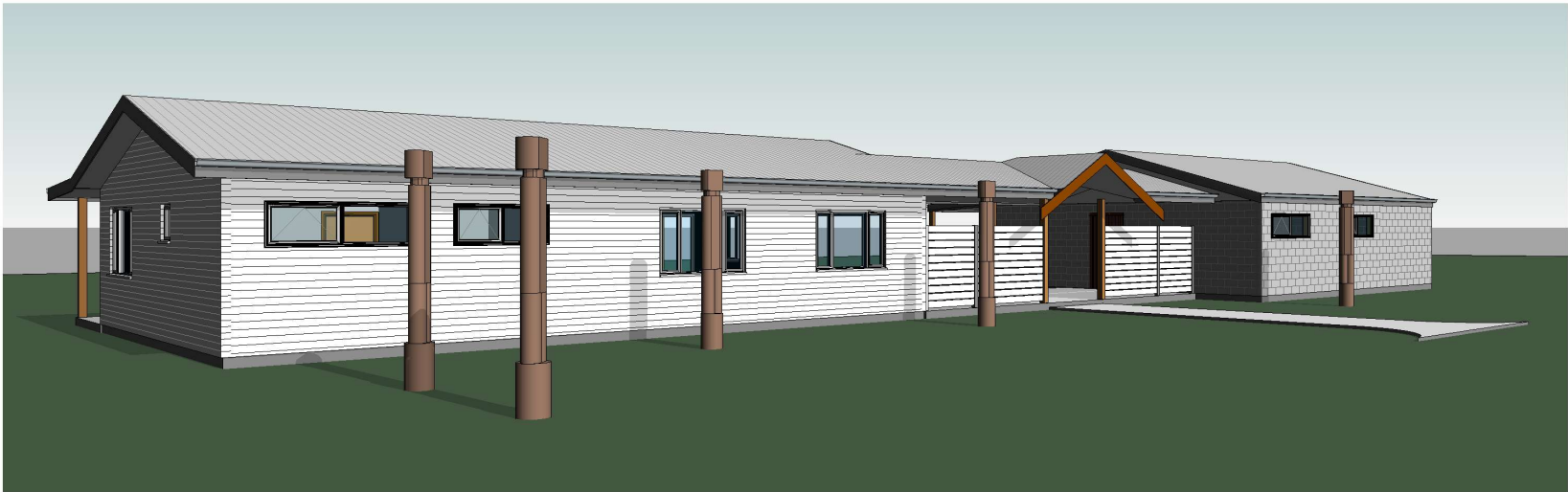


Arcline Architecture Ltd

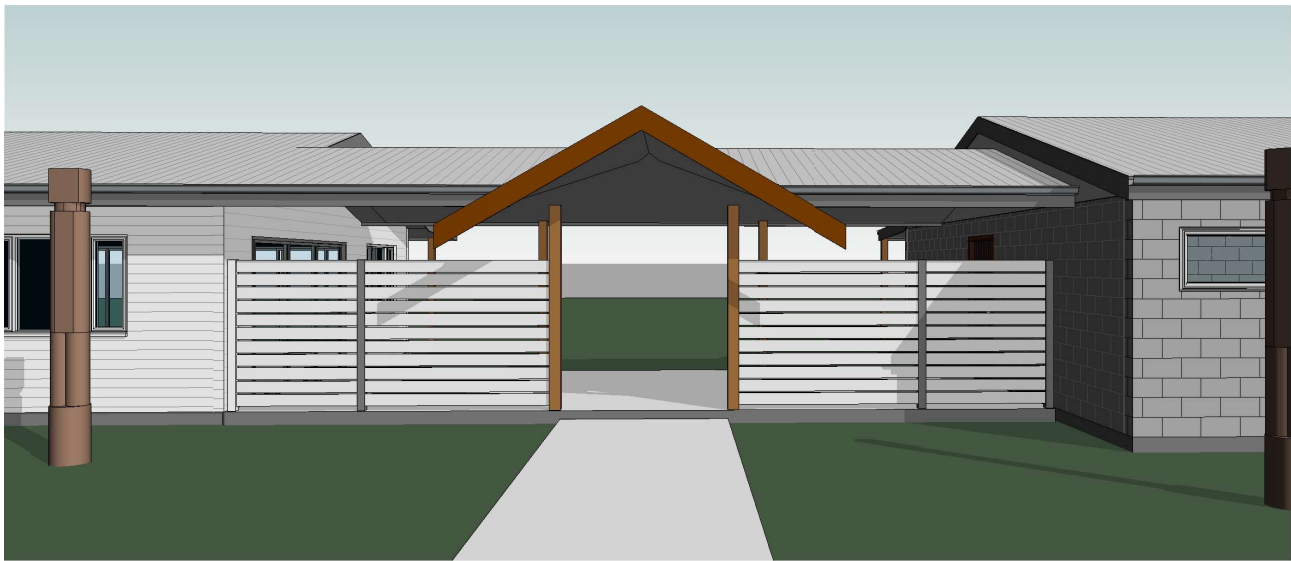
49 Matthews Ave
Kaitaia
New Zealand

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(Fax):
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(09) 408 2233
(09) 408 2358
021 220 1198
alan@arcline.co.nz



PERSPECTIVE 01



PERSPECTIVE 02

PERSPECTIVE 03



CLIENT CONCEPT SET



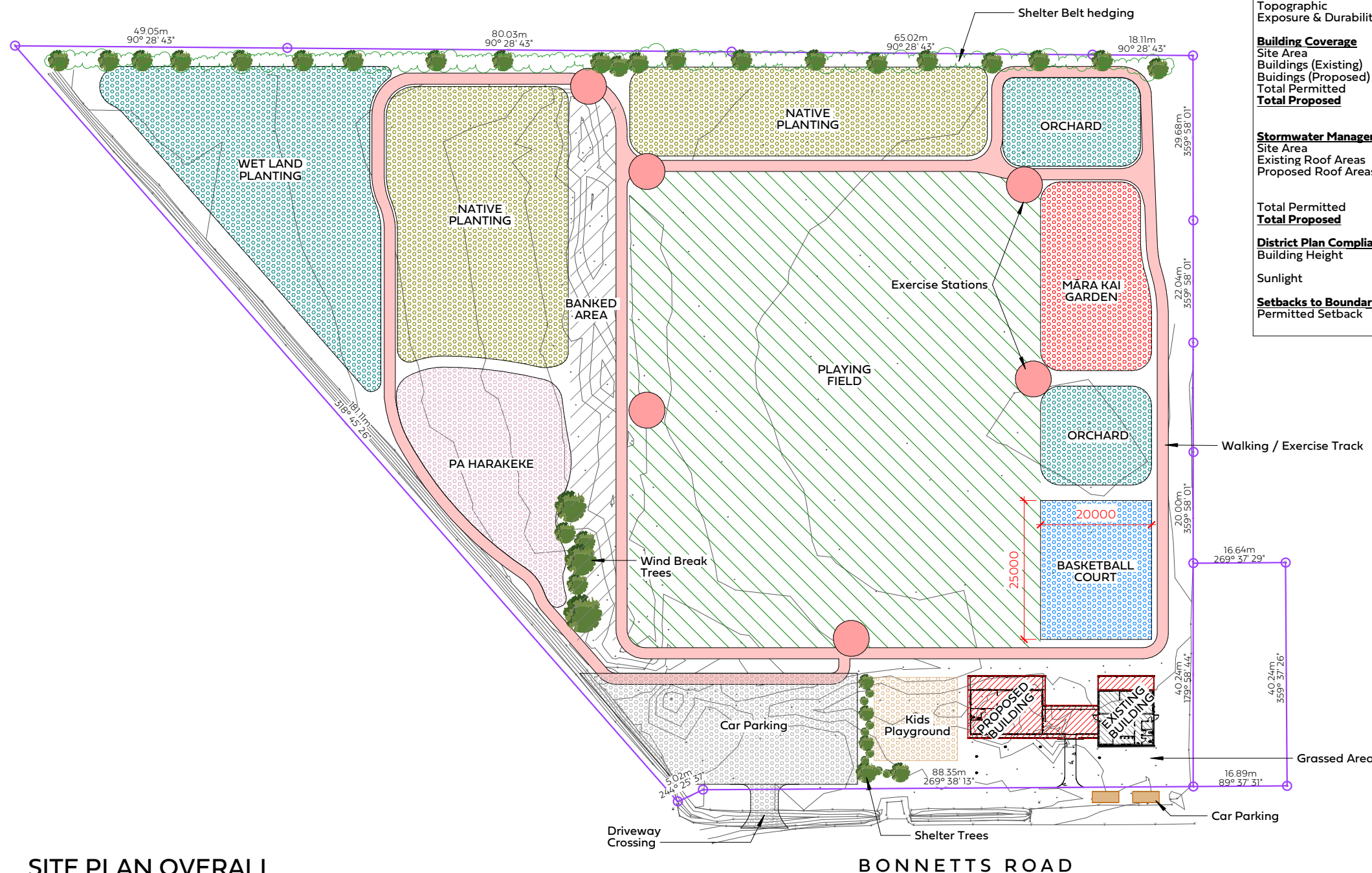
Arcline
Architecture

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49 Matthews Ave, Kaitia,
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PRESENTATION

TANGONGE DOMAIN
BONNETTS ROAD, KAITIA, 0410

Rev No.	Revision	Date	Scale:	Sheet No.
			Drawn By Anthony	02
			Issued: 5/11/2019 8:10:55 AM	



<u>SITE PLAN NOTES:</u>			
<u>Site Description</u>			
Legal Description	Pt OLC 7		
Zoning	Recreational		
Wind Zone	Very High		
Earthquake Zone	1		
Topographic	No Slope		
Exposure & Durability Zone	C		
<u>Building Coverage</u>			
Site Area	20343m ²		
Buildings (Existing)	100m ²		
Buildings (Proposed)	104m ²		
Total Permitted	--		8%
<u>Total Proposed</u>	<u>204m²</u>		<u>1.01%</u>
<u>Stormwater Management</u>			
Site Area	20343m ²		
Existing Roof Areas	102m ²		
Proposed Roof Areas	240m ²		
Total Permitted	10%		
<u>Total Proposed</u>	<u>--m²</u>		<u>--%</u>
<u>District Plan Compliance</u>			
Building Height	(Permitted)	8m max	Complies
	(Proposed)	100m ²	Complies
Sunlight			
<u>Setbacks to Boundaries:</u>			
Permitted Setback	3m min from road boundaries, 2m from other boundaries		

SITE PLAN OVERALL

1 : 750

CLIENT CONCEPT SET



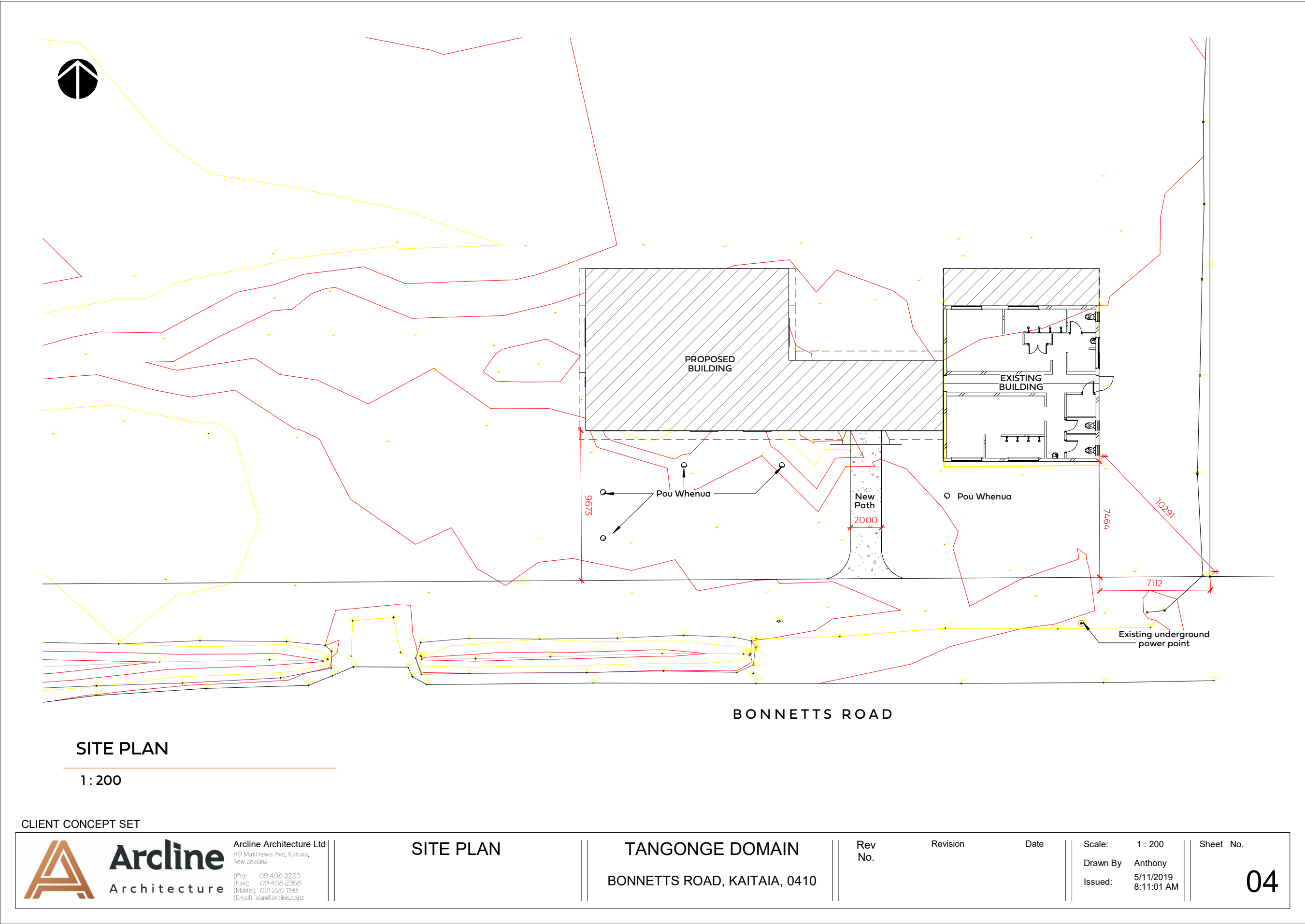
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Architecture

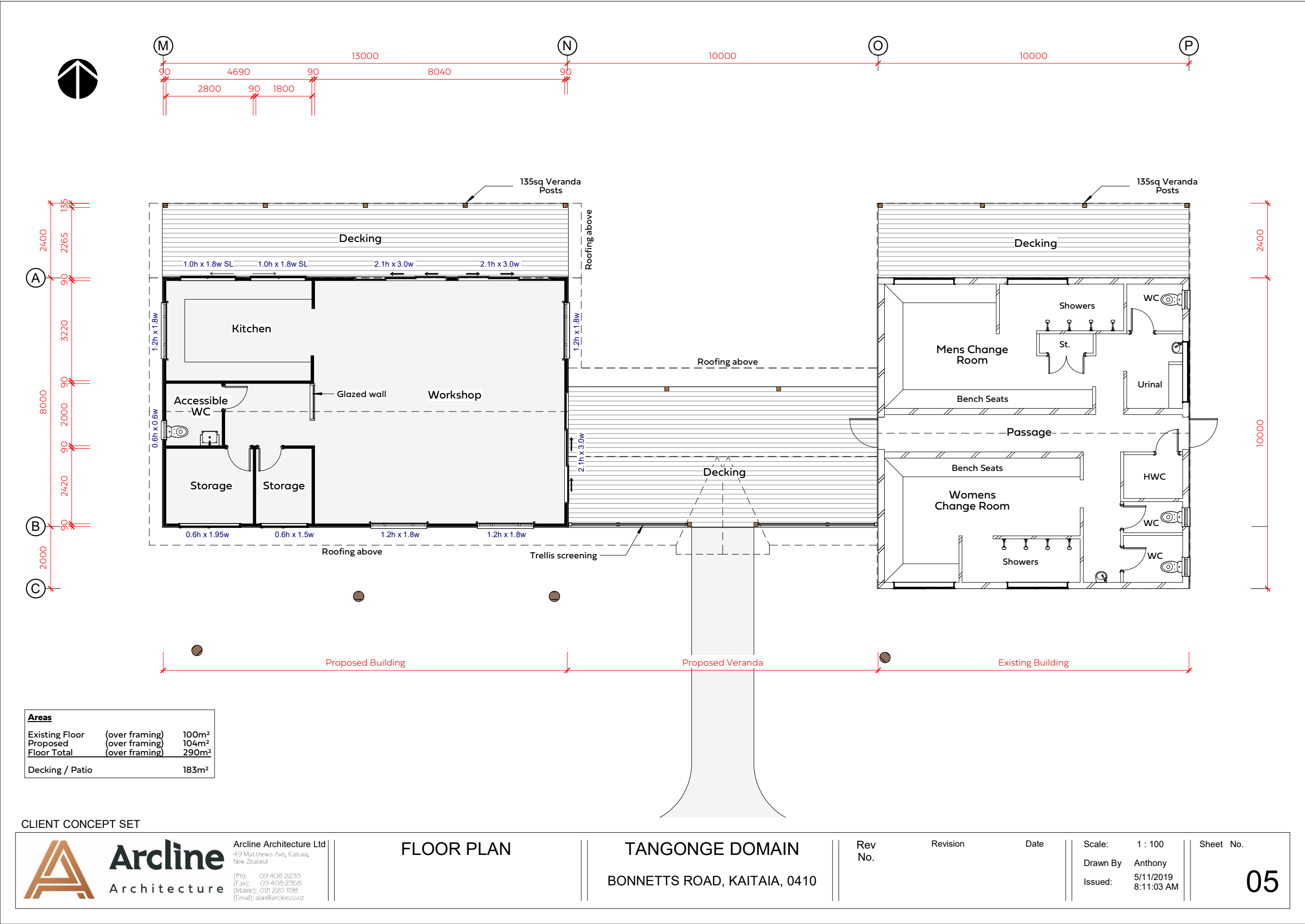
Arcline Architecture Ltd
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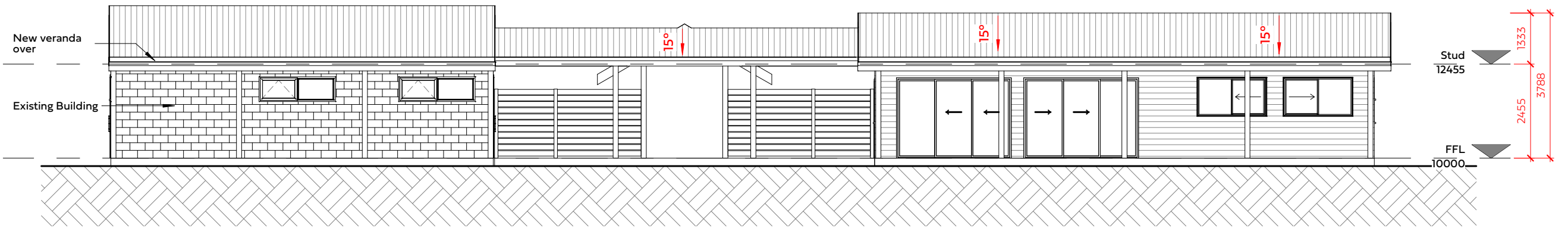
SITE PLAN (OVERALL)

TANGONGE DOMAIN
BONNETTS ROAD, KAITIA, 0410

Rev No.	Revision	Date	Scale:	As indicated	Sheet No.
1	Revision 1	Date 1	Drawn By	Anthony	03
			Issued:	5/11/2019 8:10:56 AM	

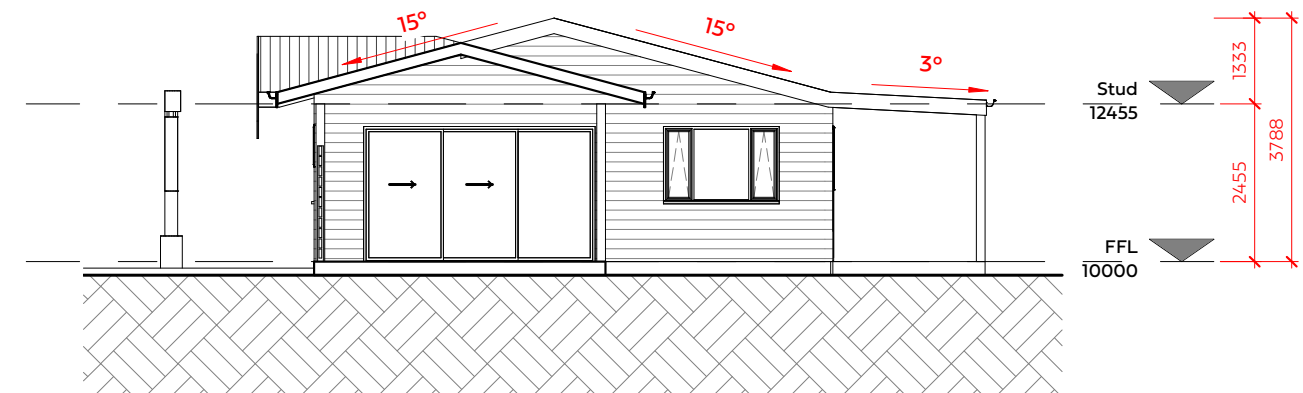






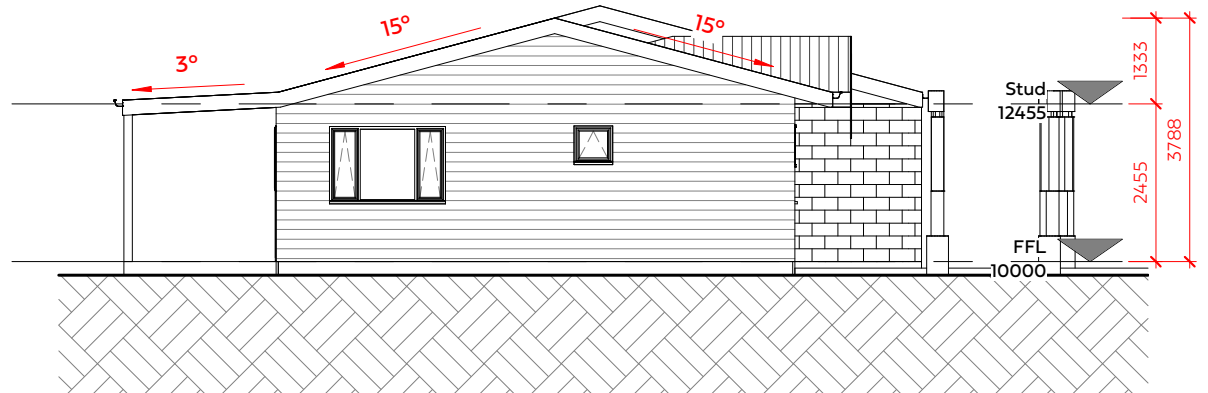
NORTH ELEVATION

1 : 100



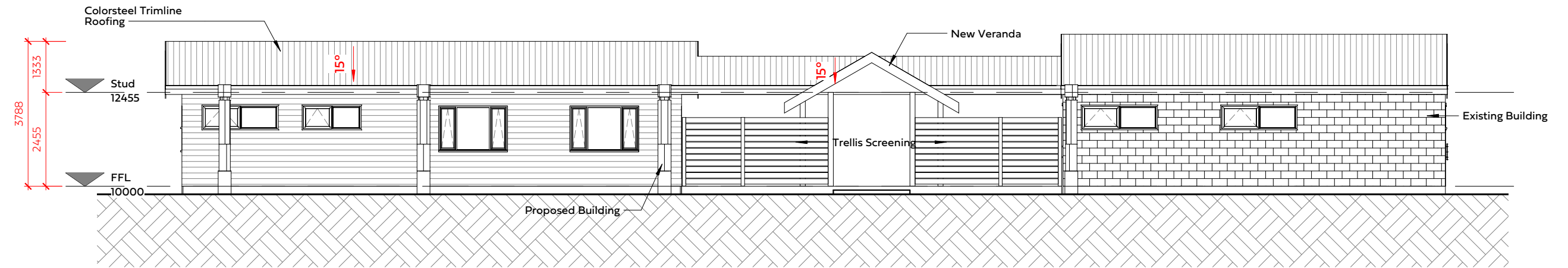
EAST ELEVATION

1 : 100



WEST ELEVATION


1 : 100



SOUTH ELEVATION

1 : 100

CLIENT CONCEPT SET

	Arcline Architecture Ltd 49 Matthews Ave, Kaitia, New Zealand	ELEVATIONS	TANGONGE DOMAIN BONNETTS ROAD, KAITAIA, 0410	Rev	Revision	Date	Scale: 1 : 100	Sheet No.
	(Ph): 09 408 2233			No.			Drawn By Anthony	06
	(Fax): 09 408 2369						Issued: 5/11/2019	
	(Mobile): 021 220 1139						8:11:07 AM	
(Email): alan@arcline.co.nz								



Redevelopment of Tangonge Park, Kaitaia

Condition Report and Feasibility Study

January 2020



Prepared by Paul White
B. Arch (Auck); M.BS (Massey)
Torea Tai Consultants Ltd
PO Box 72, Rawene, 0443, Hokianga

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- Appendix one: Charities registration
- Appendix two: Trust deed
- o Appendix three: Historical map of Kaitaia township

EXECUTIVE SUMMARY

1. This condition report and feasibility study has been undertaken to scope out the redevelopment of Tangonge Park on Bonnetts Rd in West Kaitaia. The underused park has been leased to the ANT Trust, from the Far North District Council.
2. The report includes a background section, which covers the operation of the Open the Curtains programme, a history of the park, and a condition report which focuses on the state of the park and the existing building. The report then outlines the vision and concept for the redevelopment of the park.
3. The ANT Trust through its Open the Curtains programme have engaged with the Kaitaia West community focused on the wellbeing of whanau in area.
4. Through several years of involvement with the local community a number of community needs have been identified including the lack of green space and places for people, especially young people to go and play.
5. The proposal outlines the major elements of the park redevelopment including a community learning and sports hub, children's sports field and basketball practice court, an exercise track, children's play areas, the installation of pou whenua and a major planting programme. The planting programme would include an orchard, a maarakai (community garden), native tree and shrub plantings, shelter planting, and a pa harakeke.
6. A project of this nature will take some years to achieve and will rely on a range of funders and the wider community for support. It will also rely on having a master plan in place, good leadership, strong project management and continuing alignment with community needs and aspirations.
7. The next step for the Trust is to consider the development plan and continue to engage with the community. It will need to explore a variety of funding opportunities that can contribute to the completion of the master plan. Some parts of the plan are relatively modest, and it is likely that a start can be made on the redevelopment quite quickly. Other funding opportunities will take time to materialise.
8. It will be important to consolidate the overarching framework for the park first including contouring the sports field and the embankment areas and laying down the walking/running track. Once these are in place the different parts of the plan can be developed either separately or as a whole.
9. This report should provide a good basis for developing a funding plan and attracting funding to start on this exciting redevelopment project.
10. The report proposes a range of next steps which include:
 - Review of feasibility study
 - Planning workshop
 - Identification of priority projects
 - Identification of strategic relationships
 - Priority funding applications
 - Assign project leadership and management
 - Engage with community
 - Engage with key stakeholders

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

PURPOSE

This feasibility study and development plan has been undertaken to scope out the redevelopment of Tangonge Park (Domain), on Bonnetts Rd in West Kaitaia. The 2 ha (5 acre) park has been leased to the Aupouri, Ngāti Kahu, Te Rarawa Trust (ANT Trust), from the Far North District Council (FNDC) as part of its Open the Curtains Programme focused on the wellbeing of whanau in area.

The study is to provide context for the ongoing development and improvement of the park. Tangonge Park is situated on the edge of Kaitaia West, an area on the western fringe of Kaitaia township. It is approximately 2km from the centre of the town and 3km from the main supermarket and the growing shopping area on the north side of town.

The plan includes the following sections:

- Background, which covers the history of the park, and the need for the redevelopment of the park.
- Condition report which focuses on the state of the park and the existing building.
- Development proposal and master plan
- Project planning, which looks at project management and timeframes.
- Appendices, which includes some key background information.

BACKGROUND

ANT Trust

The Aupouri Ngāti Kahu Te Rarawa Trust is a charitable trust which operates under the name, ANT Trust. It is registered with the Charities Commission, CC52709. The Trust was initially formed in the 1980s and was reinstated in 2016. It is subject to a trust deed/constitution which outlines its purpose, powers and responsibilities.

The purpose of the trust is to provide a range of educational, training and employment opportunities and other social services to assist with the relief of poverty and hardship, the enhancement of well-being, and the building of strong families and positive communities throughout the Far North and other high needs communities in Aotearoa.

Trustees

The following people are the registered trustees:

- Pene Tawhara (Chairperson)
- Te Rana Porter (Treasurer)
- Manuera Riwai (Secretary)
- Hilda Halkyard-Harawira
- Allison Edmonds

What is Open the Curtains?

Open the Curtains is a social development programme which has been operating in Kaitaia West for the past few years. ANT Trust operates as a level 2 accredited Social Service

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

provider. The programme slogan is “Helping to bring a little sunshine into people’s lives.” It is an innovative grassroots approach to social services based on engaging with whanau face-to-face. Driven by values of manaakitanga, whanaungatanga and aroha, it is an early intervention programme where they work with families to enrich people’s lives, build a sense of community and head off problems.

Kaitaia West is one of the poorest parts of Kaitaia, with a very high Maori and youth population. There are also high levels of benefit dependency and unemployment. The programme started with visiting every home in the area and bringing a koha basket as a way of engaging with people. In 2017-18 over 400 homes were visited in the area from Pukepoto Rd, Grigg St, to Bonnetts Rd, and Lake Rd including Jamieson St, Williams St, St, Masters Rd, Archibald St and Foley St.

Where people need help, the programme aims to link them to relevant and responsive services, including health, housing, education, medical, legal, spiritual and financial services. The programme has been very successful. It revealed high levels of community disengagement and need. From the home visits have come a range of practical outcomes including:

- Street clean up days.
- Focus on removing rubbish and green waste
- Community social events
- Christmas functions
- Referrals and support for whanau
- Fundraising nights



Street clean up days

Identification of needs in West Kaitaia

The OTC programme has stimulated many conversations and identified a range of community needs. These have included:

- The need for better services to the area
- The lack of investment in the area and its infrastructure

- The need for better relationships with service providers
- Problems with speeding vehicles and the higher numbers of young children
- Request for speed bumps and slow down signs in Bonnetts Rd
- The lack of green space and places for people, especially young people to go and play



Social events



Fundraising nights

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

Opportunity to redevelop Tangonge Park

Tangonge Domain Recreation Reserve or Tangonge Park as it is known sits in the heart of the West Kaitaia community. It has been unused except for casual grazing since the soccer club wound up some years ago. The OTC programme team identified the redevelopment of the Tangonge Park as a major opportunity for Kaitaia West and as a high priority for the community. After assessing the options, the FNDC was approached

Because the park was a reserve, a lease to a community group was possible but a public notification process was required through FNDC. They appointed the Te Hiku Community Board, which conducted a hearing and make a recommendation to Council after calling for submissions. A lot of consultation was undertaken including with the mana whenua hapū and a large number of submissions were received. They were overwhelming positive, and a lease was approved by the Council in late 2017.

Through the lease negotiation process it was agreed that the ANT Trust through the OTC programme would develop the park into a community recreation area with a playground, an exercise track, exercise work stations, a small sports field, native and fruit tree plantings and marakai/community gardens.

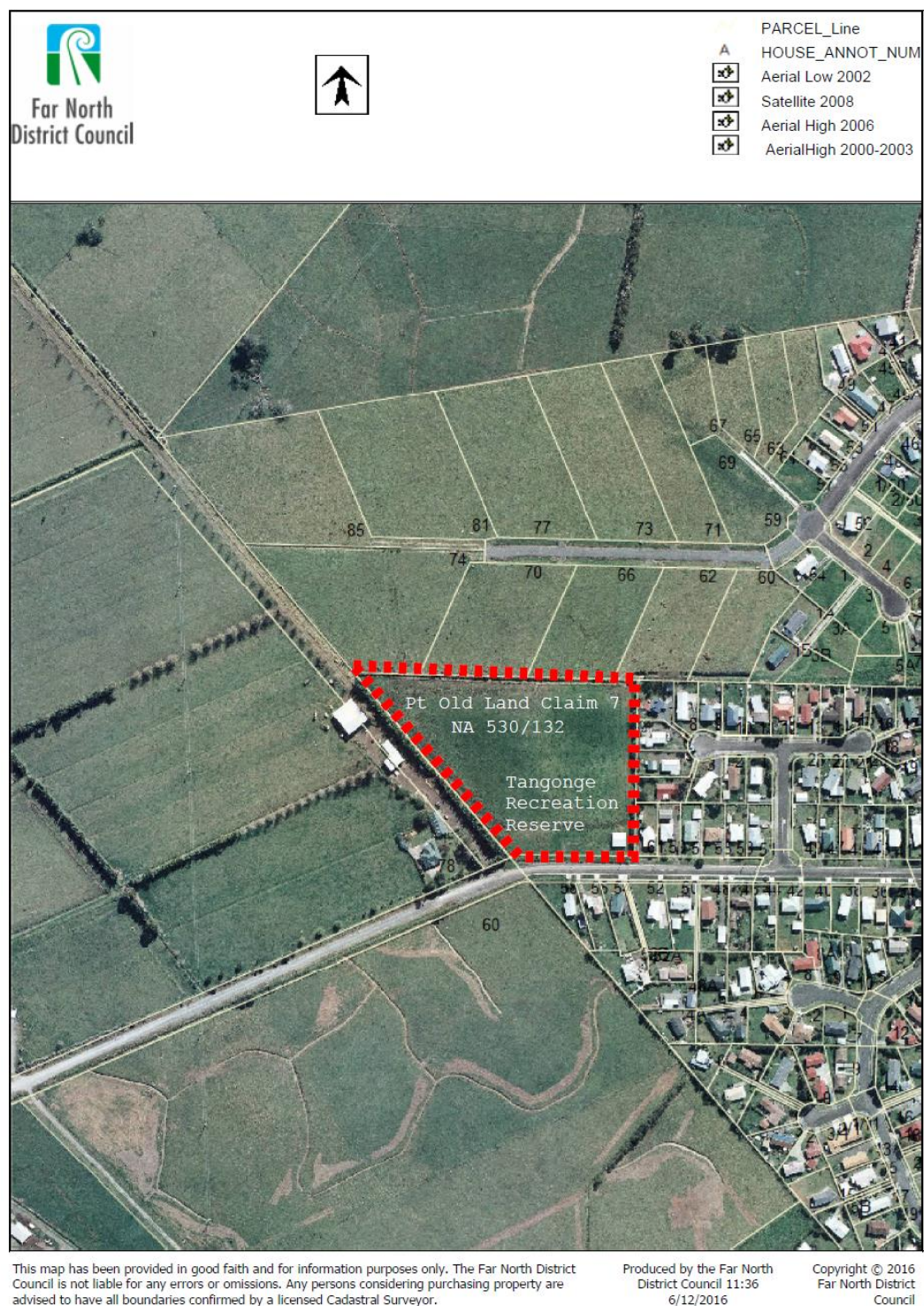
History

The land is part of the Ōtararau block which was an Old Land Claim from a 1835 pre-Treaty land transaction between Te Rarawa rangatira and the Rev Joseph Matthews. While Matthews acted in good faith and envisaged the mana whenua hapū continuing their customary uses in this area, the Old Land Claims Commission ignored the intent of the land transaction issuing title to Matthews for 1,170 acres and took for the Crown 685 acres of "surplus land" called Tangonge adjacent. The Tangonge Domain came into Crown ownership through this process and is referred to a Pt OLC 7, NA 530/132.

Tangonge Domain is now Crown land managed by the Department of Conservation but vested in the FNDC. In recent years it has been an under-used recreation reserve. The reserve was leased to the Kaitaia Rugby Football Club and sub-leased to the Kaitaia Nomads Club. These leases expired, and the clubs did not seek renewals. Council records show that the reserve land was poorly drained and in winter the grounds were "unplayable" without proper drainage. The domain was once used for grazing however this was an informal arrangement which ceased some time back. Council has not maintained the reserve. There is a concrete block changing shed on the domain, built by the Kaitaia Nomads soccer club and subsequently owned by Council. This shed was previously used by Sport Northland for the storage of sports equipment, but they have relocated to an alternative storage facility in Kaitaia township.

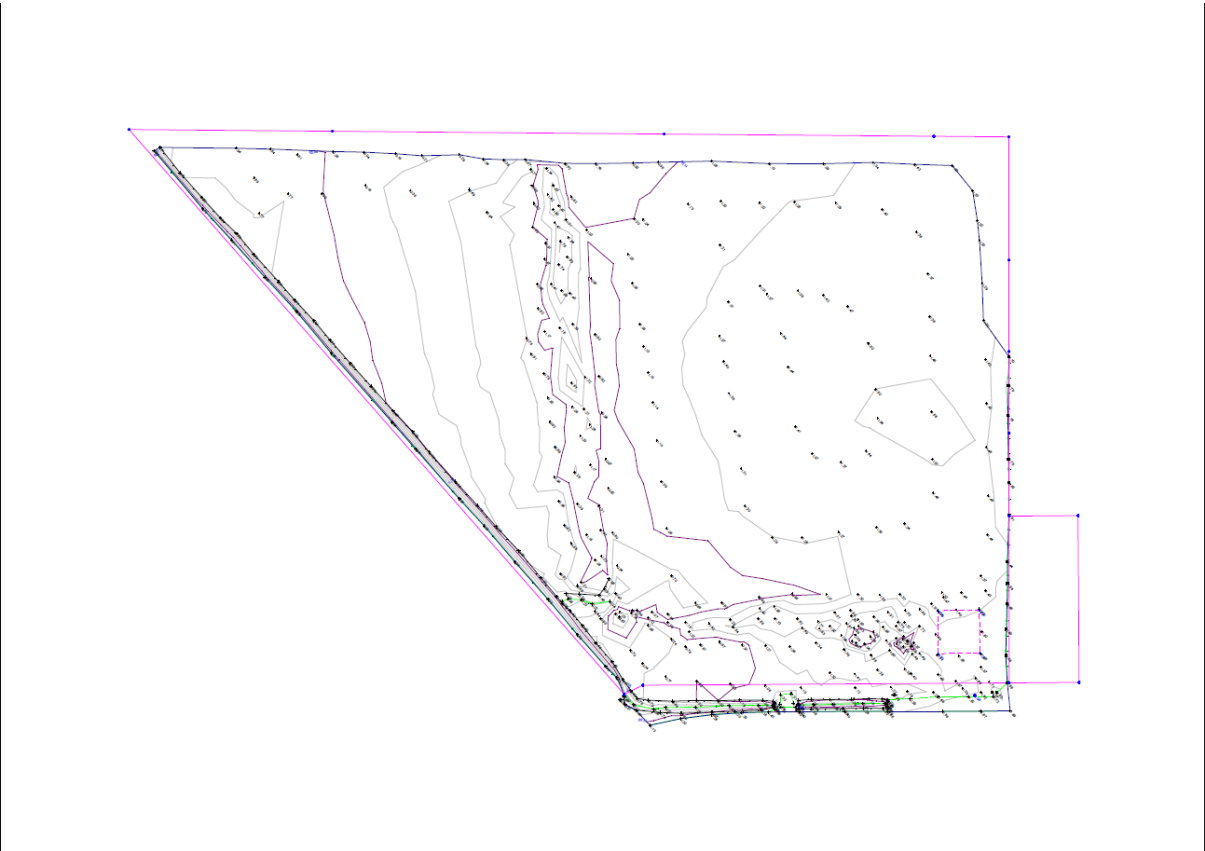
Legal status of land

Tangonge Domain is subject to the Reserves Act 1977. The Minister of Conservation has delegated to the Far North District Council (FNDC) the power to grant leases of vested reserves for the purposes specified in s54 Reserves Act 1977. The ANT Trust has a five-year lease on Tangonge Park with a right of renewal. The land is known as the Tangonge Domain Recreation Reserve

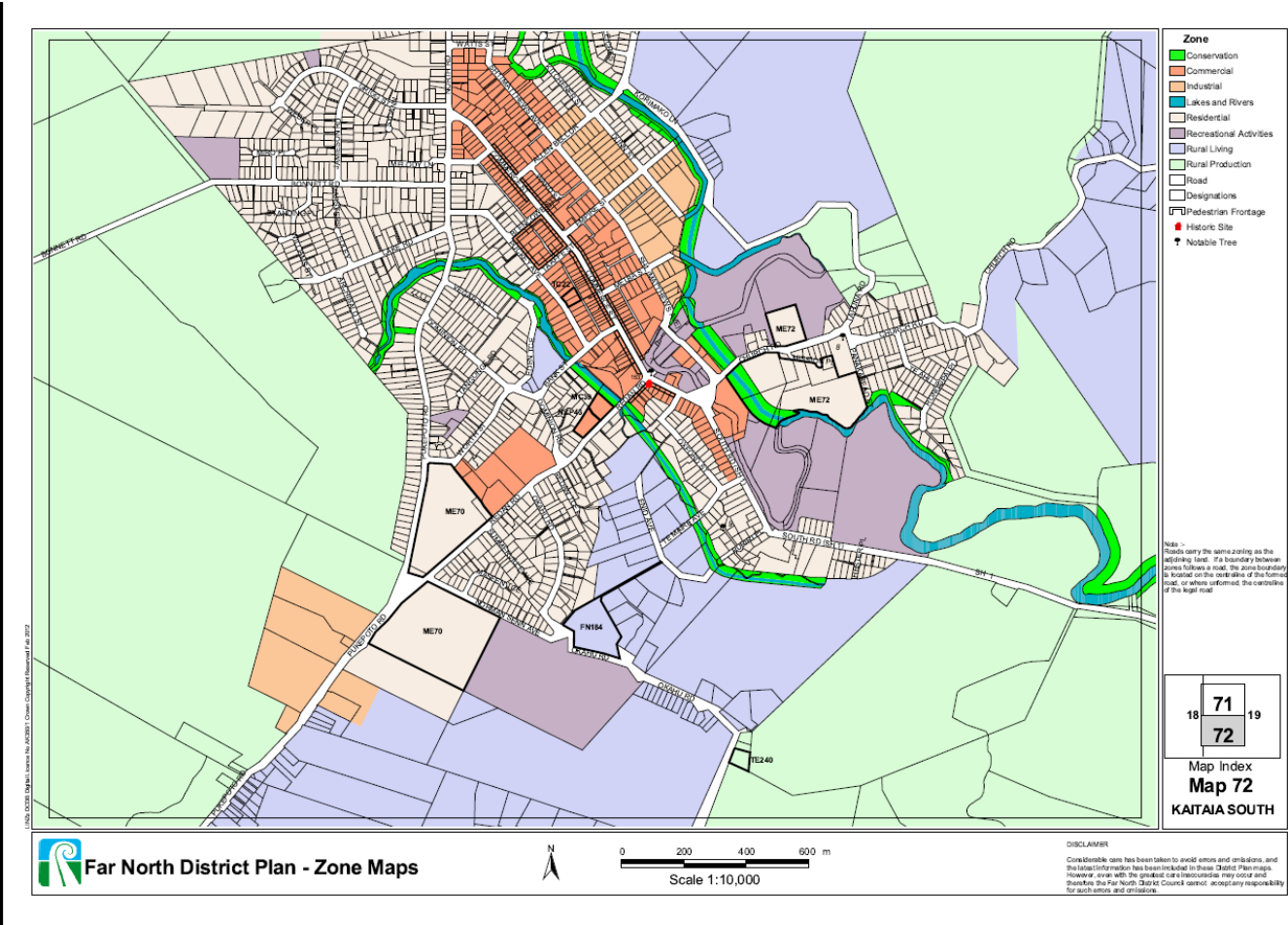


Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

Survey plan showing levels



Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020



Redevelopment of Tangonge Park, Kaitia. Condition Report and Feasibility Study, January 2020

CONDITION REPORT

The 2ha park on Bonnetts Rd, in Kaitaia West is a flat area of land adjacent to a low-income housing area. It currently consists of two elements; a changing shed complex to the south eastern corner, and a paddock in an overgrown state.

Changing shed

The changing shed is a 100m² concrete block structure built in the 1970s by the Kaitaia soccer club. It has a corrugated iron roof and aluminium joinery. The internal subdivision provides for men's and women's shower and changing facilities along with toilets. The building is in tidy condition with the exterior and interior ceilings having been repainted, but the shower and toilet facilities are in need of modernisation and improvement. There is a need to rethink and upgrade the hot water supply.



Existing changing facilities



Interior of men's changing room

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Services and infrastructure

Water supply

Water comes from the town supply system

Septic drainage

The septic drainage system is linked to the Kaitaia sewerage system

Roading and parking

Bonnetts Rd is a sealed roadway which runs down the southern side of the park. There are no footpaths on the northern side of the road but there are two vehicle crossings to the park. The footpath on the southern side of the road stops at the last house opposite the middle of the park. There is space for cars to get off the road, but the parking areas are not formed.

Power Supply

Single phase power is connected to the changing sheds but there is potential for this to be upgraded to three-phase. A power line runs down the southern side of the site.

Street lighting

There is one streetlight halfway down the park on Bonnets Rd.

Park grounds

The 2ha park area is essentially flat and has previously been poorly drained. In the past it was unusable for a good part of the year due to water retention and flooding.



Typical state of park in winter, 2017

In 2018 the Trust undertook some remedial work on the park, forming a drain to the western end and contouring the grounds to create some fall to the drain and a couple of embankment

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

areas to the sides of a sports field area. It is fair to say that the work done was only a first cut and without follow up it is difficult to maintain the area and keep it tidy.



State of grounds in 2019, after contouring work

The surface is rough, and it has become weed infested, and difficult to maintain. However, the work appears to have solved the drainage problems to a certain extent. 2019 was one of the driest years on record for Kaitia and consequently the park drainage has not really been tested by prolonged periods of wet weather. The site seems to be much better drained than it was previously and regular inspections through the winter of 2019 have revealed no ponding or water retention.

Other considerations

Wind

There is a strong and unpleasant prevailing wind across the site from the south west. The siting of buildings and the planting of shelter trees can help to mitigate this.

Neighbouring properties

The park borders on to five residential properties, one on Bonnetts Rd and four off the Miro Pl cul-de-sac. The properties are fenced from the park but not all the fences are in good condition. The north side of the park borders on to farmland, separated by post and wire fences in good condition. The south side has a thick bamboo hedge that separates the park from a farm residence.

REDEVELOPMENT PROPOSALS

Concept

Through the lease negotiation process, it was agreed that the domain would be developed into a community recreation area with a playground, an exercise track, exercise workstations, a small sports field, native and fruit tree plantings and maarakai/community gardens. The vision for the redevelopment is to create a centre for recreation, community development and education that is accessible to the local community and builds off the strengths and aspirations of the people that live in the area. It is hoped that it will be a resource for the community and strengthen relationships and grow a strong identity.

Elements of the park redevelopment

Community learning and sports hub

It is proposed that the existing sports changing rooms are integrated into a multi-purpose complex that can serve the needs of the local community for a range of activities including children's sports activities, fitness programmes, community education and social events. A resource building along with some covered outdoor spaces will provide a hub for community activities including:

- Raranga, rongoa and mahi toi wananga
- Budgeting, cooking and parenting programmes
- Te reo classes
- Kapa haka and mau rakau
- Small social functions e.g. kids' birthdays
- Picnic tables and BBQ
- Organised sport



Children's sports field and basketball practice court

The centre will include a small sports field for team sports like touch, rugby, league and soccer. There will be multi-purpose goals for the different codes. There will also be a practice basketball/netball court for kids to improve their skills.



Creation of an exercise track

It is proposed to create a track for walking and running which integrates exercise stations along its length. The track will wind its way around the different planted areas and link the various activities across the site. It will be a hub for local fitness programmes and encourage better health outcomes for community members.



Examples of exercise stations

Planting programme

The park will be extensively planted to achieve a number of outcomes. This will include the following components:

Orchard

Several orchard areas will be created to provide fruit for the community. The focus will be on providing fruit all times of the year including citrus, feijoas, peaches, grapes, apples and

pears. This will also be part of the education programme which will include workshops to teach people how to do preserves.



Maarakai

A community garden will be developed to create a community resource and help whanau reclaim gardening skills and knowledge of the māramataka (Māori calendar).



Native tree and shrub plantings

The park will be extensively planted with native trees. The emphasis will be on eco-sourcing local varieties and establishing plants that have rongoa-Māori potential. The wetter parts of the site will be planted in wetland species that will help with the management of the site and drainage.



Shelter planting

Where beneficial shelter belts will be planted to protect the site from cold winds and to provide shelter for plantings during their establishment phase.

Pa harakeke

A suitable area will be planted as a pa harakeke with different varieties of flax to supply local weavers and provide a teaching resource for the community.

**Children's play areas**

A children's playground will be developed for pre-schoolers so that children can play safely while their parents are involved in other activities. This area will be fenced off and adjacent to the community learning and sports centre. There will also be some play equipment such as swings and climbing frames for older children. A water pad for has also been suggested for kids to play in, in the heat of the summer.

**Pou whenua**

It is hoped that all Te Hiku Iwi will support the development of Tangonge Park by sponsoring pou whenua which will reflect Iwi and hapū stories of the land the people.

**Other considerations**

A number of other suggestions have been made and can be accommodated as the development proceeds. These include:

- Storage for park tools and equipment
- A men's shed
- Wifi hub
- Volley ball court

KEY ISSUES

There are several key issues that are relevant to the redevelopment of Tangonge Park. These are summarised below:

Need for master development plan

This is a long-term project and it is important that a master plan is developed so that the long-term vision is achieved. The redevelopment of Tangonge Park may take a number of years to achieve, and it will be necessary to break it down to a number of projects. The master plan is important to ensure that the projects all contribute to the completed plan.

Leadership and project management

For the project to succeed there needs to be strong leadership to mobilise the community and the resources that will be required to sustain the redevelopment over a number of years. There is also a need for someone with suitable skills and attributes to drive the development and manage projects.

Funding and resources

The redevelopment will require a significant amount of funding and other resources. Once the key infrastructural elements are in place it will be possible to break the projects down into bite-sized chunks to keep the momentum going. Funding should be sought from a number of sources, and joint ventures and partnerships should be formed to drive specific projects. (e.g. rongoa plantings, pa harakeke, community gardens etc)

Community engagement

The OTC programme has engaged with the Kaitaia West community and generated a lot of support and goodwill. It will be important for the success of the redevelopment to maintain this engagement going forward, and for the community to drive priorities.

The need for a work plan

It will be important to mobilise some funding and resources soon and prioritise the completion of key projects. A realistic work plan needs to be developed each year which links community action and funding to ensure outcomes are achieved. This will ensure that project leadership is supported to make progress demonstrate to the community that things are on the move. The order of projects will depend both on funding and leadership. Some projects will be brought forward because funds and resources are readily available, and the community can be mobilised to do the work. (e.g. planting days)

The need to build momentum

The vision behind this project goes back to 2017 and a lot of energy and enthusiasm was generated. For a variety of reasons progress has slowed up. It will be really important to regain momentum and for the community to see some tangible results.

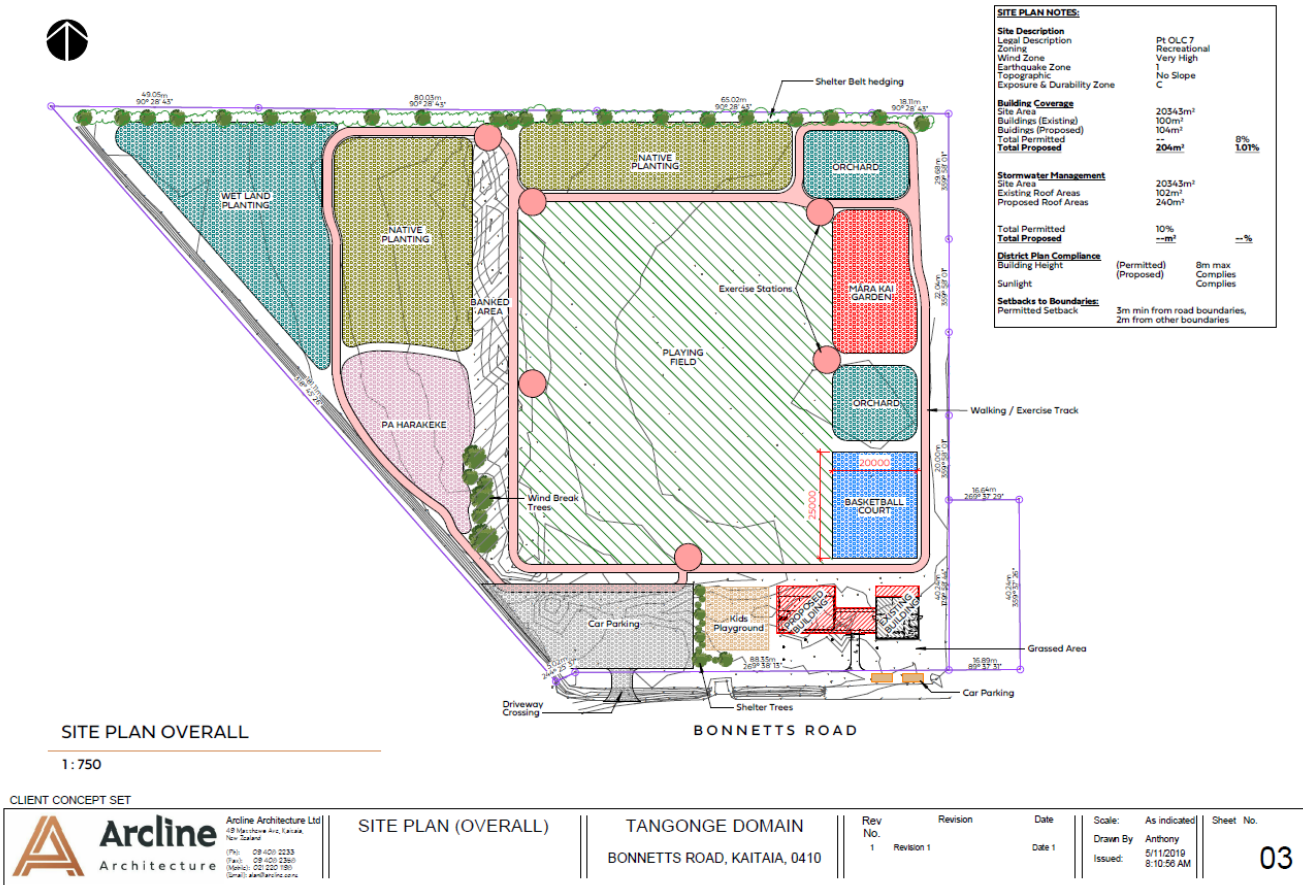
Mobilising the resources of the local community

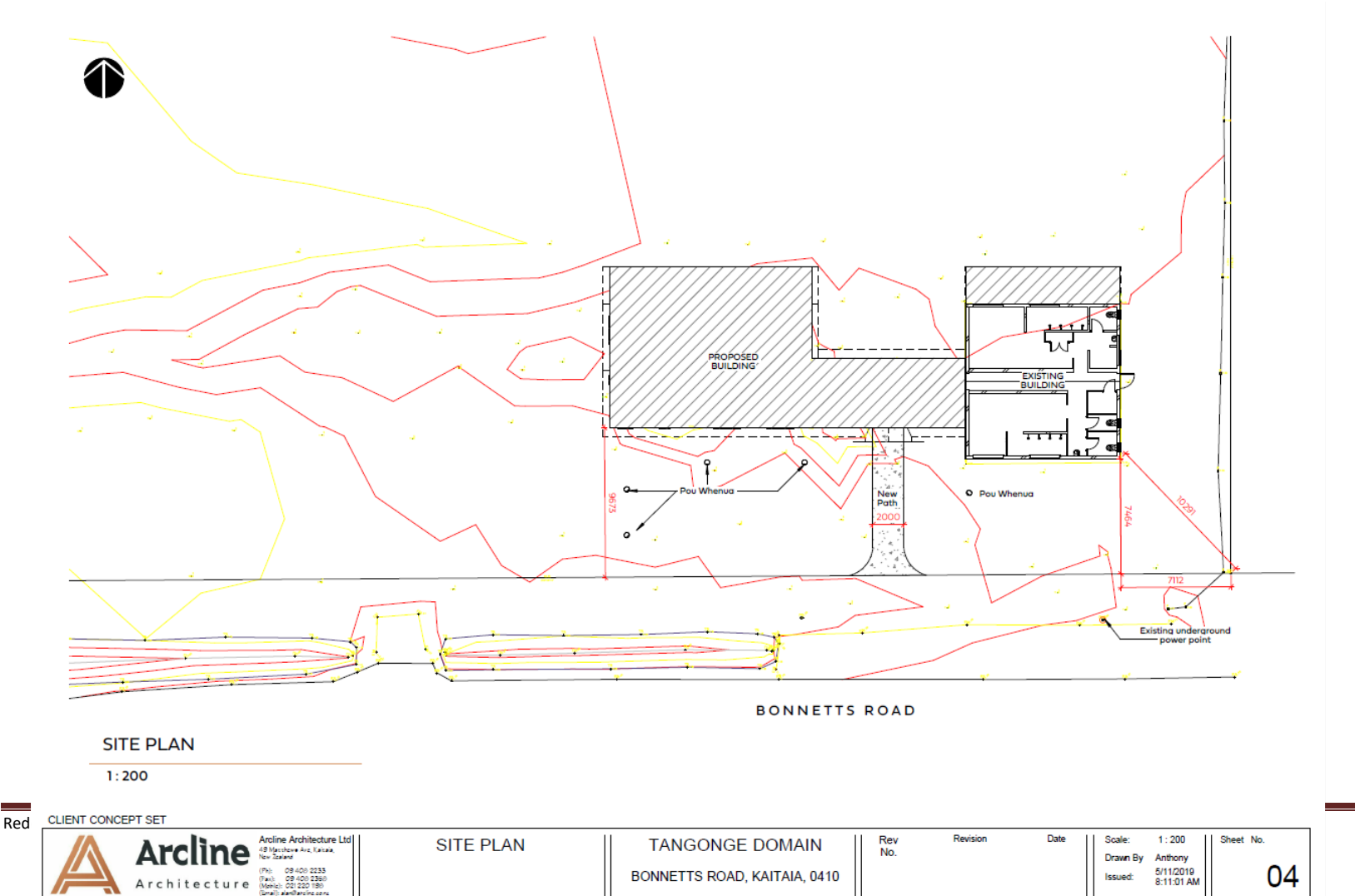
There has already been a lot of support from the local community for the redevelopment of Tangonge Park. It will be important to get support from local contracting firms, businesses, Māori and service organisations, Iwi, nurseries and environmental groups, schools, Northtec, other training organisations, FNDC, and NRC to help with the development.

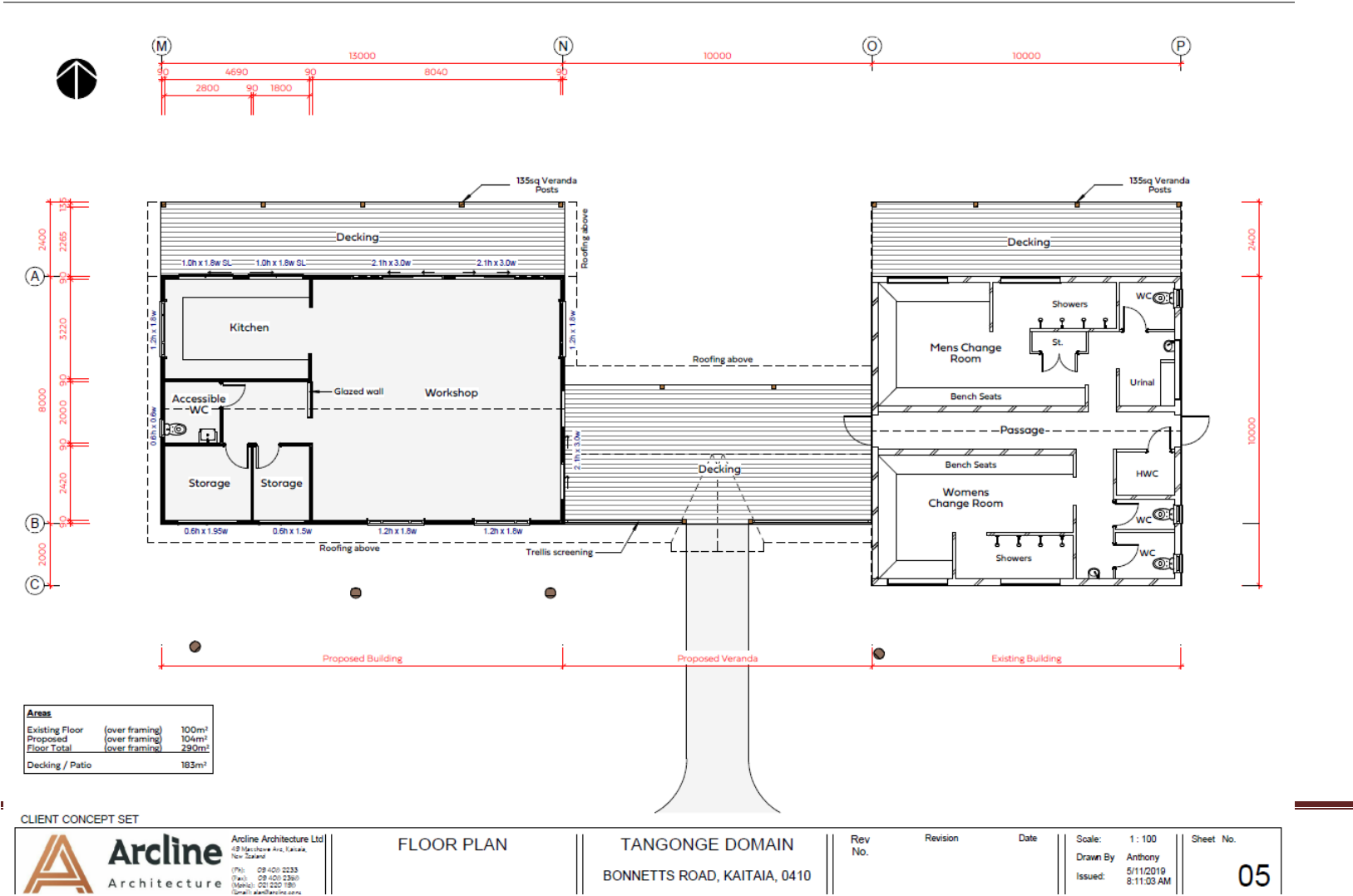
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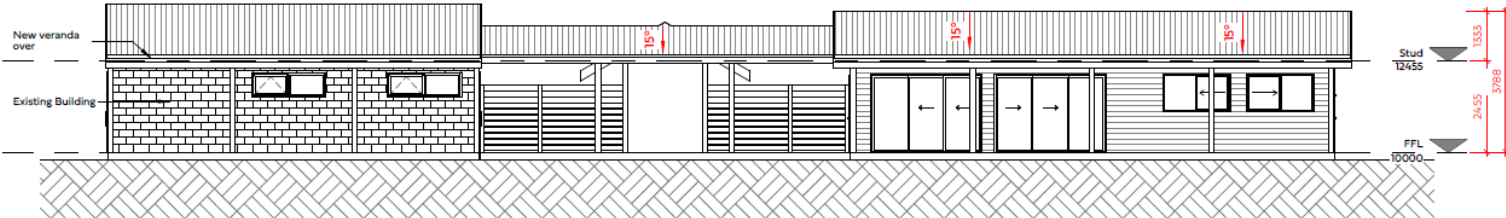
CONCEPT PROPOSALS FOR TANGONGE PARK

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020



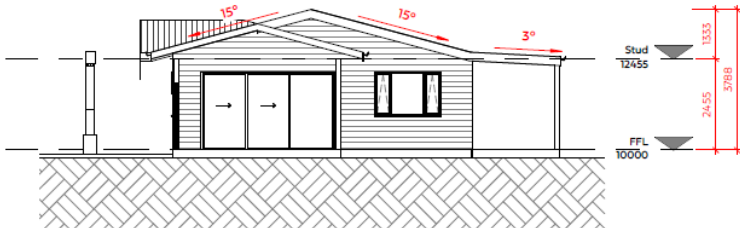






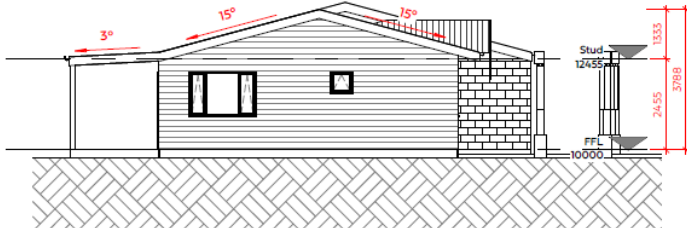
NORTH ELEVATION

1:100



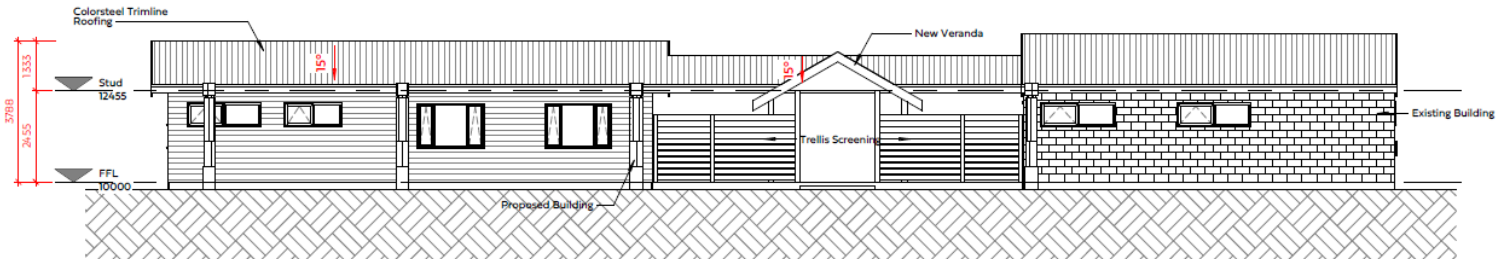
EAST ELEVATION

1:100



WEST ELEVATION

1:100



SOUTH ELEVATION

1:100

CLIENT CONCEPT SET



Arcline
Architecture

Arcline Architecture Ltd
49 Hargreave Ave, Kaitia,
New Zealand

(Ph) 09 420 2233
(Fax) 09 420 2360
(Mobile) 021 220 1380
(Email) info@arcline.co.nz

ELEVATIONS

TANGONGE DOMAIN
BONNETTS ROAD, KAITIA, 0410

Rev
No.

Revision

Date

Scale: 1:100
Drawn By: Anthony
Issued: 5/11/2019
8:11:07 AM

Sheet No.

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Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

COSTINGS

Outline costings

Note:

- All figures GST exclusive.
- Estimates for planning purposes only.
- Costs will depend on sponsorship and voluntary work

Key area of work	\$estimate	Basis of costing or comments
Preliminary work		
Drainage and foundation work	20,000	completed
Grading and contouring of field, exercise track and parking area	30,000	Machine work, bulldozer, grader, rotary hoe
Surface exercise track, and set areas for exercise stations	20,000	Gravel or shale foundation, woodchips, boxed edging
Grassing of play field	10,000	Topsoil, grassing, maintenance, goal posts
Mark out various functions and planting regimes	10,000	Metal car parks, form access ways etc.
	90,000	
Buildings		
Permit drawings and consent	20,000	Plans, specifications and report
Community hub building	300,000	120 m²@ \$2.5K
Covered verandas	100,000	100 m²@ \$1K
Refit of changing rooms	50,000	New showers, toilets, vanities etc
Hot water, solar panels, wifi etc	30,000	Retrofit
Equipment storage room	20,000	Fill in on end of veranda
	520,000	
Planting		
Shelter planting	5,000	Plants, site preparation, soil, bark etc
Wetland planting	5,000	Plants, site preparation, etc
Orchard	10,000	Trees, site preparation etc
Maarakai/ Community garden	15,000	Raised beds, soil, water reticulation, plants
Rongoa Maori planting	5,000	Plants, site preparation etc
Pa harakeke	5,000	Contouring, plants etc
	45,000	
Other capital projects		
Children's playground	50,000	Subject to design, fencing
Other play equipment	30,000	Swings, climbing frame, volleyball etc
Basketball practice court	20,000	Concrete pad, markings, goals
Exercise stations	25,000	Up to 8 stations
Footpaths and carparks	50,000	Concrete paths, sealed parking areas
Pou whenua	10,000	5 lwi pou
Landscaping	10,000	Soil, plants, paving
Boundary fencing	5,000	Repairs and maintenance as necessary
	200,000	
Total	\$855,000	

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

PROJECT PLANNING

Planning and permissions

Tangonge Park is zoned for recreational activities under section 9.6 of operating district plan. The redevelopment proposal are consistent with the objectives of the zone which are to ensure suitable and adequate areas are available for the recreational needs of people, and to ensure that the effects of the use and development of recreational areas are compatible with the surrounding environment.

Relevant controls include:

Purpose of buildings: All new buildings shall be directly for, or ancillary to, the principal recreational activities on the site.

Height: The maximum height of any building shall be 8m.

Setback: The minimum building setback from road boundaries shall be 3m. The minimum building setback from all other boundaries shall be 2m.

Sunlight: No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary.

Site coverage: Any new building or alteration/addition to an existing building is a permitted activity if the total building coverage of a site does not exceed 8% of the gross site area.

Stormwater Management: The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 10%.

Funding plan

There are two ways of approaching a funding plan for this redevelopment. Firstly a plan could be developed and funding sought from one or more major agencies to undertake the whole development at once. This will require more detailed costing work to be carried out for the various component parts, and for the project to be socialised with major funders.

The second approach is to stage the redevelopment, and look for multiple funders and sponsors for the various projects. Some of the projects are small and self-contained and can be developed in isolation of other projects once the base structure of the park is laid out. This is a decision for the trustees to consider, but it may be possible to make progress and build momentum by starting with a few small projects, particularly if the community is involved with implementation.

Staging

A staged development plan is proposed including:

- Drainage and foundation work on the domain, (completed)
- Grading and forming of field, exercise track and parking area,
- Laying down exercise track and setting aside areas for various functions
- Planting programme (shelter planting the priority)
- Building of community hub (subject to funding applications)
- Other capital projects (as funds determine)
- Community projects (community lead and funded with sponsorship)

Requirements for further technical work

Further technical work will be required for any building work. While the district plan allows for the work that is proposed, the Trust will need to get a building permit from the FNDC. To do this working drawings will be required and an application to the Council made. This will include a fire protection report and engineering input may be required depending on the design of the buildings.

Use by the community and community support

Funders will require information about community support and likely use of any facilities. The proposal has been developed from the bottom up after considerable engagement with the community. The redevelopment proposals provide a wide range of opportunities for all age groups, and the whole of the community to use a variety of facilities and experiences that the redeveloped park will offer. It is strongly community driven.

Project management

Strong project management is now required. This can be broken down in to three areas and responsibility can be delegated for the following:

- Funding; Managing the funding application process.
- Community engagement; making sure the local community remains engaged, pulling in support and resources from the wider community.
- Implementation, taking responsibility for the technical aspects, identifying contractors and suppliers and making sure that projects get done.

Future management

The ANT Trust will need to consider the future management of the park over the long term, both in terms of governance, leadership and funding. Maintaining the facilities will be ongoing, and a budget will need to be put in place to ensure that the park is maintained and developed. Some aspects of this will benefit from community engagement, but ongoing financial support will be required.

Next Steps

The following next steps are proposed:

- Review of feasibility study
- Planning workshop
- Identification of priority projects
- Identification of strategic relationships
- Priority funding applications
- Assign project leadership and management
- Engage with community
- Engage with key stakeholders

TIMELINE TO COMPLETION

	Key task	2020				2021				2022				2023			
1	Community Consultation																
2	Relationship development																
3	Workplan																
4	Funding applications																
5	Preliminary work																
6	Building permit application																
7	Planting projects																
8	Maarakai																
9	Build community hub																
10	Other capital projects																

Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

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Redevelopment of Tangonge Park, Kaitaia. Condition Report and Feasibility Study, January 2020

Appendix one
Charities Registration

Appendix two
Trust Deed

Appendix three
Historical map of Kaitaia township

CHARITIES SERVICES
Ngā Rāhonga Kōwhiri Atawhai

Supporting charities
in New Zealand
for stronger communities

Charity Summary

Registration Number:	CC52709
Registration Date:	29/05/2015
Charity Name:	Aupouri Ngati Kahu Te Rarawa Trust

Charity Details

Trading Name	ANT Trust
--------------	-----------

Registration Details

Registration Status:	Registered
Balance Date:	March 31
IRD Number:	Restricted
NZBN Number:	9429042590163

Address for Service:

Charity's Postal Address:	60 North Road Kaitia 0410
Charity's Street Address:	60 North Road Kaitia 0410

Charity's other details

Phone:	094081800
Fax:	094081800
Email:	hone@tehiku.com
Website:	
Facebook:	
Twitter:	
Social Network Name:	

Generated on 6 December 2019Page 1 of 4

Areas of Operation

New Zealand:	Northland, Auckland
Oceania	Australia
Percentage spent overseas	0

Purpose & Structure

Purpose

To provide a range of educational, training and employment opportunities and other social services to assist with the relief of poverty and hardship, the enhancement of well-being, and the building of strong families and positive communities throughout the far north and other high needs communities in Aotearoa

Entity Structure

The Trust operates with a flexible structure to enable the CEO to effectively negotiate with agencies and businesses to provide the necessary assistance to high needs whanau

Activities

Main Activity:	Other (please state)
Activities:	Other: Providing opportunities and services to assist high needs whanau

Sectors

Main Sector:	Economic development
Sectors:	accommodation / housing, Education / training / research, Health, Community development, Social services, Employment, Arts / culture / heritage, Sport / recreation, International activities

Beneficiaries

Main Beneficiary:	Family / whanau
Beneficiaries:	Children / young people, Older people, General public, Family / whanau, Other: people in need

Annual Returns

Date Submitted	For Year Ended	Total Income	Total Expenditure	Reference
22/10/2019	31/03/2019	632,483	424,313	AR004
04/03/2019	31/03/2018	518,321	463,580	AR003
24/10/2017	31/03/2017	171,933	131,244	AR002
14/09/2016	31/03/2016	171,933	128,744	AR001

Generated on 6 December 2019

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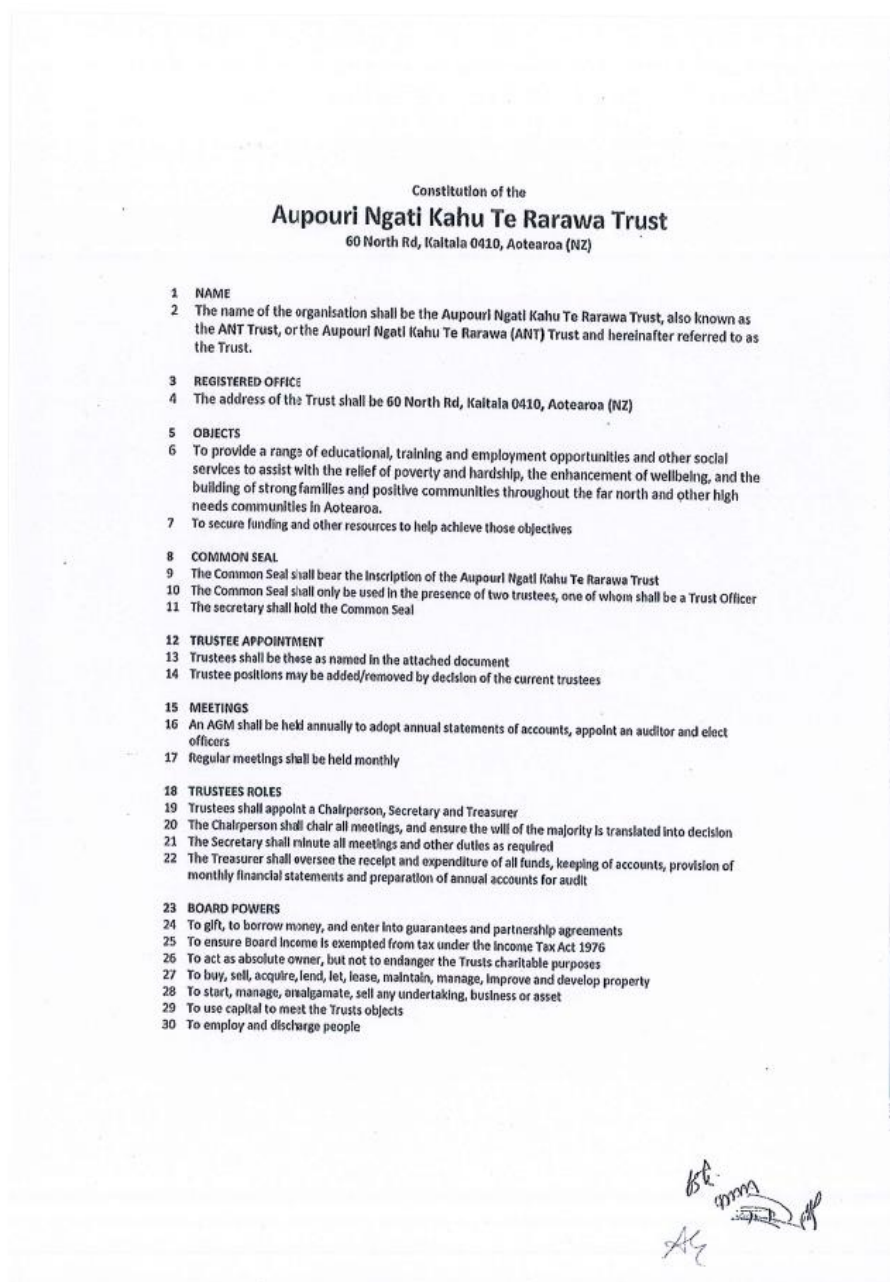
Officer Details

Current Officers

Name	Officer Type	Position	Position Appointment Date
Allison Edmonds	Individual	Trustee	28/05/2018
Pene Tawhara	Individual	Chairperson	28/05/2018
Hone Harawira	Individual	CEO	22/05/2015
Manuera Riwai	Individual	Secretary	22/05/2015
Te Rana Porter	Individual	Treasurer	22/05/2015
Hilda Harawira	Individual	Trustee	15/04/2015

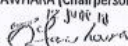

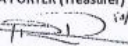



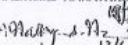

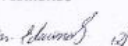

Past Officers

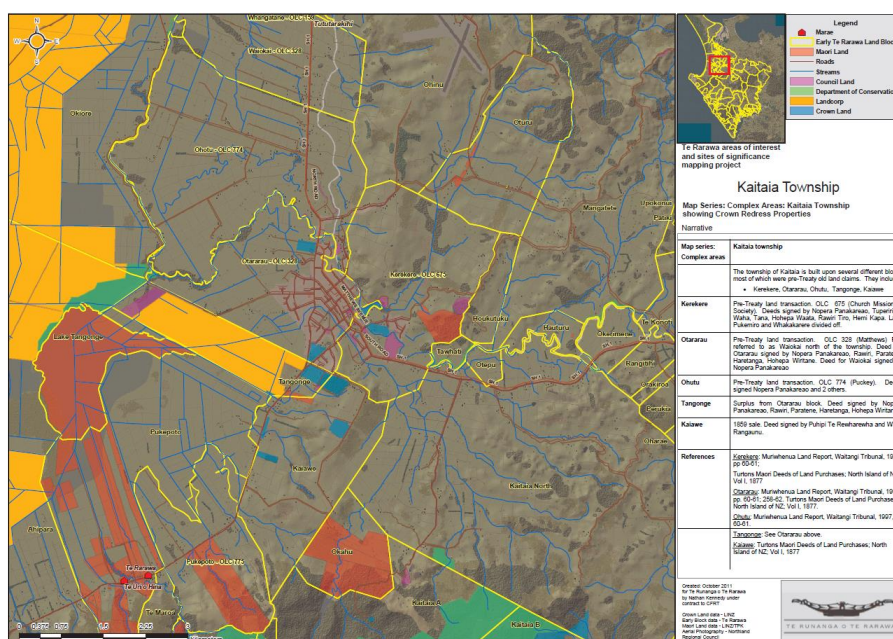
Name	Officer Type	Position	Last Date as an Officer
Lorraine Toki	Individual	Trustee	28/05/2018
Trudy Brown	Individual	Secretary	28/05/2018
Sheryl Maafu	Individual	Accounts Clerk	01/01/2018



- 31 PROVISIONS TO POWERS
- 32 Where, in undertaking the Trust objects, the trustee has entered into a financial transaction, Trustees shall ensure that:
- 33 any payments by way of interest or rent shall not exceed current commercial rates, and
- 34 any receipts by way of interest or rent shall not be less than current commercial rates
- 35 There shall be no private pecuniary profit made by any person from the Trust, except that:
- 36 any trustee[s] may receive full reimbursement for all expenses properly incurred by them in connection with the affairs of the Trust;
- 37 the trust may pay reasonable and proper remuneration (see Trustee Roles) to any officer or servant of the Trust (whether trustee or not), in return for their services that have actually been rendered to the Trust;
- 38 any Trustee may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by that trustee or by any firm or entity of which that trustee is a member, employee or associate in connection with the affairs of the trust;
- 39 any trustee may retain payment by any company or undertaking that the Trust may be in any way involved in for which that trustee has acted in any capacity whatever, notwithstanding that that trustee's connection with that company or undertaking is in any way attributable to that trustee's connection with the Trust
- 40 PROVISION TO REMUNERATION
- 41 Without overriding anything contained or implied in the constitution, any person who is:
- 42 An officer or trustee of the Trust; or
- 43 A shareholder or director of any company carrying on any business of the Trust; or
- 44 An officer or trustee of any Trust which is a shareholder of any company carrying on the business of the Trust; or
- 45 An associated person (as defined by the Income Act 1994) of any such officer, trustee, shareholder or director;
- Shall not determine, or materially influence in any way the determination of the nature or the amount of any benefit or advantage or income and shall not determine, or materially influence in any way the circumstances in which the remuneration is or is to be received, gained, achieved, afforded or used by that person.
- 46 CONFLICT OF INTEREST
- 47 Any Trustee who directly or indirectly, has a material interest in any contract, or proposed contract, or arrangement, or dealing with the Trust (other than a trustee), shall disclose the nature of that interest at a trustee meeting, and such disclosures shall be recorded in the minutes of the meeting.
- 48 TRUSTEE LIABILITY
- 49 Trustees shall not be liable regards Trust affairs [except for fraud and wilful negligence]
- 50 QUORUM
- 51 50% plus one shall form a quorum for the normal transaction of business
- 52 FINANCIAL YEAR
- 53 The financial year shall start on the first (1st) day of April and end on the following thirty-first (31st) day of March.
- 54 CHANGES TO THE CONSTITUTION
- 55 This constitution may only be amended at an AGM or at a special meeting called to do so, provided that no amendment made affects in any way the charitable status of the Trust.
- 56 WINDING UP
- 57 The Trust may wind itself up by giving Trust Property according to the Trust's objects to any entity chosen by the Board and set up for charitable trust purposes within Aotearoa
- 58 In the event of the Board being unable to decide, the remaining assets will be distributed as a Judge of the High Court decides.

59 TRUSTEES

Trustee: Name & Signature	Independent Witnesses: Name & Signature
PENE TAWHARA (Chairperson) Signature: 	Name: <i>Kenyan, Pene</i> Signature: 
TERANA PORTER (Treasurer) Signature: 	Name: <i>Terana Porter</i> Signature: 
MANUERA RIWAI (Secretary) Signature: 	Name: <i>Kenyan, Pene</i> Signature: 
HILDA HACKYARD-HARAWIRA Signature: 	Name: <i>Kenyan, Pene</i> Signature: 
ALLISON EDMONDS Signature: 	Name: <i>Kenyan, Pene</i> Signature: 





Aupōuri Ngāti Kahu Te Rarawa Trust

60 North Rd, Kaitaia 0410 | admin@trustant.co.nz | 09 408 3933

TANGONGE PARK

**He waahi purotu, haumaru hoki, kia huihui, kia korikori, kia harihari ai
nga whānau o Te Hauauru o Kaitaia**

A safe and pleasant space for whānau in Kaitaia West
to gather, to play, and to socialize

09 June 2023

Michelle Rockell
Team Leader – Property Management
Far North District Council
Michelle.Rockell@fndc.govt.nz

Tēnā koe Michelle

LEASE EXTENSION: TANGONGE DOMAIN

Thank you for your email last week. As you know, we have a current lease with the Far North District Council, with a right of renewal for a further 5 years, until 31 August 2028 [attached]

We are seeking a 30-year lease, to give funders the confidence they require that major work programmes we are seeking their support for, can be initiated, completed, and generate value across a longer period.

BACKGROUND

There are a number of recreational facilities in and around Kaitaia. There are none in Kaitaia West.

When we first started looking into doing something in Kaitaia West, we came across Tangonge Domain.

At that time, it was an unused and unwanted empty field (being used to dump landfill, domestic refuse and drug paraphernalia, graze cows and as a dog walk).

**Our long-term plan is to transform Tangonge Park into a safe and pleasant space
for whānau in Kaitaia West to gather, to play, and to socialize**

We began that journey 5 years ago when we signed a Lease with the Far North District Council.

PROJECTS COMPLETED TO DATE

LEASE SIGNED WITH FNDC

In 2018, we signed a 5+5-year lease with FNDC for Tangonge Domain.

CONCEPT PLAN

In 2019, we wanted a plan on how best we might extend and use the existing building down at the Park.
That Concept Plan was completed in August 2019 [attached]

CONDITION REPORT & FEASIBILITY STUDY

In 2020, we added to that Concept Plan by commissioning a Condition Report and Feasibility Study on reconfiguring the building, and the work required to redevelop the land [attached]

COMMUNITY CONSULTATION

In 2021, we held a series of discussions with whānau from Kaitaia West, who asked that we also consider other ideas for what might be done at the Park.

LAND DEVELOPMENT

In 2021, we talked with neighbours and local contractors about how best to clear and drain the land.
In 2022, we commenced and completed the land development work.

20,000 Drainage and foundation work

30,000 Grading and contouring of fields and areas for exercise track and parking area

10,000 Grassing of playing fields

Costed in the Tangonge Park, Condition Report and Feasibility Study January 2020

LAND MAINTENANCE

In 2023, with the land cleared and levelled, we have
removed all domestic rubbish
regularly maintained the lawns, drains and fences
done preliminary markings for sports fields and exercise areas

BUILDING REFURBISHMENT

In 2023, we began work on refurbishing the building.
Power supply was reconnected in April 2023, and new lighting has also been connected.
Water supply was reconnected in May 2023, and the old HW cylinder removed.
Storm water drainage cleaned out around whole building.
The building now has functional men's / women's / disabilities toilets.

COMMUNITY EVENTS TO DATE

Kiwi Tag	Mon & Wed	16 Oct 2022 – 14 Nov 2022
Christmas	Xmas In the Paddock	07 Dec 2022
Kiwi Tag	Mon	12 Jun 2023 – 26 Jun 2023
Touch	U16 mixed	18 Feb 2023

FUTURE PLANS

Development to date has cost ANT more than \$80,000. Full development will cost approx \$800,000. Future plans will be developed around specific project areas, and will depend on the availability of funding for their specific purpose.

We are seeking a 30-year lease, to give funders the confidence they require that major work programmes we are seeking their support for, can be initiated, completed, and generate value across a longer period.

Key funders will not fund major work programmes on a 5-year lease.

FUTURE WORK PROGRAMMES

CAPITAL PROJECTS

Childrens playground	50,000	Subject to design, fencing
Other play equipment	30,000	Swings, climbing frame, volleyball etc
Basketball court	20,000	Concrete pad, markings, goals
Exercise stations	25,000	Up to 8 stations
Footpaths and carparks	50,000	Concrete paths, sealed parking area
Pou whenua	10,000	5 Iwi pou
Landscaping	10,000	Soil, plants, paving
Boundary fencing	5,000	Repairs and maintenance as necessary
	200,000	

BUILDINGS

Permit drawings and consent	20,000	Plans, specifications and report
Community hub building	300,000	120 m ² @ \$2.5K
Covered verandas	100,000	100 m ² @ \$1K
Refit of changing rooms	50,000	New showers, toilets, vanities etc
Hot water, solar panels, wifi	30,000	Retrofit
Equipment storage room	20,000	Fill in on end of veranda
	520,000	

FUTURE PROJECTS:

- **Te Reo o Te Kāinga:** establish a Trust that includes local whānau to drive Tangonge Park
- **Natural Playground:** trees/logs for many activities trimmed for safety with limited plastic/steel
- **Pouwhenua:** for each of the iwi in Muriwhenua (barcoded for history lessons)
- **Boardwalk:** 1km for children, mums, parents, kuia/kaumātua, community, business, sports
- **Exercise stations:** around the walking track for whānau and for athletes to use
- **Food forest:** sectioned area for fruit trees with fruit availably to the community
- **Natives:** Plants & trees, again with barcoded information on rongoa Māori, places to purchase
- **Park Map:** billboard and digital on Parks history and areas and uses
- **Junior Sporting Academy:** to encourage movement and co-ordination, to teach and learn motor skills, communication and dynamics, youth development, whanau involvement and team building, through a range of sporting codes such as
 - Ki-o-Rahi
 - Kilikiti
 - Kiwi Tag
 - Softball
 - Volleyball
 - Mau Rakau
 - Touch
 - League 9s
 - Soccer
 - Basketball

I am happy to take your call should you wish to discuss any of the matters raised here.

Ngā mihi



Hone Harawira
CEO Aupōuri Ngāti Kahu Te Rarawa (ANT) Trust
021 865 372

COPY

Between

THE FAR NORTH DISTRICT COUNCIL (Lessor)

And

AUPOURI NGATI KAHU-TE RARAWA TRUST (274324) (Lessee)
the umbrella organisation for OPEN THE CURTAINS (OTC)

DEED OF LEASE

Part Old Land Claim No.7 CFR NA530/132
and shown Recreation Reserve on Deeds Plan 108
Tangonge Domain Recreation Reserve, Bonnett Road, Kaitaia

Far North District Council
Kaikohe

Tangonge Domain – Aupouri Ngatikahu Te Rarawa Trust for Open the Curtains 2017



MR

YPOO

THIS DEED dated the 15th day of September 2018

BETWEEN THE FAR NORTH DISTRICT COUNCIL a body corporate pursuant to the Local Government Act 2002 (hereinafter together with its successors and assigns ("the Lessor")

AND AUPOURI NGATI KAHU-TE RARAWA TRUST (274324) incorporated under the Charitable Trusts Act 1957 on the 23rd day of May 1985 ("the Lessee")

BACKGROUND

- A. the Lessor agrees to lease to the Lessee the reserve land described in Schedule 1 ("the Land") and shown outlined on the plan annexed hereto (Appendix 1)
- B. The Lessee is the umbrella organisation for the community group known as Open the Curtains (OTC)
- C. OTC has produced an "Operational Management Plan" annexed hereto (Schedule 2) which sets out how it will fulfil its responsibilities under this Lease in respect of the Land and Building

THE PARTIES AGREE:

1. INTERPRETATION

In this agreement unless the context indicates otherwise:

1.1 Definitions:

"Annual Rent" means the annual rent specified in the schedule subject to changes consequent on the Lessor's exercise of any right to review the annual rent or on the Lessee's exercise of any right to renew this lease;

"Authority" means and includes every governmental, local, territorial and statutory authority having jurisdiction or authority over the Land or its use;

"Building" means the building and other improvements described in the schedule;

"Commencement Date" means the date of commencement of the Lease specified in the schedule;

"GST" means tax charged under the Goods and Services Tax Act 1985 and includes any tax charged in substitution for that tax;

"Insured Risks" means loss, damage or destruction resulting from fire, earthquake, storm, tempest and aircraft impact and any other risks which the Lessor reasonably requires to be insured against;

"Lessee" means the person specified as the Lessee in the Schedule and the Lessee's permitted assigns and the Lessee's agents, employees, contractors and invitees;

"Lessee's Improvements" means the Lessee's property situated in or on the Land and includes all buildings, structures and improvements and all equipment and plant owned or placed on the Land by the Lessee;

Tangonge Domain – Aupouri Ngatikahu Te Rarawa Trust for Open the Curtains 2017

1

MR

"Lessor" means person specified as the Lessor in the schedule and includes the Lessor's permitted assigns and Lessor's agents, employees, contractors and invitees;

"Outgoings" means all rates, taxes, charges, assessments, duties, impositions and fees from time to time payable to any Authority relating to the Land;

"Land" means the land described in the schedule and shown on the plan attached to this lease but excludes the Lessee's Improvements;

"Term" means the term of this lease and includes the initial term and (if this lease is renewed) the renewal;

"Utilities" means all utility and other services connected and/or supplied to the Land, including water, sewage, drainage, electricity, gas, telephone and rubbish collections;

- 1.2 **Building Act Terms:** the terms "Building Work" and "Code Compliance Certificate" have the meanings given to those terms in the Building Act 2004;
- 1.3 **Defined Expressions:** expressions defined in the main body of this lease have the defined meaning in the whole of this lease, including the background and the schedules;
- 1.4 **Headings:** section, clause and other headings are for ease of reference only and do not form any part of the context or affect this lease's interpretation;
- 1.5 **Joint and Several Obligations:** where two or more persons are bound by a provision in this lease, that provision will bind those persons jointly and each of them severally;
- 1.6 **Negative Obligations:** any obligation not to do anything includes an obligation not to suffer, permit or cause that thing to be done;
- 1.7 **Parties:** references to parties are references to parties to this agreement and include each party's executors, administrators and successors;
- 1.8 **Persons:** references to parties are references to individuals, companies, partnerships, associations, trusts, government departments and local authorities in each case whether or not having separate legal personality;
- 1.9 **Plural and Singular:** singular words include the plural and vice versa;
- 1.10 **Schedules:** the schedule and its contents have the same effect as if set out in the body of this lease;
- 1.11 **Schedule Terms:** the terms "Commencement Date", "Default Interest Rate", "Final Expiry Date", "Initial Term", "Permitted Use", "Renewal Term(s)", "Rent Payment Date(s)", "Rent Review Date(s)" and "Termination Date" together with the other terms specified in the schedule, will be interpreted by reference to the schedule;
- 1.12 **Sections, Clauses and Schedules:** references to sections, clauses and schedules are references to sections and clauses of and schedules to this deed;
- 1.13 **Statutes and Regulations:** references to a statute include references to regulations, orders, rules or notices made under that statute and references to a statute or regulation include references to all amendments to that statute or regulation whether by subsequent statute or otherwise.

QU.

MR

2. GRANT OF LEASE

Pursuant to sections 53 and 54 of the Reserves Act 1977, the Lessor leases to the Lessee and the Lessee takes the Land on lease for the Term beginning on the Commencement Date and ending on the Termination Date at the Annual Rent.

3. RENEWAL

3.1 One further period of five (5) years provided the Lessor is satisfied that the terms and conditions of the lease have been complied with and that there is sufficient need for the recreational activity specified in the lease, and further that it is in the public interest to renew the lease and not in the public interest that some other sport, game, or recreational activity be given priority.

3.2 Holding Over: If, other than under a renewal of this lease or the grant of a further lease, the Lessor permits the Lessee to remain in occupation of the Land after the expiry or earlier termination of the Term, the Lessee will be a monthly tenant only.

4. RENT

The Lessee must pay:

4.1 Annual Rent: the Annual Rent by annual payments in advance on the Rent Payment Dates;

4.2 Annual Payments: the first annual payment of the Annual Rent on the Commencement Date;

4.3 No Deductions or Set-Off: all rent and other money payable by the Lessee under this lease to the Lessor without any deduction or set-off; and

4.4 Method: all rent payments by direct bank payment or as the Lessor may direct.

5. RENT REVIEW

5.1 Process: The Annual Rent is subject to review on the Rent Review Dates using the process set out in clauses 5.2 – 5.4 (inclusive) during the Term.

5.2 Lessor's Notice: The Lessor may not later than two (2) months before each Rent Review Date give written notice to the Lessee ("Lessor's Notice") setting out the Lessor's assessment of the current rent of the Land on that particular Rent Review Date.

5.3 Lessee's Notice: The Lessee may within 28 days of receiving the Lessor's Notice (time being of the essence) by written notice to the Lessor (Lessee's Notice) dispute the rent set out in the Lessor's Notice. The Lessee's Notice must state the Lessee's assessment of the current rent of the Land on that particular Rent Review Date. If the Lessee does not give a Lessee's Notice, the Lessee will be taken to have accepted the rent set out in the Lessor's Notice.

5.4 Determination of dispute: If at any time the parties shall be unable to agree upon the rent to become payable following each Review, the appropriate rent shall be determined pursuant to clause 25 hereof.

5.5 Rent Ratchet: The Annual Rent payable by the Lessee following a Rent Review Date must never be less than the Annual Rent payable immediately before the Rent Review Date.

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6. GST

6.1 Payment: The Lessee must pay to the Lessor all GST payable on the Annual Rent and other money payable by the Lessee under this lease. The Lessee must pay GST:

6.1.1 Annual Rent: on the Annual Rent on each occasion when any rent falls due for payment; and

6.1.2 Other Money: on any other money payable by the Lessee on demand.

6.2 Default: If:

6.2.1 Lessee Fails to Pay: the Lessee fails to pay the Annual Rent or other money payable under this lease (including GST); and

6.2.2 Lessor Liable to Penalty: the Lessor becomes liable to pay additional GST or penalty tax;

then the Lessee must pay the additional tax or penalty tax to the Lessor on demand.

7. DEFAULT INTEREST

If the Lessee fails to pay any instalment of the Annual Rent or any other money payable under this lease for 14 days after:

7.1 Date Due: the due date for payment; or

7.2 Demand: promptly following the date of the Lessor's demand, if there is no due date;

Then the Lessee must on demand pay interest at the Default Interest Rate on the money unpaid from the due date or the date of the Lessor's demand (as the case may be) down to the date of payment.

8. OUTGOINGS

8.1 Lessee to Pay Outgoings: The Lessee must on demand by the Lessor pay the Outgoings without deduction or set-off. If any Outgoing is not separately assessed on or charged to the Land or Building, the Lessee must pay a fair and reasonable proportion of that Outgoing.

8.2 Apportionment: Any Outgoing which is not assessed or charged for a period falling wholly within the Term will be apportioned between the Lessor and the Lessee.

8.3 Penalties: If any Outgoing is payable by a date after which a penalty applies, the Lessee will comply with clause 8.1 if the Lessee pays that Outgoing at least five (5) days before the penalty date.

9. UTILITY CHARGES

9.1 Lessee to Pay Utility Charges: The Lessee must promptly pay to the relevant Authority or supplier all charges for Utilities (including water) which are separately metered or charged to the Land and Building and/or Lessee's Improvements.

9.2 Apportionment: The Lessee must pay to the Lessor on demand a fair and reasonable proportion of the charge for any Utility which is not separately metered or charged to the Land or Building.

9.3 Meters: If the Lessor or any Authority requires the Lessee to do so, the Lessee must at the Lessee's own expense install any meter or other measuring devices




necessary for the proper measurement of the charges for any Utility or other services supplied to the Land or Building and/or Lessee's Improvements.

10. COSTS

The Lessee must pay to the Lessor on demand:

- 10.1 **Legal Costs:** the legal costs for the negotiation, preparation and execution of this lease and of any renewal, extension or variation of this lease (including any variation recording a rent review); and
- 10.2 **Default Costs:** all costs, charges and expenses for which the Lessor becomes liable as a result of the Lessee's breach of any of this lease's terms.

11. INSURANCE

11.1 **Lessee to Insure:** The Lessee must at all times during the Term:

- 11.1.1 **Lessee's Improvements:** insure and keep the Lessee's Improvements insured to their full insurable value against the Insured Risks; and
- 11.1.2 **Pay Premiums:** pay the premium for the insurance taken out under clause 11.1.1 when due.

11.2 **Destruction of buildings:**

- 11.2.1 **Partial Damage:** In the event of the Building or any part thereof at any time during the Term being partially destroyed or damaged as a result of an Insured Risk then, as often as that happens, all moneys received in respect of insurance shall be expended by the Lessee with all reasonable speed in repairing the damage sustained; or
- 11.2.2 **Total Destruction:** In the event of the Building being totally destroyed or damaged by any cause, the Lessee may elect not to rebuild or reinstate the Building and if the Lessee shall elect not to rebuild or reinstate, the Term shall immediately cease and determine and the Lessee will demolish and clear the debris and have the site clear to the satisfaction of the Lessor.

11.3 **Public Risk Insurance:** The Lessee must throughout the Term keep current a public risk insurance policy applicable to the Land and Building and Lessee's Improvements and the business and activities carried on, in, or from the Land and Building and Lessee's Improvements for:

- 11.3.1 **Specified Amount:** the amount specified in Schedule 1 (being the amount which may be paid out arising from any single accident or event); or
- 11.3.2 **Increased Amount:** any increased amount that the Lessor reasonably requires and in particular any increased amount required by the Lessor as a result of a change in government provision for Accident Compensation claims.

12. MAINTENANCE

12.1 **Maintenance:** The Lessee must throughout the Term:

- 12.1.1 **Repair:** maintain the Land and Building or the Lessee's Improvements in good repair and make good any damage which may be done to the Land or Building or Lessee's Improvements or any improvements thereon during the Term of this lease;

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- 12.1.2 **Keep Land Clean:** keep the Land and Building and Lessee's Improvements clean and tidy;
- 12.1.3 **Removal of Rubbish:** regularly remove all rubbish and waste from the Land and Building or Lessee's Improvements;
- 12.1.4 **Broken Glass:** replace all broken glass on the Land and Building and Lessee's Improvements; and
- 12.1.5 **Pests:** prevent and exterminate any pest infestation on the Land and Building or Lessee's Improvements; and
- 12.1.6 **Notice from Lessor:** upon receipt of notice in writing from the Lessor of any defect or want of repair of the Land or Building or other improvement on the Land requiring the Lessee within a reasonable time, to be specified therein, to repair the same, the Lessee shall with all reasonable speed cause the defect to be remedied and/or the repair to be made to the satisfaction of the Lessor.

13. USE OF LAND AND TERMINATION

- 13.1 **Permitted Use:** Subject to clause 13.2 and 13.6, the Lessee must only use the Land and Building for the Permitted Use and if at any time the Lessor is of the opinion that the Land or Building is not being used or is not sufficiently used for the Permitted Use, the Lessor after making such enquiries as it thinks fit and giving the Lessee the opportunity of explaining the useage of the Land or Building, and if satisfied that the Land or Building is not being used or is not being sufficiently used for the Permitted Use, may terminate this lease whereupon the Land and Building together with all the improvements (including Lessee's Improvements) thereon shall revert to the Lessor and no compensation shall be payable to the Lessee by the Lessor whatsoever.

13.2 Public Use:

- 13.2.1 **Entry to the Land:** It shall be lawful for any person to enter and to remain on the Land as a bystander and any such person entering or remaining on the land shall not, so long as he/she conducts and acts in an orderly and seemly manner in compliance with all statutory requirements and refrains from hindering and obstructing the activities of the Lessor or the Lessee be deemed a trespasser.
- 13.2.2 **Entry to the Lessees Improvements:** The authority contained in clause 13.2.1 does not authorise any person to enter or be within or upon any buildings on the Land belonging to or used by the Lessee without the previous consent of the Lessee.

13.3 Exclusive Use:

- 13.3.1 **Limitation:** Notwithstanding the rights set out in clause 13.2 above, the Lessee shall be entitled with the prior written consent of the Lessor to the exclusive possession of the Land for not more than 40 days in any one year of the Term, but not for more than 6 days consecutively at any time, when a charge for admission to the Land may be made.
 13.3.1.1 And further that the Lessee shall at its own expense cause a notice to be published in a newspaper circulating in the district setting out the day or days upon which the Lessee has obtained consent to exclusive use of the leased area, such notice to be published not more than fourteen (14) days nor less than seven (7) days before the first day of such exclusive possession.

- 13.3.2 Charges:** The amount of such charge for each day must first have been approved in writing by the Lessor and the Lessee must at its own expense cause a notice to be published in a newspaper circulated in the district setting out the day or days on which the Lessee has obtained consent to the exclusive use of the Land, such notice to be published not more than 14 days nor less than 7 days before the first day of exclusive possession.
- 13.4 Provision of toilet facilities:** notwithstanding anything to the contrary within clauses 13.2 and 13.3, the Lessee may at its discretion when the Land and Building is open for use make available to all persons whether members of the Lessee or otherwise such toilet facilities as may be requested by the Lessor.
- 13.5 Hours of use:** the Lessee acknowledges and agrees that use during the evening of the land and/or buildings shall cease no later than the following times:
- Sunday to Thursday: 9.30pm
Friday and Saturday: 11.30pm
- Unless resource consent is granted, and, if so, the use provided for by the consent shall apply.
- 13.6 Change of Permitted Use:** The Lessee may use the Land or Building for a use or activity other than the Permitted Use but only with the Lessor's prior written consent.
- 13.7 Restrictions on use:** The Lessee must:
- 13.7.1 Noxious Activities and Nuisances:** not carry on any noxious, noisy or offensive business or activity in or about the Land or do anything which is or may become a nuisance or annoyance to any person, but the carrying on of the Permitted Use by the Lessee in a reasonable manner will not of itself be a breach of this clause;
- 13.7.2 Resource Management Act:** not do anything which is or may become a breach of any duty imposed on any person by the Resource Management Act 1991;
- 13.7.3 Health and Safety in Employment Act:** not do anything which is or may become a breach of any duty imposed on any person by the Health and Safety at Work Act 2015;
- 13.7.4 Acts, Bylaws, etc:** comply in all respects and at the Lessee's expense with all acts, bylaws, regulations, rules and requisitions relating to the Land and Lessee's Improvements and the Lessee's use of the Land; and
- 13.7.5 Accommodation:** under no circumstances use the Land or Lessee's Improvements for living accommodation.
- 13.7.6 No Right of Freehold:** The Lessee shall have no right to acquire the Freehold Title of the Land.
- 13.8 Reserves Act 1977:** The Land and this lease are subject to the Reserves Act 1977 and the provisions of said Act are applicable to this lease and shall be binding in all respects upon the Parties in the same manner as if such provisions had been fully set out herein and as such the Lessee accepts this lease of the Land to be held by it as tenant subject to the conditions, restrictions and covenants set forth in this lease.

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14. BUILDING WORK

14.1 Approvals: Subject to the provisions of this section, the Lessee must not carry out any Building Work or alterations or erect any signage on the Land without first giving plans and specifications of the proposed work to the Lessor and:

14.1.1 Lessor's Consent: obtaining the Lessor's prior written consent; and

14.1.2 Building Consent: obtaining and giving the Lessor a copy of all Building Consents required to enable the relevant Building Work to be carried out lawfully; and

14.2 Building Act: The Lessee must:

14.2.1 Building Consent: carry out all Building Work in conformity with the Building Consent produced to the Lessor under clause 14.1.2; and

14.2.2 Compliance Certificate: obtain a Code Compliance Certificate

15. REVERSION ON TERMINATION

On termination of this lease pursuant to the terms herein by effluxion of time, surrender, breach of conditions or otherwise, the Land and Building together with all improvements thereon shall revert to the Lessor without compensation being payable by the Lessor whatsoever.

16. REMOVAL OF IMPROVEMENTS

16.1 Conditions of Removal: Notwithstanding anything to the contrary in clauses 13.1 and 15, if the Lessee has:

16.1.1 Paid the rent due; and

16.1.2 Is not in breach of any of the terms of this lease; and

16.1.3 Has given notice sent by 'Courier Post-signature required' to the Lessor three months prior to the expiration or termination of the Term of its intention to remove the Lessee's Improvements;

then the Lessee:

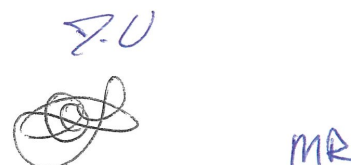
16.2 Remove Lessee's Improvements: may remove the Lessee's Improvements from the Land or Building; and

16.3 Repair Damage: must repair any damage caused to the Land or Building by that removal; and

16.4 Leave Land Tidy: must leave the Land and Building in a clean and tidy condition to the Lessor's reasonable satisfaction.

16.5 Reversion to Lessor: In the event that the Lessee's Improvements are not removed within six calendar months of the date of expiry or termination of the Term, then the Lessee's Improvements will revert to the Lessor, who shall have the right to enter upon the Land and remove all the Lessee's Improvements and charge to the Lessee all costs of removal and storage of the Lessee's Improvements or deal with the Lessee's Improvements as it deems appropriate.

16.6 Lessees Right to Transfer: Notwithstanding anything contained in clauses 16.2 and 16.5 and provided clause 16.1 has been complied with, the Lessee may alternatively transfer the Lessee's Improvements which shall remain on the Land to any body or organisation approved by the Lessor which has similar objects to the objects of the Lessee and which shall prohibit the distribution of its assets among its members and which body or organisation shall enter into a lease agreement with the Lessor for the use and enjoyment of the Land and



Handwritten signature and initials in blue ink, including a stylized 'Z.U' and 'MR'.

Building and the Lessee shall yield and deliver up the Land and Building and the Lessee's Improvements to remain thereon in good clean and substantial order condition and repair.

- 16.7 Payment:** Nothing in this clause 16 shall render the Lessor liable to pay to the Lessee compensation for the Lessee's Improvements and if the Lessee does not exercise its right to remove or transfer the Lessee's Improvements in accordance with clauses 16.1-16.6, then the Lessee's Improvements shall revert to the Lessor without compensation being payable to the Lessee by the Lessor whatsoever.

17. ASSIGNMENT AND SUBLEASING

- 17.1 Control of Assignment and Subleasing:** Subject to the provisions of this section, the Lessee must not:

17.1.1 Assign: assign the Lessee's interest in this lease; or

17.1.2 Sublease: sublease or part with possession or share occupation of the whole or any part of the Land or Building.

- 17.2 Lessor's Consent:** The Lessee may with the Lessor's prior written consent:

17.2.1 Assign: assign the Lessee's entire interest in this lease; or

17.2.2 Sublease: sublease the whole or any part of the Land or Building.

- 17.3 Conditions:** Without limiting the grounds on which the Lessor may withhold consent under clause 17.2, the Lessor may, as a condition of any consent, require prior compliance with the following conditions:

17.3.1 Standing of Assignee: the Lessee must prove to the Lessor's reasonable satisfaction that the proposed assignee or sub lessee is responsible and, in the case of an assignment, of sound financial standing;

17.3.2 Performance by Lessee: the Lessee must have performed all of the Lessee's obligations under this lease up to the date of the proposed assignment or grant of the sublease;

17.3.3 Deed of Covenant: in the case of an assignment, the assignee must sign a deed of covenant with the Lessor agreeing to perform the Lessee's obligations under this lease but without releasing the assignor or any other person from liability under this lease; and

17.3.4 Assignment to a Company: in the case of an assignment to a company, the shares in which are not listed on the New Zealand Stock Exchange, the Lessor may require the assignee's directors and shareholders to guarantee the assignee's obligations under the deed of covenant signed by the assignee.

- 17.4 Costs:** The Lessee must pay the Lessor's reasonable costs for any consent or application for consent under this section (including the Lessor's legal costs) and the costs of investigating the suitability of the proposed assignee or sub lessee.

18. LESSOR'S RIGHTS OF ENTRY

- 18.1 Entry to Land by Lessor:** The Lessor may, with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time without notice in the case of an emergency), enter the Land or the Lessee's Improvements to:

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18.1.1 Inspect Land: inspect the condition and state of repair of the Land or the Lessee's Improvements; or

18.1.2 Compliance with Statutes, etc: carry out any works to comply with any statutes, regulations, by-laws, ordinances, orders, proclamations, requirements of or notices by any Authority and if such works are the responsibility of the Lessee under this lease such works shall be at the Lessee's cost and all moneys expended by the Lessor in completing the works shall be payable by the Lessee to the Lessor and shall be recoverable together with interest thereon at the default rate until payment thereon as rent in arrears.

18.2 Minimise Disturbance to Lessee: The Lessor will take reasonable steps to minimise any disturbance to the Lessee when exercising the entry rights granted under clause 18.1.

.19. QUIET ENJOYMENT

If the Lessee pays the Annual Rent and performs the Lessee's obligations in this lease subject to the provisions of this lease, the Lessee will be entitled to quiet enjoyment of the Land and the Lessee's Improvements without interruption by the Lessor or any person claiming under the Lessor.

20. DEFAULT

20.1 Re-Entry: The Lessor may re-enter the Land and the Lessee's Improvements and terminate this lease if the Lessee:

20.1.1 Failure to Pay Rent: fails for a period of 30 days after the due date to pay any instalment of the Annual Rent or any other money payable under this lease;

20.1.2 Failure to Perform: fails for a period of 14 days to observe or perform any other obligation under this lease;

20.1.3 Winding up: is wound up or dissolved.

20.2 Lessor May Remedy Lessee's Default: The Lessor may, without being under any obligation to do so, remedy any default or breach by the Lessee under this lease at the Lessee's cost and all monies expended by the Lessor by reason of the default shall be payable by the Lessee to the Lessor together with interest thereon at the default rate until payment thereon and shall be recoverable as rent in arrears.

21. ESSENTIAL TERMS

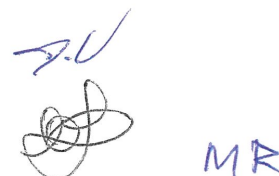
21.1 Essential Terms: The Lessee's breach of the following terms is a breach of an essential term of this lease:

21.1.1 Payment of Rent: the covenant to pay rent or other money payable by the Lessee under this lease;

21.1.2 Assignment and Subleasing: the terms dealing with assignment and subleasing; or

21.1.3 Use of Land and Building: the terms restricting the use of the Land and Building.

21.2 Waiver: The Lessor's acceptance of any arrears of rent or other money payable under this lease is not a waiver of the essential obligation to pay any other rent or money payable under this lease.



- 21.3 Compensation:** The Lessee must compensate the Lessor for any breach of an essential term of this lease. The Lessor may recover damages from the Lessee for those breaches. The Lessor's entitlement to compensation under this clause is in addition to any other remedy or entitlement of the Lessor (including the right to terminate this lease).

22. COMPENSATION

- 22.1 Lessee's Acts or Omissions:** If any act or omission of the Lessee:

22.1.1 Repudiation: is a repudiation of this lease or of the Lessee's obligations under this lease; or

22.1.2 Breach of Lease: is a breach of any of the Lessee's obligations under this lease;

the Lessee must compensate the Lessor for the loss or damage suffered by reason of the repudiation or breach during the whole of the Term.

- 22.2 Entitlement:** The Lessor's entitlement to recover damages will not be affected or limited by:

22.2.1 Abandonment: the Lessee abandoning or vacating the Land;

22.2.2 Re-entry or Termination: the Lessor electing to re-enter or to terminate this lease;

22.2.3 Acceptance of Repudiation: the Lessor accepting the Lessee's repudiation; or

22.2.4 Surrender: the parties' conduct constituting a surrender by operation of law.

- 22.3 Legal Proceedings:** The Lessor may bring legal proceedings against the Lessee claiming damages for the entire Term including the periods before and after:

22.3.1 Land Vacated: the Lessee has vacated the Land; and

22.3.2 Abandonment, etc: the abandonment, termination, repudiation, acceptance of repudiation or surrender by operation of law referred to in clause 22.2;

whether the proceedings are instituted before or after that conduct.

- 22.4 Mitigation of Damages:** If the Lessee vacates the Land, whether with or without the Lessor's consent, the Lessor must take reasonable steps to:

22.4.1 Mitigate Damages: mitigate the Lessor's damages; and

22.4.2 Lease Land: endeavour to lease the Land at a reasonable rent and on reasonable terms.

The Lessor's entitlement to damages will be assessed on the basis that the Lessor should have observed the obligation to mitigate damages contained in this clause. The Lessor's conduct in pursuance of the duty to mitigate damages will not by itself constitute acceptance of the Lessee's breach or repudiation, or a surrender by operation of law.

23. NO WAIVER

The Lessor's waiver or failure to act in response to the Lessee's breach of any of the Lessee's obligations in this lease will not operate as a waiver of:

- 23.1 Waiver of Breach:** the same breach on any later occasion; or

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23.2 **Waiver of Obligations:** any other obligations in this lease.

24. **INDEMNITY**

24.1 **Lessor Indemnified:** The Lessee indemnifies the Lessor against all actions, proceedings, calls, claims, demands, losses, damages, costs, expenses or liabilities of any kind suffered or incurred by the Lessor resulting from the Lessee's acts or omission.

24.2 **Repair Costs:** The Lessee must pay to the Lessor on demand the amount of all costs and expenses incurred by the Lessor in making good any damage to the Land and the Lessee's Improvements resulting from the Lessee's acts or omission.

24.3 **Extent of Indemnity:** The Lessee is liable to indemnify the Lessor only to the extent that the Lessor is not fully indemnified under any insurance policy unless the lessor will suffer financial loss as a result.

25. **RESOLUTION OF DISPUTES**

25.1 **Disputes:** Any dispute, difference or question arising between the parties about:

25.1.1 **Interpretation:** the interpretation of this lease;

25.1.2 **Matters Arising:** anything contained in or arising out of this lease;

25.1.3 **Rights, Liabilities or Duties:** the rights, liabilities or duties of the Lessor or Lessee; or

25.1.4 **Other Matters:** any other matter touching on the relationship of the Lessor and the Lessee under this lease (including claims in tort as well as in contract);

Will be referred to the arbitration of a single arbitrator under the Arbitration Act 1996.

25.2 **Arbitrator:** The parties must try to agree on the arbitrator. If they cannot agree, the president for the time being of the New Zealand Law Society for the place where the Land is situated (or his or her nominee) will, on either party's application, nominate the arbitrator.

25.3 **Action at Law:** The parties must go to arbitration under this section before they can begin any action at law (other than an application for injunctive relief).

26. **NOTICES**

26.1 **Service of Notices and Time of Service:** Any notice or document required or authorised to be delivered or served under this lease may be delivered or served:

26.1.1 **Property Law Act:** in the manner authorised by sections 352-361 of the Property Law Act 2007; or

26.1.2 **Facsimile:** by facsimile.

26.2 **Signature of Notices:** Any notice or document to be delivered or served under this lease must be in writing and may be signed by:

26.2.1 **Attorney, etc:** any attorney, officer, employee or solicitor for the party serving or giving the notice; or

26.2.2 **Authorised Person:** the party serving the notice or any other person authorised by that party.



27. PROPERTY LAW ACT

The covenants and powers contained in section 218 and Schedule 3 of the Property Law Act 2007 apply to this lease unless they are inconsistent with this lease's express terms.

28. LEASE NOT REGISTRABLE

The Lessor does not warrant that this lease is in registrable form. The Lessee must not require registration of this lease against the title to the Land.

29. LESSOR'S CONSENT

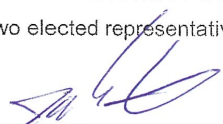
Where the Lessor's consent is required under this lease then it is required for each occasion even if the Lessor has given consent for the same or a similar purpose on an earlier occasion.

30. CONTINUED OPERATION OF CLAUSES:


The provisions of clauses 20, 25 and 26 shall operate and have effect notwithstanding that this lease may have expired or been terminated.

EXECUTED AS A DEED

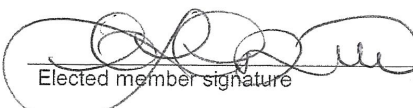
Executed for and on behalf of the
FAR NORTH DISTRICT COUNCIL
by two elected representatives




Elected member signature



Please print name

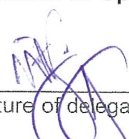


Elected member signature

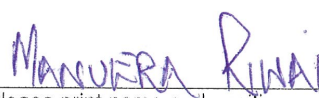


Please print name

Executed for and on behalf of the
**AUPOURI NGATI KAHU-TE
RARAWA TRUST** as the umbrella
organisation for **Open the Curtains**




Signature of delegated person

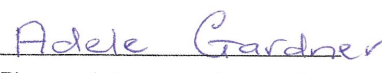


Please print name and position
25/09/18

In the presence of:



Signature



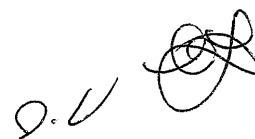
Please print name and occupation
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SCHEDULE 1

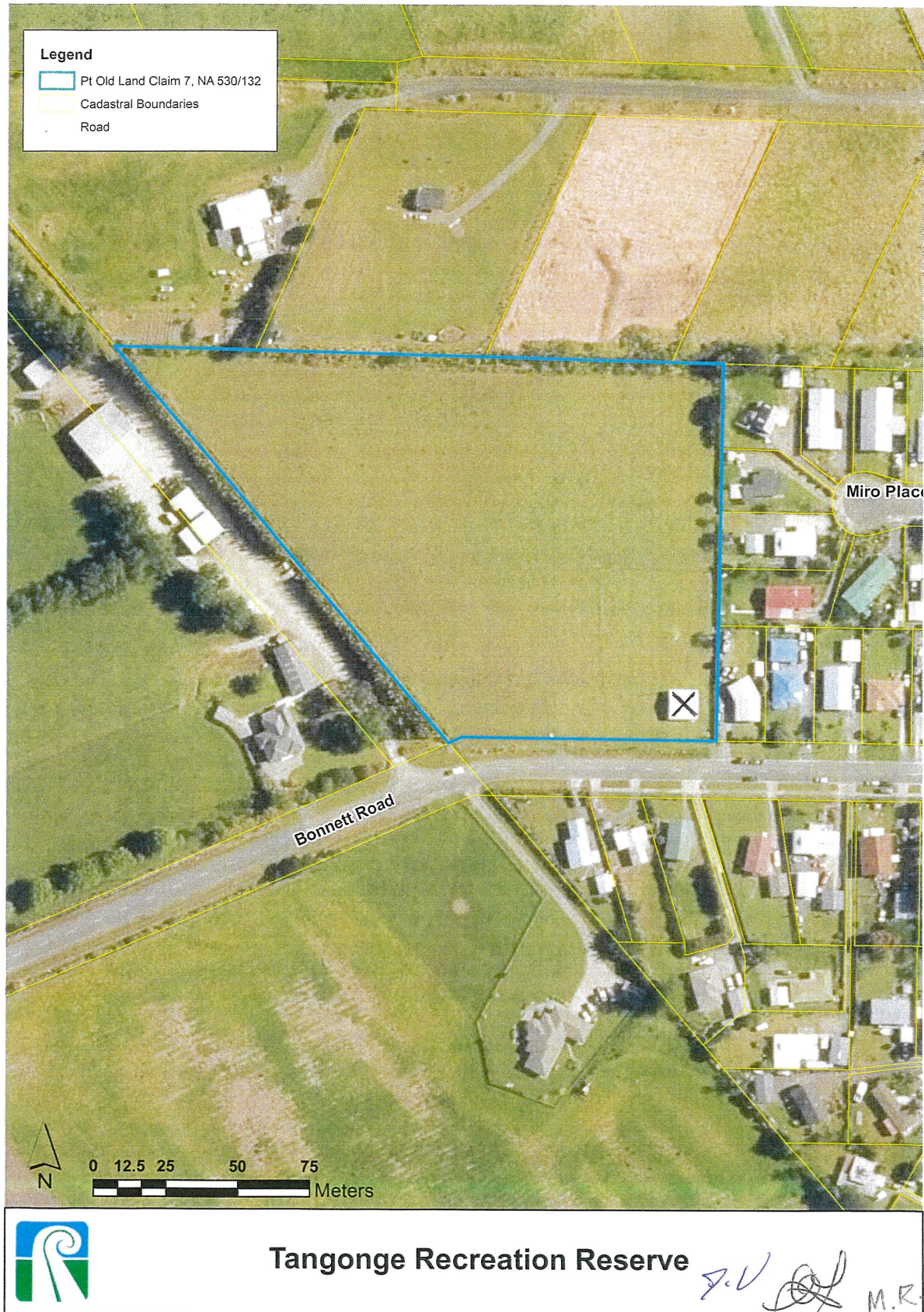
Lessor:	Far North District Council
Lessor's Address	Private Bag 752, Kaikohe
Lessee:	Aupouri Ngatikahu-Te Rarawa Trust (274324) as the umbrella organisation for Open the Curtains
Registered Offices	Aupouri Ngatikahu-Te Rarawa Trust 332 Quarry Road, Awanui
Lessee's Postal Address	332 Quarry Road, Awanui
And	Open the Curtains , 60 North Road, Awanui
Land	Part Old Land Claim No.7 contained in CFR NA530/132 shown as Recreation Reserve on Deeds Plan 108 and shown outlined on the plan annexed hereto (Appendix 1)
Building	Concrete amenity block with a corrugated iron roof containing changing rooms and toilets and shown marked 'X' on the plan annexed hereto (Appendix 1)
Commencement Date	1 September 2018
Termination Date	31 August 2023
Final Expiry Date	31 August 2028
Initial Term	Five (5) years
Renewal Term(s)	Five (5) years
Annual Rent	\$100 per annum plus GST
Rent Payment Dates	On or before 1 September of each year
Rent Review Date(s)	On renewal
Permitted Use of Land	Proposed playground/park, exercise track with work stations, field for sport and recreational activities, basketball court, fruit forest and designated native planting of trees, marakai gardens (community gardens) and a water pad.
Public Liability Insurance	\$5,000,000.00
Default Rate:	14% per annum

Tangonge Domain – Aupouri Ngatikahu Te Rarawa Trust for Open the Curtains 2017



14
M.R.

APPENDIX 1



SCHEDULE 2

OTC Operational Management Plan

Tangonge Domain – Aupouri Ngatikahu Te Rarawa Trust for Open the Curtains 2017

15

A handwritten signature in blue ink, consisting of a stylized, circular loop followed by a short horizontal stroke.Handwritten initials 'J.R.' in blue ink.

Operational Management Plan by OTC

This document is a basic operational plan for the Tangonge Park community-led project on Tangonge Domain Recreation Reserve and explains how OTC will manage its responsibilities under the Lease. A plan of the Tangonge Park facility is shown on the attached 'Bonnets Road Park Plan'.

Lawns:

Tangonge Park will have approximately 1.5 acres of grass to be mowed regularly and will be OTC's responsibility. OTC have a contractor to do the lawns and will mow smaller sections using their own mowing gear. Funds for this will come from our annual Fight The P event.

Toilets:

OTC will employ a local contractor to open and maintain the hygiene and cleanliness of the Park Toilets located in the old soccer shed. The toilets will only be available when OTC are holding events. Funds for this will come from our annual Fight The P event.

Existing Building:

OTC will maintain cleanliness and appearance of the building. OTC wish to use lottery funding to develop the existing building for community use. Lottery funding will pay for renovations and OTC will use funds from Fight The P to pay for power and upkeep and maintenance of the building.

Gardens:

OTC will use volunteers to maintain the Mara kai gardens, fruit tree area and basic weeding and spraying to keep the park tidy. OTC have a collaboration with Corrections who can employ there community hours teams to the project to help keep the park clean. OTC will use Northland waste another collaborative partner to remove rubbish.

Drains:

OTC have support from community corrections Norm Popata who will provide working groups on community sentences to help maintain the drains once they have been cleaned.

Kids Playground, walking track and basketball court:

OTC will work with council to satisfy the same policy as council regarding health and safety around children's playgrounds, walking track and the basketball court. Both areas will be monitored and regulated against council's policy around play areas.

Operational costs to be met through:

1. OTC will hold an annual fundraising event Fight The P to raise funds for operational costs. The annual event expects to raise \$15,000.00 that will cover the annual expected costs.

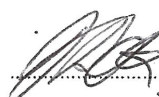


Handwritten signature: JR


2. OTC will apply for \$5,000 COGS funding that will enable them to support the annual project costs.
3. OTC will apply to the FNDC when funds for community facilities or any other funds available for the park arise.
4. OTC have been successful in raising \$20,000 for a feasibility study to be completed on the existing building. The study will pave the way for OTC to then apply for a full renovation and development of the building in Jan 2019.

Open The Curtains will endeavour to source funds from all available resources possible before discussing needs with FNDC. The FNDC will work with OTC to prepare them for available funding for community projects such as the Tangonge Park project.

Signed on behalf of Open The Curtains


Print name: JASON RETI
Position: Community Initiatives Manager
Date: 25/9/18

Signed on behalf of the Far North District Council


Print name: A-C-FINCH
Position: GM JAN
Date: 4 October 2018

 JR.

6.5 GROUND LEASE TO DOUBTLESS BAY SEA SCOUTS - EAST STREET TAIPA**File Number: A4329039****Author: Michelle Rockell, Team Leader - Property Management****Authoriser: Kevin Johnson, Group Manager - Delivery and Operations****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek Council resolution to initiate public consultation on the granting of a new ground lease over recreation reserve, under Section 54 Reserves Act 1977 for a portion of Part Allot 5 PSH OF Taipa, 10 East Street, Taipa to Scouts Aotearoa.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Doubtless Bay Sea Scouts Group (DBSSG), operating under the Scouts Aotearoa umbrella, have been established at 10 East Street, Taipa since May 1991.
- October 2022 DBSSG formally requested a new lease.
- There is no existing Reserve Management Plan for Taipa Sports Ground.
- The Reserves Act 1977 requires public consultation on the issuing of a lease over a Recreation Reserve when no Reserve management plan is in place.
- This report was presented to the Te Hiku community Board on 1st August 2023 who passed with the below recommendation.

TŪTOHUNGA / RECOMMENDATION**That Council:**

- a) **commences the public consultation process on the granting of a new ground lease to Scouts Aotearoa over part of the Recreation Reserve being approximately 860 square metres of Part Allot 5 PSH OF Taipa, held in New Zealand Gazette 1984 page 104.**

The terms of the proposed lease shall be:

Term: 15 Years (5+5+5)

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- **\$113 plus GST for 2022/23 and reviewed annually in conjunction with the FNDC Fees and Charges Schedule.**

- b) **appoints the Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to Council.**

1) TĀHUHU KŌRERO / BACKGROUND

Taipa Recreation Reserve is vested in Council and has been partly occupied by DBSSG, operating under the Scouts Aotearoa umbrella, since 1991 and maintain their leased area and building to a high standard.

DBSSG occupy the site in conjunction with Taipa Plunket Clinic, Doubtless Bay Squash Racket Club and Eastern United Rugby Football Club.

In October 2022, Scouts Aotearoa approached Council formally seeking a new lease.

DGSSG is a well-established group with 87 years of service to the local community, providing young people with the ability to foster development in physical, emotional, spiritual and mental aspects through the provision of safe and nurturing environments. Their purpose is to empower young people from ages 5 to 26 to lead lives that make a positive difference, both to themselves and their community.

The longevity of the scout group at this site reinforces the valuable service DBSSG provides to the community of Taipa and surrounding localities.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

As per the Reserves Act 1977 section 54, public consultation is required on the granting of a lease over recreation reserve.

Public Notification

Sections 119 and 120 of the Act require that before granting a lease the proposal must be publicly notified and all submissions/objections to the proposal are to be in writing and where requested, a submitter must be given the opportunity to appear before Council or a committee of Council, to speak to their objection/submission. Every submission/objection in relation to the proposal must be considered before proceeding with the proposal.

The options available for this site are:

Option 1: Recommended

- a) That council commences the public consultation process on the granting of a new ground lease to Scouts Aotearoa over part of the Recreation Reserve being approximately 860 square metres of Part Allot 5 PSH OF Taipa, held in New Zealand Gazette 1984 page 104.

The terms of the proposed lease shall be:

Term: 15 Years (5+5+5)

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- \$113 plus GST for 2022/23 and reviewed annually in conjunction with the FNDC Fees and Charges Schedule.

- b) The Te Hiku Community Board is appointed to hear any submissions received in response to the consultation process and to make recommendations to Council.

Option 1 will allow DBSSG to continue providing their service to the community.

Option 2:

- a. Decline DBSSG's request for a new lease
- b. ask DBSSG to remove the existing building and associated assets from the reserve and reinstate the recreation reserve at their cost.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

DBSSG provide a beneficial service to the community and requiring them to vacate the land will be detrimental to the whānau and tamariki of the area.

As per the FNDC Parks and Reserves Policy 2022, Council can grant exclusive leases to part or all of a reserve for a maximum term of 15 years with a further right of renewal for 15 years if it deems such terms to be appropriate.

Public Notice is a statutory requirement under Reserves Act for the leasing of a Recreation Reserve.

Public consultation will enable Council to assess the community's engagement with the DBSSG proposal. Public consultation gives the community the opportunity to put forward alternative options for the occupation and use of the site.

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

The lease will provide for the lessee to continue to be responsible for all ongoing maintenance of the associated green space.

The lease will provide for the lessee to be responsible for the payment of all utility charges, rates and insurances.

Should a lease not be provided to DBSSG and the land reinstated to reserve, Council will become responsible for any ongoing maintenance of the site, placing more pressure on the reserves maintenance budget.

ĀPITI HANGA / ATTACHMENTS

1. **Doubtless Bay Sea Scouts - Consultation on a request for lease - A4267140** [↓](#) 

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	Medium
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	FNDC Reserves Policy: The Policy supports a long-term lease being offered to community orientated groups wanting a permanent base. The Reserves Act 1977: Section 119 and 120 require that public consultation be initiated prior to the granting of a lease
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.	Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
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.	Far North District Council recognises the significant role of tangata whenua as set out in the Working with Māori chapter in the Long-Term Plan 2021-2031. It is important to notify tangata whenua in the Taipa locality of the lease proposal prior to the public consultation. Te Hono was approached to provide advice on who the main contacts were in the first instance. A letter (attachment A) was sent via email to Ngati Kahu Co-Chief Executive Officers to inform them of the requested lease. At the time of writing this report a response has not been received. When this lease goes for public consultation, the information will be redistributed to Ngati Kahu Co-Chief Executives Officers to seek feedback as part of the public 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).	Public consultation and Iwi consultation will be progressed as per the Reserves Act 1977 and the FNDC Engagement Policy. This will allow us to identify any people or groups who may be affected or have interest in the matter.

State the financial implications and where budgetary provisions have been made to support this decision.	All upgrade and maintenance costs fall to the lessee. The appropriate community rent for the land is set by the FNDC Fees Charges Policy.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.



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22nd June 2023

Tēnā koe

We are contacting you to notify you of the requested lease and invite iwi and hapū feedback on the proposed lease.

Doubtless Bay Sea Scouts, operating under the Scouts Aotearoa umbrella, have been operating from 10 East Street, Taipa, since 1991. They form part of the world's largest non-formal education institution, serving over 13,000 young people over New Zealand.

The team at Doubtless Bay Sea Scouts are committed to empowering young people through adventurous experiences to lead lives that make a positive difference. They have approached Council and requested a ground lease over Recreation Reserve to be able to continue to provide these amazing services to the tamariki of the Taipa and surrounding areas.

The proposed lease term is 15 years with a right of renewal for a further 15 years, for a total of 30 years.

The process for entering a lease on a Recreation Reserve requires public consultation – this will occur pending Council approval via the FNDC website and newspaper articles. However, we feel it is important to notify Iwi/hapū in the Taipa locality of the lease proposal prior to the consultation.

If you would like further information, have any questions or want to share feedback, please do not hesitate to get in contact. If you would like to discuss this proposal further, we would be happy to meet with you.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "R Deane", is positioned above the printed name.

Rochelle Deane
(Acting) Group Manager – Delivery & Operations

6.6 MARITIME FACILITIES BYLAW - APPROVAL OF DRAFT FOR PUBLIC CONSULTATION

File Number: A4348883

Author: Dan Bowmar, Policy Advisor

Authoriser: Jonathan Slavich, Chief Financial Officer

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 the Maritime Facilities Bylaw 2002 and Mooring Charges Bylaw 2002, 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 including a draft of the bylaw, is in Attachment 1.
- The recommended consultation period is for four weeks from 02 October 2023 to 30 October 2023. The dates of oral submissions will be set following this four-week period.

TŪTOHUNGA / RECOMMENDATION

That Council:

- 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 a minimum four-week period for making written submissions on the proposal in Attachment 1.**
- c) approves to hear any oral submissions and agrees to delegate to the Mayor, 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.**
- e) authorises the Chief Executive to make minor changes to the proposal for a new Maritime Facilities 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 a consultant 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.

On 06 September 2022, Council's previous Strategy and Policy Committee approved the proposal for consultation. Council's previous Chief Executive placed the project on hold and consultation did not occur. Staff propose to now move forward with consultation on the proposed Bylaw in October 2023.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Risk assessment

An independent risk assessment received in November 2022 identified that:

- bylaw enforcement is the most effective control mechanism available to Council for maritime facilities that Councils owns and / or controls
- there is no other known alternative to a bylaw that would achieve Council's regulatory objective in relation to maritime facilities
- failing to regulate maritime facilities would pose health and safety risks and may increase Council's liability under the Occupiers Liability Act 1962 and the Health and Safety at Work Act 2015.

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.
- regulates the use of maritime facilities mitigating health and safety risk and Councils liability under the Occupiers' Liability Act 1962 and Health and Safety and Work Act 2015.
- enables Council to protect the wellbeing benefit and public good of users of established maritime facilities. For example, ensuring recreational users have maritime access to collect seafood, and ensuring that the Far North remains an attractive district to visit and live.

The Bylaw has been drafted according to best practice standard. Teams from Corporate Services, Community and Engagement, and Planning and Policy as well as Far North Holdings Limited have been involved in the drafting of this Bylaw.

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 02 October 2023 and close on 30 October 2023 which is a period of four 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.

Council and Far North Holdings Limited staff will be available to discuss and/or workshop the proposed bylaw with interested and affected parties during the consultation period.

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. Staff therefore

recommend the Council delegate, to the Mayor, the power to arrange and change the date of the oral presentations of submissions.

Implementation

An implementation plan cannot be finalised until after the content of the bylaw is finalised. However, as per the proposed Bylaw, Far North Holdings Limited will be responsible for the administration and enforcement of the Bylaw, this includes processing approvals for commercial operations. An operational policy will be developed to provide guidance and consistency for processing approvals. Each approval will be assessed on a case by case situation taking into consideration appropriate use of the preferred maritime facility and competing use by both commercial and recreational users.

Any fees and charges will be set out in the Fees and Charges Policy and be subject to consultation as part of the Annual Plan and / or Long Term Plan process. Any revenue received from commercial operations (as is the process under the current bylaw) would offset the maintenance costs of the maritime asset portfolio.

Please note: The proposed Bylaw regulates the use of existing maritime facilities. It does not provide guidance regarding the building of new facilities. However, data received from commercial operator approvals will inform the development of future maritime facilities and / or any maritime facility related strategy.

TAKE TŪTOHUNGA / 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 02 October 2023 and 30 October 2023 and the dates of oral submissions will be heard following the four-week consultation period.

Next steps

If Council approves the recommendation, staff aim to present an analysis of submissions and a proposed final version of the Bylaw to Council in the first quarter of 2024.

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

The operational cost of consultation to make the Maritime Facilities Bylaw is expected to be minimal (less than \$1000 plus staff time and resources) and will be met from within existing budgets.

ĀPITI HANGA / ATTACHMENTS

1. **Proposal Maritime Facilities Bylaw - 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, 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. 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.	This bylaw regulates the use of existing maritime facilities. It does not provide for the building of new facilities. The proposed bylaw is consistent with the current bylaw. Therefore, the decision is not significant and does not relate to land and/or any body of water. 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 cost of consultation to make the Maritime Facilities Bylaw is expected to be minimal (less than \$1000 plus staff time and resources) and will be met from within existing budgets.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.



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Maritime Facilities Bylaw 2002 Statement of Proposal

1 Context and Situation

The Maritime Facilities Bylaw and the Mooring Charges Bylaw were made in Council on 2 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 7 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) A new bylaw is developed which amalgamates both the Maritime Facilities Bylaw and Mooring Charges Bylaw into a single Maritime Facilities Bylaw made under the Local Government Act 2002. The new Maritime Facilities Bylaw	Bylaw will align with relevant laws and legislation. Bylaw will allow for easier enforcement of provisions. Bylaw will have improved clarity and certainty. Bylaw will facilitate an appropriate balance of recreational and commercial	None.

<p>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>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>
<p>Option Three: The Maritime Facilities Bylaw and Mooring Charges Bylaw continue without amendment</p> <p>The Bylaws stay in force with no changes</p>	<p>None.</p>	<p>The current form of both bylaws does not effectively address the perceived problem and is therefore not a viable option.</p>
<p>Option Four: Revoke both the Maritime Facilities Bylaw and Mooring Charges Bylaw and not</p>	<p>None.</p>	<p>There is no other regulatory instrument or method with which Council could otherwise manage</p>

make a new bylaw.		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.
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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 2023 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 Council meeting.

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 02 October and 30 October 2023. Those interested in supporting their submission orally will be contacted with a date and time following the four week consultation period.

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 2023.

2 Commencement

This Bylaw comes into force on XX Month 2023.

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 license, 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.

6.7 CAT MANAGEMENT POLICY

File Number: A4345542

Author: Shayne Storey, Policy Advisor

Authoriser: Roger Ackers, Group Manager - Planning & Policy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval to develop a cat management policy.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- In 2019, the Keeping of Animals, Poultry and Bees Bylaw 2007 (the bylaw), which included cats, automatically revoked.
- On 04 May 2023, Council resolved to make a new bylaw.
- Research regarding the potential inclusion of mandatory microchipping and desexing of cats in a proposed Animal Nuisance Bylaw has identified substantial financial implications for Council.
- A cat management policy, that sits alongside an Animal Nuisance Bylaw (once developed) would be a more cost-effective instrument to assist in the regulation and management of cats.

TŪTOHUNGA / RECOMMENDATION

That Council approve the development of a Cat Management Policy.

1) TĀHUHU KŌRERO / BACKGROUND

In 2019, the Keeping of Animals, Poultry and Bees Bylaw 2007 automatically revoked. This bylaw included restricting the number of cats per household in urban environments. On 04 May 2023, Council resolved to make a new bylaw to address animal nuisance (Resolution 2023/46 refers).

Complaints about cats include getting into garbage, excess noise, and a detrimental impact on the natural environment and biodiversity. Concerned community groups have been lobbying for mandatory microchipping and desexing of cats to address some of these issues.

Research regarding the potential inclusion of mandatory microchipping and desexing of cats in a proposed Animal Nuisance Bylaw has identified substantial financial implications for Council.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

No specific cat legislation currently exists in New Zealand. However, the Environment Select Committee recently recommended that central government create specific cat legislation. Government has until October 2023 to respond to that recommendation.

Territorial authorities have the powers to create bylaws under the Local Government Act 2002 for the following reasons:

- to protect the public from nuisance, and
- to protect, promote and maintain public health and safety
- minimising the potential for offensive behaviour in public

Additionally, the Local Government Act provides specifically for bylaws to regulate animals. There is some hesitancy, however, to develop bylaws that include desexing, microchipping and limiting cat numbers because of concerns regarding a valid legal basis to make a bylaw on such matters.

Currently, Council regulates cats through alternative instruments. For example, provisions in the District Plan allow for restrictions on the ownership of cats in Kiwi Zones to protect native flora and fauna.

Under the Biosecurity Act 1993, regional councils are responsible for protecting their regions' biodiversity. Northland Regional Council (NRC) manages and controls feral cats across Te Tai Tokerau through the Northern Regional Council Regional Pest and Marine Pathway Management Plan 2017-2027. NRC also has a responsibility to provide appropriate funding to control or manage infestations of animals in Northland.

Regulation and enforcement of cats under a bylaw

- Bylaws made under the Local Government Act 2002 provide very limited powers to compel compliance with mandatory microchipping or desexing.
- The Local Government Act does not provide the opportunity to issue infringements ('instant fines') but provides the opportunity for prosecution under the bylaw when there is persistent breaches or non-compliance.
- A bylaw created under the Local Government Act may provide Council with opportunities to seize and impound animals when there is a breach of the bylaw.
- However, cats are not regulated under the Impounding Act 1955 and therefore, council would need to treat seized cats as property. Under section 164 of the Local Government Act, Council must hold seized property for a period of 6 months.
- Under the Animal Welfare Act 1999, Council must ensure all animals in their possession, custody, care, control or supervision are provided with food, water and shelter.
- Ownership of cats can be difficult to determine, particularly if the cat is not microchipped, making enforcement of the bylaw challenging.

Seven councils in Aotearoa have introduced bylaws related to cat microchipping, with only five of those also including mandated desexing. Submissions on this polarising topic have been strong from both sides, and some councils have abandoned the bylaw altogether due to the controversy it creates. For example, the Tasman District Council dropped their proposed bylaw, which would have required the microchipping of domestic cats in 2021 and opted to take an educational approach instead. So contentious is the cat management space, a special projects analyst recommends staff safety be carefully managed no matter what option council intends to pursue.

National Cat Legislation for New Zealand Background Document (2022)

The SPCA's background document for the National Cat Legislation for New Zealand states that policies that mandate desexing are controversial due to concerns that perverse outcomes have or will occur if desexing is mandated.

Some of the outcomes from mandated desexing of cats in Australia were:

- No positive association between mandated desexing at 6 months of age and shelter intake or euthanasia.
- The legislation was difficult to enforce and/or inconsistently enforced.
- An increase in the number of animals surrendered to shelters was observed.
- Owners of lower-income status were disproportionately targeted.
- The Australian Veterinary Association and the Australian SPCA advocate for desexing, but do not support mandating desexing.

Examples from New Zealand Councils

- In 2019, Lower Hutt District Council had originally included mandatory desexing as part of their newly proposed animal control bylaws. However, they decided to not seek a requirement for desexing cats. A survey of Lower Hutt residents indicated a 'promote and educate' approach was more favoured.

- In September 2020, Selwyn District Council removed mandatory desexing and microchipping in their public consultation for their new animal control bylaw, due to the bylaw being too difficult to enforce and the Council having no ability to issue fines or fund enforcement without national legislation.
- In 2022, the Waitaki District Council opted for publishing Responsible Cat Guidelines in lieu of a bylaw. They collaborated with the SPCA on a Snip n Chip desexing and microchipping programme by providing \$20,000 in funding. This generated goodwill, was well received by the public, and the uptake exceeded expectations.

Lessons Learnt from Whangārei District Council

Whangārei District Council introduced mandatory microchipping and desexing in 2022 for cats over six months of age. Bylaw implementation included the employment of a cat education officer as well as funding to subsidise community microchipping and desexing of cats. However, many unforeseen issues emerged, including:

- absence of facilities, staff, and resources to care for cats
 - people now associated Council with 'cats' and arrived at the service desk to drop off abandoned and unwanted cats
 - prohibitive cost of renting, owning and/or building cat facilities
 - extra staff required to run facilities and enforce the bylaw
 - increased pressure on front line staff presented with unwanted/abandoned cats
- cats were part of urban colonies being fed by people but not 'owned' by anyone, making enforcement difficult
- costs of desexing/microchipping challenging for low-income families
- local veterinarians do not have capacity to deal with increased desexing demand
- SPCA are over-capacity
- cat rescue organisations are overwhelmed due to increased demand
- rescue organisations are looking to Council for resources and support
- total Customer Relationship Management cat issue jobs from Sept 22 to June 23 = 237
- total number of cats that related to the jobs above from Sept 22 to June 23 = 519+
- Whangārei District Council staff recommend all facilities and resources (professional, educational, clinical, and financial) need to be in place first before microchipping and desexing become mandatory.

Costs of cat control under a bylaw

- establishment of community education roles
- estimate it will double the cost of animal control
 - approximately double the number of animal control officers required
 - council will need sufficient land or space for a cat containment pound
- capital cost of cat pound
- need to meet the codes of welfare for cats to behave naturally
- assisting compliance for people on low incomes
- desexing subsidies
- microchipping subsidies
- cat traps and other cat catching equipment

Further Considerations

- Housing animals with rescue organisations and/or the SPCA is not a viable option for our district at this time, as rescues and the SPCA are overflowing with unwanted cats and kittens. Furthermore, SPCA no longer has facilities north of Kerikeri.
- The educative process is pivotal to any successful scheme. There cannot be successful regulation without a good social mandate behind it.
- Any regulation needs to be affordable by our low-income citizens.
- Annual funding of a microchipping and desexing programme is crucial to the successful management of cats under any considered scenario.

Options**Option one: Develop a cat management policy (recommended option)**

Council develops a cat management policy. The cat management policy would state Council's views on responsible cat ownership, such as microchipping and desexing. Ongoing annual grants would be required to ensure successful implementation and reduce the financial burden on low-income families.

Mandatory microchipping and desexing of cats would not be included in the Animal Nuisance Bylaw, once developed.

*Advantages and disadvantages of developing a cat management policy***Advantages**

- Council will not require significant ongoing financial resources for additional facilities and staff.
- General nuisance caused by cats will still be regulated in the proposed Animal Nuisance Bylaw.
- The public will have clear guidance regarding responsible cat ownership.
- The cat management policy will follow best practice policy processes.
- An educational campaign can be run in conjunction with the policy.
- Community goodwill is generated, as Council encourages responsible cat ownership and supports our people's well-being.
- Minimal investment is required to make cat management successful in the district.

Disadvantages

- The policy is not a regulatory tool and therefore, does not have powers of prosecution.
- There is reputational risk due to some community members that support mandatory microchipping and desexing.

Option two: Include cats in the Animal Nuisance Bylaw (under development)**Advantages**

- Council will have powers of seizure and prosecution.
- Council relationship is strengthened with community members that support mandatory microchipping and desexing.

Disadvantages

- Substantial ongoing resources will be required, prior to bylaw enactment, to fund necessary infrastructure and staff.
- Our community will be put under additional financial hardship to comply with the bylaw.
- There is potential for the unintended consequence of disproportionately targeting cat owners of lower-income status.

- Reputational risk associated with failure to enforce the bylaw may be realised.
- Increased pressure will be felt by SPCA and cat rescue organisations.
- Veterinary clinic capacity may be overextended.
- Public contention with Council and staff due to increased regulations may come in to play.

Option three: Do nothing. Do not include mandatory microchipping and desexing in the proposed Animal Nuisance Bylaw and do not develop a cat management policy.

Advantages

- Council will not require significant ongoing financial resources for additional facilities and staff.
- Our community will not be put under additional financial burden.

Disadvantages

- Short-term risk of not achieving the outcome of responsible cat ownership may be realised.
- Doing nothing may cause public contention with Council and staff due to lack of guidance or regulation.
- There is a long-term risk of losing the social licence to regulate because of unfulfilled expectations and loss of confidence in the system.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Developing a cat management policy will allow Council to address responsible cat ownership issues without substantial financial burden to ratepayers.

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

The cost of developing a cat management policy will be met from existing operational budgets.

Should a cat management policy be developed and adopted, the initial funding of that policy would be met from existing operational budgets (\$15,000).

An annual grant of \$20,000 would be required for a microchip and desexing programme for future financial years, or \$0.13 (GST inclusive) in the general rate for every \$100k of Land Value. This is pivotal to the success of the cat management policy.

ĀPITI HANGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	In line with the Significance and Engagement Policy, the recommendation to develop a cat management policy will have little effect on financial thresholds, ratepayers, specific demographics, or levels of service. Therefore, the level of significance is low. The decision to adopt the policy in a future decision report, should this recommendation be approved, may have a higher level of significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	<ul style="list-style-type: none"> • Local Government Act 2002 • Animal Welfare Act 1999 • Health Act 1956 • Impounding Act 1955 • Biosecurity Act 1993 <p>Our Community Outcomes</p> <ul style="list-style-type: none"> • Proud, Vibrant Communities. • Communities that are healthy, safe, connected and sustainable.
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 recommendation has district wide relevance. Therefore, the views of the Community Boards 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.	<p>This decision does not relate to land and/or any body of water.</p> <p>However, seeking the views and input of Māori in the development of policies is integral. Māori will be given an opportunity to contribute during the consultation stage of the policy development process.</p>
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	<ul style="list-style-type: none"> • Department of Conservation • Northland Regional Council • Forest & Bird • ratepayers/community • SPCA

<p>– youth, the aged and those with disabilities).</p>	<ul style="list-style-type: none"> • cat rescue organisations, e.g., Coast to Coast Cat Rescue, BOI Animal Rescue, etc. • other rescues • veterinarians. <p>Research was conducted which took these groups and their points of view into consideration. The groups will be given an opportunity to contribute during the consultation stage of the policy development process.</p>
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>The cost of developing a cat management policy will be met from existing operational budgets.</p> <p>Should a cat management policy be developed and adopted, the initial funding of that policy would be met from existing operational budgets (\$15,000).</p> <p>An annual grant of \$20,000 would be required for a microchip and desexing programme for future financial years, or \$0.13 (GST inclusive) in the general rate for every \$100k of Land Value. This is pivotal to the success of the cat management policy.</p>
<p>Chief Financial Officer review.</p>	<p>The Chief Financial Officer has reviewed the report.</p>

6.8 TEMPORARY ROAD CLOSURE - KERIKERI HALF MARATHON 2023**File Number:** A4350806**Author:** Hoani Fraser, Road Corridor Manager - TMC**Authoriser:** Cara Downie, Business Support Manager**TAKE PŪRONGO / PURPOSE OF THE REPORT**

The purpose of this paper is to obtain Council approval for temporary road closures for the Kerikeri half marathon in the Far North.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Northland Transportation Alliance manage temporary road closures for events on behalf of Council
- The task of approving Road Closures, specifically for the safe operation of Events, cannot be delegated by Council
- Advertising of each event will take place approximately 42 days before proposed event and 1 week before the event in accordance with the transport Regulations 1965
- Without Council approval the Kerikeri half marathon cannot take place.

TŪTOHUNGA / RECOMMENDATION

That Council approves the proposed temporary road closure for the Kerikeri Half Marathon 2023 to enable safe operations.

1) TĀHUHU KŌRERO / BACKGROUND

The background to this paper has been prepared by the Northland Transportation Alliance and is included as Attachment 1.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Discussion details have been prepared by the Northland Transportation Alliance and is included as Attachment 1.

The Public Notice for the proposed temporary road closures will be advertised in the Northern News & Bay Chronicle 42 days and 7 days in advance of the event.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

To enable the Kerikeri half marathon 2023 to take place.

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

No budgetary implications.

ĀPITI HANGA / ATTACHMENTS

1. NTA Temporary Road Closure Kerikeri Half Marathon 2023 - A4350931 [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low Significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	
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.	Local 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.	No specific implications for Māori have been identified.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	No budgetary implications.
Chief Financial Officer review.	The Chief Financial Officer has no reviewed this report.

**Name of item: Temporary Road Closure – Kerikeri half Marathon 2023**

Author: Reporting officer – Fraser Hoani
NTA / FNDC Road Corridor Manager - TMC

1 Purpose

The purpose of this paper is to obtain Council approval for a temporary road closure.

2 Recommendations

That Council approves the proposed temporary road closure to accommodate the safe operation of the Kerikeri Half Marathon 2023.

3 Background**Kerikeri Half Marathon 2023: Saturday 18th November 2023**

The Kerikeri half marathon will take place on 18th November 2023 in the Okaihau and Kerikeri Area.

The part of the half marathon and road closures that will affect the Far North District will be in the locations of Okaihau and Kerikeri and will take place on Saturday November 18th only.

Roads closed and times:**Special Stages A,B,C,D,E,F**

Saturday November 18th – 5:30am to 11:15am

- Waiare Rd
 - starting at SH1 to the intersection of Waiare/Wehirua Rd - 5.30am to 8.45am
- Wehirua Rd
 - starting at SH1 of Wehirua Rd and ending at the intersection of Waiare/Wehirua Rd - 6.50am to 8.45am
- Waiare Rd
 - starting at the intersection of Waiare/Wehirua Rd and ending at the Wiroa Road.- 6.50am to 9.30am



- Wiroa Rd
 - starting at intersection of Waiare/Wiroa Rd and ending at the intersection of Wiroa/Ladore Rd. - 6.50am to 10.30am
- Wiroa Rd
 - starting at the intersection of Ladore/Wiroa Rd and ending at the intersection of Waimate North/Wiroa Rd. - 6.50am to 11.00am
- Wiroa Rd
 - starting at the intersection of Waimate North/Wiroa Rd and ending at the intersection of Wiroa / SH10 Kerikeri. 6.50 am to 11.15am

4 Discussion

The Public Notice for the proposed temporary road closures will be advertised in the Northern Advocate, Northern News & Bay Chronicle 42 days and 7 days in advance of the event.

5 Summary

Approval of the proposed road closures will allow the safe operation of the Kerikeri Half Marathon 2023



6 Report Approval

Approved by:

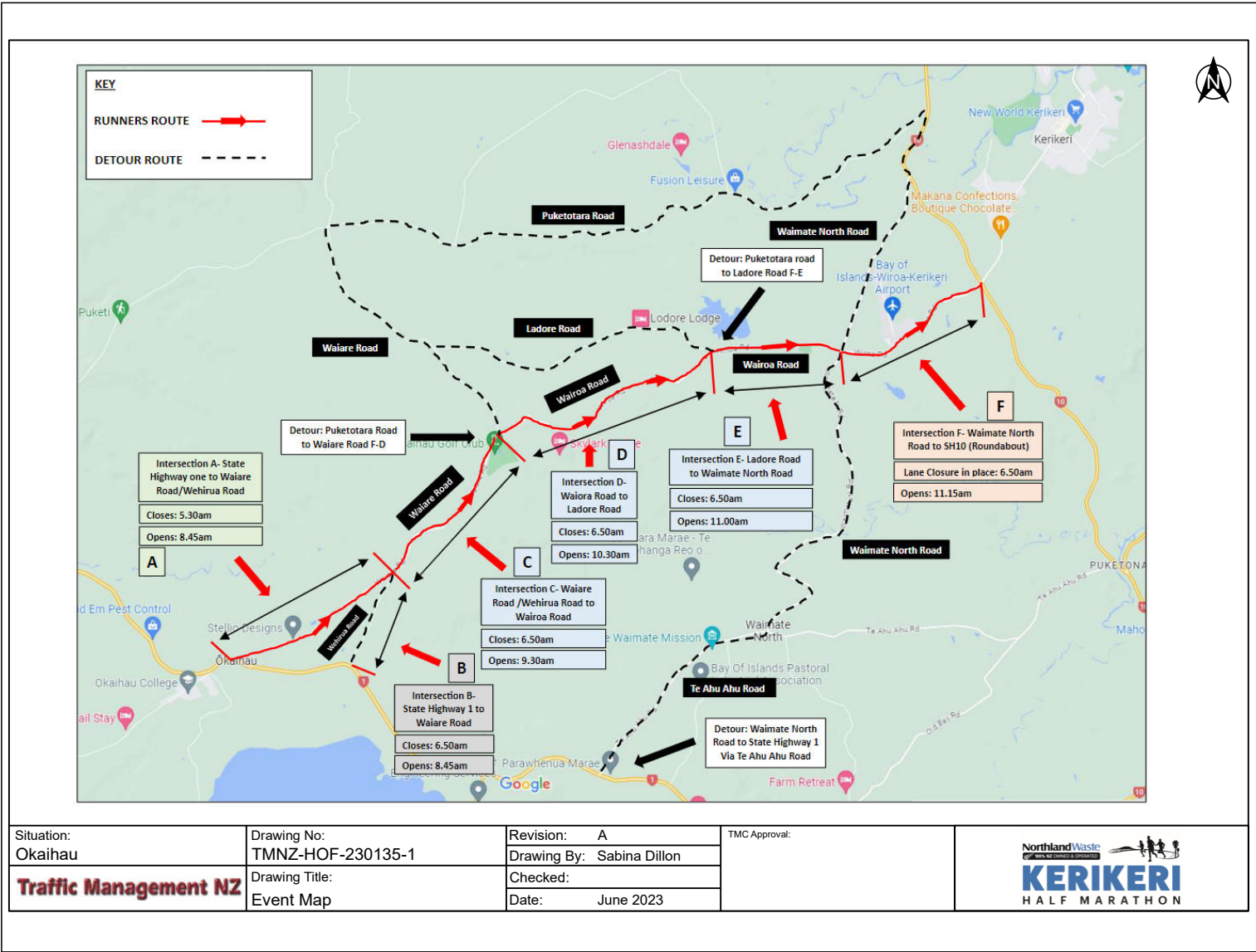
Fraser Hoani

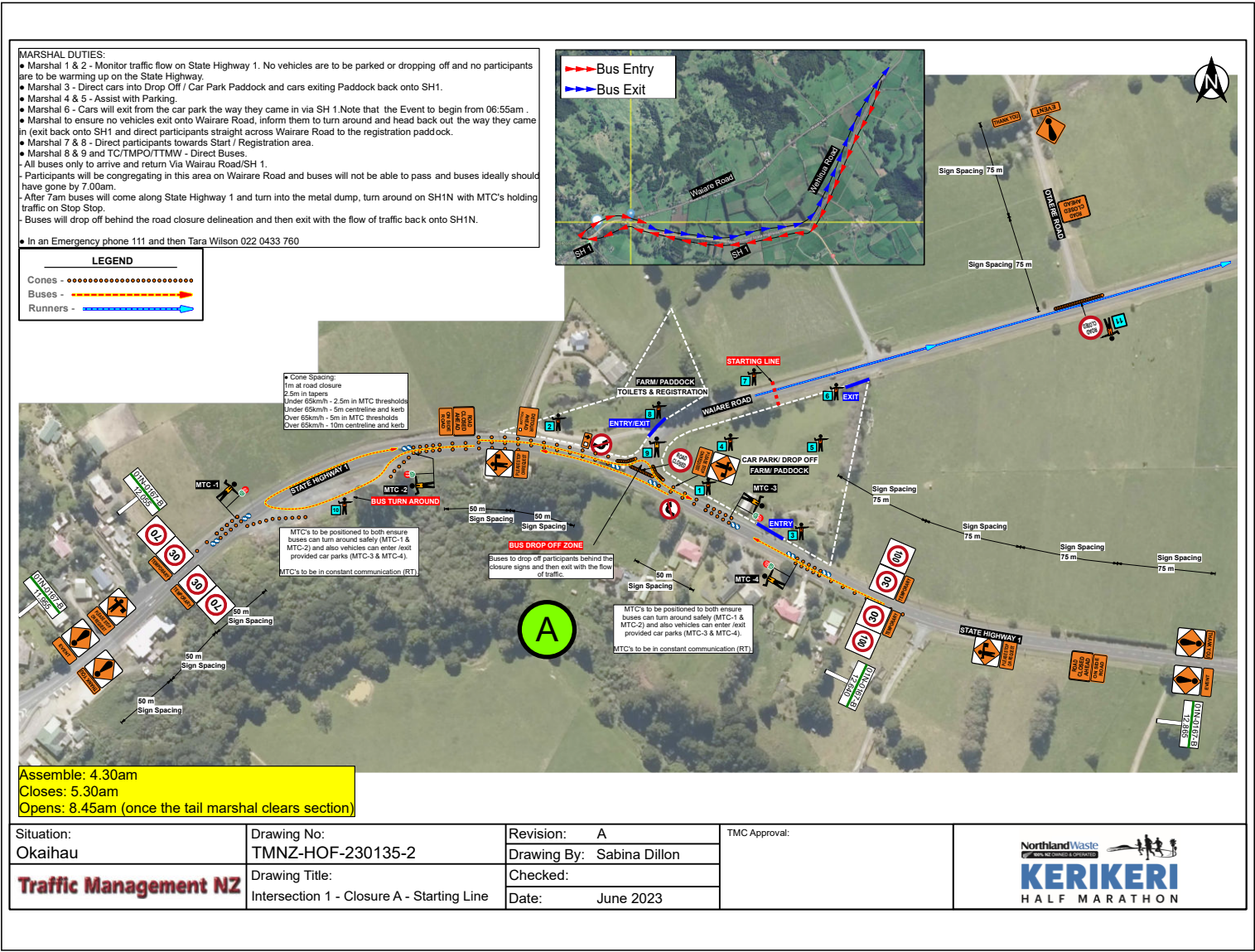
Fraser Hoani
Road Corridor Manager - TMC
Monday, 21st August 2023

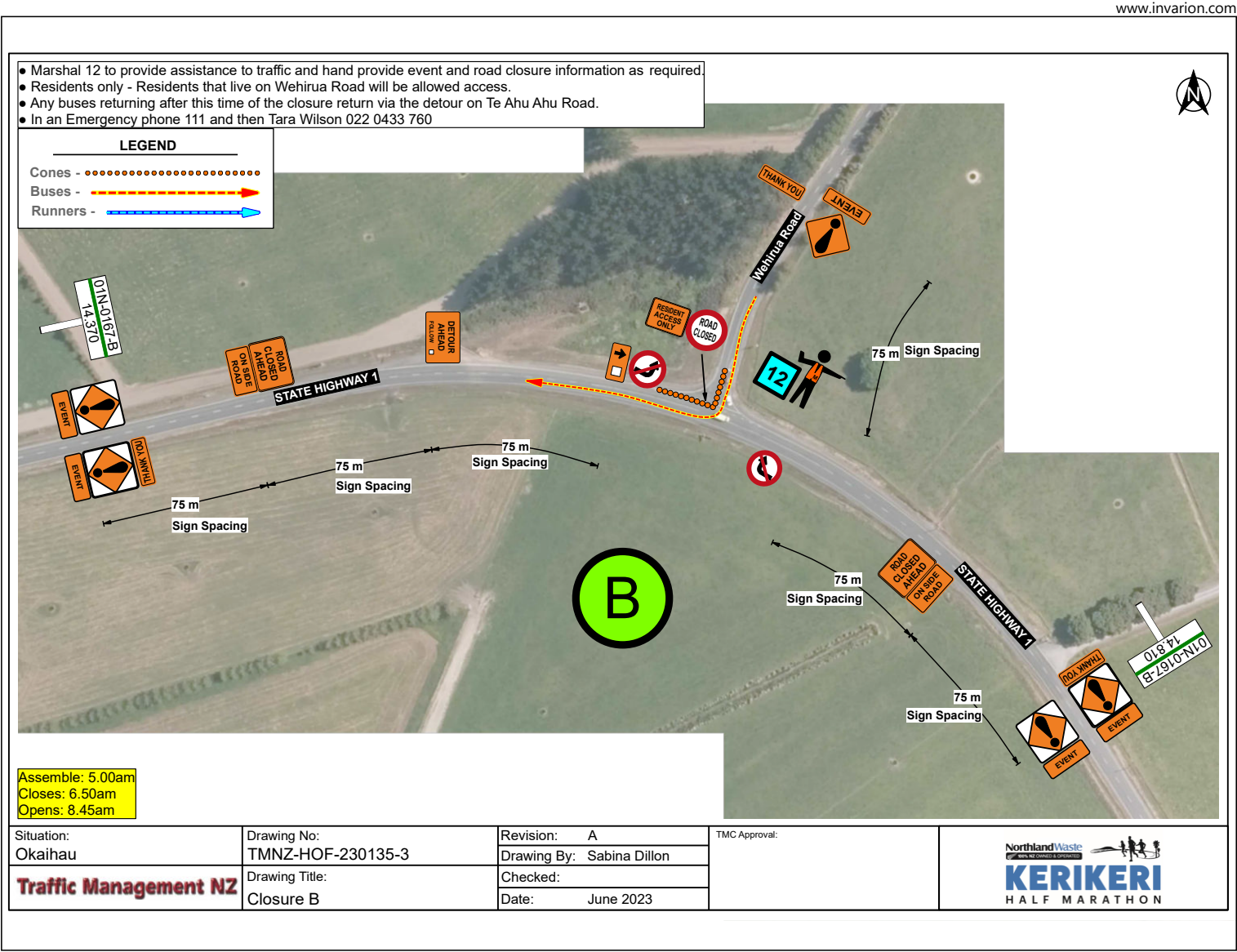
7 Appendix

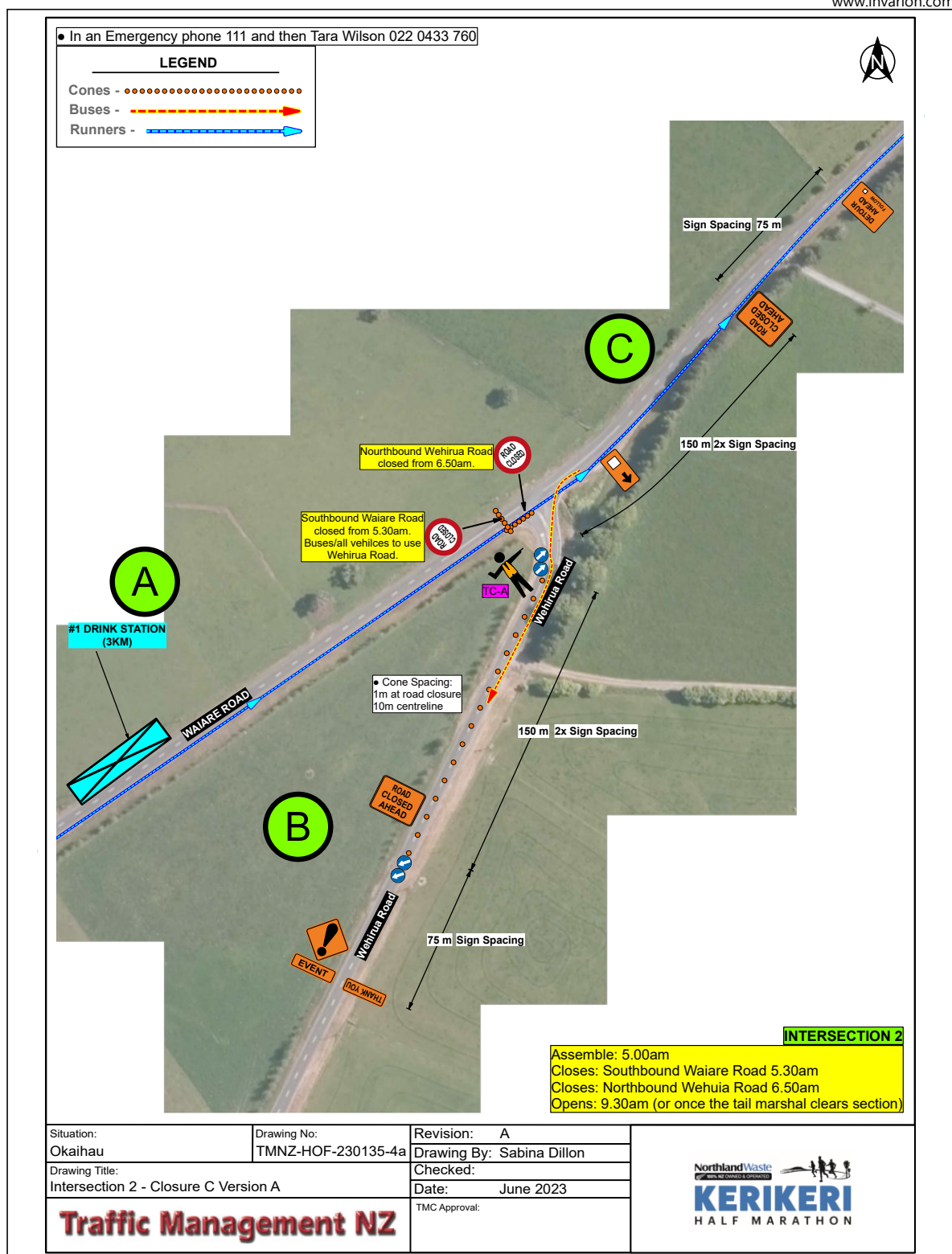
- Kerikeri Half Marathon Road Closure Event Map
- Kerikeri Half Marathon Road Closure Diagrams A,B,C & ABC
- Kerikeri Half Marathon Road Closure Diagrams C,D & D,E
- Kerikeri Half Marathon Road Closure Diagrams E,F
- Kerikeri Half Marathon Road Closure DETOUR

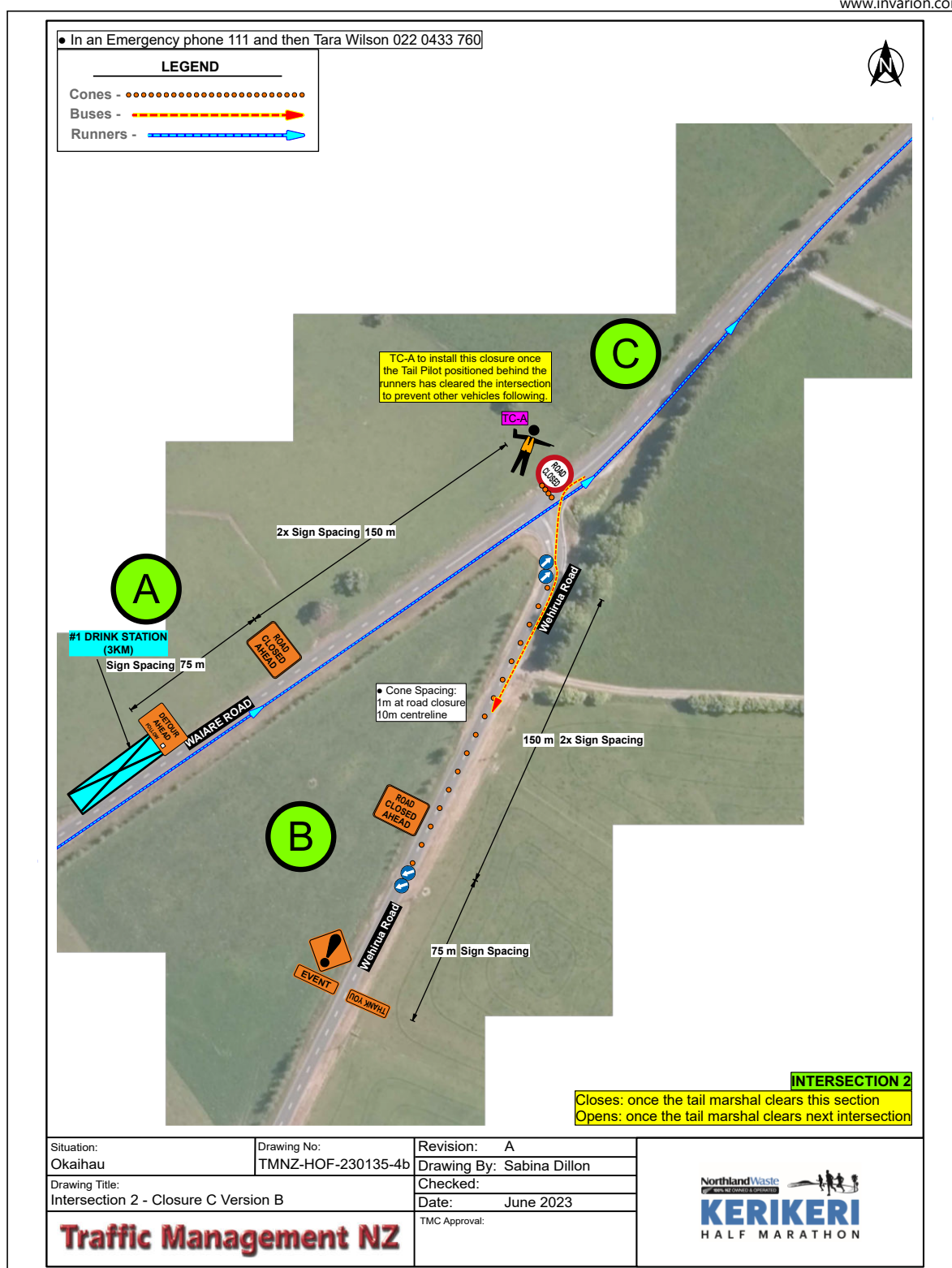
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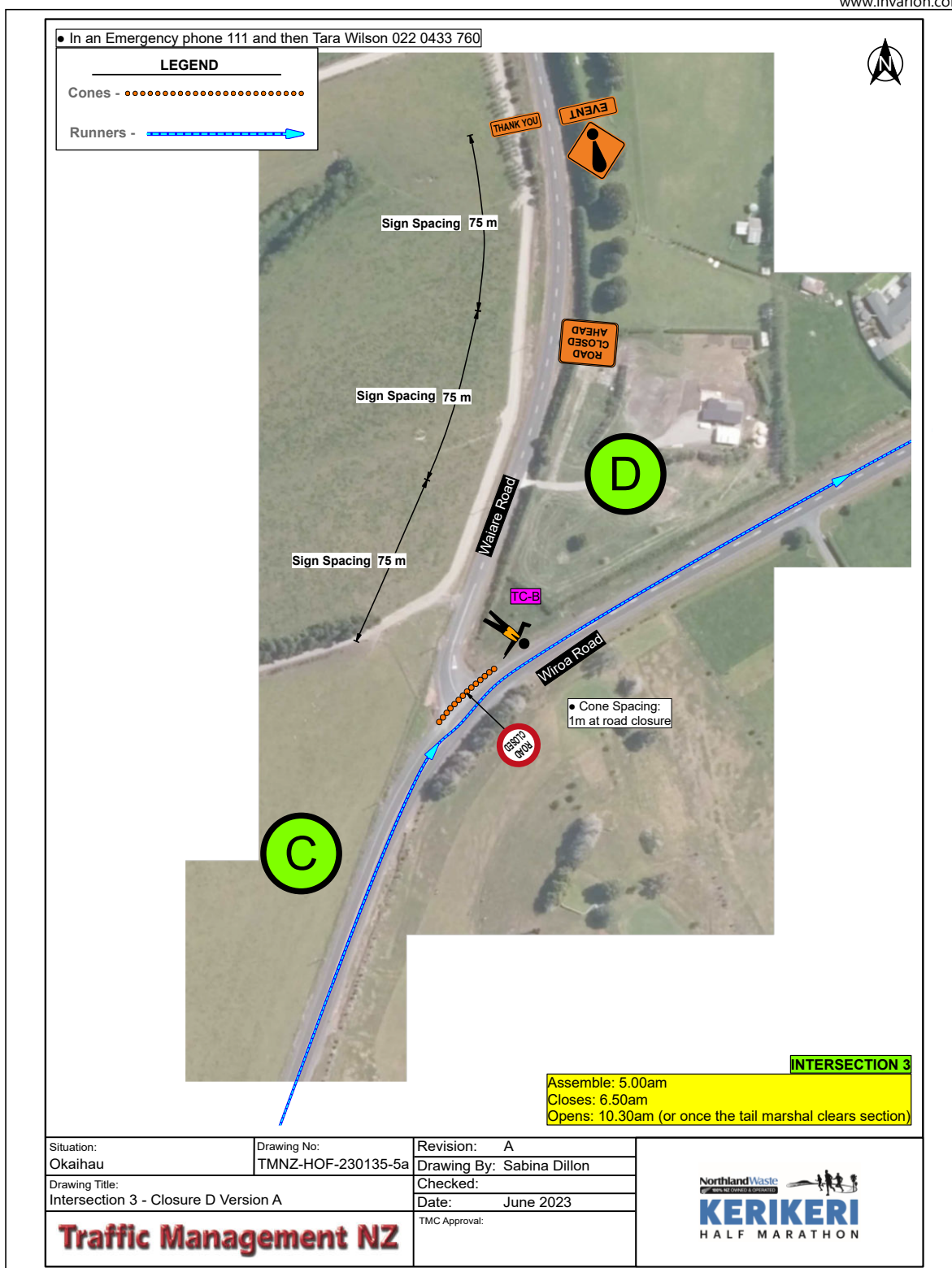


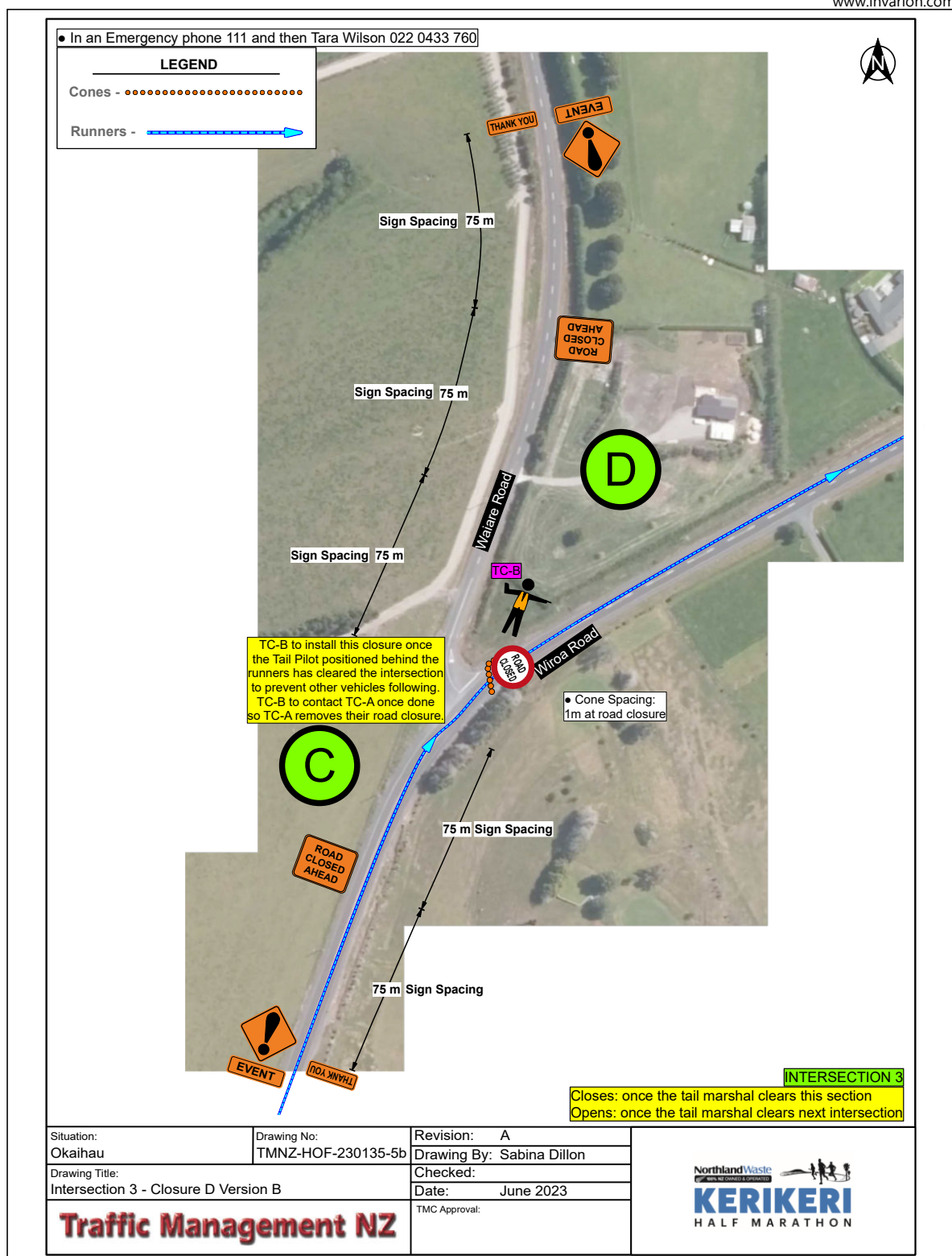


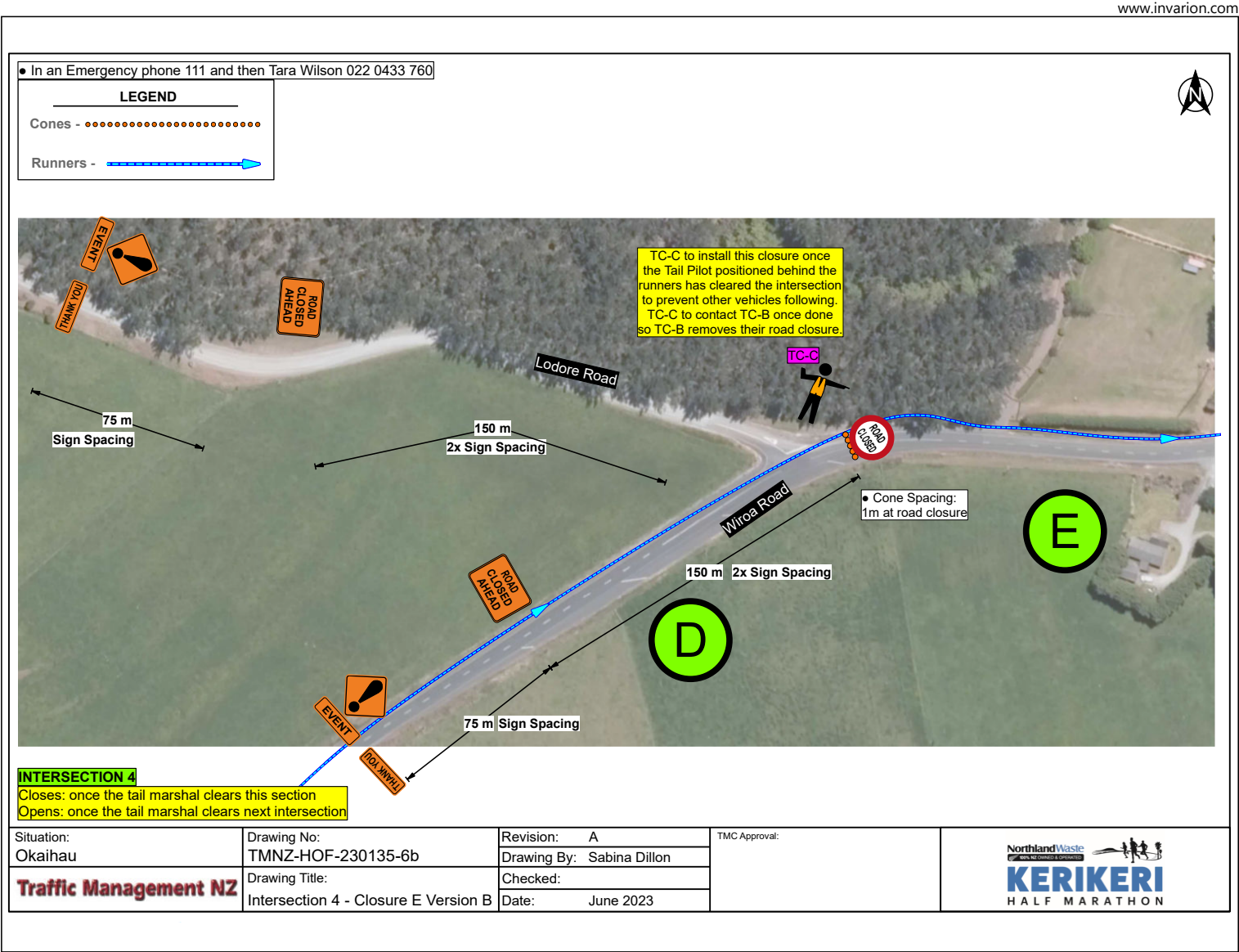


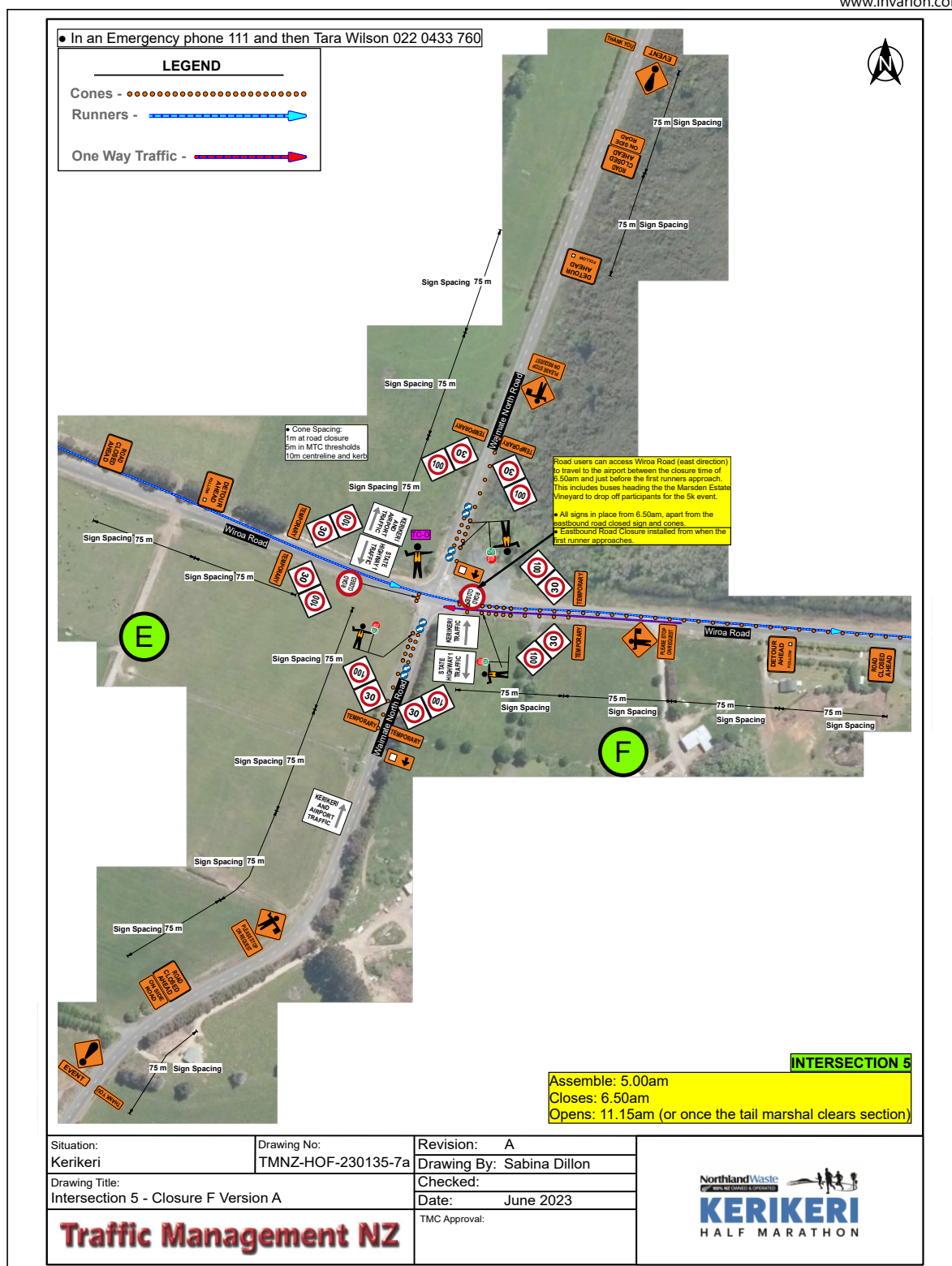


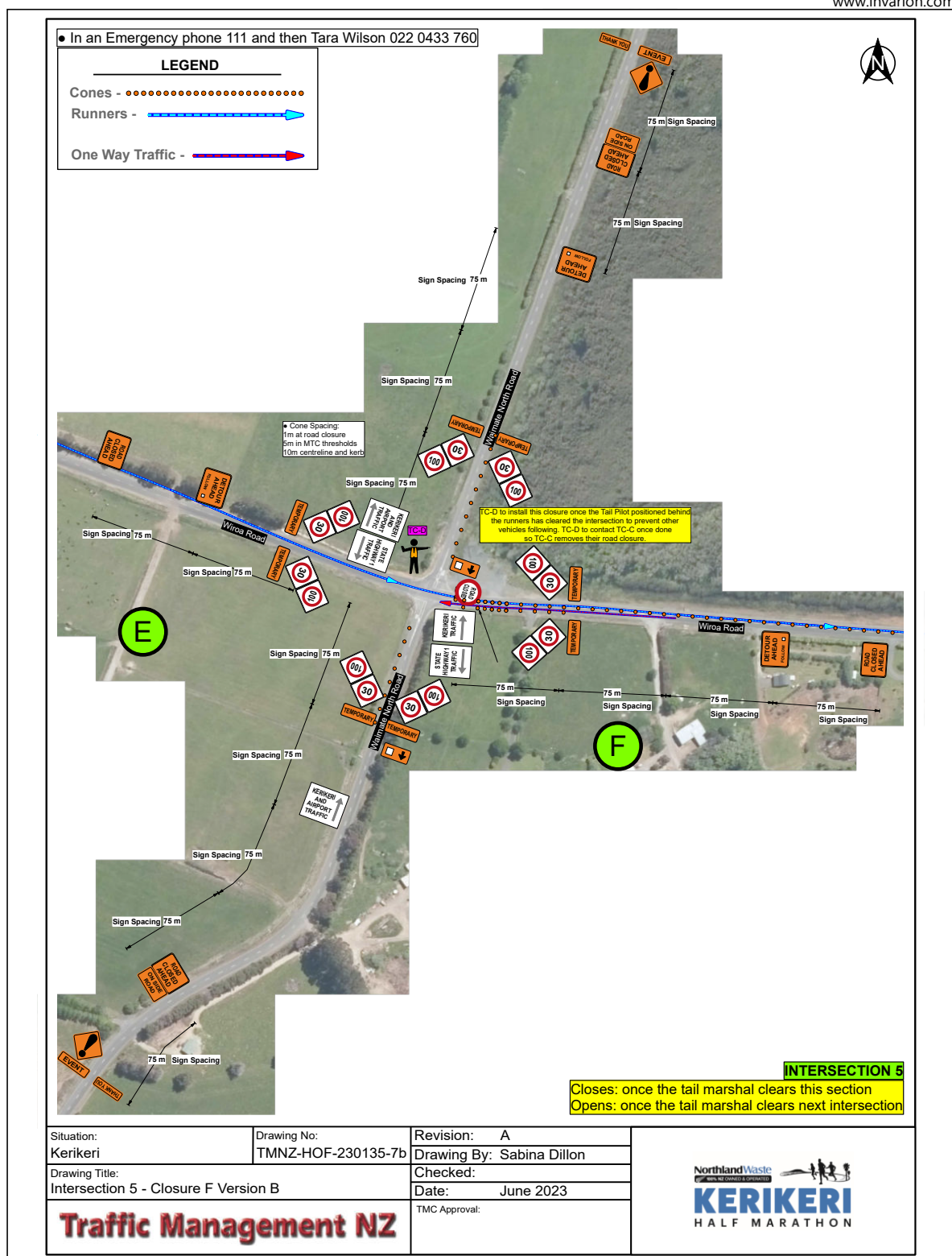


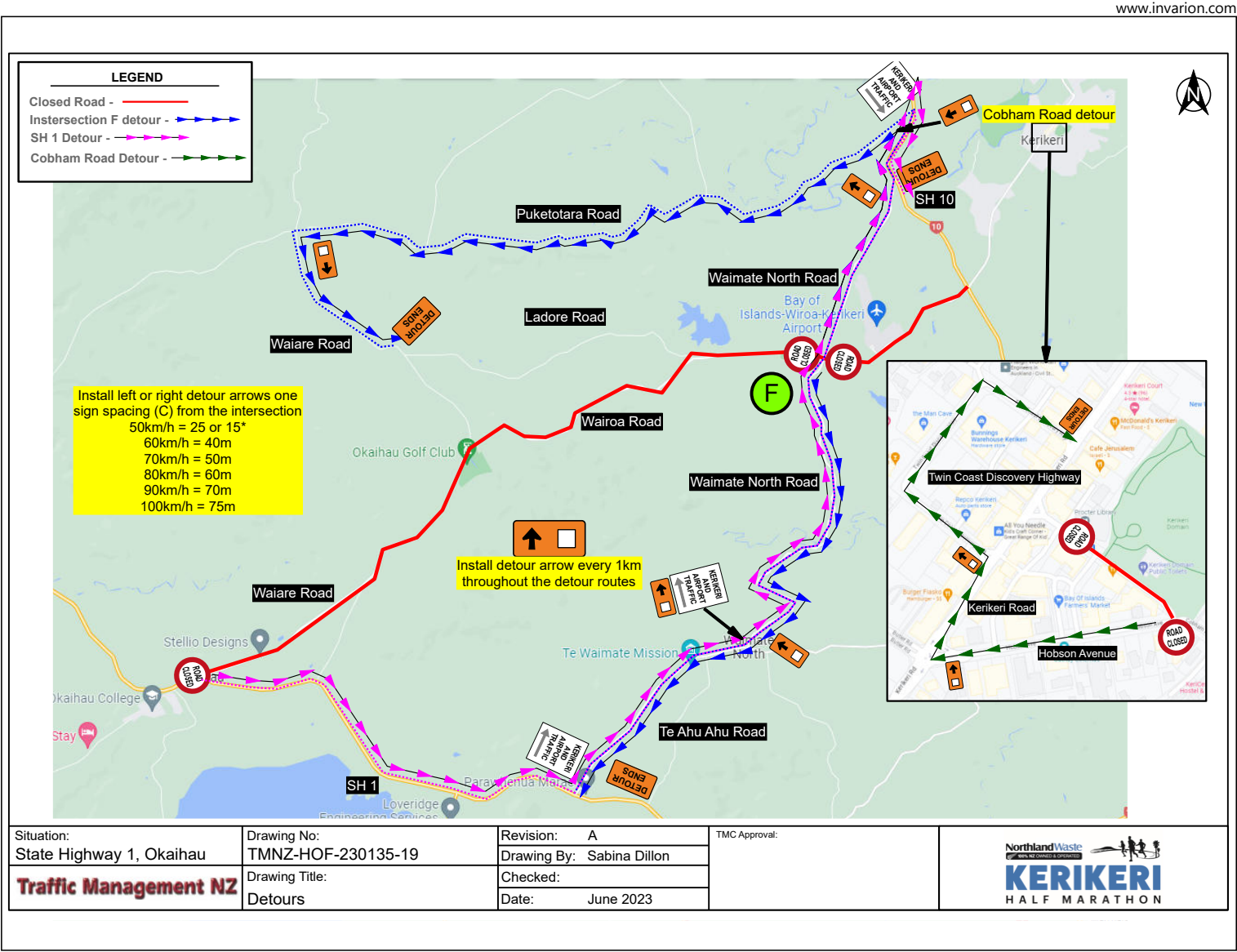












6.9 TE MIROMIRO - ASSURANCE, RISK AND FINANCE COMMITTEE TERMS OF REFERENCE AMENDMENT

File Number: A4377514

Author: Casey Gannon, Manager - Democracy Services

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TAKE PŪRONGO / PURPOSE OF THE REPORT

Council adopted the Te Miromiro – Assurance Risk and Finance Terms of Reference on 22 December 2022. To align with the Office of the Auditor General's guidance the Terms of Reference amendments include increasing meeting frequency from quarterly to six weekly starting in 2024 and decreasing quorum from seven to six.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- Increase frequency of meetings for Te Miromiro – Assurance, Risk and Finance Committee for additional governance oversight of the Te Miromiro – Assurance, Risk and Finance Committee work programme from 2024.
- Amend quorum for Te Miromiro – Assurance, Risk and Finance Committee.

TŪTOHUNGA / RECOMMENDATION

That Council adopt the amended Te Miromiro – Assurance Risk and Finance Terms of Reference.

1) TĀHUHU KŌRERO / BACKGROUND

15 December 2022 Council adopted the Te Miromiro – Assurance, Risk and Finance Committee Terms of Reference where the meeting frequency was agreed to be quarterly. There is clear guidance from the Office of the Auditor General that the Assurance, Risk and Finance Committee has an important role to play in the Long-Term Planning process. Far North District Council began its Long-Term Planning process in August 2023 an increase in meeting frequency is recommended to begin from 2024.

With the increased frequency of meeting and the demands on current members the reduced quorum will enable members to be present and available for all meetings. Quorum is suggested to be reduced from seven to six to ensure the committee has full quorum at all meetings.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Option 1 – Amend the Terms of Reference - **recommended**

Amend the Terms of Reference of the Te Miromiro – Assurance, Risk and Finance Committee to increase the meeting frequency from quarterly to six weekly. This aligns the committee with other Far North District Council committees meeting frequency and will allow the Te Miromiro – Assurance, Risk and Finance Committee to recommend matters to Council that require committee oversight. The amended Terms of Reference also recommends the quorum is reduced from seven to six to ensure all meetings meet quorum.

Option 2 – Do nothing

In this option, the Terms of Reference would remain the same. This could require Te Miromiro – Assurance, Risk and Finance Committee to call special or extraordinary meetings for the governance oversight the committee has been delegated to achieve; for example (but not limited to) oversight of Long-Term Planning risks and finances, Annual Reports, Audit Compliance and Reporting, Risk Registers and Reporting.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Te Miromiro – Assurance, Risk and Finance Committee require an increase in meeting frequency and the ability to appoint independent (external to Council) members if required. Members of the Committee should have a broad range of skills and experiences, both relevant to the operations of the council as well as to the risk profile of the council.

For the increased meeting frequency (from quarterly to 6 weekly) to be effective a reduction in quorum (from seven to six) is also recommended.

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

The increase in meeting frequency will require a variation to Chair Graeme McGlinn's contract, yet to be negotiated – indicative increase in table below.

Meeting Frequency (1 Feb – 12 Dec 2024)	Projected Increase to Contract (using current contract which includes travel, accommodation)
4 weekly (12 meetings in 2024 from 4 meetings in 2023)	\$36k Annual – Increase current by \$24k
6 weekly (7 meetings in 2024 from 4 meetings in 2023)	\$21k Annual – Increase current by \$9k
8 weekly (6 meetings in 2024 from 4 meetings in 2023)	\$18k Annual – Increase current by \$6k

ĀPITI HANGA / ATTACHMENTS


1. 3. Register of Delegations for Te Miromiro - Assurance, Risk and Finance Committee 2022 triennium with amendments - A4379339 [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Local Government Act is the relevant legislation regarding provision for committees and financial delegations.
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.	Community Board views have not been sought as this is a matter for Councillors to determine the delegations for Committees.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	There are no specific implications due to the amendments recommended to the register of delegations on Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	There are no particular implications on any group or identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	If the meeting frequency increases from 4 per year (quarterly) to 6 weekly the independent (external to Council) Chair's contract will need to be increased by \$9k for 2024.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

 Far North District Council <i>Te Kaitiaki o Te Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Te Miromiro – Assurance Risk and Finance Terms of Reference
	Approval Date	15 December 2022
	Responsible Officer	Chief Executive

Purpose

The purpose of Te Miromiro - Assurance, Risk and Finance Committee is to assist and advise the Governing Body in discharging its responsibility and ownership of finance, risk and internal control.

Committee will review the effectiveness of the following aspects:

- The robustness of financial management practices;
- The integrity and appropriateness of internal and external reports and accountability arrangements;
- The robustness of the risk management framework;
- The robustness of internal controls and the internal audit framework;
- Compliance with applicable laws, regulations, standards and best practice guidelines;
- The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets;
- Data governance framework

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

Membership

The Council will determine the membership of the Committee including at least one independent appointment with suitable financial and risk management knowledge and experience.

The Committee will comprise of all elected members, and one independent appointed member, appointed as Chair with full voting rights.

Mayor Tepania
 External Appointee – Chairperson and Independent Member
 John Vujcich – Deputy Chairperson
 Kelly Stratford
 Ann Court
 Babe Kapa
 Felicity Foy
 Hilda Halkyard-Harawira
 Mate Radich
 Penetaui Kleskovic

Steve McNally
Tāmati Rākena

Quorum

The quorum at a meeting of the Committee is 6 members.

Frequency of Meetings

The Committee shall meet six-weekly.

Power to Delegate

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

Responsibilities

The Committees responsibilities are described below:

Financial systems and performance of the Council

- Review the Council's financial and non-financial performance against the Long-Term Plan and Annual Plan
- Review Council quarterly financial statements and draft Annual Report

Far North Holdings Limited (FNHL)

- Recommend to Council the approval of the Letter of Expectation and Statement of Intent
- Receive Annual Report (s67 LGA)
- Receive quarterly financial statements (s66 LGA)
- Receive reports on FNHL strategies and plans

Risk Management

- Review appropriateness of Council's risk management framework and associated procedures for effective risk identification, evaluation and treatment
- Receive and review risk management dashboard reports
- Provide input, annually, into the setting of the risk management programme of work
- Receive updates on current litigation and legal liabilities

Internal Audit and Controls

- Review whether management has in place a current and comprehensive internal audit framework
- Receive and review the internal audit dashboard reports
- Provide input, annually, into the setting of the internal audit programme of work
- Review whether there are appropriate processes and systems in place to identify and investigate fraudulent behaviour

The Committee will manage Council's relationship with external auditor.

Rules and Procedures

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

Register of Delegations Te Miromiro – Assurance Risk and Finance Terms of Reference
Amendment Register

Meeting Date	Amendments
21 September Council	Meeting frequency increase from quarterly to six weekly.
21 September Council	Reduce quorum from seven to six.

6.10 AMENDMENT TO FAR NORTH DISTRICT COUNCIL STANDING ORDERS TO ALIGN WITH LOCAL GOVERNMENT ELECTORAL ACT CHANGES

File Number: A4379516

Author: Casey Gannon, Manager - Democracy Services

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek an amendment to Far North District Councils' Standing Orders to indefinitely allow for virtual attendance of elected members at Council meetings in line with the Local Government Electoral Legislation Act changes that were passed in August 2023.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- During the COVID-19 pandemic and severe weather events virtual attendance of elected members was allowed to count toward quorum for Council meetings. However, this was only allowed for a period of time, ending 30 September 2023.
- Local Government New Zealand (LGNZ) reviewed Standing Orders in September 2022 and then Far North District Council adopted Standing Orders in November 2022.
- Standing Orders 12.8 Member's status: quorum, and 12.9 Member's status: voting require amendments to align with Local Government Electoral Legislation Act changes.

TŪTOHUNGA / RECOMMENDATION

That Council adopt the amended Standing Orders 2023.

1) TĀHUHU KŌRERO / BACKGROUND

Standing Orders are a set of rules of debate that apply to all meetings of Council and its committees and subcommittees, including Community Boards. Standing Orders ensure the legal requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 are met. They also provide clarity as to what is expected of the members within a meeting and generally cover procedures to enable meetings to be held in a fair and transparent manner.

Standing Orders are regularly reviewed by a group of local government practitioners, facilitated by Local Government New Zealand (LGNZ). Following each review process LGNZ they release a recommended template version of Standing Orders for each Council to adopt, or tweak as their own. Each set of changes to Standing Orders generally keeps the same intent and principles, in alignment with legislation, but tweaks the wording to clarify each point.

The most recent review of LGNZ Standing Orders were made available to New Zealand Council's in September 2022.

On 24 August 2023 the Local Government Electoral Legislation Act 2022 passed its third reading which includes an amendment that allows members attending meetings by audio-visual link to be counted towards meeting quorum (subject to councils amending their standing orders to do so).

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

OPTION 1 – adopt amended Standing Orders

12.8 Member's Status: Quorum

Members who attend meetings by electronic link **will be counted** as present for the purposes of a quorum.

12.9 Member's Status: Voting

Where a meeting has a quorum, determined by the number physically **or virtually** present, the members attending by electronic link can vote on any matters raised at the meeting.

OPTION 2 – do not adopt amended Standing Orders

12.8 Member's Status: Quorum

Members who attend meetings by electronic link **will not be counted** as present for the purposes of a quorum.

12.9 Member's Status: Voting

Where a meeting has a quorum, determined by the number **physically** present, the members attending by electronic link can vote on any matters raised at the meeting.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

To align Far North District Council Standing Orders with the current changes in legislation.

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

No financial implications as the changes are applied as part of business-as-usual best practice.

ĀPITI HANGA / ATTACHMENTS

1. Standing Orders - September 2023 - A4381209 [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Local Government Electoral Act is the relevant legislation regarding provision for virtual attendance to meetings.
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.	Community Board views have not been sought as this is a matter for Councillors to determine.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	There are no specific implications due to the amendments recommended to the Standing Orders on Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	There are no particular implications on any group or identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	No financial implications.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



Standing Orders

Adopted 21 September 2023

A4240244

Preface

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and community boards. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive, and lawful manner.

In doing so the application of standing orders contributes to greater public confidence in the quality of local governance and democracy in general.

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies, and community boards. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

Please note standing orders do not apply to advisory bodies or workshops unless incorporated in their specific terms of reference.

It is mandatory that councils adopt standing order for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7 of the Local Government Act 2002).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the Chairperson of each meeting to make a ruling.

All members of a local authority must abide by standing orders.

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1. Introduction

These standing orders have been prepared to enable the orderly conduct of local authority meetings. They incorporate the legislative provisions relating to meetings, decision making and transparency. They also include practical guidance on how meetings should operate so that statutory provisions are complied with and the spirit of the legislation fulfilled.

To assist elected members and officials the document is structured in three parts:

- Part 1 deals with general matters
- Part 2 deals with pre-meeting procedures
- Part 3 deals with meeting procedures.

Following Part 3 the Appendices provide templates and additional guidance for implementing provisions within the standing orders. Please note; the Appendix is an attachment to the standing orders and not part of the standing orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present). In addition the 'Guide to Standing Orders' provides additional advice for Chairpersons and staff on implementation of the standing orders and are not part of the standing orders.

1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- conduct its business in an open, transparent and democratically accountable manner;
- give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- make itself aware of, and have regard to, the views of all of its communities;
- take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA; and
- ensure that decision-making procedures and practices meet the standards of natural justice.

These are reinforced by the requirement that all local authorities act so that "governance structures and processes are effective, open and transparent" (s. 39 LGA 2002).

1.2 Statutory references

The Standing Orders combine statutory provisions with guidance on their application. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases the language in the statutory provision has been modernised for ease of interpretation or amended to ensure consistency with more recently enacted statutes.

It is important to note that during a meeting any statutory references in the standing orders apply throughout the period of the meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word 'must', unless otherwise stated, identifies a mandatory legislative requirement.

1.3 Acronyms

LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information Act 1987
LAMIA	Local Authority Members' Interests Act 1968

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups.

2. Definitions

Adjournment means a break in the proceedings of a meeting. A meeting, or discussion on a particular business item, may be adjourned for a brief period, or to another date and time

Advisory group means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working group, panels, forums, portfolio groups, briefings and other similar bodies.

Agenda means the list of items for consideration at a meeting together with reports and other attachments relating to those items in the order in which they will be considered. It is also referred to as an 'order paper'.

Amendment means any change of proposed change to the original or substantive motion.

Audio link means facilities that enable audio communication between participants at a meeting when one or more of the participants is not physically present at the place of the meeting.

Audio visual link means facilities that enable audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Chairperson means the person presiding at a meeting – the presiding member.

Chief executive means the chief executive of a territorial authority or regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these standing orders, any other officer authorized by the local authority.

Clear working days means the number of working days (business hours) prescribed in these standing orders for giving notice and excludes the date of the meeting and date on which the notice is served.

Committee includes, in relation to a local authority:

- (a) A committee comprising all the members of that authority;
- (b) A standing committee or special committee appointed by that authority;
- (c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and
- (d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

Community board means a community board established under s.49 of the LGA 2002.

Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

Council means, in the context of these standing orders, the governing body of a local authority.

Deputation means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson and which may be made in English, Te reo Māori or New Zealand Sign Language.

Electronic link means both an audio and audio visual link.

Extraordinary meeting has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

Foreshadowed motion means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

Joint committee means a committee in which the members are appointed by more than one local authority in accordance with clause 30A of Schedule 7 of the LGA 2002.

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

Lawfully excluded means a member of a local authority who has been removed from a meeting due to behavior that a Chairperson has ruled to be contempt.

Local authority means in the context of these standing orders a regional council or territorial authority, as defined in s. 5 of the LGA 2002, which is named in these standing orders, and any subordinate decision-making bodies established by the local authority.

Mayor means the Mayor of a territorial authority elected under the Local Electoral Act 2001.

Meeting means any first, inaugural, ordinary, or extraordinary meeting of a local authority, subordinate decision-making bodies and any community board of the local authority convened under the provisions of LGOIMA.

Member means any person elected or appointed to the local authority.

Mihi whakatau means a brief welcome typically delivered by one person without any further formalities.

Minutes means the record of the proceedings of any meeting of the local authority.

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

Notice of motion means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

Open voting means voting that is conducted openly and in a transparent manner and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

Order paper means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

Ordinary meeting means any meeting, other than the first meeting, of a local authority publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

Petition means a request to a local authority which contains at least 20 signatures.

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

Presiding member means the person chairing a meeting.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 24.1 – 24.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

- any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority;
- any other information which has not been released by the local authority as publicly available information.

Public excluded session, also referred to as confidential or in-committee session, refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

Public forum refers to a period set aside usually at the start of a meeting for the purpose of public input.

Publicly notified means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a council's website.

Qualified privilege means the privilege conferred on member by s. 52 and s. 53 of LGOIMA.

Quasi-judicial means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

Quorum means the minimum number of members required to be present in order to constitute a valid meeting.

Regional Council Chairperson means the member of the governing body of a regional council elected as Chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

Resolution means a motion that has been adopted by the meeting.

Right of reply means the right of the mover of a motion to sum up the debate and reply to those who have spoken against the motion. (The right can also apply to an amendment.)

Seconder means the member who seconds a motion.

Sub judice means under judicial consideration and therefore prohibited from public discussion elsewhere.

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not community boards or joint committees.

Substantive motion means the original motion. In the case of a motion that is subject to an amendment, the substantive motion is the original motion incorporating any amendments adopted by the meeting.

Substantive resolution means the substantive motion that has been adopted by the meeting or a restatement of a resolution that has been voted on in parts.

Subcommittee means a subordinate decision-making body established by a council, or a committee of a council, or community board. See definition of “Committee”.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s Birthday, and Labour Day and, if Waitangi Day or Anzac Day falls on a weekend, the following Monday.
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

Should a local authority wish to meet between the 25th of December and the 15th day of January in the following year any meeting must be notified as an extraordinary meeting unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

Working party means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

Workshop means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of “advisory group”. Workshops are also described as briefings.

General matters

3. Standing orders

A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Community boards must also adopt standing orders. Standing orders must not contravene any Act.

cl. 27(1) & (2), Schedule 7, LGA 2002.

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75 % of the members present. Similarly, in the case of a community board the adoption of standing orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

cl. 27(3) Schedule 7, LGA 2002.

3.1 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders. Community boards which have adopted these standing orders must also comply with them.

cl. 16(1) Schedule 7, LGA 2002.

3.2 Application of standing orders

These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies. This includes meetings and parts of meetings that the public are excluded from.

3.3 Temporary suspension of standing orders

Any member of a council, committee, subcommittee and subordinate body, and community board, may move a motion to suspend standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

cl. 27(4), Schedule 7, LGA 2002.

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.4 Quasi-judicial proceedings

For quasi-judicial proceedings, the local authority or a community board may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.

3.5 Physical address of members

Every member of a local authority and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered.

4. Meetings

4.1 Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district, or region. The same requirement applies to community boards in respect of their communities. Meetings must be called and conducted in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and
- (c) These standing orders.

A meeting can be adjourned to a specified time and day if required by resolution of the meeting.

4.2 Meeting duration

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10.30pm unless the meeting resolves to continue. If there is no such resolution any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting, or transferred to an extraordinary meeting.

No meeting can sit for more than three hours continuously without a break of at least ten minutes unless the meeting resolves to extend the time before a break.

4.3 Language

A member may address a meeting in English, Te reo Māori or New Zealand Sign Language. A Chairperson may require that a speech be translated and printed in English or te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori when the normal business of the meeting is conducted in English, they must give prior notice to the Chairperson not less than 2 working days before the meeting. Where the normal business of the meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than 2 working days before the meeting.

4.4 First meeting (inaugural)

The first meeting of a local authority following a local authority triennial general election must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than 7 days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

cl. 21(1) - (4), Schedule 7, LGA 2002.

4.5 Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the Chairperson has made an oral declaration and attested the declaration (see cl. 21(4), Schedule 7 (LGA 2002)).

The business to be conducted at the first meeting following a general election must include the following:

- (a) The making and attesting of the declarations required of the mayor (if any) and members under cl.14, Schedule7, (LGA 2002), and
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002), and
- (c) A general explanation, given or arranged by the chief executive, of:
 - i. LGOIMA; and
 - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013;
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy Mayor or deputy Chairperson in accordance with cl.17 Schedule7, (LGA 2002).

cl. 21(5), Schedule 7, LGA 2002.

It is common for councils to adopt standing orders at the first meeting; however, this is not always necessary as, if not amended, standing orders will remain in force after each triennial election.

Please note that the election of a deputy mayor is not required if the Mayor has already made the appointment under s. 41A (3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a deputy Mayor from office in accordance with cl.18 of Schedule 7 LGA 2002.

5. Appointments and elections

5.1 Mayoral appointment of deputy Mayor, committee chairs and members

A Mayor may appoint the deputy Mayor, the Chairperson, and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint him or herself.

s. 41A (3) LGA 2002.

5.2 Council Discharge of a Mayoral Appointment

Nothing, however, limits or prevents a territorial authority from discharging deputy Mayor, a Chairperson or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a deputy Mayor or committee Chairpersons in accordance with s.41A LGA 2002, the council (or a committee, if so directed by the council) must elect those positions in accordance with standing order 5.4.

cl. 31, Schedule 7 LGA 2002

5.3 Establishment of committees by the Mayor

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A then any decision to establish committees must follow the processes set out in these standing orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 of Schedule 7, LGA 2002, a committee established by the Mayor or appointing, more committees in addition to any established by the Mayor.

s. 41A (3) and (4) LGA 2002.

5.4 Elections of deputy Mayors and deputy Chairpersons

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.5) when electing people to the following positions:

- the Chairperson and deputy Chairperson of a regional council;
- the deputy Mayor;
- the Chairperson and deputy Chairperson of a committee; and
- a representative of a local authority.

Please note, this provision does not apply in situations where a mayor has used their appointment powers under s.41A to appoint a deputy Mayor or committee chairs. See Appendix 7.

cl. 25 Schedule 7, LGA 2002.

5.5 Removal of a deputy Mayor

A deputy Mayor, whether appointed by the Mayor under standing order 5.1 or elected by the council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 8.

cl. 18, Schedule 7, LGA 2002.

5.6 Voting system for chairs, deputy Mayors and committee chairs

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) there is only one round of voting; and
- (b) if two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations

Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- (a) the power to make a rate;
- (b) the power to make a bylaw;

- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) the power to adopt a long-term plan, annual plan, or annual report;
- (e) the power to appoint a chief executive;
- (f) the power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) *Repealed*;
- (h) the power to adopt a remuneration and employment policy.

cl. 32 (1) Schedule 7, LGA 2002.

6.2 Committees may delegate

A committee, subcommittee, subordinate decision-making body, community board, member, or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation provided that where an officer has delegated a responsibility to another officer, the latter officer shall not have the power to further delegate the authority.

cl. (2) & (3), Schedule 7, LGA 2002.

6.3 Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

cl. 32(2) & (3)(4) Schedule 7, LGA 2002.

6.4 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision. The same requirement applies to a community board in relation to any committees or subcommittees with delegated authority.

cl. 30 (6), Schedule 7, LGA 2002.

6.5 Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given to them.

cl. 30 (3) & (4), Schedule 7, LGA 2002.

6.6 Duty to consider delegations to community boards

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.

cl. 32(6) Schedule 7, LGA 2002.

7. Committees

7.1 Appointment of committees and subcommittees

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the council.

cl. 30(1) & (2), Schedule 7, LGA 2002.

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

- (a) a local authority may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) a committee may discharge or reconstitute a subcommittee.

A committee, subcommittee, or other subordinate decision-making body is, unless a council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

cl. 30 (5) & (7), Schedule 7, LGA 2002.

Please note: s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election.

7.3 Appointment or discharge of committee members and subcommittee members

A council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

cl. 31 (1) & (2), Schedule 7, LGA 2002

7.4 Elected members on committees and subcommittees

The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. In the case of a committee established by a community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

cl. 31(4) Schedule 7, LGA 2002.

7.5 Minimum numbers on committees and subcommittees

The minimum number of members is 3 for a committee and 2 for a subcommittee.

cl. 31(6) Schedule 7, LGA 2002.

7.6 Local authority may replace members if committee not discharged

If a local authority resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl. 30 (7) Schedule 7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

cl. 31(5) Schedule 7, LGA 2002.

7.7 Membership of Mayor

The Mayor is an ex-officio member of every committee of the local authority.

7.8 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a local authority, committee, and community board is not invalidated if:

1. there is a vacancy in the membership of the local authority, committee, or community board at the time of the decision; or
2. following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

cl. 29, Schedule 7, LGA 2002.

7.9 Appointment of joint committees

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:

- (a) the number of members each party may appoint; and
- (b) how the Chairperson and deputy Chairperson are to be appointed; and
- (c) the terms of reference of the committee; and

- (d) what responsibilities, if any, are to be delegated to the committee by each party; and
- (e) how the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

cl. 30A (1) & (2), Schedule 7, LGA 2002.

7.10 Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

cl. 30A (5), Schedule 7, LGA 2002.

7.11 Power to appoint or discharge individual members of a joint committee

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

cl. 30A (6)(a), Schedule 7, LGA 2002.

Pre-meeting

8. Giving notice

Please note; the processes described in this section (standing orders 8.1 – 8.13) apply as appropriate to community boards.

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification must be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

The chief executive must give notice in writing to each member of the local authority of the time and place of any meeting. Notice must be given at least 14 days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

cl. 19 (5), Schedule 7, LGA 2002.

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) resolution of the council, or
- (b) a requisition in writing delivered to the chief executive which is signed by:
 - i. the Mayor or Chairperson, or
 - ii. no less than one third of the total membership of the council (including vacancies).

cl. 22 (1) Schedule 7, LGA 2002.

8.4 Notice to members - extraordinary meetings

Notice in writing of the time and place of an extraordinary meeting called under standing order 8.3 and of the general nature of business to be considered must be given by the chief executive to each member of the council at least 3 working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

cl. 22 (3), Schedule 7, LGA 2002.

8.5 Public notice - extraordinary meetings

Where an extraordinary meeting of a local authority was called and notice of that meeting was inconsistent with these standing orders the local authority must, as soon as practicable following the meeting, give public notice stating that:

- (a) the meeting has occurred;
- (b) the general nature of business transacted; and
- (c) the reasons why it was not correctly notified.

s. 46 (3) & (4), LGOIMA.

8.6 Process for calling an extraordinary meeting at an earlier time

If the nature of business requires a meeting to be held at an earlier time than is allowed by the notice requirements specified in standing order 8.4, a meeting may be called by the Mayor or Chairperson, or if the Mayor and Chairperson are not available, the chief executive.

cl. 22 (2) Schedule 7, LGA 2002.

8.7 Notification of extraordinary meetings held at an earlier time

Notice of the time, place and matters to be considered of a meeting called under Standing Order 8.6, must be given by the person calling the meeting or by another person on that person's behalf. Notice must be given to each member of the council and the chief executive by whatever means is reasonable in the circumstances and at least 24 hours before the time appointed for the meeting.

cl. 22 (4), Schedule 7 LGA 2002.

8.8 Chief executive may make other arrangements

The chief executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the local authority may, from time to time, determine.

8.9 Meetings not invalid

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

- that the meeting occurred without proper notification;
- the general nature of the business transacted; and
- the reasons why the meeting was not properly notified.

s. 46 (5-6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless -

- (a) the resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) the extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

s. 51A, LGOIMA.

8.11 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

cl. 19 (6) Schedule 7, LGA 2002.

8.12 Non-receipt of notice to members

A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority or board unless:

- (a) it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- (b) the member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

cl. 20 (1) & (2) Schedule 7, LGA 2002.

8.13 Meeting cancellations

The Chairperson of a scheduled meeting may cancel the meeting if, in consultation with the chief executive, they consider this is necessary for reasons that include lack of business, lack of quorum or clash with another event.

The chief executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.

9. Meeting agenda

9.1 Preparation of the agenda

It is the chief executive's responsibility to prepare an agenda for each meeting listing and attaching information on the items of business to be brought before the meeting so far as is known, including the names of the relevant members.

The chief executive will confirm the agenda of formal meetings, with the chairperson before it is circulated.

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 9.

9.3 Chief executive may delay or refuse request

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective Chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

If a member makes a direct request to a chief executive asking that a report is prepared the chief executive may refuse. In such cases an explanation should be provided to the member.

9.4 Order of business

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise. The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

9.5 Chairperson's recommendation

A Chairperson, preferably prior to the start of the meeting, or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

9.6 Chairperson's report

The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting.

9.7 Public availability of the agenda

All information provided to members at a local authority, or community board, meeting must be publicly available except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority and community boards relating to that meeting. The agenda:

- (a) must be available for inspection at the public offices of the local authority (including service centres), public libraries under the local authority's control and on the council's website, and:
 - i. must be accompanied by the associated reports.

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

An agenda item may be withdrawn by the chief executive. In the event of an item being withdrawn the chief executive should inform the Chairperson.

9.10 Distribution of the agenda

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting (see Standing Order 8.4).

The chief executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

9.11 Status of agenda

No matter on a meeting agenda, including recommendations, may be considered final until determined by formal resolution of that meeting.

9.12 Items of business not on the agenda which cannot be delayed

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

Items that are likely to be discussed under public excluded must be indicated on each agenda and state the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will or improper advantage has been taken of the publication.

s. 52, LGOIMA.

Meeting Procedures

Opening and closing

Local authorities and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timatanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

10. Quorum

10.1 Councils

The quorum for a meeting of the council is:

- (a) half of the members physically present, where the number of members (including vacancies) is even; and
- (b) a majority of the members physically present, where the number of members (including vacancies) is odd.

cl. 23 (3)(a) Schedule 7, LGA 2002.

10.2 Committees and subcommittees

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution provided that it is not less than two members.

In the case of subcommittees the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a community board, the relevant board.

cl. 23 (3)(b) Schedule 7, LGA 2002.

10.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 10.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

cl. 30A (6)(c) Schedule 7, LGA 2002.

10.4 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

cl. 23(1) & (2) Schedule 7, LGA 2002.

10.5 Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

10.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting and this is notified by the chief executive.

11. Public access and recording

11.1 Meetings open to the public

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the local authority, its committees, subcommittees, and community boards, must be open to the public.

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public

The Chairperson may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting. If any member of the public who is required to leave a meeting, refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting without the permission of the chairperson, any police officer or authorised security personnel may, at the request of the chairperson, remove or exclude that member of the public from the meeting.

11.3 Local authority may record meetings

Meeting venues should contain clear signage indicating and informing members, officers and the public that proceedings may be recorded by the local authority and may be subject to direction by the Chairperson.

11.4 Public may record meetings

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings must be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

12. Attendance

12.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

cl. 19(2), Schedule 7, LGA 2002.

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

12.2 Attendance when a committee is performing judicial or quasi-judicial functions

When a committee is performing judicial or quasi-judicial functions members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

12.3 Leave of absence

A council or community board may grant a member leave of absence following an application from that member.

In addition a council or community board may delegate the power to grant a leave of absence to the Chairperson in order to protect a member's privacy. The Chairperson will advise all members of the council or community board whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

12.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies.

For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

12.5 Recording apologies

The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined and the time of arrival and departure of all members.

12.6 Absent without leave

Where a member is absent from the council or community board for four consecutive meetings without leave of absence (not including extraordinary meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

cl. 5 (d) Schedule 7, LGA 2002.

12.7 Right to attend by audio or audio visual link

Provided the conditions in these standing orders are met members of the local authority or its committees have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

12.8 Member's status: quorum

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

12.9 Member's status: voting

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

12.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audio visual link, the Chairperson must ensure that:

- (a) the technology for the link is available and of suitable quality;
- (b) procedures for using the technology in the meeting will ensure that:
 - i. everyone participating in the meeting can hear each other;
 - ii. the member's attendance by audio or audio visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
 - iii. the requirements of Part 7 of LGOIMA are met; and
 - iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

cl. 25A (3) schedule 7, LGA 2002.

12.11 Conditions for attending by audio or audio visual link

The Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) where a member is unwell; and
- (c) where a member is unable to attend due to an emergency.

12.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the chief executive at least 2 working days' notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

12.13 Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting; and
- (d) the quality of the link is no longer suitable.

12.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) transmitting it electronically;
- (b) using the audio visual link; or
- (c) any other manner that the Chairperson thinks fit.

cl. 25(A) (6) schedule 7, LGA 2002.

12.15 Link failure

Where an audio or audio visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

12.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

13. Chairperson's role in meetings

The Mayor or Chairperson of the council or community board must preside at meetings of the council or board unless they vacate the chair for a part or all of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Mayor/chair must act as Chairperson. If the deputy Mayor/chair is also absent the local authority members who are present must elect a member to be Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Mayor/Chairperson for that meeting. This Standing Order also applies to committees, subcommittees, and subordinate decision-making bodies.

cl. 26(1), (5) & (6) Schedule 7, LGA 2002.

13.1 Addressing the Chairperson

Members will address the Chairperson in a manner that the Chairperson has determined.

13.2 Chairperson's rulings

The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson's ruling or direction constitutes contempt.

13.3 Chairperson standing

Whenever the Chairperson stands during a debate members are required to sit down and be silent so that they can hear the Chairperson without interruption.

13.4 Member's right to speak

Members are entitled to speak in accordance with these standing orders. Members should address the Chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the Chairperson.

13.5 Chairperson may prioritise speakers

When two or more members want to speak the Chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:

- (a) raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) move a motion to terminate or adjourn the debate; and/or
- (c) make a point of explanation; and/or
- (d) request the chair to permit the member a special request.

14. Public Forums

Public forums are a defined period of time, usually at the start of a meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters to the attention of the local authority.

In the case of a committee, subcommittee, or community board, any issue, idea or matter raised in a public forum must also fall within the terms of reference of that meeting.

14.1 Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting.

Speakers can speak for up to 3 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

14.2 Restrictions

The Chairperson has the discretion to decline to hear a speaker or to terminate a presentation at any time where:

- a speaker is repeating views presented by an earlier speaker at the same public forum;
- the speaker is criticising elected members and/or staff;
- the speaker is being repetitious, disrespectful or offensive;
- the speaker has previously spoken on the same issue;
- the matter is subject to legal proceedings;
- the matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

14.3 Questions at public forums

At the conclusion of the presentation, with the permission of the Chairperson, elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

14.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

15. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations are approved by the Chairperson or an official with delegated authority. Requests for a deputation must be made at least two working days before a meeting.

15.1 Time limits

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation's deputation. However, this time can be extended at the discretion of the chairperson.

15.2 Restrictions

The Chairperson has the discretion to decline to hear or terminate a deputation at any time where:

- a speaker is repeating views presented by an earlier speaker at the meeting;
- the speaker is criticising elected members and/or staff;
- the speaker is being repetitious, disrespectful or offensive;
- the speaker has previously spoken on the same issue;
- the matter is subject to legal proceedings;
- the matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

15.3 Questions of a deputation

At the conclusion of the deputation members may, with the permission of the Chairperson, ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

15.4 Iwi and hapū representatives

Representatives of iwi and hapū groups shall have the right to address any meeting of the local authority, committee, or subcommittee for a period of 15 minutes in total on any item or issue which has been identified or initiated by the tangata whenua and listed for consideration at a meeting.

15.5 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda, and once a motion has been moved and seconded.

16. Petitions

16.1 Form of petitions

Petitions may be presented to the local authority or any of its committees or community boards. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including

signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least five working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

16.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) the petition;
- (b) the petitioners' statement; and
- (c) the number of signatures.

17. Exclusion of public

17.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) the general subject of each matter to be excluded;
- (b) the reason for passing the resolution in relation to that matter; and

- (c) the grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

s. 48 LGOIMA.

17.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

s.48 (6) LGOIMA.

17.3 Public excluded items

The chief executive must place in the public-excluded section of the agenda any items for the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

17.4 Non-disclosure of information

No member or officer may disclose to any person, other than another member, officer or person authorised by the chief executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where a meeting has resolved to make the information publicly available or where the chief executive has advised, in writing, that one or both of the following apply:

- (a) there are no grounds under LGOIMA for withholding the information;
- (b) the information is no longer confidential.

17.5 Release of information from public excluded session

A local authority may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

Each public excluded meeting must consider and agree by resolution, what, if any, information will be released to the public. In addition the chief executive may release information which has been

considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist.

18. Voting

18.1 Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation or standing orders, the acts of and questions before a local authority (or community boards) must be decided at a meeting through a vote exercised by the majority of the members of that meeting voting.

cl. 24 (1), Schedule 7, LGA 2002.

18.2 Open voting

An act or question coming before the local authority must be done or decided by open voting.

cl. 24 (3) Schedule 7, LGA 2002.

18.3 Chairperson has a casting vote

The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, does not have a casting vote.

cl. 24 (2) Schedule 7, LGA 2002.

18.4 Method of voting

The method of voting must be as follows:

- (a) the Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) the Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and

18.5 Calling for a division

When a division is called, the chief executive or his or her nominee must record the names of the members voting for and against the motion and abstentions and provide the names to the Chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

18.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention.

18.7 Members may abstain

Any member may abstain from voting.

19. Conduct**19.1 Calling to order**

When the Chairperson calls members to order, they must be seated and stop speaking. If the members fail to do so, the Chairperson may direct that they should leave the meeting immediately for a specified time.

19.2 Disrespect

No member may speak or act in a manner which is disrespectful of other members or inconsistent with the local authority's Code of Conduct at any meeting.

19.3 Retractions and apologies

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chairperson may call upon that member or speaker to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the Chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

19.4 Disorderly conduct

Where the conduct of a member is disorderly or is creating a disturbance the Chairperson may require that member to leave the meeting immediately for a specified time.

If the disorder continues the Chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The Chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

19.5 Contempt

Where a member is subject to repeated cautions by the Chairperson for disorderly conduct the meeting may, should it so decide, resolve that the member is in contempt. Any such resolution must be recorded in the meeting's minutes.

19.6 Removal from meeting

A member of the police or authorised security personnel may, at the Chairperson's request, remove or exclude a member from a meeting.

This standing order will apply where the Chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting and attempted to re-enter it without the Chairperson's permission.

cl. 16(2), Schedule 7, LGA 2002.

19.7 Financial conflicts of interests

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless an exception set out in s.6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s.6.

Members with a financial interest should physically withdraw themselves from the table unless the meeting is in public excluded in which case they should leave the room.

Neither the Chairperson nor the meeting may rule on whether a member has a financial interest in the matter being discussed. The minutes must record any declarations of financial interests and the member's abstention from any discussion and voting on the matter.

s. 6 & 7 LAMIA.

19.8 Non-financial conflicts of interests

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority (or community board) could be affected by some other separate interest or duty of that member in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.

The member must leave the table when the matter is considered, but does not need to leave the room. The minutes must record the declaration and member's subsequent abstention from discussion and voting.

Neither the Chairperson nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.¹

19.9 Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will or took improper advantage of the occasion of publication.

s. 53, LGOIMA.

19.10 Qualified privilege additional to any other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies as a result of any other enactment or rule of law applying to any meeting of the local authority.

s. 53, LGOIMA.

19.11 Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting.

Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

20. General rules of debate

20.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak, is subject to the discretion of the Chairperson.

20.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

¹ Members may wish to refer to the flow chart in their Quick Guide to determine if they have a conflict of interest.

- (a) movers of motions when speaking to the motion – not more than 10 minutes;
- (b) movers of motions when exercising their right of reply – not more than 5 minutes;
- (c) other members – not more than 5 minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

20.3 Questions to staff

During a debate members can ask staff questions about the matters being discussed. Questions must be asked through the Chairperson and how the question should be dealt with is at the Chairperson's discretion.

20.4 Questions of clarification

At any point of a debate a member may ask the Chairperson for clarification about the nature and content of the motion which is the subject of the debate and the particular stage the debate has reached.

20.5 Members may speak only once

A member may not speak more than once to a motion at a meeting of a local authority or any community board except with permission of the Chairperson.

20.6 Limits on number of speakers

If three speakers have spoken consecutively in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.

Members speaking must, if requested by the Chairperson, announce whether they are speaking in support of or opposition to a motion.

20.7 Seconders may reserve speech

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

20.8 Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to.

The Chairperson's rulings on any matters arising under this standing order are final and not open to challenge.

20.9 Restating motions

At any time during a debate a member may ask, for their information, that the Chairperson restate a motion and any amendments; but not in a manner that interrupts a speaker.

20.10 Criticism of resolutions

A member speaking in a debate may not unduly criticise the validity of any resolution except by a notice of motion to amend or revoke the resolution.

20.11 Objecting to words

When a member objects to any words used by another member in a speech and wants the minutes to record their objection, they must object at the time when the words are used and before any other member has spoken. The Chairperson must order the minutes to record the objection.

20.12 Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not. In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original, substantive or substituted motion or at the end of the debate on a proposed amendment.

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

20.13 No other member may speak

In exercising a right of reply, no other member may speak:

- (a) after the mover has started their reply;
- (b) after the mover has indicated that they want to forego this right;
- (c) where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

20.14 Adjournment motions

The carrying of any motion to adjourn a meeting must supersede other business still remaining to be disposed of. Any such business must be considered at the next meeting. Business referred to, or

referred back to, a specified committee or community board, is to be considered at the next ordinary meeting of that committee or board, unless otherwise specified.

20.15 Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.

However, the Chairperson must put a closure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment. If a closure motion is carried, the mover of the motion under debate has the right of reply after which the Chairperson puts the motion or amendment to the vote.

21. General procedures for speaking and moving motions

21.1 Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees, and any community boards.

Option C applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option A or Option B for the meeting generally, or for any specified items on the agenda.

21.2 Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original or substituted motion may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

21.3 Option B

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

21.4 Option C

- The mover and seconder of a motion can move or second an amendment
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

21.5 Procedure if no resolution reached

If no resolution is reached the Chairperson may accept a new motion to progress the matter under discussion.

22. Motions and amendments

22.1 Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion.

Amendments and motions that are not seconded are not in order and are not entered in the minutes.

22.2 Motions in writing

The Chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

22.3 Motions expressed in parts

The Chairperson, or any member, can require a motion that has been expressed in parts to be decided part by part.

22.4 Substituted motion

Where a motion is subject to an amendment the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

22.5 Amendments to be relevant and not direct negatives

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. Any amendment which, if carried, would have the effect of defeating a previous motion that was carried is a direct negative and is therefore not allowed.

22.6 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments and the nature of their content.

22.7 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

22.8 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

22.9 Where a motion is lost

In a situation where a motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

22.10 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

22.11 No speakers after reply or motion has been put

A member may not speak to any motion once:

- (a) the mover has started their right of reply in relation to the motion; and
- (b) the Chairperson has started putting the motion.

23. Revocation or alteration of resolutions

23.1 Member may move revocation of a decision

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, or community board. The notice must set out:

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report.

23.2 Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, or a community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or community board.

cl. 32 (2)4 Schedule 7, LGA 2002.

23.3 Requirement to give notice

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next 12 months unless signed by not less than one third of all members, including vacancies.

23.4 Restrictions on actions under the affected resolution

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with. Exceptions apply where, in the opinion of the Chairperson:

- (a) the practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the chief executive.

23.5 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.

23.6 Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the Chairperson, chief executive, or any committee or subcommittee, or community board, may revoke or alter all or part of a resolution passed

by a previous meeting. The chief executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

cl. 30 (6) Schedule 7, LGA 2002.

24. Procedural motions

24.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate.

24.2 Procedural motions to close or adjourn a debate

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:

- (a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);
- (c) that the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) that the item of business being discussed should lie on the table and not be further discussed at this meeting;
- (e) that the item being discussed should be referred (or referred back) to the relevant committee or community board.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

24.3 Voting on procedural motions

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

24.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

24.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

24.6 Business referred to the council, committee or community board

Where an item of business is referred (or referred back) to a committee or a community board, the committee or board will consider the item at its next meeting unless the meeting resolves otherwise.

25. Points of order

25.1 Members may raise points of order

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

25.2 Subjects for points of order

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) disorder – bringing disorder to the attention of the Chairperson;
- (b) language – use of disrespectful, offensive or malicious language;
- (c) irrelevance – the topic being discussed is not the matter currently before the meeting;
- (d) misrepresentation – misrepresentation of any statement made by a member or by an officer or council employee;
- (e) breach of standing order – the breach of any standing order while also specifying which standing order is subject to the breach;
- (f) request the recording of words, such as a request that the minutes record words that have been the subject of an objection.

25.3 Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

25.4 Point of order during division

A member may not raise a point of order during a division, except with the permission of the Chairperson.

25.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The Chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

26. Notices of motion

26.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover.]

Once the motion is received the chief executive must immediately refer it to the Chairperson. If the motion is accepted, the chief executive must give members notice in writing of the intended motion at least 2 clear working days' notice of the date of the meeting at which it will be considered.

26.2 Refusal of notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) is disrespectful or which contains offensive language or statements made with malice; or
- (b) is not related to the role or functions of the local authority or meeting concerned; or
- (c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) concerns a matter where decision-making authority has been delegated to a subordinate body or a community board.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

26.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

26.4 Alteration of notice of motion

A notice of motion may be altered only with the consent of the meeting.

26.5 When notices of motion lapse

Notices of motion that are not put when called by the Chairperson must lapse.

26.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority or a community board must be referred to that committee or board by the chief executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

26.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

27. Minutes**27.1 Minutes to be evidence of proceedings**

The local authority, its committees, subcommittees and any community boards must keep minutes of their proceedings. These minutes must be kept in hard copy, signed and included in the council's minute book and, when confirmed by resolution at a subsequent meeting and signed by the Chairperson, will be prima facie evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002.

27.2 Matters recorded in minutes

The chief executive must keep the minutes of meetings. The minutes must record:

- (a) the date, time and venue of the meeting;
- (b) the names of the members present;
- (c) the Chairperson;
- (d) any apologies or leaves of absences;
- (e) the arrival and departure times of members;
- (f) any failure of a quorum;
- (g) a list of any external speakers and the topics they addressed;
- (h) a list of the items considered;
- (i) the resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (j) the names of all movers, and seconders;
- (k) any objections made to words used;
- (l) all divisions taken and, if taken, a record of each members' vote;
- (m) the names of any members requesting that votes or abstentions be recorded;
- (n) any declarations of financial or non-financial conflicts of interest;
- (o) the contempt, censure and removal of any members;
- (p) any resolutions to exclude members of the public;
- (q) the time at which the meeting concludes or adjourns;
- (r) the names of people permitted to stay in public excluded.

27.3 No discussion on minutes

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

27.4 Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign the minutes of the last meeting of the local authority and its community boards before the next election of members.

28. Minute books

28.1 Inspection

Copies of the local authority's minutes are to be made available for inspection by the public at all council service centres during normal business hours. This does not preclude the complementary use of electronic minutes in accordance with the Electronics Transactions Act.

s. 51 LGOIMA.

28.2 Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting or part of a meeting from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Referenced documents

- Commissions of Inquiry Act 1908
- Sale of Alcohol Act 2012
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910
- Securities Act 1978

Appendix 1: Grounds to exclude the public

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. disclose a trade secret; or
 - ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or,
 - (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. be likely otherwise to damage the public interest; or
 - (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (h) Maintain legal professional privilege; or
 - (i) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or

- (j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
- (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where
 - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings; or
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and

Appendix 2: Sample resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- *Name of report(s)*

The general subject 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(1) 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(1) for the passing of this resolution
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1	<i>Put in name of report</i>	Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)
2		Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)
3		Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)

4	<p><i>Hearings Committee</i></p> <p>To enable the Committee to consider the application and submissions.</p> <p>OR</p> <p>To enable the Committee to consider the objection to fees and charges.</p> <p>OR</p> <p>To enable the Committee to.</p>	<p>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where :</p> <p>i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or</p> <p>ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.</p> <p>Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).</p>
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This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

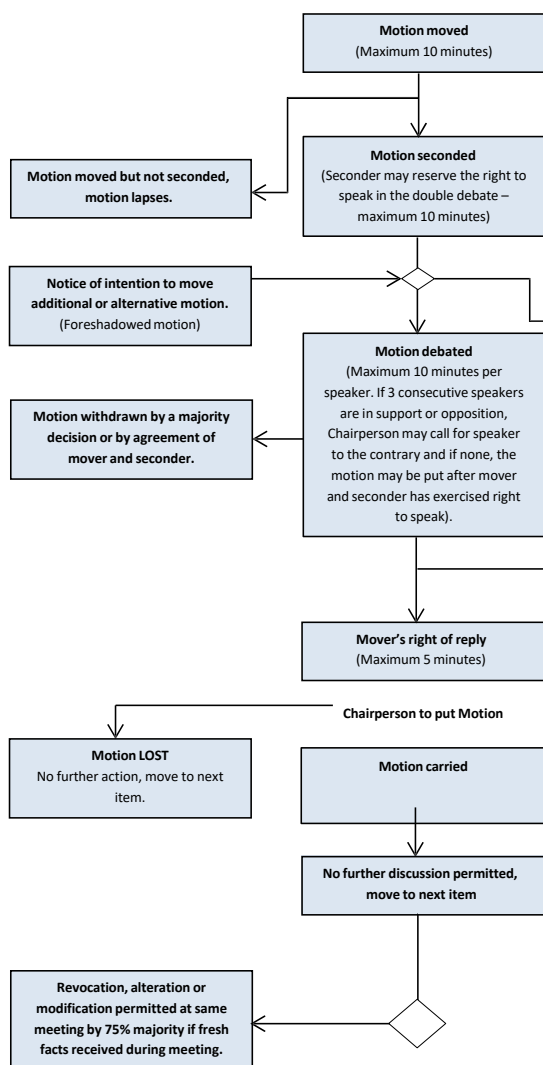
Item No	Interest
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))
	Maintain legal professional privilege (Section 7(2)(g))
	Prevent the disclosure or use of official information for improper gain or improper advantage (Section 7(2)(j))

Item No	Interest
	Protect information where the making available of the information (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b))
	In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to Tikanga Māori, or to avoid the disclosure of the location of waahi tapu (Section 7(2)(ba))
	Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or (ii) would be likely otherwise to damage the public interest (Section 7(2)(c))
	Avoid prejudice to measures protecting the health or safety of members of the public (Section 7(2)(d))
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Section 7(2)(e))
	Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Section 7(2)(f)(ii)).
	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))

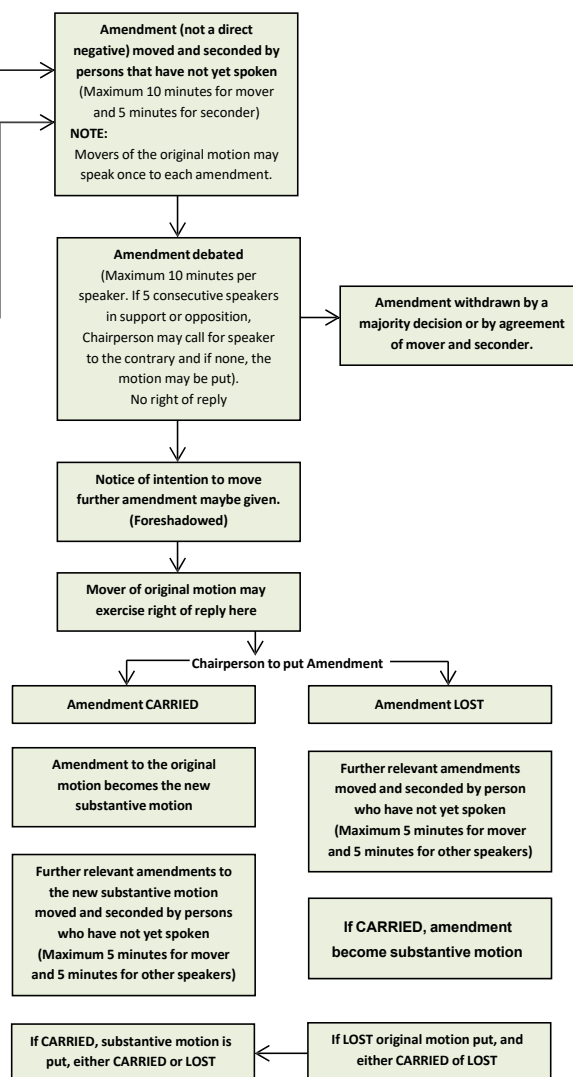
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.

Appendix 3: Motions and amendments (option A)

Motions without amendments



Motions with amendments



Appendix 4: Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

Appendix 5: Powers of a Chairperson

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.

Chairperson to decide points of order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson's report

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson's voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Revocation or alteration of previous resolution

A Chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

Chairperson may call a meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting;
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

Taking down words

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places

The Chairperson may permit members to leave their place while speaking.

Priority of speakers

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Questions of speakers

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson's rulings

Any member who refuses to accept a ruling of the Chairperson may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

If a member or member of the public who is required, in accordance with a Chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson's request, remove or exclude that person from the meeting.

Audio or audio visual attendance

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) the technology for the link is available and of suitable quality
- (b) procedures for using the technology in the meeting will ensure that:
 - i. everyone participating in the meeting can hear each other

- ii. the member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting
- iii. the requirements of Part 7 of LGOIMA are met
- iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will undertaken by the deputy chair or a member who is physically present

Appendix 6: Mayors' powers to appoint under s.41A

The role of a Mayor is:

- (a) to provide leadership to councillors and the people of the city or district.
- (b) to lead development of the council's plans (including the long-term and annual plans), policies and budgets for consideration by councillors.

The Mayor has authority to:

- (a) Appoint the deputy Mayor.
- (b) Establish Council committees, their terms of reference, appoint the Chairperson of each of those committees and the members.
- (c) Appoint themselves as the Chairperson of a committee.
- (d) Decline to exercise the powers under clause a) and b) above but may not delegate those powers to another person.

The Council retains the ability to:

- (a) Remove a deputy Mayor appointed by the Mayor.
- (b) Discharge or reconstitute a committee established by the Mayor.
- (c) Discharge a committee Chairperson who has been appointed by the Mayor.

The Mayor is a member of each committee of the Council.

Appendix 7: Process for removing a Chairperson and deputy Mayor from office

1. At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its Chairperson, deputy Chairperson, or deputy Mayor from office.
2. If a Chairperson, deputy Chairperson, or deputy mayor is removed from office at that meeting, the territorial authority or regional council may elect a new Chairperson, deputy Chairperson, or deputy mayor at that meeting.
3. A meeting to remove a Chairperson, deputy Chairperson, or deputy Mayor may be called by:
 - (a) a resolution of the territorial authority or regional council; or
 - (b) a requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
4. A resolution or requisition must:
 - (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) indicate whether or not, if the Chairperson, deputy Chairperson, or deputy Mayor is removed from office, a new Chairperson, deputy Chairperson, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
7. A resolution removing a Chairperson, deputy Chairperson, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops

Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular matters, receive briefings, and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting.

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted.

Calling a workshop

Workshops, briefings and working parties can be requested by:

- (a) a resolution of the local authority or its committees
- (b) the Mayor,
- (c) a committee Chairperson or
- (d) the chief executive.

The chief executive has the discretion to refuse a workshop request if he or she determines the topic is outside the scope of elected members' responsibilities.

Process for calling workshops

The chief executive will give at least 10 working days' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- (a) state that the meeting is a workshop
- (b) advise the date, time and place
- (c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required.

Appendix 9: Process for requesting a report

Requests for reports, to make a decision on a matter can be requested by:

- i. The Mayor,
- ii. Councillor,
- iii. Chief Executive Officer,
- iv. A Committee meeting,
- v. A Community Board meeting, and or
- vi. A notice of motion from a member.

The request can be made by resolution at a meeting, or in writing to the Chief Executive Officer.

In order for staff to understand the full context of requests for reports/information it is important to provide us with the following details when making the request:

- i. Is there any existing information that would help provide background? (i.e. previous reports)
- ii. What is the primary question/s the report needs to answer?
- iii. What outcome are you seeking?
- iv. Are there any particular options you would like to be considered?
- v. Are there any particular groups of people that are likely to be affected, or have an interest in this matter?

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- report of chief executive
- report of Chairperson

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.

As per section 9.3 of Standing Orders, the Chief Executive Officer may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective Chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

If a member makes a direct request to a chief executive asking that a report is prepared the chief executive may refuse. In such cases an explanation should be provided to the member.

6.11 PROVINCIAL SECTOR ELECTIONS AUGUST 2023 - CHAIR AND NATIONAL COUNCIL REPRESENTATIVE

File Number: A4374401

Author: Marlema Baker, Democracy Advisor

Authoriser: Casey Gannon, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

For the Far North District Council to formalise its vote for the role of Provincial Sector Chair and National Council Representative for Local Government New Zealand (LGNZ).

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- Provincial Councils across New Zealand were given an opportunity to provide a nomination for the role of Provincial Sector Chair and National Council Representative for Local Government New Zealand (LGNZ);
- Three candidates have been confirmed.
- All three candidate are seeking election for the role of Sector Chair role and two are also interested in the National Council representative role.
- The candidates are;
 - Mayor Neil Holdem, New Plymouth District Council – candidate for the Chair role.
 - Mayor Tim King, Tasman District Council – candidate for both roles.
 - Mayor Helen Worboys, Manawatu District Council - candidate for both roles.
- Voting will take place on 22 September 2023.

TŪTOHUNGA / RECOMMENDATION

That the Far North District Council;

- a) votes in favour of Mayor xxx of xxx District Council for Chair of Local Government New Zealand.**
- b) votes in favour of Mayor xxx of xxx District Council for National Council Representative of Local Government New Zealand.**

1) TĀHUHU KŌRERO / BACKGROUND

Local Government New Zealand (LGNZ) supports and advocates for Councils across New Zealand. LGNZ is led by a National Council members who act as the governing body of LGNZ, set and guide policies and oversee them to point of achievement.

The Far North District Council is a member of the Provincial sector of LGNZ.

Provincial Councils across New Zealand are required to vote for their preferred candidate/s for the roles of Provincial Sector Chair and National Council Representative.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

A copy of the candidate information is attached to this report.

The candidate options are:

- Mayor Neil Holdem, New Plymouth District Council – candidate for Chair role only.
- Mayor Tim King, Tasman District Council – candidate for both roles.
- Mayor Helen Worboys, Manawatu District Council - candidate for both roles.

Staff have not provided a recommendation as consideration and final determination resides with the Councillors.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Due to the timeframe for voting this report could not be postponed as the appointments will be determined by vote on 22 September 2023.

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

There are no financial implications as a result of this report.

ĀPITI HANGA / ATTACHMENTS

1. Provincial Sector Elections Candidate Information - A4371644 [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not Applicable
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 Far North District Council is a member of the Provincial Sector of LGNZ's National Council.
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.	This is a governance election to a local authority regulating body and as such has no particular implication for Māori
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	None – this report relates solely to a governance election.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



PROVINCIAL SECTOR ELECTIONS AUGUST 2023

Candidate information

Mayor Neil Holdom – New Plymouth District Council

Standing for Chair

Right now, both as a sector and membership organisation, we are shrinking. Our communities need us to grow.

Speaking to our peers it is clear that to achieve growth, the status quo must change.

United, we are a force to be reckoned with. But to reach our potential we have to be focused, more credible, more professional and be the champion of subsidiarity in the face of growing centralisation.

By concentrating our efforts on key objectives we can agree on, we will be far more likely to achieve our goals. One of those goals must be reengaging with councils who have left LGNZ or are considering leaving to earn back their trust and demonstrate the value of our collective.

We have the ability to get ahead of Wellington, focusing on what we do well in our various sectors and driving our agenda in areas where we have strong agreement like transport, climate resilience, environmental science, economic development, spatial planning, housing and placemaking.

Where we don't agree we should objectively quantify, document and communicate the diversity of views our sector holds and the drivers behind those views clearly to demonstrate credibility and transparency.

LGNZ needs to become a more cohesive, strategic and independent voice. To do that we have to rebuild trust with our membership and credibility across the political spectrum. It's clear our new national council is ready for change and I would like to be a part of that change.

There are three strategic objectives that will amplify our impact:

Connect

- Connect members and key partners through high quality engagements building relationships, knowledge and influence.
- Implement relationship management strategies for all political parties, key crown entities, DPMC, Treasury, DIA, Waka Kotahi, MBIE, Tourism, Art Culture Heritage, Police, MSD and our iwi chairs.
- Increased collaboration and standardisation of systems and processes across councils with a focus on being easy to do business with

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Perform

- Benchmarking our organisations to identify best practice and share knowledge
- Lift governance standards and drive management accountability
- Commit to collective design and procurement strategies and shared standards to deliver efficiencies
- Focus on lifting asset management maturity and transparency through collaboration
- Streamline LGNZ's Governance model

Influence

- Drive our vision for the future of local government to grow the level of local decision making and lift our share of public expenditure
- Clear strategic plan, endorsed by membership, aligned with Taituarā
- A respected contributor to balanced, data-driven, quality policy
- Become a trusted, credible, proactive partner, independent and apolitical
- Focus on standardising relationships with government to increase collaboration, investment and efficiency.

I'm committed to doing my share of the heavy lifting as you've seen with my work in 3W and Transport.

I've worked to build positive relationships with all political parties, key ministers and opposition spokespeople and government agencies with a view to being a constructive and credible contributor.

Let's focus on the areas where we can agree and make a difference while also accepting we won't agree on everything.

Mayor Tim King – Tasman District Council

Standing for Chair and National Council representative

Thank you for accepting my nomination as Provincial Sector Chair of Local Government New Zealand and National Council representative.

I aim to bring the same approach to the role as I bring to my role as the Mayor of Tasman District Council. Working to achieve outcomes, while at the same time acknowledging the diverse groups across the provincial sector, we have councils spread from one end of the country to the other and all have different views. My aim would be to recognise their diversity and differences for the common good.

I have been involved in local body politics since 1998 when I was first elected to Tasman District Council. Between 2001 and 2019 I was Deputy Mayor, taking on the Mayoral role after that year's local body elections.

During my time at the Council, I chaired the Council's Environment and Planning Committee which oversees the Council's regulatory and planning services and activities.

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Tasman District Council is a unitary authority and therefore is required to deliver across the entire range of local government responsibilities.

Given our large land area and relatively small population, we are always working with limited resources which I believe can work to our advantage. It requires us to work in partnership with our community to achieve the best outcomes that we can. However, managing competing priorities presents significant challenges.

Like so many rural and provincial areas of New Zealand, we are required to consider and accommodate the many different views that exist, and the subsequent range of demands placed upon us.

I have taken a very active role and used my influence as a leader to guide the Council's way forward through the proposed changes to ensure the impact on residents is as beneficial as possible. This led to several submissions, which I have represented to the relevant Select Committee, presenting and supporting positions driven by the analysis.

The Council's decision-making is very much focused on delivering the 'right' solution, which should not be confused with the most popular solution.

I am pleased with the way we have approached and worked through these issues in our District to achieve the best outcomes and I believe that this can be effectively implemented in a national context.

In recent times, the local government sector has been inundated with new government legislation and regulation. Much of it looking to reform the way the sector delivers its responsibilities to the communities they serve. These changes provide plenty of opportunities to improve how we work, despite the inherent uncertainty that comes with such significant change. What I believe is necessary is to ensure the legislation is achievable whilst considering the unique nature of the communities we represent.

Mayor Helen Worboys – Manawatu District Council

Standing for Chair and National Council representative

With the full support of my Council, I am standing for the LGNZ National Council Provincial representative vacancy and Provincial Chair.

It is critical that LGNZ is a strong, credible, well respected and supported membership organisation that is effective in representing the needs of all Councils and their communities. This includes hearing the voice of our Provincial Councils whose communities are the backbone of New Zealand's economy. One size fits none and it is okay to have differing views, especially given the differing scale, size and type of Councils within LGNZ, provided they ultimately deliver what is best for each of our communities.

LGNZ represents us nationally as the local government sector, so must reflect our range of views by regaining the trust of its membership, via its commitment and actions. I have been disappointed in the lack of canvassing of member council opinions, and reporting, by sector and zone reps in the

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past and this is an area that I would look to improve. Rather than criticise from the outside, I am willing to help improve our organisation from the inside. Is LGNZ still fit for purpose and what positive changes can be made are the key questions we all need the opportunity to contribute towards answering and implementing.

In my third Term as Mayor of the Manawatu District, I fully support the values of Localism. I am proud to have co-chaired Communities 4 Local Democracy - He Hapori mo te Manapori, which has been effective in gaining some improvements to the current Government's 3 waters reform model, and particularly effective in influencing the Opposition Parties models, should there be a change of Government.

I am a team player, open minded, encourage debate, participate, listen and question ideas and options before making decisions. I lead by example, am not afraid to challenge the 'norm', thrive on diversity and I am always looking to do things smarter and with better outcomes. I have a background of 20 years managing our town revitalisation programme, turning a tired looking, dying town into a vibrant growing community. I am also a sheep & beef farmer, so understand the importance of being practical, going the extra mile and the importance of playing my part in the wellbeing and future of our communities. Having lost my husband suddenly to cancer last year I now have the time, energy and experience to step up, support and lead our Provincial sector and to help LGNZ become the strong organisation it needs to be, that delivers for its members and is well respected by central Government.

// 4

6.12 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - SEPTEMBER 2023**File Number: A4376589****Author: Casey Gannon, Manager - Democracy Services****Authoriser: Jacine Warmington, Group Manager - Strategic Relationships****TAKE PŪRONGO / PURPOSE OF THE REPORT**

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

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The following Committee meetings have been held since the last ordinary Council meeting.
 - 7 September 2023 – Te Kuaka – Te Ao Māori Committee
 - 11 September 2023 – Te Koukou – Transport Committee
- Copies of the Committee meeting minutes are attached for information.
- Links to the agendas containing the reports that formed the basis of the recommendations below are included in this report.
- The Te Kuaka Te Ao Māori Committee and Te Koukou Transport Committee make the following recommendations to Council.

TŪTOHUNGA / RECOMMENDATION**That Council :***Te Kuaka – Te Ao Māori Committee - Item 6.1 - Te Reo Māori and Tikanga Policy*

- approve the Te Reo Māori and Tikanga Policy, and**
- authorises the Chief Executive to make minor changes to the Te Reo Maori and Tikanga Policy to correct grammatical or spelling errors, or formatting.**

Te Kuaka – Te Ao Māori Committee - Item 6.2 - Te Pae o Uta – Te Ao Māori Framework

- recommend that Council approve the Te Pae o Uta – Te Ao Māori Framework, and**
- authorises the Chief Executive to make minor changes to the Te Pae o Uta – Te Ao Māori Framework to correct grammatical or spelling errors, or formatting.**

That Council :*Te Koukou – Transport Committee – Item 4.2 Petition from Far North District Council for Central Government to Address Funding Shortfalls for State Highway Maintenance*

authorise the Chief Executive Officer and Council staff to make the New Plymouth District Council's petition calling for a Citizens Initiated Referenda available for members of the public to sign at appropriate Council facilities and online on Council's social media and website

Te Koukou – Transport Committee – Item 4.3 SH11 Shared Use Path from Paihia to Waitangi

- does not decline the funding for the proposed shared path along SH11 from Paihia to Waitangi; and that,**
- the Community Board work with Northland Transport Alliance, the local community, including iwi/hapu, to redefine the scope of the project to enable the delivery of an affordable, fit-for purpose solution for the community.**

TĀHUHU KŌRERO / BACKGROUND

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

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

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

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

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS





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

<p>7 September 2023 – Te Kuaka – Te Ao Māori Committee Agenda of Ordinary Te Kuaka - Te Ao Māori Committee Meeting - Thursday, 7 September 2023 (fndc.govt.nz)</p> <p><u>Te Kuaka – Te Ao Māori Committee - Item 6.1 - Te Reo Māori and Tikanga Policy</u></p> <p><i>That Council;</i> <i>approve the Te Reo Māori and Tikanga Policy, and</i> <i>authorises the Chief Executive to make minor changes to the Te Reo Maori and Tikanga Policy to correct grammatical or spelling errors, or formatting.</i></p> <p><u>Te Kuaka – Te Ao Māori Committee - Item 6.2 - Te Pae o Uta – Te Ao Māori Framework</u></p> <p><i>That Council;</i> <i>recommend that Council approve the Te Pae o Uta – Te Ao Māori Framework, and</i> <i>authorises the Chief Executive to make minor changes to the Te Pae o Uta – Te Ao Māori Framework to correct grammatical or spelling errors, or formatting.</i></p>
<p>11 September 2023 – Te Koukou Transport Committee Agenda of Te Koukou - Transport Committee Meeting - Monday, 11 September 2023 (fndc.govt.nz)</p> <p><u>Te Koukou – Transport Committee – Item 4.2 Petition from Far North District Council for Central Government to Address Funding Shortfalls for State Highway Maintenance</u></p> <p><i>That Council authorise the Chief Executive Officer and Council staff to make the New Plymouth District Council's petition calling for a Citizens Initiated Referenda available for members of the public to sign at appropriate Council facilities and online on Council's social media and website</i></p> <p><u>Te Koukou – Transport Committee – Item 4.3 SH11 Shared Use Path from Paihia to Waitangi</u></p> <p><i>That Council;</i> <i>does not decline the funding for the proposed shared path along SH11 from Paihia to Waitangi; and that,</i> <i>the Community Board work with Northland Transport Alliance, the local community, including iwi/hapu, to redefine the scope of the project to enable the delivery of an affordable, fit-for purpose solution for the community.</i></p>

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

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

ĀPITIHINGA / ATTACHMENTS

1. Te Kuaka Te Ao Maori Committee Minutes - 7 September 2023 - A4375020 [↓](#) 
2. Te Koukou Transport Committee Minutes - 11 September 2023 - A4378636 [↓](#) 
3. Te Reo Maori and Tikanga Policy Draft 1a - A4383681 [↓](#) 
4. Te Reo and Tikanga Policy Guidelines Draft 1d - A4383690 [↓](#) 

Ordinary Te Kuaka - Te Ao Māori Committee Meeting Minutes **Unconfirmed** 7 September 2023

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY TE KUAKA - TE AO MĀORI COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 7 SEPTEMBER 2023 AT 2:00 PM**

PRESENT: Chairperson Harry Burkhardt (Te Kahu o Taonui representative), Kahika - Mayor Moko Tepania, Kōwhai – Deputy Mayor Kelly Stratford, Cr Penetaui Kleskovic, Cr Steve McNally, Co-chair Cr Hilda Halkyard-Harawira, Cr Babe Kapa, Cr Felicity Foy, Cr Mate Radich, Cr Tāmāti Rākena, Cr John Vujcich, Te Kahu o Taonui Representatives Mariameno Kapa-Kingi, Pita Tipene, and Wane Wharerau.

IN ATTENDANCE: Kawiti Waetford (Kaiwhakawhiti Reo Language Interpreter, Rachel Ropiha

STAFF PRESENT: Llani Harding (Pouhautu Te Hono – Manager Te Hono) Tanya Proctor (Assets & Planning Manager) , Ruben Garcia (Group Manager – Community & Engagement), Casey Gannon (Manager – Democracy Services) Jacine Warmington (Group Manager – Strategic Relationships).

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Harry Burkhardt commenced the meeting.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2023/5

Moved: Kahika - Mayor Moko Tepania
Seconded: Te Kahu o Taonui Representatives

That the apologies from Cr Ann Court and Maria-Meno Kapa-Kingi be accepted and a leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputation requests for this meeting.

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- acknowledges the passing of Tui Nathan in Te Kao
- acknowledges the passing of Robin Corrigan in Ngāti Kahu
- excited that Far North District Libraries have initiated an new Māori Language chat time kaupapa at the Kaikohe Library very Monday morning 10:30 am – 12 pm.
- Matihetihe Marae Wananga Waiata 30th September and 1st October in Mitimiti
- acknowledges the appointment of the Te Kuaka Te Ao Māori Coordinator
- acknowledges the appointment of Chief Executive Guy Holroyd
- acknowledges the passing of Whaea Hera Paewhenua in Matawaia.
- Next week is Te Wiki o te reo Māori 11 – 17 September 2023. We encourage exponents of te reo Māori to share many opportunities to engage in te reo.

Ordinary Te Kuaka - Te Ao Māori Committee Meeting Minutes **Unconfirmed** 7 September 2023

- notes that the committee requests a progress report on 1 Wharo Way & Pohutukawa Tree
- notes that the committee requests a progress report on Kaitaia Airport
- notes that the committee requests a progress report on Rangitoto Reserve
- Student from various kura kaupapa Māori from Te Tai Tokerau will travel to Auckland to watch the NZ Opera's production of Orpheus. It is an all Māori and Pacific cast collaboration with Black Grace Dance Company.
- Nga Huiarau o Kawakawa kapa haka group will travel to Nelson on 30 October 2023 for the primary schools nationals and are currently fundraising.
- Kawakawa Primary School celebrating 150 year on 9 September 2023

5 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A4334397, pages 8 - 9 refers

RESOLUTION 2023/6

Moved: Cr John Vujcich

Seconded: Wane Wharerau - Te Kahu o Taonui Representatives

That Te Kuaka – Te Ao Māori Committee confirm the minutes of the meeting held 8 August 2023 are true and correct.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 TE REO MĀORI AND TIKANGA POLICY

Agenda item 5.1 document number A4341080, pages 14 - 18 refers

RESOLUTION 2023/7

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That Te Kuaka – Te Ao Māori Committee

- recommend that Council approve the Te Reo Māori and Tikanga Policy. And**
- authorises the Chief Executive to make minor changes to the Te Reo Maori and Tikanga Policy to correct grammatical or spelling errors, or formatting.**

CARRIED

6.2 TE PAE O UTA - TE AO MAORI FRAMEWORK

Agenda item 5.2 document number A4341076, pages 29 - 32 refers

RESOLUTION 2023/8

Moved: Te Kahu o Taonui Representatives

Seconded: Kahika - Mayor Moko Tepania

That Te Kuaka – Te Ao Māori Committee

- recommend that Council approve the Te Pae o Uta – Te Ao Māori Framework, and**

Ordinary Te Kuaka - Te Ao Māori Committee Meeting Minutes **Unconfirmed** 7 September 2023

- b) authorises the Chief Executive to make minor changes to the Te Pae o Uta – Te Ao Māori Framework to correct grammatical or spelling errors, or formatting.

CARRIED

7 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION 2023/9

Moved: Cr John Vujcich

Seconded: Kōwhai – Deputy Mayor Kelly Stratford

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
7.1 - Confirmation of Previous Minutes	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

and allow Kawiti Waetford, Kaiwhakawhiti Reo Language Interpreter to remain in the public excluded part of the meeting.

CARRIED

At the conclusion of the public excluded session Te Kuaka – Te Ao Māori Committee confirmed the information and decisions contained in the part of the meeting held with public excluded **be restated** in public meeting.

Item 6.1 Briefing on Resource Consent Conditions – Kohukohu/Opononi

That the Te Kuaka – Te Ao Māori Committee recommend to Council any changes required for the final submitted conditions as follows:

That Council

- commence repairs and maintenance immediately.
- commit to a 3 year timeframe with milestones to phase out disposal of waste into the Hokianga Harbour.
- reinstate and strengthen our commitment to community & hapu.
- commit to working together to identify alternative options.
- increase the expectation around the quality of discharge & monitoring from the existing plants in the interim.

Page 3

Ordinary Te Kuaka - Te Ao Māori Committee Meeting Minutes **Unconfirmed** 7 September 2023

- f) accept that discharge to water is unacceptable & remove it from optioneering.
- g) confirm funding for this workstream.
- h) include it in the long term plan deliberations going forward.
- i) commit to the restoration of the Hokianga Harbour and seek funding to support that.

8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Meeting closed with a karakia whakamutunga by Kawiti Waetford.

9 MEETING CLOSE

The meeting closed at 3:04 pm.

The minutes of this meeting will be confirmed at the Ordinary Te Kuaka - Te Ao Māori Committee Meeting held on 3 October 2023.

.....
CHAIRPERSON

Ordinary Te Koukou - Transport Committee Meeting Minutes - **Unconfirmed** 11 September 2023

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY TE KOUKOU - TRANSPORT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, KAIKOHE
ON MONDAY, 11 SEPTEMBER 2023 AT 10:00 AM**

PRESENT: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Felicity Foy (virtual), Cr Ann Court, Cr Steve McNally, Cr Babe Kapa (virtual), Cr Mate Radich (virtual), Cr John Vujcich

STAFF PRESENT: **NTA STAFF** Calvin Thomas, Cara Downie, Kevin Devine, Bernard Petersen, Dawn Spence, Keith Kent, Elizabeth Stacey **FNDC STAFF** Ruben Garcia, Roger Ackers, Janice Smith, Casey Gannon

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika/Mayor Moko Tepania commenced the meeting with a prayer.

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

APOLOGY

RESOLUTION 2023/1

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That the apology received from Cr Penetaui Kleskovic, Cr Hilda Halkyard-Harawira and Cr Tāmāti Rākena be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Rachel Smith and Tawhi Tua speaking on behalf of Healthy Families Far North in regard to item 4.4 Transport Choices Programme – Implementation Funding Agreement.

4 NGĀ PŪRONGO / REPORTS

4.1 APPOINTMENT OF TE KOUKOU - TRANSPORT COMMITTEE CHAIRPERSON / DEPUTY CHAIRPERSON

Agenda item 4.1 document number A4359303, pages 8 - 10 refers

RESOLUTION 2023/2

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Te Koukou – Transport Committee:

- a) use System B as the preferred voting system to appoint a Chairperson.**
- b) appoint Moko Tepania as Chairperson of Te Koukou – Transport Committee.**

CARRIED

Ordinary Te Koukou - Transport Committee Meeting Minutes - **Unconfirmed** 11 September 2023

4.4 TRANSPORT CHOICES PROGRAMME – IMPLEMENTATION FUNDING AGREEMENT

Agenda item 4.4 document number A4359295, pages 23 - 45 refers.

RESOLUTION 2023/3

Moved: Cr Ann Court

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the Te Koukou – Transport Committee:

- a) approve implementation of the Far North Transport Choices Programme which includes the following works;
 - i) Program 1 – FNDC01 Kerikeri Active Mode Network Connections
 - ii) Program 2 – FNDC02 Far North Bus Improvements
- b) delegate the Chief Executive Officer authority to sign the Transport Choices Implementation Funding Agreement from Waka Kotahi
- c) delegate the Chief Executive Officer financial authority to award Transport Choices work packages up to a total value of \$3 million; and,
- d) approve a variation to the procurement policy allowing a closed tender process seeking quotes from a minimum of four separate contractors for the Transport Choices Programme.

CARRIED

Letter of Support received from Our Kerikeri Objective ID: A4381915 refers

4.2 PETITION FROM FAR NORTH DISTRICT COUNCIL FOR CENTRAL GOVERNMENT TO ADDRESS FUNDING SHORTFALLS FOR STATE HIGHWAY MAINTENANCE

Agenda item 4.2 document number A4365241, pages 11 - 16 refers.

RESOLUTION 2023/4

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council authorise the Chief Executive Officer and Council staff to make the New Plymouth District Council's petition calling for a Citizens Initiated Referenda available for members of the public to sign at appropriate Council facilities and online on Council's social media and website.

CARRIED

Kōwhai - Deputy Mayor Kelly Stratford left the meeting at 10:50 am.

Kōwhai - Deputy Mayor Kelly Stratford returned to the meeting at 10:54 am.

4.3 SH11 SHARED USE PATH FROM PAIHIA TO WAITANGI

Agenda item 4.3 document number A4359297, pages 17 - 23 refers.

RESOLUTION 2023/5

Moved: Cr Ann Court

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the Te Koukou – Transport Committee, in recognition of the importance of the Twin Coast Discovery route, recommend that Council:

- a) does not decline the funding for the proposed shared path along SH11 from Paihia to

Ordinary Te Koukou - Transport Committee Meeting Minutes - **Unconfirmed** 11 September 2023

Waitangi; and that,

- b) the Community Board work with Northland Transport Alliance, the local community, including iwi/hapu, to redefine the scope of the project to enable the delivery of an affordable, fit-for purpose solution for the community.

CARRIED

5 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

5.1 NORTHLAND TRANSPORT ALLIANCE - 2022/23 YEAR END REGIONAL TRANSPORTATION ACTIVITY SUMMARY REPORT.

Agenda item 5.1 document number A4359299, pages 46 - 49 refers.

RESOLUTION 2023/6

Moved: Cr Steve McNally

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the Te Koukou - Transport Committee leave the Northland Transport Alliance - 2022/23 Year End Regional Transportation Activity Summary Report to **lie on the table.**

CARRIED

5.2 TRANSPORTATION ACTIVITY UPDATE - JULY 2023 NORTHLAND TRANSPORT ALLIANCE OPERATIONS REPORT

Agenda item 5.2 document number A4359301, pages 50 - 96 refers.

RESOLUTION 2023/7

Moved: Cr John Vujcich

Seconded: Cr Steve McNally

That the Te Koukou - Transport Committee receive the report Transportation Activity Update - July 2023 Northland Transport Alliance Operations Report.

CARRIED

6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

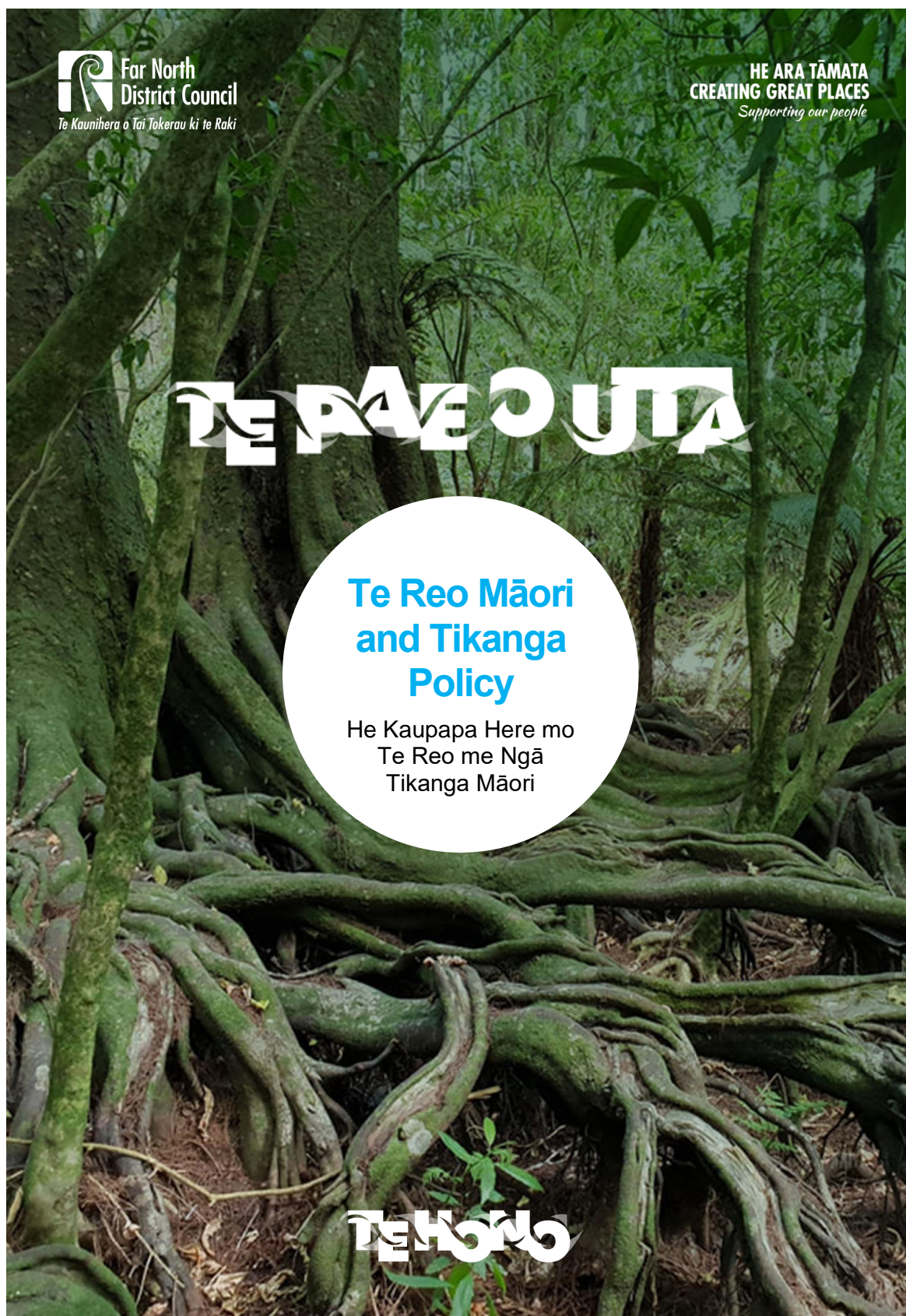
Chair Moko Tepania closed the meeting with a karakia.

7 MEETING CLOSE

The meeting closed at 11:35 am.

The minutes of this meeting will be confirmed at the Ordinary Te Koukou - Transport Committee Meeting held on 9 October 2023.

.....
CHAIRPERSON



Te Reo and Tikanga Policy

Adopted: (Date)

Next review by Date: 31 December 2026

1. Purpose and Scope

The purpose and scope of this Policy is to enable Far North District Council (FNDC) to support the correct usage of Te Reo Māori by providing a framework for its use by FNDC both internally and externally.

2. Vision

The vision is that “By 2025, FNDC has increased the use of Te Reo and Tikanga in our workspaces and the public places we manage as a key element in strengthening our partnership with tangata whenua and in delivering effective services.”

3. Goals and objectives

To achieve our vision and promote the use of Te Reo in our workplaces and the public spaces we manage, FNDC will:

- A) Demonstrate leadership in increasing the use of Te Reo
- B) Achieve Te Reo and Tikanga staff development outcomes
- C) Implement effective Te Reo communication systems and processes
- D) Increase Te Reo use in human resource processes and systems

4. Application

This policy applies to:

- i. all permanent employees
- ii. fixed term employees

Casual and temporary employees and those on short term contracts under 6 months are exempt from the training requirements of this policy but must be familiar and work within the policy expectations that impacts on their area of work.

5. Responsibilities

The respective roles and responsibilities for this policy include:

Last updated 13/09/23 | Far North District Council | Te Reo and Tikanga Policy

- i. SLT provides the authority for the policy and they and Managers will demonstrate leadership and role modelling in implementing the policy;
- ii. Employees will be aware of and implement the policy by making the policy and implementation plan available through the intranet and induction and training processes;
- iii. Te Hono will provide advice and support on any issues associated with the policy;
- iv. FNDCs trainer in te Reo and tikanga will provide clarification during te Reo and training sessions and on a case by case as negotiated and agreed outside of training session times.

6. Relevant Legislation, Policies and Procedures

Legislation	Te Ture Mō te Reo Māori 2016 Māori Language Act 2016 Local Government Act 2002
Council Policies and Procedures	FNDC Tangihanga policy and Koha policy
Other	Te Puni Kōkiri Maihi Māori and Maihi Karauna Te Puni Kōkiri Māori English Bilingual Signage: A guide for best practice
Guiding documents	He Whakaputanga o Niu Tirenī 1835, Te Tiriti o Waitangi 1840,

7. Support

This policy is to be read in conjunction with the Te Reo and Tikanga Policy Guidelines.

For more information on Councils' 'Te Reo Māori and Tikanga Policy', please contact Te Hono team support at <mailto:tehonosupport@fndc.govt.nz>

8. Definitions

Term	Definition
Tikanga reo rua	Bilingual
Mauri	Life essence



Te Reo and Tikanga Policy – Guidelines

Adopted: (Date)

Next review by Date: 31 December 2026

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1. Purpose and Scope

The purpose and scope of these guidelines is to enable Far North District Council (FNDC) to support the correct usage of Te Reo Māori by providing a framework for its use by FNDC both internally and externally.

2. Vision

The vision is that “By 2025, FNDC has increased the use of Te Reo and Tikanga in our workspaces and the public places we manage as a key element in strengthening our partnership with tangata whenua and in delivering effective services.”

3. Background

Te Reo is a living language that needs revitalisation and is unique to Māori and Iwi which distinguishes our identity on the world stage. Iwi and Māori are kaitiaki of Te Reo.

Language is important to everyone and valued by all, without language FNDC is unable to convey our messages, tell our stories and connect to our mana whenua partners and communities better.

Te Reo is the medium in which Tikanga Māori and whakapapa knowledge is shared among generations which provide the mauri life force on marae. Te Reo and Tikanga Māori are inextricably linked and our internal training approach reflects this dual relationship.

These guidelines operate on the basis of ‘owning it’ in that everyone has a role to play in implementing this policy in order for FNDC to achieve its vision.

Last updated 13/09/23 | Far North District Council | Te Reo and Tikanga Policy

FNDC have operated numerous Te Reo and Tikanga opportunities over the years. These courses have usually been funded by the individual departments. This policy looks to align the commitment that each department provide to increasing staff capability in this area.

FNDC have also operated a successful and supportive Waiata Group set up to support Council at Council events with Cultural support including Kaikorero, Kaiwaiata and Kaikaranga. This policy further supports the enhancement of this roopu and increases the knowledge around the legislative requirements for cultural support within council.

4. Goals and objectives

To achieve our vision and promote the use of Te Reo in our workplaces and the public spaces we manage, FNDC will:

- A) Demonstrate leadership in increasing the use of Te Reo
- B) Achieve Te Reo and Tikanga staff development outcomes
- C) Implement effective Te Reo communication systems and processes
- D) Increase Te Reo use in human resource processes and systems

A) Demonstrate leadership in increasing the use of Te Reo

All People Leaders will demonstrate leadership and support in implementing this policy.

FNDC will work effectively with other councils regionally and nationally to share approaches and best practice models for growing Te Reo in local government.

B) Achieve Te Reo and Tikanga staff development outcomes

Recognise prior learning

- FNDC recognises employees' prior learning and expertise in Te Reo and Tikanga achieved through academic and whānau, hapū and iwi processes and systems.

FNDC encourage those staff to also complete the FNDC offered Te Reo training.

Complete Te Reo and Tikanga training

FNDC provide Te Reo training as a suite of in-house short courses and processes which includes the Basic Level 1 Te Reo and Tikanga and encourages all employees to be actively involved in navigating and planning their own staff development strategies through:

- i. our basic in-house training opportunities. Refer to TK3 for information on the other training available and the processes required to register and;
- ii. intermediate and advanced courses through external providers (e.g., University, Wānanga) as negotiated and agreed with Managers.

- iii. open staff meetings with mihimihi, karakia or whakatauki/proverbs if they have the competence and wish to do so. Examples are available on the FNDC app;
- iv. support pōwhiri to welcome councillors and new employees and open new office spaces as negotiated and agreed with People Leaders;
- v. work with our mana whenua partners in leading Tikanga events;
- vi. support practice sessions to help councillors and other participants prepare for their specific roles in Tikanga events. Refer to the FNDC Tikanga Māori guidelines for further information.

Benefits for our People Leaders and staff in completing this programme will be seen in the delivery, consistency and execution of Te Reo and Tikanga across all council work programmes. Externally, our partners will recognise a significant shift in levels of engagement and quality engagement.

Staff can complete the basic Level 1 Te Reo and Tikanga learning outcomes which includes compulsory classroom learning outcomes and a half day marae-based programme. FNDC encourages employees to attend the optional overnight marae experience.

Our training target is:

- ❖ 100 percent of People Leaders and;
- ❖ 100 percent of staff must have achieved at least the Basic Level 1 learning outcomes.

FNDC is committed to:

- i. delivering our obligations as a good employer of Māori under the Local Government Act 2002;¹
- ii. supporting staff development for all employees given the Governments' Maihi Karauna strategys' signal that Te Reo revitalisation must be broadly inclusive and engage a broad range of non-Māori New Zealanders.²

FNDC will explore and implement innovative electronic tools to help employees consolidate their learning outcomes and demonstrate their capability in their workplaces and in the field.

Strategic Leadership Team (SLT) will be advised of all achievements against the Te Reo training target on an annual basis.

At annual performance evaluation time, People Leaders will consider the added value that Te Reo leaders have contributed to the work programme in the previous year.

¹ Schedule 7, clause 36 (2)(d)(1-111)

² Maihi Karauna The Crown's Strategy for Māori Language Revitalisation 2018-2023 Consultation August – September 2018 page 9

FNDC will also offer training to Councillors on a range of Te Reo and other relevant topics. This training will be run as part of the Councillors Induction programme into Council.

C) Implement effective Te Reo communication systems and processes

FNDC supports the Ministry of Māori Development, Te Puni Kokiri's (TPK) view there is no policy requirement that all information and publicly available material should be produced Tikanga reo rua bilingually.³

Increase our use of Te Reo

FNDC encourages employees to use Te Reo greetings for our mana whenua partners, customers and clients:

- i. at their first point of contact with our services (e.g., Contact Centre, Reception);
- ii. through their everyday phone calls and email communications.

Ensure quality Te Reo translations

FNDCs overall translation approach is flexible and uses a mix of conceptual [eg Kaiarahi Kaupapa Maori] and literal [eg, Pouhautu] translated text as deemed appropriate to the circumstance.

FNDC will maintain quality standards in translating Te Reo by ensuring that:

- a) for significant translations of documents, employees must:
 - i. contract a translator licensed for written Māori translations who is listed on the Te Taura Whiri Māori Language Commission (Te Taura Whiri) register. Such translators will have an added advantage if they whakapapa to one of our mana whenua partners;
 - ii. ensure translated documents are peer reviewed by a second translator licensed for written Māori translations listed on the Te Taura Whiri register before publication or distribution (as per their own internal processes or noted in an invoice)
- b) for simple translations, employees will use common terms developed by Te Taura Whiri and other councils to enable consistency of approach and reduce costs. Te Hono will support with basic translations less than 10 words.
- c) For onsite, verbal translations at Council level and in providing cultural support to People Leaders, FNDC will resource the use of external registered interpreters licensed for verbal Māori translations who is listed on the Te Taura Whiri Māori Language Commission (Te Taura Whiri) register.

Business groups are responsible for budgeting for and resourcing their own translations from within their existing baselines.

³ Māori-English Bilingual Signage: A guide for best practice page 5

Support quality Te Reo writing

To enable quality standards in our written and published documents in Te Reo FNDC will:

- i. ensure employees writing in Te Reo observe the orthographic conventions developed by Te Taura Whiri which include rules on spelling and the use of macrons;⁴
- ii. use macrons not double vowels or umlauts in our written communication and signage except when the correct spelling of the word has double vowels (e.g., whakaaro thought).

Accommodate mana whenua Te Reo differences

FNDC acknowledges that using generic Te Reo terms for regional project purposes is problematic. For example, the term “whaitua” means “catchment” to some, but not all, of our mana whenua partners.

FNDC will engage with mana whenua partners in providing Te Reo names for key projects they are actively involved in.

FNDC will use glossaries to ensure clarity of specific Te Reo meanings.

Implement effective Tikanga reo rua bilingual signage

FNDC supports TPK’s view that we decide how and when we use Tikanga reo rua bilingual signage.

FNDC supports the use of Te Reo in our internal and external signage and dual names for our workspaces and public places we manage and will:

- i. either use Tikanga reo rua bilingual;
- ii. or dual names which is a combination of Te Reo traditional and contemporary English names;
- iii. clearly communicate the meaning of the Te Reo names whatever the preferred approach.

FNDC will use Tikanga reo rua bilingual signage, dual names and Māori designs and artwork:

- i. where our mana whenua partners, our customers and clients have most contact with our organisation (e.g., Reception)
- ii. in our external public spaces (e.g., local park names, reserves and play grounds)
- iii. in our branding electronically (e.g., website), in our written publications (e.g., Long Term Plan, Annual Plan, Annual Report) and resources (e.g., pamphlets)

⁴ <http://www.tetaurawhiri.govt.nz/our-work/Māori-orthographic-conventions/>

- iv. as key aspects of publications including Foreword messages from the Mayor, CEO, Iwi Chairs in the Long-Term Plan, Annual Plan and Annual Report

FNDC supports TPK's guidelines in developing Tikanga reo rua bilingual signage and will:

- i. use equal font sizes and type face and the same font style, colour and position for the Māori and English texts even if one text runs longer;
- ii. place Māori text first irrespective of whether the text is stacked or side by side;
- iii. consider when a pictogram or Māori design might reduce the text requirement.

FNDC will translate publications and resources Tikanga reo rua bilingually where Māori are the primary audience and for all other publications will use at least bilingual Level one headings for key documents (e.g., Annual Plan and Annual Report).

Promote Language Line interpreters' phone services

FNDC will provide support to our mana whenua partners, our customers and clients who wish to communicate only in Te Reo in accessing our services by:

- i. advising them of the Language Line Te Reo interpreters' phone service option;
- ii. contacting the service through a FNDC phone number by calling 0900 333 25 as calls are charged at \$3.07 per minute (inclusive GST), with the relevant costs being charged back to the telephone number from where the call is made.⁵

D) Increase Te Reo use in human resource processes and systems

Use position description titles in Te Reo

FNDC will:

- i. translate into Te Reo the position description titles of staff, Managers and Team leaders fully and literally
- ii. translate into Te Reo the business group information fully and conceptually
- iii. translate into Te Reo the Chief Executive, Strategic Leadership Team members, Managers and Team leaders fully and literally;
- iv. consistently apply this approach as new titles are developed and as position descriptions change over time.

FNDC will develop translations for all employees' position description titles as common generic terms (e.g., Senior Advisor, Kaitohutohu Matua)

FNDC will place Tikanga reo rua bilingual position description titles on TK3 retrospectively for existing position descriptions and for new appointees as employees start.

⁵ http://ethniccommunities.govt.nz/story/how-language-line-works?gclid=EAlaIqobChMlt_KS4IDg3wIVig0qCh30RQzREAAYASAAEgLLXPD_BwE

Last updated 13/09/23 | Far North District Council | Te Reo and Tikanga Policy

FNDC encourages existing employees to add new Tikanga reo rua bilingual titles to their electronic signatures and print new Tikanga reo rua bilingual position description titled identification cards as old stock requires replacing.

Maintain effective Te Reo advertising and interview processes

FNDC will advertise:

- i. all new position description titles in Te Reo with flexibility in English and Te Reo formatting;
- ii. Tikanga reo rua bilingual position descriptions that either require advanced Te Reo competency or have a significant mana whenua contact requirement.

FNDC will consider the added value of interviewee dual cultural competence in making final recruitment decisions.

FNDC encourages employees to seek advice and support from Te Hono if they wish to include a mihimihi in any interview panel processes.

5. Application

This policy applies to:

- i. all permanent employees
- ii. fixed term employees

Casual and temporary employees and those on short term contracts under 6 months are exempt from the training requirements of this policy but must be familiar and work within the policy expectations that impacts on their area of work.

6. Responsibilities

The respective roles and responsibilities for this policy include:

- i. SLT provides the authority for the policy and they and Managers will demonstrate leadership and role modelling in implementing the policy;
- ii. Employees will be aware of and implement the policy by making the policy and implementation plan available through the intranet and induction and training processes;
- iii. Te Hono will provide advice and support on any issues associated with the policy;
- iv. FNDCs trainer in te Reo and tikanga will provide clarification during te Reo and training sessions and on a case by case as negotiated and agreed outside of training session times.

Last updated 13/09/23 | Far North District Council | Te Reo and Tikanga Policy

7. Relevant Legislation, Policies and Procedures

Legislation	Te Ture Mō te Reo Māori 2016 Māori Language Act 2016 Local Government Act 2002
Council Policies and Procedures	FNDC Tangihanga policy and Koha policy Diversity Policy [???
Other	Te Puni Kōkiri Maihi Māori and Maihi Karauna Te Puni Kōkiri Māori English Bilingual Signage: A guide for best practice
Guiding documents	He Whakaputanga o Niu Tireni 1835, Te Tiriti o Waitangi,

8. Support

Websites and agencies with, or links to, useful resources include:

Te Puni Kōkiri

<https://www.tpk.govt.nz/>

The Māori Language Commission/Te Taura Whiri i te Reo Māori

<http://www.tetaurawhiri.govt.nz/>

9. Definitions

Term	Definition
Tikanga reo rua	Bilingual
Mauri	Life essence

10. Further Information

For more information on Councils' 'Te Reo Māori and Tikanga Policy', please contact Te Hono team support at <mailto:tehonosupport@fndc.govt.nz>

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 MAYOR AND COUNCILLOR'S REPORTS

File Number: A4374978

Author: Marlema Baker, Democracy Advisor

Authoriser: Casey Gannon, Manager - Democracy Services

TE TAKE PŪRONGO / PURPOSE OF THE REPORT

This report is a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives.

NGĀ TŪTOHUNGA / RECOMMENDATION

That Council note the reports submitted by Kahika – Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic, Tāmati Rākena and John Vujcich.

TE TĀHUHU KŌRERO / BACKGROUND

Kahika-Mayor Tepania has reintroduced Council members reports as a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives. Members reports are compulsory for Councillors.

TE MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Members reports are attached for information.

REASON FOR THE RECOMMENDATION

To formally receive the Mayor and Councillor reports.

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

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

NGĀ ĀPITI HANGA / ATTACHMENTS

1. Kahika/Mayor Moko Tepania - September 2023 Report - A4376554 [↓](#) 
2. Kowhai/Deputy Mayor Kelly Stratford - September 2023 Report - A4376555 [↓](#) 
3. Cr Ann Court - September 2023 Report - A4376556 [↓](#) 
4. Cr Hilda Halkyard-Harawira - September 2023 Report - A4376557 [↓](#) 
5. Cr Babe Kapa - September 2023 Report - A4383357 [↓](#) 
6. Cr Penetaui Kleskovic - September 2023 Report - A4376558 [↓](#) 
7. Member Kleskovic - UNDRIP Speech 2023 - A4376559 [↓](#) 
8. Cr Tamati Rakena - September 2023 Report - A4376560 [↓](#) 
9. Cr John Vujcich - September 2023 Report - A4376561 [↓](#) 



Pūrongo ā-Mema | Member Report

Mayor Moko Tepania

Date: 01/09/23

Rā Date	Kaupapa Hui Meeting Topic
07/08/23	Planning Hui for Young Elected Members Conference, Kaikohe Office of the Mayor Catchup, Kaikohe Interview for Radio Wātea National Council meeting via Zoom
08/08/23	Meeting with Chair of Te Miromiro Committee, Kaikohe Te Huia – Executive Review Committee Meeting, Kaikohe Te Kuaka – Te Ao Māori Committee Workshop & Meeting, Kaikohe
09/08/23	Air NZ Mayoral Forum, Auckland Appreciated heading to the forum where I was also a panelist for a discussion on the Future for Local Government final report and the opportunities within it to do better for the Far North. Appreciated discussions on Air NZ's work to decarbonise their fleet, with expressions of interest open for bases for their next generation electric and hybrid aircraft. There is an opportunity there for the Far North to be a base.
10/08/23 & 11/08/23	Te Reo ki Tua National Language Revitalisation Symposium, Hastings Joined other Northlanders to participate in the symposium where I was also a guest speaker. There were over 1,200 other attendees. Our district has more speakers per capita than any other territorial authority with around 10,000 Far Northerners who can speak te reo – discussed our Kerikeri Reorua partnership with Ngāti Rēhia.
12/08/23	Farah Palmer Cup Northland Kauri vs Taranaki Whio, Kaikohe Invited to present the jerseys to our Northland Kauri team who stayed at Parawhenua Marae. Kaikohe's Rugby Park was chosen to host the teams only game outside of Whangārei this season.
14/08/23	Mayor & Community Board Chair Monthly Catchup via Teams Interview for Te Hiku FM Extraordinary Council Meeting via Teams Office of the Auditor General Meeting, Kaikohe
15/08/23	Interview for Re: News & Indigenous 100 Show, Auckland
16/08/23	Council Agenda Preview via Teams
17/08/23	Far North Business and Organisation Leaders meeting via Teams Development Contributions Workshop, Kaikohe Infometrics Presentation, Kaikohe Housing for the Elderly Divestment Presentations, Kaikohe
18/08/23	Roading Contract Review via Teams Young Elected Member Conference Planning Hui via Teams Waste to Energy meeting with Auckland & Northland leaders via Teams
21/08/23	CE Interviews, Ngāwhā
22/08/23	Governance to Governance meeting with Far North Holdings, Kaikohe Interview for Te Ao Māori News

1 Whārangī | Page



Pūrongo ā-Mema | Member Report

	Ahipara Legal Update, Kaikohe Waka Kotahi Update via Teams
23/08/23	Meeting with Far North Group Director, Kaikohe Lunch with Te Hau Ora o Ngāpuhi, Kaikohe Housing for the Elderly Divestment Presentations, Kaikohe
24/08/23	Council Meeting, Kaikohe
28/08/23	Mayors Taskforce For Jobs Promotion Day, Kaitāia It was great to head up to Te Hiku with our MTFJ Co-ordinator to meet with organisations on our Rural Community Resilience Programme. We have been funded this year to help facilitate NEETs (16-24 year olds Not in Education, Employment or Training) to get into work. We met with 8 organisations and am pleased with the progress of the programme so far. Council staff have set up a dedicated page on our website.
29/08/23	Interview for Radio Wātea Catchup with Chief Executive via Teams Catchup with Democracy Services via Teams
30/08/23	Fortnightly Catchup for MTFJ via Teams Te Koukou Transport Committee Agenda Preview via Teams
31/08/23	Far North Business and Organisation Leaders meeting via Teams Strategic Planning Prebrief via Teams
01/09/23	Local Government New Zealand National Council Meeting, Wellington <ul style="list-style-type: none"> • Future for Local Government Report update • Choose Localism campaign update • Meeting with officials from the NZSIS & MFAT • Update for the Draft Government Policy Statement for Transport



Member Report

Name: Kōwhai – Deputy Mayor Kelly Stratford

Ward: Bay of Islands - Whangaroa

Date: end of August 2023

Meetings or Event Attended

Date	Meeting Topic	Comment
7 Aug 2023	Rates increases inquiry Meeting of office of the Mayor	
8 Aug 2023	Meeting with Te Miromiro Chair	
	MHUD Cyclone Gabrielle	Relocatables for emergency housing
	Te Huia Executive Review Committee	
	Te Kuaka wananga	
	Te Kuaka Māori Standing Committee	
9 Aug 2023	Te Miromiro – Assurance, risk & finance	
10 Aug 2023	RMA Making Good Decisions recertification	
11 Aug 2023	Waiaua Native Collective	Appreciate Cr Kapa, Cr Rākena and Staff member Lawrence attending this hui with me in Matauri Bay. Since the hui I have shared the concerns with management and the hapū are looking to go to the ombudsman of the lack of their mana whenua status not considered, lack of acknowledgement and communication.
14 Aug 2023	Wai Tamaki ki te Hiku and hapū of Waitangi	Building relationship with Jon Lamonte, at the beginning of this Paihia Water Treatment plant upgrade.
	Extraordinary Council Hui	
15 Aug 2023	Meeting with Kawakawa Moerewa Community Board	Offering background information and support. Working through some of the local issues.
	Bay of Islands Recreation Centre Advisory Committee meeting	Concerns around whether the maintenance grant is a sustainable funding model – was it ever envisioned to fund ongoing maintenance and repairs? Or was that meant to come out of the swimming pools contract? A Northland



Member Report

		Aquatics Plan being developed via Sport Northland. The swimming pools contract should be up for review soon.
	Resource Consent issue	Highly productive land and resource consent hurdles.
	Rating concerns	Meeting with resident getting into financial stress
16 Aug 2023	Chambers refresh	Refresh of Council chambers technology and it's impact on the world map
	Kahika, Kōwhai agenda preview	
	Ohaeawai Stormwater and flooding	See in issues below
17 Aug 2023	Financial state of the Far North	Presented by Infometrics. Heading to more people than jobs available, & possibly 5.5% unemployment in the Far North. 25,000 migrated to the North to work, 10,000 didn't want a job. We have an aging population, leaving the workforce. Net internal (NZ) migration, is what is driving growth. Far North ahead of national average for GDP. The reduced milk dividend is taking 30 – 40M out of the economy. Expect interest decrease in Nov, and house prices likely to rise over the next 10 years.
	Rangitane Hui	Hapū and community working together
18 Aug 2023	Extreme Weather Fund proposal	Matihetihe Marae resilience project
	Waste to Energy Meeting with Auckland and Northland Mayors	
21 Aug 2023	Blessing for 2 Clark Road Kerikeri	Ngāti Rēhia conducted a site blessing as works are starting, then presented on how the name "Te Tira" came about, and the engagement that was carried out. Te Tira is short for Te Tira Tukuiho, Hei Oranga Taiao. And means – our community is climate smart, secure and respectful.
	Interviews for CE position	
22 Aug 2023	Far North Holdings & Council workshop	
	1 Wharo Way & Pohutukawa	Resolution needs tidying. Will come to next council hui.



Member Report

23 Aug 2023	Taumarere Counselling Service Advisory Board AGM	
24 Aug 2023	Northland Resilience Plan	Meeting with the team working on the resilience plan, in preparation for the next couple hui.
	Council Hui	
25 Aug 2023	Kawakawa Community Plan	Hui to finalise the plan, pull all the details together.
	Kiwirail – Waka Kotahi SH1 Stakeholder hui	An understanding has been reached which clears up the responsibilities around the road and rail through the main street of Kawakawa. Unfortunately, only repairs and maintenance until the 2024/2025 season to strip back and reseal completely.
	Cyclone Gabrielle Recovery Governance Group	Update on the recovery work programme, and funding opportunities. The recovery document has been nominated for an award. Also had a presentation of the resilience plan narrative which will be finalised for the Minister. It captures what is required in our isolated communities to be resilient through extremes of weather and comms or power outages, and brings together a troupe of plans within councils, agencies and more.
26 Aug 2023	Cyclone Recovery Northland	Hui with Minister Davis, NRC staff and consultants on the Northland Resilience Plan
	Office of Auditor General	Discussed many topics, including Cyclone Recovery – impact to our communities and the roads, climate change and the LTP lite.
28 Aug 2023	Interview panel for EA	
29 Aug 2023	Alcohol Harm Hui – Te Hiku Iwi Development Trust and council staff	Comprehensive approach to reducing alcohol harm. Te Hiku Social Accord was formed by Te Tiriti settlement. And it provides Access to Crown agencies to address social harm. And meet social and health outcomes for Te Hiku. They have a programme of work called Whiria Te Muka – the goal is to reduce and prevent whānau harm in Te Hiku whilst striving towards Mana Tangata. They want to support council in the following - Alcohol control bylaw needs to be reviewed by November. And they wish to resurrect the Local Alcohol Policy. Now that the legislation preventing big box supermarkets from objecting, has been passed. We will work together in preparation for the next steps.



Member Report

	Tumu Taupua, Kōwhai & Kahika Catchup	
	District Plan Hearing catchup	District plan staff need an idea from us councillors that are interested in being on hearings panel, how much can we commit to.
30 Aug 2023	Meet and greet applicant for EA role	
	Te Maruata Whānui Wānanga	Presentation from Te Whatu Ora on Localities. Localities is about people; the health funding follows the persons not the practice. We as local authorities may be engaged with by the localities, and they will likely seek our endorsement of the area boundaries they have settled on.
31 Aug 2023	Mahi Haumarua Aotearoa	Worksafe NZ kōrero at Kawiti Marae. We take our whole selves to work. Challenge is how do we make a difference Worksafe wise. People thriving, wellbeing succeeding is the mantra of many of our hapū and iwi. Which aligns with the Worksafe Goal: Everyone goes to work and goes home happy and safe.
	Frank Aldridge	Planning the next steps from offsite, and development of KPIs
1 Sep 2023	Northland Mayoral Forum	KDC are seeking councils to have a collective voice on the waste to energy Kaipapa. Chair of Wai Tamaki ki te Hiku attended and is going to follow up on some concerns raised. FNDC need a paper on the C4LD to determine whether we are still part of that group. NTA s17a review – I stressed that some Ems outside of urban centres should be included in review. Presentation from Te Whatu Ora on localities. Working on an incoming briefing paper to government Ministers to be presented post-election.

Community Matters

This section should be completed for matters arising within the community, which Council need to be aware of. It could be related to ongoing projects, requests, feedback etc.

Topic	Comment
Kerikeri CBD Road closure	Applicant was advised I oppose the application to close Kerikeri CBD for events. I explained I am one voice around the table, and when it comes to the table, I will vote having considered the information presented.

Member Report

Stormwater issue	Marreine Place - Far North Waters Alliance is currently working with the Department of Conservation on a preferred engineering solution and hopefully this is resolved within the next three months. The target is to have engineering works completed during this summer period when ground conditions will be optimal for such works.
Stormwater issue	Neumann Street, Kawakawa happening as I type, smiling faces all round. Moerewa Stormwater project – <i>need an update from project manager to elected members.</i>
Ōhaeawai	<p>This community has been putting up with the stormwater issue exacerbated by our footpath and lack of maintenance for decades.</p> <p><i>They are dealing with:</i></p> <ul style="list-style-type: none"> • having to take children aged 3 – 15 yrs. out in the middle of the night to the public toilet, from Tennyson Street. As their toilets won't flush. For a couple properties it is after only a day's rain. • There is a school and a playcentre in this town. Each morning, the children go for a run, and they are running along streets that have been flooded with stormwater mixed with sewerage. • There is also a swale/drain which when full is two metres deep. There is no barricade to prevent children from running or falling into this dangerous hazard. • Council have made no attempts to remedy. • One family have done work to upgrade their onsite septic, but it has made no difference. • This is said to have well-draining soil, but the infrastructure is blocked. It is the fact that the stormwater gets stuck, doesn't have a path to flow away because our footpath is in the way, and because the drains are blocked. • Wastewater infiltrated by stormwater. <p><i>What they need urgently:</i></p> <ul style="list-style-type: none"> • Clear the blockages. • Renew/remedy the footpath. Features an engineering failure, which is contributing to the cause. • Culverts • An arrangement for portaloos in the meantime (ideally we put 3 into the town until the blocked drains are cleared and the footpath is remedied). And they will be supported to develop a community response plan, so their hazards are identified, and their vulnerable and they have a clear path to support moving forward. <p><i>What they need in the long-term:</i></p> <ul style="list-style-type: none"> • I am arranging a meeting with Northland Regional Council flooding and rivers team to discuss the Pekapeka River and catchment as there is also the risk to the community when logs come down the river and block it, which floods the state highway. • I am raising the unmaintained drainage along the state highway with Waka Kotahi, to ensure they are doing their part towards flood mitigation on their stormwater infrastructure. <p>These issues have going on for too long and the community are prepared to work with council to address. They have already done some scoping, and if we would like them to deliver good value for money, they could make a bit of money go a long way to address on a larger scale.</p>
Mayflower Takeaways	This business was in the Ford Building in main street Kawakawa which has been impacted by a massive slip behind. Landlord appears to once again be evading doing the remedial work, and Mayflower are keen to get up and running again. They are considering another location in Kawakawa.



Member Report

	<p>And as was offered by staff last year, working with the business on due diligence on a new location (Fire, Code of Compliance and Food Control Plan). In lieu of a lease, a site visit to advise is not able to occur.</p> <ul style="list-style-type: none"> - <u>Monitoring and enforcement need to manage that slip work before the entire building becomes a health & safety risk. Further – concerns were raised at a stakeholder's hui regarding the potential threat that slip poses, should it give way completely and cause the building to collapse and block state highway 1</u>
Puketiti	Still waiting on Heritage status of the site.
Cycle trail at Beaufort Street	Some signs and fencing appear to be going up. Landowner has been interrupting cyclists. People are concerned about behaviour. The trust is aware and managing.
Matauri Bay	Rating of whenua Māori – hui still to be arranged.
Hihitahi Rise	Residents appreciate the temporary repairs, they have made a huge difference. Organising an emergency response meeting, so to ensure resilience should worst case scenario occur.
Waitangi Occupation	No update on court orders

Portfolio Update: (Housing)

- Blessing of Te Tira Housing development, Kerikeri

Matters for Discussion

This section should be completed for matters which the elected member wishes to raise with wider Council, Community Boards and/or in relation to delivery.

Training / Conference Attendance

Name of Event: RMA Making Good Decisions recertification

Date of Event: Thursday 10 August 2023

Learnings: changes in legislation, new case law

Value for the organisation: good understanding of the plan making and resource consents process.



Member Report

Name: Councillor Ann Court

Date: September 2023

Road Maintenance Operations and Renewals Contract

FieldForce4 were engaged to undertake a review of the current Road Maintenance, Operations and Renewals Contract as a key part of the process of working towards new contract development and retendering. This is a legal requirement under the Waka Kotahi procurement guidelines prior to commencing any new tender processes.

As part of this process FieldForce4 have interviewed key NTA staff, contractors, CE's, Mayors and some Elected members. Contractor depots will be visited. My interview was Friday 18 August 2023.

A Section 17A review of delivery of Councils Transport Services is underway. This is being led by the GM Infrastructure Whangarei.

Waka Kotahi have announced that are extending the contract with Fulton Hogan for two years and are looking at operating an integrated delivery model.

Cyclone Gabriel Emergency Work Funding

The initial deadline of 30th June for funding for Cyclone Gabrielle emergency works has been extended. Emergency Work for the District Council local roads currently has three classifications:

- Phase 1: Immediate event response to get roads open and safe
- Phase 2: Sites identified up to \$100k in value – work that can be delivered through the existing maintenance contract
- Phase 3: Sites identified over \$100k and require Geotech and more complex engineering work.

To date over \$20m worth of works activity has been completed over the region across Phase 1 and 2 activities.

Presently 165 sites are considered at Phase 3 with staff currently working through the initial site assessments, 45 initially identified as Phase 3 have moved to Phase 2, and 105 sites are still under investigation. Some sites have deteriorated further with each weather event and will need to be reassessed.

Funding for State Highway repairs was approved for \$35m with 42 major areas to address, 27 completed and the rest are complex requiring further review and design work.



Member Report

State Highways 12, 14 and 15 still have areas of significant movement, with SH12 developing 4 new under-slips. Additional funding was obtained through Crown Investment funding for resilience work across the Northland network.

In August an additional \$567m was announced for maintenance/opex nation-wide. Based on our current FAR we would anticipate that Northlands share would be in the \$37-44m range. However, at the time of writing this is still fluid.

Impact on local work programme:

16km of last years programmed rehabs have been carried forward through the maintenance contracts to the 2023-24 season. Additional programme for this year is being put out to market allowing more contractor opportunities. CCNZ confident there is capability with local contractors to complete the work. Emergency works being the equivalent of a whole year's programme which will need to be staggered. Risks are if work gets deferred and rolled over to the following year, any changes in funding can result in reprioritisation so this work may not be completed. GPS (Government Policy Statement on Land Transport) not yet available, but team proceeding with LTP (3 year) on the basis that funding will be available.

Deviation route loadings are driving some rethinking in opex priorities.

Higgins are looking to establish a presence in Northland.

Kiwi Rail

Kiwi rail reported that over 2000 slips were due to Cyclone Gabriel and other weather-related events this year. It's not a lack of maintenance but bigger culverts are required to address storms and increasing climate change events. Rail line closed until the end of this year at the earliest – probably next year.

Route to Marsden: Land is being designated, route designed, Geotech reports commissioned.

Waka Kotahi

Waka Kotahi (WK) confirmed that while they have a large programme ahead their focus will be on quality rather than quantity, with the intention to start their programme earlier than usual with some work on SH12 and may look at the possibility of the Contractors working over the traditional Christmas/New Year moratorium period so momentum is not lost. This will lead to commuter disruption. We will need to ensure messaging to the public on the why and seek their understanding and support.

Asphalt resurfacing starts mid to late August two weeks ahead of schedule. WK stretch target is to complete their rehabs (246km) which may come at a cost of reseals. WIP



Member Report

As stated, above WK advise they have secured some additional resilience fundings from Crown Investment Funds and have a 7-year pipeline of works. There are some resilience projects planned for Highway 16 including Lookout Hill.

WK have developed a subsidence strategy and have secured some funding to start addressing network failures in this space.

Arthur Webber (Kaikohe Lad) has been appointed to a new role in Waka Kotahi as Regional Advisor.

The drivers licensing trial has been extended until June next year.

Dome Valley to Whangarei Resilience Package

The \$600-\$800k resilience options package went to Cabinet before they rose in August. At the time of writing this report the outcome of that deliberations have not been notified. As a heads up the package included:

- Upgrades to the two approved detour routes
- Enhanced under slip and over slip management on SH1 and local detour routes
- Preventative flooding management (e.g., culvert management)
- Non-Infrastructure Solutions (such as better signage)
- Short/medium enhancements to Brynderwyn Hills
- Confirming long-term infrastructure solution for the corridor through completing the Whangarei to Te Hana SSBC

Drainage

Information supplied at recent RTC meeting highlighted the need for more investment in drainage work.

Recently announced funding from Crown Infrastructure can only deal with specific drainage issues, and not on ongoing drainage maintenance. Generally, drainage activities are dealt with within the maintenance contracts – routine culvert clearance and standard ordered works. We have been advised that increased housing and development can seriously affect runoff and how drainage works on the network so bigger conversation needs to be had with developers and councils.

Northland Road Safety Meeting

Quarterly meetings so nothing to report this month.



Member Report

Road Safety

In my last members report I covered:

- Mahimaru marae will have a 60km/h variable speed limit area to ensure the safe entry and exit of vehicles into the marae. At all other times, the speed limit will be 80km/h.
- Kareponia marae will have a 60km/h variable speed limit area around the marae to allow safe entry and exit of vehicles into the marae and a 30km/h variable speed limit area between Kareponia marae and the urupā to keep whanau safe as they walk along the state highway during tangi. At all other times, the speed limit will be 80km/h.

The variable speed limit uses electronic signs to lower the speed limit for a short period when vehicles are detected at the marae accessway or between Kareponia marae and the urupā when activated by Kareponia marae.

There has been some correspondence since this which has raised some interesting discussions:

- There were some schools on the State Highway network that had 30km/h VSL/s proposed in the Interim State Highway Speed Plan, but that is still going through its process following consultation, so no final decisions have been released yet.
- There was one marae in Northlands Interim State Highway Speed Plan (Waiora Marae) on State Highway 1, that was proposed for a 30km/h VSL.
- Ngataki School on State Highway 1 was also proposed for a 30 km/h VSL but then Pamapurua School and Umawera School were proposed for a VSL up to 60 km/h.
- Without a comprehensive understanding of the roading environment its hard to understand just looking at the numbers if the application of the guidelines is consistent.
- Are we clear what criteria is being used to determine whether a site should have a 30km/h or 60km/h variable speed limit?
- Does this set a precedent that all marae and schools on State Highways will have 30km/h VSL's?
- The legislation only provides for a distinction between Category 1 and Category 2 Schools. Category 2 schools have supporting infrastructure such as footpaths.
- From a practical perspective the question of who is operating the VSL has not been answered. Is it Waka Kotahi or the local school/marae and if so how is turned on/off and under what criteria. Should we be handing over the manual management of speed on our network to members of the public and school teachers?
- A 30km VSL is a big drop in speed. What is being considered in terms of advance warning signs.



Member Report

- The AA have raised concerns that a 30km/h VSL on the State Highway Network may create an issue with heavy braking that in itself is a road safety concern. There are also concerns around compliance.

LOS and Speed Reviews

I remain concerned that blanket speed limit reviews may be a proxy for reduced LOS (road funding) on the network. However, finding any qualitative or quantitative evidence is proving somewhat elusive.

I am advised informally this was raised by the Waka Kotahi board member some months back. It was reported back to me that the board's opinion at that time was that this outcome could be anticipated.

I put out a call via linked in and received the following reply from a transport planner:

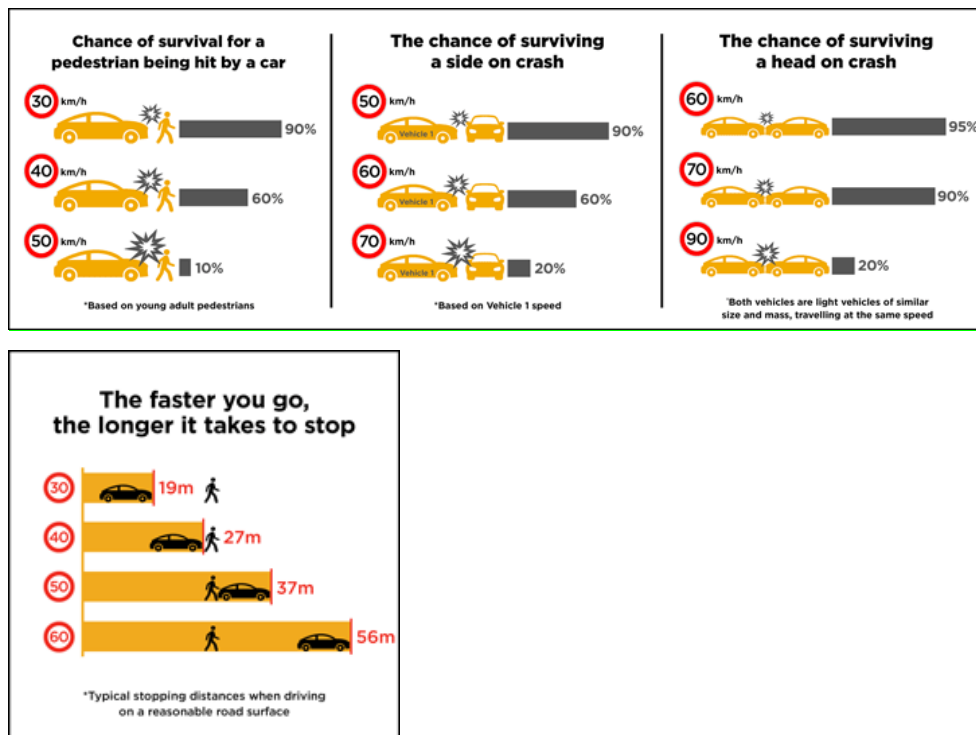
"There is a direct correlation but you'd be hard pressed to get anyone in the industry to openly admit that they are exploiting the fact. The lack of answers to your question suggest to me that no one dare even have that conversation with you."

It seems axiomatic that if roads such as the Waikato Expressway or Transmission Gully are designed for 110 km/h then this means the carriageway features the most up to date safety features including, a minimum of two lanes in either direction with lane separation, a central median barrier, wider shoulders, no significant curves and asphalt vs bitumen for a better/safer running surface.

Roads designed for 30km (say in a CBD) might have footpaths and streetlights but by design they would be narrower and could have cheaper pavement materials because the forces applied are different.

Whilst no one would expect any immediate change in LOS, I remain unconvinced that in the longer-term blanket speed limit reductions will not be exploited as a proxy for decreased capital investment.

In terms of road safety, we know driving too fast is the single biggest contributor to road crashes. Other factors at play include distraction, alcohol, drugs (impairment), not driving to the conditions, no driver's licence, driving a class of vehicle you're not licensed to drive, unroadworthy vehicles... Sadly what often leads to an adverse outcome is failure to be properly restrained, what you hit and how and the safety rating of your vehicle.



So why do drivers speed? There are lots of research papers which suggest speeding is primarily attitudinal and circumstantial. It is related to opinions, maturity and personality and well as the prevailing conditions on the road. Psychologists suggest the road layout and characteristics that are engineered for a higher speed coupled with increasing capabilities and design of a vehicle leads people to drive in a comfort zone regardless of the posted speed limit. This behaviour is often attributed to why people speed up on passing lanes.

We all drive fast from time to time. Most people don't think twice about going five to ten over the speed limit.

Arbitrary speed limit reductions in lieu of road improvements using elements such as incorporating walking and cycling, signs, road marking, geometry, road surfacing, lighting, urban landscaping and design are significant elements we should be looking to incorporate into the roading corridor to moderate driver behaviour where there is a known risk.

Disability Action Group

The Disability Action Group met 14 August. Huge shout out to Kim Hammond who managed to co-opt the entire SLT team to attend.

The group spent some time talking though the challenges of get their disability strategy embedded into BAU in the Council and were disappointed to learn that some staff have never seen or heard of the document.



Member Report

The group spoke to the need for communication to be two way and meaningful.

One specific area of concern raises its head at every meeting and that is the condition of our footpaths and extension of the footpath network so that it is fit for purpose for multi modal needs. Repairs if not done properly create trip hazards for those in mobility devices or those with limited physical mobility including vision. The group understands the financial constraints but do not wish to see momentum lost in extending and improving our network.

Crossing points need work as we currently have a number of crossing points that are on angles or at grade that are unsafe and have been known to tip users out of walkers.

The Engineering Standards and Guidelines appears to have been a missed opportunity to engage with the group to ensure our adopted standards meet the needs of the sector.

SLT undertook to consider the points raised and come back to the group. Thank you.

Te Puawaitanga

Codes have requested a briefing on where this project is at in terms of capital delivery and how we are tracking on the constitution and governance paper. An email was sent to the group manager to facilitate.

The proposed governance structure is still a work in progress.

Whangaroa Catchment Working Group

I was unable to attend the working group meeting as it clashed with an FNDC workshop day. However, I thought members might be interested in the agenda:

- Stage 1 Kaeo Flood Mitigation – Review
- Options for investigating a weir behind the community hall
- Tauranga Bay works
- Taupo Bay works

Liquor Licensing

Year to date 384 applications have been received. 50 decisions were written in August

Commissioner Clearwater has been an incredibly valuable contribution to the team picking up some of the more complex hearings.

At the time of submitting this report I am preparing for 3 hearings all set down to be heard on Friday 1 September.



Member Report

Regional Land Transport Committee

The draft GPS has now been released. The risk we now face is that the public consultation will not be able to be completed in the current term of Government. Should there be a change in the October election there is a suggestion the GPS will be rescoped.

New Zealand Automobile Association

Thank you to Mayor Tepania and Cr McNally for meeting with Chairperson Rissetto and opening the door to future engagement and advocacy.

Did You Know

According to a recent UK survey 'MoneySuperMarket' the most common time drivers speed on the road is in the early hours of Sunday morning. 78% are male in the 18 – 29 year age group followed by the 41 to 60 year old age group and owners of BMW's were more likely to speed followed by Jaguar, Land Rover and Mercedes.




Councillor Report hhh 3.9.23

Name: H Halkyard- Harawira 3.9.23 Ward: Te Hiku Māori

Local Government Act provided for 4 Māori ward councillors in Far North - concept of natural justice

**Role 1	**Role 2	**Role 3	**Role 4	**Role 5
To strengthen the rangatiratanga and influence of Iwi and Hapu in local government and the management of Taiao.	To achieve shared outcomes for Iwi/Hapu and community- new housing, 3 waters, resilience funding subsidies, joint working business relationships	To participate and advocate for law reforms that disadvantage Māori - To keep abreast of Waitangi Tribunal recommendations and legal implications.	To engage with Māori voters re preferred Māori ward takiwā by Matariki 2024. i) Ki te raki, ki te tonga o Mangamuka ii) 4 takiwā a Iwi/hapu iii) Me waiho pēnei	Te Oranga o Te Tangata me Te Taiao- General wellbeing of people and the environment.

7 Aug	#1, 2,3 5 Te Hono	Monthly updates with Te Hono staff re Ngā Take Māori
	Request for IMoko Services to resume in FAR NORTH Kura from a teacher.	"We have tamariki and kaiako getting strep often. I've had it myself over 4 times in the last year, kids being reinfected after having days off for recovery. It's the same story with hakihiaki and whānau not taking tamariki to the rata until they are really bad. Is there anything we can do in Kaitiāia to get the Kaupapa back into our Kura? Can we train kaiāwhina and use ipads if there is no one else available?"
	Kaitiāia Airport Update.	Ngai Takoto readiness to purchase Kaitiāia Airport on behalf of themselves and Ngāti Kahu mana whenua.
8 Aug	#2, 5 Te Huia	Recruitment CEO process
8 Aug	#1,2,3,5 Te Kuaka Komiti- FNDC and Te Kahu o Taonui strategic relationships with iwi, hapu and Māori  H Burkhardt Chairperson, Pita Tipene (Ngāti Hine), Wane Wharerau & Mere Mangu (Te Runanga o Ngāpuhi). Delegation: Te Mauri o Te Wai. Rereata Makiha & Dallas King	Te Kuaka <ul style="list-style-type: none"> • Receive updated list of 40 approved independent Commissioners for Council initiated plan changes. Ae • Confirm 5 panel members, 2 with chairing skills, and 1 with Tiriti o Waitangi/kaupapa Māori /Tikanga expertise per hearing. Ae • Receive Rautaki Kerikeri Reo Rua Ae • Pānuī- Iwi/Hapu Environmental Plans Policy Feb 2016 Ae • Receive Ngā Tikanga Mō Te Taiao o Ngāti Hine NHHEMP2022-Ae • Receive Ahipara Iwi/Hapu Environmental Management Plan Ae • Workshop Kaupapa- Resource Consent for Wastewater Treatment Plant WWTP Kohukohu and Ōpononi-Ōmapere Kaikōrero - Staff Infrastructure Planner and Hokianga: Seek reduction of 3 resource consent from 30-3 years to phase out sewage dumping in Hokianga Moana and waterways Hei Mahi - finalise land disposal sites, funding possibilities for Moana Restoration. NRC Rawene Consent Hearings Oct 12,
9 Aug	Te Miromiro- Assurance & Risk	Received Deloitte's Audit Plan

	Long Term Plan Lite Workshop	Workshop- due to extreme weather FNDC is one of 8 Councils in special 3 year planning category.
10 Aug	Hillary College, Otara	Innovation from the Roots - Harvesting Indigenous Ingenuity - 2 day event for present & former students.
11 Aug	Taipa	Discussion re development of Rainbow Policy at local kura with 2 Niwa senior students
	Pānui Waste Minimisation	Pānui Waste Minimisation Procurement- include local & hapu/ Iwi procurement and to work cooperatively
14 Aug ,	Haititai Marangai	Marae stopped a landowner from making a roadway to the beach over wāhi tapu where koiwi are buried
	Kei te kainga	2pm Extraordinary Hui- online- Waste Minimisation Procurement & Briefing on Resource Consent Conditions Kohukohu/Opononi
16 Aug	Piki Te Aroha Marae	Hui Mate o J Tau- hoa tane a Chicky Rudkin
	Wānanga Māori & Kura Kaupapa Māori - Education and Training Amendment Bill passed 3rd reading.	"Wānanga Māori play a critical role in the tertiary level for the revitalisation and normalisation of te reo Māori and mātauranga Māori. Kura Kaupapa recognition as a separate entity rather than a special characteristic school has been restored.
17 Aug	Kaunihera, Kaikohe	Development Contributions- external funding projects
		State of Far North Economy
		Housing for the Elderly -2 kaitono
	Hui Whaiti- Te Runanga Nui o Ngā KKM -a humi	Ka piki ake ngā tamariki e uru ana ki roto i ngā kura kaupapa Māori o Tai Tokerau.
18 Aug	Response re FNDC ratepayers	https://ratepayersreport.nz/far-north-district-council/ 72,000 population. 30,756 households. Average residential rates \$2665.15 Average non residential rates \$4981.88
	Oho Whenua- Nga Pou a Tane- formation of National Māori Forestry Association.	Concern re ETS changes on Māori forestry owners. Te Aupouri -New policy undermines Māori forestry ETS and interferes with Iwi settlement rights & loss of 50% forestry revenue
21 Aug	Ngawhā Hub	8.30-5 Interviews for shortlisted candidates CEO
	Kaitaia Airport Update Ngai Takoto, Patu Koraha, Ngai Tohianga & Te Paatu.	LINZ, Arawhiti challenged for wasting 10 months of Iwi negotiator's time. Iwi lead negotiator seeks urgent intervention from the Crown settlement department
22 Aug	Far North Holdings	Projects and Risks, quarterly update with Trustees
23 Aug	Kerikeri Turner Centre	Short Visit to Science Fair- impressive student work
	Kaikohe	Housing for the Elderly- 3 kaitono



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	Parawhenua Marae	Hui Mate o Dunn Te Ringa Kaha Mihaka
24 Aug	Kaikohe	9-10 Mayors Catch Up 10-4 Hui Kaunihera
	Response re staffing levels- did FNDC increase staffing by 14% in the last year?	Total people employed (Full and part time) June 2021 391 337 full time /34.46 part time June 2022 385 343 full time / 31.65 part time June 2023 366 321 full time / 29.48 part time (tb confirmed)
28 Aug	# 1,2,5 Te Oneroa a Tohe Board - a statutory body and consenting authority.	<ul style="list-style-type: none"> • Recognition of Te Oneroa a Tohe as Te Ara Wairua • Future claims under MACA , Mussel spat etc • Hui wānanga - with multi stakeholders Sept 28-30 regrowth Toheroa Strategic Plan 2022. • To have a workshop on eradicating caulerpā September
29 Aug	Te Hiku Community Board	Local take- Te Kao Playground, CCTV in Ahipara, renewal of lease reserves.
30 Aug	Pōneke- Hui Amokura	Māori Policy Planners - He aha te mana motuhake?
31 Aug	Te Whare Oranga update	411 patients registered at one month old health clinic Kaitaia
	Con calls	8am Te Kuaka chairs Programme briefing for Sept 7 hui 9am Mayor & Councillors Catch Up 10.30 uiui me Te Hiku Media mō te wāhi rererangi o Kaitaia
1 Sept	Awanui resident	Dog attack in Kaitaia. Need a bylaw re vicious dogs.

Ngā Take e5 Pūmau ki a au - My Top 5 Projects

NGA TAKE PUMAU E5

- KAITAIA AIRPORT**
30 year co- management lease renewal with Ngai Takoto mana whenua of Ngāti Kahu and airport services as a strategic emergency site and daily commuter service.
- DECOMMISSION KAURI DAM**
Work with Ngakahu/ Ngākōhu Ahuwhenua Trust to close Kauri Dam .
- MORINGAI/ MORINGAEHE**
Work with Ngā Hapu o Ahipara re co- management plan for Moringai/ Moringaehe reserve
- WAI TIKO**
Stop the release of sewage into all our harbours and waters in favour of land disposal options by Dec 2025
- RANGITOTO PĀ- MANAGEMENT PLAN**
Change status of pa site to historic reserve- & approve Reserve Management plan to seeks fund to eradicate invasive weeds.



August 2023

<p>Whaingā 1, 2023 *****</p>	<p>#1 & 5 Kaitiā Airport- Te Rangi Aniwanīwa- lease renewal Ngāi Takoto Iwi and Hapu mana whenua of Ngāti Kahu(Patu Koraha, Ngāi Tohiānga, Te Paatu Land taken from Erstich whānau under Public Works Act during WW2. All support the airport as a commuter and emergency service.</p>	<p>Part 1 Oct 2015 - Aug 2023 1) Aug 24 Crown agree to transfer land back 50% to Ngāi Takoto and 50% to 3 x mana whenua as a delayed settlement; 2) Iwi and hapu seek Crown costs to upgrade the airport runway and building so ratepayers do not foot the bill twice as \$5 mill former allocation given another airport. Part 2 3) Iwi/ Crown / FNDC / FNHL meet to frame economic future of airport. 4) Iwi / hapu to enter into a 30-35 year lease with FNDC, Airport Managers and other stakeholders. 5) Iwi/ hapu / airport seek long term co- management committee</p>
<p>Whaingā 2 *****</p>	<p># 1, 5 Ngākahu , Ngākohu Ahuwhenua Trust- to decommission inactive Kauri Dam 10 year old project - little progress. Relationships break down with Council. Dam has asbestos pipes and algae bloom.</p>	<p>Ngākahu/ Ngākohu Steering Committee Councillors group set up in years past: Site visits 8.3.23, 2.8.23 Kauri Dam lowered once in 2022. Recent rain events have scoured the local Tarawhaturoa River and washed away fences. Ngākahu/ Ngākohu Ahuwhenua Trust want 👉 1) Kauri Dam lowered and replanted as wetlands; 👉 2) Council action plan to shut down the dam and exit 👉 3) to hire their preferred local contractors 👉 4) to build kaumatua kuia housing for their own whānau 👉 5) Cancel 2016 Ford agreement</p>
<p>Whaingā 3 *****</p>	<p>#1 Moringai - Ahipara • Followup legal challenge from Tamaki Legal on behalf of Ngā Hapu o Ahipara Dec 2022 KUA EA Hei mahi</p>	<p>• Hapu allege FNDC failed to represent their interests in 2008 Environment Court when a developer sought one of two reserves be converted to general title. • Pohutukawa protected in Ahipara Takiwā Plan but not in FNDC Notable Trees; • Ngā Hapu o Ahipara to attend Kuaka hui October/ November- to confirm a co-management plan for Moringai</p>
<p>Whaingā 3 ***** </p>	<p>#1, 2, 3, & 5 Wai Tiko Stop dumping of sewage in all harbours of Tai Tokerau by Dec 2025.</p>	<p>MOANA RESTORATION. • Hapu / Community Management plans for land based solutions- needs to be an agreed standard across all 16 wastewater plants, similar to that developed in Kaikohe and Taipā. • Kohukohu Opononi Omapere resource consent renewal reduced from 30 to 3 years.</p>
<p>Whaingā 4 ***** </p>	<p>#1,2,3,5 Rangitoto Pā at entrance to Mangonui Harbour classified as a Recreation reserve. Ngāti Ruaiti mana whenua KUA EA AUG 24</p>	<p>Rangitoto Pā - mana whenua and neighbours request: a) Change status of land from recreation reserve to historic reserve- due to archaeological pā site. b) Reserve Management plan in order to gain funding to protect the pā site and eradicate fast growing weeds/trees - tobacco weed, moth plant and gorse. Hui Kaunihera - Supported and endorsed by Ngāti Ruaiti and Te Hiku Community Board.</p>
<p>Whaingā 5 *****</p>	<p>#5 Procurement of local contractors for roading repairs & tree risks</p>	<p>30,000 potholes. Clearing drainage, culverts, fixing potholes in unsealed roads- locals would like to assist. Roading seal for 11 Kohanga Reo , 58 Marae FNDC adopt a 5 year plan to seal roading 11 Kohanga by 2025, 58 Marae 2028.</p>



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Portfolio		
1	<p>#1 Ngakahu/ Ngakohu Ahuwhenua Trustees</p> <p>to dis-establish the Kauri Dam which no longer supplies water to Kaitaia township</p> <ul style="list-style-type: none"> Resolutions passed 28.6.2018 to exit Kauri Dam and lower dam 2022/12 	<p>Ngākahu/ Ngākohu Steering Councillors group set up in years past: See Whaingā 2</p> <ul style="list-style-type: none"> Followup from 8.3.23 site visit & workshop- algae bloom and asbestos pipes risk for clean drink water <p>Ngākahu/ Ngākohu Ahuwhenua Trust want</p> <ul style="list-style-type: none"> 1) Kauri Dam lowered and replanted as wetlands; 2) Council action plan to shut down the dam and exit 3) to hire their preferred local contractors 4) to build kaumatua kuia housing for their own whānau 5) cancel 2016 Ford agreement
2	<p>#1,2,3,5 Reforms Portfolio Wastewater Reforms -</p> <ul style="list-style-type: none"> To stop all 16 sewage dumping in Tai Tokerau waters. Moana Restoration 	<p>Next NRC Rawene Hearings Oct 12</p> <ul style="list-style-type: none"> Council urged by communities to update technology to manage land disposal systems Effective hapu lwi plans in place: Hokianga Te Mauri o Te Wai, Ahipara Takiwā, Taipā, Ngāpuhi, Source external funding to reduce ratepayer costs like Better Off funding - 2026 completion eg <ul style="list-style-type: none"> Taipā Waste Water Transformation Otiria, Moerewa flood mitigation Russel Landfill Kaeo Flood Hazard & Planning Mitigation Te Kahu o Taonui- Taiao portal Wai Tamaki ki Te Hiku- Entity A updates pre/ post elections
3	<p>#1& 2 Te Kuaka FNDC and Te Kahu o Taonui</p> <p>strategic relationships with iwi, hapu and Māori</p>	<p>Standing orders and Terms of Reference for Te Kuaka Komiti set.</p> <ul style="list-style-type: none"> Strategic relationships with Iwi and Hapu in Te Raki. To update Te Mana Whakahono a Rohe Accept Hapu Environmental Management Plans Prepare Māori recommendations for Council hui consideration 256 Hapu in Far North Huri haere ki nga take nui i runga i ngā marae
4	<p>#1,2,3,5, Assurance & Risk Committee-group to analyse and manage risks to Council</p>	<p>Councilors & staff-</p> <ul style="list-style-type: none"> Workshops before council meetings strategic planning workshops ongoing Annual Plan- set June 29 Due to severe weather, FNDC has been approved to put in place a 3 year long term plan
5	<p>#1&5 Te Oneroa a Tohe Board</p> <p>Sept 28-30 Moana Restoration hui</p>	<p>Next hui Sept 15 . To confirm the following:</p> <ul style="list-style-type: none"> visual signage to slow speed to 30km in beach exits at Te Neke and Waipapakauri . Other Te Oneroa a Tohe exits closed by hapu and Iwi due to trashing of beach and disrespect by some public users. Confirmation of Chairperson Caulerpa, shellfish regeneration, spat harvesting , MACA claims

Kaupapa	Kōrero Take Hāpori <i>This section should be completed for matters arising within the community, which Council need to be aware of. It could be related to ongoing projects, requests, feedback etc.</i>
<p>Kua wheturangitia Nā koutou i tangi, nā mātou i tangi</p> 	<p>Jonathan Tau, kaimahi o Te Kura Kaikohe East, he uri o Rāhiri, Piki Te Aroha Marae.</p> <p>Te Ao Haere Waipouri, kaimahi o Fonterra 41 ngā tau, he uri o Ngāti Hao, Ngāti Hau ki Whakapara.</p> <p>Dunn Te Ringa Kaha Mihaka, he toa whawhai i ngā kōti mō ngā mōtika Māori, he uri o Te Ahuahu ki Parawhenua, o Ngāpuhi Nui Tonu.</p> <p>Tui Nathan Mathews, he uri o Te Aupouri, hoa rangatira o Ben Mathews, (Aroha mai mehemea kua wareware ētahi ingoa).</p>
<p>#1,2,5 Roothing seal The Far North district has a total 2510km network of roads, 1614 km of which is unsealed. New Koukou Transport Komiti.</p>	<p>Roothing seal for Kohanga Reo & Marae 11 Kohanga, 58 Marae. FNDC adopt a 5 year plan to seal roading 11 Kohanga by 2025, 58 Marae 2028.</p> <p>Other roads I know of - resilient long term repairs: Motuti slip, Panguru slip, Pawarenga slip, Whangape slip, Herekino Rd to Broadwood- Panguru, Duncan Rd, Kaingaroa Rd, Rawhiti Rd slips, Matawaia, Maromaku,</p>
Waitangi Tribunal	Reports that impact on the future of Tai Tokerau
<p>#3 Wai 1040</p> <p>Stage 1 Report 2014 post 4 years of hearings - Tribunal found Te Raki Māori never ceded sovereignty at the signing of Te Tiriti</p> <p>Stage 2 Report Te Paparahi o Te Raki -pg1826</p>	 <p>Dear Ngāpuhi</p> <p>2014 Stage 1 Report <i>'The rangatira who signed te Tiriti o Waitangi in February 1840 did not cede their sovereignty to Britain',</i></p> <p>2022 Stage 2 Report The Crown to apologise for</p> <ul style="list-style-type: none"> failure to recognise and respect te tino rangatiratanga of Te Raki hapu and whānau imposed legal system that overrode tikanga failure to address legitimate concerns policies that effected a rapid transfer of land into Crown and settler hands. <p>Crown Redress</p> <ul style="list-style-type: none"> give effect to the Tiriti/Treaty rights of Te Raki Māori within the political institutions and constitution of New Zealand all Crown land be returned
#3 Wai 45 Claim	<p>Unresolved Ngāti Kahu land claims in Muriwhenua. Claimants – email briefs of evidence received</p>
#3 Wai 1718 Claim	<p>Urgent Claim for an independent parallel education pathway for Kaupapa Māori education- from Kohanga to Wānanga. He kereme</p>



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	ohotata kia tū he ara matauranga motuhake mō ngā Kohanga Reo, Kura Kaupapa Māori, Kura a Iwi, me ngā Wānanga Māori. He maru mō ngā kura kaupapa e9, Ngā Kura a Iwi e6, Ngā Kohanga Reo 22, Ngā Wānanga Māori e3 ki Te Raki
#3 Wai 262	The “flora and fauna” claim , the WAI 262 claim addressed the ownership and use of Maori knowledge, cultural expressions, indigenous species of flora and fauna, all known as taonga (treasures), and inventions and products derived from indigenous flora and fauna and/or utilising Maori knowledge.
#2 Housing on Māori Land	Housing delays-Infrastructure & resource consent process slow • HUD, Te Pauahi, TPK, many funding pools- how to work together to get maximum outcomes for Tai Tokerau whānau needing housing Resource consents hold up.
#5 Housing on General land 480 registered in Far North for housing Min for Housing & UrbanDevelopment	Social Housing Community - don't want to create project slums. Spread housing to outer areas- designs need to suit Tai Tokerau whānau not urban matchbox dwellings. Capitalisation scheme of children's benefits should be reintroduced for young whānau to pay a deposit on an existing home for sale.
#1 Coastal restoration	Coastal erosion/ moana restoration concerns : Kaimaumu, Whangape, Pawarenga, Te Oneroa a Tohe, Taipa impact on dunes, pingao, dangers of sand slides. MACA claims .
#1,3,5 Opua Reserve	Opua Esplanade Reserve- Walls Bay under Treaty claim Ngāti Manu, Ngāti Hine & Te Kapotai. Long term litigation to stop local business spreading over reserve land and denial of public access.
#5 Roothing RFS	<ul style="list-style-type: none"> • Roundabout at Awanui junction - now SH 1. Traffic volume increased – need a roundabout at Awanui / Mangonui/ Cape junction. Te Hiku CB plan • Roundabouts 3 Kaikohe traffic delays in key roads • Sent RFS re Whangape roads. Support RFS from other Kai Kaunihira
#5 He Putea mai waho	He maha nga take, he iti te putea , nō reira he pai kia whai pūtea mō ngā take maha mai waho atu o Te Kaunihira.
#5 Locals - 63% of Far North live in Rural isolation In some areas Māori are 100% of the population	<ul style="list-style-type: none"> • Life is tough daily. Keep rates and general costs down • Many grandparents are raising their mokopuna • People want to be part of their own resilience solutions - • Cost of renewable energies • Equity -Kids want local access to play facilities and recreation centres • Pi is dangerous - splitting whanau apart - let's not normalise it • Mental health services are stretched
#5 MĀHERE PLANS Confirm what we can achieve each year • Annual • 3 year	<ul style="list-style-type: none"> o Prioritise projects – equitable spend over 3 communities during 3 years, better outcomes for Māori (53% of population) o Staffing to achieve/support the annual and long term plan & to bring in extra subsidies, income for projects - halls & parks o Austere no frills budget - to keep rates low- cost of living & high levels of poharatanga felt throughout the district. , o Clear comms pānui - gathering & measuring good customer feedback , to help elected members make good decisions. o FNDC Resilience Planning <ul style="list-style-type: none"> • Regular maintenance Roothing , 3 Waters, facilities

<p>● 10 year</p>	<ul style="list-style-type: none"> ● Work well with other agencies to achieve mutual goals ● Climate resilience & risk mitigation ● Infrastructure needs & strategy better turnaround ● Data collection & growth projection ● Trade training centres to build youth skills capacity ● Access for locals and Māori to work tenders
<p>Appointments</p> <ul style="list-style-type: none"> ● Nyze Manuel- Māori Civil Defence Tai Tokerau Manager ● Ben Dalton , CEO Waitangi National Trust. ● Rau Hoskins, Heritage NZ Pouhere Taonga Board & Māori Heritage Council. ● Caren Fox, Chief Judge Māori Land Court . ● Alana Thomas - Māori Land Court Judge- ● Ngā mihi Kahika Moko, Kowhai Kelly, CEO Guy , ngā KaiKaunihera me ngā kaimahi <p>OrangaTaiao , Oranga Tangata</p> <p>-Nurturing the environment so it nurtures us</p>	<p>Whakanuia</p> <ul style="list-style-type: none"> ● Wānanga Māori recognition - kia ora Kelvin Davis ● King Charles Awards- Kevin Prime ,Frank Solomon,Qiane Matata Sipu ● Kohanga Reo pay parity achieved May 2023 ● Rongoa Māori removed from Therapeutics Bill- (Wai 262) ● Kororareka - renaming of Russell ● Waka Kotahi - hapu working relationship Mangamuka Gorge ● KERIKERI- first bilingual town in Tai Tokerau-Ngāti Rēhia ● Matua Bom Gillies – for Māori Battalion Flag colours Feb 2023 , <p>Whakatūwheratanga</p> <ul style="list-style-type: none"> ● Te Whare Oranga- Health Clinic Aug Kaitaia, Muriwhenua ● Tuwheratanga o Ngāwha Innovation Hub, Ngāti Rangi- <p>Anniversaries 2023</p> <ul style="list-style-type: none"> ▪ Hokianga Hauora Trust - 30 years anniversary July ▪ Mangamuka Marae 75 years anniversary- ANZAC Day ▪ Te Tiriti o Waitangi Marae, 100 years Ngāti Kawa, Ngāti Rāhiri ▪ Te Rangi Aniwhaniwa – 30 years anniversary Feb 3, 

Kaitaia Airport below Maungataniwha.





Member Report

Name: Cr Kapa
Ward: Tai Tokerau Maori Ward
Date: Aug/Sept 2023

Meetings Attended

Date: Aug	Meeting Topic	Comment
Mon 07	>Te Hono Monthly Hui: >Sport Northland [SN] Wrei:	>Online: Internal hui >Attended: Working through Strategic Priority Plan: SN to assist & engage targeted communities through Healthy Active Learning teams.
Tues 08	>Hud/FNDC Catch Up: >Te Huia >Te Kuaka	>In Chambers Presentation of waste collection and new criteria.
Wed 09	Audit & Risk	In Chambers: Refer Council website to review.
Thurs 10	>State of Far Nth Presentation: >Housing for the Elderly: >CE Recruitment	In Chambers: Intro of proposed waste management Submissions received/presentations Prearrangements for interview process
Fri 11	Waiaua Hui, Tapuia Marae Matauri Bay	Attended Hapu issue around resource consent.
Mon 14	>Extraordinary Council Hui: >Cycle Trail Board Hui Khe:	Attended All
Tues 15	Cycle Trail Executive Hui:	Online
Wed 16	Tangihanga CB Chair Partner:	Rahiri marae.
Thurs 17	>Housing for the Elderly: >Recruitment Prebrief	In Chambers: Submissions received/presentations
Mon 21	Panel Interview Khe	Off-site: CEO
Tues 22	FNHL Workshop: Governance Khe	In Chambers: Presentation and overview of business.



Member Report

Wed 23	>Ka Hui Hauora >Housing for the Elderly	Online: Sport Northland Special Meet In Chambers: Submissions received/presentations
Thurs 24	>Mayor/EM Catch Up >Council Monthly Meeting:	In Chambers: Progressing with Library project. Refer Council website to review.
Sat 25	Matawaia Marae,	Attended: Preplanning stage. Request engagement with staff planner. Noted and message passed on. WIP

Community Matters

This section should be completed for matters arising within the community, which Council need to be aware of. It could be related to ongoing projects, requests, feedback etc.

Topic	Comment
Resource Consents	Understanding the process, pressure of meeting timeframes when delays sit outside applicants' control. E.g staff on leave

Portfolio Update: (Name of Portfolio)

nil

Training / Conference Attendance

Nil



Member Report

Name: Penetaui Kleskovic

Ward: Nga Tai o Tokerau

Date: Friday 1st September – Council report due

Meetings Attended

Date	Meeting Topic	Comment
Tuesday 8 th August	Te Huia – Executive Review Committee	N/A
Tuesday 8 th August	Te Kuaka – Te Ao Maori Committee Workshop	An opportunity to talk through the TOR related to this Committee.
Tuesday 8 th August	Te Kuaka – Te Ao Maori Committee Meeting	Hayy Burkhardt and Hilda Harawira were elected Chair and Deputy Chair.
Tuesday 8 th August	Meeting with National Party MP Todd McClay	An opportunity to discuss Climate policy, ETS review and the Govt consultation process.
Wednesday 9 th August	FNHL Board Vacancy – Shortlist applicants	There were 5 people shortlisted for the interviewing process on the 8 th of August.
Wednesday 9 th August	Mid North Health locality Wananga	The purpose of this hui was to attend as a Maori Ward Councillor to assist in the naming of the locality.
Thursday 10 th August	Meeting with the Minister of Conservation – Min Prime	This hui is regarding water etc in Tai Tokerau.
Thursday 10 th August	Te Hiku Manu Korero – Far North Speech Competition	Felicity Foy and I were judges, this was our way of showing support to our young people who will be our future leaders, iwi or political.
Friday 11 th August	Te Hiku Manu Korero – Far North Speech Competition	Felicity Foy and I were judges, this was our way of showing support to our young people who will be our future leaders, iwi or political.
Monday 14 th August	Extraordinary Council Meeting	Kahore he kupu hei tapiri ake ki enei.
Thursday 17 th August	Presentation on the state of the Far North Northland Economy, Census and population Projections	Some good insights in to the Far North economy from infometrics– Regarding roading, industry, horticulture, economic resilience, 5 year outlook for employment GDP.



Member Report

Thursday 17 th August	Housing for the elderly Workshop 1 of 2 – Divestment presentations	A great presentation from Stake holders. He Korowai Trust, Hokianga Whanau and others.
Thursday 17 th August	CE Recruitment Prebrief	N/A
Friday 18 th August	Te Hiku Water Study – Project update	An update of the lidar technology and water study – administered by Aqua Intel Aotearoa. PGF funding. Biggest issue is that Iwi who are mana whenua want to own the data, as they have the largest landowners and should own the data to ensure it is not weaponised against us in the future.
Monday 21 st August	Panel Interviews for Chief Executive	A great set of applicants with a wide variety of skillsets ranging Environmental, Capital finance, iwi politics. This was a collective orientation of life experience.
Thursday 24 th	Council Meeting	A positive hui. Many good developments. I was elated that we did not approve the motion to mandate car warrant and rego checks throughout the region. This would only compound hardship and further accentuate the lives of those in strugglers gully.
Thursday 31 st August – 1 st September	Iwi Chairs Forum	N/A I was here in my capacity as Te Aupouri however its crucial that local Govt are aware with what is taking place at this forum.

Community Matters

This section should be completed for matters arising within the community, which Council need to be aware of. It could be related to ongoing projects, requests, feedback etc.

Topic	Comment
Moringahe Whenua	Would staff please follow up of the purchase of Moringahe. We passed this motion in last months hui. Lets get it going and moving.
Waiaua – Matauri	An ongoing issue that needs Council to step back and allow the whanau to deal with this internally. Council resource consents – Lack of consultation process.
Roading – Entire region	As we know the roading worthiness is not only the problem .



Member Report

Waste management Te Hiku	Requires various green bins, metal bins and a skip bin up there in Te Kao. Te Rarawa Iwi are looking to partner with a stakeholder to deal with waste management in Kaitia. This requires follow up and ensuring that Iwi are empowered to expedite their plans.
ETS Review	As you will be aware the Govt has been undergoing a consultation process on the Permanent category of the ETS and also the how we will meet our climate objectives. It seems that Crown may empower Councils to issue resource consents to landowners for tree planting moving forward in to the future. The cost of carbon is increasing and the concern from the Crown is too many landowners will transition their land to mono culture pine plantations. This is a landowners right, for maori it's the first commercial light we have seen for multiply owned landblocks. Watch this space.
Ngakahu Dam	This outstanding mahi is still a work in progress however much mahi has been done.
Ha-iti-tai-marangai	It is no secret that landowner in Perihipi has been excavating sanddunes and desecrating waahi tapu for his boat to beach access. There has been no consultation and Hapu need to meet with Council and landowners.
Carrington Estate	I met with William Tan from Carrington. He is concerned about the \$500k that his company contributed for the upgrade of the Whatuwhiwhi wastewater. I would like to bring this in to our LTP so that the Tokerau/karikari peninsula can flourish.

Portfolio Update: (Name of Portfolio)

- **Waters:**

I have been a Councillor for 11 months and we have not had a update regarding water. Mate Radich and I are meeting with Alliance Water Team to address asset management plan, KPIS, noncompliance issues also. We have room to improve on our recent efforts.

- **JREDC:**

Currently we are working on the Te Rerenga: Te Tai Tokerau Northland Regional Economic Development Strategy.

Matters for Discussion

- Resource consents, Building consents throughout the rohe.
- Councillors should undergo professional development e.g. Institute of Directors.
- Moringahe



Member Report

DRAFT presentation to the 16th session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), UN, Geneva, Switzerland 17th – 21st July

Penetaui Kleskovic, Te Taumata, Te Runanga Nui O Te Aupouri, FNDC

On behalf of Māori, thank you for the opportunity to present before you today.

I come to you to both ask for your assistance and to highlight the very real damage being inflicted now on the futures of my people.

As you will be aware, under the Tiriti o Waitangi, the Treaty of Waitangi, the New Zealand Government has responsibilities to act in partnership with Māori, in respect of our lands, our culture and our rights.

The New Zealand Government has long recognised the enormous significance of forestry to Māori. To Māori, forests are taonga – treasured possessions with immense culture, spiritual and economic value.

Forestry is also one of the most significant economic interests for Māori. More than half of Māori land is in forestry. And Māori forestry assets are valued at \$4.3 billion. Given the poor state of the lands left to us after colonisation and confiscation, afforestation is often the best option for development and investment.

The New Zealand Government has recently embarked on a review of its Emissions Trading Scheme. In the codesign of this review, many commitments were made by the Government to engage with Māori. And over many months, Māori leaders, forestry and business interests sought to meaningfully engage with the Government.

Despite this, under Climate Change Minister James Shaw, the New Zealand Government worked in secret to radically reform the ETS. And they did so without any input from Māori. Since their announcement of the ETS proposals, the Government has chosen to selectively consult, limit engagement and provide scant information on which to respond.

For Māori, this is not simply an issue of contributing to the design of New Zealand's climate settings. The current ETS proposals are putting a \$16 billion economic opportunity for Māori at risk. Under the existing ETS, Māori have been working on significant development and investment opportunities. The Government has also recognised the ETS review will have a major financial impact on Aotearoa's poorest, including Māori households and communities, by increasing the costs of emissions.

The impacts of the Government's actions are already being felt by Māori. The carbon market has crashed, and millions – possibly billions – of dollars have already been wiped from the value of Māori settlements and assets. Over the longer term, the damage to the economic futures of Māori may be irreparable, due to the erosion of the value of land, uncertainty around investment and undermining settlements negotiated under Te Tiriti.

As a result, Māori are calling for a UN investigation of the New Zealand Government's actions, and breaches of Māori rights under the UN Declaration on the Rights of Indigenous Peoples.

We ask for a visit by the Special Rapporteur to Aotearoa to see first-hand the impacts on Māori land rights and economic development.

And we would also like to send a message to the New Zealand Government. You must stop now! Immense damage has been caused, to the value of whenua Māori, to our Treaty settlements, our investments, our mana

and our futures. We hope our appearance before this body will help convince you of the seriousness of that damage.

Thank you.



Member Report

Name: Cr Rākena**Ward: Ngā Tai o Tokerau****Date: 12/8/23 – 4/9/23****Meetings Attended**

Date	Meeting Topic	Comment
12/8/23	Community planting day in Rāwene	He kaupapa tēnei nā Jessie McVeagh i whakarite. Ko te iho o tēnei kaupapa, he whakatō i ngā rākau taketake ki ngā whenua o te Hōhipere o Te Hauora o Hokianga. Ka mutu, kua roa nei te hāpori e koke ana i tēnei kaupapa kia tupu matomato ai ngā rākau me ngā māra, hei oranga mō te katoa.
14/8/23	Extraordinary hui	Horekau āku kupu tāpiri.
15/8/23	RFS Submissions	I have a goal to submit several RFS' to Council each month.
16/8/23	Tangihanga	I tae atu te nuinga o ngā Kaikaunihera me ētahi kaimahi o Te Kaunihera ki te marae o Piki Te Aroha ki te tautoko i tō tātou whaea, a Chicky me tōnā whānau. Kaukē 'hau i tino whakaāe kia noho mai tēnei pānui ki te ripoata, erangi, ko taku hiahia kia kite ai te hunga tūmatawhānui i te whakaaro Māori o tō mātou nei tira, ki te tiaki i ngā whānau katoa. Waihoki, e whakapae ana ahau he tukunga hou tēnei ki Te Kaunihera. Nō reira e te matua, e JT, e okioki.
17/8/23	Recruitment hui	Horekau āku kupu tāpiri.
21/8/23	Recruitment hui	Horekau āku kupu tāpiri
24/8/23	Council hui	Horekau āku kupu tāpiri
30/8/23	Lake Ōmāpere Trust hui	Hoino, he hui kia kōrero tahi ahau ki tētahi kaimahi nō Te Kaunihera mō ngā take e pā kau ana ki te roto o Ōmāpere.
4/9/23	Interim CE hui	A monthly catch up with our interim CE to get an update on Council operations and provide feedback from EMs perspective.
4/9/23	Crown negotiations hui	He wānanga e hāngai ana ki ngā ture me te ara whakamua mō ngā whenua o te wāhi taunga rererangi.
4/9/23	Kaikohe Library and Civic Hub hui	Monthly catch up regarding the progression towards the planned Kaikohe Library and Civic Hub.

Name: John Vujcich

Far North Councillor



Date: 1/09/2023

Meetings Attended

Date	Meeting Topic	Comment
31/8/23	-Business Call online Meeting -Meet Whangarei District Council Re Northland Inc: Whangarei	
30/8/23	-Kaikohe Hokianga Community Board Meeting	
29/8/23	-Creative HQ ideation workshop Northland Inc: Whangarei	
28/8/23	-Meeting in Kerikeri with Chair of Cycleway trust re funding options	
26/8/23	-Kohukohu: Chair the Election of Kohukohu Hall Committee -Catchup with Harmony, Nth Hokianga Community Board member	
24/8/23	- Council Meeting	
23/8/23	-Official Cycle Trail Partners Meeting -Meeting with a Kohukohu resident regarding Kohukohu Planning -Housing for Elderly Presentations – Session 2	
22/8/23	-Far North Holdings Governance to Governance Workshop	
21/8/23	-Panel Interviews for CE - all Day	
17/8/23	-Business Call -Development Contributions Policy Workshop -Presentation: Economic Update; Census and Population Projections -Housing for the Elderly Workshop Presentations – Session 1 -CE Recruitment -Chamber Board meeting via Zoom	
15/8/23	-Permanent Route Cycleway Presentation to Trail Executive - Kerikeri	
14/8/23	-Extraordinary Council Meeting -PHTTCCT (Cycleway Trust) Trustee Meeting	
10/8/23	-Business Call Meeting -Combined Community Board Workshop -Te Rerenga Strategy	
09/8/23	-FNHL Board - Shortlist Workshop - Te Miromiro – Assurance, Risk & Finance Committee Meeting - Long Term Plan Worksop	
08/8/23	-Attendance Kaikohe Business Association Meeting -ERC Meeting - Council - Cycle Trail Executive meeting re risk, with Chair of ARF - Te Kuaka – Te Ao Maori Committee Workshop - Te Kuaka Maori Committee Meeting	
07/8/23	Preparation, Discussion for JREDC Meeting	

Community Matters

This section should be completed for matters arising within the community, which Council need to be aware of. It could be related to ongoing projects, requests, feedback etc.

Topic	Comment
Pou Herenga Tai Coast-to-Coast Cycle Way	<p>A recent meeting in Kaikohe of Official Trail Partners was held at Pioneer Village and was well attended. The purpose of the meeting was to give an update on the Trail plus hear from partners their concerns. Generally the main issues raised were getting cycle numbers up post the pandemic lockdowns; marketing of the Trail; and repairs to the Trail following storm events. Perhaps the biggest challenge is getting the the full length of the Cycle Trail alongside the rail line from Opua to Kawakawa open. Design work for the route has been progressing very well, but there are still many challenges with getting consents, securing long term access to the rail corridor for the route, and funding of the project. It is expected that this summer cyclists will be able to cycle part of the route on the old rail line and catch a train to complete the journey. A temporary alternative cycle route from Opua to Kawakawa via Oramahoe Road and Whangae Road is planned to be open for the coming visitor season.</p> <p>The fully cyclable Opua to Kawakawa section is critical to restoring cyclist numbers.</p>
Kohukohu	<p>I attended a meeting and chaired the election of a new Hall Committee chair. As always, I'm impressed with the beauty and tourist potential we have in Kohukohu. With the Ranui ferry giving options for cyclists to cross from Horeke to Kohukohu and then on to Rawene I believe there is exciting visitor growth potential for both towns, offering enhanced experiences for cyclists.</p> <p>There would be challenges in providing a safe cycle route from Kohukohu to the ferry but such a trail would enable local people to walk and cycle to the ferry for work in Rawene.</p>  <p>Rawene from the Kohukohu Ferry</p>  <p>Church of Our Lady of the Assumption at Motukaraka from the Kohukohu Ferry</p>
Super Blue Moon	<p>For those interested in dark skies, below is a picture of a rare Super Blue Moon. It was taken by me using my phone on the 31 August. Super because it's the closest approach to the earth in its elliptical orbit; blue because it's the second full moon in the same month. The next Super Blue moon will be in 2037.</p>

I can only imagine what this would have looked like, rising over the hills looking east across the harbour from Rawene, with the moon's silvery reflection being seen on the waters of the harbour.



Super Blue Moon

7.2 COMMUNITY BOARD MINUTES - AUGUST 2023

File Number: A4377506

Author: Marlema Baker, Democracy Advisor

Authoriser: Casey Gannon, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide an overview of resolutions made by Community Boards with an opportunity for Chairpersons to speak with Council about pertinent discussions held at Community Board.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Minutes from the following Community Board meetings are attached for Council information:

- **29 August 2023 - Te Hiku Community Board**
- **30 August 2023 - Kaikohe-Hokianga Community Board**
- **31 August 2023 - Bay of Islands-Whangaroa Community Board**

TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- a) **29 August 2023 - Te Hiku Community Board**
- b) **30 August 2023 - Kaikohe-Hokianga Community Board**
- c) **31 August 2023 - Bay of Islands-Whangaroa Community Board**

TĀHUHU KŌRERO / BACKGROUND

This report is to provide Council with an overview of resolutions made at Community Board meetings and for Community Board Chairpersons to raise any Community Board issues with Council.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

This is intended as an information report but shows on the agenda as a standard report to place it earlier on the agenda.

From time-to-time Community Boards may make recommendations to Council. This report is not considered to be the appropriate mechanism for Council to make a decision from a Community Board recommendation. Council could however move a motion to formally request a report on a particular matter for formal consideration at a subsequent meeting. The report would then ensure that Council have sufficient information to satisfy the decision-making requirements under the Local Government Act 2002 (sections 77-79).

The minutes presented to this meeting include recommendations to Council, which staff have requested be considered by Council for the June meeting.

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

There are no financial implications or need for budget provision in considering this report.

ĀPITI HANGA / ATTACHMENTS

1. **Te Hiku Community Board Minutes 29 August 2023 - A4358620**  
2. **Kaikohe-Hokianga Community Board Minutes 30 August 2023 - A4358637**  
3. **Bay of Islands-Whangaroa Community Board Minutes 31 August 2023 - A4358974**  

Te Hiku Community Board Meeting Minutes **Unconfirmed**

29 August 2023

**MINUTES OF
TE HIKU COMMUNITY BOARD MEETING
HELD AT THE CONFERENCE ROOM - TE AHU, CNR STATE HIGHWAY 1 AND MATHEWS
AVENUE, KAITAIA
ON TUESDAY, 29 AUGUST 2023 AT 10:02 AM**

PRESENT: Chairperson Adele Gardner, Member Darren Axe, Member Sheryl Bainbridge, Member William (Bill) Subritzky, Member Felicity Foy (virtually)

IN ATTENDANCE: Cr Hilda Halkyard-Harawira, Taipari and Maioha (Students - Te Rangi Aniwaniwa Kura)

STAFF PRESENT: Kathryn Trewin (Funding Advisor), Marlema Baker (Democracy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Adele Gardner commenced the meeting and students from Te Rangi Aniwaniwa opened with a karakia.

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

2.1 APOLOGIES AND CONFLICTS OF INTEREST

RESOLUTION 2023/68

Moved: Member Darren Axe

Seconded: Member William (Bill) Subritzky

That the apologies from Deputy Chairperson John Stewart and Member Rachel Baucke be accepted and a leave of absence granted

CARRIED

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

No public forum speakers.

4 NGĀ TONO KŌRERO / DEPUTATIONS

No deputation requests were received for this meeting.

5 NGĀ KAIKŌRERO / SPEAKERS

Josephine Nathan representing Potahi Marae. Funding Application 7.1 d) refers.

- Housing Project opening in 11 September 2023, 5:30am

Leslie Wallace representing Ahipara Aroha. Funding Application 7.1 a) refers.

Te Hiku Community Board Meeting Minutes **Unconfirmed**

29 August 2023

6 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4334682, pages 8 - 9 refers

RESOLUTION 2023/69

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board confirms the minutes of the meeting held 1 August 2023, to be a true and correct record.

CARRIED

7 NGĀ PŪRONGO / REPORTS

7.1 a) FUNDING APPLICATIONS

Agenda item 7.1 document number A4330380, pages 15 - 53 refers

RESOLUTION 2023/70

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board approves the sum **\$8,530 (plus GST if application) to be paid from the Board's Placemaking Fund account to Ahipara Aroha for CCTV installation in Ahipara, to support the following Community Outcomes:**

- I. Proud, vibrant communities.
- II. Communities that are healthy, safe, connected and sustainable.

CARRIED

7.1 b) FUNDING APPLICATIONS

Agenda item 7.1 document number A4330380, pages 15 - 53 refers

RESOLUTION 2023/71

Moved: Member Sheryl Bainbridge

Seconded: Member Darren Axe

That Te Hiku Community Board approves the sum **\$1,250 (plus GST if application) to be paid from the Board's Community Fund account to Dementia Northland for running a whanau and Carer workshop to support the following Community Outcomes:**

- I. Proud, vibrant communities.
- II. Communities that are healthy, safe, connected and sustainable.

CARRIED

7.1 c) FUNDING APPLICATIONS

Agenda item 7.1 document number A4330380, pages 15 - 53 refers

RESOLUTION 2023/72 Moved: Member Sheryl Bainbridge

Te Hiku Community Board Meeting Minutes **Unconfirmed**

29 August 2023

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board approves the sum \$2,830 (plus GST if application) to be paid from the Board's Community Fund account to Oruaiti School for installation of signage on a mountain biking trail, to support the following Community Outcomes:

- I. Proud, vibrant communities.**
- II. Communities that are healthy, safe, connected and sustainable.**

CARRIED

7.1 d) FUNDING APPLICATIONS

Agenda item 7.1 document number A4330380, pages 15 - 53 refers

RESOLUTION 2023/73

Moved: Member Sheryl Bainbridge

Seconded: Member Darren Axe

That Te Hiku Community Board approves the sum \$30,000 (plus GST if application) to be paid from the Board's Placemaking Fund account to Potahi Marae for installation of a playground available for use by the public, to support the following Community Outcomes:

- I. Proud, vibrant communities.**
- II. Communities that are healthy, safe, connected and sustainable.**

CARRIED

7.2 PROJECT FUNDING REPORTS

Agenda item 7.2 document number A4337808, pages 54 - 55 refers

RESOLUTION 2023/74

Moved: Member Darren Axe

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board note the project reports received from:

- a) Coopers Beach Bowling Club**
- b) Wonderland Glow Show**

CARRIED

Te Hiku Community Board Meeting Minutes **Unconfirmed**

29 August 2023

7.3 TE HIKU STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JULY 2023

Agenda item 7.3 document number A4347171, pages 60 - 61 refers

RESOLUTION 2023/75

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board receive the report Te Hiku Statement of Community Board Fund Account as at 31 July 2023.**CARRIED****8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****8.1 TE HIKU COMMUNITY BOARD ACTION SHEET UPDATE AUGUST 2023**

Agenda item 8.1 document number A4342194, pages 65 - 65 refers

RESOLUTION 2023/76

Moved: Chairperson Adele Gardner

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board receive the report Te Hiku Community Board Action Sheet August 2023.**CARRIED****8.2 CHAIRPERSON AND MEMBER REPORTS**

Agenda item 8.2 document number A4334714, pages 79 - 80 refers

RESOLUTION 2023/77

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board note the 29 August 2023 reports from Chairperson Adele Gardner, Members Darren Axe, Sheryl Bainbridge, Rachel Baucke and Bill Subritzky and verbal reports from Crs Hilda Halkyard-Harawira and Felicity Foy.**CARRIED****9 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 11:10 am.

The minutes of this meeting will be confirmed at the Te Hiku Community Board Meeting held on 26 September 2023.

.....
CHAIRPERSON

**MINUTES OF
KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON WEDNESDAY, 30 AUGUST 2023 AT 10:00 AM**

PRESENT: Deputy Chairperson Tanya Filia, Member Trinity Edwards, Member Harmonie Gundry, Member Jessie McVeagh, Member John Vujcich

IN ATTENDANCE:

STAFF PRESENT: Melissa Wood (Community Board Coordinator), Scott May (Manager – Stakeholder Relationships), Rhonda-May Whiu (Support Officer), Eden Ramsey (Finance & Customer Services Administrator), Kathryn Trewin (Funding Advisor), Michelle Rockell (Team Leader – Property Management), Grace Hamlin (Support Officer), Karen Sheppard (Communications & Engagement Advisor, Marlema Baker (Democracy Advisor),

1 KARAKIA TIMATANGA / OPENING PRAYER

Deputy Chairperson Tanya Filia opened the meeting with a karakia and mihihi/acknowledgement to Chairperson Chicky Rudkin.

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

Apologies submitted for Chairperson Chicky Rudkin.

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

There were no speakers for Public Forum

4 NGĀ TONO KŌRERO / DEPUTATIONS

There were no depositions requested for this meeting.

5 NGĀ KAIKŌRERO / SPEAKERS

- Janine McVeagh representing the Hokianga Community Education Trust. Item 7.5 a) refers.
- Megan Denize representing Helping Paws Charitable Trust (virtual). Item 7.5 c) refers.

Kaikohe-Hokianga Community Board Meeting Minutes **Unconfirmed**

30 August 2023

6 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4145371, pages 8 - 16 refers

RESOLUTION 2023/64

Moved: Member Jessie McVeagh
Seconded: Member Harmonie Gundry

That the Kaikohe-Hokianga Community Board confirms the minutes of the meeting held 2 August 2023 as a true and correct record.

CARRIED

7 NGĀ PŪRONGO / REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORTS

Agenda item 7.1 document number A4161215, pages 17 - 26 refers

RESOLUTION 2023/65

Moved: Member Harmonie Gundry
Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board note the reports from Chairperson Rudkin and Member Trinity Edwards, Deputy Chair Filia, Member Harmonie Gundry, and Member Jessie McVeagh.

CARRIED

10:17 am Member Edwards arrived

7.2 ROAD NAMING - 8113 STATE HIGHWAY 1, OMAPERE

Agenda item 7.2 document number A4328503, pages 27 - 37 refers

RESOLUTION 2023/66

Moved: Member Jessie McVeagh
Seconded: Member Harmonie Gundry

That the Kaikohe-Hokianga Community Board, pursuant to Council's Road Naming and Property Addressing Policy #2125, name a public road, Te Hekenga Road that is currently addressed at 8113 State Highway 1, Omapere.

CARRIED

7.3 ROAD NAMING - LOT 19, 90 WEHIRUA ROAD, OKAIHAU

Agenda item 7.3 document number A4344518, pages 38 - 43 refers

RESOLUTION 2023/67

Moved: Member John Vujcich
Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board;

- a) **revoke resolution 2023/50 which incorrectly states the road is private; and**
- b) **receive the map showing the correct location of the road.**

CARRIED

7.4 PROJECT FUNDING REPORTS

Agenda item 7.4 document number A4337834, pages 44 – 47 refers

RESOLUTION 2023/68

Moved: Member John Vujcich

Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board note the project report received from Wonderland Glow Show.

CARRIED

Member Jessie McVeagh declared a perceived conflict of interest in relation to item 7.5 a) but notes she has no pecuniary interest in the Hokianga Community Education Trust.

7.5 a) FUNDING APPLICATIONS

Agenda item 7.5 document number A4337830, pages 48 - 76 refers

RESOLUTION 2023/69

Moved: Member John Vujcich

Seconded: Member Harmonie Gundry

That the Kaikohe-Hokianga Community Board approves the sum **\$3,000 (plus GST if application) to be paid from the Board's Community Fund account to Hokianga Community Education Trust for publication of the book *Resident Alien*, to support the following Community Outcomes:**

- i) **Proud, vibrant communities.**
- ii) **Communities that are healthy, safe, connected and sustainable.**

CARRIED

7.5 b) FUNDING APPLICATIONS

Agenda item 7.5 document number A4337830, pages 48 - 76 refers

RESOLUTION 2023/70

Moved: Member Jessie McVeagh

Seconded: Member Harmonie Gundry

That the Kaikohe-Hokianga Community Board approves the sum of **\$2,865 (plus GST if applicable) be paid from the Board's the Board's Placemaking Fund to Hokianga Country Music Club for the 2023 Hokianga Country Music Festival to support the following Community Outcomes:**

- i) **Proud, vibrant communities**
- ii) **Communities that are healthy, safe, connected and sustainable.**

CARRIED

7.5 c) FUNDING APPLICATIONS

Agenda item 7.5 document number A4337830, pages 48 - 76 refers

RESOLUTION 2023/71

Moved: Member John Vujcich

Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board approves the sum of **\$3,000 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Helping Paws Charitable Trust for the rescue of wild horses in the Hokianga to support the following Community Outcomes:**

- i) Proud, vibrant communities**
- ii) Communities that are healthy, safe, connected and sustainable**

CARRIED**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****8.1 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JULY 2023**

Agenda item 8.1 document number A4347157, pages 77 - 81 refers

RESOLUTION 2023/72

Moved: Member John Vujcich

Seconded: Member Trinity Edwards

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 31 July 2023.

CARRIED**8.2 RAWENE CAMPUS - TE PUNA O KUPENUKU UPDATE**

Agenda item 8.2 document number A4353825, pages 82 - 116 refers

COMMITTEE RESOLUTION 2023/73

Moved: Member John Vujcich

Seconded: Member Tanya Filia

That the Kaikohe-Hokianga Community Board receive the report Rawene Campus - Te Puna o Kupenuku Update.

CARRIED**8.3 KAIKOHE-HOKIANGA COMMUNITY BOARD ACTION SHEET UPDATE AUGUST 2023**

Agenda item 8.3 document number A4334734, pages 117 - 119 refers

RESOLUTION 2023/74

Moved: Member John Vujcich

Seconded: Member Harmonie Gundry

That the Kaikohe-Hokianga Community Board receive the report Kaikohe-Hokianga

Kaikohe-Hokianga Community Board Meeting Minutes **Unconfirmed**

30 August 2023

Community Board Action Sheet August 2023.

CARRIED

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed with a karakia whakamutunga at 11:03 am.

The minutes of this meeting will be confirmed at the Kaikohe-Hokianga Community Board Meeting held on 27 September 2023.

.....
CHAIRPERSON

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed** 31 August 2023

**MINUTES OF
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING
HELD AT THE TURNER CENTRE, 43 COBHAM ROAD, KERIKERI
ON THURSDAY, 31 AUGUST 2023 AT 10:00AM**

PRESENT: Chairperson Belinda Ward, Deputy Chairperson Lane Ayr, Member Bruce Mills, Member Roddy Hapati-Pihema, Member Jane Hindle, Member Tyler Bamber, Member Ann Court

IN ATTENDANCE:

STAFF PRESENT: Kim Hammond (Community Board Coordinator), Kathryn Trewin (Funding Advisor), Marlema Baker (Democracy Advisor).

1 KARAKIA TIMATANGA / OPENING PRAYER

Chairperson Belinda Ward commenced the meeting and Member Jane Hindle opened with a karakia.

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

2.1 APOLOGIES AND CONFLICTS OF INTEREST

RESOLUTION 2023/100

Moved: Member Belinda Ward

Seconded: Member Bruce Mills

That the Way of Islands – Whangaroa Community Board receive the apology from Member Amy Slack and grant a leave of absence.

CARRIED

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

No public forum speakers for this meeting.

4 NGĀ TONO KŌRERO / DEPUTATIONS

No deputations requested for this meeting.

5 NGĀ KAIKŌRERO / SPEAKERS

Gerry Paul representing the Turner Centre. Item 7.3 a) refers.

George Fa'alogo representing the Graeme Dingle Foundation. Item 7.3 b) refers.

Nadia Lenden representing Bay of Islands Rotary Club. Item 7.3 c) refers.

Kirsty and Terry Hampson representing Friends of Roland Wood Trust. Item 7.3 d) refers.

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed** 31 August 2023

6 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4335397, pages 8 - 9 refers

RESOLUTION 2023/101

Moved: Member Belinda Ward

Seconded: Member Tyler Bamber

That the Bay of Islands-Whangaroa Community Board confirm the minutes of meeting held on 31 July 2023 are a true and correct record.

CARRIED

7 NGĀ PŪRONGO / REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORTS

Agenda item 7.1 document number A4334221, pages 15 - 15 refers

RESOLUTION 2023/102

Moved: Member Bruce Mills

Seconded: Member Tyler Bamber

That the Bay of Islands-Whangaroa Community Board note the reports from Chairperson Belinda Ward and Members Jane Hindle, Roddy Hapati-Pihema, Amy Slack, Lane Ayr, Tyler Bamber, Bruce Mills.

CARRIED

- Tabled Document: Deputy Chairperson Lane Ayr's full report will be attached to these minutes.
- Deputy Chair Ayr to escalate his concerns to CE and if no action is taken, escalate to Deputy Mayor.

Meeting adjourned 11:24 am and resumed at 11:42 am.

7.2 OPUA-PAIHIA WALKWAY PERMANENT REALIGNMENT BEECHY STREET TO ENGLISH BAY

Agenda item 7.2 document number A4326869, pages 29 - 32 refers

MOTION

Moved: Member Lane Ayr

Seconded: Member Tyler Bamber

That the Bay of Islands Community Board supports Option 1 to permanently realign the Opuia-Paihia Coastal Walkway from within Land Parcel ID 5238752 (Unformed Legal Road) to Richardson Street,

AMENDMENT

Moved: Member Jane Hindle

Seconded: Member Ann Court

That the Bay of Islands-Whangaroa Community Board;

- a) leave this report: "Opua-Paihia Walkway Permanent Realignment Beechy Street To English Bay" **lie on the table** to allow staff time to conduct further research on the condition assessment,
- b) request that staff conduct a site visit at the southern end of the track through to Wall's Bay Reserve;
- c) that the community board supports the interim closure of the affected pathway, and that
- d) the long term implications of the overall coastal pathway be taken into consideration.

CARRIED

Meeting adjourned 12:11 am – resumed 12:19 pm

The amendment became the substantive motion.

RESOLUTION 2023/103

Moved: Member Belinda Ward

Seconded: Member Jane Hindle

That the Bay of Islands-Whangaroa Community Board;

- a) leave this report: "Opua-Paihia Walkway Permanent Realignment Beechy Street To English Bay" **lie on the table** to allow staff time to conduct further research on the condition assessment,
- b) request that staff conduct a site visit at the southern end of the track through to Wall's Bay Reserve;
- c) supports the interim closure of the affected pathway, and,
- d) requests that the long term implications of the overall coastal pathway be taken into consideration.

CARRIED**Notes**

- Signage needs to direct people up the walkway up to the southern side of Doug's Boatyard (Walls Bay). This may require upgrading to the steps to make them safer.

7.3 a) FUNDING APPLICATIONS

Agenda item 7.3 document number A4337823, pages 60 - 102 refers

RESOLUTION 2023/104

Moved: Member Bruce Mills

Seconded: Member Jane Hindle

That the Bay of Islands-Whangaroa Community Board approves the sum of \$4,500 (plus GST if applicable) be paid from the Boards Community Grant Fund account to The Turner Centre for the costs towards Kanikani Kanoa, to meet the following Community Outcomes:

- i. Communities that are healthy, safe, connected and sustainable
- ii. Proud, vibrant communities

CARRIED**7.3 b) FUNDING APPLICATIONS**

Agenda item 7.3 document number A4337823, Pages 60 - 102 refers

RESOLUTION 2023/105

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed**

31 August 2023

Moved: Member Bruce Mills
 Seconded: Member Jane Hindle

That the Bay of Islands-Whangaroa Community Board approves the sum of \$5,000 (plus GST if applicable) be paid from the Boards Community Fund account to The Graeme Dingle Foundation for the costs towards mentoring and career guidance for students in the Bay of Islands-Whangaroa Ward, to meet the following Community Outcomes:

- i. Communities that are healthy, safe, connected and sustainable
- ii. Proud, vibrant communities

CARRIED**7.3 c) FUNDING APPLICATIONS**

Agenda item 7.3 document number A4337823, Pages 60 - 102 refers

RESOLUTION 2023/106

Moved: Member Lane Ayr
 Seconded: Member Tyler Bamber

That the Bay of Islands-Whangaroa Community Board approves the sum of \$1,460 (plus GST if applicable) be paid from the Boards Community Fund account to Bay of Islands Rotary Club for the costs towards Paihia Colour Run 2023 Festival, to meet the following Community Outcomes:

- i. Communities that are healthy, safe, connected and sustainable
- ii. Proud, vibrant communities

CARRIED**7.3 d) FUNDING APPLICATIONS**

Agenda item 7.3 document number A4337823, Pages 60 - 102 refers

RESOLUTION 2023/107

Moved: Member Ann Court
 Seconded: Member Tyler Bamber

That the Bay of Islands-Whangaroa Community Board approves the sum of \$15,000 (plus GST if applicable) be paid from the Boards Community Grant Fund account to Friends of Rolands Wood Trust for the costs towards extending the car parking area to meet the following Community Outcomes:

- i. Communities that are healthy, safe, connected and sustainable
- ii. Proud, vibrant communities

CARRIED

Meeting adjourned for lunch 1:04 pm – resumed 2:05 pm

7.4 PROJECT FUNDING REPORTS

Agenda item 7.4 document number A4337812, pages 99 – 102 refers

RESOLUTION 2023/108

Moved: Member Lane Ayr
 Seconded: Member Bruce Mills

That the Bay of Islands-Whangaroa Community Board note the project report received from

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed** 31 August 2023

Kerikeri Football Club.

CARRIED

8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

8.1 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JULY 2023

Agenda item 8.1 document number A4347092, pages 103 - 108 refers

RESOLUTION 2023/109

Moved: Member Belinda Ward

Seconded: Member Bruce Mills

That the Bay of Islands-Whangaroa Community Board receives the report entitled "Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 31 July 2023".

CARRIED

8.2 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD AUGUST ACTION SHEET UPDATE

Agenda item 8.2 document number A4335433, pages 109 - 109 refers

COMMITTEE RESOLUTION 2023/110

Moved: Member Bruce Mills

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community Board August Action Sheet Update.

CARRIED

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed with a karakia whakamutunga at 2:13 pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 28 September 2023.

.....
CHAIRPERSON

7.3 COUNCIL ACTION SHEET UPDATE SEPTEMBER 2023**File Number:** A4376563**Author:** Marlema Baker, Democracy Advisor**Authoriser:** Casey Gannon, Manager - Democracy Services**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To provide Council with an overview of outstanding Council and the previous term Committee decisions from 1 January 2021.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Action sheets are a mechanism to communicate progress against decisions/resolutions.
- Action sheets are also in place for all formal elected member meetings.

TŪTOHUNGA / RECOMMENDATION

That Council receive the report Council Action Sheet Update September 2023.

1) TĀHUHU KŌRERO / BACKGROUND

Any resolution or decision from a meeting is compiled on an action sheet, to capture actions triggered by Board decisions. Staff provide updates on progress against tasks that are not yet completed.

The action sheet report also includes outstanding actions from previous triennium committees.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The outstanding tasks are often multi-facet projects that take longer to fully complete. Where a decision differs to the recommendation of staff there may be unintended consequences or challenges that take longer for staff to work through.

Take Tūtohunga / Reason for the recommendation.

To provide Council with an overview of outstanding Council decisions from 1 January 2020.

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

There are no financial implications or need for budgetary provision in receiving this report.

ĀPITI HANGA / ATTACHMENTS

1. Council Action Sheet - September 2023 - A4381495 [↓](#) 

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
Council 1/07/2021	Proposal to Construct an Erosion Protection Structure on Council Owned Reserve, Omapere Carla Ditchfield	RESOLUTION 2021/51 Moved: Cr John Vujcich Seconded: Cr Dave Collard That Council: a) approves the construction of, and associated occupation with, an erosion protection structure on Far North District Council owned local purpose reserved legally described as Lot 5 DP196729; and b) approval is provided subject to a memorandum of encumbrance being recorded on the titles of Lot 1 DP196729 and Lot 1 DP310507 and that the encumbrance records the agreement that the owners of those properties: i) bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime. ii) incur cost of the agreement construction and registration against title. iii) notify FNDC of any variation or modification of the erosion protection structure To avoid doubt, approval is given both within Council's capacity as the administering body of the reserve and an affected person within the meaning of Section 95 of the Resource Management Act 1991. CARRIED Note: need to include climate change and erosion as part of the Reserves and Parks Policy review.	16 Mar 2023 1:06pm Pulham, Jamie-Lee Please provide an update before 17 March for upcoming Council meeting 04 May 2023 5:05pm Baker, Marlema - Reallocation Action reassigned to Ditchfield, Carla by Baker, Marlema - Please indicate which member of your team will be covering this action item. 23 May 2023 10:04am Ditchfield, Carla Works are underway on the structure. March 2023 we had asked the landowners to instruct their lawyers to provide draft Memorandum of Encumbrance for Council approval (a repeated instruction). We are waiting for the document. 09 Jun 2023 5:02pm Ditchfield, Carla Nothing new to update. Maintaining status quo.
Council 24/02/2022	Ngakahu Steering Group Update Tanya Proctor	The amendment became the substantive motion. RESOLUTION 2022/12 Moved: Cr Mate Radich Seconded: Cr John Vujcich That Council, in receiving the recommendations from the Ngakahu Steering Group and subject to discussion and agreement with the Ngakahu/Ngakohu Whanau Ahuwhenua Trust, agree to; a) obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.	20 Mar 2023 11:43am Whiu, Rhonda-May - Reallocation Action reassigned to Swanepoel, George by Whiu, Rhonda-May - reallocated as requested 20 Mar 2023 1:54pm Whiu, Rhonda-May - Reallocation Action reassigned to Finch, Andy by Whiu, Rhonda-May - reallocated as per agenda preview 20 Mar 2023 2:47pm Finch, Andy

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
		<p>b) stage the lowering of the dam water level, beginning with a water level drop of 2 metres, once lowered the water level will be maintained at the lower levels.</p> <p>c) staff assist the Ngakahu Steering Group to prepare a report showing a visual presentation, including landscaping, of the preferred option, or options, with a rough order of cost to implement.</p> <p>d) and that further recommendations be brought to the 7 April Council meeting.</p> <p style="text-align: right;">CARRIED</p> <p><u>Note:</u> The Potential Decommissioning of Kauri Creek Dam report from John Duder referenced in the report was commissioned by the Ngakahu/Ngakohu Whanau Ahuwhenua Trust.</p>	<p>1. Request made to NRC re sonar survey of dam. , 2. Staged lowering of dam completed under Blair King's direction., 3. Staff are awaiting confirmation of access to dam to undertake option analysis, 4. Further report to Council cannot be progressed until Item 3 has been completed.</p> <p>17 Apr 2023 5:40pm Finch, Andy Sonar survey of dam provided to Trust: https://www.biobasemaps.com/Dashboard/SocialMap/Index?mwID=1248688 NOTE: This link to sonar maps is inaccessible for internal and external parties. They need access asap</p> <p>07 Jul 2023 11:40am George, Tania - Completion Completed by George, Tania on behalf of Finch, Andy (action officer) on 07 July 2023 at 11:40:22 AM - The steering group is an Elected Member function. Closed per A Finch instruction</p> <p>24 Jul 2023 3:35pm Baker, Marlema - Completion Uncompleted by Baker, Marlema</p> <p>24 Jul 2023 4:54pm Baker, Marlema Tanya Proctor: An update report has been scheduled for 21 September Council Agenda. Options 1 and 2 timelines are expected after the site visit scheduled for 2 August 2023.</p> <p>12 Sep 2023 10:51am Baker, Marlema - Reallocation Action reassigned to Proctor, Tanya by Baker, Marlema - at Andy Finch's request</p>
Council 11/08/2022	Russell Landfill Options Report Kevin Johnson	<p>RESOLUTION 2022/61 Moved: Deputy Mayor Ann Court Seconded: Cr Kelly Stratford That Council: a) approve in principle, the permanent closure of Russell Landfill (Option One).</p>	<p>19 Jul 2023 8:50am George, Tania Hoskings Civil has been engaged to manage this project. An initial site visit was carried out in June 2023 and planning work is underway.</p>

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
		b) approve staff commence the resource consent application Northland Regional Council to close the Russell Landfill c) request staff bring back to Council the terms of the resource consent and investment required to close the landfill d) approve staff commence the community consultation process and report to Council the outcome of that consultation e) delegate to the Chief Executive, or his nominee, the negotiation, agreement and signing of contract variations with Northland Waste Ltd to provide on-going transport and disposal of waste from the Russell facility whilst Council progress the resource consent and consultation process. CARRIED	12 Sep 2023 10:37am Baker, Marlema Kevin Johnson - AUGUST 2023 Progress: NZ Environmental have been engaged as Project Manager for this project. The focus is now on maintaining and monitoring the current leachate levels which are critical to the consenting process. The project manager will work closely with Far North Waters and the Council consenting team to deliver on the milestones above.
Council 22/09/2022	Notice of Motion - Rangitane Maritime Development Kevin Johnson	RESOLUTION 2022/64 Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith That Council: <ol style="list-style-type: none"> Support the Maritime Facilities Development at Rangitane proceed through to the conclusion of the Resource Consent process. Remains committed to the funding Agreement with MBIE and supports an approach be made to MBIE to continue its funding support for the period required to conclude the consenting process CARRIED Cr David Clendon tabled correspondence addressed to Rangitane Residents Association. Document number A3908452	07 Jul 2023 10:59am George, Tania As at 9 June: Hapu hui held 8 June to progress CIA. Project Program amendments and milestones being negotiated with MBIE currently. 26 Jul 2023 1:23pm Baker, Marlema MBIE remain fully supportive of the project and their funding of \$2.5m is secure., They have confirmed the general terms of the Funding Agreement with FNDC remain, and that in particular, the \$385K committed to the Jetty rebuild is still available on the originally agreed prerequisite that the Consent for the jetty is passed over to Council (public ownership)., They have also agreed to formally vary the Contracted Funding Agreement milestones in line with a Consent being attained by 1 March 2024 and construction commencing 1 May 2024., NRC will not continue to allow the unsafe nature of the structure to remain for the next 6 months. They will push to have remedial action taken on the broken piles in early course. 12 Sep 2023 10:41am Baker, Marlema Kevin Johnson - August 23

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
			no change to as reported July 23. Working with MBIE planning work in progress as reported.
Council 22/09/2022	Matauri Bay Wastewater Scheme Janice Smith	RESOLUTION 2022/71 Moved: Mayor John Carter Seconded: Cr Kelly Stratford That Council a) Permits Cavalli Properties Ltd to commission the Innoflow wastewater treatment assets at Matauri Bay with Cavalli Properties agreeing to fund all operationalization and operating costs until 1 July 2024. b) Agrees that on the basis of Cavalli Properties experience of operating the Innoflow system, Council will consult with the relevant entities to transfer the operating of the system from Cavalli Properties Ltd from 1 July 2024. CARRIED	12 Oct 2022 8:05am Whiu, Rhonda-May - Reallocation Action reassigned to Finch, Andy by Whiu, Rhonda-May - reallocated as requested by Sheryl 28 Oct 2022 1:00pm Whiu, Rhonda-May - Reallocation Action reassigned to Thomas, Angie by Whiu, Rhonda-May - reassigned as requested by Andy 24 Jul 2023 3:06pm Baker, Marlema Awaiting the Electrical Certificate to get Code of Compliance - once contractor can gain access the power can be turned within 24 hours 12 Sep 2023 11:38am Baker, Marlema - Reallocation Action reassigned to Smith, Janice by Baker, Marlema Innoflow onsite audit due 24 September 2023. Providing no issues are raised, the site will be commissioned and available for use.
Council 20/12/2022	Road Maintenance of the upper section of Road - Peninsula Parade, Hihi Cara Downie	RESOLUTION 2022/95 Moved: Cr Ann Court Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: a) Notes the Northland Transportation Alliance Report dated 8th November 2022 – Road Maintenance of the upper section of Road – Peninsula Parade, Hihi b) Approves Option 2: Confirm the inclusion of Peninsula Parade RP517-810m in the schedule of FNDC-maintained roads at the cost to Council to bring it up to standard c) Approves unbudgeted capital expenditure of \$40,000 to bring Peninsula Parade RP517-810m to an appropriate maintenance standard	16 May 2023 10:26am Baker, Marlema Update from Andy Finch (District Engineer): work has started but has been deferred as resources have been reassigned to dealing with the impact of flood events. 07 Jun 2023 1:47pm Panday, Joshna Request to reassign to Cara Downie 07 Jun 2023 1:49pm Panday, Joshna - Reallocation Action reassigned to Downie, Cara by Panday, Joshna - Request to re-allocate

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
		d) Notes the risk of setting a precedent for the request for upgrading other unformed legal roads across the District. CARRIED	
Council 20/12/2022	Turner Centre Stormwater Catchment Tanya Proctor	RESOLUTION 2022/94 Moved: Cr Tāmati Rākena Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: a) notes the storm water flooding risk within the Turner Centre sub-catchment b) approves a budget of \$200,000 to progress a design to mitigate this risk through a future physical works contract c) approves the direct appointment of Trine Kel to undertake the design work. CARRIED	11 Sep 2023 5:13pm Finch, Andy Completion of design delayed due to competing priorities. Now anticipated to be completed by December 2023. 12 Sep 2023 10:51am Baker, Marlema - Reallocation Action reassigned to Proctor, Tanya by Baker, Marlema - at Andy Finch's request
Council 9/02/2023	Easement On Local Purpose Esplanade Reserve- Wairawarawa Stream Carla Ditchfield	RESOLUTION 2023/5 Moved: Cr Ann Court Seconded: Cr Penetaui Kleskovic That Council approve the granting of a right of way easement pursuant to section 48(1)(f) of the Reserves Act 1977 on Local Purpose Esplanade Reserve Lot 16 DP 146304 for the purpose of constructing and using a private bridge over the Wairawarawa Stream connecting: i. 2276C State Highway 10 Kerikeri - Lot 1 DP 91402 contained in record of title NA64B/178; and ii. 15 Conifer Lane Kerikeri - Lot 1 DP 535123 and Lot 14 DP 158690 contained in record of title 884105; and iii. 2228 State Highway 10, Kerikeri - Lot 1 DP 457586 contained in record of title 593590. and that approval is provided subject to: 1. NRC granting Resource Consent for construction of the bridge; and 2. public consultation in accordance with sections 48(2), 119 and 120 of the Reserves Act 1977; and	23 May 2023 10:23am Ditchfield, Carla The process against this action has started. It begins with public notification of the easement, waiting for submissions and then taking the next steps. The applicant is paying for this process as was resolved, applicant is working with Council. All moving forward amicably. 09 Jun 2023 5:03pm Ditchfield, Carla No new update. Maintaining status quo. 12 Sep 2023 10:12am Ditchfield, Carla Work required to give effect to the resolution continues to progress.

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
		3. compensation being negotiated and finalised in a written Compensation Agreement payable by the landowners to the Council; and 4. Landowners - a) bearing all costs and disbursements in relation to the required public consultation. b) if required by law and prior to commencing construction works, seeking relevant consent(s) and / or permits from the Council under Local Government Act 1974, Resource Management Act 1991 and / or Building Act 1991. c) bearing all legal and survey costs and disbursements in relation to creating and registering the easement instrument on all relevant titles; d) bearing full responsibility for the construction, maintenance, upkeep, repair, removal of the bridge (if required) during its lifetime, and end of its lifetime; e) the bridge being the landowner's asset, which if abandoned, neglected or on becoming a nuisance of any kind or degree, must be removed or decommissioned and Reserve land remediated to Council's satisfaction; f) indemnifying the Council of all costs, claims and expenses arising from use and operation of the bridge during its lifetime. CARRIED	
Council 1/06/2023	Kerikeri Water Source - Options Review Tanya Proctor	RESOLUTION 2023/63 Moved: Cr Ann Court Seconded: Cr Penetaui Kleskovic That Council a) indicate to the Te Tai Tokerau Trust Water Trust its conditional approval to invest with the purchase of 200 shares in the planned Otawere Domain Reservoir and appropriate watermain infrastructure. This would be subject to Council being able to obtain the necessary approvals for this purchase from the Department of Internal Affairs under the Affordable Waters	08 Jun 2023 4:28pm Baker, Marlema Part a) assigned to Glenn Rainham., Part b) & c) assigned to Tanya Proctor. 11 Sep 2023 5:02pm Baker, Marlema - Reallocation Action reassigned to Finch, Andy by Baker, Marlema 12 Sep 2023 10:51am Baker, Marlema - Reallocation Action reassigned to Proctor, Tanya by Baker, Marlema - at Andy Finch's request

OUTSTANDING ACTIONS REPORT			
Division: Committee: Council Officer:		Printed: Tuesday, 12 September 2023 12:06:48 pm Date From: 1/01/2020 Date To: 12/09/2023	
Meeting	Title	Resolution	Notes
		regime and the negotiation of satisfactory commercial terms that protect Council's borrowing position. b) determine the best option out of the suggested solutions including consent/design/build costs c) request that the investigative work for water source options identified in the Kerikeri Water Supply Strategy Study be prioritised for 2023/2024. CARRIED	
Council 29/06/2023	Speed Limit Review Kerikeri Bay of Islands Shawn Baker - Northland Transportation Alliance Contractor	RESOLUTION 2023/71 Moved: Cr Ann Court Seconded: Kahika - Mayor Moko Tepania That Council defer item 6.3 Speed Limit Review Kerikeri Bay of Islands to Te Koukou - Transport Committee (to be established). CARRIED 8/2 NOTE: NTA will develop a briefing paper for first committee based on elected member concerns - workshop will use reserve date.	12 Sep 2023 10:43am Baker, Marlema Update from Shawn Baker This item will be placed before the Te Koukou Transport Committee and scheduled to appear in their October meeting agenda. A briefing paper has been prepared and scheduled (by the Committee) for October.
Council 24/08/2023	Rangitoto Reserve, Mangonui Robin Rawson	The amendment became the substantive motion. RESOLUTION 2023/98 Moved: Cr Hilda Halkyard-Harawira Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve. b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve classification. c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants. CARRIED	12 Sep 2023 11:24am Baker, Marlema At the meeting held 24 August 2023 Council resolved to; a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve. b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve classification. c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants. This is a continued work in progress which will be monitored by staff.

<div><div>OUTSTANDING ACTIONS REPORT</div><div><div>Division:</div><div>Committee:</div><div>Officer:</div><div>Council</div></div><div><div>Printed: Tuesday, 12 September 2023</div><div>12:06:48 pm</div><div>Date From: 1/01/2020</div><div>Date To: 12/09/2023</div></div></div>			
Meeting	Title	Resolution	Notes
		NOTE: Kahika/Mayor Tepania requests a briefing paper on how many reserves Council has, what their classifications are, how many have reserve management plans and how many can be sold.	

8 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
8.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
8.2 - Committee Public Excluded Resolutions - September 2023	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

	(including commercial and industrial negotiations) s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
8.3 - Amendment to Resolution - Refer report 1 Wharo Way & Pōhutukawa Tree (A4194047)	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	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
8.4 - Sweetwater Update Report - September 2023	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

10 TE KAPINGA HUI / MEETING CLOSE