



**Far North
District Council**



Te Kaunihera o Te Hku o te Ika

AGENDA

Ordinary Council Meeting

Thursday 13 June 2024

Time: 10:00am
Location: Council Chamber
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 Chamber, Memorial Ave, Kaikohe on:
Thursday 13 June 2024 at 10:00am

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1 KARAKIA TIMATANGA / OPENING PRAYER

Ka tuku mātou kia kaha mai ngā māngai kua whiriwhirihia mō Te Kaunihera o Te Hiku o te Ika 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

No requests for deputations were received at the time of the Agenda going to print.

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: A4725655

Author: Fleur Beresford, Democracy Advisor

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TAKE PŪRONGO / 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.

TŪTOHUNGA / RECOMMENDATION

That Council confirm the minutes of the Council meeting held 9 May 2024 as a true and correct record.

1) TĀHUHU KŌRERO / 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) MATAPAKI ME NGĀ KŌWHIRINGA / 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.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

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

3) 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.

ATTACHMENTS

- 1. 2024-05-09 Council Minutes [A4697468] - A4697468** [📄](#) 

Compliance schedule:

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

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

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

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 9 MAY 2024 AT 10:00AM**

PRESENT: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Penetaui Kleskovic (virtually), Cr Steve McNally, Cr Mate Radich, Cr Tāmati Rākena, Cr John Vujcich (virtually).

IN ATTENDANCE: Chicky Rudkin (Chairperson Kaikohe-Hokianga Community Board), Adele Gardner (Chairperson Te Hiku Community Board), Belinda Ward (Chairperson Bay of Island – Whangaroa) Kawiti Waetford (Kaiwhakawhitiwhiti Reo - Language Interpreter).

STAFF PRESENT: Guy Holroyd (CEO), Charlie Billington (Group Manager – Corporate Services), Charlie Billington (Group Manager – Corporate Services), Ruben Garcia (Group Manager – Community and Engagement), Ken Lewis (Manager – Community and Engagement), Emma Healy (Chief of Staff – Chief Executive Office), Jacine Warmington (Group Manager - Strategic Relationships), Kevin Johnson (Group Manager – Delivery Operations), Carla Ditchfield (Manager - Legal Services), Jonathan Slavich (Chief Financial Officer), Tanya Proctor (Head of Infrastructure), Roger Ackers (Group Manager – Planning and Policy), Casey Gannon (Manager – Democracy Services), Imrie Dunn (Democracy Advisor – Democracy Services), Fleur Beresford (Democracy Advisor – Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10.08am Kahika/Mayor Moko Tepania opened the meeting with a karakia.

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

APOLOGY

RESOLUTION 2024/38

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the apology received from Cr Babe Kapa be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- We acknowledge that Councillor Kapa is absent due to the passing of his nephew.
- We also note with sadness the passing of a Far North legend: Matua Willie Hona – guitarist for Herbs. He mentored a lot of Hokianga youth and is lying in state in Whirinaki.
- My Maramataka is Te Ria – end of low moon phase and coming into high energy.
- Acknowledging New Zealand Sign Language Week.

- Next Friday – Pink Shirt Day to stand up against bullying next Friday 17th
- Kowhai has graduated Level 3 and 4 this week in Te Reo Maori.

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

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A4668454, pages 6 - 14 refer.

RESOLUTION 2024/39

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council confirm the minutes of the Council meeting held 11 April 2024 as a true and correct record.

CARRIED

7.1 COMMUNITY BOARD MINUTES - APRIL 2024

Agenda item 7.1 document number A4677345, pages 70 - 87 refer.

RESOLUTION 2024/40

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

That Council note the following Community Board minutes:

- 16 April 2024 Te Hiku Community Board;
- 18 April 2024 Bay of Islands-Whangaroa Community Board; and
- 19 April 2024 Kaikohe-Hokianga Community Board.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 CEO REPORT TO COUNCIL

Agenda item 6.1 document number A4584222, pages 15 - 37 refer.

RESOLUTION 2024/41

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

That Far North District Council receive the CEO Report to Council for the period 1 January to 31 March 2024.

CARRIED

Ordinary Council Meeting Minutes - **UNCONFIRMED**

9 May 2024

Conflicts in the following Item 6.2 were noted from Kowhai Deputy Mayor Stratford, and Councillors Foy, Halkyard-Harawira, and McNally.

6.2 INHOUSE COMMISSIONER REMUNERATION FOR PROPOSED DISTRICT PLAN HEARINGS

Agenda item 6.2 document number A4675059, pages 38 - 42 refer.

RESOLUTION 2024/42

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That Council approve the \$93.00 hourly rate for inhouse commissioners sitting on the Proposed District Plan Hearing Panel.

Against: Cr Mate Radich

Abstained: Crs Kelly Stratford, Felicity Foy, Hilda Halkyard-Harawira and Steve McNally

CARRIED

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - APRIL 2024

Agenda item 6.3 document number A4675775, pages 43 - 54 refer.

RESOLUTION 2024/43

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That Council:

Te Kuaka Te Ao Māori Committee – Item 5.2 – Arotake Whakaahuatanga Tangata – Representation Review 2024 Update

- a) do not disestablish the Ngā Tai o Tokerau Māori Ward; and
- b) support the enhancement of Ngā Tai o Tokerau Māori Ward as one district-wide ward; and
- c) endorse a submission to the select committee on the Local Electoral Māori Wards and Constituencies Amendment Bill articulating the abhorrence for unnecessary legislative changes; and
- d) appoint Te Kahu o Taonui representatives to be included in the Representation Review submissions hearing.

Te Koukou – Transport Committee – Item 6.1 – Average Speed Safety Cameras for Kaitaia Awaroa Road

- a) endorse NZTA and Far North District Council staff to proceed with investigations of the proposed average speed safety camera location on Kaitaia Awaroa Road between urban Kaitāia and Ahipara; and
- b) endorse installation of average speed safety cameras if investigations validate the site.

Abstained: Cr Felicity Foy

CARRIED

6.4 REPRESENTATION REVIEW 2024 - AROTAKE WHAKAAHUATANGA TANGATA 2024

Agenda item 6.4 document number A4677056, pages 55 - 69 refer.

RESOLUTION 2024/44

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the Far North District Council, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, adopt the following as its initial proposal for the review of representation arrangements for at least the 2025 triennial local elections:

- a) the Far North District Council to comprise the Mayor elected at large and 10 councillors elected under the ward system, specifically 6 general ward councillors and 4 Māori ward councillors.
- b) the Far North District Council be divided into 4 wards, these being:
 - i) Kaikohe-Hokianga General Ward (represented by 1 general ward councillor), comprising the area in the current Kaikohe-Hokianga General Ward map as shown on Attachment 1.
 - ii) Te Hiku General Ward (represented by 2 general ward councillors), comprising the area in the current Te Hiku General Ward map as shown on Attachment 1.
 - iii) Bay of Islands-Whangaroa General Ward (represented by 3 general ward councillors), comprising the area in the current Bay of Islands-Whangaroa General Ward map as shown on Attachment 1.
 - iv) Ngā Tai o Tokerau Māori Ward (represented by 4 Māori ward councillors), comprising the whole of the district in the Ngā Tai o Tokerau Māori Ward map as shown on Attachment 2.
- c) the Far North District Council be divided into 3 subdivided communities, these being:
 - i) Bay of Islands-Whangaroa Community subdivided into:
 - (1) Kawakawa-Moerewa Subdivision comprising the area in the proposed Kawakawa-Moerewa Subdivision map as shown on Attachment 4 (tabled);
 - (2) Kerikeri Subdivision comprising the area in the proposed Kerikeri Subdivision map as shown on Attachment 4 (tabled);
 - (3) Paihia Subdivision comprising the area in the proposed Paihia Subdivision map as shown on Attachment 4 (tabled);
 - (4) Russell-Ōpua Subdivision comprising the area in the proposed Russell-Ōpua Subdivision map as shown on Attachment 4 (tabled);

- d) **there be 19 community board members being:**
- (i) **7 members elected from the Bay of Islands-Whangaroa Community Board comprising:**
- 1) **Kawakawa-Moerewa Subdivision – 1 member**
 - 2) **Kerikeri Subdivision – 2 members**
 - 3) **Paihia Subdivision – 1 member**
 - 4) **Russell-Ōpua Subdivision – 1 member**
 - 5) **Waipapa Subdivision – 1 member**
 - 6) **Whangaroa Subdivision – 1 member**
- and 2 members of the Council, 1 representing either the Bay of Islands-Whangaroa General Ward or and 1 representing Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.**
- (ii) **6 members elected from the Kaikohe-Hokianga Community Board comprising:**
- 1) **Kaikohe Subdivision – 3 members**
 - 2) **North Hokianga Subdivision – 1 member**
 - 3) **South Hokianga Subdivision – 2 members**
- and 2 members of the Council representing either the Kaikohe-Hokianga General Ward or Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.**
- (iii) **6 members elected from the Te Hiku Community Board comprising:**
- 1) **Doubtless Bay Subdivision – 1 member**
 - 2) **Kaitāia Subdivision – 3 members**
 - 3) **North Cape Subdivision – 1 member**
 - 4) **Karikari-Awanui Subdivision – 1 member**
- and 2 members of the Council representing either the Te Hiku General Ward or Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.**
- e) **The Far North District Council changes the name of the Whatuwhiwhi Subdivision to Karikari-Awanui Subdivision to better reflect the entirety of the area and as a result of community feedback.**
- f) **the formal, legislative consultative process and the following timetable be adopted:**

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Thursday 9 May 2024	Council meeting (Initial Proposal Resolution)	(section 19H, Local Electoral Act 2001 (LEA))
Thursday 16 May	Public Notice (within 14 days of resolution)	(section 19M, LEA)
Thursday 16 May – Monday 17 June 2024	Submission period (1 month)	(section 19M, LEA)
Tuesday 9 and Wednesday 10 July 2024	Submission hearings	(section 19M, LEA)
Thursday 8 August 2024	Council meeting (Final Proposal Resolution)	(section 19N, LEA)
Monday 12 August	Public Notice (within 14 days of resolution)	(section 19N, LEA)
Monday 12 August – Thursday 12 September 2024	Appeal/objection period (1 month)	(section 19N, LEA)
End of September	Forward material to LGC (if required) or public notice of basis of election	(section 19Q, LEA)

Note that if section 19V Local Electoral Act 2001 has not been complied (+/- 10% rule), the matter is treated as an appeal and automatically referred to the Local Government Commission for determination, such determination to be made by 10 April 2025.

- g) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each councillor represents must be within the population range of 8,077 +/- 10% (7,269 – 8,884) unless particular community of interest considerations justify otherwise. The representation of the Te Hiku General Ward falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.
- h) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Te Hiku Community Board represents must be within the population range of 3,877 +/- 10% (3,489 – 4,264) unless particular community of interest considerations justify otherwise. The representation of the North Cape Subdivision and the Doubtless Bay Subdivision fall outside of the stipulated range as to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.
- i) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Bay of Islands-Whangaroa Community Board represents must be within the population range of 4,967 +/- 10% (4,470 – 5,464) unless particular community of interest considerations justify otherwise. The representation of the Whangaroa Subdivision and the Russell-Ōpua Subdivision fall outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.
- j) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Kaikohe-Hokianga Community Board represents must be within the population range of 2,790 +/- 10% (2,511 – 3,069) unless particular community of interest considerations justify otherwise. The representation of the South Hokianga Subdivision falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.
- k) the hearing of any representation arrangements review submissions received be heard by Council on 9 and 10 July 2024.

NOTE: Error on the report, pages 61-62 should reflect “two members” as stated in the recommendation

In Favour: Crs Moko Tepania, Kelly Stratford, Felicity Foy, Hilda Halkyard-Harawira, Penetaui Kleskovic, Steve McNally, Tāmati Rākena and John Vujcich

Abstained: Crs Ann Court and Mate Radich

CARRIED 8/0

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.2 MAYOR AND COUNCILLOR'S REPORTS

Agenda item 7.2 document number A4668685, pages 88 - 160 refer.

RESOLUTION 2024/45

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

That council note the reports submitted by Kahika - Mayor Moko Tepania and Councillors Court, Rākena, Halkyard-Harawira, Vujcich, Kapa, McNally.

.CARRIED

NOTE:

1. Report from Kowhai Deputy Mayor Kelly Stratford was circulated. This Report was received on time but was omitted from the Agenda in error. This Report will be added to the online Agenda.
2. In regard to Civic Awards, Emergency Volunteers need to be included in these.

7.3 COUNCIL OPEN RESOLUTIONS UPDATE MAY 2024

Agenda item 7.3 document number A4677561, pages 161 - 177 refer.

RESOLUTION 2024/46

Moved: Cr Steve McNally

Seconded: Kahika - Mayor Moko Tepania

That Council receive the report Council Open Resolution Update May 2024.

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2024/47

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

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

- a) **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)(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>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.2 - Northland Regional Council Rating Agreement	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	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
8.3 - Committee Public Excluded Recommendations and Resolutions - April 2024	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.4 - Council Public Excluded Open Resolutions Update May 2024	<p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

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	(including commercial and industrial negotiations)	
b) and that Kawiti Waetford Kaiwhakawhiti Reo Language Interpreter is permitted to join the Public Excluded part of the meeting.		
CARRIED		

At 11.47am the meeting was adjourned for a break until 12.30pm at which time the meeting reconvened in Public Exclusion.

At 2.14pm the meeting returned to Public.

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

At 2.15pm Kahika Mayor Moko Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 2.15pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 13 June 2024.

.....
CHAIRPERSON

6 NGĀ PŪRONGO / REPORTS

6.1 CONFIRMATION OF CAPITAL PROGRAMME AMENDMENTS FOR THE 2024-27 LTP

File Number: A4738938

Author: Angie Thomas, Team Leader - Accounting Services

Authoriser: Tanya Proctor, Head of Infrastructure Strategy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek Council approval to amend the capital programme for the 2024-27 Long Term Plan (LTP)

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- Over the last year, staff have taken a robust approach to ensure the forward capital programme is deliverable.
- Throughout this process staff prioritised the capital programme addressing the severe weather-related events, health and safety and projects that are and will be ready to go.
- The capital programme that was adopted as part of the suite of underlying documents for the Consultation was based on these factors.
- Since Consultation, further information has been obtained that has resulted in the amendments to the proposed plan.
- Work has also been carried out on the 2023-24 capital works programme and any project that clearly will not be completed by 30 June 2024 has been reviewed and budget adjustments are suggested to better align the budgets with revised work timelines.

TŪTOHUNGA / RECOMMENDATION

That Council:

- uplift the Confirmation of Capital Programme Amendments for the 2024/27 LTP Report; and**
- approve the capital budget reforecasting of \$6,775,722 across 3 years (2024-27) for capital projects.**

1) TĀHUHU KŌRERO / BACKGROUND

Since the underlying documents for the 2024-27 LTP were adopted on 12 March 2024, changes have been identified to the timing and work that needs to be considered. These changes are contained within this report and increase the Council capital works programme over the 3-year period 2024-27 by \$6.8M.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Staff have identified a range of amendments to the proposed capital works programme for the 2024-27 LTP.

The proposed amendments are as follows:

Project movements that were not considered as part of the underlying documents as follows.

Movement by activity	2024/25 YR1	2025/26 YR2	2026/27 YR3
District Facilities	(130,000)	0	0
Solid Waste Management	393,400	0	0
Wastewater	4,225,024	416,772	52,325
Storm Water	5,406,193	131,511	0
Water Supply	(3,777,142)	(20,849)	78,488
Grand Total	6,117,475	527,434	130,813
Movement by type	2024/25 YR1	2025/26 YR2	2026/27 YR3
New Works			
Move from 23/24 to LTP Yr 1	393,400	-	-
Reduce Yr1 budget	(3,730,000)	-	-
Reforecast from FY24 to Yr1 LTP	7,410,017	131,511	-
Reforecast from FY24 to Yr2 LTP	-	419,429	-
Total	4,073,417	550,940	-
Renewal			
Reduce Yr1 & Yr2 Budget	(150,000)	(173,740)	-
Reduce Yr1 / increase Yr 2	(132,000)	22,484	-
Reduce Yr1 / increase Yr 3	(75,000)	-	78,488
Reforecast from FY24 to Yr1 LTP	2,401,058	-	-
Reforecast from FY24 to Yr2 LTP	-	127,750	52,325
Total	2,044,058	(23,506)	130,813
Grand Total	6,117,475	527,434	130,813

In addition to the above information, a more detailed spreadsheet is attached to this report for clarity.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The above recommendations need to be incorporated into the final capital programme for the 2024-27 LTP.

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

Financial implications are in the body of the report and will be included in the final LTP for adoption in June 2024.

ĀPITI HANGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The capital works programme forms an integral part of the proposed 2024-27 LTP
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 Chairs have been included in the process.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no specific implications from this report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	The capital programme is an integral part of the 2024-27 LTP and approval for the proposed capital works changes will be included in the final LTP for adoption in June 2024.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

6.2 SETTING OF SPEED LIMITS - TEMPORARY AND PERMANENT - RUSSELL CATCHMENT

File Number: A4737027

Author: Elizabeth Stacey, NTA Road Safety and Traffic Engineer

Authoriser: Tanya Proctor, Head of Infrastructure Strategy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To present Council with options for consideration regarding the setting of speed limits in the Russell Catchment.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council has requested information about the options to set temporary speed limits on Aucks Road and Russell Whakapara Road, and the options for consulting on speed limits for the wider Russell Catchment.
- Staff have consulted the Land Transport Rule: Setting of Speed Limits 2022 (Rule) and will discuss options under the Rule for Temporary Speed Limits as well as consultation and implementation options for permanent speed limits in this catchment. A copy of the Rule, as amended, is provided in the “Attachments” section below.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) note the requirements associated with setting of temporary speed limits and endorses the staff recommendation to not proceed with this process for Aucks Road/Russell Whakapara Road;**
- b) approve that staff commence consultation with the public on setting permanent speed limits for the Russell Catchment area; and**
- c) note that implementation of any permanent speed limits is dependent on final funding for the 2024-2027 Long-Term Plan.**

1) TĀHUHU KŌRERO / BACKGROUND

Temporary Speed Limits

The 2022 Setting of Speed Limits Rule (Rule) defines temporary speed limits.

A temporary speed limit is one that is set under Section 7 of the Rule for specific purpose such as emergency, special event, roadworks or an unsafe road surface or structure.

In order to set a temporary speed limit as defined under the Rule, the Council must demonstrate:

- 1) There is a danger to workers or the public due to work occurring on or adjacent to the road, or
- 2) There is an unsafe road surface or structure, or
- 3) There is a special event which involves a significantly different use of the road, or
- 4) There is an emergency as defined under the Rule.

Consultation on Permanent Speed Limits

On 4 December 2023 the Regional Transport Committee (RTC) approved, for consultation, the proposed Regional Speed Management Plan which included speed limit changes across all three councils. The Far North District programme included the Russell, Kawakawa, Kaitaia, Kaikohe and Moerewa rural catchments as well as all remaining schools. Consultation was scheduled to begin February 2024.

After the RTC approval for consultation, the Minister of Transport made announcements amending the 2022 Setting of Speed Limits Rule. Those amendments came into effect on 15 December 2023. Based on the Minister's announcement, all work on the draft Regional Speed Management Plan was placed on hold, noting that as the Road Controlling Authority the Far North District Council speed programme has been included for consideration in the 2024-2027 Long Term Plan (LTP) and National Land Transport Plan (NLTP).

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Temporary Speed Limits

As described above, in the above Background section, the situations for setting of a temporary speed limit under the Rule are limited. If a roadway does not meet these criteria, a temporary speed would need to be approved under the Alternative Method of the rule by the Director of Land Transport.

Staff have assessed the requirements for temporary speed limits and determined that Aucks Road and Russell Whakapara Road do not meet the criteria under Section 7 of the Rule.

The alternative method to apply a temporary speed limit for this section of road would require:

- approval to consult by the Far North District Council,
- a meaningful consultation period with area residents,
- approximately four weeks for Director approval.

The consultation process for a temporary speed on Aucks Road and Russell Whakapara Road between Okiato and Russell is not very different than a full consultation on permanent speed limits for this section. In the event the council elects to consult on a permanent speed, the installation of this section could happen on a similar timeline to the temporary speed limits. It is recommended that Council consult on the full catchment rather than a limited temporary speed limit.

Consultation On Permanent Speed Limits

The amendments made by the Minister of Transport to the current Speed Limits Rule do not preclude Councils from consulting on new speed limits or completing speed management plans. The amendments have removed the requirement for a Regional Speed Management Plan and the deadlines associated with completing a regional plan as well as treating schools for speed.

The Minister has also indicated that any changes in speed limits should be done in areas with high crash rates as well as taking community feedback into account. Additionally, there is a requirement to consider the economic impact of delay as part of any speed limit changes.

The Russell Speed Catchment contains High Risk Rural Roads. There has been strong community support for reviewing the speed limits in this catchment. At this time, it is unknown when the existing Speed Limits Rule will be amended, creating potential for delay of the Russell Catchment.

Once consultation is completed, elected members can choose to implement none, all, or portions of the speed catchment based on the availability of subsidised funding in the 2024-2027 LTP period. No implementation of these speed limits can occur without both Council and NZTA Waka Kotahi approval of the speed management plan.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Consideration of Options

Option 1 – Recommended

That the Far North District Council consult on the Russell (to WDC/FNDC boundary) speed catchment area in preparation for possible implementation in the 2024-2027 LTP.

This option takes advantage of work that has already been completed in developing the Regional Speed Management Plan and reflects feedback we have received from the community. It continues the catchment-based approach to speed limit consultation that the Council has done to date. This catchment contains High Risk Rural Roads, has strong community support and staff are able to complete an economic analysis of possible speed reductions to share with the public during the

consultation process. Additionally, this work aligns with the Whangarei District Council consultation on the Tutukaka/Ngunguru catchment.

Option 2x

That the Far North District Council elect to place all of their respective speed limit changes identified in the Regional Speed Management Plan, including Russell, on hold until further direction is received from the Minister of Transport.

This option is not recommended as it does not reflect feedback received from the community, nor address the known risks within this catchment, and will result in further delay for implementation of this speed catchment.

Next Steps

In a change from previous speed limit consultations, all new speed limits will be set out on social pinpoint. Social pinpoint is an online community engagement tool that allows the submitter to click on a road and provide feedback specifically on that road.

Attached maps set out the proposed implementation plan (Option 1) and include proposed speed limits for the purposes of consultation. The proposed speed limits are based on the identified safe and appropriate speed limits and other requirements of the Setting of Speed Limits Rule 2022 (see Attachment).

Additionally, to address previous guidance provided by the Minister of Transport, staff will prepare travel time delay information and an economic analysis that considers the economic impact of increased travel time against predicted social cost of death and serious injury savings prior to consultation with the public.

Engagement will include drop-in sessions, media, website information, and if practicable, static displays (e.g. at library or Council service centre).



An Iwi Engagement Plan has been prepared to ensure that the Iwi engagement requirements regarding the Setting of Speed Limits Rule 2022 are met. This Plan is marae based and will be undertaken alongside wider community engagement.

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

Development and consultation on the Russell speed catchment is currently funded by Waka Kotahi in the 2021-2024 LTP at the Council's normal Financial Assistance Rate, with staff presently discussing carry forward of this funding to support full consultation across financial years.

Funding for the implementation of this catchment is currently included in the Draft 2024-27 LTP (Year 1) and has been submitted for 2024-2027 NLTP subsidy funding. Approval for consultation on this catchment now will facilitate delivery in Year one of the 2024-2027 LTP subject to final confirmation of funding approvals.

ĀPITI HANGA / ATTACHMENTS

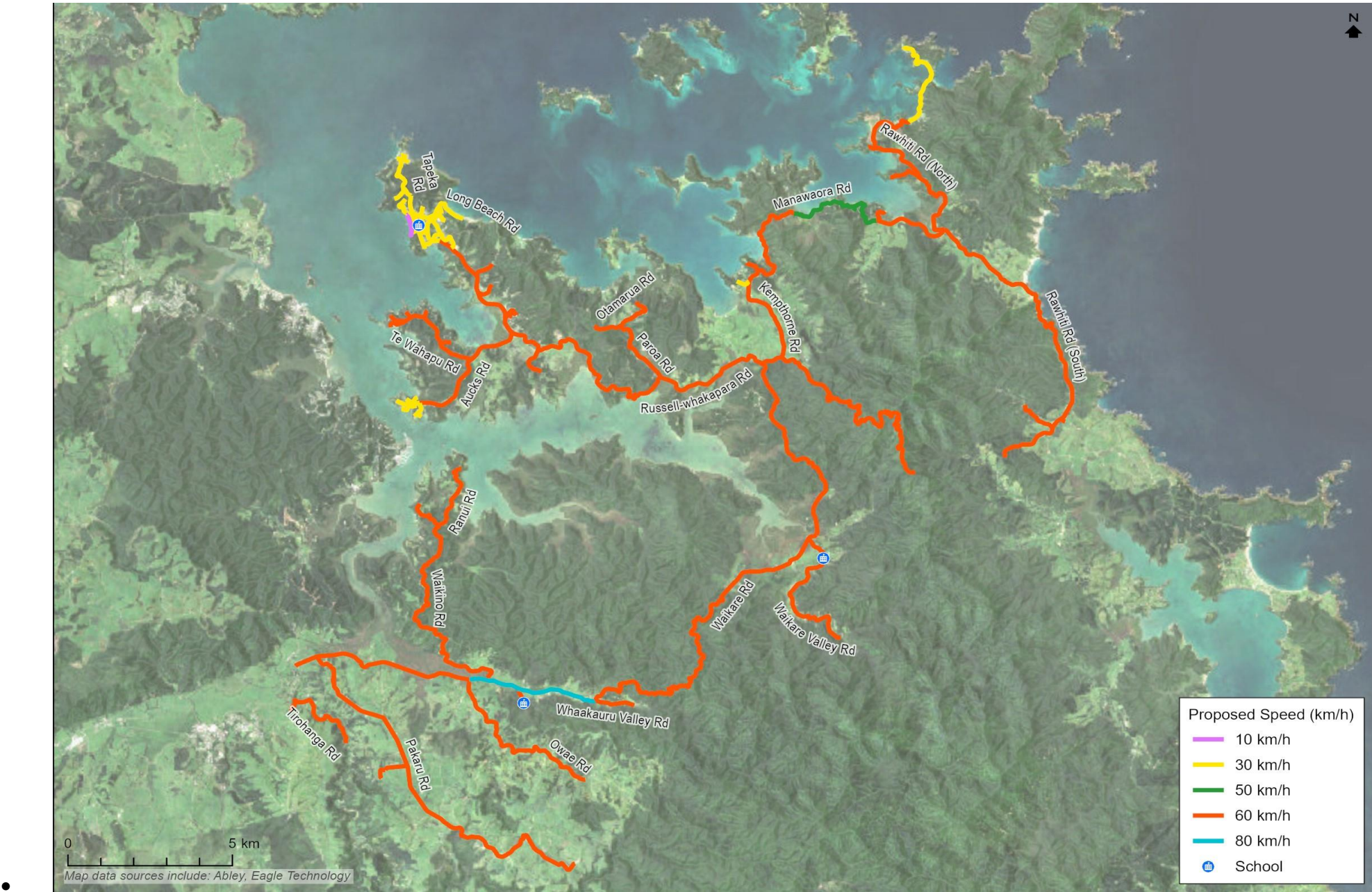
- 1. Setting-of-Speed-Limits-Rule-2022-as-at-15-December-2023 - A4738519**  

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:

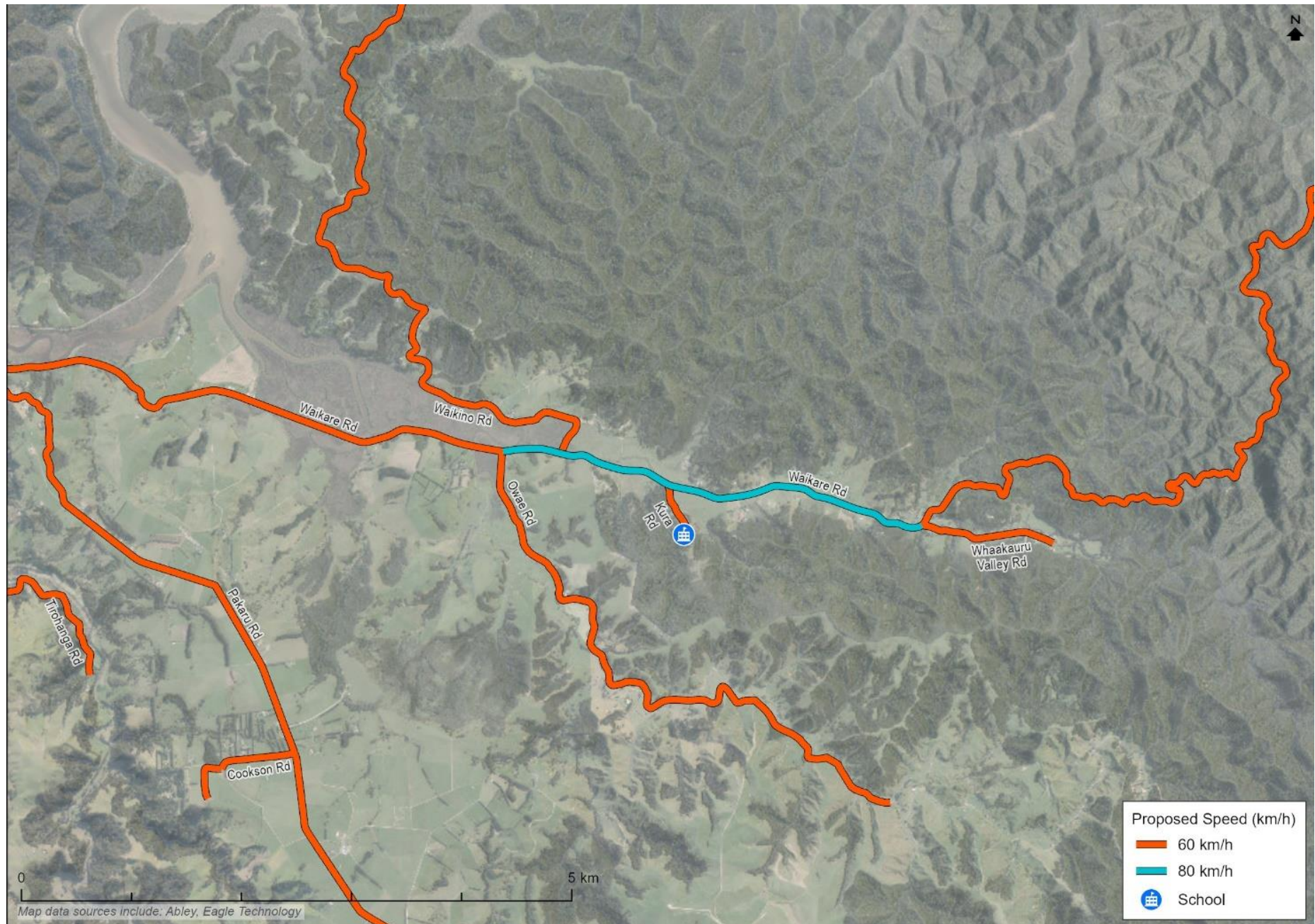
1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified 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	Significance has been determined as "Low" under Councils Significance and Engagement Policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Land Transport Act 1998 Land Transport (Register of Land Transport Records – Speed Limits) Regulations 2022. Setting of Speed Limits Rule 2022
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Community Board is supportive of a review of speed limits in the Russell Catchment
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.	An Iwi engagement Plan has been prepared to ensure that Iwi engagement requirements of the Setting of Speed Limits Rule 2022 are met. This Plan is marae based and will be undertaken alongside wider community engagement.
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.	Consultation activities are funded in the current LTP. Any future activities beyond consultation will require a further decision from Council with this being dependent on final 2024-2027 funding confirmation.
Chief Financial Officer review.	The CFO has not reviewed this report











Pursuant to sections 152, 157(1), 159A and 160(4) of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Hon Michael Wood, Minister of Transport

make the following ordinary Rule:

Land Transport Rule: Setting of Speed Limits 2022.

Signed at Wellington

This 13th day of April 2022

A handwritten signature in blue ink, appearing to read "M. Wood", is written over a light blue horizontal line.

Hon Michael Wood

Minister of Transport

Land Transport Rule
Setting of Speed Limits 2022

As at 15 December 2023

Setting of Speed Limits 2022

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Land Transport Rule

Setting of Speed Limits 2022

As at 15 December 2023

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Extent of consultation

Waka Kotahi NZ Transport Agency published a draft of the Rule along with explanatory material on its website for public consultation on 23 April 2021. Notice of the availability of the consultation draft for comment was sent by email to approximately 1570 groups and individuals who had registered an interest in land transport rules, and a notice was also published in the *Gazette* on 23 April 2021. Consultation was open for submissions until 25 June 2021. As part of the public consultation process, Waka Kotahi ran 14 workshops across New Zealand. Waka Kotahi received 325 submissions on the consultation draft, which were taken into account in finalising the draft Rule. The proposed Rule was then submitted to the Minister of Transport for signing.

Waka Kotahi also presented at regional transport committee meetings, the Road Controlling Authority Forum, and met with key industry stakeholders. And Waka Kotahi met with the Transport Special Interest Group (consisting of regional council representatives) and road controlling authorities.

In addition, clause 10.4(3) of this Rule was consulted on as part of a separate consultation draft rule, titled Land Transport Rule: Traffic Control Devices (Kura/School Signs) Amendment 2021. That consultation draft rule was made available, together with an overview document, on Waka Kotahi's website, and a notice was also published in the *Gazette* on 5 November 2021. Public consultation was carried out from 4 November 2021 to 17 December 2021. Waka Kotahi received approximately 564 submissions on that consultation draft rule. The submissions received were taken into account in finalising Land Transport Rule: Traffic Control Devices (Kura/School Signs) Amendment 2022, and clause 10.4(3) of this Rule.

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Compilation notes

1 General

This is a compilation of *Land Transport Rule: Setting of Speed Limits 2022* that incorporates all the amendments to that Rule as at the date of the last amendment to it.

2 Amendments incorporated in this reprint

Land Transport Rule: Setting of Speed Limits Amendment 2023

Land Transport Rule: Street Layouts 2023

As at 15 December 2023

Section 1 Preliminary provisions

1.1 Title

This Rule is Land Transport Rule: Setting of Speed Limits 2022.

1.2 Commencement

This Rule comes into force on 19 May 2022.

1.3 Objective of Rule

The objective of this Rule is to contribute to road safety by—

- (a) providing for a whole-of-network approach where speed management is considered alongside investment in safety infrastructure; and
- (b) empowering or requiring road controlling authorities to set speed limits for roads under their control; and
- (c) setting out requirements road controlling authorities must comply with when setting speed limits.

1.4 Interpretation

- (1) In this Rule, unless the context otherwise requires,—

Act means the Land Transport Act 1998

Agency (as RCA) means the Agency when acting as a road controlling authority

Auckland Transport means the entity established under [section 38](#) of the Local Government (Auckland Council) Act 2009

category 1 school means any school that is not a category 2 school, including a school in respect of which clause 5.2(3) applies

category 2 school means a school that has been designated as a category 2 school under clause 5.3(1)

change, in relation to speed limits, safety cameras and safety infrastructure, includes to put something in place for the first time or to remove something without any replacement

current—

- (a) in relation to a plan, means the plan most recently published under this Rule; and
- (b) in relation to a territorial authority speed management plan published under clause 3.5(5), also has the meaning given in clause 3.5(6); and

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- (c) in relation to an interim plan, also has the meaning given by clause 12.15(5), 12.16(7) or 12.17(4) (as the case may be).

cycle has the same meaning as in the [Land Transport \(Road User\) Rule 2004](#)

emergency has the meaning in clause 7.1(4)

emergency speed limit means a temporary speed limit set due to an emergency

financial year means a period of 12 months commencing on 1 July and ending with 30 June

Government road safety strategy has the meaning in clause 3.13(1)

GPS on land transport has the same meaning as in the [Land Transport Management Act 2003](#)

in the register, in relation to a speed limit, means the speed limit contained in a land transport record that has not been revoked

mean operating speed means the mean speed of traffic, including all classes of vehicle, measured in a way that is representative of all traffic speeds on the road over a 7-day period

mobility device has the same meaning as in the [Land Transport \(Road User\) Rule 2004](#)

permanent speed limit means a speed limit that is in force except when a seasonal, variable, or temporary speed limit is in force

regional council—

- (a) means a regional council within the meaning of [section 5\(1\)](#) of the Local Government Act 2002; and
- (b) includes a unitary authority; and
- (c) in relation to Auckland, means Auckland Transport

regional transport committee has the same meaning as in the [Land Transport Management Act 2003](#)

register has the same meaning as in [section 200A](#) of the Act

Registrar has the same meaning as in [section 200A](#) of the Act

road has the same meaning as in the Act and includes a section of a road

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safety camera means a camera used for the primary purpose of detecting offences under transport legislation of exceeding the speed limit

safety infrastructure means roading infrastructure intended to improve safety (for example, median barriers, rumble strips, raised crossings, and intersection treatments)

school means a registered school within the meaning of [section 10\(1\)](#) of the Education and Training Act 2020

seasonal speed limit means a type of speed limit that—

- (a) is the same for all 24 hours during any given day; and
- (a) is different for each of two or more specified periods during a calendar year

special event has the meaning in clause 7.1(3)

speed management committee means the committee established under clause 3.18

State highway has the same meaning as in the [Land Transport Management Act 2003](#)

temporary speed limit means a speed limit set in accordance with Section 7

territorial authority—

- (a) means a road controlling authority that is a territorial authority within the meaning of the [Local Government Act 2002](#); and
- (b) includes a road controlling authority that is a unitary authority, Auckland Council or Auckland Transport; but
- (c) in clauses 3.5 and 12.17, excludes a unitary authority, Auckland Council and Auckland Transport

unitary authority has the same meaning as in the [Local Government Act 2002](#)

variable speed limit—

- (a) means a type of speed limit where the speed limit in force on a road changes under certain conditions; and
- (b) excludes a seasonal speed limit

work has the meaning in clause 7.1(2).

- (2) A term that is used in this Rule and defined in the Act but not defined in this Rule has the meaning given in the Act (for

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example, Agency, Commissioner, Director, land transport record, Minister, and road controlling authority).

Section 2 Speed limits

Ascertaining the applicable speed limit

2.1 Applicable speed limit for a road

- (1) The applicable speed limit for a road at any given time is—
- (a) the speed limit for the road in the register and that is in force at the time; or
 - (b) if paragraph (a) does not apply and a bylaw made before the commencement of this Rule sets the speed limit for the road, the speed limit set by the bylaw and that is in force at the time; or
 - (c) if paragraphs (a) and (b) do not apply, a permanent speed limit of 100 km/h.
- (2) For a seasonal speed limit that is in force, the applicable speed limit for the road at any given time is the speed limit in force at the time in accordance with the details of the speed limit in the register or bylaw (as the case may be).
- (3) For a variable speed limit that is in force, the applicable speed limit for the road at any given time is the speed limit shown on signs at the time (provided the speed limit shown on the sign is in accordance with the details of the speed limit in the register or bylaw (as the case may be)).

Emergency speed limit on register prevails

- (4) Despite subclauses (1) to (3), if at any given time there is an emergency speed limit for a road in the register, the applicable speed limit for the road at that time is the emergency speed limit (not the underlying permanent, variable or seasonal speed limit for the road in the register).

Temporary speed limit applies despite register

- (5) Despite subclauses (1) to (4), if at any given time a temporary speed limit (other than an emergency speed limit) for the road has been set and is in force under Section 7, the applicable speed limit for the road at that time is the temporary speed limit (other than an emergency speed limit),

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*Setting speed limits***2.2 Setting speed limits (other than temporary speed limits)**

- (1) A road controlling authority may set a speed limit for a road under its control (other than a temporary speed limit) under this Rule.
- (2) When setting a speed limit under subclause (1), a road controlling authority may specify a date on which the speed limit comes into force.
- (3) If a road controlling authority specifies a date on which the speed limit comes into force, that date must be no earlier than the day after the corresponding land transport record is created.

2.3 Declaring speed limit areas

- (1) A road controlling authority may set a speed limit (other than a temporary speed limit) for a road or roads under its control by declaring a speed limit area.
- (2) When declaring a speed limit area, a road controlling authority must—
 - (a) identify the boundaries of the area to be designated as the speed limit area; and
 - (b) specify the speed limit that applies in the speed limit area; and
 - (c) specify that the speed limit applies to—
 - (i) all existing and any future roads in that area; or
 - (ii) all existing and any future roads in that area, except for one or more specified existing roads in that area.
- (3) When declaring a speed limit area, a road controlling authority must comply with all provisions of this Rule that apply to a speed limit (other than a temporary speed limit) for a road.
- (4) References in any provisions of this Rule to a speed limit (other than a temporary speed limit) for a road must be taken as also applying to declaring a speed limit area.

2.4 Setting temporary speed limits

A road controlling authority may set a temporary speed limit for a road under its control in accordance with Section 7.

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2.5 Method for all road controlling authorities to set speed limits: using a plan

- (1) A road controlling authority may set a speed limit (other than a temporary speed limit) for a road under its control if—
- (a) the speed limit—
 - (i) is the same as the speed limit proposed for the road in the relevant plan; and
 - (ii) comes into force within the same timeframe as proposed in the relevant plan; and
 - (iii) is set for the same road as the road listed or described in the relevant plan; or
 - (b) the speed limit set for the road differs from the speed limit for the road proposed in the relevant plan, but the only differences are any of the following:
 - (i) the timeframe within which the speed limit comes into force;
 - (ii) a minor difference in the point on the road at which the speed limit changes.
- (2) In this Section 2, **plan**—
- (a) means the most recently published—
 - (i) State highway speed management plan published under clause 3.3(8); and
 - (ii) regional speed management plan published under clause 3.4(13); and
 - (iii) territorial authority speed management plan published under clause 3.5(5), provided it is current; and
 - (iv) an interim plan or any variation to an interim plan published under clauses 12.15(4), 12.16(6) or 12.17(3), provided it is current; and
 - (b) includes any variation to any of those plans (*see* clause 3.7(4) and (5)).

2.6 Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval before next plan

- (1) If the circumstances described in clause 2.5(1) do not apply, the Agency (as RCA) or a territorial authority may set a speed limit

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- (other than a temporary speed limit) for a road under its control only with the Director's approval and after following the process in subclauses (2) to (7).
- (2) The Agency (as RCA) or a territorial authority must—
- (a) seek the Director's approval to set the speed limit for the road; and
 - (b) provide details to the Director of the proposed speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.
- (3) Before seeking the Director's approval under subclause (2), the Agency (as RCA) or a territorial authority must—
- (a) when proposing the speed limit, have regard to guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15, including the guidance on the use of mean operating speed when setting speed limits; and
 - (b) when proposing a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.
- (4) The Director must give their approval if they are satisfied that good reason exists for the proposed speed limit to be set before the next relevant plan is published (including before an interim plan has been published).
- (5) If the Director gives their approval, the Agency (as RCA) or the territorial authority may proceed to set the proposed speed limit only if—
- (a) the Agency (as RCA) or the territorial authority consults on, or has recently consulted on, the proposed speed limit in accordance with clause 3.9; or
 - (b) the Agency (as RCA) or the territorial authority considers that the proposed speed limit is only a minor deviation from the speed limit for the road proposed in the relevant plan.
- (6) Clause 3.9 applies to any consultation under subclause (5)(a), with all necessary modifications.

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- (7) Before setting the speed limit, the Agency (as RCA) or the territorial authority must consider any submissions received during any consultation under subclause (5)(a).
- (8) Once the Agency (as RCA) or the territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published)—
 - (a) details of the speed limit; and
 - (b) whether or not the speed limit was consulted on under subclause (5)(a).

2.7 Additional method for other road controlling authorities to set speed limits: using Section 6 process

- (1) A road controlling authority that is not the Agency (as RCA) or a territorial authority (for example, an airport authority or the Department of Corrections) may also set a speed limit (other than a temporary speed limit) for a road under its control in accordance with Section 6.
- (2) To avoid any doubt, this clause may be relied on whether or not the circumstances described in clause 2.5(1) apply.

Pilot Speed Limits

2.7A Certain road controlling authorities may set speed limits as part of a pilot

- (1) This clause applies if—
 - (a) a road controlling authority that is a local authority, government department or Crown entity installs a pilot on a road in accordance with Section 3 of Land Transport Rule: Street Layouts 2023; and
 - (b) the applicable speed limit for the road under clause 2.1(1) immediately before the pilot is installed is 60 km/h or less.
- (2) As part of the pilot, the road controlling authority may set a speed limit for the road, provided it follows the requirements in this clause.
- (3) The road controlling authority must provide details to the Director of the speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.

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- (4) Once the road controlling authority that is the Agency (as RCA) or a territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published), details of the speed limit.
- (5) A speed limit set under this clause may be a permanent, seasonal, or variable speed limit.
- (6) To provide further clarity, the road controlling authority may, when modifying a pilot under clause 3.6 of Land Transport Rule: Street Layouts 2023, set a speed limit for the road, provided it follows the requirements in this clause.
- (7) In this clause and clause 2.7B, **pilot** and **road** have the same meaning as in Land Transport Rule: Street Layouts 2023.

2.7B Certain road controlling authorities may set speed limits when removing a pilot

- (1) This clause applies if a road controlling authority that is a local authority, government department or Crown entity needs to set a speed limit on a road in order to comply with its obligation under clause 3.12 of Land Transport Rule: Street Layouts 2023 to remove a pilot from the road.
- (2) As part of removing the pilot, the road controlling authority may set a speed limit for the road, provided it follows the requirements in this clause.
- (3) The speed limit that the road controlling authority sets for the road must be the speed limit that was the applicable speed limit for the road under clause 2.1(1) immediately before the pilot was installed.
- (4) The road controlling authority must provide details to the Director of the speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.
- (5) Once the road controlling authority that is the Agency (as RCA) or a territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published), details of the speed limit.

Clauses 2.7A and 2.7B: inserted, on 21 August 2023, by clause 6.2(2) of Land Transport Rule: Street Layouts 2023.

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Registering speed limits

2.8 Speed limit set when land transport record created

A speed limit that is a permanent, seasonal, variable or emergency speed limit is set once a land transport record has been created for the speed limit (*see* the [Land Transport \(Register of Land Transport Records: Speed Limits\) Regulations 2022](#)).

2.9 Submitting information on speed limits to the Registrar

- (1) When setting a permanent, seasonal, variable or emergency speed limit for a road, a road controlling authority must submit to the Registrar the information required under [section 200L](#) of the Act.
- (2) When setting a temporary speed limit for a road (other than an emergency speed limit), a road controlling authority may submit to the Registrar the information required under [section 200L](#) of the Act.
- (3) If a road controlling authority has submitted information to the Registrar on a temporary speed limit (including an emergency speed limit), the road controlling authority must, as soon as practicable after deciding to remove the temporary speed limit, submit to the Registrar the information required to remove the temporary speed limit from the register.

Installing traffic control devices

2.10 Traffic control devices installed before speed limits come into force

A road controlling authority must, before a speed limit comes into force on a road under its control, ensure that all traffic control devices installed on the road that indicate the speed limit—

- (a) comply with Section 8; and
- (b) comply with Land Transport Rule: Traffic Control Devices 2004.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.11.

*Other matters***2.11 Change of road controlling authority, and boundary adjustments**

- (1) Where the road controlling authority that has control of a road changes, the speed limit that applied to the road before the change of road controlling authority continues to apply, until the new road controlling authority sets a different speed limit for the road.
- (2) Where the boundaries of a region or territory are altered, and a road comes under a different region or under the control of a different road controlling authority, the plan that applied to the road before the alteration of the boundaries continues to apply to the road until a subsequent plan including the road is published.
- (3) Where a land transport record indicates that the road controlling authority has set a speed limit on a road to the boundary of its jurisdiction as shown on the land transport record (**shown boundary**), the speed limit indicated on the land transport record applies to the boundary of the road controlling authority's jurisdiction even if the shown boundary does not accurately depict the boundary of the road controlling authority's jurisdiction.

Compare: 1991 No 69 s 81(1).

2.12 Application of Rule

Nothing in this Rule applies to the setting of a speed limit solely for a footpath, cycle path or shared path separate from the speed limit for the adjoining roadway.

Section 3 Planning for speed management**3.1 Option to prepare speed management plans and meet any deadlines**

- (1) The Agency (as RCA), each territorial authority and each regional transport committee may prepare a speed management plan in accordance with this Section 3. However, speed management plans must be prepared in accordance with any deadlines that may be set by the Minister under clause 3.6.
- (2) Each regional council may assist with the preparation of a speed management plan in accordance with this Section 3. However, speed management plans must be prepared in accordance with any deadlines that may be set by the Minister under clause 3.6.

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Heading to clause 3.1: amended, on 15 December 2023, by clause 2.1(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.1(1): amended, on 15 December 2023, by clause 2.1(2) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.1(2): amended, on 15 December 2023, by clause 2.1(3) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

3.2 Mandatory considerations when preparing any speed management plan

- (1) When preparing or providing information for any speed management plan, the Agency (as RCA), each territorial authority and each regional transport committee must have regard to—
 - (a) the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) the desirability of taking a whole-of-network approach to changing speed limits, safety cameras, and safety infrastructure, including considering a range of speed management interventions; and
 - (c) the guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15, including guidance on the use of mean operating speed when setting speed limits.
- (2) The Agency (as RCA) and a territorial authority must, when providing information for any speed management plan to propose a change to a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.

Speed management plans

3.3 Process for preparing State highway speed management plan

- (1) *Step 1 (first draft):* When preparing a State highway speed management plan, the Agency (as RCA) must—
 - (a) prepare a first draft State highway speed management plan, which must include proposed changes to speed limits on State highways; and

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- (b) provide the first draft to every territorial authority and every regional transport committee.
- (2) *Step 2 (consultation draft):* The Agency (as RCA) must—
 - (a) consider any comments on the first draft State highway speed management plan received from territorial authorities and regional transport committees; and
 - (b) prepare a consultation draft State highway speed management plan to include the content required by clause 3.8.
- (3) *Step 3 (public consultation):* The Agency (as RCA) must—
 - (a) publish the consultation draft State highway speed management plan on an Internet site; and
 - (b) consult on the consultation draft plan in accordance with clause 3.9.
- (4) *Step 4 (final draft):* The Agency (as RCA) must—
 - (a) consider any submissions received on the consultation draft State highway speed management plan (or on a consultation draft regional speed management plan being consulted on at the same time as the consultation draft State highway speed management plan, to the extent that the submissions relate to a State highway); and
 - (b) prepare a final draft State highway speed management plan; and
 - (c) submit the final draft plan to the speed management committee and the Director.
- (5) *Step 5 (speed management committee advice):* The speed management committee must review the final draft State highway speed management plan and provide advice to the Director on—
 - (a) the extent to which the final draft plan meets the requirements in clause 3.11(1); and
 - (b) any comment the committee considers the Director should make under clause 3.11(2).
- (6) *Step 6 (certification):* After receiving advice from the speed management committee, the Director must determine whether they are satisfied that the final draft State highway speed management plan meets the requirements in clause 3.11(1) and—

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- (a) if the Director is satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if the Director is not satisfied—
 - (i) they must refer the final draft plan back to the Agency (as RCA) with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the Agency (as RCA) must have regard to the Director’s recommendations, make any edits to the final draft plan, and re-submit a final draft plan to the Director; and
 - (iii) the Director can then choose whether to seek further advice from the speed management committee (and may request the committee to give advice only on particular matters in the re-submitted final draft plan) or proceed directly to making a determination on the re-submitted final draft plan under this subclause.
- (7) If the Director disagrees with a material aspect of the speed management committee’s advice, the Director must—
 - (a) provide an explanation of why they disagree with the committee; and
 - (b) publish the explanation on an Internet site.
- (8) *Step 7 (publication):* Once the Director has certified a final draft State highway speed management plan, the Agency must publish, on an Internet site—
 - (a) the plan; and
 - (b) the certificate provided under subclause (6)(a).

Clause 3.3(1): amended, on 15 December 2023, by clause 2.2(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

3.4 Process for preparing regional speed management plans

- (1) Where a region—
 - (a) has a unitary authority, the unitary authority can perform the roles of both the regional council and a territorial authority under this clause; or
 - (b) is Auckland, Auckland Transport can perform the roles of both the regional council and a territorial authority under

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this clause (and Auckland Council may also be a territorial authority).

- (2) *Step 1 (territorial authority input):* When a regional speed management plan is being prepared, each territorial authority must provide the relevant regional transport committee with—
- (a) for the purposes of preparing to undertake consultation, the information required by clause 3.8(2) in relation to the roads under its control; or
 - (b) its current territorial speed management plan published under clause 3.5(5) (if any).
- Step 2 (consultation draft)*
- (3) To prepare a regional speed management plan, each regional transport committee must prepare a consultation draft regional speed management plan for its region by—
- (a) compiling the information received from territorial authorities in Step 1 (and may change the presentation of the information for the purpose of consolidating it into the consultation draft regional speed management plan); and
 - (b) compiling any information received from other road controlling authorities that control roads in the region (for example, an airport authority or the Department of Corrections); and
 - (c) if necessary, including, adding to or making edits to the content required by clause 3.8(1) to accurately describe the approach taken across the region; and
 - (d) making any further edits due to the process under subclauses (4) and (5); and
 - (e) include the content required by clause 3.8(6).
- (4) If a regional transport committee considers that there are inconsistent approaches to speed limits being taken across the region, it must—
- (a) inform the relevant territorial authorities and suggest edits they could make to the information they provided in Step 1; and
 - (b) make any edits the territorial authorities provide; and
 - (c) only provide a consultation draft plan to the relevant regional council once satisfied the relevant territorial

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authorities have provided all edits or further edits they deem necessary.

- (5) Territorial authorities that receive suggested edits under subclause (4)(a) must use reasonable efforts to consider, discuss with each other, and agree the suggested edits or similar edits.

Step 3 (public consultation and territorial authority consideration)

- (6) Once a regional transport committee provides a consultation draft regional speed management plan to the relevant regional council, the regional council must facilitate public consultation by—
- (a) publishing the consultation draft regional speed management plan on an Internet site and calling for submissions; and
 - (b) accepting written submissions on behalf of, and forwarding them to, road controlling authorities; and
 - (c) supporting territorial authorities in the region to consult the public (for example, by providing administrative support for collating submissions and submitters' views); and
 - (d) accepting written submissions on behalf of the Agency (as RCA) in relation to the consultation draft State highway speed management plan (if it is being consulted on at the same time as the consultation draft regional speed management plan), and promptly forwarding those submissions to the Agency (as RCA).
- (7) Each territorial authority must (subject to subclause (8))—
- (a) consult in accordance with clause 3.9 on the consultation draft regional speed management plan as it relates to roads under its control, and may use the support of the relevant regional council to do so; and
 - (b) consider any submissions received on the consultation draft plan that relate to roads under its control; and
 - (c) advise the regional transport committee of any changes that it wishes to make to the consultation draft plan in relation to roads under its control.
- (8) However, if a territorial authority has a current territorial authority speed management plan published under clause 3.5(5), it is only required by this clause to consult on information in the

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consultation draft regional speed management plan that is different from or not contained in the information described in its current territorial authority speed management plan.

Step 4 (final draft)

- (9) Each regional transport committee must prepare a final draft regional speed management plan for its region by—
- (a) amending the consultation draft regional speed management plan to reflect any changes—
 - (i) that a territorial authority has advised under subclause (7)(c); and
 - (ii) from other road controlling authorities that provided information under subclause (3)(b); and
 - (b) if necessary, making edits to the content required by clause 3.8(1) to accurately describe the approach taken across the region; and
 - (c) making any further edits due to the process under subclauses (10) and (11); and
 - (d) if necessary, updating the content required by clause 3.8(6).
- (10) If a regional transport committee considers that there are inconsistent approaches to speed limits being taken across the region, it must—
- (a) inform the relevant territorial authorities and suggest edits they could make to the information they provided towards the plan; and
 - (b) make any edits the territorial authorities provide; and
 - (c) only provide a final draft plan to the Director once satisfied the relevant territorial authorities have provided all edits or further edits they deem necessary.
- (11) Territorial authorities that receive suggested edits under subclause (10)(a) must use reasonable efforts to consider, discuss with each other, and agree the suggested edits or similar edits.
- (12) *Step 5 (certification):* The Director must determine whether they are satisfied that a final draft regional speed management plan meets the requirements in clause 3.11(1) and—
- (a) if the Director is satisfied, they must certify the plan and provide a certificate to that effect; and

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- (b) if the Director is not satisfied—
 - (i) the Director must refer the final draft plan back to the regional transport committee with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the regional transport committee must repeat Step 4, after having regard to the Director’s recommendations.
- (13) *Step 6 (publication)*: Once the Director has certified a final draft regional speed management plan, the Agency must publish, on an Internet site—
 - (a) the plan; and
 - (b) the certificate provided under subclause (12)(a).

Clause 3.4(2): amended, on 15 December 2023, by clause 2.3(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.4(3): amended, on 15 December 2023, by clause 2.3(2) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Territorial authority speed management plans ahead of regional process

3.5 Territorial authority speed management plans

- (1) To create a territorial authority speed management plan, a territorial authority must—
 - (a) inform the relevant regional transport committee and the Agency (as RCA) of its intention to prepare such a plan; and
 - (b) prepare a consultation draft plan to include—
 - (i) information required by clause 3.8(1) and (2) in relation to roads under its control; and
 - (ii) any relevant information received from road controlling authorities that are not the Agency (as RCA) and that control roads in the territory; and
 - (c) subject to subclause (2) and clause 3.7(3), publish the consultation draft plan on an Internet site; and
 - (d) consult on the consultation draft plan in accordance with clause 3.9; and

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- (e) consider any submissions received on the consultation draft plan; and
 - (f) prepare a final draft plan and submit it to the Director for certification (*see* subclause (4)).
- (2) However, a territorial authority must not publish a consultation draft territorial authority speed management plan if the relevant regional transport committee has notified the territorial authority of its intention to publish within the next 28 days a consultation draft regional speed management plan, at which point the territorial authority must instead join the process for preparing a consultation draft regional speed management plan at Step 1 (*see* clause 3.4(2)(a)).
- (3) At any stage a territorial authority can stop the process in subclause (1) and join the process for preparing a consultation draft regional speed management plan at Step 1 (*see* clause 3.4(2)).
- (4) The Director must consider whether they are satisfied that the final draft territorial authority speed management plan meets the requirements in clause 3.11(1) and—
 - (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft plan back to the territorial authority with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the territorial authority must have regard to the Director's recommendations, make any edits to the final draft plan, and repeat the step at subclause (1)(f).
- (5) Once the Director has certified the final draft plan, the Agency must publish, on an Internet site—
 - (a) the plan; and
 - (b) the certificate provided under subclause (4)(a).
- (6) A territorial authority speed management plan ceases to be **current** when a regional speed management plan that includes roads under the control of the relevant territorial authority has been published under clause 3.4(13).
- (7) In this clause, **territorial authority** excludes a unitary authority, Auckland Council and Auckland Transport.

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*Other details about preparing any speed management plans***3.6 Minister may set deadlines**

- (1) The Minister may set deadlines for the commencement or completion of any of the requirements or events mentioned in clauses 3.3 to 3.5, including where a plan is being varied or replaced under clause 3.7, and may set different deadlines for different plans and different road controlling authorities.
- (2) Any previous deadlines set by the Agency under this Rule are revoked and no longer have effect.

Heading to clause 3.6: amended, on 15 December 2023, by clause 2.4(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.6(1): amended, on 15 December 2023, by clause 2.4(2) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.6(2): amended, on 15 December 2023, by clauses 2.4(3) and (4) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

3.7 Reviewing, varying and replacing speed management plans

- (1) The Agency (as RCA), each territorial authority and each regional transport committee must periodically review the relevant plan or plans (as the case may be), in order to make a new plan or plans, in accordance with the deadlines set by the Minister.
- (2) In setting deadlines for the review of a plan, the Minister must—
 - (a) set those deadlines so that, as far as reasonably practicable, each plan is reviewed every 3 years; and
 - (b) set a deadline for the publication of a consultation draft regional speed management plan (the event in clause 3.4(6)(a)); and
 - (c) notify the Agency (as RCA), the territorial authority or the regional transport committee (as the case may be) of the deadline set under subclause (2)(b) at least 6 months before the date of the deadline.
- (3) A territorial authority may publish a consultation draft territorial authority speed management plan under clause 3.5(1)(c) no earlier than 6 months before the deadline for the publication of a consultation draft regional speed management plan (that is, the deadline set under subclause (2)(b)).

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- (4) The Agency (as RCA), a territorial authority or a regional transport committee may, during the currency of a plan, prepare a variation to a current plan or a new plan to replace a current plan, with the approval of the Director.
- (5) If the Director has approved the preparation of a variation or a new plan, the process set out in clauses 3.3 to 3.5 (as the case may be) must be followed as far as it is relevant and with any necessary modifications.

Clause 3.7(1): amended, on 15 December 2023, by clause 2.5(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.7(2): amended, on 15 December 2023, by clause 2.5(2) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

3.8 Content and form of plans

- (1) A plan must—
 - (a) set out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan; and
 - (b) include an explanation of how the plan is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (c) include a general explanation of how a whole-of-network approach was taken to changing speed limits, safety cameras and safety infrastructure, including the approach when deciding whether to invest in making a road safer at higher speeds or to set a lower speed limit.
- (2) A plan must also—
 - (a) identify the changes (if any) being proposed to speed limits (other than temporary speed limits) and safety infrastructure on the relevant roads; and
 - (b) include an implementation programme for at least 3 financial years from the start of the plan that sets out—
 - (i) the changes (if any) being proposed to—
 - (A) speed limits on the relevant roads, including, to the extent practicable, information on each proposed speed limit relating to the geographical area of the proposed speed limit,

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- the type of speed limit, the proposed speed limit expressed in kilometres per hour, and, for a seasonal or variable speed limit, the conditions under which each speed limit will apply (*see also* Section 4); and
 - (B) safety infrastructure on the relevant roads; and
 - (ii) the timeframe within which each change is proposed to occur; and
 - (c) for speed limits of 70 km/h or 90 km/h, include any content required by clause 4.3(2); and
 - (d) in relation to schools, include—
 - (i) any content required by clause 5.2(4); and
 - (ii) any designation of a category 2 school; and
 - (iii) if required by clause 5.3, an explanation for why, having regard to any guidance provided by the Agency about speed limits outside schools, the speed limit outside the category 2 school is safe and appropriate for the road; and
 - (e) include, for any changes being proposed to a speed limit that do not align with the Agency’s confirmed assessment of what is the safe and appropriate speed limit for the road, an explanation for why, after considering the matters in clause 3.2(1), the road controlling authority proposes a speed limit that differs from the Agency’s confirmed assessment (unless subclause (3) applies); and
 - (f) include comment on any review relevant to the roads or region that has been completed under clause 3.17 since the previous plan published under clause 3.3(8) or 3.4(13).
- (3) However, a plan does not need to include an explanation of where a proposed change to a speed limit does not align with the Agency’s assessment of what is the safe and appropriate speed limit for the road in the following cases:
- (a) where the proposed speed limit is 70 km/h and the Agency’s assessment of the safe and appropriate speed limit for the road is 80km/h:
 - (b) where the proposed speed limit is 90 km/h and the Agency’s assessment of the safe and appropriate speed limit for the road is 100km/h:

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- (c) where the proposed speed limit is to a road outside a school and complies with Section 5.
- (4) The Agency's **confirmed assessment** of what is the safe and appropriate speed limit for a road is either—
 - (a) the assessment that the Agency confirms to the relevant road controlling authority after—
 - (i) the road controlling authority has considered the safe and appropriate speed limit for the road taken from the general guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15; and
 - (ii) the road controlling authority has provided further information about the road to the Agency; and
 - (iii) the Agency has considered that further information; or
 - (b) the safe and appropriate speed limit for the road taken from the general guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15 (if the road controlling authority does not provide further information about the road to the Agency).
- (5) A State highway speed management plan—
 - (a) must also include a general explanation of how the Agency (as RCA) has, when proposing a change to a speed limit, had regard under clause 3.2(2) to the desirability of a road under its control and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits; and
 - (b) may also include changes to safety cameras on roads that are not State highways.
- (6) A regional speed management plan must—
 - (a) identify, for any proposed change to a speed limit for a road under the control of a territorial authority (the **first road**) that adjoins a road under the control of another territorial authority (the **second road**), any instances where the speed limit for the first road is different or is proposed to differ from the speed limit for the second road; and

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- (b) include information from the State highway speed management plan (either the consultation draft or the published copy, depending on which has most recently become available) that relates to State highways in the region.
- (7) A plan may include discussion of other matters related to speed management on the relevant roads, including matters regarding temporary speed limits.
- (8) A plan must be in the form (if any) set by the Agency.
- 3.9 Consultation requirements**
- (1) When it is required to consult under this Rule, the Agency (as RCA) must give a time period of at least 4 weeks, notified on the Internet site where the consultation draft State highway speed management plan is published, for interested parties to make written submissions on the consultation draft plan.
- (2) When it is required to consult under this Rule, a territorial authority must consult in accordance with the consultation principles specified in [section 82](#) of the Local Government Act 2002.
- (3) When a consultation draft regional speed management plan is being consulted on, each regional transport committee—
 - (a) must accept written submissions on behalf of the Agency (as RCA) in relation to the consultation draft State highway speed management plan if it is being consulted on at the same time as the consultation draft regional speed management plan; and
 - (b) must promptly forward any such submissions to the Agency (as RCA), for the Agency (as RCA) to consider.
- (4) If the Agency receives any submissions on a consultation draft regional speed management plan, it must promptly forward any such submissions to the relevant regional council.
- (5) To avoid any doubt, nothing in this Rule requires a regional council or territorial authority to consult in accordance with section 83 of the Local Government Act 2002.
- (6) When it is required to consult under this Rule, the Agency (as RCA) or a territorial authority (as the case may be) must do everything reasonably practicable to separately consult Māori affected by any proposed change in a draft plan that affects or is likely to affect—

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- (a) Māori land; or
- (b) land subject to any Māori claims settlement Act; or
- (c) Māori historical, cultural, or spiritual interests.

Compare: 2003 No 118 s 18G(1).

3.10 Māori contribution to creation of plans

- (1) The Agency (as RCA) and a regional council must, with regard to a State highway speed management plan or regional speed management plan (as the case may be),—
 - (a) establish and maintain processes to provide opportunities for Māori to contribute to the preparation of the plan; and
 - (b) consider ways in which the Agency (as RCA) or the regional council (as the case may be) may foster the development of Māori capacity to contribute to the preparation of the plan; and
 - (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).
- (2) Subclause (1) does not limit the ability of the Agency (as RCA) or a regional council to take similar action in respect of any other population group.

Compare: 2003 No 118 s 18H.

3.11 Certification of, and comment on, plans

- (1) For the purposes of clauses 3.3(6), 3.4(12) and 3.5(4), the requirements are—
 - (a) the Agency (as RCA) or each territorial authority (as the case may be) has confirmed that consultation has been carried out in accordance with clause 3.9 (and a regional council or regional transport committee may provide the confirmation on behalf of a territorial authority); and
 - (b) the Agency (as RCA), the regional transport committee or the territorial authority (as the case may be) has confirmed that the plan—
 - (i) sets out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan; and
 - (ii) identifies all speed limits of 70 km/h or 90 km/h in respect of which content is required by clause 4.3(2);

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- (iii) identifies all roads outside schools for which changes to speed limits are needed in order to set speed limits in accordance with Section 5; and
 - (c) the plan includes the content required by—
 - (i) clause 3.8(2)(b); and
 - (ii) clause 3.8(2)(c) (and the Director may rely on confirmation given in paragraph (b)(ii) above); and
 - (iii) clause 3.8(2)(d)(i) and (iii) (and the Director may rely on confirmation given in paragraph (b)(iii) above); and
 - (iv) clause 3.8(2)(e) and (f).
- (2) When assessing a final draft plan, the Director may also provide comment in writing on the extent to which, in their view, the plan—
 - (a) sets out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan; and
 - (b) is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (c) takes a whole-of-network approach to changing speed limits, safety cameras and safety infrastructure; and
 - (d) will lead to speed limits being set in compliance with this Rule; and
 - (e) has had regard under clause 3.2(2) to the desirability of a road under the control of one road controlling authority and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits.
- (3) The Director may, after providing comments under subclause (2) and giving the Agency (as RCA), regional transport committee or territorial authority (as the case may be) a reasonable time to consider those comments, publish the comments on an Internet site.

Clause 3.11(2)(e): amended, on 15 December 2023, by clause 2.6(2) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Clause 3.11(2)(f): amended, on 15 December 2023, by clause 2.6(3) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

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3.12 Publication copies of certified plans

A plan that is published under clauses 3.3(8), 3.4(13) or 3.5(5) may differ from the final draft plan to—

- (a) correct minor or technical errors or to change the format and visual presentation of its content; or
- (b) in the case of a regional speed management plan published under clause 3.4(13) that includes information about State highways and safety cameras, ensure that information is consistent with the State highway speed management plan most recently published under clause 3.3(8).

*Government road safety strategy***3.13 Minister may issue Government road safety strategy**

- (1) The Minister may, by written notice to the Agency or the Director, require any publicly available document or documents to be treated as the **Government road safety strategy** for the purposes of this Rule.
- (2) To avoid any doubt, the Minister is not required to create a Government road safety strategy.

*Agency to provide guidance and information
to support speed management***3.14 Guidance on speed management**

- (1) The Agency must develop and maintain guidance on speed management, which must include—
 - (a) guidance on the use of mean operating speed when setting speed limits; and
 - (b) the Agency's assessment of what is the safe and appropriate speed limit for a road under the control of the Agency (as RCA) or a territorial authority; and
 - (c) guidance on what the Agency considers is a point of obvious change in the roadside development or the road environment for the purposes of clause 4.8; and
 - (d) guidance about setting speed limits outside schools, including guidance about school travel periods (*see* Section 5); and
 - (e) guidance on maximum lengths between speed limit signs (*see* clause 8.2(2)).

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- (2) However, the Agency's assessment of what is the safe and appropriate speed limit for a road does not need to account for whether the road is a road outside a school or the requirements of Section 5 (but, to avoid any doubt, a road controlling authority must comply with Section 5 for roads outside schools).
- (3) The Agency must supply the guidance to road controlling authorities and regional transport committees.
Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.1(1)(a).

3.15 Information about speed management for roads

- (1) The Agency must develop and maintain information about speed management for roads under the control of the Agency (as RCA) or a territorial authority.
- (2) When developing and maintaining information about speed management for a road under the control of the Agency (as RCA) or a territorial authority, the Agency must have regard to—
 - (a) the function and use of the road; and
 - (b) crash and injury risks for all road users; and
 - (c) the characteristics of the road and roadsides; and
 - (d) adjacent land use; and
 - (e) the number of intersections and property accessways; and
 - (f) traffic volume; and
 - (g) any planned physical changes to the road and its infrastructure; and
 - (h) the mean operating speed for the road; and
 - (i) the principles and outcomes of any Government road safety strategy; and
 - (j) any other matter the Agency considers appropriate.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.3.

3.16 Agency must supply information

A road controlling authority or regional transport committee may request from the Agency information about speed management for any road under the control of the Agency (as RCA) or a territorial authority, and the Agency must supply the information to the requester if that information is available.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.4(1) and (3).

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3.17 Agency may review implementation of speed management by a road controlling authority

- (1) The Agency may review a road controlling authority's changes to speed limits, safety cameras and safety infrastructure against any speed management targets in any Government road safety strategy and in the road safety aspects of the GPS on land transport.
- (2) The Agency must give the road controlling authority an opportunity to comment on the draft findings of a review before completing a review.
- (3) Once a review has been completed, *see* clause 3.8(2)(f).

Clause 3.17(1): amended, on 15 December 2023, by clause 2.6(4) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Speed management committee

3.18 Speed management committee established

- (1) As soon as practicable after this Rule comes into force, the Agency must establish a speed management committee.
- (2) However, the Minister, not the Agency, may appoint members of the speed management committee.
- (3) The speed management committee must have no more than 9 members.
- (4) The provisions set out in Schedule 2 have effect according to their terms.

3.19 Purposes and functions of speed management committee

- (1) The purposes of the speed management committee are to—
 - (a) review draft State highway speed management plans and provide advice to the Director in accordance with this Rule; and
 - (b) provide oversight of the information and guidance on speed management that the Agency provides under this Rule, to ensure that the information is up to date and is fit for purpose.
- (2) The speed management committee may also provide comments to the Agency (as RCA) on a consultation draft State highway speed management plan during the consultation process, limiting its comments to the requirements in clause 3.11(1) or

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matters on which the Director may give comment under clause 3.11(2).

- (3) The speed management committee has the functions, duties, and powers provided in this clause, and in clauses 3.3 and 3.20.

3.20 Speed management committee oversight of Agency

- (1) The speed management committee may request that the Agency—
- (a) provide comment to the committee about any information or guidance the Agency has provided; and
 - (b) provide or procure an independent review of any information or guidance the Agency has provided, and provide the outcome of the review to the committee.
- (2) The Agency must comply with any requests made under subclause (1).

Section 4 Technical requirements for speed limits

4.1 Application of clauses 4.2 to 4.4

Clauses 4.2 to 4.4 apply whenever—

- (a) in any plan, a change is proposed to a speed limit for a road; or
- (b) a road controlling authority sets a speed limit for a road.

4.2 Types of speed limit

- (1) A speed limit must be one of the following types:
- (a) a permanent speed limit;
 - (b) a seasonal speed limit;
 - (c) a variable speed limit (*see* also clause 4.9);
 - (d) a temporary speed limit (which must be set in accordance with Section 7).
- (2) To provide further clarity, an emergency speed limit is a type of temporary speed limit that is set once a land transport record has been created for the speed limit.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.1.

4.3 Range of speed limits

- (1) A speed limit must be one of the following:

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- (a) 10 km/h:
 - (b) 20 km/h:
 - (c) 30 km/h:
 - (d) 40 km/h:
 - (e) 50 km/h:
 - (f) 60 km/h:
 - (g) 70 km/h (*see* subclause (2)):
 - (h) 80 km/h:
 - (i) 90 km/h (*see* subclause (2)):
 - (j) 100 km/h:
 - (k) 110 km/h (*see* clause 4.4).
- (2) If a road controlling authority has a speed limit of 70 km/h or 90 km/h on a road, it must review the speed limit and in its next plan either—
 - (a) confirm that a speed limit of 70 km/h or 90 km/h is safe and appropriate for the road; or
 - (b) propose to change the speed limit to be other than 70 km/h or 90 km/h.
- (3) In subclause (2), **next plan** means—
 - (a) if the speed limit of 70 km/h or 90 km/h was set before the first plan to be published under clause 3.3(8), 3.4(13) or 3.5(5) (as the case may be), the first plan to be published under any of those clauses; and
 - (b) in any other case, the first plan to be published under clause 3.3(8), 3.4(13) or 3.5(5) (excluding any variations to a plan) after the speed limit of 70 km/h or 90 km/h is set.
- (4) To avoid any doubt, where the speed limit of 70 km/h or 90 km/h is set at a time during the process for preparing a plan, the plan published as a result of that process is still the **next plan** for the purposes of subclause (2).

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.2.

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4.4 Director approval required for changes to 110 km/h speed limits

- (1) A road controlling authority may not set a speed limit of 110 km/h for a road unless the road controlling authority has requested and obtained the Director's approval under this clause.
- (2) If the Director is satisfied that the road has been designed and constructed, and will be managed and operated, to the standard necessary to safely support 110 km/h travel speeds, the Director—
 - (a) must give approval, and may do so unconditionally or subject to any conditions that the Director considers appropriate; and
 - (b) must set maximum lengths between speed limit signs for the road.
- (3) If the Director is not satisfied, the Director must not give approval.
- (4) The Director must notify the road controlling authority of their decision in writing, including—
 - (a) the conditions to which any approval is subject (if any); and
 - (b) the maximum lengths between speed limit signs for the road.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 4.6(1)-(5).

4.5 Application of clauses 4.6 to 4.9

Clauses 4.6 to 4.9 apply whenever—

- (a) in any plan, a change is proposed to a speed limit for a road, except in the case of—
 - (i) a temporary speed limit; or
 - (ii) a road where the road controlling authority is not the Agency (as RCA) or a territorial authority; or
- (b) a territorial authority or the Agency (as RCA) sets a speed limit for a road (other than a temporary speed limit).

4.6 Road lengths for speed limits

A road for which a speed limit is set under this Rule must be equal to or exceed the minimum length in the table in Schedule 1, unless one or more of the following applies:

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- (a) the requirement is impracticable for the road;
- (b) the speed limit is less than 50 km/h;
- (c) the speed limit is for a road outside a school;
- (d) a lower speed limit is applied to a section of road as part of a variable speed limit.

4.7 Speed limits on adjoining roads

When a road controlling authority sets a speed limit for a road under this Rule (**main road**), it may also set the same speed limit on a short length of road under its control that adjoins the main road even though the short length of the adjoining road—

- (a) may not be equal to or exceed the minimum length in the table in Schedule 1; and
- (b) may not be specified in the relevant plan or in the approval sought from the Director under clause 2.6.

4.8 Point on road at which a speed limit changes

- (1) A road controlling authority must be satisfied that the point on a road at which a speed limit changes is at, or close to, a point of obvious change in the roadside development or the road environment.
- (2) For the purposes of this clause, the presence of a school nearby may be treated as an obvious change in the roadside development or the road environment.
- (3) Subclause (1) does not apply to the point on a road at which a speed limit changes due to the operation of a variable speed limit.
- (4) *See also* clause 8.1(1).

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.3(3).

4.9 Variable speed limits

- (1) The Agency (as RCA) or a territorial authority may set a variable speed limit only if it is satisfied that—
 - (a) the speed limit needs to vary in order to be safe and appropriate for the road; and
 - (b) a variable speed limit is necessary to address or manage one or more of the following:
 - (i) different numbers and types of road users or different traffic movements;

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- (ii) the effects of changing traffic volumes, including to ease congestion:
 - (iii) for emergency or temporary traffic management:
 - (iv) a crash risk posed by turning or crossing traffic:
 - (v) changing climatic conditions:
 - (vi) the presence of a school (*see also* Section 5):
 - (vii) the presence of a marae:
 - (viii) vehicles driving on a beach or riverbed.
- (2) In any other case, the Agency (as RCA) or the territorial authority may set a variable speed limit only with the Director's approval.
- Compare: Land Transport Rule: Setting Speed Limits 2017, cl 5.1.

Section 5 Speed limits around schools

5.1 Interpretation

For the purposes of Section 5 and clause 4.6(c), a road controlling authority may determine—

- (a) what sections of the road under its control are **a road outside a school**, having regard to—
 - (i) typical or expected routes for pedestrians to access the school; and
 - (ii) the purpose of making people feel safer to walk to and from school (or travel to and from school on cycles or mobility devices) and encouraging them to do so; and
- (b) what are the **school travel periods** for a school, having regard to any guidance provided by the Agency about school travel periods.

5.2 Maximum permitted speed limits outside schools

- (1) When setting a speed limit for a road outside a school, a road controlling authority must have regard to any guidance provided by the Agency about speed limits outside schools.
- (2) A road controlling authority must set the speed limit for a road outside a category 1 school as—
 - (a) a permanent speed limit of 30 km/h; or

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- (b) a variable speed limit where 30 km/h is the speed limit in force during school travel periods.
- (3) However, a road controlling authority is not required to set a speed limit in accordance with subclause (2) if, on 20 April 2021 and continuing until immediately prior to the commencement of this Rule, the speed limit for the road outside the school was—
 - (a) a permanent speed limit of 40 km/h; or
 - (b) a variable speed limit where 40 km/h is the speed limit in force during school travel periods (with the school travel periods being determined by the road controlling authority at any time, including before the commencement of this Rule).
- (4) If a road controlling authority has relied on subclause (3), it must in its next plan—
 - (a) review the speed limit for the road outside the school having regard to any guidance provided by the Agency about speed limits outside schools; and
 - (b) either—
 - (i) set a speed limit in accordance with subclause (2); or
 - (ii) designate the school as a category 2 school.
- (5) In subclause (4), **next plan** means the first plan to be published under clause 3.3(8), 3.4(13) or 3.5(5) (as the case may be) after the plan in which subclause (3) was first relied on.

5.3 Maximum permitted speed limits outside category 2 schools

- (1) A road controlling authority may designate a school as a category 2 school by stating the designation in the relevant plan (*see also* clause 3.8(2)(d)(ii)).
- (2) A road controlling authority may only set the speed limit for a road outside a category 2 school as—
 - (a) a permanent speed limit of 60 km/h or less; or
 - (b) a variable speed limit where 60 km/h or less is the speed limit in force during school travel periods.
- (3) If a road controlling authority has relied on subclause (2), it must in its next plan—

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- (a) review the speed limit for the road outside the category 2 school having regard to any guidance provided by the Agency about speed limits outside schools; and
- (b) either—
 - (i) explain that a speed limit of 60 km/h or less is safe and appropriate for the road (and may propose a different speed limit than has previously applied, within the range of 60km/h or less); or
 - (ii) remove the school’s designation as a category 2 school and set the speed limit in accordance with clause 5.2(2).
- (4) In subclause (3), **next plan** means the first plan to be published under clause 3.3(8), 3.4(13) or 3.5(5) (as the case may be) after the plan in which the school was first designated as a category 2 school.

5.4 Implementation of new speed limits around schools

[Revoked]

Clause 5.4: revoked, on 15 December 2023, by clause 2.6(1) of the Land Transport Rule: Setting of Speed Limits Amendment 2023.

Section 6 Speed limits for roads not under the control of the Agency (as RCA) or a territorial authority

6.1 Application of Section 6

In Section 6, **road controlling authority** means a road controlling authority other than the Agency (as RCA) or a territorial authority.

6.2 Requirements for setting speed limit under Section 6

- (1) A speed limit set under Section 6 must—
 - (a) be a permanent speed limit, a seasonal speed limit, or a variable speed limit; and
 - (b) be one of the speed limits in clause 4.3(1)(a) to (j).
- (2) Where a road controlling authority sets a variable speed limit under Section 6, the road controlling authority must (despite clause 4.5) comply with clause 4.9 as though references in that clause to “territorial authority” included the road controlling authority.

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6.3 Process before setting speed limit under Section 6

- (1) Before setting a speed limit under Section 6, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
- (a) the function and use of the road; and
 - (b) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders; and
 - (c) the characteristics of the road and roadsides; and
 - (d) adjacent land use; and
 - (e) any other matter the road controlling authority considers relevant to public safety; and
 - (f) any guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15.
- (2) Before setting a speed limit under Section 6, the road controlling authority must—
- (a) consult with—
 - (i) the Commissioner; and
 - (ii) the Agency; and
 - (iii) any other persons or groups that the road controlling authority considers to be directly affected by the proposed speed limit, allowing those persons or groups a reasonable time to make written submissions on the proposal; and
 - (b) take into account any feedback received.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 8.1(3).

6.4 Setting speed limit under Section 6

To avoid any doubt—

- (a) a speed limit under Section 6 is still set as described in clause 2.8 and the road controlling authority must comply with clause 2.9; and
- (b) a road controlling authority can also set a temporary speed limit for a road under its control in accordance with Section 7.

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Section 7 Temporary speed limits

7.1 Requirement to consider setting, and criteria for setting, temporary speed limits

- (1) A road controlling authority—
- (a) must consider setting a temporary speed limit if, in the opinion of the road controlling authority, there is a risk of danger to a worker or the public, or a risk of damage to a road, due to—
 - (i) work occurring on or adjacent to a road that impacts the function of the road (including an ongoing work site outside of the hours of work); or
 - (ii) the presence of an unsafe road surface or structure; or
 - (iii) a special event; or
 - (iv) an emergency; and
 - (b) may set a temporary speed limit if the road controlling authority considers that there is such a risk.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.1.

- (2) In this Rule, **work** includes—
- (a) work being actively undertaken on the surface of the road; and
 - (b) construction or landscape maintenance works being actively undertaken on or adjacent to the road.

- (3) In this Rule, **special event** means an event held over a short and defined period which would involve a significantly different use of a road, or affects the use of a road, to the extent that the speed limit in force may not be safe.

Compare: Land Transport Rule: Setting Speed Limits 2017, Part 2, definition of “special event”.

- (4) In this Rule, **emergency** means a situation that—
- (a) is the result of any happening, whether natural or otherwise (including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act); and

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- (b) causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public in any part of New Zealand.

Compare: 2002 No 33 s 4 definition of “emergency”.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 7.1(1).

7.2 How temporary speed limit is set, applies, and is removed

- (1) A temporary speed limit for a road (other than an emergency speed limit) is set and comes into force by installing signs in accordance with Section 8 and a traffic management plan approved in writing by the road controlling authority.
- (2) A temporary speed limit (including an emergency speed limit) must be—
 - (a) one of the speed limits in clause 4.3(1)(a) to (h); and
 - (b) at least 10 km/h less than any permanent speed limit, or seasonal speed limit or variable speed limit that would otherwise be in force, for the road.
- (3) A temporary speed limit (other than an emergency speed limit)—
 - (a) applies from the point on the road at which a temporary speed limit sign is installed to the point on the road at which a sign indicates that a different speed limit applies; and
 - (b) applies from the time a temporary speed limit sign is installed; and
 - (c) ceases to apply when the temporary speed limit signs are removed.
- (4) A temporary speed limit may only apply for longer than 12 months if the Director provides approval under subclause (5).
- (5) The Director must give approval if they consider it is reasonable for the road controlling authority to consider a risk described in clause 7.1(1) remains in place in relation to the road (whether or not it is the same risk that led to the temporary speed limit first being put in place).
- (6) A road controlling authority that has set a temporary speed limit must take reasonably practicable steps so that the cause of the temporary speed limit is clear to a road user.

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- (7) A person who is authorised to install a temporary speed limit sign in accordance with the traffic management plan in subclause (1)—
 - (a) may remove a temporary speed limit sign; and
 - (b) must remove the temporary speed limit signs and equipment used to install or support the signs as soon as the person is satisfied that the reason for the temporary speed limit no longer applies.
- (8) When a road controlling authority is satisfied that a temporary speed limit for a road is no longer necessary, it must remove the temporary speed limit.
- (9) Where a land transport record exists for a temporary speed limit, when the temporary speed limit signs are removed the road controlling authority must submit to the Registrar the information required to remove the temporary speed limit from the register (*see* clause 2.9(3)).

7.3 Director or Commissioner may require removal of temporary speed limit

The Director or the Commissioner may, at any time, require the removal of a temporary speed limit and the removal of accompanying signs and equipment used to install or support the signs, if satisfied that—

- (a) the reason for the temporary speed limit no longer applies; or
- (b) the temporary speed limit is not safe and appropriate for the road in the circumstances for which the speed limit was set.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.2(7).

7.4 Setting a temporary speed limit due to work occurring on or adjacent to a road

- (1) Before setting a temporary speed limit due to work occurring on or adjacent to a road that impacts the function of the road (including an ongoing work site outside of the hours of work), the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
 - (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and

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- (b) the nature of the work; and
 - (c) the nature and level of risk to persons working on or near the road; and
 - (d) the nature and level of risk to the public.
- (2) A temporary speed limit that is set due to work occurring on or adjacent to a road may apply for—
- (a) the period during which there is work occurring on or adjacent to a road that impacts the function of the road; or
 - (b) specified times during the period in which there is work occurring on or adjacent to a road that impacts the function of the road.

Compare: Land Transport Rule: Setting Speed Limits 2017, cls 6.3 and 6.2(4).

7.5 Setting a temporary speed limit due to an unsafe road surface or structure

- (1) Before setting a temporary speed limit due to the presence of an unsafe road surface or structure, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (b) the nature of the unsafe road surface or structure; and
 - (c) the nature and level of risk to the public.
- (2) A temporary speed limit that is set due to the presence of an unsafe road surface or structure may apply for—
- (a) the period during which an unsafe road surface or structure is present; or
 - (b) specified times during the period in which an unsafe road surface or structure is present.

Compare: Land Transport Rule: Setting Speed Limits 2017, cls 6.4 and 6.2(4).

7.6 Setting a temporary speed limit due to a special event

- (1) Before setting a temporary speed limit due to a special event, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—

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- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (b) the nature of the special event; and
 - (c) the nature and level of risk to the public.
 - (2) A temporary speed limit that is set due to a special event may apply for—
 - (a) the period of the special event including any period of time before or after, and associated with, the event; or
 - (b) specified times during the period of the special event.
- Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.5.

Emergency speed limits

7.7 Setting a temporary speed limit due to an emergency

Before setting a temporary speed limit due to an emergency, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—

- (a) the circumstances of the emergency; and
- (b) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
- (c) the needs of any community affected by the emergency; and
- (d) the nature and level of risk to the public; and
- (e) any other measures taken to reduce hazards and risks.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 7.2(9).

7.8 Process for setting an emergency speed limit

Where a road controlling authority sets an emergency speed limit, the road controlling authority must—

- (a) record in writing the reasons why it was satisfied that setting an emergency speed limit was necessary; and
- (b) to avoid any doubt, comply with clauses 2.8 and 2.9.

7.9 How emergency speed limit is removed

When a road controlling authority is satisfied that an emergency speed limit for a road is no longer necessary, it must—

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- (a) decide to remove the emergency speed limit; and
- (b) submit required information to the Registrar (*see* clause 2.9(3)).

Section 8 Signs

8.1 Requirement to provide signs at, or near, point where speed limit changes

- (1) A road controlling authority must install a speed limit sign on the left-hand side of a road under its control at or near, and not more than 20 m from, the point on the road where a speed limit changes.
- (2) If the estimated two-way annual-average daily traffic at the point where a speed limit changes exceeds 500 vehicles, the road controlling authority must also install a speed limit sign on the right-hand side of the road, or on the central median where appropriate, at or near, and no more than 20 m from, that point (except in the case where the speed limit is a variable speed limit and an electronic variable speed limit sign has been installed).
- (3) Subclauses (1) and (2) do not apply to speed limits on beaches or riverbeds (but, to avoid any doubt, clause 2.10(b) still applies).
- (4) If a road user might not easily see, or readily understand or react to, a sign that is installed within 20 m of the point on the road where a speed limit changes, a road controlling authority may, despite subclauses (1) and (2), install speed limit signs more than 20 m, but as close to it as reasonably practicable, from that point.
- (5) A speed limit sign may be installed otherwise than as required by subclause (1) if—
 - (a) authorised under this Rule or any other enactment; or
 - (b) a road user might not easily see, or readily understand or react to, a sign that is installed on the left-hand side of the road; or
 - (c) the sign would be more effective if installed above a lane.
- (6) A speed limit sign may be installed otherwise than as required by subclause (2) if the sign would be more effective if installed above a lane.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.1.

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8.2 Requirement to provide speed limit signs

- (1) A road controlling authority must install speed limit signs where they will be easily seen by road users and to which road users may readily react.
- (2) When installing speed limit signs, a road controlling authority must have regard to the Agency's guidance on maximum lengths between speed limit signs.
- (3) Subclause (2) does not apply to speed limits on beaches or riverbeds (but, to avoid any doubt, clause 2.10(b) still applies).

8.3 Specific requirements for permanent, seasonal and variable speed limit signs

- (1) For a permanent speed limit, a seasonal speed limit or a variable speed limit, the speed limit shown on the associated signs installed by the road controlling authority must not be visible to road users until the speed limit comes into force.
- (2) For a seasonal speed limit, a road controlling authority must ensure that, at any given time, the speed limit on the associated signs installed by the road controlling authority show the speed limit that is in force at that time under the seasonal speed limit.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.3.

8.4 Agency may direct road controlling authority to install, modify, or remove signage

The Agency may direct a road controlling authority to install, modify, or remove a speed limit sign to comply with this Rule.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.7.

Section 9 Review of speed limits by Agency**9.1 Agency's powers to monitor and direct a road controlling authority and to set, change or modify a speed limit**

- (1) The Agency may monitor road controlling authorities and regional transport committees for compliance with this Rule.
- (2) The Agency must notify a road controlling authority in writing if it has reason to believe that the road controlling authority might not have complied with this Rule, and give the road controlling authority a reasonable opportunity to respond to the notification.

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- (3) If the Agency is not satisfied by a road controlling authority's response to the notice under subclause (2), the Agency may issue directions to the road controlling authority regarding matters to be addressed.
- (4) If the Agency reasonably believes that a road controlling authority has not complied with this Rule in setting a speed limit, or proposing to change a speed limit, or that a speed limit set by a road controlling authority does not comply with this Rule, the Agency may direct the road controlling authority to do the following:
 - (a) set the speed limit in accordance with the Agency's directions:
 - (b) review or change the procedures used by the road controlling authority to set speed limits or to propose to change speed limits to comply with this Rule:
 - (c) carry out the instructions in paragraph (a) and (b) within a stated period.
- (5) A road controlling authority must comply with directions given by the Agency under clause 9.1(3) or 9.1(4), or 8.4, or with the requirements of the Agency or the Commissioner under clause 7.3.
- (6) If a road controlling authority does not comply with directions given under clause 9.1(3), 9.1(4), or 8.4, or the requirements of the Agency or the Commissioner under clause 7.3, the Agency may exercise the power of the road controlling authority to set the speed limit under this Rule.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.10.

9.2 Ability to change speed limit where Agency has previously directed change to speed limit

If the Agency has given a direction under clause 9.1(4) to set a speed limit or exercised the powers of a road controlling authority to set a speed limit under clause 9.1(6), a road controlling authority may not change the speed limit from the speed limit directed or set by the Agency in the 3 years following the direction or setting, unless it has the Agency's approval.

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Section 10 Revocation, transitional provisions, and consequential amendments

10.1 2017 Rule revoked

Land Transport Rule: Setting of Speed Limits 2017 is revoked (which includes revoking, for example, any conditions specified by the Agency by *Gazette* notice under clause 4.5 of that Rule in relation to speed limits of 70 km/h or 90 km/h or under clause 5.2 of that Rule in relation to variable speed limits).

10.2 Continuation of some obligations under 2017 Rule

- (1) Despite clause 10.1, each road controlling authority must continue to retain the details referred to in clause 2.8(7) of Land Transport Rule: Setting of Speed Limits 2017 for at least seven years from the date on which the new speed limit (within the meaning of that clause) came into force.
- (2) Despite clause 10.1, any conditions specified by the Agency by *Gazette* notice under clause 4.6 of the Land Transport Rule: Setting of Speed Limits 2017 in relation to a speed limit of 110 km/h continue to apply to the speed limit.

10.3 Transitional provisions

Despite anything else in this Rule, the provisions of Schedule 3 apply according to their terms.

10.4 Amendments to Land Transport Rule: Traffic Control Devices 2004

- (1) This clause amends Land Transport Rule: Traffic Control Devices 2004.
- (2) In clause 4.2(1), replace “as specified in *section 9 of Land Transport Rule: Setting of Speed Limits 2017*” with “as required by *Section 9 of Land Transport Rule: Setting of Speed Limits 2022*”.
- (3) In Schedule 1, insert the following item in the appropriate alphanumerical order:

R1-6.2 Kura School permanent speed limit

Highest speed limit is the number of km/h shown on the sign that applies to a road outside a school.

Note: only a speed value of 60 or less that is appropriate to a road outside a school can be used with this sign.

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Shape and size	rectangle backing board 750 x 1300 mm (white (R) background) incorporating: a R1-1, 750 mm diameter sign (background, border and legend as for R1-1), above a ‘Kura School’- supplementary sign (as specified below).		
‘Kura School’ – supplementary sign			
Shape and size	rectangle 750 x 500 mm		
Background	yellow-green (RF)		
Border	black 20 mm		
Legend	Description	Colour	Size
	‘KURA’	black	125/21
	‘SCHOOL’	black	125/19.5

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Schedule 1
Road lengths for speed limits

Ref: clause 4.6(1)

Speed limit (km/h)	Minimum length (m)
50	500
60	600
70	700
80	800
90	2000
100	2000
110	As approved by the Director under clause 4.4

Compare: Land Transport Rule: Setting Speed Limits 2017, Schedule 1.

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Schedule 2

Speed management committee

Ref: clause 3.18(4)

Section 11 Speed management committee

11.1 Appointment of members

- (1) An appointment of a member to the speed management committee must be made by written notice to the member (with a copy to the committee).

Compare: 2004 No 115 s 28(2).

- (2) The notice must—

- (a) state the date on which the appointment takes effect which must not be earlier than the date on which the notice is received; and
- (b) state the term of the appointment.

Compare: 2004 No 115 s 28(3).

- (3) The Minister may only appoint a person who, in the Minister's opinion, has—

- (a) the appropriate knowledge, skills, and experience in relation to speed management and road safety; or
- (b) the appropriate knowledge, skills, and understanding of the impacts of speed management on local government, motorists, rural communities, vulnerable road users, freight carriers or enforcement matters; or
- (c) has other appropriate knowledge, skills, and experience to assist the committee to achieve its purposes, perform its functions and duties, and exercise its powers.

- (4) A person is disqualified from being a member of the committee if they would be disqualified from being a member of a statutory entity under [section 30\(2\)](#) of the Crown Entities Act 2004.

11.2 Requirements before appointment

- (1) Before a person is appointed as a member of the committee, the person must—

- (a) consent in writing to being a member; and
- (b) certify that they are not disqualified from being a member (*see* clause 11.1(4)); and

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- (c) make a disclosure required by [section 96B](#) of the Land Transport Management Act 2003 (and for that purpose the relevant person is the Minister).
- (2) The committee must notify the Minister of a failure to comply with subclause (1)(c) as soon as practicable after becoming aware of the failure.

Compare: 2004 No 115 s 31.

11.3 Chairperson and deputy chairperson of committee

Clauses 1 to 5 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

11.4 Procedure of committee

Clauses 6 to 14 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

11.5 Certain provisions of Crown Entities Act 2004 apply to committee and its members

- (1) The following provisions of the [Crown Entities Act 2004](#) apply as if the committee were a board of a Crown agent and with all other necessary modifications:
 - (a) section 32 (which relates to the term of office of members):
 - (b) section 34 (which relates to the validity of members' acts):
 - (c) section 35 (which relates to the validity of appointment of members):
 - (d) section 36(1)-(3) (which relates to the removal of members):
 - (e) section 41(a)-(b) (which relates to the process for removal of members):
 - (f) section 44 (which relates to the resignation of members):
 - (g) section 45 (which relates to members ceasing to hold office).
- (2) Clause 15 of [Schedule 5](#) of the Crown Entities Act 2004 applies as if the committee were a committee appointed under clause 14 of that schedule and with all other necessary modifications.

Compare: 2008 No 91 s 85

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Schedule 3 Transitional provisions

Ref: clause 10.3

Section 12 Transitional provisions

12.1 Definitions for transitional provisions

In this Schedule,—

existing speed limit, in relation to any road, means the speed limit (as defined in section 2(1) of the Act) in force for the road immediately prior to the commencement of this Rule

interim period means, in relation to a road controlling authority, the period—

- (a) beginning at the end of the pre-interim period; and
- (b) ending on the day on which the first plan that includes roads under the control of the road controlling authority is published under clauses 3.3(8), 3.4(13) or 3.5(5)

pre-interim period, means—

- (a) in relation to the Agency (as RCA) or a territorial authority, the period—
 - (i) beginning on the commencement of this Rule; and
 - (ii) ending on the earlier of—
 - (A) the day on which land transport records have effect under [section 200H](#) of the Act in respect of all the roads under the control of the Agency (as RCA) or the territorial authority (as the case may be) for which there is an existing speed limit; or
 - (B) 19 July 2022; and
- (b) in relation to a road controlling authority other than the Agency (as RCA) or a territorial authority, the period—
 - (i) beginning on the commencement of this Rule; and
 - (ii) ending on 19 July 2022

previous Rule means Land Transport Rule: Setting Speed Limits 2017.

12.2 Existing speed limits continue to apply

- (1) An existing speed limit for a road (other than a temporary speed limit) remains the applicable speed limit for the road until a land transport

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record in respect of a speed limit for that road has effect under [section 200H](#) of the Act.

- (2) An existing speed limit for a road that is a temporary speed limit remains the applicable speed limit for the road until either—
 - (a) the temporary speed limit is removed in accordance with this Rule or the previous Rule; or
 - (b) a land transport record in respect of the temporary speed limit for that road has effect under [section 200H](#) of the Act (in which case the applicable speed limit becomes, in accordance with clause 2.1(1), the speed limit for the road in the register).

12.3 Existing speed limits to become land transport records by 19 July 2022

- (1) The Agency (as RCA) and each the territorial authority must use reasonable efforts so that, for the roads under their control for which there is an existing speed limit, a land transport record is created that has effect under [section 200H](#) of the Act by 19 July 2022.
- (2) To provide further clarity, the Agency's power under clause 9.1(6) to exercise the power of the road controlling authority to set the speed limit under this Rule includes the power to create a land transport record for an existing speed limit of the Agency (as RCA) or a territorial authority after the pre-interim period.

Setting speed limits during pre-interim period

12.4 Speed limits must or may be set during pre-interim period

- (1) During the pre-interim period the Agency (as RCA) and every territorial authority must, for each road under its control for which there is an existing speed limit, do at least one of the following:
 - (a) confirm an existing speed limit under clause 12.5:
 - (b) correct a speed limit under clause 12.6:
 - (c) set a new speed limit under clause 12.7.
- (2) During the pre-interim period a road controlling authority that is not the Agency (as RCA) or a territorial authority (for example, an airport authority or the Department of Corrections) may, for a road under its control, do the following:
 - (a) confirm an existing speed limit under clause 12.5:
 - (b) correct a speed limit under clause 12.6:
 - (c) set a new speed limit under clause 12.7.

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- (3) A road controlling authority must, for all speed limits (other than any temporary speed limits) set during the pre-interim period, submit to the Registrar the information required under [section 200L](#) of the Act.
- (4) If a road controlling authority has submitted information to the Registrar before the commencement of this Rule for the purposes of creating land transport records for speed limits, the Registrar and the road controlling authority can treat the information as if it were submitted under clauses 12.5 or 12.6 (as the case may be).
- (5) To avoid any doubt, a speed limit set during the pre-interim period is and must be treated as the valid speed limit once a land transport record has been created for the speed limit.

12.5 Confirming an existing speed limit during pre-interim period

- (1) A road controlling authority may, in relation to a road, submit to the Registrar the information required under [section 200L](#) of the Act that is consistent with the details of the existing speed limit for the road.
- (2) Where an existing speed limit is based on a bylaw, *see* [regulation 13](#) of the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2022.

12.6 Correcting speed limit during pre-interim period

- (1) During the pre-interim period a road controlling authority may seek the Director's approval to set a speed limit (other than a temporary speed limit) for a road—
 - (a) by taking the existing speed limit for the road and making any of the following modifications:
 - (i) changing the location of the start point or end point (or both) of the speed limit to align with the positions of speed limit signs in place at the commencement of this Rule;
 - (ii) changing the speed limit expressed in kilometres per hour to align with that displayed on speed limit signs in place at the commencement of this Rule; or
 - (b) where no bylaw exists or can be found that sets the speed limit for the road, by setting a speed limit for the road that is consistent with speed limit signs in place at the commencement of this Rule.
- (2) The Director must give approval if they are satisfied that—
 - (a) the modifications submitted are accurate for the speed limit signs in place at the commencement of this Rule; and

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- (b) the signs in place comply with Section 8 of this Rule and with Land Transport Rule: Traffic Control Devices 2004, and are for speed limits that comply with Section 4 of this Rule.
- (3) During the pre-interim period a road controlling authority may, in relation to a road, submit to the Registrar the information required under [section 200L](#) of the Act that is consistent with the details of the speed limit for the road approved by the Director subclause (2).
- (4) Where the existing speed limit in subclause (1)(a) was based on a bylaw, *see* [regulation 13](#) of the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2022.

12.7 Setting a new speed limit during pre-interim period

- (1) During the pre-interim period a road controlling authority may set a speed limit for any road under its control in accordance with—
 - (a) any enactment (other than this Rule) that empowers or requires the road controlling authority to do so; or
 - (b) Land Transport Rule: Setting of Speed Limits 2017 as if it were in force, despite clause 10.1.
- (2) To avoid any doubt, clause 12.4(3) applies to any speed limit set under subclause (1).
- (3) To avoid any doubt, a road controlling authority may set a speed limit for a road under subclause (1) regardless of whether—
 - (a) an existing speed limit exists for the road; or
 - (b) the road controlling authority has already confirmed or corrected a speed limit for the road under clauses 12.5 or 12.6.
- (4) Where the speed limit set under subclause (1) is contained in a bylaw, *see* [regulation 13](#) of the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2022.

*Setting speed limits during interim period***12.8 Overview of interim period**

- (1) During the interim period, a road controlling authority may set a speed limit in the following ways:
 - (a) if an interim plan has been published, under clause 2.5(1):
 - (b) under clause 2.6:
 - (c) under clause 12.9:
 - (d) under clause 12.11.

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- (2) This clause is only a guide and does not affect the other provisions of this Rule.

12.9 Continuation of process to set speed limit under 2017 Rule

- (1) If a road controlling authority has, before the commencement of this Rule, called for submissions on a proposal to set a speed limit under the previous Rule, the road controlling authority may in the interim period set the speed limit under the previous Rule (including, without limitation, by making a bylaw) as modified by this clause.
- (2) To avoid any doubt, a speed limit set in reliance on this clause only becomes the applicable speed limit once the speed limit for the road is in the register, in accordance with clause 2.1(1).
- (3) A road controlling authority that sets a speed limit set in reliance on this clause does not need to comply with the following provisions of the previous Rule:
 - (a) clause 4.4(2) (which relates to aiming to achieve a mean operating speed less than 10% above the speed limit);
 - (b) clause 4.5 (which relates to additional procedural steps for 70 km/h and 90 km/h speed limits);
 - (c) clauses 5.1 and 5.2 (which relate to variable speed limits).
- (4) A road controlling authority that sets a speed limit for a road in reliance on this clause may comply with either—
 - (a) clause 3.3(3) of the old Rule (which relates to the point at which a speed limit changes); or
 - (b) clause 4.8 of this Rule (which is a similar provision that allows for the presence of a school nearby to be treated as an obvious change in the roadside development or the road environment).
- (5) A speed limit set in reliance on this clause should have signs installed in accordance with this Rule and not the previous Rule.

12.10 Creating an interim speed management plan

- (1) During the interim period, the Agency (as RCA), a regional transport committee or a territorial authority may create an interim speed management plan in accordance with this Schedule.
- (2) A territorial authority may create its own interim territorial authority speed management plan even if the relevant regional transport committee is also creating an interim regional speed management plan.
- (3) However, a territorial authority must not publish a consultation draft interim territorial authority speed management plan if the regional

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transport committee has notified the territorial authority of the committee's intention to publish a consultation draft interim regional speed management plan within the next 28 days, at which point the territorial authority must instead participate in the creation of an interim regional speed management plan.

- (4) The Agency (as RCA), a regional transport committee or a territorial authority may vary its interim speed management plan at any time in the interim period by taking the same steps that are required to create an interim plan, but needs to consult only on the variations proposed to be made to the interim plan.
- (5) Clause 3.12, with necessary modification, applies to the publication of interim plans.

12.11 Correcting speed limit during interim period

- (1) During the interim period, the Agency (as RCA) or a territorial authority may seek the Director's approval to set a speed limit (other than a temporary speed limit) for a road by taking the applicable speed limit for the road and making any of the following modifications:
 - (a) changing the location of the start point or end point (or both) of the speed limit to align with the positions of speed limit signs in place at the commencement of this Rule;
 - (b) changing the speed limit expressed in kilometres per hour to align with that displayed on speed limit signs in place at the commencement of this Rule.
- (2) The Director must give approval if they are satisfied that—
 - (a) the modifications submitted are accurate for the speed limit signs in place at the commencement of this Rule; and
 - (b) the signs in place comply with Section 8 of this Rule and with Land Transport Rule: Traffic Control Devices 2004, and are for speed limits that comply with Section 4 of this Rule.
- (3) During the interim period a road controlling authority may, in relation to a road, submit to the Registrar the information required under [section 200L](#) of the Act that is consistent with the details of the speed limit for the road approved by the Director under subclause (2).

Interim plans

12.12 Preparing interim plans

- (1) When preparing or providing information for an interim plan, the Agency (as RCA), each territorial authority and each regional transport committee must have regard to—

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- (a) the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) the desirability of taking a whole-of-network approach to changing speed limits, safety cameras, and safety infrastructure, including considering a range of speed management interventions; and
 - (c) the guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15, including guidance on the use of mean operating speed when setting speed limits.
- (2) The Agency (as RCA), a territorial authority or a regional transport committee may, during the currency of an interim plan, prepare a variation to an interim plan or a new interim plan to replace a current interim plan, with the approval of the Director.
- (3) If the Director has approved the preparation of a variation or a new interim plan, the process set out in clauses 12.15 to 12.17 (as the case may be) must be followed as far as it is relevant and with any necessary modifications.
- (4) A territorial authority may have taken any of the steps in clause 12.17(1) before the commencement of this Rule and those steps can be treated as if they occurred under those provisions.

12.13 Content and form of interim plans

- (1) An interim plan must identify changes being proposed to speed limits (other than temporary speed limits) on the relevant roads, and for each proposed change must include—
 - (a) to the extent practicable, information on the geographical area of the proposed speed limit, the type of speed limit, the proposed speed limit expressed in kilometres per hour, and, for a seasonal or variable speed limit, the conditions under which each speed limit will apply (*see also* Section 4); and
 - (b) the timeframe within which the change is proposed to occur.
- (2) An interim plan—
 - (a) must also include, for any changes being proposed to a speed limit that do not align with the Agency's confirmed assessment of what is the safe and appropriate speed limit for the road, an explanation for why, after considering the matters in clause 3.2(1), the road controlling authority proposes a speed limit that differs from the Agency's confirmed assessment (unless subclause (4) applies); and
 - (b) may include a designation for a category 2 school; and

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- (c) in relation to any designation of a category 2 school, must include an explanation for why, having regard to any guidance provided by the Agency about speed limits outside schools, the speed limit outside the category 2 school is safe and appropriate for the road.
- (3) If an interim plan proposes to change the speed limit on a road outside a school, the road controlling authority must propose to set a speed limit outside the school that complies with Section 5.
- (4) However, a plan does not need to include an explanation of where a proposed change to a speed limit does not align with the Agency's confirmed assessment of what is the safe and appropriate speed limit for the road in the following cases:
 - (a) where the proposed speed limit is 70 km/h and the Agency's assessment of the safe and appropriate speed limit for the road is 80km/h:
 - (b) where the proposed speed limit is 90 km/h and the Agency's assessment of the safe and appropriate speed limit for the road is 100km/h:
 - (c) where the proposed speed limit is to a road outside a school and complies with Section 5.
- (5) In this clause, **confirmed assessment** has the same meaning as in clause 3.8(4).
- (6) However, if a territorial authority has published before the commencement of this Rule a proposal to change a speed limit or speed limits and that proposal has been, is or will be consulted on in accordance with clause 3.9, then—
 - (a) the proposal published may be treated as a consultation draft of an interim territorial authority speed management plan; and
 - (b) the interim territorial authority speed management plan must only identify changes being proposed to speed limits (other than temporary speed limits) on the relevant roads (and may also include further information); and
 - (c) clause 12.12(1) and clause 12.13(1), (2), (3) and (8) do not apply to the interim territorial authority speed management plan; and
 - (d) the territorial authority may (despite anything else in this Rule), in the interim plan, propose a change to a speed limit on a road outside a school that does not comply with Section 5.
- (7) An interim plan may include discussion of other matters related to speed management on the relevant roads, including matters regarding safety infrastructure changes, temporary speed limits, and safety cameras.

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- (8) An interim plan must be in the form (if any) set by the Agency.

12.14 Certification of, and comment on, interim plans

- (1) For the purpose of clauses 12.15(2), 12.16(5) and 12.17(2), the requirements are—
- (a) the Agency (as RCA), the regional transport committee or territorial authority (as the case may be) has confirmed that—
 - (i) consultation has been carried out in accordance with clause 3.9; and
 - (ii) the interim plan includes an explanation of how the plan is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (iii) the interim plan includes a general explanation of how a whole-of-network approach was taken to changing speed limits by considering a range of speed management interventions; and
 - (b) the interim plan includes the content required by clause 12.13.
- (2) When assessing a final draft interim plan, the Director may also provide comment in writing on the extent to which, in their view, the plan—
- (a) is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) takes a whole-of-network approach by including consideration of a range of speed management interventions.
- (3) The Director may, after providing comments under subclause (2) and giving the Agency (as RCA), the regional transport committee or the territorial authority (as the case may be) a reasonable time to consider those comments, publish the comments on an Internet site.
- (4) However, if a territorial authority has published before the commencement of this Rule a proposal to change a speed limit or speed limits and that proposal has been consulted on in accordance with clause 3.9, then—
- (a) the proposal published may be treated as a consultation draft of an interim territorial authority speed management plan; and
 - (b) for the purpose of clause 12.17(2), the requirements are that—
 - (i) the territorial authority has confirmed that consultation has been carried out in accordance with clause 3.9; and

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- (ii) the interim territorial authority speed management plan identifies changes being proposed to speed limits (other than temporary speed limits) on the relevant roads; and
- (c) subclauses (1) to (3) do not apply.

12.15 Process for interim State highway speed management plan

- (1) To create an interim State highway speed management plan, the Agency (as RCA) must—
 - (a) prepare a consultation draft interim plan to include the content required by clause 12.13; and
 - (b) publish the consultation draft interim plan on an Internet site; and
 - (c) consult on the consultation draft interim plan in accordance with clause 3.9 as if the interim plan were the State highway speed management plan; and
 - (d) consider any submissions received on the consultation draft interim plan; and
 - (e) prepare a final draft interim plan and submit it to the Director for certification.
- (2) The Director must consider whether it is satisfied that the final draft interim plan meets the requirements in clause 12.14(1) and—
 - (a) if it is satisfied, it must certify the plan and provide a certificate to that effect; and
 - (b) if it is not satisfied—
 - (i) it must refer the final draft interim plan back to the Agency (as RCA) with recommendations for how to meet the requirements in clause 12.14(1); and
 - (ii) the Agency (as RCA) must repeat the step at subclause (1)(e), after having regard to the recommendations of the Director.
- (3) However, if the speed management committee has been established (as notified to the Director by the Agency) by the time of the step at subclause (1)(e), the Director must receive and consider the advice of the speed management committee in the same way as if a State highway speed management plan was being prepared under Section 3 of this Rule.
- (4) Once the Director has certified the final draft interim plan, the Agency must publish, on an Internet site—
 - (a) the interim plan; and
 - (b) the certificate provided under subclause (2)(a).

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- (5) An interim State highway speed management plan ceases to be **current** when a State highway speed management plan is published under clause 3.3(8).

12.16 Process for interim regional speed management plan

- (1) Where a region—
 - (a) has a unitary authority, the unitary authority can perform the roles of both the regional council and a territorial authority under this clause; or
 - (b) is Auckland, Auckland Transport can perform the roles of both the regional council and a territorial authority under this clause (and Auckland Council may also be a territorial authority).
- (2) In this clause, **participating territorial authorities** means territorial authorities that—
 - (a) have elected to participate in the creation of an interim regional speed management plan; or
 - (b) have already published interim speed management plans for their territory by the time the regional transport committee takes Step 1 to create an interim regional speed management plan.
- (3) To create an interim regional speed management plan, a regional transport committee and each participating territorial authority must follow Steps 1 to 3 in clause 3.4 with the following modifications:
 - (a) the plan only relates to roads under the control of participating territorial authorities;
 - (b) any reference to a “territorial authority” in clause 3.4 only applies to a participating territorial authority;
 - (c) in Step 2 (at clause 3.4(3)), the regional transport committee must also compile the information from territorial authorities in the region that have already published interim speed management plans.
- (4) Following Step 3, the regional transport committee must—
 - (a) prepare a final draft interim plan, by—
 - (i) amending the consultation draft interim plan to reflect any changes that a participating territorial authority has advised in Step 3, and any changes advised by other road controlling authorities that provided information under clause 3.4(3)(b); and
 - (ii) making any other changes, not inconsistent with the information the participating territorial authorities provided

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- in Step 1 (as amended to reflect any changes advised in Step 3), that the regional transport committee considers necessary for the interim plan to be certified; and
 - (b) submit the final draft interim plan to the Director for certification.
- (5) The Director must consider whether they are satisfied that the final draft interim plan meets the requirements in clause 12.14(1) and—
 - (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft interim plan back to the regional transport committee with recommendations for how to meet the requirements in clause 12.14(1); and
 - (ii) the regional transport committee must repeat the step at subclause (3), after having regard to the Director's recommendations.
- (6) Once the Director has certified the final draft interim plan, the Agency must publish, on an Internet site—
 - (a) the interim plan; and
 - (b) the certificate provided under subclause (4)(a).
- (7) An interim regional speed management plan ceases to be **current** when a regional speed management plan is published under clause 3.4(13).

12.17 Process for interim territorial authority speed management plan

- (1) To create an interim territorial authority speed management plan for roads in its area, a territorial authority must—
 - (a) prepare a consultation draft interim plan to include—
 - (i) the content required by clause 12.13; and
 - (ii) any relevant information received from road controlling authorities that are not the Agency (as RCA) or a territorial authority and that control roads in the area; and
 - (b) subject to clause 12.10(3), publish the consultation draft interim plan on an Internet site; and
 - (c) consult on the consultation draft interim plan in accordance with clause 3.9 as if the interim plan were the territorial speed management plan; and
 - (d) consider any submissions received on the consultation draft interim plan; and

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- (e) prepare a final draft interim plan and submit it to the Director for certification.
- (2) The Director must consider whether they are satisfied that the final draft interim plan meets the requirements in clause 12.14(1) or (4) (as the case may be) and—
 - (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft interim plan back to the territorial authority with recommendations for how to meet the requirements in clause 12.14(1) or (4) (as the case may be); and
 - (ii) the territorial authority must repeat the step at subclause (1)(e), after having regard to the Director’s recommendations.
- (3) Once the Director has certified the final draft interim plan, the Agency must publish, on an Internet site—
 - (a) the interim plan; and
 - (b) the certificate provided under subclause (2)(a).
- (4) An interim territorial authority speed management plan ceases to be **current** when—
 - (a) a territorial authority speed management plan for the territory is published under clause 3.5(5); or
 - (b) an interim regional speed management plan that includes the territory is published under clause 12.16(6); or
 - (c) a regional speed management plan that includes the territory is published under clause 3.4(13).
- (5) In this clause, **territorial authority** excludes a unitary authority, Auckland Council and Auckland Transport.

Date of notification in *Gazette*: 20 April 2022.

As at 15 December 2023

6.3 SPEED LIMITS KOHUKOHU

File Number: A4736842

Author: Elizabeth Stacey, NTA Road Safety and Traffic Engineer

Authoriser: Tanya Proctor, Head of Infrastructure Strategy

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this report is for Council to consult and consider an amendment to the North Hokianga Interim Speed Management Plan.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The village of Kohukohu is one of nine Heritage Precincts in the Far North District. As such, members of the community are concerned with protecting Kohukohu's historic look and feel. The installation of the school zone speeds under the amended North Hokianga speed limits review has increased the number of speed limit signs within the village.
- In order to reduce the number of signs and promote safe speeds within Kohukohu, members of the community have requested consideration by the Board to change speed limits within the village. Any changes to speed limits require limited consultation with affected parties and approval by both council and Waka Kotahi.
- This report was escalated by the Kaikohe-Hokianga Community Board on 17 May 2024. Resolution 2024/40

TŪTOHUNGA / RECOMMENDATION

That Council request staff commence consultation on an amendment to the North Hokianga Interim Speed Management Plan for Kohukohu Road.

1) TĀHUHU KŌRERO / BACKGROUND

Speed limits within the Kaitaia-Awaroa-Broadwood-Kohukohu catchment area were reviewed in 2021-2022. As a result of this review, a North Hokianga Interim Speed Management Plan (Plan) was approved by Council and certified by Waka Kotahi on 19th December 2022. Subsequent to the Plan being approved, the 2022 Setting of Speed Limits Rule (Rule) became law which required certain speeds outside of schools. As a result, Council and Waka Kotahi approved an amendment to the Plan to lower the speed in on Kohukohu Road from 40 to 30 within the school zone as shown on Attachment 2, Kohukohu School Zone.

By law, every time a speed changes there is a requirement for a speed limits sign to make that speed both legal and enforceable. Under the current Plan, portions of Kohukohu Road, within the village, the speed limit is 40kph. The side streets and school zone are signed at 30kph. All changes in speed between Kohukohu road and the side streets and school zone require signage, indicating the change in speed as shown in Attachment 1, Kohukohu Signs.

Kohukohu is designated as a Heritage Precinct and Council has developed design guidelines for the village [Kohukohu Design Guidelines](#). These guidelines prioritise slowing traffic through the village. Staff have been approached by community members to find solutions to the large number of regulatory speed signs in the historic precinct.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Staff have considered two options to both reduce the number of signs, remain consistent with feedback received in developing the Plan and comply with the Rule.

Option 1 - Recommended

The Community Board may receive the report and recommend to Council that staff commence consultation on an amendment to the North Hokianga Speed Management Plan for Kohukohu Road.

By proposing a 30kph permanent speed limit on Kohukohu Road all other speed limit signage within the village can be eliminated. The two gateway signs for entry into Kohukohu would be retained. This option would require consultation with the school and residents. If approved by Council, this would result in a 10kph speed reduction for approximately 100 metres between the Southern entrance and Mariner Street and approximately 500m between then end of the school zone and the northern entrance. This results in a travel time change of approximately 18 seconds.

This option supports the Kohukohu design guidelines and provides consistency of speed limits throughout Kohukohu.

Option 2

The Community Board may receive this report and request staff remove gated signage. The Traffic Control Devices Rule states that signs must be installed on the left-hand side from the point of view of the road user approaching the sign, except if a different position would be safer or more effective. Gated signs (an additional sign on the right side of the driver) is an enhancement measure used to draw driver attention to the changes in speed limits but is not required under law.

The removal of one of a pair of signs does not require further consultation with community or approval by the Council. This option would remove approximately six signs which could be stored for future use on the network where signs have been damaged.

This option does not fully support the Kohukohu design guidelines or request from Community members.

Option 3

The Community Board may reject this report and request staff to consider other alternatives.

Next Steps

If the Community Board elects Option 1, Council will consider consultation and an amendment to Plan. If the Community Board selects Option 2, staff will direct our maintenance contractor to remove gated signage.




TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The Recommendation is arising from a meeting requested by members of the Kohukohu Community at which both Option 1 and Option 2 were discussed.

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

Consultation and an amendment to the Plan would be completed by staff and covered under the existing Operational budgets. Removal of signage for future use would be completed under the maintenance contract.

ĀPITI HANGA / ATTACHMENTS

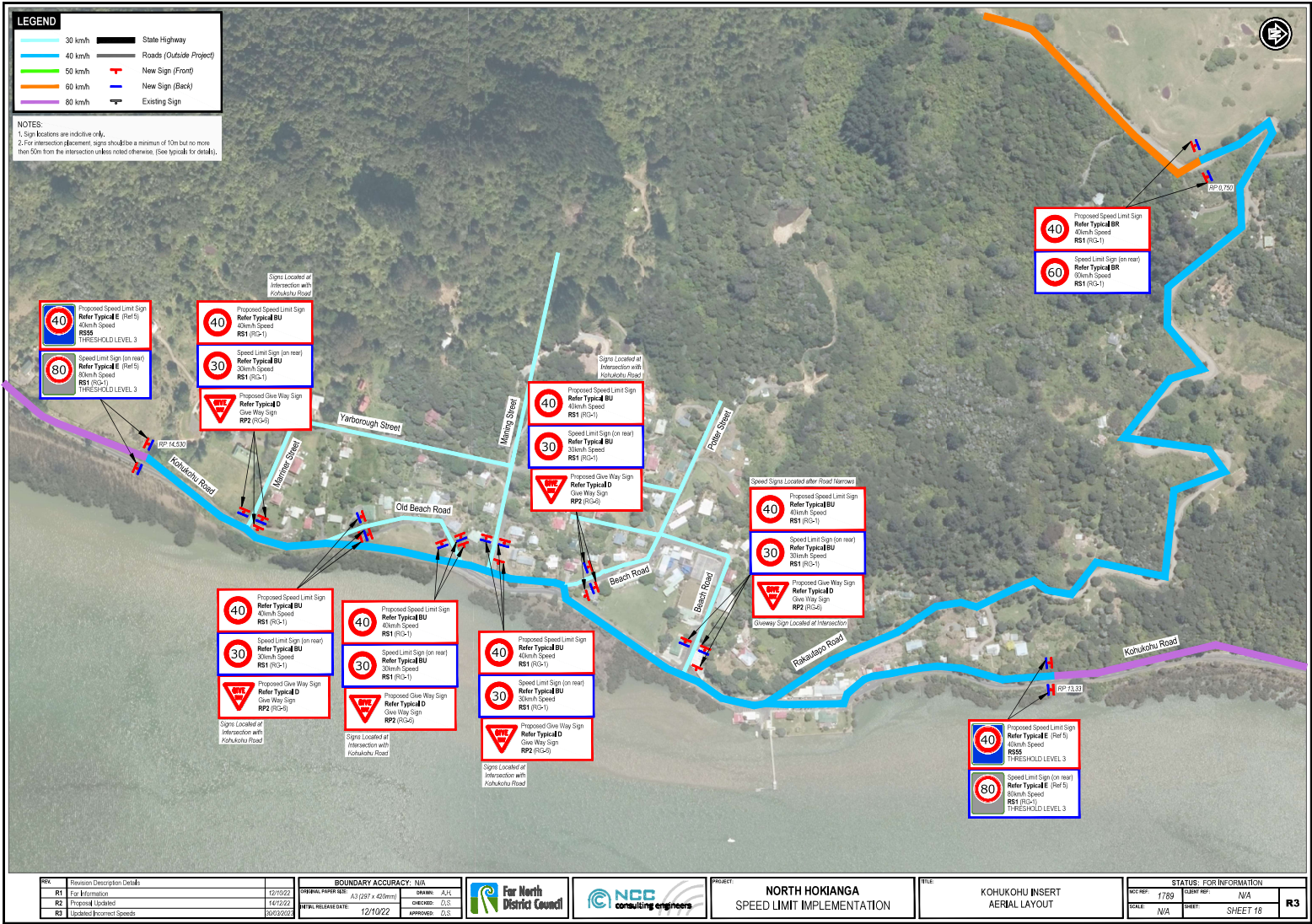
1. Kohukohu Signs - A4683074  
2. Kohukohu School Zone - A4683077  

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	Significance has been determined as "Low" under Councils Significance and Engagement Policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Setting of Speed Limits 2022 as amended Traffic Control Devices Rule
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 are being sought as part of this Recommendation report.
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 direct implications for Māori
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Kohukohu Heritage Precinct
State the financial implications and where budgetary provisions have been made to support this decision.	Work can be completed under existing operational budgets.
Chief Financial Officer review.	CFO has not reviewed this report





6.4 REVIEW OF DANGEROUS INSANITARY AND EARTHQUAKE PRONE BUILDINGS POLICY 2014

File Number: A4673026

Author: Briar Macken, Team Leader – Policy & Bylaws

Authoriser: Roger Ackers, Group Manager - Planning & Policy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval for the review of the Dangerous, Insanitary, and Earthquake Prone Buildings Policy and to seek approval to consult on the draft Dangerous and Insanitary Buildings Policy.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council is required by section 131 of the Building Act 2004 to have a policy on dangerous and insanitary buildings.
- The Dangerous Insanitary and Earthquake Prone Buildings Policy was due for review in 2019. The Policy does not cease to have effect because it is due for review.
- A review of the Policy has identified that the Policy does not align with current legislation including a requirement to remove the earthquake prone section of the Policy.
- Therefore, the Policy should be amended to align with current legislation.
- Staff have developed a draft Dangerous and Insanitary Buildings Policy which aligns with current legislation and is in appropriate form.
- Council must consult on any amendments to the Policy.
- A Statement of Proposal including a draft of the amended policy is in Attachment 3.
- The recommended consultation period is from 17 June to 17 July with oral submissions, if required, to follow.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) agree under section 132 of the Building Act 2004, that the Dangerous, Insanitary, and Earthquake-prone Buildings Policy has been reviewed;
- b) approve that the Dangerous, Insanitary and Earthquake-prone Buildings Policy be amended;
- c) approve the Dangerous and Insanitary Buildings Policy Statement of Proposal in Attachment 3 be released for public consultation to meet the requirements of section 132 of the Building Act 2004;
- d) approve a minimum one-month period for making submissions on the statement of proposal in Attachment 3;
- e) approve 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;
- f) direct Council staff to make all necessary logistical arrangements for people to be heard in person in the council Chambers or online via Microsoft Teams; and
- g) authorise the Chief Executive to make minor changes to the statement of proposal for an amended Dangerous and Insanitary Buildings Policy to correct grammatical or spelling errors, or formatting.

1) TĀHUHU KŌRERO / BACKGROUND

Section 131 of the Building Act 2004 (the Act) requires all councils to adopt a policy on dangerous and insanitary buildings. The Dangerous, Insanitary and Earthquake-prone Buildings Policy (the Policy) (attachment 1) must be reviewed every five years. The Policy was last reviewed in October

2014 and is therefore overdue for review. However, if the review is not completed within the required time period the Policy does not cease to have effect.

Section 132 of the Act provides that a policy may only be amended in accordance with the special consultative procedure of section 83 of the Local Government Act 2002. As staff recommend to amend the Policy, community consultation will be required prior to Council making a final decision on the Policy.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Research Findings

A review identified that the Policy:

- does not meet legislative requirements to take into account section 132A of the Act;
- does not meet legislative requirements to remove policies regarding earthquake prone buildings;
- should include more detailed information on risk assessment approaches;
- form should be improved through use of Plain English, removing unnecessary content and ambiguities.

The policy takes a reactive approach to implementing the legislative requirements. Which means that the necessary assessments and actions contained in the Policy occur because of a trigger, for example, observations of staff or contractors as part of their general duties, or complaints from members of the public.

Both Kaipara and Whangarei District Council have reactive policies.

A proactive approach would involve a systematic survey of buildings in the District to identify dangerous, insanitary, or affected buildings. Staff do not have capacity to undertake a systematic survey. Therefore, additional funding to support the necessary resourcing would be required to take a proactive approach.

Options

It is a statutory requirement that Council adopts and reviews the Policy. The options available to Council are therefore restricted to what the Policy content or approach should be, rather than provide alternative regulatory or non-regulatory options to address the problem.

Option One: Maintain the status quo and not amend the Policy

Policy would remain as it is currently.

This is not a viable option as the Policy would be inconsistent with current legislation.

Option Two: Amend the Policy to meet statutory requirements and take a proactive approach to identifying dangerous or insanitary buildings

The Policy is amended to align with the current legislation and improve clarity.

The Policy is amended to take a proactive approach which would involve a systematic survey of buildings in the District to identify dangerous, insanitary or affected buildings. The survey would require additional resourcing and staff capacity.

Advantages of amending the Policy and taking a proactive approach

- Ensures the Policy meets statutory requirements
- Provides a more up-to-date, best practice policy document.
- Provides the highest level of certainty regarding dangerous, insanitary, or affected buildings in the District.

Disadvantages of amending the Policy and taking a proactive approach

- Cost of implementation to cover increased resourcing and staff.

Option Three: Amend the Policy to meet statutory requirements and while retaining the current approach to identifying dangerous or insanitary buildings (recommended option)

The Policy is amended to align with the current legislation and improve clarity.

The Policy would retain the current substantive approach of having a reactive rather than a pro-active policy approach. Council will continue to respond to complaints or other information to commence an investigation into whether a building is dangerous or insanitary rather than undertaking a proactive systematic survey of buildings in the District.

Advantages of amending the Policy and maintaining the current approach

- Ensures the Policy meets statutory requirements
- Provides a more up-to-date, best practice policy document.

Disadvantages of amending the Policy and maintaining the current approach

- None identified

Form and content of the amendments to the Dangerous and Insanitary Buildings Policy

A draft of the amended Dangerous and Insanitary Buildings Policy is in the Statement of Proposal document in Attachment 3.

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

- ensuring the policy is consistent with current legislation
- ensuring the Policy uses Plain English, removing unnecessary content and ambiguities.

Statement of proposal for consultation

Section 132 of the Building Act 2004 requires that any amendments to this policy must be made in accordance with the special consultative procedure in section 83 of the Local Government Act 2002. As described in section 83 of the Local Government Act 2002, the Special Consultation Procedure requires the Council to:

- prepare and adopt a statement of proposal or a summary of this proposal
- make publicly available the statement of proposal (or summary), a description of how people can present their views, and how long the consultation period will be (with a minimum of one month)
- make the statement of proposal as widely available as is reasonably practicable
- provide an opportunity for people to present their views to the local authority in a manner that enables spoken (or New Zealand sign language) interaction between the person and the local authority including via an audio or audio-visual link.

Consultation process

Section 83 of the Local Government Act 2002 requires that at least one month is allowed for public consultation. Therefore, Council staff recommend that written consultation on the statement of proposal opens on 17 June 2024 and closes on 17 July 2024, which is a period of one month.

To ensure wide communication of the consultation, 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 and "Have your Say" website.

Council staff recommend people be encouraged to present their views primarily via the Council's website. In addition, 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.

Council staff expect some people will want 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.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

Council is required by the Building Act 2004 to have a policy on dangerous and insanitary buildings. The current Dangerous, Insanitary and Earthquake-prone Buildings Policy is not consistent with the current legislation.

The most appropriate form of policy would:

- take into account section 132A of the Act
- not include policies regarding earthquake prone buildings
- include more detailed information on risk assessment approaches
- be improved through use of Plain English, removing unnecessary content and ambiguities.

Therefore, the Policy should be amended.




Council staff recommend the Council:

- approves the Statement of proposal in Attachment 3 to be published for consultation because it meets the requirements of section 83 of the Local Government Act 2002
- 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.

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

The cost of implementing and consulting on the recommended option is minimal (less than \$1000) and will be met from existing operational budgets.

ĀPITI HANGA / ATTACHMENTS

1. **Dangerous, Insanitary and Earthquake-prone Buildings Policy 2014 - A4686784** [↓](#) 
2. **Dangerous, Insanitary and Earthquake-prone Buildings Policy Research Report - A4686934** [↓](#) 
3. **Statement of Proposal Dangerous and Insanitary Buildings Policy - A4703873** [↓](#) 

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	As retaining the status quo is consistent with existing policies, the level of significance as determined by the Significance and Engagement Policy is low. However, under section 132 of the Building Act 2004 a special consultative procedure is required when amending this Policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Section 132 of the Building Act 2004 Section 83 of the Local Government Act 2002
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 Policy has District wide relevance and is mostly operational in nature, 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.	The decision in this report is not significant nor does it relate to land and/or any body of water. The Policy is a statutory policy and mostly operational in nature. There is very limited scope for the community to influence the decisions in this report. The recommended option is to maintain the general approach of a reactive Policy. Māori will have an opportunity to present their views during the consultation process.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	The Policy is a statutory policy and mostly operational in nature. There is very limited scope for the community to influence the decisions in this report. The recommended option is to maintain the general approach of a reactive Policy. Interested persons will have an opportunity to present their views during the consultation stage.
State the financial implications and where budgetary provisions have been made to support this decision.	The cost of implementing and consulting on the recommended option is minimal (less than \$1000) and will be met from existing operational budgets.
Chief Financial Officer review.	The CFO has reviewed this report.

Dangerous, Insanitary and Earthquake-prone Buildings Policy (#3119)

Adopted: 18 September 2006
Reviewed: 16 October 2014

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Introduction

The Building Act 2004 (BA 04) requires Territorial Authorities to develop a policy for dangerous, insanitary and earthquake prone buildings.

As part of the Kaipara, Far North District, and Whangarei District Councils' Building Consent Authority (BCA) Accreditation proposal, a joint approach on policies is also being pursued where possible, and the following policy has been prepared on that basis. The policy document incorporates all of the issues related to dangerous, insanitary and earthquake prone buildings. It has been broken into two sections for ease, while comprising one document in terms of consultation under the provisions of the Local Government Act 2002 (LGA 02).

It is acknowledged that the Earthquake-Prone section of this policy, along with the Dangerous and Insanitary section, is required to be reviewed every five years, allowing for any possible changes to be considered and included.

Section 1 – Dangerous and Insanitary Buildings

Background

Section 131 of the Building Act 2004 requires Council's to adopt a policy on dangerous and insanitary buildings by 31 May 2006.

The definitions of "dangerous" and "insanitary" buildings are set out in [sections 121 and 123](#) of the Act respectively. In general terms, dangerous buildings are those which are liable to collapse or to be a fire hazard with the potential to cause loss of life, whereas insanitary buildings have problems with moisture, drinking water, or human waste disposal.

This document sets out the policy by the three Northland District Councils which has been prepared in accordance with the requirements of the Building Act 2004.

The policy is required to state:

1. The approach that the Council will take in performing its functions under Act
2. Council's priorities in performing those functions
3. How the policy will apply to heritage buildings.

In developing and adopting the dangerous and insanitary buildings section of this policy, the District Councils will be following the consultative procedure set out in section 83 of the Local Government Act 2002. Extensive use has been made of the guidance material provided by the Department of Building and Housing in preparing this document/policy.

Objective

The ultimate objective in implementing this part of the policy is to achieve compliance with the Act with respect to dangerous and insanitary buildings.

Policies

1. The Act provides several statutory tools such as issuing formal notices to carry out remedial work, the Council doing the remedial work itself, or ordering demolition; however Council will always in the first instance seek the co-operation of the landowner concerned to achieve compliance, without having to resort to the formal notice provisions of the Act.
2. Provisions of the Building Act in regard to dangerous and insanitary buildings reflect the government's broader concern with the safety of people in buildings. Indeed, the purposes of the new Act as set out in s.3 include ensuring that:
 - people who use buildings can do so safely and without endangering their health; and
 - buildings have attributes that contribute to the health, physical independence, and well-being of the people who use them; and
 - people who use a building can escape from the building if it is on fire.
3. A balance must be struck between the need to address the risk posed by dangerous and insanitary buildings and other priorities, taking into account the social and economic implications of implementing any policy.
4. While heritage buildings and dams will be assessed in a manner consistent with assessments for other

potentially dangerous or insanitary buildings or dams, special efforts will be made to meet heritage objectives. It is important that in strengthening, upgrading and/or altering such buildings and dams, heritage values and their protection are not lost sight of. Discussions will be held with owners and the New Zealand Historic Places Trust to identify a mutually acceptable way forward.

Procedures

Overall Approach

A flexible approach must be taken to achieve this overall objective because of the diversity of situations which result in buildings being dangerous or insanitary.

Factors to be taken into account in determining the approach to be taken include:

- An assessment of the scale and immediacy of risk to the public and to the occupiers
- An assessment of the likelihood of harm to adjoining properties, including contamination of water bodies
- The availability and viability of alternative accommodation options

The Council recognises that it is not well placed to offer alternative accommodation. Council is nevertheless committed to the 'Whole of Government' approach contemplated in the Community Outcomes process and thus will provide for a good working relationship with Housing New Zealand and other social agencies.

Identifying Dangerous and Insanitary Buildings

This Council does not have the resources to carry out a systematic survey of the standard of buildings across the district, but will rely on the observations of its staff as well as information provided to Council by members of the public, thus remaining proactive without creating substantial additional cost.

Assessment

In assessing whether or not a building may be dangerous with respect to fire hazard, Council will seek the advice of the NZ Fire Service as provided for in s.121(2) of the Act.

In assessing whether or not a building may be insanitary with respect to drinking water and waste disposal, Council will seek the advice from all appropriate sources, such as its Environmental Health service providers, or technical building specialists, and refer to appropriate bylaws, etc.

Interaction between this Policy and related sections of the Building Act 2004

Section 112: Alterations to Existing Building

Whenever a building consent application is received for any work on a building which is subject to a notice pursuant to section 124(1)(c) of the Act, then irrespective of the general priorities set by Council for dealing with dangerous and insanitary buildings, Council will require the owner to include in the application any work necessary to make the building safe and sanitary.

Where Council has grounds for believing that a building may be dangerous or insanitary, and a building consent application is received for upgrading or alteration of that building, then Council may require the owner to provide a detailed assessment of the dangerous and insanitary performance of the building in its existing condition prepared by a suitably qualified and experienced person.

The Council will not issue a building consent unless it is satisfied that the building is not dangerous or insanitary and that the building work will not detrimentally affect the building's compliance with the Building Code, or impact on other legislation or bylaw requirements.

If the building is shown to be dangerous or insanitary, then the Council will require that remedial work be carried out to ensure that it will comply as nearly as is reasonably practicable with the provisions of the Building Code.

Section 115: Change of Use

Whenever a building consent application is received for change of use of a building that subject to a notice pursuant to s124(1)(c) of the Act, Council will require the owner to include in the application any work necessary to make the building safe and sanitary.

Where Council has grounds for believing that a building may be dangerous or insanitary and a building consent application is received for change of use of that building then, it may be a requirement of the building consent that the owner provide a detailed assessment of the safety or sanitation of the building in its existing condition, prepared by a suitably qualified and experienced person.

If the building is shown to be dangerous or insanitary then the Council will require that remedial work be carried out to ensure that it will comply as nearly as is reasonably practicable with every provision of the Building Code that relates to structural performance as is required by section 115(b)(i)(A).

Recording a building's dangerous or insanitary status

A register will be kept of all dangerous and insanitary buildings for which it has issued a notice pursuant to section 124(1)(c) of the Act noting the status of requirements for improvement or the results of improvement as applicable.

In addition, the following information will be placed on the relevant property file for each dangerous and insanitary building:

- a description of the building
- a statement that the building is on the Council's register of dangerous and insanitary buildings
- the date by which remedial work or demolition is required (if known)
- In the case of Heritage Buildings, Council will ensure that the New Zealand Historic Places Trust is notified on any such building or dam identified as dangerous or insanitary.

Economic impact of Policy

Council will take into account the cost of effecting remedial work in assessing the various means of reducing the hazard to human life presented by a building which has been identified as dangerous or insanitary. Also, the availability of alternatives to continued use and occupation of the building, both in the short and long term. It is considered likely that Housing NZ and other social agencies may become involved in such an assessment.

Access to Dangerous and Insanitary Building Information

Information concerning the safety and sanitation status of a building will be contained on the relevant Land Information Memorandum (LIM) or Project Information Memorandum (PIM).

In granting access to information concerning dangerous and insanitary buildings, the Council will conform to the requirements of the relevant legislation.

Priorities

Recognising that a building will only be classified as dangerous if it is likely to cause injury or death and insanitary if it is likely to be injurious to health, Council has prioritised the requirement to repair or demolish buildings, in descending order or priority as follows:

1. the building is likely to cause injury or death to the public using a public place or another building
2. the building, being a building to which the public has access, is likely to cause injury or death to people in it
3. the building, not being a public building, is likely to cause injury or death, or be injurious to the health of its occupants
4. the building is likely to be injurious to the health of the public using adjacent land or waterways.

Having stated a priority list, however, it is felt that although a building may fall into a lesser category, each case should be considered on its own merits. It may be possible, therefore, that a category four building might require an immediate response if the nature of the effect is believed significant enough.

Heritage Buildings and Dams

Special Considerations and Constraints

Council believes it is important that its heritage buildings continue to have the opportunity to contribute to the social and cultural fabric of the district. Council does not wish to see the intrinsic heritage values of these buildings unnecessarily affected by structural improvement measures.

Therefore, heritage buildings will be assessed in the same way as other dangerous and insanitary buildings and discussion held with owners and the Historic Places Trust to identify a mutually acceptable way forward. Special efforts will be made to meet heritage objectives, without compromising safety or sanitation concerns.

The identification and consultation of matters relating to Heritage Buildings or Dams should be carried out in accordance with Pages 16 to 18 of the New Zealand Historic Places Trust's *"Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Policies: Building Act 2004 (10th April 2006)"*.

Definition of Heritage Buildings

For the purposes of this Policy, the definition of a 'heritage building' is that which is described on pages 8 and 9 of the New Zealand Historic Places Trust's *"Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Policies: Building Act 2004 (10th April 2006)"*.

Other Structures

Council will work with other agencies (i.e. Transit New Zealand for State Highways or the roading division in Council) to identify an acceptable way forward regarding any bridge that may be considered to be dangerous. Council will also apply Policy # 4103 – Limits of Council Responsibility for Formation/Maintenance of Roads, when necessary.

Council will work with the Northland Regional Council when dealing with dangerous dams as the agency that maintains the register of dams, dam safety regimes, and the audits and certifications of dams.

Section 2 – Earthquake-prone Buildings

Background

Section 131 of the Building Act 2004 requires council's to adopt an earthquake prone buildings policy.

The definition of an earthquake prone building is set out in [section 122](#) of the Building Act 2004. In general terms however, earthquake prone buildings are those that, due to their construction and the type of ground on which they are founded, would be likely to collapse in a moderate earthquake, causing injury or death or damage to other property.

The earthquake-prone section of the policy needs to consider whether the community wishes to see buildings strengthened to the greatest extent possible or whether the local circumstances warrant such an approach.

Council has used the Department of Building and Housing (DBH) template in the development of this policy.

The policy has been developed after consultation with ratepayers of the district in accordance with section 83 of the Local Government Act 2002 (LGA 02).

Objective

The ultimate objective in implementing this part of the policy is to achieve compliance with the Act with respect to earthquake-prone buildings.

Policies

The same policies apply to this section as per the dangerous and insanitary buildings section of this policy. Public safety and the protection of life are paramount.

Whilst heritage buildings and dams will be assessed in a manner consistent with assessments for other potentially earthquake-prone buildings, or dams, special efforts will be made to meet heritage objectives.

It is important that in strengthening, upgrading and/or altering such buildings and dams, heritage values and their protection are not lost sight of.

Discussions will be held with owners and the New Zealand Historic Places Trust to identify a mutually acceptable way forward.

Procedures

Overall approach

Councils are required to achieve their statutory obligations under the Building Act with respect to EPB. However, Council's will also consider other issues in establishing a policy for EPBs, which includes:

- the seismicity of the area the council administers
- any other policies it may have established under the previous Building Act 1991, Section 66
- the level of strengthening to be established and the time frames in which those levels must be achieved

Council will also consider whether it wishes to take an active or passive stance in relation to how it addresses its policy regarding EPBs.

An active approach would mean that a programme of an initial evaluation of building stock within the district is carried out and a risk categorisation of those buildings is produced. All the buildings are then put onto an active list which results in Council agreeing a timetable to have the buildings brought up to the appropriate requirements to comply with the legislation.

A passive approach still requires an initial list to be drawn up of the district's building stock, but establishes a triggering system to enact any upgrading work, such as building consent applications or building changes of use, or potentially even no action.

It is believed practical to adopt a passive approach for councils in the Far North, with a triggering mechanism via consent applications, changes of use etc. In addition, each building should then be considered on its own merits to determine how much should be done to the building for it to comply with the code. It is also considered that a building stock list should incorporate existing seismic building register buildings, with any buildings previously identified within that regime placed at the top of the new list and pursued in a more active manner.

Once council has prepared a seismic building list via the Independent Evaluation Process (IEP), the primary trigger for a building owner to prepare a detailed assessment will be an application for building consent or change of use. Any building consent applications will only be processed on the basis that a detailed report will be supplied; a consent will not be issued without the seismicity of the building having been addressed.

The exclusion to this process will be those buildings that are already on a list and have already had the opportunity to work on the building.

The nature of the district does not justify an active approach as the seismicity of the area is not identified as high.

Identifying earthquake prone buildings

An evaluation of building stock within the district will be undertaken by an appropriate engineer. The evaluation will be a "desk top" examination of the building stock to identify potential seismically at-risk buildings. The nature, age, and building fabric will be key factors in the evaluation of each building. The evaluation may be based on the NZSEE assessment for buildings likely to be earthquake prone and on a grading scheme which is based on structural performance scores. The exact nature of the evaluation will be agreed with the engineer. Once the initial evaluation has taken place, building owners will be contacted with the results.

Once an initial evaluation process (IEP) has been carried out on any buildings identified as potentially being high risk, the building can be reassessed with the owner's cooperation and the development of a timetable of upgrading work. This will enable owners to discuss their intended plans for the building and whether an acceptable solution can be achieved without evoking section 124 of the Building Act.

Should this not be possible, action under section 124 of the Building Act 2004 will be pursued as deemed appropriate; this may include erection of hoardings, fencing, or warning signs and does not necessarily mean a written notice, although this could also be used to achieve compliance.

When pursuing a detailed assessment, it is intended that the owner carry the assessment out having first agreed with the Council staff involved that the assessment will be acceptable. Where this is agreed, details will be confirmed in writing. Where an owner is unwilling to assist, a detailed assessment will be carried out by Council staff/consultants and costs sought from the owner as required. Entry to undertake the assessment will be obtained under section 222 of the Act.

Assessment criteria for buildings

The NZSEE (New Zealand Society for Earthquake Engineers) standard form is the preferred basis for criteria and technical requirements of any assessment.

The level to which buildings are defined as earthquake prone is one third (or 33%) as strong as a building of similar type, designed within the requirements of the existing building code of the time. For example, if a building were to be strengthened to 34% of the appropriate standard, it would be considered outside the range of this policy.

Should a high-risk building be upgraded to a level that satisfies the NZSEE requirements, any change to building codes or standards is unlikely to affect those buildings for a considerable time; achieving the NZSEE level should have the effect of delaying the need for further upgrading.

While those buildings remain on a list or register, they will be identified as being upgraded and in no need of further attention unless Building Consent applications are received to alter those buildings, at which time a re-assessment of the building for seismicity may be necessary. This re-assessment may lead to the need for further upgrades; in such cases, each building will be assessed on its own merits.

Serving notice

Where a building is believed to be a high risk following the assessments, and an acceptable timeframe cannot be agreed with the owner, a two year limit to carry out the work from the date of formal notification will be applied.

The same two year limit will apply to all buildings that have already been included under any previous policies or included on previous registers in relation to EPBs, unless specifically agreed otherwise with the owner.

Change of use, extension of life and subdivision

Change of use, extensions of building life, and subdivision are covered under sections 114 through 116 of the Building Act 2004. Primarily, these sections deal with altering a building to provide residential use.

Where such a change is proposed then the policy acknowledges that different principles will apply and that the building must be made to comply as nearly as practical as if the building were a new building. Therefore, any upgrading work will be considered on the basis of a new building and the minimum criteria to remove the EPB status will not apply.

Recording of earthquake prone status

As part of the initial 'desk top' evaluation process, Council will produce a list or register of all buildings within its district that have been identified as potentially earthquake prone.

It is intended that the list be established on the basis of a risk category or classification of the buildings. This is to enable confirmation of times to carry out any strengthening work, with high risk ratings being placed into the two year upgrading programme.

All records for the individual buildings in terms of a register status will be put onto property files and be made available upon request or as part of a LIM or PIM.

Copies of the register will be made available upon request and subject to appropriate fees.

In the case of Heritage Buildings, Council will ensure that the New Zealand Historic Places Trust is notified of any such building or dam identified as earthquake-prone.

Economic impact of policy

The primary function of the legislation and this policy is to improve life safety concerns.

The introduction of this policy will create an economic burden on building owners, and where an owner does experience significant issues in this regard, concessions may be feasible via the provision of additional time. Such provisions will be considered on a case by case basis.

Priorities

The policy has already indicated that the register of buildings identified as earthquake prone will be categorised. It is anticipated that high risk buildings will have already been identified in previous registers and owners will have been given adequate time under previous policy provisions to complete the requirements of legislation and policy. Such buildings should therefore be adequately resolved within a two year period from the serving of a notice under section 124 of the Act.

With respect to the priorities of other requirements under this policy, the following is proposed:

1. IEP's are to be carried out on an area basis:
 - CBD and major adjacent areas - 18 months
 - Built up suburbs – 12 months thereafter
 - Completion of district – six months thereafter
2. Detailed assessments are to follow IEP potential identification of EPB:
 - High risk (other than previous list buildings) - 18 months
 - Low risk - at consent application stage
3. Building owners will be consulted, with identification stages as above in item 2
4. The required level of structural performance is to be determined as specified in item 2
5. Formal notice is to be served to ensure above maximum deadlines are achieved, but with the maximum within three months of defining performance level
6. The required level of structural performance is to be achieved a maximum of 24 months from the deadlines in item 4 (duration a building consent is valid under the Act)

Heritage Buildings and Dams

Council acknowledges the importance of heritage buildings, while being aware that building safety is paramount.

Council does not wish to see heritage buildings within the community adversely affected by major structural alterations that not only effect the building appearance but have the potential to become too costly for owners to achieve acceptable levels of compliance.

To address such issues, Council will consider funding to assist in the structural review of such buildings and also review the time frames in terms of achieving structural performance levels, enabling greater opportunity for owners to raise funds to meet the requirements without impacting appearance.

The identification and consultation of matters relating to Heritage Buildings or Dams should be carried out in accordance with Pages 16 to 18 of the New Zealand Historic Places Trust's "*Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Polices: Building Act 2004 (10th April 2006)*".

Definition of Heritage Buildings

For the purposes of this Policy, the definition of a 'heritage building' is that described on pages 8 and 9 of the New Zealand Historic Places Trust's *"Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Policies: Building Act 2004 (10th April 2006)"*.

Other Structures

Council will work with other agencies (i.e. Transit New Zealand for State Highways or the roading division in Council) to identify an acceptable way forward regarding any bridge that may be considered to be dangerous.

Council will work with the Northland Regional Council when dealing with dangerous dams as the agency that maintains the register of dams, dam safety regimes, and the audits and certifications of dams.



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Research Report

Dangerous, Insanitary and Earthquake-prone Buildings Policy

1 Purpose

To describe and discuss the review of the Dangerous, Insanitary and Earthquake-prone Buildings Policy.

2 Context and Situation

Section 131 of the Building Act 2004 (the Act) requires all councils to adopt a policy on dangerous and insanitary buildings (the Policy). The Policy must be reviewed every five years. The Policy was last reviewed in October 2014 and is therefore overdue for review. However, if the review is not completed within the required time period the Policy does not cease to have effect.

Section 132 of the Act provides that a policy may only be amended in accordance with the special consultative procedure of section 83 of the Local Government Act 2002. If the Policy requires amendments, community consultation will be required prior to Council making a final decision on the Policy.

2.1 Council's role

The Act outlines Council's powers, duties, and responsibilities to give effect to the Act's purpose, which can be summarised as:

- people can use buildings safely without endangering their health
- buildings have attributes that contribute appropriately to the health, physical independence, and wellbeing of the people who use them
- people who use a building can escape from the building if it is on fire
- buildings are designed, constructed, and able to be used in ways that promote sustainable development.

Subpart 6 of the Act further sets out Council's specific powers, duties, and responsibilities for dangerous and insanitary buildings, as well as affected buildings.

Broadly, the purpose of the Policy is to outline how Council will give effect to the duties and responsibilities it has under Subpart 6 and this in turn meets Council's responsibilities to ensure the safety of its communities under the Act as described above.

3 Legislation

3.1 Building Act

Subpart 6 of the Act requires councils to determine whether buildings in their district are dangerous, affected by a dangerous building, and/or insanitary. In carrying out this responsibility councils may seek advice from employees, volunteers, and contractors of Fire Emergency New Zealand (FENZ) and others considered competent to give advice. If advice is sought, the council must give due regard to that advice.

If a council is satisfied that only part of a building is dangerous, affected, or insanitary it may apply the provisions of the Act and in doing so may exercise any of its powers or perform any of its functions in respect to that part of the building rather than the whole of a building.

Under section 131 and in relation to Subpart 6, the Policy must state:

- the approach Council will take in performing its functions under Part 2 of the Act
- Council's priorities in performing those functions; and
- how the policy will apply to heritage buildings.

4 Objectives

4.1 Purpose of review

To determine whether the provisions of the Policy are still appropriate and to meet the statutory review requirements.

4.2 Review objectives

- To determine what opportunities are available to Council to meet the legislative requirements of the Policy.
- To identify if the Policy meets current legislative requirements.
- To identify if the Policy is in the most appropriate form.

5 Problem Definition

The requirement of the Act is to enable Council the flexibility and discretion to work with building owners and /or occupants to ensure that the purpose of the Act is achieved in relation to dangerous, affected, and insanitary buildings.

5.1 Scope

In scope

Problems and opportunities relating to giving effect to the requirements of Subpart 6 of the Act and the associated Policy approach.

Out of scope

Specific responsibilities and duties that Council must meet regardless of any Policy provisions under the Act broadly and specifically under Subpart 6.

6 Review of Policy

6.1 Legislative framework

The review has shown that the current Policy, adopted in November 2014, does not meet legislative requirements under the current version of the Act.

Since the commencement of the Act in November 2004, two legislative amendments (in 2013 and 2016) should have triggered associated amendments to the Policy.

At the first review following November 2013, under section 132A of the Act, Council must amend its existing policy to consider affected buildings. The previous review in October 2014 did not take into account the section 132A requirement. Therefore, the Policy must be amended to give effect to the section 132A requirement.

Outside of the specific requirements of the Policy to consider affected buildings and how it will apply to heritage buildings, the requirements of the Policy content are broad. The Policy must outline Council's approach for its functions under the Part and what Council's priorities are in relation to this.

While the current Policy can be considered to broadly meet these requirements, these technical and operational aspects are not considered to meet current best practice approaches and should be updated accordingly.

Additionally, the Policy only provides limited information on Council's risk assessment approaches for dangerous or insanitary buildings. The inclusion of the risk assessment approaches would add significant value to the Policy.

In 2016, the Act was amended to include requirements for councils regarding earthquake-prone buildings. The amendment removed the requirement for a policy to guide Council's actions on these matters. The current Policy is split into 2 sections, with Section 2 covering earthquake-prone buildings only, therefore this section should be removed.

6.2 Other council approaches

Staff have undertaken a review of the policies of Kaipara and Whangarei District Councils and Auckland Council. Staff identified that the form and approach of these policies is similar to the current Policy. All provide more detailed information on risk assessment approaches and are legislatively compliant relating to the matters outlined in section 6.1 above.

All three councils have a reactive approach aspect to their policies which is further outlined in section 6.3 below.

6.3 Policy Statement

As outlined in section 6.1 above, the content of a best practice Policy is technical and operational in nature.

The only clear political statement is whether Council wishes to take a proactive or reactive approach in implementing the Policy and the associated legislative actions and requirements.

A proactive approach would involve a systematic survey of buildings in the District to identifying dangerous, insanitary or affected buildings. A reactive approach, which forms the basis of the current Policy, is to undertake the necessary assessments and actions contained in the Policy as a result of a trigger, for example, observations of staff or contractors as part of their general duties, or complaints from members of the public.

It is not a requirement under the Act to undertake a systematic survey. Staff have undertaken internal engagement with Council's Building Department as part of this review and have sought feedback on this aspect of the Policy.

The feedback received indicates that within current staff resources there is no capacity to undertake a systematic survey. Therefore, additional staff or contractors would be required. Additionally, the relevant staff work closely with equivalent staff at Kaipara and Whangarei District councils on matters relating to their Building Consent Authority accreditations and, as previously outlined, neither of these councils include a proactive approach in their policies.

6.4 Form of the Policy

The Policy has been reviewed for language, format, approach, and wider content. The Policy can be improved through the use of Plain English, removing unnecessary content, and removing ambiguities.

The policy could be supported by separate operational guidelines for staff when undertaking inspections.

6.5 Implementation

Internal Stakeholders engagement has been undertaken with the relevant Council staff. The feedback provided is that the Policy, and particularly the reactive policy approach, is sufficient to support the wider legislative responsibilities of staff for dangerous and insanitary buildings. The potential improvements outlined in this report would be welcomed to support understanding and usability. The implementation of the substantive approach of the Policy is achievable within current staffing levels.

7 Conclusion

Council must adopt and review the Policy in accordance with statutory requirements and the review of the Policy is overdue. As a result of legislative changes, amendments to the Policy must be made. Further amendments are proposed to improve the Policy content and form to meet current best practice approaches.

Council could consider whether it wishes to change the current Policy's approach to include undertaking a systematic survey of buildings in the District to identify whether they are dangerous, insanitary, or affected. However, this would require additional funding to support the necessary resourcing to undertake the survey.

Statement of Proposal

Dangerous and Insanitary Buildings Policy

1 Context and Situation

Section 131 of the Building Act 2004 requires all councils to adopt a policy on dangerous and insanitary buildings (the Policy). The Policy must be reviewed every five years. The Policy is due for review.

On 13 June 2024, under section 132 of the Building Act 2004, the governing body of the Council determined:

- that the Dangerous, Insanitary, and Earthquake-prone Building Policy has been reviewed, and,
- that the Policy be amended¹.

2 Proposal

The Council proposes to amend the Dangerous, Insanitary and Earthquake-prone Policy under section 132 of the Building Act 2004 to ensure compliance with the current legislation and meet best practice policy standards.

3 Reasons for the proposal

A review of the Policy identified that since the adoption of the Policy, the Building Act 2004 has been amended. The current Policy does not comply with the current legislation, therefore amendments are required. To comply with the current legislation, the Policy must be amended:

- to give effect to section 132A of the Building Act 2004, and,
- to remove reference to earthquake-prone buildings.

4 Analysis of the reasonably practicable options

The governing body of the Council considered three options relating to the review of the Policy.

Council chose Option Three: Amend the Policy to meet statutory requirements and while retaining the current approach to identifying dangerous or insanitary buildings.

The advantages and disadvantages of the options are summarised in the following table.

Option	Advantages	Disadvantages
Do not amend the Policy	This is not a viable option as the Policy would be inconsistent with current legislation.	
Amend the Policy to meet statutory requirements and take a proactive approach to identifying dangerous or insanitary buildings	<ul style="list-style-type: none"> • Ensures the Policy meets statutory requirements • Provides a more up-to-date, best practice policy document. 	<ul style="list-style-type: none"> • Cost of implementation to cover increased resourcing and staff.

¹ <https://infocouncil.fndc.govt.nz/>

	<ul style="list-style-type: none"> Provides the highest level of certainty regarding dangerous, insanitary, or affected buildings in the District. 	
Amend the Policy to meet statutory requirements and while retaining the current approach to identifying dangerous or insanitary buildings (recommended option)	<ul style="list-style-type: none"> Ensures the Policy meets statutory requirements Provides a more up-to-date, best practice policy document. 	<ul style="list-style-type: none"> None identified

5 How to give your views on the proposal

The Council encourages any person or organisation affected by, or having an interest in, the Dangerous and Insanitary Policy to present their views on the proposal to the Council by making a submission.

You can make a submission by using any of the following methods:

- online at the Council's website www.fndc.govt.nz/haveyoursay
- 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. The Council customer service team will print the submission form for you on request.
- post your submission to: Strategy and Policy Team, Far North District Council, Private Bag 752, Kaikohe 0440
- make an oral submission at a meeting of Council.

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 submission – you will be contacted about when and where the meetings for this are taking place.

Privacy statement – Anyone is invited to submit feedback on this consultation, whether as an individual or on behalf of an organisation, however, submissions that are out of scope, offensive, or inappropriate will not be accepted in accordance with our Submissions Policy.

Please be aware, any submissions that are made on the Dangerous and Insanitary Building Policy become part of the public consultation process. The collection and use of personal information by the Far North District Council is regulated by the Privacy Act 2020. Please note that your submission or a summary of your submission will be treated as public information and may be published on the council's website and made available to elected members and members of the public as part of the consultation process.

Your name and contact details (address, phone number, email) will only be used for administrative purposes - such as the council contacting you to update you on the outcome of this consultation and letting you know about future consultations.

5.1 Draft Dangerous and Insanitary Buildings Policy

The draft Policy is as follows:

Introduction

The Building Act 2004 (the Act) requires councils to adopt a policy that addresses the identification, assessment, and management of any dangerous and insanitary buildings within its District. The policy must also consider buildings that may be affected by a nearby dangerous or insanitary building, as well as detailing how the policy provisions will be applied to historical buildings.

Definitions

Where a term is used in this Policy that has a meaning defined in the Building Act 2004, that term will have the same meaning as provided in subpart 2 of the Act.

The following additional definitions apply to this Policy:

- **Council** – means the Far North District Council.
- **Policy** – means Council's adopted Dangerous and Insanitary Buildings Policy.
- **Act** – means the Building Act 2004

Legislative Context

This Policy is adopted under Section 131 of the Act. Section 132 of the Act outlines the process Council must follow when adopting or amending the Policy, and further stipulates the Policy must be reviewed every 5 years. Sections 121-130 of the Act provide the specific powers and duties of Council relating to dangerous, insanitary, and affected buildings. The Policy provides the required framework to outline how Council will undertake its powers and responsibilities under these sections.

Application

This Policy applies to the District of the Far North District Council.

The Policy does not apply to a dangerous or insanitary building or a building adjacent to, or adjoining, a dangerous building, located in an area that has been designated under subpart 6B of the Building Act 2004 (which relates to management of buildings located in an area that has been affected by an emergency).

Purpose

The purpose of this Policy is to protect public health and safety. It does this by stating:

- the approach Council will take in performing its functions under the Building Act 2004 in relation to dangerous and insanitary buildings
- Council's priorities in performing those functions
- how the policy will apply to heritage buildings
- how affected buildings are considered within the approach provided in this Policy.

Policies

General approach

Council's overall approach is for flexibility due to the diversity of factors and the dynamics between these, that result in buildings being dangerous or insanitary. This Policy strikes a balance between the risk to communities arising from dangerous and insanitary buildings and other priorities, considering social and economic implications of implementing the Policy.

The Act gives Council powers, responsibilities, and duties to take action to protect people who use buildings from any harm arising from that use. This policy describes a consistent, transparent, and accountable approach to the matters provided for in the Act to protect the health and safety of building users.

Identifying dangerous, insanitary, or affected buildings

Council does not have the resources to carry out a systematic survey of the quality of buildings across the District, nor does it need to. To identify whether a building is dangerous or insanitary, Council will use any of the following sources of information:

- the observations of its staff or contractors
- information or complaints received from members of the public or members of professional bodies such as Engineering New Zealand
- events arising following an emergency
- notification from the Ministry of Business Innovation and Employment
- notification from Fire and Emergency New Zealand (FENZ)
- an application for a building consent under sections 112 to 116A of the Act.

Reliance on the above mechanisms to provide information about possible dangerous or insanitary buildings is the only practical way Council can identify these buildings.

The most likely sources of information will be building occupants, neighbours who believe their amenity is threatened by the state of a building, or as the result of an inspection by Council staff, the Police, FENZ or other agencies authorised to inspect buildings.

Prioritisation criteria

Council will prioritise inspections and investigations of possible dangerous or insanitary buildings in the following circumstances:

1. The building is open to the public and it is possible the:
 - land is unstable; or
 - building is structurally unsound and considered dangerous to occupants or the public; or
 - building has a high fire risk; or
 - building lacks sufficient protection to occupants, public or other property (i.e. unfenced pool or large-scale excavations); or
 - building which has poor sanitation and poses an immediate impact to the health of the occupants or the public; or
 - building is inadequately protected against moisture penetration i.e. not weathertight.
2. The building is privately occupied, the occupants can be easily relocated, and any of the circumstances listed in 1 above are possible.
3. The building is likely to become dangerous or insanitary quickly, as a result of the failure of some feature within the building, for example, the fire alarm system malfunctions, drains become blocked or a tenant stores dangerous goods without the building owner's knowledge.
4. The building is unoccupied and possibly endangers other properties or the environment (e.g.: contamination of water bodies).

If the building in question is a potentially affected building, then the above criteria will be applied with all necessary modifications to that building.

Inspection and investigation

When Council receives a complaint or notification, it will inspect the building and undertake additional investigation actions. Inspections will be done promptly on the receipt of a complaint or notification, in accordance with the prioritisation criteria in this Policy. The inspection record form in Appendix 1 will be used for all inspections.

As part of the inspection process Council will seek the advice of FENZ about whether a building is dangerous with respect to a fire hazard. With respect to drinking water, waste disposal or weathertightness, Council will seek the advice of appropriate sources, such as its Environmental Health Team, technical building specialists, testing laboratories, and/or geotechnical, fire or structural engineers, about whether a building is dangerous or insanitary.

A building is less likely to be classified as dangerous or insanitary if it is unoccupied; however, the risk to the public and other properties must still be considered. Council will need to carefully consider these issues and determine whether they warrant immediate action to prevent injury or death. Each case must be considered on its own merits.

If the risk is significant e.g. the building is occupied or construction / earthworks pose a risk to the public or other property, immediate action may be warranted. In some cases, while the risk is significant, it can be adequately managed but in other cases this may not be possible.

There is always a risk that in the event of a fire, death or injury will occur; however, there must be 'particular features' for this risk to be 'likely to occur'. To make this determination, Council must firstly decide whether the building complies with the Building Code. If the building doesn't comply, then Council must determine what features do not comply with the Building Code. While a building may be non-compliant with the Building Code; this in itself does not make a building dangerous.

Council will use the following risk management process to assess the features of a building that may make it dangerous or insanitary and this, together with the inspection record, the matters described above, and any other investigations undertaken, will support a final decision.

Determining Risk

The risk of a feature of a building making it dangerous or insanitary is determined by considering the consequences and likelihood of that happening. A building is less likely to be dangerous or insanitary if it is unoccupied, however, the risk to the public and other properties must still be considered (Source AS/NZS 4630:1999 Risk Management).

Likelihood

A qualitative description of probability or frequency

Level	Descriptor	Description
A	Almost Certain	Is expected to occur in most circumstances
B	Likely	Will probably occur in most circumstances
C	Possible	Might occur at some time
D	Uncertain	Could occur at some time
E	Rare	May occur in exceptional circumstances

Consequence

The outcome of an event expressed qualitatively or quantitatively, being a loss, injury, disadvantage, or gain. There may be a range of possible outcomes associated with an event.

Level	Descriptor	Description
1	Insignificant	No injuries
2	Minor	May require some medical treatment
3	Significant	Medical treatment required
4	Major	Extensive injuries
5	Extreme	Death

Qualitative Measures of Consequences

Level	Consequences	Description	Examples
1	Insignificant	Would not cause illness or injury to any person Loss of amenity Temporary or very minor nuisance or inconvenience	Lack of insulation Unauthorised minor work e.g.: carport, deck, small garden shed, temporary noise or odour, disconnected downpipe
2	Minor	May cause very minor injury to people Very minimal impact if any on people other than those in immediate proximity Minor damage to local physical environment only Significant loss of amenity, widespread impact from noise or odour	Unauthorised addition to existing building; multiple utility sheds on property; garden shed too close to boundary; mild stormwater runoff; tripping or slipping hazard in public place
3	Moderate	Potential to cause significant injury or illness to people Minor injury or illness to many people May cause some significant damage to property or the environment Can include multiple instances of minor effects long term	Structural elements fail that could cause a person to fall >1.0m but <2.0m Unconsented habitable space Significant storm water runoff Leaky home Persistent noise issues
4	Major	Serious illness, injury, or death to one or more people Significant injury or illness to many people Major degradation to the wider environment (not contained on offending property).	Structural elements fail that could cause a person to fall >2m Non-compliant swimming pool Electrical supply to unauthorised building Sleepout or similar with unconsented sanitary fixtures Expired Warrant of Fitness or failed systems
5	Extreme	Serious illness, injury, or death to one or more people including building occupants, third parties (neighbours) or the general public. Threatens overall integrity of buildings other than the offending buildings Serious and irreversible degradation to the wider environment (not contained on offending property) Serious threat to the overall structural integrity of the building such that collapse is imminent and would cause death or serious injury to third parties	Public Use building considered unsafe due to fire or insanitary risk whether due to unsafe heating, energy systems or lack of means of escape Building condition could cause very serious harm to due to discharge or improper containment, processing of contaminants or hazards, including industrial and solid wastes Large excavation threatening other property

Risk rating

The combination of the determination of consequences and likelihood.

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Moderate	Moderate	High	Very High	Very High
Likely	Moderate	Moderate	High	High	Very High
Possible	Low	Moderate	Moderate	High	High
Uncertain	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High

Risk Response

Very high: Extreme risk; immediate action required
 High: High risk; senior management attention required
 Moderate: Management responsibility must be specified
 Low: Manage by routine procedures

If Council is satisfied a building is dangerous, the risk to potentially affected buildings must then be considered using the same risk assessment process.

Taking action - dangerous or insanitary buildings

If the Council is satisfied a building is dangerous or insanitary, it will take action to protect people by using its powers under the Act. The action taken by the Council will depend on the risk response required. For buildings that are low or moderate risk, the Council may discuss the building's state with the owner, or any other agency with responsibilities for the building (e.g.: NZTA for bridges on state highways) before taking any action.

A discussion will be appropriate if the work required on a building is complex, and the nature of any remedial work is best determined in discussion with the building owner. However, any such discussions will not delay Council's use of its powers if necessary. For example, if the building owner is not able to be contacted immediately and risk has been assessed as high, then action will be taken without discussing it with the owner beforehand.

Before acting, Council will consider the costs of any work required to be carried out to reduce or remove the danger, or prevent the building from remaining insanitary, in the broader social and economic context of the community. Council will also consider the availability of alternatives to continued use and occupation of the building, both in the short and long term and will consult with Housing NZ and other social agencies to find appropriate solutions. For example, in some circumstances demolition may be the most appropriate way to remove danger from an occupied building, yet if there is no alternative accommodation for its occupants, it may be necessary for the Council to pay for somewhere the occupants can relocate to.

If a building is very high risk, the Council will take immediate action under section 129 of the Building Act 2004 to remove the danger or fix the insanitary conditions.

If Council decides to act by issuing a notice requiring work to be carried out on the building or restricting entry to a building², Council will ensure the first person to receive a copy of the notice is the owner of the building, followed by the occupants (if any). Copies of notices to owners and occupants will be given in person where practicable.

² Under section 124(1)(b), (c) or (d) of the Building Act 2004

Taking action – affected buildings

When the Council is satisfied a building is dangerous, the Council will contact the owners of any buildings it considers are, or are likely to be, affected buildings before it takes any action in relation to the dangerous building. The Council will discuss with owners of affected buildings the circumstances of the owner or the future plans for the site. Such knowledge could affect, for example, the time in which repairs are to be undertaken.

If the Council decides to issue a notice restricting entry to an affected building¹, the Council will ensure the first person to receive a copy of the notice is the owner of the building, followed by the occupants (if any).

Copies of notices to owners and occupants will be given in person where practicable.

Where a building is identified as being affected, that information will be put on the relevant property file and disclosed in any land information memorandum or project information memorandum issued for the building, until the danger is removed.

Heritage Buildings

These buildings play an important role in the social and cultural fabric of New Zealand society, but their nature and age mean that even simple rectification requirements may present design and cost challenges for owners. In cases where heritage buildings are dangerous or insanitary, Council will, in addition to discussing with the building's owner, get advice from Heritage New Zealand Pouhere Taonga to identify a mutually acceptable way to rectify the building in light of:

- the nature and importance of the building
- the level of risk it poses to the community
- efforts needed to meet heritage objectives and ensure the building's heritage values and protection are retained.

Council will also consider any applicable guidance issued by Heritage New Zealand Pouhere Taonga in its Sustainable Management of Historic Heritage Guidance series (link: <https://www.heritage.org.nz/resources/sustainable-management-guides>)

However, the fact that a building is a heritage building does not mean it can be left in a dangerous or insanitary condition.

If a notice is issued in relation to a heritage building, Council will send a copy of the notice to the Heritage New Zealand Pouhere Taonga as required by section 125(2)(f) of the Building Act 2004.

Register

Council will keep a register of all dangerous and insanitary buildings for which action has been taken. The register will record:

- a description of the building
- the action taken
- the date by which the requirements of any notice are to be met
- the status or results of any building work required in a notice
- in the case of Heritage Buildings, the date a copy of any notice was sent to Heritage New Zealand Pouhere Taonga.

The following information will be put on the relevant property file and disclosed in any land information memorandum or project information memorandum issued for the building:

- a statement the building is on Council's register of dangerous and insanitary buildings
- the date by which any remedial work or demolition is required.

Monitoring and Implementation

The Council may amend this Policy at any time in accordance with the Act.

The Council will complete a review of the Policy every 5 years as specified in the Act.

Appendix 1

Template check sheet for inspections as per [MBIE guidance info from 2005](#):

Or

Investigation

Once Council becomes aware of a potential problem, an investigation will be conducted that will include, but is not limited to the following elements:

- a review of Council's records prior to site visit to understand:
 - what consents have been approved for this site
 - whether a Compliance Schedule exists
 - the status of the Building Warrant of Fitness
 - any IQP reports; Notices to Fix, and any other matters on file.
 - A review of GIS / aerials prior to site visit to determine whether there are any natural or human-caused hazards or other issues to be aware of
- the location of the building
- the actual site conditions
- the previous and current use of the building
- occupancy numbers
- ownership / occupancy details
- whether the public have access to the building e.g., via the building or adjacent land and waterways
- what aspects of the building are considered dangerous (all or part of the building)
- whether any neighbouring properties are affected by the potentially dangerous building
- what aspects of the building are considered insanitary, including but not limited to:
 - lack of potable drinking water
 - sanitary fixtures or waste disposal
 - light and ventilation
 - presence of vermin
- how and to what extent these aspects are non-compliant with the Building Code
- who is or was responsible for creating this hazard (e.g., whether authorised or unauthorised work has been conducted)
- whether the land or building has heritage status
- priorities (the **immediacy**) of the issue.

6.5 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - MAY 2024**File Number: A4730747****Author: Imrie Dunn, Democracy Advisor****Authoriser: Casey Gannon, Manager - Democracy Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

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

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- The following Committee meetings have been held since the last ordinary Council meeting.
 - 21 May 2024 - Te Koukou – Transport Committee
 - 22 May 2024 - Te Miromiro – Assurance, Risk and Finance
- 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.
- There were no recommendations escalated to Council from Committees

TŪTOHUNGA / RECOMMENDATION

That Council receive the Committee Recommendations and Resolutions Report – May 2024.

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:





21 May 2024 – Te Koukou Transport Committee
[Agenda - Te Koukou Transport Committee - 21 May 24](#)

22 May 2024 – Te Miromiro Assurance Risk and Finance
[Agenda - Te Miromiro Assurance Risk and Finance 22 May 24](#)

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.

ĀPITIHANGA / ATTACHMENTS

1. **2024-05-21 Te Koukou - Transport and Infrastructure Committee Minutes - A4713609**  
2. **2024-05-22 Te Miromiro - Assurance, Risk and Finance Committee Minutes - A4717813**  

Ordinary Te Koukou - Transport and Infrastructure Committee Meeting
Minutes- **Unconfirmed**

21 May 2024

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY TE KOUKOU - TRANSPORT AND INFRASTRUCTURE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE
ON TUESDAY, 21 MAY 2024 AT 10:04AM**

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

IN ATTENDANCE: Adele Gardner (Chairperson of Te Hiku Community Board), Belinda Ward (Chairperson of Bay of Islands Whangaroa Community Board), Chicky Rudkin (Chairperson of Kaikohe-Hokianga Community Board), Calvin Thomas (General Manager - Northland Transport Alliance), Bernard Petersen (Maintenance and Operations Manager - Northland Transport Alliance), Cushla Jordan (Asset Manager - Northland Transport Alliance)

STAFF PRESENT: Tanya Proctor (Head of Infrastructure), Guy Holroyd (Chief Executive Officer), Jacine Warmington (Group Manager – Strategic Relationships), Charlie Billington (Group Manager – Corporate Services), Roger Ackers (Group Manager – Planning and Policy), Ruben Garcia (Group Manager – Community and Engagement), Marysa Maheno (Democracy Advisor – Strategic Relationships), Casey Gannon (Manager- Democracy Services), Imrie Dunn (Democracy Advisor – Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10:04am Kahika/Mayor Moko Tepania commenced the meeting with a karakia.

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

APOLOGY

RESOLUTION 2024/20

Moved: Kahika Moko Tepania

Seconded: Cr John Vujcich

That the apology received from Cr Klescovic be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Dylan Menzie and Kelly Haora to give a presentation on Scope Total Project Partners

Attachments tabled at meeting

- 1 Scope Presentation for Te Koukou Committee Deputation

4 NGĀ KŌRERO A TE HEAMANA / CHAIRPERSON ANNOUNCEMENTS

Page 1

Ordinary Te Koukou - Transport and Infrastructure Committee Meeting
Minutes- **Unconfirmed**

21 May 2024

- Acknowledged the passing of Matua Sid Going who was buried in Maromaku and give acknowledgement to the whānau.

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

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A4668037, pages 9 - 14 refers

RESOLUTION 2024/21

Moved: Kahika Moko Tepania
Seconded: Cr Steve McNally

That Te Koukou – Transport and Infrastructure Committee confirm the minutes of the meeting held 23 April 2024 are true and correct.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 TRANSPORT PORTFOLIO MEMBER REPORTS

Agenda item 5.1 document number A4668132, pages 15 - 134 refers

RESOLUTION 2024/22

Moved: Cr John Vujcich
Seconded: Kahika Moko Tepania

That Te Koukou – Transport and Infrastructure Committee note the verbal May 2024 reports from Members Ann Court and Steve McNally as Transport Portfolio holders.

CARRIED

Attachments tabled at meeting

- 1 Attachment 1 - CE Letter to Stakeholders re consultation on emergency works FAR - 2 May 2024
- 2 Attachment 2 - NZTA Emergency works consultation 2024

SUSPENSION OF STANDING ORDERS

RESOLUTION 2024/23

Moved: Kahika Moko Tepania
Seconded: Cr Steve McNally

That Te Koukou – Transport and Infrastructure Committee suspend Standing Order 20.2.

CARRIED

RESUMPTION OF STANDING ORDERS

Ordinary Te Koukou - Transport and Infrastructure Committee Meeting
Minutes- **Unconfirmed**

21 May 2024

RESOLUTION 2024/24

Moved: Kahika Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Te Koukou – Transport and Infrastructure Committee resume Standing Order 20.2.

CARRIED

At 10:59am Cr Hilda Halkyard-Harawira left the meeting.

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 FNDC TRANSPORTATION ACTIVITY UPDATE - MARCH 2024 OPERATIONS REPORT

Agenda item 6.1 document number A4681422, pages 135 - 136 refers

RESOLUTION 2024/25

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr John Vujcich

That Te Koukou - Transport and Infrastructure Committee receive the report FNDC Transportation Activity Update - March 2024 Operations Report.

CARRIED

Cr Mate Radich was absent from the vote.

At 11:53 am, Cr Mate Radich was removed from the meeting.

8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

At 12:08pm Chairperson Moko Tepania closed the meeting with a karakia.

9 MEETING CLOSE

The meeting closed at 12:08pm.

The minutes of this meeting will be confirmed at the Ordinary Te Koukou - Transport and Infrastructure Committee Meeting held on 25 June 2024.

.....
CHAIRPERSON

Te Miromiro - Assurance, Risk and Finance Committee Meeting Minutes -
Unconfirmed

22 May 2024

**MINUTES OF FAR NORTH DISTRICT COUNCIL
TE MIROMIRO - ASSURANCE, RISK AND FINANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 5 MEMORIAL AVENUE, KAIKOHE 0405
ON WEDNESDAY, 22 MAY 2024 AT 10.00AM**

PRESENT: Mr Graeme McGlinn, Deputy Chairperson John Vujcich, Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Penetaui Kleskovic (virtually), Cr Steve McNally.

IN ATTENDANCE: Crs Kapa, Foy, and Rākena (virtually), Andy Knock and Lisa Parkes (Far North Holdings Limited), Mr Bennie Greyling and Mr Darren Naicker – Deloitte (virtually).

STAFF PRESENT: Guy Holroyd (CEO), Charlie Billington (Group Manager – Corporate Services), Emma Healy (Chief of Staff – Chief Executive Office), Jacine Warmington (Group Manager - Strategic Relationships), Carla Ditchfield (Manager - Legal Services), Rebecca Rowsell (Senior Solicitor – Legal Services), Kevin Johnson (Group Manager – Delivery Operations), Jonathan Slavich (Chief Financial Officer), Tanya Proctor (Head of Infrastructure), Roger Ackers (Group Manager – Planning and Policy), Zena Tango (Team Leader – Transaction Services), Joshna Panday (Risk and Assurance Specialist), Casey Gannon (Manager – Democracy Services), Fleur Beresford (Democracy Advisor – Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10.01am Kahika/Mayor Moko Tepania commenced the meeting with a karakia.

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

Nil

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

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

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A4692742, pages 8 - 14 refer.

RESOLUTION 2024/9

Moved: Deputy Chairperson John Vujcich

Seconded: Cr Ann Court

That Te Miromiro - Assurance, Risk and Finance Committee confirm the minutes of the Extraordinary meeting held 28 February 2024 are true and correct.

CARRIED

At 10.13am Kahika Mayor Moko Tepania left the meeting.

At 10.14am Kahika Mayor Moko Tepania returned to the meeting.

At 10.27am Kowhai Deputy Mayor Kelly Stratford left the meeting.

Te Miromiro - Assurance, Risk and Finance Committee Meeting Minutes -
Unconfirmed

22 May 2024

At 10.30am Kowhai Deputy Mayor Kelly Stratford returned to the meeting.

5 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

5.6 FNHL QUARTERLY REPORT - MARCH 2024

Agenda item 5.6 document number A4696812, pages 85 - 106 refer.

RESOLUTION 2024/10

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Te Miromiro - Assurance, Risk and Finance Committee receive FNHL Quarterly Report - March 2024.

CARRIED

At 11.00am CEO Guy Holroyd left the meeting.

At 11.02am CEO Guy Holroyd returned to the meeting.

5.3 AUDIT PLAN, AUDIT PROPOSAL LETTER AND AUDIT ENGAGEMENT LETTER

Agenda item 5.3 document number A4692339, pages 28 - 73 refer.

RESOLUTION 2024/11

Moved: Mr Graeme McGlinn

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Te Miromiro - Assurance, Risk and Finance Committee:

- a) receive the report Audit Plan, Audit Proposal Letter and Audit Engagement letter; and**
- b) recommend the Mayor accepts and signs on behalf of Council.**

CARRIED

At 11.19am Kahika Mayor Moko Tepania left the meeting.

At 11.21am Kahika Mayor Moko Tepania returned to the meeting.

5.1 RISK UPDATE REPORT - MAY 2024

Agenda item 5.1 document number A4691141, pages 15 - 16 refer.

RESOLUTION 2024/12

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Deputy Chairperson John Vujcich

That Te Miromiro - Assurance, Risk and Finance Committee receive the Risk Update Report - May 2024.

CARRIED

At 11.36am Cr McNally left the meeting.

At 11.37am Cr McNally returned to the meeting.

Te Miromiro - Assurance, Risk and Finance Committee Meeting Minutes -
Unconfirmed

22 May 2024

5.2 HEALTH, SAFETY AND WELLBEING REPORT - MARCH-APRIL 2024

Agenda item 5.2 document number A4691614, pages 17 - 27 refer.

RESOLUTION 2024/13

Moved: Cr Steve McNally

Seconded: Deputy Chairperson John Vujcich

That Te Miromiro - Assurance, Risk and Finance Committee receive the Health, Safety and Wellbeing Report - March-April 2024.

CARRIED

At 12.07pm Kowhai Deputy Mayor Kelly Stratford left the meeting.

At 12.12pm Cr Court left the meeting.

At 12.13pm Kowhai Deputy Mayor Kelly Stratford returned to the meeting.

5.4 REVENUE RECOVERY REPORT 31 MARCH 2024

Agenda item 5.4 document number A4696494, pages 74 - 78 refer.

RESOLUTION 2024/14

Moved: Mr Graeme McGlinn

Seconded: Cr Steve McNally

That Te Miromiro - Assurance, Risk and Finance Committee receive the Revenue Recovery Report 31 March 2024.

CARRIED

At 12.15pm Chairperson Graeme McGlinn adjourned the meeting for a comfort break.

At 12.46pm Chairperson Graeme McGlinn recommenced the meeting.

5.5 PEOPLE AND CAPABILITY REPORT - JANUARY - MARCH 2024

Agenda item 5.5 document number A4696651, pages 79 - 84 refer.

RESOLUTION 2024/15

Moved: Deputy Chairperson John Vujcich

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Te Miromiro - Assurance, Risk and Finance Committee receive the People and Capability Report - January - March 2024 .

CARRIED

At 1.07pm Cr McNally rejoined to the meeting.

Te Miromiro - Assurance, Risk and Finance Committee Meeting Minutes -
Unconfirmed

22 May 2024

5.7 FNDC FINANCIAL SUMMARY MARCH 2024

Agenda item 5.7 document number A4696879, pages 107 - 112 refer.

RESOLUTION 2024/16

Moved: Kōwhai - Deputy Mayor Kelly Stratford
Seconded: Deputy Chairperson John Vujcich

That Te Miromiro - Assurance, Risk and Finance Committee receive the report FNDC Financial Summary March 2024.

CARRIED

At 1.12pm CEO Guy Holroyd left the meeting.

At 1.13pm CEO Guy Holroyd returned to the meeting.

5.8 FNDC YEAR END PLANNING UPDATE

Agenda item 5.8 document number A4703291, pages 113 - 121 refer.

RESOLUTION 2024/17

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

That Te Miromiro - Assurance, Risk and Finance Committee receive the report FNDC Year End Planning Update.

CARRIED

Noted that an Extraordinary Te Miromiro meeting (Virtually) will be required between 30th Sept – 7th Oct in order to adopt the Annual Report prior to the Council meeting on 17th October 2024.

6 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2024/18

Moved: Deputy Chairperson 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
6.1 - FNDC Current Legal Action Potential Liability Claims	s7(2)(g) - the withholding of the information is necessary to maintain legal professional	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting

Page 4

Te Miromiro - Assurance, Risk and Finance Committee Meeting Minutes -
Unconfirmed

22 May 2024

	privilege	would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
6.2 - 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)(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>
CARRIED		

The meeting moved into Public Excluded 1.35pm.

The meeting returned to Ordinary meeting at 2.04pm.

7 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

At 2.04pm Kowhai Deputy Mayor Kelly Stratford closed the meeting with a karakia.

8 MEETING CLOSE

The meeting closed at 2.05pm.

The minutes of this meeting will be confirmed at the Te Miromiro - Assurance, Risk and Finance Committee Meeting held on 24 July 2024.

.....
CHAIRPERSON

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 MAYOR AND COUNCILLOR'S REPORTS

File Number: A4706022

Author: Fleur Beresford, Democracy Advisor

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

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 Moko Tepania, Kōwhai Kelly Stratford, Crs Ann Court, Babe Kapa, Hilda Halkyard-Harawira, Tāmati Rākena and John Vujcich be received.

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 Report Moko Tepania - A4736899  
2. Kōwhai Report Kelly Stratford - A4736937  
3. Member Report Ann Court - A4736690  
4. Member Report Babe Kapa - A4736913  
5. Member Report Hilda Halkyard-Harawira - A4736902  
6. Member Report Tāmati Rākena - A4736900  
7. Member Report John Vujcich - A4736901  



Te Tari o te Kahika
Office of the Mayor

PŪRONGO Ā-MEMA | MEMBER'S REPORT
MAYOR MOKO TEPANIA | 04/06/24

RĀ DATE	KAUPAPA HUI MEETING TOPIC
Rāhina 29 Āperira Monday 29 April	Quarterly Celebrations & New Starters Pōwhiri, Kaikohe Far North Holdings Meeting, Kaikohe Animal Management Information Session, Kaikohe Civil Defence Northland & National Emergency Management Agency Meeting, Kaikohe Far North Holdings Dinner, Kororāreka / Russell
Rātū 30 Āperira Tuesday 30 April	Council Agenda Preview, Kaikohe Long Term Plan Verbal Submissions, Kaikohe
Rāapa 1 Mei Wednesday 1 May	Airport Meeting, Kaitiāia Discussion with Far North Holdings and Iwi to progress next steps for the airport and working with Central Government for resolution. Long Term Plan Verbal Submissions, Kaitiāia
Rāpare 2 Mei Thursday 2 May	Business & Agency Leaders' Call via Teams Te Huia Executive Review Committee, Kaikohe Interview with John Campbell, Kaikohe TVNZ came to the Far North to do a story about what Far Northerners need from the upcoming Government Budget. John highlighted the Mangamuka Gorge closure and travelled and interviewed residents in Kaitiāia, Manganuiowae / Broadwood and Kaikohe.
Rāmere 3 Mei Friday 3 May	Catchup with Animal Management via Teams Long Term Plan Verbal Submissions, Kaikohe Local Government New Zealand National Council Meeting via Zoom
Rātapu 5 Mei Sunday 5 May	North Hokianga Transportation Network Working Group, Panguru Discussion with locals around the state of the roads and progress for the Motutū and Panguru slips. A working group will be established to include a local voice in council's processes.
Rāhina 6 Mei Monday 6 May	Tai o Hī Tai o Hā Hui, Kaikohe Mayors Taskforce for Jobs / Ministry of Social Development Meeting via Teams Democracy Services Catchup, Kaikohe Radio Waatea Fortnightly Interview Regular Catchup with Chief Executive, Kaikohe
Rātū 7 Mei Tuesday 7 May	Chief of Staff Catchup, Kaikohe Te Koukou Transport Agenda Preview Meeting, Kaikohe Te Koukou Transport Committee, Kaikohe
Rāapa 8 Mei Wednesday 8 May	Te Hiku FM Interview Mayors Taskforce for Jobs Catchup, Kaikohe Mayor and Councillor Catchup, Kaikohe
Rāpare 9 Mei Thursday 9 May	Council Meeting, Kaikohe Tuia Mentoring Programme Catchup, Kaikohe
Rāmere 10 Mei Friday 10 May	Kaitiāia Airport Meeting via Teams

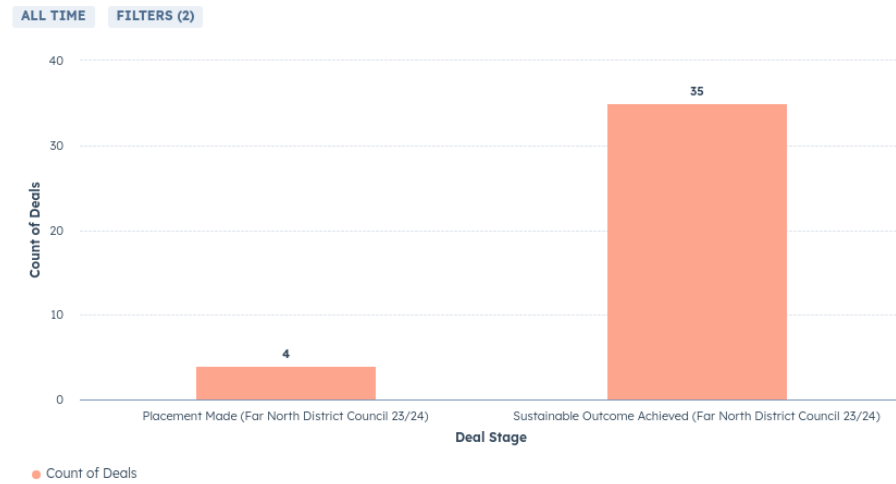
Rāhina 13 Mei Monday 13 May	Blessing and Opening of Te Kohekohe Housing Complex, Kaikohe Opening of the next stage of homes at Te Kohekohe, a partnership between Far North Holdings and Te Hauora o Ngāpuhi.
Rātū 14 Mei Tuesday 14 May	The Platform Interview with Michael Laws Interview on Māori wards and infrastructure needs in the Far North.
Rāapa 15 Mei Wednesday 15 May	Regular Catchup with Chief Executive, Kaikohe Long Term Plan Pre-Deliberations Workshop, Kaikohe
Rāpare 15 Mei Thursday 15 May	US Consulate-General Interview, Tāmaki Makaurau / Auckland
Rāmere 16 Mei Friday 16 May	Police Awards Ceremony, Kaikohe Environment Select Committee Submission via Zoom Verbal submission on behalf of the Far North District Council for the Fast-track Bill. Science & Technology Roadshow, Ōkaihau Riverview School Visit, Kerikeri Tohu Kahikatea / Mayoral Award presentation to Ted Keen who won Aotearoa's Next Top Mullet through the Mental Health Foundation's Mullet Matters fundraising campaign for mental health resources.
Rāhina 20 Mei Monday 20 May	Council Agenda Preview via Teams Radio Waatea Fortnightly Interview Community Board Chairs' Catchup via Teams
Rātū 21 Mei Tuesday 21 May	Strategic Relationship Group Manager Catchup, Kaikohe Te Koukou Transport Committee, Kaikohe
Rāapa 22 Mei Wednesday 22 May	Mayors Taskforce for Jobs Catchup via Teams Te Miromiro Assurance Risk & Finance Committee, Kaikohe
Rāpare 23 Mei Thursday 23 May	Business & Agency Leaders' Call via Teams Deputation to Whangārei District Council Meeting Whangārei District Council voted on their membership to Local Government NZ and decided to stay as members of the organisation. Extraordinary Council Meeting, Kaikohe Te Ao News Interview via Zoom On Māori wards and Gaza ceasefire.
Rāmere 24 Mei Friday 24 May	Te Oneroa-a-Tōhe Beach Board Meeting, Kaitāia Moringaehe Reserve Hui with Hapū, Ahipara Snapper Bonanza Catchup, Kaitāia
Rāhina 27 Mei Monday 27 Mei	Northland Mayoral Forum, Whangārei Northland Corporate Group Dinner, Whangārei
Rātū 28 Mei Tuesday 28 May	Te Ao with Moana Interview, Kaikohe On Ngā Tai o Tokerau councillors. Catchup with Hearings Panel Commissioners, Kaikohe
Rāapa 29 Mei Wednesday 29 May	Te Hiku FM Interview Mayoral Update Filming, Kaikohe Ngākahu Steering Group Hui via Zoom
Rāpare 30 Mei Thursday 30 May	Business & Agency Leaders' Call via Teams Te Huia Executive Review Committee, Kaikohe Te Ao News Interviews, Kaikohe On the Budget and highlighting the Far North's needs.

	Te Huia Executive Review Committee, Kaikohe Newshub Interview, Kaikohe On the Mangamuka Gorge closure. Far North Holdings Review Interview, Kaikohe
Rāmere 31 Mei Friday 31 May	Mayoral Update Filming, Kaikohe Council Agenda Preview, Kaikohe
Rāhoroi 1 Hune Saturday 1 June	Te Kura Kaupapa Māori o Kaikohe Nationals Dress Rehearsal, Kaikohe
Rātū 4 Hune Tuesday 4 June	Justice Select Committee Verbal Submission on Māori Wards via Zoom Housing & Business Development Capacity Assessment Update, Kaikohe Northland Civil Defence Emergency Management Meeting via Teams

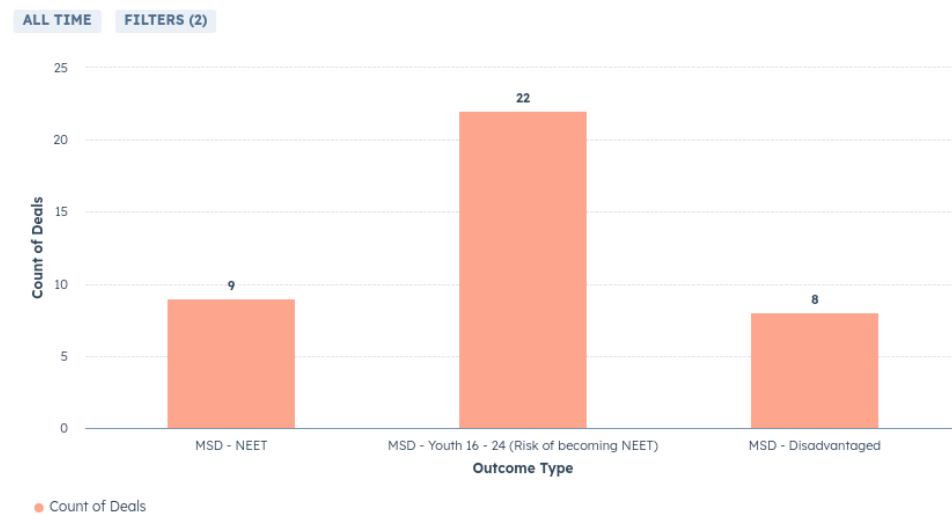
Āpitihanga Anō | Additional Attachment:

Far North District Council – Mayors Taskforce for Jobs Update

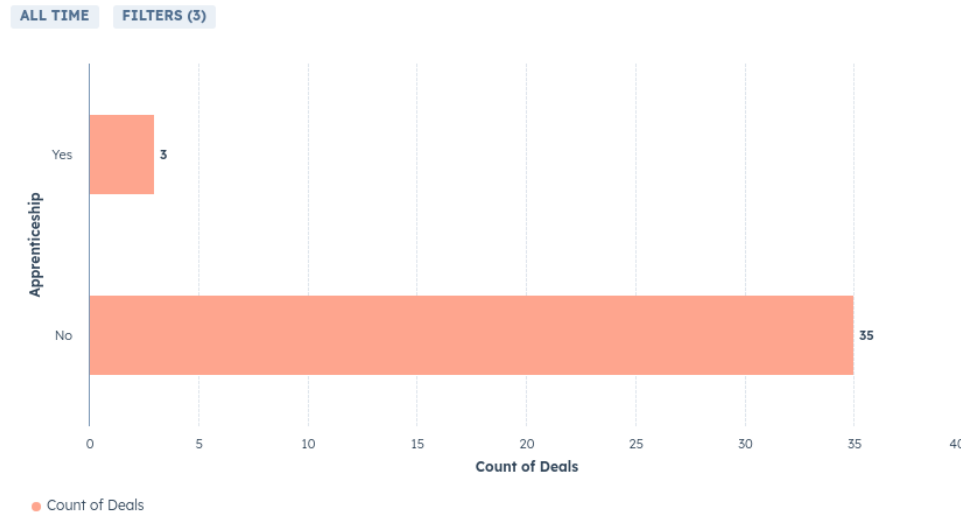
Total Placements Made And Sustainable Outcomes 23/24



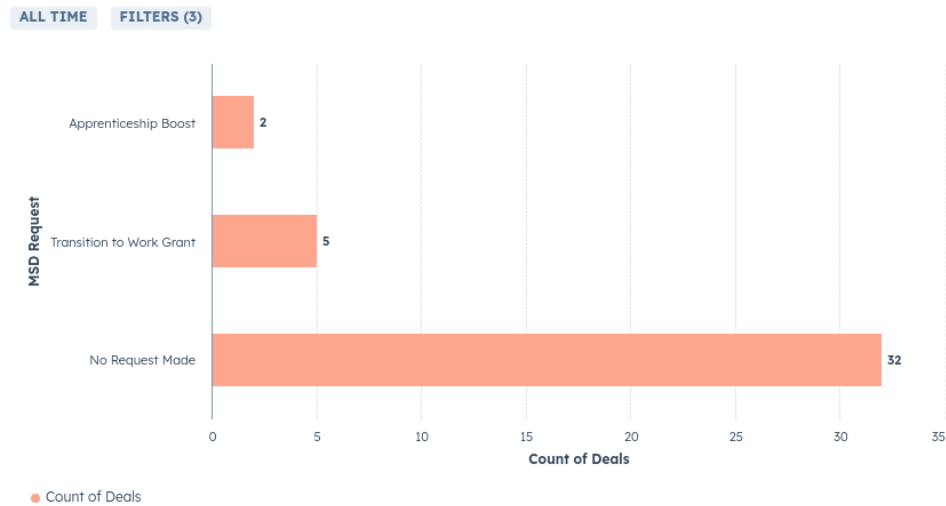
Outcomes by Type 23/24



No. of apprenticeship placements 23/24

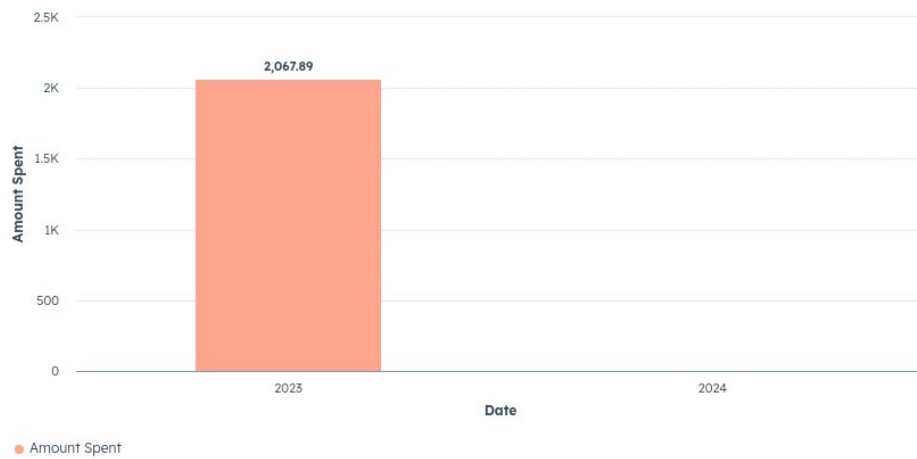


What request for MSD support for a placement was made 23/24?



Total Spent On Jobseekers Directly 23/24

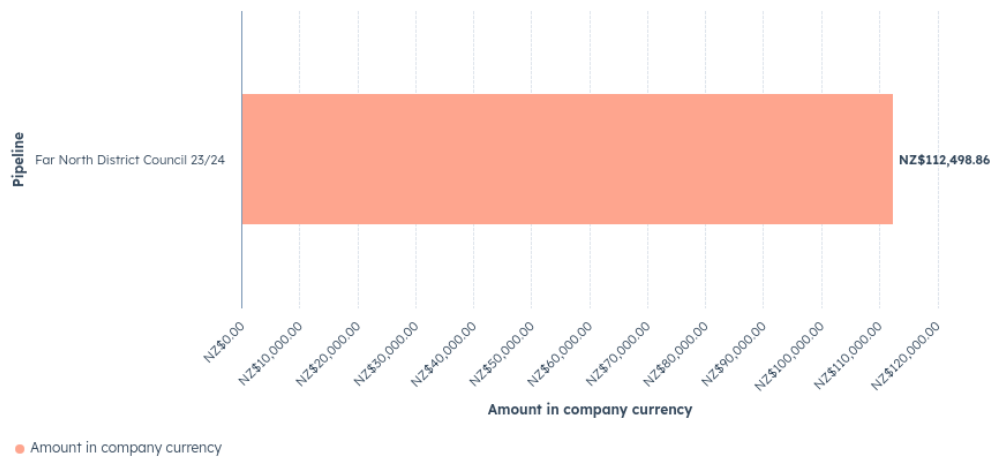
AFTER 1/7/2023 | YEAR



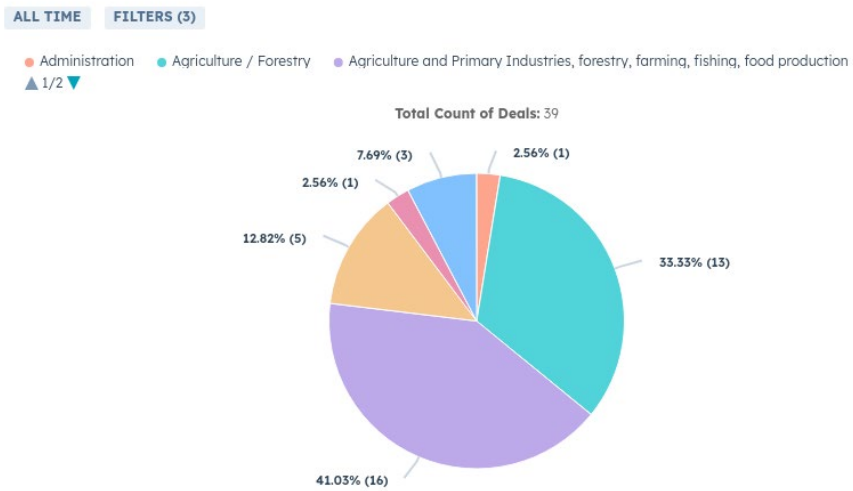
Total Paid to Employers 23/24

ALL TIME

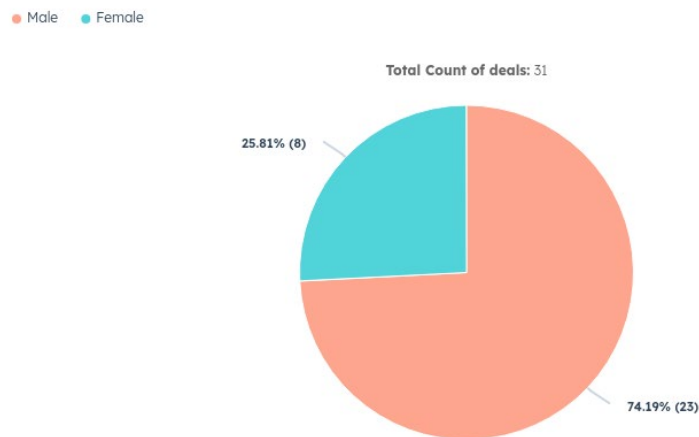
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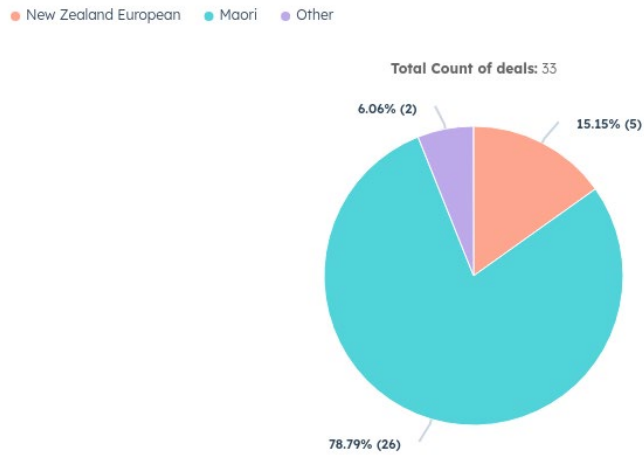
No. of all job placements by industry 23/24



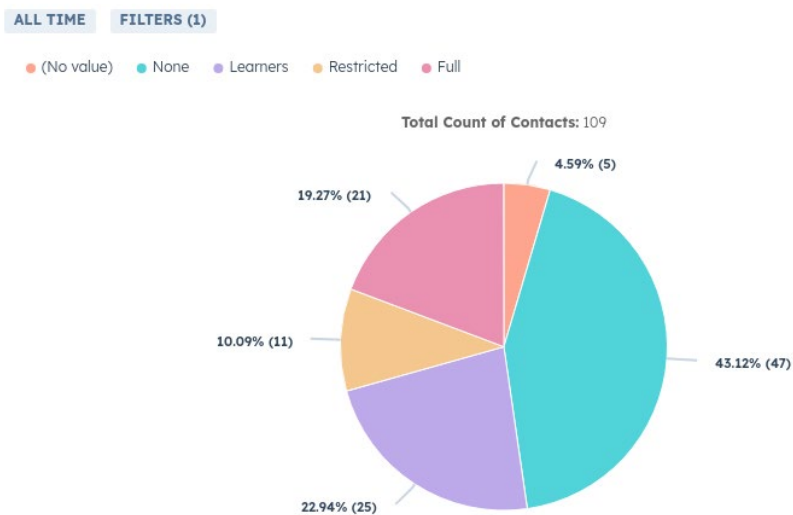
Gender Type Of All Job Seeker Placements 23/24



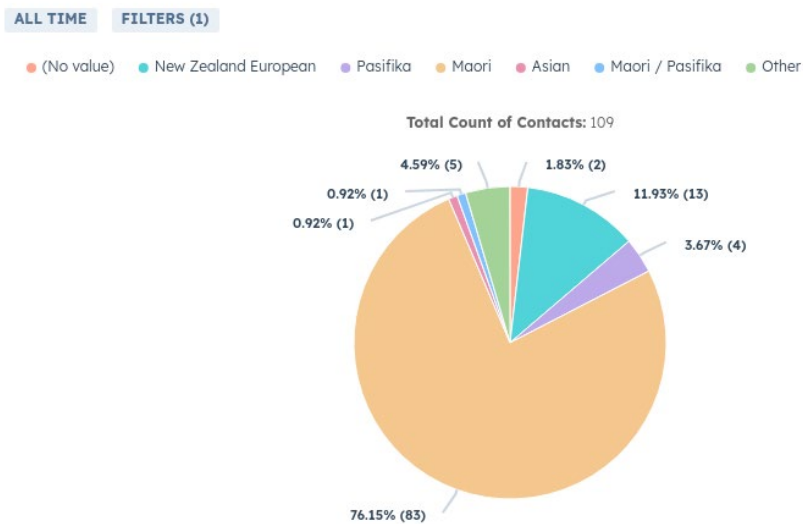
Ethnicity Of All Job Seeker Placements 23/24



Drivers License Status of all registered Jobseekers 23/24



Ethnicity Of All Registered Job Seekers 23/24





Member Report

Name: Kōwhai | Deputy Mayor Kelly Stratford

Ward: Bay of Islands - Whangaroa

Date: 4 June 2024

Meetings/Events Attended

Date	Meeting Topic	Comment
29 April 2024	Quarterly Pōwhiri for new starters and staff recognitions	
	Regional kōrero with neighbour councils on housing crisis	Sharing issues, and alignment on goals to have a collective regional governance voice on housing.
	Meeting with developer	Discussing issues unresolved
	Meeting with Northland CDEM and NEMA	NEMA are the national emergency management agency. They came north and got to see first hand how isolated some of our communities can be, especially with the flooded roads turning some parts of the region into islands.
30 April 2024	Long Term Plan Hearing of verbal submissions	
1 May 2024	Northland Civil Defence Forum	In my opening comments I acknowledged iwi, hapū and communities that are doing ongoing work in preparation and resilience. A good emergency response plan is only as good as the people who are a part of that plan. So without people there is no response. And as director of NEMA said in January, "it's important the public understands they cannot rely on being able to get immediate help from emergency services when a disaster strikes as authorities may be dealing with urgent issues, including people who are injured. It's advised people store enough emergency supplies for at least three days." It is important that everyone takes some responsibility towards building their ability to weather an outage or being cut off in a natural disaster.
2 May 2024	Te Huia Executive Review Committee	



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3 May 2024	Long Term Plan hearing of verbal submissions	
6 May 2024	DLC Tikanga Wananga	Advising on the implementation of sale of alcohol act community participation bill.
	Housing Portfolio	
7 May 2024	Te Koukou	
8 May 2024	Regional Housing Discussion	Further discussion on our shared issues and goals
9 May 2024	Council hui	
10 May 2024	Climate Action & Resilience	Stage one of the scoping work for adaptation due to come to council in August. Data collection of emissions underway. Significant risk the infrastructure department not involved in the Climate Adaptation Resilience working group. FOSAL paper coming to council. Councils climate action budget in proposed LTP is reduced to less than half of what is required to do the adaptation and resilience work, which is a requirement under legislation.
11 May 2024	Taumāre River Working Group	Had an update on the Otiria-Moerewa Flood Mitigation Spillway and plans for the Bridge Grand Opening. The works for the Kawakawa deflection bank are underway. Update on the Nature Based Solutions - Upper Kawakawa Catchment Feasibility, and Otiria further works and presentation from Waiomio representative on the willow removal mahi
13 May 2024	Te Hau Ora o Ngāpuhi and Far North Holdings housing development opening	
14 May 2024	Regional housing kōrero	Sharing with neighbour councils, what FNHL have identified as the constraints in housing and their proposed projects to be presented to Ministers
15 May 2024	Catchup with CE & Kahika	
	Long Term Plan workshop	Getting an update on where we are at on rates increase. Working through what people told us in their wonderful submissions. But the challenge of affordability.



Member Report

16 May 2024	Proposed District Plan hearings preparation workshop	Discussed getting ready for hearings.
20 May 2024	Meeting with couple trying to address gaps in housing	They have done cabins for rentals for years, but stopped for a period of time. Unfortunately, it was during the period they stopped that the legislation changed, which meant their rented cabins needed to comply with building code. And that has caused some conflict with our staff, and a lack of compassion for what they are trying to do and their lack of understanding.
	Preview of extraordinary council hui agenda	
21 May 2024	Te Koukou hui	
	Ngā Puāwai o Te Oneroa ā Tohe activators hui	Update from the four common ground rōpū: Mātauranga Māori, Restoring Tāonga, Thriving Communities, Research Centre. Update on the communications plan for our mahi and tools we can use. Designing of a roadmap for each rōpū.
	Te Hiku Youth Awards presentation	
22 May 2024	Te Miromiro hui	
	Te Miromiro workshop	
23 May 2024	Extraordinary Council Hui	
	Call with resident in Whangaroa	Land ownership and rating in question
	Mangamuka Water Tanks project	Members of the community looking to address the lack of water resilience in Mangamuka, for kuia and kaumatua
24 May 2024	Moringaehe Hui	We visited the site to discuss with hapū how we will work with them to protect and manage the historic Māori reserve.
27 May 2024	Mihi whakatau for commissioners of the Proposed District Plan	
27 May – 3 June	Away due to a family member taken ill, then bereavement leave	
4 June 2024	District Housing and Business Development Capacity study	Findings of the Market Economics Housing and Business Development Capacity assessment were presented to elected members. The infrastructure capacity still to come. And need to

Member Report

		discuss next steps in relation to the proposed district plan.
	Northland Civil Defence and Emergency Management Hui	Excellent turnout of committee. Further notes in portfolio update

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
Hihitahi Rise	Putting aside previously existing issues in the location, Cyclone Gabrielle has caused the land to move, therefore the road and there is a question on whether the road dropping has impacted the town storage of water to crack as well. There are houses that are being impacted by the continued movement of the road. To the extent that houses are moving, connections (power, water and wastewater) are being impacted, starting a fire at one property. Await a business case, then budget for remedy of this situation.
Ōhaeawai Stormwater	There is no urban stormwater in this residential area, and it is needed. Homes are being flooded, and onsite wastewater being impacted by water not being able to flow anywhere. The impacts of the footpath need to be mitigated. The swales are not suited to this area that has a school and playcentre, and community events, when it rains, they are almost 2m deep full of water this is a huge health and safety risk. Children can't even play safely outside their homes after heavy rain as parents fear they will drown in the open drains.
Huia Road	Issue with a dusty road, and no mitigation measures by council. Land and road owner has placed his own speed bumps on the road. However, residents further along are wanting these removed as they are causing an inconvenience, one elderly gentleman finds them very hard to drive over as it hurts his aging bones. We are really limited to what we can do here. But I think putting dust suppressant down if we do find we have the right to remove the bumps would resolve.
Okiato Reserve	Following on from a couple of hui I have had on related matters with Herenga ā Nuku Aotearoa/Outdoor Access Commission – looking to move forward with resolving the long-standing issue of Okiato Reserve that a local resident has been leading. I understand legalisation of the illegal structures on council reserve is taking place, but we need to provide the infrastructure (bollards or signage) to allow the neighbouring landowner to traverse, but ensure public users know where the public portion ends so they do not walk through private property.
Dog Management	Still the offer from community to help council with a proposed Responsible Dog Owner programme, to help improve owner behaviour.
Kawakawa Slip	Slip at back of businesses, private landlord addressing – works well underway, Mayflower is still closed, and complaints are being fielded by monitoring regarding pest management, once slip is resolved FNDC need to investigate alleged stormwater impacting on the state highway and the Mayflower business will be able to apply for its food licence inspection and reopen.



Member Report

Portfolio Update: (Housing)

- Air BNB. Original conversation with Northland Inc was they were interested in finding out information about Air BnB and Bookabach etc, and discussions were to occur about how to join together. It has now been determined that MBIE has identified that this is an issue with accessing data because of how Air BnB are set up, and Northland Inc are expecting to get a dashboard which we can access more information from and more data at the end of the year. The data will be from a tourism perspective, however that will inform questions around housing. We do not have all details about it yet. As a result, Northland Inc do not want to do their own data collection if MBIE is undertaking this work.
- One of the key issues I keep encountering with people addressing the housing crisis with 30m2 buildings is that they are being told by the retailer of the portables, that they do not need any consents. This is incorrect. There is a helpful link on our website and click on "Relocatable and Tiny Homes" <https://www.fndc.govt.nz/services/building-consents/About-Building-Consents>
- Also, if landlords are renting out a cabin, despite it not having plumbing – it needs to meet the Healthy Homes Standards and Building Code, so the above information would apply. Here is a link to further information for landlords <https://www.tenancy.govt.nz/starting-a-tenancy/new-to-tenancy/information-for-new-landlords/>

Portfolio Update: (Climate Change)

- Have had my first regular portfolio hui
- Unfortunately, I was unable to attend the Joint Committee due to a family matter

Proposed District Plan Hearings

- First week of hearings were held with some interesting points being raised by lawyers and planners on behalf of submitters.

Portfolio Update: (Emergency Management)

- A report will be on my next CDEM agenda of recommendations in response to the government review of response to Cyclone Gabrielle and Severe Weather events.
- We begin the review of the Group Civil Defence plan middle of next year.
- Tsunami alarms are being consented across our district. There have been some issues with engagement in Whangarei. Hopefully we are not seeing the same issues here.
- An alarm located at Ramp Road in Cable Bay was not on the asset register, so did cause some issues when it came to replacing with the new alarms, but this has been resolved as the new alarms have a wider spread of sound than the old ones.
- An evacuation hui was held in Kaitaia – as part of planning and preparedness. I need assurance that there are staff located in the Kaitaia area, that will be seconded to civil defence should an event occur.



Member Report

Name: Councillor Ann Court

Date: May 2024

GPS: Government Policy Statement on Land Transport

GPS: Overall, it is a good document. In particular the maintenance spend, which is \$640 million more than what came out in the original draft. Inflation remains high however in the transport sector, so it is unclear how much extra maintenance will actually be able to be undertaken with the additional funding.

Project identification is positive, however there is only funding available for half of what is required. The Government is clear that they expect more use of funding tools.

For regional and rural New Zealand, the case for collecting revenue from FED (Fuel Excise Duties) and RUC (Road User Charges) for investment in public transport, walking and cycling (largely metro based) where our road maintenance is underfunded isn't strongly argued.

As I have stated since I took on roading as a portfolio the revenue system falls short in the transport section. Ad hoc injections of crown funding are a grossly inefficient way of managing our assets.

Recent changes in Government priorities and funding have resulted in NZTA amending some of its State Highway safety projects. This has triggered significance and has required a bespoke second round of consultation on the draft Regional Land Transport Plan.

The removal of flexible median barriers is of concern. We know these save lives. Whilst there is always a trade off when funding becomes constrained, we need to keep our eyes on Northland tragic number of death and serious injury cross centreline crashes in high-speed environments.

Northland Road Safety

No meetings this period. Week ending 24 May was road safety week. A lot of social media on this culminating in a big Road Safety Day in Whangarei which garnered a lot of media attention. Thank you to all elected members who participated.

Northland Freight Group

No meetings this period. Was fortunate to have the Chair Daron Turner as a speaker at our Northland Automobile Association Meeting. Key messages:

- We need to see more cross-party politics where the RON's do not change based on the Government of day.
- Frustration that the freight industries viewpoint is more often than not discarded.
- Too many groups, committees, organizations and individuals having a say on the Brynderwyns. The lack of a resilient and reliable road is impacting the



Member Report

industry. This leads to constant changes and a lack of clarity on what we need. Keep moving the dial in response to Government directives.

- The closure of the refinery has impacted on bitumen quality. Imported bitumen is more expensive and behaves in a different way to previous supply. Chip seal has resulted in low quality sealing.

Disability Action Group

First meeting is set down for 17 June.

Business Association

This month's meeting was held 9 May. The hanging baskets came down 30 May. They have been a huge success. The association will hibernate the baskets for Winter with a view to putting them back next spring. Getting these baskets back after all these years has taken a lot of blood, sweat and tears from the committee – huge acknowledgement for these amazing volunteers.

Civil Defence

Caroline Wells (Northland Inc) called a meeting to discuss the lack of a plan and team for Kerikeri's Civil Defence. She was hoping to 'inspire momentum within our community to band together in an organized way'. First meeting of many more to come.

Concurrently Mita Harris is calling for volunteers to become involved in manning the Unimog which has proved invaluable during flood events. I will be attending a reach out session during the first week of June.

Again, I am hugely grateful for the amazing spirit of community volunteering that exists in the Far North.

Infrastructure Symposium and Roading Conference Hamilton

As part of our ongoing budget considerations, we have signalled that we will reduce elected member travel and training allowances. I fully support this so have had to make some tough calls.

Accordingly, I have withdrawn my request to attend the above two events if anyone else wants to pick up the reins please reach out to the GG's.

I will keep my focus on the Road Controlling Authorities Forum.

Te Puawaitanga



Member Report

No update again this period. We are still waiting on a potential options paper for the utilization of the residual allotment.

As previously reported the report will hopefully will have some ideas for Council to reflect on which has the potential to realize funds to complete stage one and go someway towards stage two.

Great to see the grass growing and the landscaping complete. Oh and the ablution portacomms are now installed.

Draft Regional Land Transport Plan

As I was in Wellington, I was unable to attend deliberations. I will leave it to Cr McNally to report back.

New Zealand Automobile Association

The March meeting was held 21 May in Whangarei. HQ is working on submissions on the paper regarding changes to emergency funding as well as the new speed management rule. The committee has provided feedback in this space.

Emergency Works Investment Policy

We recently discussed proposed changes to the NZTA Emergency Works Investment Policy. A webinar on the subject was hosted by NZTA. I sent you all a direct link as an FYI. I have attached a couple of screen shots (sorry about the quality) for those of you who were unable to view which really highlight the dire state of funding in response to changing and more frequent natural events.

District Liquor Licensing

Recent amendments to the Sale and Supply of Alcohol Act have resulted in a series of six bespoke training webinars which have been conducted daily between 11am-1pm. Due to other diary clashes I have only managed to attend four to date but was supplied with the reading materials for the ones I missed.

More modules are coming in June.

Did You Know



Member Report

The New Zealand Infrastructure Commission recently provided comparative evidence that New Zealand is an extremely expensive market when it comes to building and maintaining infrastructure. In fact, it is so expensive here according to the Commission, that we rank right near the bottom of OECD nations when it comes to the efficiency of our infrastructure spend. What may come as a surprise to many Kiwi's, however, is that we spend more than Australasia and the median OECD country on public infrastructure as a percentage of GDP. According to Nick Leggat from Infrastructure NZ "The problem is we just cannot convert that into results." I have done a cut copy paste of part of his latest column as I think he has articulated this incredibly well.

"Some of this can be put down to the structural issues prevalent right across the New Zealand economy - input costs, such as labour and equipment and the general expense of doing business, are high, while productivity is low. Geology also plays a part, much of our ground is complex and of course, it moves!

However, a system has also evolved where project planning timeframes stretch out for years and result in mounting costs as delays, uncertainty and political debate take over. Because of this, projects are plagued by cost overruns that can double the initial cost, a situation that has become so common that it is now an expected part of the infrastructure delivery process in New Zealand.

To get on top of our infrastructure deficit over the next two-to-three decades it is critical to improve the efficiency at which this infrastructure delivery system runs.

We must actively invest in the long-term capacity of the system by providing certainty to the sector that there is a long-term pipeline of projects that can give them confidence to proactively invest in expertise and skills. I see the new National Infrastructure Agency and its role in streamlining government procurement and delivery as playing a big part in addressing this.

Secondly, is the need to address the fundamental lack of confidence in government and councils to commit to large scale infrastructure spending. I am writing this at the end of the Infrastructure New Zealand delegation to Ireland, Northern Ireland and Denmark. We will have more to say on this later, but what has been evident in all these territories is that plans are agreed across the system well in advance. All actors understand what part they play, they don't compete and fight and fiddle. They are focused on delivery and on what the piece of infrastructure will do for their country over the next hundred years. We can improve so much of this, if we properly diagnose the problem, change our mindset, commit to plans and change behaviour.

We've got many thousands of dedicated professionals working in quality companies ready to deliver. However, the system they work within often lacks coherency.

Decision-makers have become reliant on overly optimistic business cases and reports to provide the political justification for infrastructure investment, but the fact is these processes take far too long and very often involve unrealistic projections regarding costs, benefits and project timelines. In turn this leads to expectations that don't align with reality and over time



Member Report

erode public confidence when costs escalate, and projects don't deliver on their optimistic forecasts.

I think Queenstown Mayor Glyn Lewers hit the nail on the head recently when he described this part of New Zealand's planning process as 'the business case industrial complex'. It is something we must seek to improve by instituting faster assessment processes and a total lifecycle approach to assessing the project while ensuring transparency, accountability and value for money.

On the funding side of things, I am glad to see the growing confidence in Government ministers and officials to front-foot the benefits of greater user-charging to help fund future infrastructure investment.

For far too long successive governments have delayed and obfuscated when it comes to the need to fund infrastructure more directly from those who use it. In the transport space where road pricing can help us bridge the forecasted revenue shortfall in the National Land Transport Fund and help councils provide adequate local roads and public transport, greater user pays will be critical.

Socialising this future funding approach in transport is important because with a more diverse vehicle fleet we cannot rely on the fuel excise model into the future. The Government has signalled moving all road users to RUC, however there are additional charging tools that must be considered in my opinion, such as time-of-use charging and tolls.

These funding mechanisms do spark public debate, which always makes politicians nervous. However, times have changed, and New Zealanders increasingly understand that if they want modern first-world infrastructure then they need to find sustainable ways to pay for it."

Leave

I will be taking leave from 8 July returning second week of August. I will be abroad and largely uncontactable during this time.

Background and context

- The Emergency works investment policies (WCs 140 and 141) set out the eligibility criteria and funding assistance rates applying to National Land Transport Funding (NLTF) to assist approved organisations to respond to emergency events.
- More frequent and intense weather-related events are putting increasing pressure on the funding available for emergency works response and recovery.
- Emergency works funding has significantly exceeded allocated NLTF in 8 of the last 10 years and substantial Crown funding has been required for severe nationally significant events.
- NZTA has reviewed its current emergency works policies and funding assistance rates (FARs) to make sure they remain sustainable into the future and provide improved certainty of funding for councils.

WAKA KOTAHU

Play (k)

What problems we are wanting to resolve?

- **Extreme pressure on local share, NLTF and Crown funding at current FARs** due to the increase in scale and frequency of events
- **Different interpretations of policies** are creating uncertainty for investment in repair, recovery and rebuild phases
- **Current policy settings have not yet been adapted** to requirements for managed retreat, different level of service responses, resilience improvements and the incorporation of social and cultural impacts.

WAKA KOTAHU

Driving efficiency in road maintenance

Andrew Clark

RCAF 23 April 2024



Te Kāwanatanga o Aotearoa
New Zealand Government

Current state

- We manage a \$67 billion asset that depreciates at \$730m a year.
- NZTA manages 11,500km of state highways and supports 90,000km of local roads – that's more than 100,000km combined.
- Current spend is not enough to sustain asset quality given current network pressures.
- Capacity to deliver is another constraint. We can still optimise our performance to maximise delivery with current resources.
- Our current Network Outcome Contracts (NOCs) are at end of term and being renegotiated prior to a change of model, but short-term commercial roll overs carry an increased cost.
- Cost for delivering renewals has increased 21% since 2021. Cost per km is up to \$33k, from \$29k.
- Most recent satisfaction surveys of the state highway network shows 82% satisfaction, down 3% from previous years. This has been attributed to increasing impact of severe weather events.
- Pothole problem: Specifically, surface condition satisfaction is down to 65%, from 73%. Surface condition is one of the primary drivers of satisfaction (along with travel time, value for money and other driver behaviour).



GPS 2024-34

Draft Government
Policy Statement
on land transport
2024-34

March 2024 Not Government policy
CONSULTATION DRAFT



WAKA KOTAHI

A commitment to four key transport priorities:

- Economic growth and productivity
- Safety
- Value for money
- **Increased maintenance and resilience**

Re-focused Pothole Prevention Activity Class

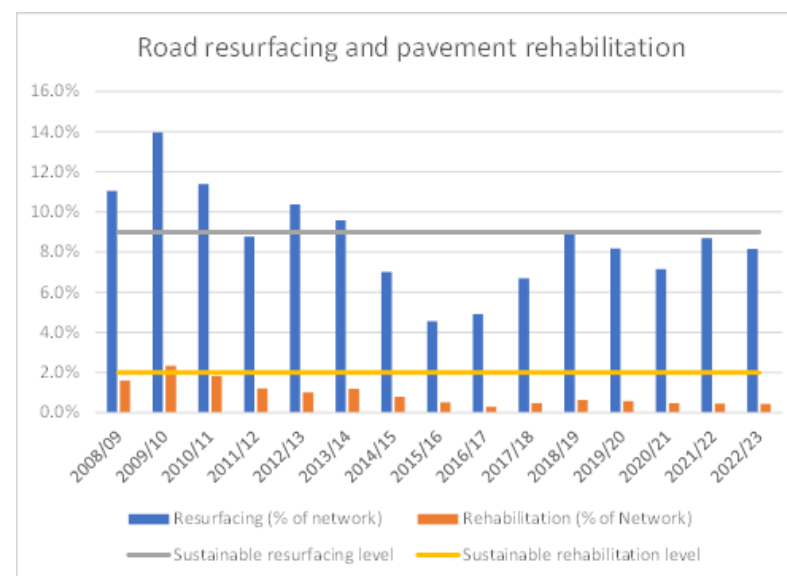
- *Specifically for resealing, rehabilitation and drainage*
- *To achieve 2% Rehab and 9% Resurfacing of total network per annum*

Long term efficiencies

Overall, long term efficiencies will be derived from investment into a significant uplift in high quality renewal activities over a sustained period of time.

- Over a 10-year period this will reduce the volume of reactive maintenance the contractors are required to perform.
- Reducing rework will also deliver efficiencies through removing the consumption of resources multiple times at the same location for diminishing returns.

It has been below the sustainable level for some time (particularly rehabilitations):



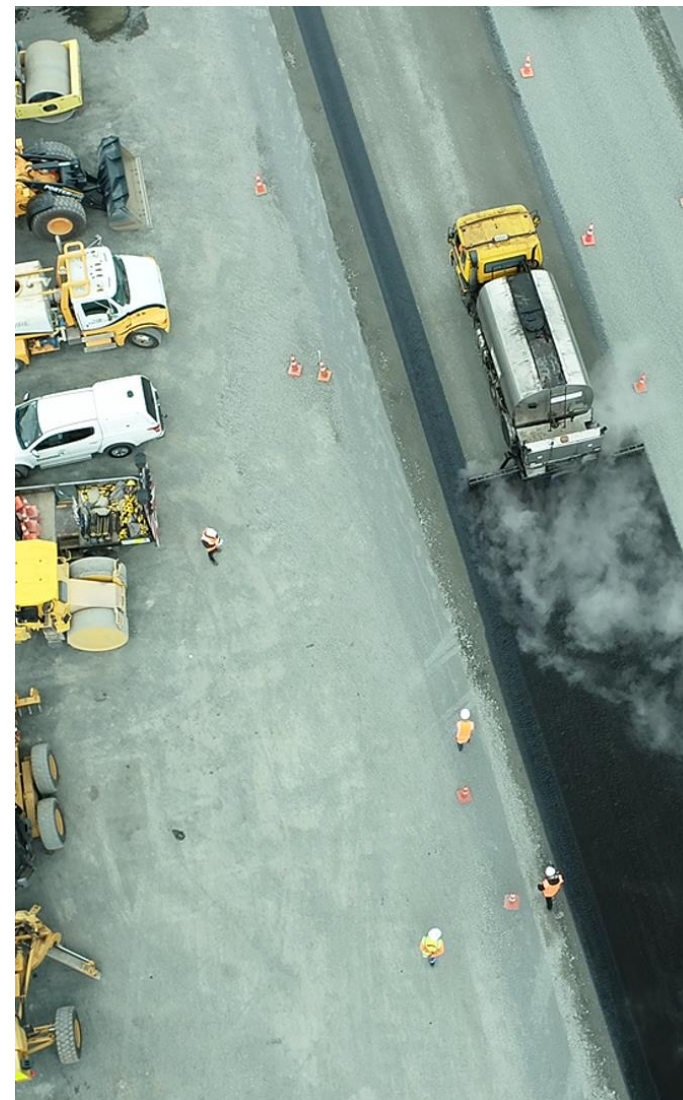
TTM Efficiency and Effectiveness

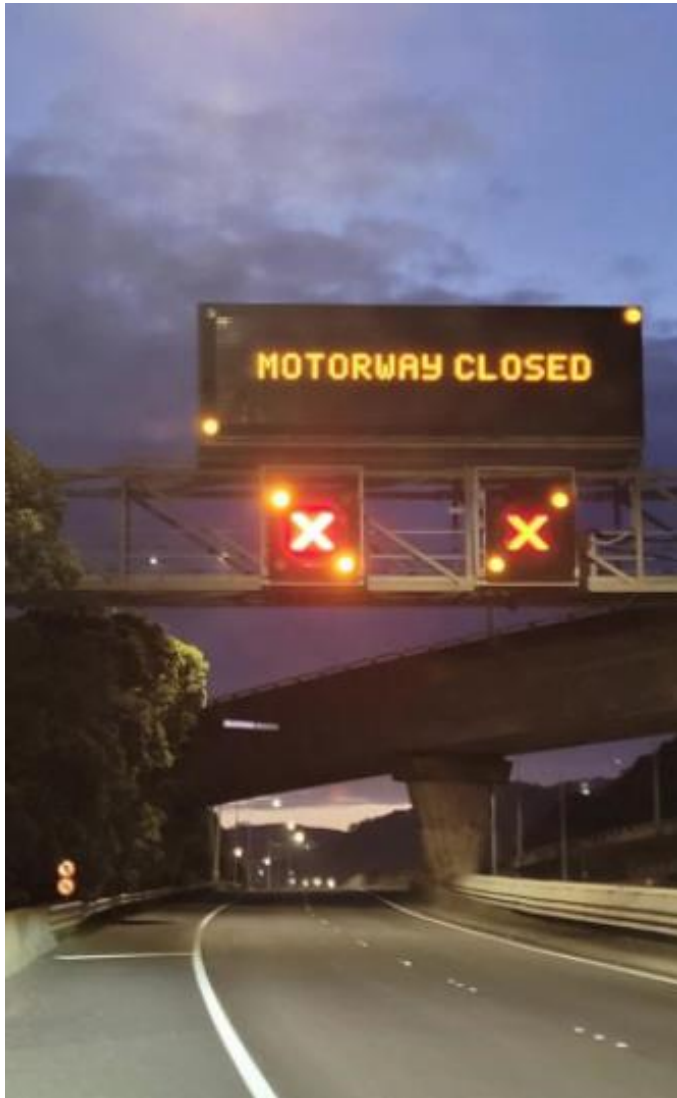
What are we doing?

- 'TTM focus month' in February where NZTA regional teams completed a national level audit of TTM at 800 worksites on the network.
- They found that 20% of the sites had TTM that was not necessary and the majority (69.8%) of the sites were unattended due to either reseal sites under aftercare or nightworks sites visited during the day.

Move from CoPTTM to NZGTTM

- We are rolling out the new risk-based approach to TTM across our state highway network, including pilots with Downer, Fulton Hogan, HEB, Higgins and WSP. We're also updating our contracts to ensure a consistent national approach to risk-based TTM planning, set up, maintenance and monitoring across our network.





Delivery efficiencies

Case Study : SH1 Wellington Urban Motorway

As a main road leading into the capital city, intersecting high density residential areas and 57,646 vehicles travelling in and out of the city daily, it's difficult to schedule roadworks on.

Completing works under lane closure or stop/go is inefficient, a safety hazard for crews and road users, and more expensive.

The solution: A series of southbound and northbound night-time closures. The aim was to get as much done all in one go to save time, money, and minimise disruption. Most importantly, it was safer for our crews within the closure area.

Planning of this closure began 6 months in advance. This included coordination of all works between WTA internal teams, transport projects, local councils and utilities. We communicated early and extensively so that customers, stakeholders, residents, businesses and the general public were well aware so they could plan ahead.

The outcomes: In the 3-week window, WTA renewed 30,974m² of asphalt, installed 21 electronic signs, 260m of barrier, completed 16 structural inspections, cleaned many areas of graffiti, and cleared over 1km of vegetation and trimmed trees. Other activities included clearing litter, replacing signs, clearing drains and replacing damaged sump gates.

We saved \$154,000 on traffic management and removed 125 hours of high-risk activities from our workers by using a combined closure. That's 125 hours of time given back to our crews. There were 68 TTM tasks covered in three weeks, and only 15 site set ups.

Integrated Delivery Model

A new Maintenance Delivery Model with

- NZTA as an intelligent client, taking more control of asset management
- Flexible contracting opportunities across industry tiers
- Competitive tension alongside collaboration
- Standardisation of design and smarter methodologies/treatments

Longer, more secure, planning cycles

- That build contractor investment confidence
- And lead to improved industry capacity & capability



And our thinking has to change

There needs to be a real shift in thinking to “whole-of-life” costs

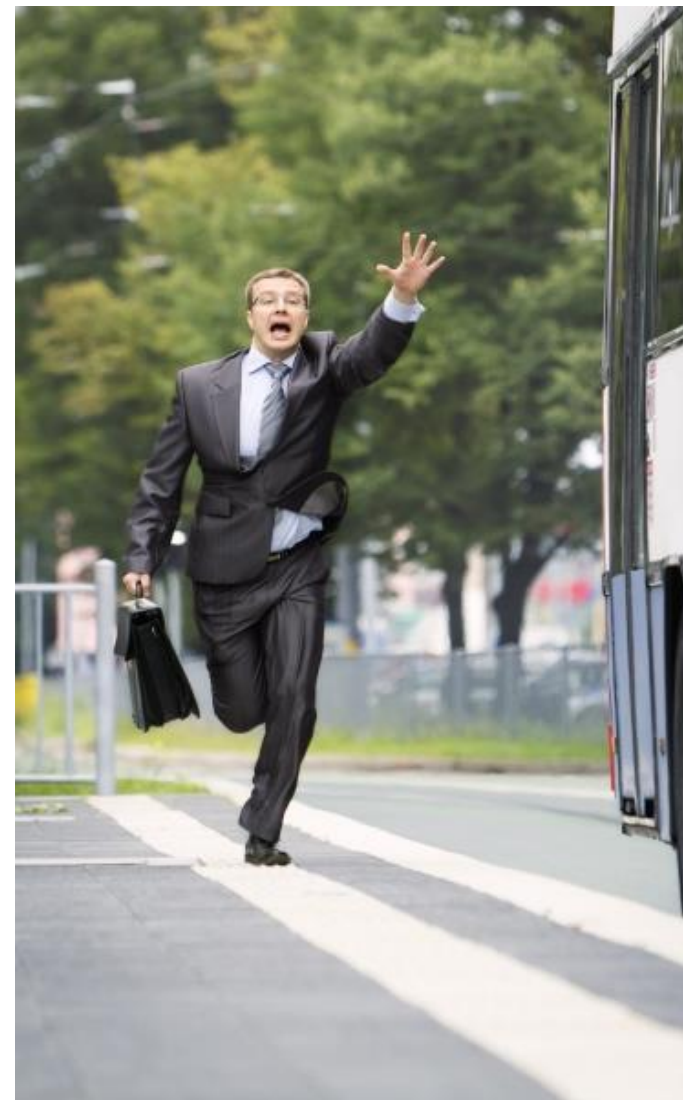
- Stronger = longer service life
- Stronger = less maintenance over time
- Less maintenance/better condition = carbon reduction
- Higher up-front cost = Lower whole-of-life cost
- Less disruption to network users (resilience/road works)

We're on the way

The problem is clearly identified

The Government has given strong direction and funding through the draft GPS:

- 24-hour pothole fix
- Efficient TTM and effective delivery
- NZTA is re-shaping its delivery model and its way of operating





Member Report

Name: Cr Kapa
Ward: Tai Tokerau Maori Ward
Date: June 2024

Meetings Attended

Date: April	Meeting Topic	Comment
Fri 26	Turner Centre Board Hui: Kerikeri Online	
Sat 27	Sportville Opening	
Tues 30 & Wed 01 May	LTP Verbal Submissions: Online	
Thurs 02	Te Huia Exec Review	
Fri 03	LTP Verbal Submissions	
Mon 06	Housing Portfolio [Online]	
Tues 07	Cycle Trail Exec [Online] Te Koukou Transp	
Thurs 09	Council Monthly Hui	
Mon 13	Turner Centre Discussion/FNDC [Online]	
Tues 14	Housing Workshop [Online]	
Thurs 16	Halls & Facilities Strategy, Policy Review [Online] Turner Centre Board Hui [Online]	
Mon 20	Cycle Trail Whakatau for new staff.	
Tues 21	Te Koukou Hui {online}	
Wed 22	Te Miromiro Hui {online}	
Thurs 23	Extraordinary Council Hui	

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.



Member Report

Topic	Comment

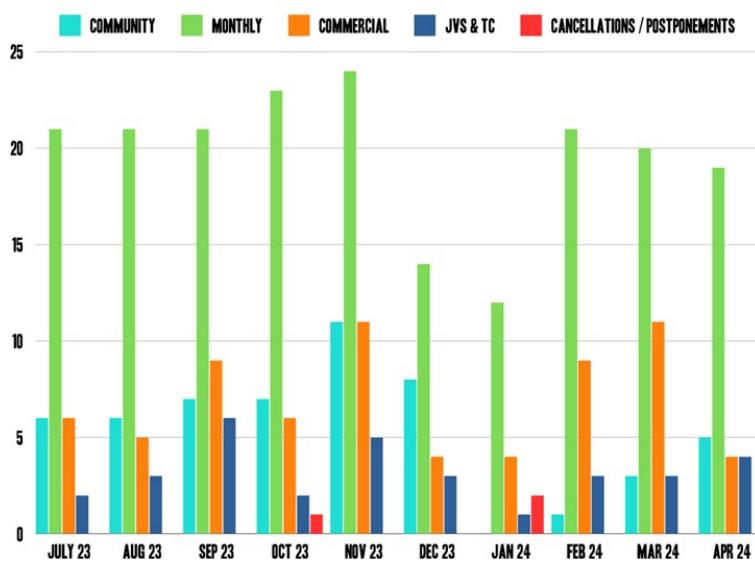
Portfolio Update:**Housing:****Kaikohe Civic Centre [Library]:****Twin Coast Cycle Trail:****Turner Centre:**

Some high-level updates from recent Turner Centre monthly meeting:

- 2024 financial audit completed and signed
- Positive meeting with FNDC CE Guy Holroyd and Reuben Garcia (Community Engagement Lead) around final amendments of agreement
- Plant Zone Direct sponsored 7 x planters in bar
- Sargood Bequest granted \$5000 towards Prima Facie free show for Rangatahi
- 28 tables (280 tix) sold for Shaun Wallace Hospice Fundraiser
- Concept Design initial costings received from QS. Next step is value engineering process to see where efficiencies can be made
- Positive meeting with Ngāti Rēhia around Cultural Engagement Opportunities in Concept Design
- Draft 2025 budget completed for review by Board
- Completed Strategic Plan document produced
- Currently working on targeted email marketing campaign to increase commercial hire
- Northland Inc supported \$30 towards Business Case development - Business Case RFPs being circulated 20th May
- 32 hires in April, see breakdown below



Member Report



Sport Northland:

.

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

Nil

This section is to be completed when an elected member has attended a professional development opportunity or a conference on behalf of Council. It should outline the learnings from attending the event and value to the organisation.

Name of Event:

Date of Event:

Learnings:

Value for the organisation:

Māori Ward Councillor Report hhh 30.5.24



Name: H Halkyard- Harawira

PROGRESS

- 1 Joint letter by FNDC, Ngai Takoto & 3 Ngāti Kahu hapu , Far North Holdings**
sent 16 May to Crown Ministers requesting joint venture investment in Kaitaia Airport as with other airports. Kaitaia site is a strategic civil defence emergency, hospital air shuttle and commuter service for the Far North.
- 2 Decommission of Kauri Dam** - will resume work in dry weather October, November . Kauri Dam is the best model of working with preferred local contractors and coming in under budget.
- 3 Renew 16/17 wastewater treatment plants** and find infrastructure funding. Electro coagulation units purchased for Rawene & Taipā via DIA Better Off funding 2023. Hapu & local involvement in wwtps have a better push to achieve earlier community outcomes. Wetlands , sludge management & appropriate land disposal sites are big issues.
- 4 Roading, wai, housing, wellbeing - Core Services for locals by locals.**
- 5 2023 Statistics**
74, 700 people in FNDC area
31,500 are Māori 42.5%

Huihuinga Mei 1-30	
1st Mei	9.00 Kaitaia Airport- commitment to draft an urgent joint letter to Crown Ministers. 10.00 Long Term Plan verbal submissions Te Ahu- Kaitaia Community Airport group were one of several groups that presented 3.45 Ahipara Takiwā- wetlands development for wastewater treatment.
2 Mei	9.30-12 Te Huia Kaikohe- update with CEO Guy Holroyd Monthly hui with CEO- to go over budgets and projects.
3 Mei	9.30 Long Term Plan verbal submissions Kaikohe
4 Mei	Pineaha Murray's unveiling Te Hāpua. Checked out Te Hāpua wharf

5 Mei **U Turn on Māori wards****Ngā Tai o Tokerau Kaikaunihera Māori**

Tamati Rakena Babe Kapa Hilda Halkyard-Harawira Penetaui Kleskovic
Phoenix Ruka Debbie Harding Ihapera Paniora Tui Shortland Peter Lucas Jones



Completed Brief of Evidence to Waitangi Tribunal re Māori wards- FNDC meet the following Local Government representation criteria for:



a) **communities of interest : 13 Iwi / hapu entities:** Ngāti Kuri, Te Aupouri, Ngai Takoto, Te Rarawa, Ngāti Kahu, Ngati Kahu ki Whangaroa, Ngapuhi Ngāi Kahu ki Whangaroa, Ngāpuhi, Ngāti Rēhia, Ngāti Hine, Te Roroa, Ngāti Wai **252 hapu, 100** plus Māori social service, reo and local Trust organisations.

b. effective representation of communities of interest Māori roll voters confirmed their chosen representatives from a field of 18 candidates and all have expressed their desire to communicate and engage better with Far North District Council. If Māoridom in Te Hiku are not happy with any of the current candidates, they have the opportunity to vote for preferred Māori ward candidates in the 2025 election.

c. fair representation for electors. Ngā Tai o Tokerau councillors have informally resolved that Cr Kleskovic and I represent hapu/ Iwi and Māori Maungataniwha north and Crs Kapa and Rakena represent Māori interests Maungataniwha south. We also acknowledge that Councillors have skill sets that may be called on from time to time in the wider rohe. It would be fair to say **we invest our votes wisely for the wellbeing of the whole community.**

5 Mei 1pm Panguru Roads - key focus Mokopuna Safety

- Working Dad said he was always worried if he would see his wife and kids when he got home- because the roads were dangerous, especially with logging trucks & the school bus.
- Community want to be involved in maintenance of their own roads- they have drainlayers, engineers, trucks and quarries- why pay to cart in metal?.
- Maintenance workers hold us up- fill 2 potholes but not the next one. They may clean a few culverts but not the grids. Road dropping away.
- Council used to have teams that just worked their own areas, things were fixed before they became a problem, we care because this is our home. Supervisors should teach workers how to fix things before they become a problem.

Māori Ward Councillor Report hhh 30.5.24



- **Mitimiti** -Long term vision Waireia, Tapuwae. Want a fair system for ratepayers, impact of logging on roads, rain & poor maintenance- logging to share the burden.
- **Pawarenga** commuter- needs roads fit for ambulance, school buses, accidents. Every winter is the same problem. Corrugations, dust, slips, poor seal surface patching. Pay attention to the water table.
- **Panguru, Mitimiti** -Would like a bus once a week to Kaitaia and to Kerikeri for health care. Ambulance will take 90 minutes from Panguru/ Pawarenga to Kaitaia - need to speed up - lives are in balance.
- **Healthcare worker**- cars are getting wrecked. Has had 4 flat tyres, metal too big and sharp, no cellphone coverage in some places- dangerous for anyone in a remote area. State Highway Road to Kaitaia should be repaired- Mangamuka has been out 2 years. Don't agree with NTA road matrix. Calculations made by one day count.
- Would like a sustainable procurement policy.
- **Panguru tender via GETs** .
- **To fix Motuti**- ask the landowners. Bulldoze the road. Tourists come to visit Bishop Pompallier's remains.
- **2 Mums said to council**- sorry we can't wait another year for the roads to be fixed- our children and whānau matter.
- Neighbours from south Hokianga, Mitimiti Whangape & Pawarenga present to see the outcome.
- **North Hokianga Roding Komiti** - formed Mina Pomare and Graeme Morelle endorsed to convene members to work with council staff.

7 Mei	9-30 LTP verbal submissions - Kaikohe
8 Mei	2pm Councillors & Mayor catch up
9 Mei	Hui Kaunihera Mere Taylor Tuiloma exhibition- Te Pū o Te Wheke

10 Mei	Tangi- ki Oneriri- Bruce Gage hoa rangatira o Hira Gage. Airport working group draft letter to Crown. Travel to Raglan
13 Mei	3.30 pm - Hui with Ngāti Rēhia re establishing kura kaupapa Māori in Kerikeri

Te Hiku Community Board- Submissions on Rangitoto Pā

Rangitoto Pā- submissions to change site to a historic reserve- Hihī, Ngāti Ruaiti

Ian Palmer- Rangitoto Pā- ongoing degradation by rapidly spreading invasive vegetation.

- 2017 been involved with FNDC to address issues.
- 2020 engaged with Te Hiku Community Board- requested a reserve management plan-
- Aug 2023 , Council resolution 2023/98 -
 - a) begin public process to classify Rangitoto as a historic reserve S16 Reserve Act- ,
 - b) appoint Te Hiku CB to hear submissions and make recommendations to Council re reserve classification ;
 - c) staff develop a management plan under s41 reserves Act to eradicate invasive wattle trees & moth plants.
- Would like management plan to enable external funds to fight invasive weeds- in 6 years have dealt with Heritage, NRC, pest control-nothing has happened.
- Asked about returning Rangitoto Pā to local hapu as part of Treaty settlement - currently the pā is a big liability as it is and needs restorative work before return.

Charles Palmer- has begun collecting data on clearing invasive weeds

- showed photos of moth tree covering the 7m girth pohutukawa and wattle overtaken karaka tree.
- Growing native seedlings to replant on site-he presented a puriri tree to chairperson Adele Gardiner
- Recommends a coherent approach to restoring mauri of Rangitoto. Site needs protection, lack resources to keep up,

Reserves Officer- has followed processes to change to historic reserve

- Next part of process FNDC - request confirmation of historic reserve & back out for public consultation again
- One of two Cultural Impact Assessments are ready.

Post the hui Corrections Department- cannot use PD work gang on Council land. Have asked another work group if they could assist the Palmer brothers & Ngāti Ruaiti..

Te Ahu, Kaitaia

Long Term Plan submissions re: Mei 9am

- **Kaumātua - Crown Picking-** consideration to Māori values as in Te Whakaputanga , Te Tiriti and Tikanga Māori.
- **Rangitoto Reserve,** Ian Palmer, Council to provide resourcing in LTP for reserves to meet outstanding legal obligations to put in place Management Plans under S.41 of the Reserves Act 1977.
- **Des Mahoney-** high rates reduce the rates. Shouldnt pay for drainage and stormwater
- **Eric Wagener-** former Councillor, wants accountability for local projects.
- **Paula Mathews -** lack of maintenance, drains and dust on Pairatahi Rd and heavy traffic flow . There are 12 subdivisions- no more subdivisions be granted until the road is sealed.
- **Kaitaia Community Airport,** Shirley Williams, Russel Wagener, Peter Kitchen mā meet each Thursday . Would like to see secure and stable management of our local airport here in Kaitaia. Airport gateway for all services to the nation, region and our community. The runway was built with disasters in mind and is the only designated airport north of Whenuapai and Auckland that has the capabilities to cope and manage for the future security, safety for all

Māori Ward Councillor Report hhh 30.5.24



- If roads to the north are unstable or closed, this is our only way for primary produce, health, tourism, emergency services due to being built at the height it is.
- Working with CAA to upgrade our runway Good to see target funds in plan already for this.
- Employment, be more structured for community Infrastructure management - buildings, fuel tanks, roading, security of runway . Service management, working with airlines, tourism growth, health services, Govt Depts - varied to keep investing in our airport.
- As a group we offer skills in pilot, aviation management. Kaitaia runway historian, cultural representation, community facilitation
- **Kaitaia Business Association** , Andrea Panther urges to keep rates down- Kaitaia Business Improvement District (KBID) will be forced to close down as during the COVID-19 pandemic.
- SH1 Mangamuka has been closed for the majority of the last 4 years, diverting traffic via SH10 and effectively bypassing Kaitaia. SH1 Brynderwyns was also closed post-Cyclone Gabrielle in 2023 and again for 11 weeks in 2024.
- Infrastructure to be funded through cost-saving exercises and a focus on core services. The increase in targeted rates will lead to an increase in rents as landlords seek to recover those additional costs, possible closure of some businesses, more empty commercial buildings, and poor economic outcomes for our community. Negative impact on the well-being see page 7 of the LTP 2024/27 document:
- **Fiona King** Attention to stormwater & drainage issues. Awanui bridge area needs to be cleared annually- if Awanui floods, there is only one road north to Te Hāpua.
- **Kaitaia sewage ponds**- need to pump to separated land discharge to avoid overtopping in kai gardens.
- **Kaitaia floodgates** in need of repair . Awanui Flood Protection scheme is high risk. Does FNDC have insurance if assets fail? Awanui River Flood Protection Scheme has its own insurance.
- **Management plans for land drainage schemes** need to become a **permitted activity** not a controlled activity to avoid expensive resource consent process . 2019 bylaws to be implemented & warranted officer to enforce them.
- **Remove from budget** fluoridation, cycle roads, divest housing for the elderly , do not invest in community halls. Fix roads and do core services.
- **Rupene Karaka** , Kaumātua o Te Pātu , concerned about bulldozing developments on Kerekere Pā sacred site. Was owned by Beu before it belonged to Te Pātu - Pā site should be restored & no housing. All land titles in Far North of Mangamuka are null and void - Rupene pays his rates - to be eligible for a Kaumatua flat sponsored by Te Runanga a iwi o Ngāti Kahu on his land.
- **Te Hiku Community Board** , Rachel Baucke & Will Subritsky - there are small local issues that can be fixed fast in Te Hiku- if communities are given the resources to do so.
- Suggest that the 24/25 LTP is adopted but review projects and proposals annually .
- **Lack of general maintenance**: undriveable roads, blocked drains and culverts, overhanging vegetation and damaged footpaths.
- **Find efficiencies to fund council's core** services - roading, water, drainage, regulatory services and public facilities. Targeted rates should not exceed 10%. Do not support the increase in governance costs to 6c .
- **Less concern** about climate change, emission control, cultural enhancement and excessive future planning (all the future planning in the world did not predict the impact of the pandemic for example). Minimise climate change costs- It is not core business and not a district council requirement. Future planning to be kept to a minimum.
- **Request CEO** to report on efficiencies in operational costs
- **Overhaul The RFS system** for timely responses.

- **Kaitaia flooding major risk** , water needs to get to the Awanui River. Kaitaia budget required for regular maintenance of channels, culverts and floodgates, and regular monitoring. Every township is rated for urban stormwater.
- **Confirm Public liability insurance** to cover any potential damage to private property as was experienced in other parts of the country during cyclones in 2023.
- **Wastewater resource consents** There is nothing in the LTP for Kaitaia discharge to land. .
- **Note that Doubtless Bay** has an independent water provider.
- **The Board supports localism** as promoted by Cr Vujcich,
- **Doubtless Bay** Information Centre complements the services at Te Ahu. Doubtless Bay is a tourist destination and has 2nd greatest growth in the district after Kerikeri.
- **Mangonui Information Centre** prefers to retain voluntary status, & requests an annual grant.
- **Awanui** – tourists often turn north at Awanui. Some information services would lead visitors towards Kaitaia and Ahipara. Consider a small grant to support future information services at Awanui. Te Hiku is one of the fastest areas of development (Houhora and Doubtless Bay).
- **If the council decides on two multi-purpose centres** in the Bay of Islands, they should **not** be located in Kerikeri which is far from a tourist destination. The \$12 million allocation for Kaikohe multi-hub is noted, extra services in Doubtless Bay tagged for the future.
- **Te Hiku Sports Hub** prefers the **ward rate** option.
- **Land Drainage rates** for 2024/25 to remain as they are in the LTP but review rates in 12 months' time. The public good component of Kaitaia drainage should be 30% to provide equity in the cost of removing urban stormwater. If drains aren't maintained the water doesn't get out of town. Drainage differentials in the Waiharara/Kaikino and Motutangi schemes should be reviewed.
- **Review The UAGC** an unfair burden on farmers- due to changes in land uses, look at capital rating. Unusable land such as wetlands should not be rated.
- **Roading:** should come back in-house with local staff and practitioners, and a good monitoring regime. Include roadside drainage in all roading contracts.
- **THCB recommended savings of \$13mill**
- **Remove \$ 3 million 3 years funding** the Road to Zero -no longer a government priority.
- **Remove \$4 million for cycleway** and fund resource consent costs only at this stage.
- **No to collecting NRC rates:** The Board supports not collecting these.
- **Fluoridation: not core business** – delete the funding allocation of \$3 million.
- **Remove \$3million capital works Housing for the Elderly:** Support a partnership or divest to experienced external provider ie Far North Holdings Ltd . Do not mix housing for the vulnerable elderly & social housing- there are other social housing providers.
- **Divest Halls:** to the community and creating a contestable fund for repairs and maintenance. Look at the depreciation funds for halls and pensioner housing.
- **Sewerage:** Explain why the Hihi sewerage rate is to increase by - capex \$440k, opex by \$400k - \$880k+ in total when there is no programme for capital expenditure.
- **Paihia waterfront** should be funded from the ward rate or a targeted rate.
- **Review Funding Impact Statement** – Review the differential rates due to significant changes in land use.
- Proposed forecast reserve fund needs further explanation.
- **Retain Community Board** and the placemaking fund so that communities can make small improvements in their areas.
- **Taipa drainage**, stormwater and placemaking: honour a commitment to a schedule of works.
- **Te Oneroa a Tohe Beach Board- recognition of Te Ara Wairua**
- Lisa McNab presented 10 year work plan for statutory Beach Board with NRC and FNDC secretariat roles.. Many inter agency stakeholders involved to restore Te Oneroa a Tohe and to protect toheroa and kaimoana species.

Comments from other written submissions:

Māori Ward Councillor Report hhh 30.5.24



- **Rate hikes unreasonable** in a poor district, unaffordable 3 year plan. Push back at central government to reintroduce 3 waters so that the cost of infrastructure upgrades don't sit with the poorest communities. You are our elected representatives so represent our agenda .Find affordable solutions for all our communities - people are already living in poverty - unable to stay in their homes.
- **Milk Farmer-** reduce rates from 16% to 10%, roads are third world condition, roadside vegetation hasn't been cleared for months, roadside drains not cleared for years, blocked culverts, water flowing into my paddocks, numerous RFS- no results. Divest halls to communities.
- **BOI Watchdogs-** Kaitaia dogpound fence - review the cost to erect fence- unusually high & BOI provided a better estimate. Ensure that in the next LTP, the funding for a dog park in Kerikeri is returned.
- **Cost-free pet policy change** which would improve access to housing for over 50% of Northland's residents; stop banning and restricting responsible dog ownership across our region, through subdivision consent processes. Insert 'pet bonds' to encourage landlords to open their doors to pet owners

1.30 Workshop re Halls & Facilities



Long Term Plan Priorities Feedback from Māori Wards - Te Hiku Sept 2023

(civil defence support systems not included)

Ngāti Kuri 2 marae Te Reo Mihi & Waioara , 2 Kohanga Reo.

- **Te Hāpua-** upgrade boat access .
- **Ngātaki Marae & School** - reduce speed, provide pedestrian crossing, lighting & signage.

Te Aupouri - Pōtahi Marae, Waimirangi Kohanga Reo , Te Kao kura a Iwi.

- **Te Kao School & Marae** - reduce speed limit, provide pedestrian crossing, lighting & signs.
- **Te Kao papakainga housing:** infrastructure consents.
- **Te Kao Recycling-** Bigger bins, portaloo & water.

Ngai Takoto: 4 marae: Wharemaru, Te Pā o Parore , Waimanoni & Mahimaru. Rangaunu Kohanga

Reo, 1 Kura Kaupapa, 3 kura,

- **Kaitaia Airport** resolution in partnership with Patu Koraha, Ngai Tohianga & Te Pātu. **Joint Working Committee to address Crown return of land , lease & co-management.**
- **Wharemaru Marae-** resolve road erosion - road ownership before Māori Land Court.
- **Waihārara School** - lower speed limit.
- **Awanui-** Sweetwater Bore - completion of water supply to Kaitaia.
- Return of Council reserves to Iwi.
- **Remove barriers for rural** productive land. Change zoning classification for Treaty settlement whenua for development (echoed in verbal submission to Proposed District Plan by Te Runanga o Te Aupouri).
- Allocate reserve maintenance contracts in their rohe.
- Upgrade Kaitaia sewage plant to cater for population growth.

Te Rarawa - 23 marae, 4 Kohanga Reo, 3-4 ECE Reo Rua, 1 Kura Kaupapa, 3 Kura a Iwi, 7 Kura

- **Moringai / Moringaehe** Co management komiti - **in process**
- **Ahipara Takiwā-** upgrade WWTP and wetlands- stop discharge to Kārikura & Wairoa **in process**
- Poor drinking water quality - provision of water tanks- to rural marae & whānau **in process via Te Runanga o Te Rarawa**

- **Roadway slips** : Panguru, Motutū, Herekino Broadwood, Runaruna **in process**
- Whangape, Pawarenga,
- **Coastal erosion/ flooding** : Ahipara, Rangikohu , Owkata, Whangapē, Pawarenga, Mitimiti, Motutū, Motukaraka, clear culverts, divert water runoff & lift toads where needed.
- **Relocate Mitimiti Marae** - tidal threat
- Return public reserves to Hapu of Te Rarawa

Ngāti Kahu - 15 Marae, 2 Kohanga Reo, , 1 ECE Reo Māori, 10 kura, 1 Kura Kaupapa Māori

- Waitangi Tribunal 45- Muriwhenua hearings to be held- return all SOE lands, Crown forest, FNDC reserves & education lands.
- **Wastewater treatment plants , Taipā, Hīhī, Whatuwhiwhi** - stop pollution into rivers, harbour, - upgrade infrastructure and reclaim wetlands, prepare for population growth.
- Kaitiakitanga on Moana & dune sites.
- Stop granting easements & resource consents on wāhi tapu-direct all queries to ngā hapū o Ngāti Kahu and cc in Te Runanga-ā-Iwi o Ngāti Kahu.
- Parapara Hill road seal
- Wāhi tapu- don't grant resource consents, easements on wāhi tapu in Karikari Peninsula

Te Oneroa a Tohe Beach Board- statutory body-

- 10 year work plan for statutory Beach Board and half share top up request from NRC and FNDC.
- Work with multi stakeholders involved to restore the mauri of Te Oneroa a Tohe
- and to set tikanga to protect kaimoana species for future generations.

Te Hiku Social & Wellbeing Accord - aligns efforts of multi government agencies to fulfil whānau. social, employment and economic wellbeing.

- Council must not undermine Settlement legislation
- Invite CEO to hui once a month with Iwi CEs to avoid duplication
- Mayor Moko is invited to Iwi Chairs & Ministerial Meetings in the Social Accord
- Council commit to Governance model and joint work programme

Te Hiku Iwi Development - strengthen partnerships

- Council policies often dilute Iwi settlements - ie reclassifying settlement land which prevents Iwi housing; divesting elderly housing without consulting Iwi
- Build Iwi and hapu capabilities to respond to overwhelming submissions & lost opportunity to influence government policy & planning

Te Kahu o Taonui- modern day coalition of Iwi to leverage & safeguard the interests of and for all Tai Tokerau

- Have strategic & meaningful relationship with FNDC
- Update Te Mana Whakahaere a Rohe

Ngā Hauora Māori- improving the health system for easy , affordable access to personal and whānau centred health in Te Hiku

- support the capacity of Kaitiā Hospital and hauora / medical agencies in Te Hiku Whakawhiti Ora Pai, Whare Oranga, Te Hiku Hauora, Broadway Health , Imoko, dental care,
- Accommodation for doctors, dentists, nurses & other health professionals would be a plus;
- Use local government levers to support doctor/ nurses recruitment
- Support Kaitiā Airport , St Johns Ambulance, FENZ in emergency services (new)
- Support in civil defence situations.
- Rongoa Māori has a clinic at Kaitiā Hospital and is recognised as an ACC treatment.

Emergency Housing & increase in Kaumātua flats

- **Womens Refuge-** bring back Safer communities Patrols or Māori Wardens
- More street lighting other in main streets

Para Kore- Walk the talk, Plastic Free Te Hiku

- reduce emissions, collaborate not compete with waste contractors

Māori Ward Councillor Report hhh 30.5.24



- Commit to media & education strategies to reduce waste going into landfills, value of compost & ecosystems
- To align strategies with Kaitiakitanga & Tikanga Māori
- Incentivise waste reduction, refund bottle schemes, upcycling

Te Hiku Unsealed Marae Roads-

Ngāti Kahu :Kenana, Te Ahua, Kauhanga, Taemaro, Haititai Marangai,

Ngai Takoto : Wharemaru, Waimanoni,

Te Rarawa: Wainui, Rangikohu, King Hori, Te Kotahitanga, Taiao, Te Ohaki, Morehu, Ngāti Manawa, Waiparera, Motutū, Waihou, Mātihetihe

Ngā Kohanga Reo unsealed roadsRangaunu, Whangape, Pā Arapatea,

Hokianga – Kaikohe

Hokianga- Kaikohe Feedback re LTP Māori Ward Priorities Sept 2023

Roading-

- Fix : Cemetery Rd, Pakanae; Otātara, fix drainage & seal Omanaia Rd, keep safe for our kids, dusty roads. Finish Mangamuka Gorge 2024
- Remove overgrown trees that will cause hazards in storms

Flooding

- Fix properly ongoing flooding at Whakamaharatanga Marae, Waimamaku; access to Te Piiti Marae, Omanaia; clear fallen trees & branches in waterways at Awapokanui, Pakanae, Utakura, Horeke,
- Stormwater- Okaihau

Wai

- Ensure clean drinking water, water tanks in readiness for droughts & water shortages during summer months
- Clean waterways & tree planting along waterways. Remove fallen trees.
- Restore Lake Omāpere

Wastewater- discharging wai tutae in any waterway is unacceptable, disregards Tikanga & breaches human rights

- Oppose sewage disposal in awa, waterways and moana- Rawene, Omapere, Opononi, Kaikohe.
- Joint hapu/ community Council working groups to set tikanga for sewage, sludge, wetlands & monitoring; determine cost of wwtp upgrade
- Seek funding subsidy options- don't want to hear it's too expensive.
- Don't want other areas tiko dropped in Hokianga
- Find land disposal sites by 2025

Wharepaku

- Upgrade toilets in Mangamuka Centre- for travelers from Hokianga, Far North & south

Housing Shortage

- Streamline Council processes to simplify housing on Māori land and papakainga.
- Reduce rates on home lands that have nil or limited services
- Emergency housing for the homeless, transient whānau
- Wraparound support for addictions & ill health
- Need kaumātua kuia housing
- Accommodation for Hospital, hauora , teaching staff (Nov 23)

Rawene Campus - Te Puna o Kūpenuku

- Tertiary & trade training programmes for school leavers and adult learners
- Community enablement in forefront
- Longer lease to secure nursing programmes for Rawene Hospital, construction, Reo & Marae development courses
- External funding to assist with building upgrades & compliances

Te Runanga o Ngāpuhi

- 9 Takiwā
- Joint ventures with FNDC- WWTP, Kaikohe Library, Water Storage
- Update Te Mana Whakahaere a Rohe

Omapere Lake Trust

- Collaborative venture with NRC & FNDC

Ngāwhā Hub

- Tertiary & trade training programmes for school leavers

Kaikohe Township

- Whakapai

Hokianga/ Kaikohe Marae Unsealed Roads

Ngāpuhi, Te Arohanui, Ngai Tūpoto, Tauteihiihi, PāTeOro, Pikipāria, Mātai Aranui, Pakanae fooding repairs, Whakamaharatanga, Piki Te Aroha, Motukiore, Puketawa, Te Rangatahi, Mokonuiarangi, Kawiti, Mohinui, Kaikou, Motatau, Matawaia, Tauwhara, Otaatara, Moehau, Māhuri, Otaua, Kaingahoa, Ngaitawake.



Whaingaroa- Peowhairangi- Feedback re LTP Māori Ward Priorities, Sept 2023.

Roading Priorities

- **Wainui Rd** needs most attention, 2 major breaches where half of the concealed road has slipped- signage & cones. Kura & College bus use this road every day.
- **5 roads to be sealed** : Porters Access, Otangaroa Rd, Pupuke Rd, Weber, Waihapa Rd, Matangirau Old School Rd.
- Drop speed in front of Karangahape Marae, Urupā, Kohanga Reo and Kaumatua flats.
- Marae access a priority- our roads only get maintained when its forestry harvesting time.
- Rawhiti Rd, to be sealed for school bus (2022 deputation)
- Pedestrian areas around schools, mobility pathway for senior resident Kerikeri (2024)
- Completion of Kaeo Bridge - 👍

Wai inu

- New punawai site for Kaeo Township scoped but must be guided by tangata whenua.
- The current system feeds the public toilets, library, RSA, local gym & some residents. Water unsafe to drink- has to be boiled.

Wai tutae

- Whangaroa sewage systems spilling into our wai- high levels of E-coli data collected.
- Wai unswimmable. Need fencing, tanks, water line & natural filtration.

Housing shortage

- Need less red tape for alternative building techniques, ie sandbag, rammed earth, mudbrick
- Emergency housing, whānau returning home,
- Kaumatua housing, social housing, student housing- Whangaroa & hapu of Kerikeri Waipapa

Te Runanga o Whaingaroa



Māori Ward Councillor Report hhh 30.5.24

- Developers/applicants to engage directly with affected Iwi / Hapū BEFORE they submit their Resource Consent application to Council- *5 days notice for feedback after Council approval isn't good enough. 28.3.24*

Whangaroa Peowhairangi -Marae Unsealed roads

Wainui, Te Ngaere, Taupo, Patunga ,Te Huia, Tuhiwai, Tahawai, Waimahana, Tākou , Te Tii, Rāwhiti Marae repairs, Te Kainga Hoa repairs, Waikare, Waiomio Rd, Maromaku-Motatau

15 Mei	9-3pm Kaikohe -Pre LTP deliberations X Missed Ahipara Takiwā hui 4pm- travelling home
16 Mei	2pm - Proposed District Plan Hearings online- preparation
18 Mei	Whangape Marae hui
21 Mei	Te Koukou - received transport report 3-5pm Ngā Puawai o Te Oneroa a Tohe
22 Mei	10-2 Miromiro Hui - Online 2pm Mayors & Councillors catch up

23 Mei 9-4 Extraordinary Hui- Photo P De Graaf



RESOLUTION 2024/47 “That the Far North District Council:

- call for an immediate permanent humanitarian ceasefire in Gaza;
- call on the Prime Minister and Minister of Foreign Affairs to show their support and call for peace;
- call for immediate international aid to be allowed into Gaza;
- condemn all acts of violence and terror against civilians on both sides of the conflict;
- call for the immediate return of hostages. **CARRIED**

RESOLUTION 2024/48

“That the Far North District Council: support Local Government New Zealand’s joint letter to Central Government in opposition to proposed changes to Māori Ward and constituency poll provisions.” **CARRIED**

24 Mei	10 Te Oneroa a Tohe- (June 2024 Report)
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24 Mei 1pm Moringai/ Moringaehe [-Hui with representatives of Ngā Hapu o Ahipara](#) re a co management group of Moringaehe yet to become a historic reserve.

2002, Te Runanga o Te Rarawa, kaumātua kuia and local opposed the subdivision of 23 blocks
2008 the Environment Court overturned one of two local reserves to general title for a developer.
2022 Ngā Hapu o Ahipara lawyers Tamaki Legal sought the return of Moringaehe whenua as a reserve and the Pohutukawa tree to be included on the Notable Tree List.




Kahika Moko paid tribute to Te Runanga o Te Rarawa, Ngā Hapu o Ahipara and Dr Cecil Williams. The hui was attended by MP Tai Tokerau Mariameno Kapa-Kingi and her husband Korotangi.


27-29 Mei	Hearings for the Proposed District Plan Chapters -Strategic Direction & Tangata Whenua Attended Pōhiri 27th- Commissioner Steve McNally filled in for me(I took sick leave 27th)
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Māori Ward Councillor Report hhh 30.5.24

29 Mei	4pm- Ahipara Takiwā- followup on Wastewater treatment plant. 10 year project to improve sewage systems for a growing population. Engineer Troy Brockbank project lead for wetlands -
29 Mei	<p>6.30 pm - Kauri Dam - Ngākahu, Ngākohu Ahuwhenua Trust- Project Manager Des Mahoney has provided 16 progress reports for the Decommissioning of Kauri Dam for the month of May.</p> <ul style="list-style-type: none"> Final stage of the dam decommission postponed due to wet weather and delays beyond their control. Dam requires further heavy machinery clearance, monitoring of the site, restoration of the wetland and a bit of aroha towards long awaited kaumātua and kuia housing.  <p>7.15- 8.30 Hui Maruata - monthly catch up with Māori Local Government Councillors</p>
30 Mei	<p>Hikoi - Activation Day- 2000 in Kaitaia show annoyance at Coalition Government's general anti- Māori stances & undermining of ngā take Māori ie</p> <ul style="list-style-type: none"> cancellation of Māori Health Authorities, removal of Tiriti section in Oranga Tamariki bill, cutbacks on children's school lunches , UTurn Māori wards, Removal of first home buyer grants.... 2000 public servants jobs cut across 19 departments 146 on emergency Kainga Ora list in Kaitaia 2300 not on medical register in Far North- lack of health services
Other Significant Projects & Wish Lists	
2024	<p>Lake Ngātu to be added as an alcohol free zone - Far North Waka ama clubs are hōha with some members of the public who are leaving broken bottles and cans behind. Several children have been cut and taken to hospital. Neighbours also hōha with hooning around- wheelies on the grounds.</p>
2028	<p>Politically incorporate He Whakaputanga and Te Tiriti into the Constitution of Aotearoa by 2028 as per Matike Mai Report led by Moana Jackson, Makere Mutu and rangatahi. Otherwise Māori will always be subject to government changes.</p>

<p>ROADING</p>	<p>ROADING Procurement of local contractors for roading repairs & tree risks The Far North district has a total 2510km network of roads, 1614 km of which is unsealed.</p>	<p>5,000 potholes repaired. Clearing drainage, culverts, fixing potholes in unsealed roads- locals would like to assist. 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, Parapara Rd, Rawhiti Rd slips, Matawaia, Maromaku</p> <ul style="list-style-type: none"> • Hokianga marae ongoing flooding- Pakanae urupā; Te Piiti Marae, Omanaia; Waimamaku Marae. • 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 • Waitangi Bridge • Marae & Kohanga Reo Roding included above
	<p>Whakanuia</p>	<ul style="list-style-type: none"> • Te Runanga o Whaingaroa-Kaeo bridge artwork • Tia Ashby mā, Te Hauora o Ngāpuhi housing • Te Papa Hawaiki - opening in Kaikohe. • Kahika Moko - Masters degree 1st class honours in Māori Education. • Dame Naida Glavish Lifetime Achievement for Te Reo Māori • Pera Paniora- Kiwibank NZ Community of the Year Award • Ngā Ropū Kapa Haka o Tai Tokerau e haere ana ki Te • Matatini : Muriwhenua, Hātea, Te Uri o Manumanu me Pūao

Kaupapa Hāpori	Nā koutou i tangi, nā tātou i tangi
<p>Kua wheturangitia <i>Nā koutou i tangi, nā mātou i tangi</i></p> 	<ul style="list-style-type: none"> • Bruce Gage, te whaiaipō o Hira Gage, i te Marae o Te pounga i Oneriri, i Te Kaipara. • Jim Pomare, hoa rangatira o Dianne Pomare, te Pāpa ki ngā mareikura rongonui o Te Ao Māori, i takoto a ia i te Marae o Pā Te Aroha i Whirinaki. • Pita Davis, he toa nō Raukawa, te Pāpā o Ariana, Heremia, Leticia, Tikiahi mā, i hoki ki te kōpu o te whenua i Waipapakauri. • Crystal Howearth, he tamahine a Barry rāua ko Jo Howearth. • Rob Kākā, he kaumātua nō Te Aupouri , hoa rangatira o Didi. • Joe Tini, he kaiako rongonui o Kaitaia College, i noho ki te Marae o Roma, mō ngā pō, engari kua hoki atu a ia ki te marae o Turangawaewae i te rohe o Tainui. • Theodora Harawira, te kōtiro a Teina rāua ko Maki Harawira, i nehu i Te Kao. • Hinerangi Puru- te tamahine a Kahurangi Whina , tuahine ki a Joe Cooper- kua rere atu a ia ki tana ipo a Moka .





Member Report

Name: Cr Rākena**Ward: Ngā Tai o Tokerau****Date: 9 May – 6 June 2024****Meetings Attended**

Date	Meeting Topic
11/5/24	Nā Wai i Teka Filming – Nā Wai I Teka is a full immersion online show that brings together several experts in te reo Māori, who sit to discuss important topics affecting te iwi Māori
14/5/24	Toitū Te Reo online wānanga
15/5/24	LTP Deliberations Workshop
20/5/24	Comms and engagement monthly hui
21/5/24	Te Koukou Transport Committee Meeting
21/5/24	Regional Speed Management Plan Update Discussions
22/5/24	Te Miromiro Assurance, Risk and Finance Committee Meeting
22/5/24	Te Miromiro Workshop
23/5/24	Extraordinary Meeting
24/5/24	Hui with Ngā Hapū o Te Ahiparapara – Moringaehe
27/5/24	Interview Te Ao with Moana
30/5/24	Te Huia Executive Review Committee Meeting
4/6/24	Māori Wards Submission Hearings
5/6/24	Kaitāia Town Square Opening
5/6/24	Te Hiku Sports Hub Opening
5/6/24	Mayor and Councillors catch up
6/6/24	Extraordinary Council Hui – LTP Deliberations



Member Report

Name: John Vujcich**Ward: Far North District Council****Date: 04/06/24****Meetings Attended**

Date	Meeting Topic	Comment
04/05/24	Meet Guy and Jimmy re sewerage treatment potential option	Looking for cost saving innovation.
04/05/24	Finding of the District Housing and Business Development Capacity Assessment	Interesting presentation showed there is an increasing demand for Far North housing that will need addressing, plus housing affordability
30/05/24	Met Murray Bain	
30/05/24	Te Huia Executive Review Meeting	
30/05/24	Business Call Meeting	
27/05/24	Private meeting re SIP panel construction	
23/05/24	Extraordinary Council Meeting	Council Chambers
22/05/24	Te Miromiro Workshop Top 10 Risks	Council Chambers
22/05/24	Te Miromiro Assurance, Risk and Finance Committee meeting	Council Chambers
21/05/24	Graeme McGlin – FNDC Catchup	Kerikeri
21/05/24	Regional Speed Management Plan Update	Kaikohe Chambers
21/05/24	Te Kouhou Transport Committee Meeting	Council Chambers
20/05/24	Comms and Engagement portfolio Meeting	Online Teams Meeting
17/05/24	Community Board Meeting	Council Chambers
16/05/24	Meet Paul Linton	Innovation Park
15/05/24	LTP Pre-deliberations Workshop	Council Chambers





Member Report



09/05/24	Council Meeting	Online again due to +ve Covid test
08/05/24	Fornightly Mayor catchup	Online
07/05/24	Te Koukou Transport Meeting	Online Meeting
07/05/24	Cycle Trail Meeting	Online Meeting
03/05/24	LTP Verbal Submissions	Council Chambers
02/05/24	Te Huia Executive Review Meeting	Council Chambers
01/05/24	Meeting at Kauri Dam	Amazing progress in decommissioning the Dam. Thousands of cubic metres moved in such a short time by the Trust. See commentary below and some pictures.
01/05/24	LTP Verbal Submissions Kaitaia	Te Ahu Centre
29/04/24	LTP Verbal Submissions Kaikohe	Kaikohe Chambers
30/04/24	Dinner Mayor, Deputy Mayor, FNHL with Mr Guo	
29/04/24	FNDC/FNHL Meeting	
27/04/24	Lindvart Park Multisports Complex Opening	See Community Matters Below

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
Kauri Dam Decommissioning	<p>It's impressive how quickly the Ngakahu/Ngakohu Whanau Ahuwhenua Trust has decommissioned the Dam. Beginning with safely removing the Dam water through controlled stages into a specially constructed sediment trap. Then the removing of approximately 20,000 cubic metres of the dam wall in about 6 weeks. Then contouring the land and creating a new rock armoured river bed. The above picture is looking towards where the dam wall stood. The pole on the left indicated the water height: just below the top of the pole was the water height in the dam when full. The picture below shows the new stream under construction with the rock armoured bed. It will help prevent soil erosion as well as providing a good habitat for aquatic life.</p>  
Lindvart Park Multisports Complex Opening	<p>It was a great delight to be part of the recent opening of Papa Hawaiki, the Multisport Complex at Lindvart Park, Kaikohe. The vision for this project goes back over a decade, with many dedicated people over the years working towards its fulfilment.</p> <p>The opening started at 5am with a Karakia followed by a walk around and through the building. We paused at different stages such as at carved pou. We then assembled in the front of the building to hear various speakers.</p>

Member Report

	<p>The master carver, Bernard, impressed us with the meaning of the larger than life carved traditional weapons placed at the main entrance. What really impressed me though was the Mayor inviting the daughter of Cheryl Smith, our famous two times Black Fern champion, to cut the ribbon with Hon Shane Jones and him. She was there as a four year old when Shane announced the funding.</p> 
<p>Aurora Australis Kaikohe</p>	<p>A major Coronal Mass Ejection occurred recently causing amazing displays of the Aurora right throughout New Zealand. This picture was taken with my cell phone on May the 11th around 9pm in Kaikohe. Coastal areas in Northland had even more impressive views. To be seen so far North is very rare.</p> 

7.2 COMMUNITY BOARD MINUTES - MAY 2024

File Number: A4706037

Author: Fleur Beresford, Democracy Advisor

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

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 Te Hiku, Kaikohe-Hokianga, and Bay of Islands-Whangaroa Community Board May 2024 meetings are attached for Council information.

TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- 14 May 2024 Te Hiku Community Board;
- 16 May 2024 Bay of Islands-Whangaroa Community Board; and
- 17 May 2024 Kaikohe-Hokianga 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.

ĀPITIHINGA / ATTACHMENTS

1. 2024-05-14 Te Hiku Community Board Minutes - A4704548 [↓](#) 
2. 2024-05-16 Bay of Islands-Whangaroa Community Board Minutes - A4697991 [↓](#) 
3. 2024-05-17 Kaikohe-Hokianga Community Board Minutes - A4705868 [↓](#) 

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

14 May 2024

**MINUTES OF TE HIKU COMMUNITY BOARD MEETING
HELD AT THE CONFERENCE ROOM - TE AHU,
CNR STATE HIGHWAY 1 AND MATHEWS AVENUE, KAITAIA
ON TUESDAY 14 MAY 2024 AT 10:02AM**

PRESENT: Chairperson Adele Gardner, Deputy Chairperson John Stewart, Councillor Felicity Foy, Member Darren Axe, Member Sheryl Bainbridge, Member William (Bill) Subritzky, Member Rachel Baucke.

IN ATTENDANCE: Cr Hilda Halkyard-Harawira

STAFF PRESENT: Robin Rawson (Parks and Reserves Planner), Trinity Lane (Finance & Customer Service Administrator - NTA), Beverly Mitchell (Community Board Coordinator – Stakeholder Relationships), Kathryn Trewin (Funding Advisor - Stakeholder Relationships), Marysa Maheno (Democracy Advisor – Democracy Services), Fleur Beresford (Democracy Advisor – Democracy Services).

STAFF (VIRTUAL): Michelle Rockell (Team Leader – Property Management),

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10.09 am Chairperson Adele Gardner commenced the meeting and Member Rachel Baucke opened with a karakia.

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

CONFLICTS OF INTEREST

RESOLUTION 2024/1

Moved: Chairperson Adele Gardner

Seconded: Member William (Bill) Subritzky

That the following conflicts of interest and abstention from voting be noted:

- a) **Member Sheryl Bainbridge declared a conflict of interest in regard to item 7.5 – Rangitoto Reserve – Reserves Act Classification Recommendation; and**
- b) **Member John Stewart declared a conflict of interest in regard to item 7.2 – Funding Application - Ahipara Aroha.**

CARRIED

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Waikarere Gregory acknowledged the great work on the Te Hiku Footpath/Boardwalk and ongoing work on plantings for both visual enhancement and to provide kai.

4 NGĀ TONO KŌRERO / DEPUTATIONS

- Eric Wagener representing Houhora Ratepayers Association.
- Vicki Stevens representing Lake Ohia Hall.

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

14 May 2024

DOCUMENTS TABLED AT MEETING

Attachments tabled at meeting

- 1 Eric Wagener - Letter to Mayor and Councillors dated 12 March 2024
- 2 Eric Wagener – Notes for Te Hiku Community Board dated May 2024

5 NGĀ KAIKŌRERO / SPEAKERS

- Lesley Wallace representing Ahipara Aroha Incorporated, item 7.2 Funding Applications refers.
- Lesley Wallace representing Te Rarawa Rugby Club, item 7.2 Funding Applications refers.
- Adriana Cotogni & Katrina Harman (on behalf of Donna Badorek) representing Donna Doolittle Animal Rescue, item 7.2 Funding Applications refers.

7.4 ROAD RE-NAMING: 721- 745 RANGIPUTA ROAD, KARIKARI PENINSULA

Agenda item 7.4 document number A4682106, pages 50 - 54 refer.

RESOLUTION 2024/2

Moved: Chairperson Adele Gardner
Seconded: Member Rachel Baucke

That Te Hiku Community Board, pursuant to Council's Naming Policy, re-name 721- 745 Rangiputa Road, Kohanga Place.

CARRIED

7.5 RANGITOTO RESERVE - RESERVES ACT CLASSIFICATION RECOMMENDATION

Agenda item 7.5 document number A4654489, pages 55 - 60 refer.

RESOLUTION 2024/3

Moved: Member William (Bill) Subritzky
Seconded: Member Darren Axe

That Te Hiku Community Board:

- a) **receive the report Rangitoto Reserve – Reserves Act Classification Recommendation; and**
- b) **recommend that Council classify Rangitoto Reserve as a Historic Reserve per the Reserves Act 1977, further to a hearing held in accordance with Section 120 of the Act.**

Abstained: Member Sheryl Bainbridge

CARRIED

NOTED: The Board wishes to receive costings for vegetation removal – Victoria Neki – Team Leader – Technical Operations.

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

14 May 2024

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

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4666753, pages 8 - 14 refer.

RESOLUTION 2024/4

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board confirm the minutes of the meeting held 16 April 2024 to be a true and correct record.

CARRIED

7 NGĀ PŪRONGO / REPORTS

7.1 TE HIKU STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MARCH 2024

Agenda item 7.1 document number A4675124, pages 15 – 21 refer.

RESOLUTION 2024/5

Moved: Deputy Chairperson John Stewart

Seconded: Member William (Bill) Subritzky

That the Te Hiku Community Board receive the report Te Hiku Statement of Community Board Fund Account as at 31 March 2024.

CARRIED

7.2 a) FUNDING APPLICATIONS

Agenda item 7.2 document number A4675575, pages 22 - 45 refer.

RESOLUTION 2024/6

Moved: Member Rachel Baucke

Seconded: Member Darren Axe

That Te Hiku Community Board approve the sum of \$8,117.00 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Ahipara Aroha Inc for a series of community events for Matariki 2024.

Abstained: Member John Stewart

CARRIED

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

14 May 2024

7.2 b) FUNDING APPLICATIONS

Agenda item 7.2 document number A4675575, pages 22 - 45 refer.

RESOLUTION 2024/7

Moved: Member Sheryl Bainbridge

Seconded: Member Rachel Baucke

That Te Hiku Community Board approve the sum of \$6,638.00 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Donna Doolittle Animal Rescue for vaccinations, flea and worm treatments for cats and dogs from Te Hiku Ward subject to the Project Report being received prior to funding being released.

CARRIED**7.2 c) FUNDING APPLICATIONS**

Agenda item 7.2 document number A4675575, pages 22 - 45 refer.

RESOLUTION 2024/8

Moved: Member Sheryl Bainbridge

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board leave the application from Te Rarawa Rugby Club for fencing and drainage be left to **lie on the table while further information is sought.**

CARRIED**7.3 PROJECT FUNDING REPORTS**

Agenda item 7.3 document number A4675411, pages 46 - 49 refer.

RESOLUTION 2024/9

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board note project report received from Graeme Dingle Foundation.

CARRIED**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****8.1 TE HIKU COMMUNITY HALL ANNUAL INFORMATION 2022-2023**

Agenda item 8.1 document number A4662254, pages 62 - 86 refer.

RESOLUTION 2024/10

Moved: Chairperson Adele Gardner

Seconded: Member Rachel Baucke

That the Te Hiku Community Board receive the report Te Hiku Community Hall Annual Information 2022-2023.

CARRIED

8.2 TE HIKU COMMUNITY BOARD MAY 2024 OPEN RESOLUTION REPORT

Agenda item 8.2 document number A4667351, pages 87 - 91 refer.

RESOLUTION 2024/11

Moved: Member William (Bill) Subritzky

Seconded: Member Darren Axe

That Te Hiku Community Board receive the report Te Hiku Community Board May 2024 Open Resolution Report.

CARRIED

NOTED:

1. The Board wishes to receive a "Schedule: Renewal of Assets" each year – Cushla Jordan – NTA Asset Management.
2. The Board wishes to receive an update regarding "SH1 @ Gill, Awanui" – Elizabeth Stacey – NTA Road Safety and Traffic Engineer.

8.3 CHAIRPERSON AND MEMBERS REPORTS

Agenda item 8.3 document number A4680337, pages 92 - 98 refer.

RESOLUTION 2024/12

Moved: Member Darren Axe

Seconded: Deputy Chairperson John Stewart

That Te Hiku Community Board note the April 2024 member reports from Chairperson Adele Gardner and Members Darren Axe, Rachel Baucke, and John Stewart.

CARRIED

TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2024/13

Moved: Chairperson Adele Gardner

Seconded: Member Sheryl Bainbridge

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
9.1 - Confirmation of Public Excluded Previous Minutes	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority s7(2)(h) - the withholding of the	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

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

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	information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	exist under section 6 or section 7
9.2 - New lease request over part 6 South Road, Kaitaia - Far North Community Foodbank Trust	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

CARRIED

At 12.37pm the meeting moved into Public Excluded.

At 12.45pm the meeting moved back into Public.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12.46pm with a karakia from Cr Hilda Halkyard-Harawira.

The minutes of this meeting will be confirmed at the Te Hiku Community Board Meeting held on 18 June 2024.

.....
CHAIRPERSON

**MINUTES OF
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING
HELD AT THE TURNER CENTRE, KERIKERI
ON THURSDAY 16 MAY 2024 AT 10.00AM**

PRESENT: Member Belinda Ward, Member Lane Ayr, Councillor Ann Court, Member Bruce Mills, Member Tyler Bamber, Member Jane Hindle.

IN ATTENDANCE:

STAFF PRESENT: Kim Hammond (Community Board Co-ordinator – Stakeholder Relationships), Kathryn Trewin (Funding Advisor – Stakeholder Relationships), Nicola Griffin (Senior Communications and Engagement Advisor), Michelle Rockell (Team Leader – Property Management), Imrie Dunn (Democracy Advisor – Democracy Services), Fleur Beresford (Democracy Advisor - Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10.09am Tyler Bamber commenced the meeting with a Karakia.

A minutes silence was observed for Tim Sticke Grant who tragically died in Kororāreka yesterday 15th May 2024.

2 APOLOGIES AND CONFLICT OF INTEREST

RESOLUTION 2024/35

Moved: Member Belinda Ward

Seconded: Member Tyler Bamber

That Bay of Island-Whangaroa:

- a) **note the apologies received from Members Roddy Hapati-Pihema and Amy Slack be accepted and leave of absence granted; and**
- b) **note the conflict of interest in relation to Item 7.2 – Funding Application for Brew of Islands by Member Tyler Bamber be noted.**

CARRIED

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

Nil

4 NGĀ TONO KŌRERO / DEPUTATIONS

Mrs Odelle Davies Manager of the Kawakawa RSA in relation to a request for an additional flagpole at the RSA.

5 NGĀ KAIKŌRERO / SPEAKERS

- Waireti Paora representing the Ngati Rahiri Māori Komiti in relation to funding application for Wananga Matariki 2024.
- Sarah Burren (virtually) representing Living Theatre Charitable Trust in relation to funding application for Bad Jelly the Witch.

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed** 16 May 2024

- Gerry Paul representing the Turner Centre in relation to funding application for Brew of Islands 2024.

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

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4646740, pages 8 - 28 refer.

RESOLUTION 2024/36

Moved: Member Belinda Ward

Seconded: Member Lane Ayr

That Bay of Islands-Whangaroa Community Board confirm the Minutes of the meeting held on 18 April 2024 are a true and correct record.

CARRIED

7 NGĀ PŪRONGO / REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORT

Agenda item 7.1 document number A4681087, pages 29 - 36 refer.

RESOLUTION 2024/37

Moved: Member Bruce Mills

Seconded: Member Tyler Bamber

That Bay of Islands-Whangaroa Community Board note the reports from Chairperson Belinda Ward and Member Jane Hindle.

CARRIED

7.2 a) FUNDING APPLICATIONS

Agenda item 7.2 document number A4681534, pages 37 - 73 refer.

RESOLUTION 2024/38

Moved: Member Bruce Mills

Seconded: Member Lane Ayr

That Bay of Islands-Whangaroa Community Board:

- approve the sum of \$3,000.00 (plus GST if applicable) be paid from the Boards Community Fund account to Living Theatre Charitable Trust towards the costs for Bad Jelly the Witch;**
- and that \$1,500.00 of that sum be allocated towards costs of production and the remaining \$1,500.00 be allocated towards tickets to ensure children who may not otherwise have access to these tickets be given the opportunity to attend.**

Abstained: Councillor Ann Court

CARRIED

7.2 b) FUNDING APPLICATIONS

Agenda item 7.2 document number A4681534, pages 37 - 73 refer.

RESOLUTION 2024/39

Moved: Member Belinda Ward

Seconded: Member Lane Ayr

That Bay of Islands-Whangaroa Community Board approve the sum of \$3,500.00 (plus GST if applicable) be paid from the Boards Community Fund account to Turner Centre towards the costs for Brew of Islands 2024.

Abstained: Councillor Ann Court and Member Tyler Bamber

CARRIED

7.2 c) FUNDING APPLICATIONS

Agenda item 7.2 document number A4681534, pages 37 - 73 refer.

RECOMMENDATION

Moved: Member Belinda Ward

Seconded: Member Jane Hindle

That Bay of Islands-Whangaroa Community Board approve the sum of \$2,266.00 (plus GST if applicable) be paid from the Boards Community Fund account to Ngati Rahiri Māori Komiti towards the costs of Wananga Matariki 2024.

Abstained: Cr Ann Court

LOST

7.2 d) FUNDING APPLICATIONS

Agenda item 7.2 document number A4681534, pages 37 - 73 refer.

RECOMMENDATION

Moved: Member Lane Ayr

Seconded: Member Tyler Bamber

That Bay of Islands-Whangaroa Community Board approve the sum of \$2,000.00 (plus GST if applicable) be paid from the Boards Community Fund account to From Script to Screen towards film-making workshops.

Abstained: Cr Ann Court

LOST

The meeting adjourned at 11.39am.

The meeting reconvened at 12.12pm.

Bay of Islands-Whangaroa Community Board Meeting Minutes **Unconfirmed**

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7.3 PROJECT FUNDING REPORTS

Agenda item 7.3 document number A4681387, pages 74 - 81 refer,

RESOLUTION 2024/40Moved: Member Lane Ayr
Seconded: Member Bruce Mills**That Bay of Islands-Whangaroa Community Board note the project reports received from:**

1. **Busy Bees**
2. **Kerikeri Vertjam 2024**

CARRIED**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****8.1 BAY OF ISLANDS - WHANGAROA COMMUNITY HALL ANNUAL INFORMATION 2022-2023**

Agenda item 8.1 document number A4662183, pages 82 - 148 refer.

RESOLUTION 2024/41Moved: Member Belinda Ward
Seconded: Member Jane Hindle**That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands - Whangaroa Community Hall Annual Information 2022-2023.****CARRIED**

Member Jane Hindle left the meeting at 12.49pm.

8.2 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MAY OPEN RESOLUTION REPORT

Agenda item 8.2 document number A4687039, pages 149 - 150 refer.

RESOLUTION 2024/42Moved: Member Jane Hindle
Seconded: Member Bruce Mills**That Bay of Islands-Whangaroa Community Board receive the Bay of Islands-Whangaroa Community Board May Open Resolution Report.**Absent from the room during voting: Member Jane Hindle**CARRIED**

Member Jane Hindle returned to the meeting at 12.51pm.

8.3 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MARCH 2024

Agenda item 8.3 document number A4675097, pages 151 - 157 refer.

RESOLUTION 2024/43

Moved: Member Belinda Ward

Seconded: Member Bruce Mills

That the Bay of Islands-Whangaroa Community Board receive the report entitled “Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 31 March 2024”.

CARRIED

9 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2024/44**

Moved: Member Belinda Ward

Seconded: Member Lane Ayr

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
9.1 - New lease request over 195 Puketona Road, Paihia - Job Complete Limited	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

CARRIED

At 12.56pm the meeting moved into Public Excluded.

At 1.26pm the meeting returned to Public.

10 TE KAPINGA HUI / MEETING CLOSE

At 1.26pm Member Jane Hindle concluded the meeting with a Karakia.

The meeting closed at 1.27pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 20 June 2024.

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CHAIRPERSON

Kaikohe-Hokianga Community Board Meeting Minutes- **Unconfirmed**

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**MINUTES OF
KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON FRIDAY, 17 MAY 2024 AT 10:01AM**

PRESENT: Chairperson Chicky Rudkin, Councillor John Vujcich, Member Mike Edmonds, Member Trinity Edwards, Member Harmonie Gundry (virtual), Member Jessie McVeagh,

STAFF PRESENT: Trinity Lane (Finance and Customer Services Administration), Peggy Veen (Principal Advisor – Strategic Relationships), Kathryn Trewin (Funding Advisor- Strategic Relationships), Melissa Wood (Community Board Coordinator - Strategic Relationships), Casey Gannon (Manager – Democracy Services), Fleur Beresford (Democracy Advisor - Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10:01am Chairperson Chicky Rudkin opened the meeting with a karakia.

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

Apologies noted from Deputy Chairperson Tanya Filia and Member Harmonie Gundry who is attending virtually.

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Wally Hicks spoke in support of item 7.1 Kaikohe-Hokianga Community Board Speed Limits Kohukohu
- Linda Bracken with an update from the Kaikohe Business Association

4 NGĀ TONO KŌRERO / DEPUTATIONS

Nil

5 NGĀ KAIKŌRERO / SPEAKERS

- Lee Howard-Mizsey representing Ngā Mahi Toi o Hōreke item 7.2 pg. 40 refers.
- Max Cochrane representing Piriwiritua Ratana Brass Band item 7.2 pg. 50 refers.
- Waireti Paora representing Ngāti Rahiri Māori Komiti item 7.2 pg. 25 refers.

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

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4536088, pages 8 - 14 refers

RESOLUTION 2024/39

Moved: Chairperson Chicky Rudkin

Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board confirms the minutes of the meeting held 19

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April 2024 as a true and correct record.**CARRIED****7 NGĀ PŪRONGO / REPORTS****7.1 KAIKOHE-HOKIANGA COMMUNITY BOARD - SPEED LIMITS KOHUKOHU**

Agenda item 7.1 document number A4683071, pages 15 - 20 refers

RESOLUTION 2024/40

Moved: Member Mike Edmonds

Seconded: Chairperson Chicky Rudkin

That the Kaikohe-Hokianga Community Board:

- a) receive the report Kaikohe-Hokianga Community Board Speed Limits Kohukohu report; and**
- b) recommend to Council that staff commence consultation on an amendment to the North Hokianga Interim Speed Management Plan for Kohukohu Road.**

CARRIED**7.2 a) FUNDING APPLICATIONS**

Agenda item 7.2 document number A4682102, pages 21 - 55 refers

RESOLUTION 2024/41

Moved: Chairperson Chicky Rudkin

Seconded: Member Mike Edmonds

That Kaikohe-Hokianga Community Board approve the sum of \$0 (plus GST if applicable) be paid from the Boards Community Grant Fund account to Ngati Rahiri Māori Komiti Trust for the costs of wananga Matariki.**CARRIED****7.2 b) FUNDING APPLICATIONS**

Agenda item 7.2 document number A4682102, pages 21 - 55 refers

RESOLUTION 2024/42

Moved: Chairperson Chicky Rudkin

Seconded: Cr John Vujcich

That Kaikohe-Hokianga Community Board approve the sum of \$2,000.00 (plus GST if applicable) be paid from the Boards Community Grant Fund account to Ngā Mahi Toi o Hōreke for the costs of wananga and events for Matariki 2024.**CARRIED**

7.2 c) FUNDING APPLICATIONS

Agenda item 7.2 document number A4682102, pages 21 - 55 refers

RESOLUTION 2024/43

Moved: Member Jessie McVeagh
Seconded: Chairperson Chicky Rudkin

That Kaikohe-Hokianga Community Board LEAVE TO LIE the application to approve the sum of \$xxx (plus GST if applicable) be paid from the Boards Community Grant Fund account to Piriwiritua Ratana Brass Band for the costs towards the 90th anniversary celebrations of the foundation of the band

CARRIED**7.3 PROJECT FUNDING REPORTS**

Agenda item 7.3 document number A4681594, pages 56 - 66 refers

RESOLUTION 2024/44

Moved: Member Mike Edmonds
Seconded: Cr John Vujcich

That the Kaikohe-Hokianga Community Board note the project reports received from:

- a) Kaikohe Polo Cross**
- b) Man vs Wild**

CARRIED**7.4 CHAIRPERSON AND MEMBERS REPORTS**

Agenda item 7.4 document number A4536031, pages 67 - 73 refers

RESOLUTION 2024/45

Moved: Chairperson Chicky Rudkin
Seconded: Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board note the April-May 2024 member reports from Chairperson Chicky Rudkin and Deputy Chair Tanya Filia.

CARRIED**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS****8.1 KAIKOHE-HOKIANGA COMMUNITY HALL ANNUAL INFORMATION 2022-2023**

Agenda item 8.1 document number A4662359, pages 74 - 153 Refers

RESOLUTION 2024/46

Moved: Chairperson Chicky Rudkin
Seconded: Cr John Vujcich

MOTION:

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Moved: Chairperson Chicky Rudkin**Seconded:** Cr John Vujcich

That the Kaikohe-Hokianga Community Board receive the report Kaikohe - Hokianga Community Hall Annual Information 2022-2023.

AMENDMENT**Moved:** Member Mike Edmonds**Seconded:** Cr John Vujcich

That the Kaikohe-Hokianga Community Board;

- a) receive the report Kaikohe-Hokianga Community Hall Annual Information 2022-2023; and
- b) that the report that was promised to the Board by the end of 2023 be given to the Board.

CARRIED

The amendment became the substantive motion

RESOLUTION 2024/47**Moved:** Chairperson Chicky Rudkin**Seconded:** Cr John Vujcich

That the Kaikohe-Hokianga Community Board;

- a) receive the report Kaikohe-Hokianga Community Hall Annual Information 2022-2023; and**
- b) that the report that was promised to the Board by the end of 2023 be given to the Board.**

CARRIED**Attachments tabled at meeting**

- 1 Kohukohu Hall

8.2 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MARCH 2024

Agenda item 8.2 document number A4675170, pages 154 - 159 refers

RESOLUTION 2024/48**Moved:** Chairperson Chicky Rudkin**Seconded:** Member Jessie McVeagh

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 31 March 2024

CARRIED**8.3 KAIKOHE-HOKIANGA COMMUNITY BOARD MAY OPEN RESOLUTION REPORT**

Agenda item 8.3 document number A4536143, pages 160 - 162 refers

RESOLUTION 2024/49**Moved:** Member Mike Edmonds**Seconded:** Chairperson Chicky Rudkin

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Kaikohe-Hokianga Community Board Meeting Minutes- **Unconfirmed**

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That the Kaikohe-Hokianga Community Board receive the report Kaikohe-Hokianga Community Board May Open Resolution Report.

CARRIED

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 11:29am.

The minutes of this meeting will be confirmed at the Kaikohe-Hokianga Community Board Meeting held on 21 June 2024.

.....
CHAIRPERSON

7.3 FAR NORTH DISTRICT COUNCIL SUBMISSIONS ON THE FAST TRACK APPROVALS BILL & LOCAL GOVERNMENT (ELECTORAL LEGISLATION AND MĀORI WARDS AND MĀORI CONSTITUENCIES) AMENDMENT BILL

File Number: A4737737

Author: Imrie Dunn, Democracy Advisor

Authoriser: Casey Gannon, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To receive the report: Far North District Council Submissions on the Fast Track Approvals Bill & Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- Far North District Council (FNDC) made the following submissions to Central Government:
 - 19 April 2024 - Submission on the Fast Track Approvals Bill.
 - 29 May 2024 – Submission on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.
- Timeframes for submissions were set by Central Government under urgency. These were very short timeframes. Staff were unable to compile and present the completed submissions to Council or Committees as there was insufficient time for them to be considered prior to Central Governments closing dates.
- In the absence of a specific delegation to a committee and/or reservation of the authority by Council, by default, the delegation to approve Council submissions on legislation, falls to the Chief Executive.

TŪTOHUNGA / RECOMMENDATION

That Council receive the Report Far North District Council Submissions on the Fast Track Approvals Bill & Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

TĀHUHU KŌRERO / BACKGROUND

Fast Track Approvals Bill

Following a meeting held on 12 April 2024 with the Kahika/Mayor Moko Tepania and the Chair Harry Burkhardt and Deputy Chair Hilda Halkyard-Harawira of the Te Kuaka Te Ao Māori Committee (Te Kuaka) staff received approval to prepare a submission on the Fast Track Approvals Bill and staff from the Policy and Strategy, Resource Consents, Infrastructure, Climate Change and Te Hono teams worked toward completing a submission by the 19 April 2024 deadline.

The submission focused on how the Fast Track Approval Bill would affect the work Council does noting that this was *separate* from the Central Government process which called for potential projects for inclusion in the Bill.

The main points covered in the submission were:

- effects on participation by others (iwi, hapū and community) and on the relationships built by FNDC with those, particularly:
 - with the work which has been occurring to put in place a Mana Whakahono a Rohe, the existing Memorandums of Understanding (MOUs) and whether Council would be able to fulfil its obligations under those MOUs.

- how the Bill might affect the way FNDC works with iwi and hapū.
 - the limits on cost recovery and short timeframes.
 - inclusion of prohibited activities.
- climate change
- operational effects and requirements put onto local government such as:
 - difficulties with the timeframes and requirements on local government to provide input and how it affects smaller councils like FNDC.
 - cost recovery mechanisms not covering all aspects.
 - conditions being imposed which are not done in consultation with the council meaning they may not be fit for the district or create enforcement issues.
 - risk of matters of importance for the district being overlooked due to the limited consultation with Council's iwi, hapū and the public.

On 18 April 2024 an email was sent to the Kahika/Mayor, Kōwhai/Deputy Mayor, Reforms Portfolio Holder Cr Foy, and Chairs of Te Kuaka seeking further feedback on the draft submission, Staff received responses from Cr Foy, Chair Burkhardt (Te Kahu o Taonui) and Deputy Chair Halkyard-Harawira, and changes were made.

On 19 April 2024 the final submission was completed by staff, approved by the CE and submitted (**attachment 1**).

Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

On 22 May 2024 Central Government announced that submissions on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill had opened with a closing date of 29 May 2024.

Previously, at the 22 April 2024 Te Kuaka Te Ao Māori Committee resolved to make the following recommendation to Council in relation to Māori Wards:

5.1 AROTAKE WHAKAAHUATANGA TANGATA - REPRESENTATION REVIEW 2024 UPDATE

Agenda item 5.1 document number A4635954, pages 14 - 27 refers.

RESOLUTION 2024/10

Moved: Kōwhai – Deputy Mayor Kelly Stratford

Seconded: Pita Tipene - Te Kahu o Taonui Representative

That the Te Kuaka – Te Ao Māori Committee recommend that Council:

- a) do not disestablish the Ngā Tai o Tokerau Māori Ward; and**
- b) support the enhancement of Ngā Tai o Tokerau Māori Ward as one district-wide ward; and**
- c) endorse a submission to the select committee on the Local Electoral Māori Wards and Constituencies Amendment Bill articulating the abhorrence for unnecessary legislative changes; and**
- d) appoint Te Kahu o Taonui representatives to be included in the Representation Review submissions hearing.**

In Favour: Chairperson Harry Burkhardt, Crs Hilda Halkyard-Harawira, Moko Tepania, Kelly Stratford, Babe Kapa, Penetaui Kleskovic, Mate Radich, Tāmati Rākena and Kahu o Taonui Representatives

Against: Cr Ann Court

Abstained: Cr Steve McNally

CARRIED 9/1

This recommendation was escalated to the 9 May 2024 Ordinary Council meeting as part of Item 6.3 *Committee Recommendations and Resolutions – April 2024* and was carried by Council as follows:

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - APRIL 2024

Agenda item 6.3 document number A4675775, pages 43 - 54 refer.

RESOLUTION 2024/43

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmari Rākena

That Council:

Te Kuaka Te Ao Māori Committee – Item 5.2 – Arotake Whakaahuatanga Tangata – Representation Review 2024 Update

- a) do not disestablish the Ngā Tai o Tokerau Māori Ward; and
- b) support the enhancement of Ngā Tai o Tokerau Māori Ward as one district-wide ward; and
- c) endorse a submission to the select committee on the Local Electoral Māori Wards and Constituencies Amendment Bill articulating the abhorrence for unnecessary legislative changes; and
- d) appoint Te Kahu o Taonui representatives to be included in the Representation Review submissions hearing.

Te Koukou – Transport Committee – Item 6.1 – Average Speed Safety Cameras for Kaitia Awaroa Road

- a) endorse NZTA and Far North District Council staff to proceed with investigations of the proposed average speed safety camera location on Kaitia Awaroa Road between urban Kaitia and Ahipara; and
- b) endorse installation of average speed safety cameras if investigations validate the site.

Abstained: Cr Felicity Foy

CARRIED

Based on the Council resolution above staff from the Te Hono and Democracy Services team completed and submitted the FNDC Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill submission on 29 May 2024 (**attachment 2**).

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The *Fast Track Approvals Bill* is due to be reported back to the House on 7 September 2024. Oral submissions are still being heard by the Select Committee.

The *Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill* is due to be reported back to the House on 21 June 2024. The Justice committee has agreed to invite local government, including councils and other groups, to make oral submissions on the bill in the week beginning 4 June 2024

Elected Member concerns regarding the approving of Council submissions.

Authority to approve Council submissions on legislative reform has historically sat with Council or the relevant Committee with delegated authority.

In circumstances where there has been insufficient time for a submission to be considered by Council and/or the relevant Committee, authority to approve submissions has been delegated to the Chair of the relevant Committee, any portfolio holders, the Mayor, and the Chief Executive, on the condition that all Councillors must be advised of the submission and provided with a copy upon request.

In the current triennium the authority to make Council submissions on legislation has not been delegated to any of Council's Committee's, nor does it appear that Council has reserved authority to approve submissions to itself.

In the absence of a specific delegation to a Committee and/or reservation of the authority by Council, by default, the delegation to approve Council submissions on legislation, falls to the Chief Executive. The Chief Executive holds broad delegation from Council to carry out all functions of Council except for powers that are non-delegable under clause 32, Schedule 7 LGA02 and any powers that Council reserves to itself from time to time. The instrument of delegation makes it clear that this broad delegation does not preclude the Chief Executive from choosing to refer an issue to Council for approval where a matter is of particular political importance or sensitivity or there is a special community interest in it.

Given the wide-ranging programme of reform currently being undertaken by central government, Council may wish to consider clarifying its position on delegated authority to approve Council submissions on legislation, including:

- Whether submissions must be approved by Council and/or a Committee of Council;
- The circumstances in which submissions can be approved under delegated authority by staff and/or specific elected members.
- the procedure around notifying elected members where submissions are approved under delegated authority.

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

There are no financial implications or need for budgetary provisions in relation to this report.

ĀPITI HANGA / ATTACHMENTS

1. **Attachment 1: FNDC submission - Fast Track Approvals Bill FINAL - A4731341** [↓](#) 
2. **Attachment 2: FNDC submission - Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill FINAL - A4731342** [↓](#) 



HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Private Bag 752, Memorial Avenue
Kaikohe 0440, New Zealand
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Phone: (09) 401 5200
Fax: (09) 401 2137

19 April 2024

To: Environment Committee
Wellington
New Zealand

RE: Submission on Fast Track Approvals Bill

Thank you for the opportunity for Far North District Council to provide a submission to the Environment Committee on the Fast Track Approvals Bill (**Bill**). We wish to be heard in support of our submission.

We have provided recommendations and commentary to specific sections that are particularly relevant to the Far North District and/or the Council.

Contact details:

Nadine Hopkins - Senior Policy Advisor
nadine.hopkins@fndc.govt.nz

Far North District Council
Ph: (09) 401 5200
Private Bag 752, Memorial Avenue
Kaikohe 0440

Background

The Far North District is the most northern territorial local authority in New Zealand and shares borders with the Whangarei and Kaipara Districts. It has a land area of 669,251 hectares and an estimated residential population of approximately 74,700. Of those, approximately 38,000 are Māori. The population of the Far North is predicted to grow to over 82,000 by 2043.

The Far North district includes approximately 144 marae, 10 Iwi Runanga and over 200 hapū. Not all iwi in the district have reached a treaty settlement.

The Far North is characterised by coastal harbours and bays on the east coast and long beaches interrupted by deep harbours on the west coast. Inland, the Far North is made up of rugged bush covered areas, farmland, and horticulture. There is no single main centre. Instead, our urban population is focused in a series of towns across the district, with Kerikeri, Kaitia, Kaikohe and Kawakawa being the largest.

Currently, more people in the Far North live rurally than in urban settings. The Far North is a holiday destination, which leads to a fluctuating population over summer. Some areas have a household occupancy rate that doubles during the peak summer season.

Far North District Council (FNDC) is a small council with limited resources. These limitations mean that requirements in the Bill may impact more greatly on FNDC compared to larger councils.

FNDC anticipate there would likely be projects which would meet some parts of the fast-track approval criteria, such as those for regionally significant infrastructure, electrical generation, and housing. FNDC acknowledges that projects with regional or national significance being located in the area may provide much needed economic benefits and opportunities. However, there are some concerns with the Bill in its current form as set out below.

Concerns

FNDC have a number of concerns with the Bill and its operation. These primarily relate to:

- participation by tangata whenua, including the absence to uphold the principles of Te Tiriti o Waitangi and the process not being open to non-settled hapū/iwi
- wider community effects
- climate change
- ongoing operational considerations including:
 - input, timeframes and cost recovery mechanisms
 - implementation and monitoring of approved projects.

Participation by tangata whenua

Background

The Far North district has 10 Iwi Runanga, 254 hapū, and approximately 144 marae. There have been 11 treaty settlements (out of 100) to date in the Far North. Some hapū seek to settle as individual entities in addition to iwi. The largest iwi in the rohe, Ngāpuhi, prefer a Tiriti reparations agreement rather than a treaty settlement. For those who have not reached a treaty settlement, the Bill means our obligations under genuine partnership are at risk of not being upheld. In addition, a number of hapū and iwi have had customary rights recognised, and 2 hapū have also received Mandated Iwi Status through Forestry and Fisheries settlements.

Tangata whenua will provide their own input and views on the Bill and FNDC's comments do not represent any individual iwi and hapū. However, FNDC have been made aware of their concerns by its 13 Iwi Partners about the effect the Bill would have on their ability to participate in the process and the implications on them as a result and share those same concerns. FNDC support iwi and hapū being able to properly participate in any processes put in place by the Bill. The following comments set out the concerns FNDC has on how the Bill may affect the work we do with iwi and hapū in the district, and their participation in the fast-track approval process.

FNDC has put in place processes and procedures to ensure FNDC properly consults and engages with iwi and hapū through resource management processes and have built relationships and entered into various agreements to enable this.

The Bill does not include the Resource Management Act (RMA) requirements for decision-makers to uphold the principles of Te Tiriti o Waitangi which would usually apply to resource consenting decisions.

Guiding documents for FNDC

FNDC strives to work with iwi and hapū in the district and has addressed this within the resource management space through:

- Working to put in place a Mana Whakahono ā Rohe with Te Runanga a Iwi o Ngāpuhi under ss. 58L – 58U of the Resource Management Act. This has involved 2 years of work alongside the Iwi to develop a Relationship Protocol that outlines how we as council will work alongside the Iwi. This covers participation around resource management decisions such as planning, compliance, and monitoring.
- Entering into a Memorandum of Understanding with all 11 iwi and 3 hapū in the district which covers how we as a council will work with them. An obligation with the 11 iwi authorities through these memoranda is to partner on matters of significance to iwi and hapū including undertaking inclusive engagement in resource consent matters. A concern now arises whether FNDC will be able to fulfil our obligations under these memoranda.
- Entering into *Whanaungatanga Ki Taurangi* which is an agreement between the Northland Mayoral Forum (consisting of FNDC, Whangārei District Council, Kaipara District Council and Northland Regional Council) and Tai Tokerau Iwi Chairs' Forum Te Kahu o Taonui (which consisted of the chairs from 11 iwi authorities within the Northland region). This agreement includes principles of participation by the Iwi authorities as part of decision making.

The Bill provides for participation from tangata whenua as largely being limited to post settlement governance entities. This removes a lot of the iwi and hapū input and mechanisms which FNDC has in place to ensure their input. Further, the wide discretion open to Ministers and the expert panel can mean that even where agreements have been entered into between FNDC and tangata whenua, these could be overridden. FNDC are concerned about the effect this may have on the relationship between iwi and hapū in the district, and the council.

In addition, FNDC have strategies and policies which require input from iwi/hapū when decisions are made and have made commitments to how FNDC will address matters within its district. These include:

- Far North 2100, which includes as a Driver of Change to *embed Tikanga Māori within Council as part of decision-making...* and *“working in partnership with iwi and hapū on initiatives that will support the wellbeing of Tangata Whenua across the district”*.
- Significance and Engagement Policy which directs FNDC to engage with Māori on issues that have a major and long-term impact on iwi/hapū/whanau, and which objectives include to:
 - Build genuine relationships with Māori, Treaty partners, key stakeholders and the wider community through a better understanding of their preferences, and encouraging co-operation, respect and mutual understanding of other points of view.
 - Acknowledge the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki of the Far North.
- Iwi/Hapū (Environmental) Management Plans Policy which includes as an objective to *“integrate and consider the views and values of iwi/hāpu regarding the use of natural and physical resources in Council's strategies, plans, and work programs”*.
- Policies in the Proposed District Plan¹ including to:
 - Work proactively with iwi and hapū and implement agreements with them, and
 - Ensure tangata whenua are provided with opportunities to actively participate in resource management processes which involve ancestral lands, water, sites, wāhi tapu and other taonga.

¹ Not operative yet – Proposed District Plan is to start the hearings process in 2024.

- *Te Mahi Tahi me te Maori/Working with Maori* which is including in FNDC's Long-Term Plans. This recognises the special position of tāngata whenua within the Far North district and the significant and long-term role Māori have to play in Council's decision-making.
- *Te Pae o Uta – Te Ao Māori Framework* which is for FNDC staff. It seeks to guide and improve responsiveness and inclusiveness of Te Ao Māori across the organisation. This includes as its first and third goal a focus on Māori decision-making processes and community consultation.

These are examples of guiding documents, which are made after public consultation, about how FNDC should be approaching decision-making for its district.

Iwi and hapū involvement – practical considerations

The Bill does not provide for appropriate consultation and engagement with whanau, hapū and iwi. The timeframe in the RMA of 20 working days has always been difficult for iwi and hapū in the district to meet, given the numbers and resourcing needs. Reducing that timeframe, especially for hapū who do not have the resources and expertise, means they are unlikely to be able to be involved.

FNDC acknowledges that section 14(d) of Schedule 4 requires the assessment of effects to cover: *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations.* However, with Far North's large numbers of iwi, hapū and marae, and low numbers of those which have reached a Treaty Settlement, the unrealistic timeframes for consultation and input means there is a risk that these considerations are overlooked or not adequately considered.

This consultation and input from iwi and hapū for the Far North is usually critical as there are a large number of waahi tapu in the Far North which have not been mapped or identified on plans. In addition, as part of the preparation of the Proposed District Plan for the district, these waahi tapu sites or other iwi/ hapū sites have not been reviewed. Therefore, with applications being assessed at such speed there is the risk that these matters are not adequately assessed, and that information is not available to the expert panel.

Further, while the Bill contains requirements for a report, it contains no clear process of whether the proposal must be consistent with or not contrary to such documents. In addition, while the Expert Panel may approach these sorts of documents as they may be approached under the RMA, the overriding Ministerial powers to not agree with the Expert Panel's recommendation can mean that information is disregarded.

It also does not appear that iwi/hapū could recover their costs from the applicant under section 14 of Schedule 3 of the Bill, unless they are defined as an agency that has functions, duties, or powers under the Bill. That puts under-resourced hapū at a distinct disadvantage to be able to participate and provide what could be valuable input into proposals.

FNDC recommends that the Bill:

- **Includes a requirement for all persons exercising functions and powers under the Bill to take into account the principles of Te Tiriti o Waitangi.**
- **Requires Ministers to consult with iwi/hapū prior to referral decisions and to take into account the requirements of any other agreements (such as any memorandum of understanding) entered into by FNDC and iwi/hapū where decisions are to be made relating to projects within the Far North district.**
- **Require expert panels to invite comment from iwi/hapū prior to recommendations to Ministers.**

- **Extend the timeframes for consultation.**
- **Include the ability for iwi/hapū to recover reasonable costs as part of their participation in the process.**

Wider community effects

FNDC have two main concerns regarding the effects the Bill may have on the wider community:

- lack of public involvement in the consideration of projects, and
- the ability for activities which are prohibited in the District Plan to potentially be an approved project.

Public involvement

The comments made above about the need for input from iwi and hapū as part of ensuring cultural sites of significance are properly identified and taken into account as part of decision-making also apply to the general public. There will be other cultures and communities where there are sites of historical or cultural significance which may not be formally recorded in a district plan but are known about because of input from the community. This knowledge would be missed based on the current Bill's requirements.

Inclusion of Prohibited Activities

The District Plan is a statutory process which involves extensive consultation with iwi, hapū, and the public. The status of prohibited activities indicates the desire of the communities for these to not occur within the district, and in some cases can be hard fought for by those communities. Prohibited activities are also those which have been identified as there being the potential for significant irreversible impacts to occur. To then have a project which is in direct contradiction undermines this work. For example, activities which are prohibited in FNDC's District Plan include the demolition or relocation of a scheduled Heritage Resource, and the introduction, keeping, running, farming or breeding of pest species. In the Proposed District Plan, examples of prohibited activities include:

- The demolition or relocation of a scheduled Heritage Resource.
- A new mineral extraction activity within an Outstanding Natural Landscape, Outstanding Natural Feature or coastal environment.
- Land fill, managed fill or clean fill within an outstanding natural Landscape, outstanding natural feature or coastal environment.
- Outdoor release of GMO's.

FNDC recommends the Bill is reviewed in light of these concerns and s.17(5) is deleted from the Bill.

Climate change considerations

The Bill includes criteria that requires the description of how the project would be affected by climate change or natural hazards. It does not specifically require an assessment of resilience or longevity of projects that anticipates future climate change and natural hazards and how that relates to the wellbeing of communities or the reduction of emissions. Ministers can make decisions with no technical climate science expertise, meaning these projects can be approved even if they do not have long-term viability or positive social outcomes and address the impacts of a changing climate.

The Bill focuses on if climate change would affect the project (see s14(3)(v)) rather than if the project would contribute to increased emissions or would result in maladaptation to increasing frequency of severe climatic events. Completion of such projects in Northland could contribute to the district being constricted in its ability to meet zero carbon targets and to achieve compliance with the Te Tai Tokerau Climate Adaptation Strategy.

FNDC recommends the Bill is reviewed in light of these concerns and ensure that decisions are made taking into account whether the project would:

- **Require technical evidence on the effect the project would have on climate change and how the project will contribute to New Zealand reaching Zero Carbon emissions targets 2050.**
- **Result in maladaptation to the increasing frequency of severe climatic events.**
- **Affect a local authority's ability to meet emissions targets or to comply with overarching climate change strategies which applies to its district/region.**

Operational Concerns

Input, timeframes and cost recovery mechanisms

While the Bill includes touch points for local authorities to provide input into the process, FNDC are concerned about the practical implications of these touchpoints. The Bill does not provide timeframes, the sort or form of information to be provided by an applicant and requires a local authority to act promptly. There is a risk that responses made on an urgent basis or where there is insufficient information (and limited ability for the local authority to seek more) are inadequate or miss vital points.

For small councils like FNDC, this creates significant pressure on resources and may create additional costs which would fall on ratepayers if FNDC needed to call on outside expertise to review applications and provide input for it to be meaningful.

Cost recovery mechanisms also do not cover all times a local authority would be required to input into applications made under this Bill.

More specific comments are in the table below headed "Specific Comments on Sections".

FNDC recommends that the Bill is reviewed to address these concerns as set out in the table below:

Section	Comment	Recommendation
Part 2, s.16(1) <i>Requires consultation and engagement before lodging a referral application with relevant local authorities.</i>	<p>The concern is that there is no timeframe or information requirements associated with this. Without proper parameters, the consultation and engagement could be in the form of an email a week or two before the lodgement of the referral application and the local authority could have very short time to provide feedback, which may be based on limited information.</p> <p>A potential concern is the wording as this only refers to engagement in the text. Consultation is only used in the heading. Engagement is not defined in Part 1, s.4 and the plain and ordinary meaning of engagement is open to interpretation.</p>	Engagement in the section to be defined and include realistic and reasonable timeframes are included. These should be set taking into account resourcing requirements for local authorities, and the likelihood that projects subject to this process are complicated.

Section	Comment	Recommendation
Part 2, s. 19(1) <i>Local authority has the ability to provide comments once the referral application has been received.</i>	It is not clear if there is any ability for local authorities to recover costs incurred at this stage of the process. The local authority will be required to invest time and resource to provide comments on the application. If these costs cannot be recovered by the local authority, it would fall onto the ratepayer to fund.	Include ability for council to recover costs for this stage of the process.
Schedule 3, s. 14 <i>A local authority must recover from an applicant the actual and reasonable costs incurred by the local authority relating to their preparation of a submission and participation at a hearing (if one is held).</i>	Similar to above, the ability to recover costs is limited and does not include the initial consultation undertaken in ss.16(1) and 19(1) of Part 1. This could be difficult for small local authorities like FNDC to dedicate resources to and participate in.	The local authority input to the whole process should be cost recoverable.
Under s21 of Schedule 4, a local authority only has 10 working days to prepare a written comment on a consent application or notice of requirement.	This is a very large undertaking for small local authorities like FNDC who lack the resources and inhouse expertise to comment on large scale projects of national and regional significance. The 10-working day timeframe is not realistic for a quality written comment.	Longer timeframe needed, suggests 30 working days.
Under s24(3) of Schedule 4, if the panel decides to hold a hearing, only 5 working days notice is required to be given.	This is an unrealistic timeframe for a local authority to arrange for representatives to attend and present at the hearing. Particularly for small, predominantly rural local authorities like FNDC.	Longer timeframe needed

Assessment of an Activity's effects

Section	Comment	Recommendation
Schedule 4, Section 13(e)	Concern is raised that identification of persons who may be affected by the activity and their response, including the views of iwi/hapū as required by Section 13(e) of Schedule 4 won't be adequately taken into account given the unrealistic timeframes outlined above for consultation and input and lack of funding provided to participate.	Longer timeframe needed
Section 14(c) of Schedule 4 requires the assessment of effects to cover: any effect on ecosystems, including effects on plants or animals and physical	The Far North includes extensive and unique ecosystems and biodiversity which have not been mapped due to lack of resources and extensive land area within the district. Therefore, with limited ability for local authority consultation, there is significant concern that these effects will not be appropriately assessed.	Require that any assessment provided must be reviewed by appropriately qualified subject matter experts that are independently selected by the Ministry for the Environment.

Section	Comment	Recommendation
<i>disturbance of habitats in the vicinity.</i>		

Implementation and monitoring of approvals

FNDC are concerned about what happens after projects are approved. Based on FNDC's experience from the projects which received approval through the Fast Track Covid-19 approvals process FNDC had very little input into any conditions imposed and this has created issues for its operational and monitoring officers. FNDC monitoring officers and engineers have had to monitor conditions for projects which FNDC knew nothing about and were not appropriate sites for the development. If the council had been involved at the stage where conditions were set, knowledge of the local area would have been of benefit.

Usually, conditions are created in consultation with the applicant and engineers and are reviewed by operational staff to ensure that they are appropriate for the site, workable, and enforceable.

Projects consented using the pathway in the Bill may require additional infrastructure to support it. For example, new developments may need new or upgraded roads or additional water infrastructure to support them or they may create strain on existing resources. These are important considerations for councils when considering consents, and there is a risk that information may be missed in this process, putting additional costs and requirements onto councils.

Where conditions are imposed which then require a council to undertake future monitoring or enforcement of, these conditions need to be discussed with the relevant council to ensure they are fit for the site, workable and enforceable, and also to ensure there is sufficient resource and expertise available to undertake monitoring (or there is time to fill that role). Cost recovery of this monitoring would also need to be considered.

FNDC recommends the select committee considers this point and brings in additional touch points to enable, and specifically require, councils to provide input into conditions the panel are considering, and to include cost recovery mechanisms for both the input required from councils, and requirements to participate.

Yours sincerely,



Kelly Stratford
Kōwhai – Deputy Mayor
(Acting Mayor)



Guy Holroyd
Chief Executive Officer



Private Bag 752, Kaikohe 0440, New Zealand

ask us@fndc.govt.nz

0800 920 029

fndc.govt.nz

24 May 2024

To: Justice Committee
Wellington
New Zealand

RE: Submission on Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

Thank you for the opportunity for Far North District Council to provide a submission to the Justice Committee on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

We wish to be heard in support of our submission. We have provided recommendations and commentary to specific aspects that are particularly relevant to the Far North District and/or the Council.

Contact details:

Casey Gannon – Manager Democracy Services

Casey.Gannon@fndc.govt.nz

Far North District Council

Ph: (09) 401 5200

Private Bag 752, Memorial Avenue

Kaikohe 0440

Background

The Far North District is the northern most territorial local authority in New Zealand and shares borders with the Whangārei and Kaipara Districts. It has a land area of 669,251 hectares and an estimated residential population of approximately 74,700. Of those, approximately 38,000 are Māori. The population of the Far North is predicted to grow to over 82,000 by 2043. As at April 2024, there are 35,366 people on the General Roll, and 14,721 on the Māori Roll for the Far North District.¹

The Far North district includes approximately 144 marae, 12 Iwi Rūnanga and over 200 hapū. Not all iwi in the district have reached a treaty settlement.

¹ Based on the Electoral Commission Website: <https://elections.nz/stats-and-research/enrolment-statistics/enrolment-by-local-council-voting-area/>

The Far North is characterised by coastal harbours and bays on the east coast and long beaches interrupted by deep harbours on the west coast. Inland, the Far North is made up of rugged bush covered areas, farmland, and horticulture. There is no single main centre. Instead, our urban population is focused in a series of towns across the district, with Kerikeri, Kaitiāia, Kaikohe and Kawakawa being the largest.

Currently, more people in the Far North live rurally than in urban settings. The Far North is a holiday destination, which leads to a fluctuating population over summer. Some areas have a household occupancy rate that doubles during the peak summer season.

Far North District Council (FNDC) is a small council with limited resources. These limitations mean that requirements in the Bill may impact more greatly on FNDC compared to larger councils.

FNDC established 3 general wards in 2021, 13 community board subdivisions and 1 Māori ward (Ngā Tai o Tokerau Māori ward) on 4 May 2021, for the 2022 local election. The representation review undertaken by FNDC in 2021 confirmed that Māori wards were wanted by the community, and this was established through a Council resolution.

Context and Concerns

FNDC have a number of concerns with the Bill and its operation. These primarily relate to:

- Reinstating polls on Māori wards and Māori constituencies.
- Requiring a poll to be held if one has not been held previously.

We also comment on proposed changes to the postal delivery of voting papers to electors, which we are supportive of.

The concerns raised in this submission were recently referred to by the Te Kuaka Te Ao Māori Committee (**Te Kuaka**) in their meeting of 22 April 2024 as part of the representation review for the district.² Te Kuaka is a committee made up of the Mayor and all Councillors and Te Kahu o Taohui representatives. Te Kahu o Taonui is the iwi chairs collective of 12 Iwi authorities in the north.

This relationship is founded on *Whanaungatanga Kī Taurangi* which is an agreement between the Northland Mayoral Forum (consisting of FNDC, Whangārei District Council, Kaipara District Council and Northland Regional Council) and Tai Tokerau Iwi Chairs' Forum Te Kahu o Taonui (which at the time consisted of the chairs from seven Iwi authorities within the Northland region. Two of which remain unsigned to the agreement). This agreement includes principles of participation by the Iwi authorities as part of decision making.

The purpose of Te Kuaka is to ensure that the work of the Far North District Council is carried out in a way that enhances the social, economic, cultural, and environmental wellbeing of the Far North District on aspects of importance to Māori.

Te Kuaka endorsed for Council to make this submission, the enhancement of Ngā Tai o Tokerau – Far North District Council's Māori Ward and referred to the abhorrence for unnecessary legislative changes.

The unnecessary nature of these changes is also referred to in the letter from LGNZ to central government dated 22 May 2024.³ FNDC supports this position.

The relationship FNDC has with its communities is of importance, with processes and procedures put in place to ensure that FNDC properly consults and engages with iwi and hapū. This is through

² A full copy of the resolution is **attached**.

³ A full copy of the letter is **attached**.

governance structures such as Te Kuaka, through building relationships, and entering into various agreements to enable this. For example,

- Working to put in place a Mana Whakahono ā Rohe with Te Rūnanga ā Iwi o Ngāpuhi under ss. 58L – 58U of the Resource Management Act.
- Entering into a Memorandum of Understanding with all 12 iwi and 2 hapū in the district which covers how we as a council will work with them.

In addition, FNDC have strategies and policies which require input from iwi/hapū when decisions are made and have made commitments to how FNDC will address matters within its district. These include:

- Far North 2100, which includes as a Driver of Change to “*embed Tikanga Māori within Council as part of decision-making...*”,
- Significance and Engagement Policy which directs FNDC to engage with Māori on issues that have a major and long-term impact on iwi/hapū/whanau,
- Iwi/Hapū (Environmental) Management Plans Policy which includes as an objective to “*integrate and consider the views and values of iwi/hapū regarding the use of natural and physical resources in Council’s strategies, plans, and work programs*”.
- Policies in the Proposed District Plan including to:
 - Work proactively with iwi and hapū and implement agreements with them, and
 - Ensure tangata whenua are provided with opportunities to actively participate in resource management processes which involve ancestral lands, water, sites, wāhi tapu and other taonga.
- *Te Mahi Tahī me te Māori/Working with Māori* which is included in FNDC’s Long-Term Plans. This recognises the special position of tangata whenua within the Far North district and the significant and long-term role Māori have to play in Council’s decision-making.
- *Te Pae o Uta – Te Ao Māori Framework* for FNDC staff which seeks to guide and improve responsiveness and inclusiveness of Te Ao Māori across the organisation.

The inclusion of Māori Wards at the Council governance table alongside these mechanisms strengthens FNDC’s role in honouring our Te Tiriti obligations, meeting our obligations under the Local Government Act 2002, delivering community outcomes and achieving on our mission of *He Ara Tamata, Creating Great Places, supporting our people*.

Reinstating polls on Māori wards and Māori constituencies

FNDC **opposes** the reinstatement of polls. FNDC have read the draft submission by Te Taituarā on this Bill and agrees with the points it makes about reinstatement of polls, in particular that:

- Restoring polls creates a higher procedural standard for Māori wards than apply to other decisions made in a representation review. The primary concern is that this requirement to trigger polls does not occur for other decisions around wards and constituencies.
- That polls can only ask a yes/no question which reduces a complex issue down to a binary choice.

FNDC established a Māori ward in 2021 via resolution under the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021. This resolution came about after community consultation in 2021 where 81.76% (of 499 respondents) were in favour of the establishment of a Māori ward, as well as support from Te Kahu o Taonui.

In the most recent representation review 2024 it has been decided the Ngā Tai o Tokerau district wide Māori ward with four Māori ward councillors will remain as was established in 2021. As part of the informal feedback stage of the 2024 Representation Review participants were asked a series of questions one of which was “How many Māori Wards would provide effective and fair representation for our district?” The majority of valid responses received indicated a preference for one ward, with the second preference being four wards. Within the current representation review arrangements FNDC can have up to four Māori wards. At this time the number of Māori wards will be considered again in the 2026-2027 Representation Review.

Requiring poll to be held if one has not been held previously

FNDC **opposes** the requirement to hold a poll if one has not been held previously. The concerns are similar to above in that FNDC consider that previous representation determinations for the Far North already went through a full process and was signed off by the Local Government Commission, therefore we have determined through satisfactory engagement that a poll is unnecessary.

Further, the costs and resource associated with undertaking this will be significant. There will be the actual costs associated with undertaking a poll with the 2025 triennial elections of an additional \$5,000-\$10,000, plus dedicated staff resources required to address this. A robust education campaign including extensive community engagement, in particular with the 252 hapū and all other communities of interest that are widespread throughout the vast District will come at an operational cost estimated at an additional \$200,000.

Timeframes relating to voting

FNDC **supports** the proposed changes relating to the postal delivery of voting papers and extensions to timeframes. FNDC have read the draft submission by Te Taituarā on this Bill and agrees with the points it makes about changes to the electoral timetable. FNDC supports:

- The two-week extension to the timetable for local elections at the beginning of the electoral period.
- The extension to postal delivery times.
- The recommendation by Te Taituarā that other procedural support is needed from central government departments (such as Stats NZ, LINZ, Electoral Commission) for local elections. Presently, local elections are underfunded and under resourced compared to central government elections. For example, in a general election the Electoral Commission will have 78 voting places in the Far North, however at a local election the Council can only fund the resourcing needed for 3 voting places. This lowers the availability of voting places for residents in the Far North and requires much further distances to be travelled for those who prefer to vote in person. In person voting is still important for the Far North as rural postal services are not always reliable. There are 83 settlements outside of a 15km proximity to one of FNDC's six service centres that enables access for communities to participate in local government elections. Removing barriers for our remote communities, which are predominantly Māori, is imperative to fair and effective representation.

FNDC supports the recommendations made by Te Taituarā in its submission for:

- Māori wards to be decided by councils based on an informed consideration of the needs and preferences of the community, especially iwi and hapū.
- Polls to not be restored. As restoration of polls re-impose a higher procedural standard on one particular representation arrangement than applies to others, FNDC does not support that proposal.
- There be appropriate communication and resourcing for the compilation of the electoral roll to be prioritised by Stats NZ, LINZ and the Electoral Commission within the shortened timeframe


Nāku iti nei,



Guy Holroyd
Chief Executive Officer
Far North District Council



Kahika Moko Tepania
Mayor
Far North District Council



Councillor Hilda Halkyard-Harawira
Councillor – Reforms Portfolio Holder - Representative for Ngā Tai o Tokerau Māori Ward
Deputy Chair - Te Kuaka – Te Ao Māori Committee
Far North District Council

SCHEDULE

Copy of Resolution:

RESOLUTION 2024/43

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmāti Rākena

That Council:

Te Kuaka Te Ao Māori Committee – Item 5.2 – Arotake Whakaahuatanga Tangata – Representation Review 2024 Update

- a) do not disestablish the Ngā Tai o Tokerau Māori Ward; and
- b) support the enhancement of Ngā Tai o Tokerau Māori Ward as one district-wide ward; and
- c) endorse a submission to the select committee on the Local Electoral Māori Wards and Constituencies Amendment Bill articulating the abhorrence for unnecessary legislative changes; and
- d) appoint Te Kahu o Taonui representatives to be included in the Representation Review submissions hearing.



22 May 2024

Rt Hon Christopher Luxon
Hon Simeon Brown
Hon Tama Potaka, Minister for Māori Crown Relations: Te Arawhiti
Rt Hon Winston Peters, Leader, New Zealand First
Hon David Seymour, Leader, ACT

Kia ora Prime Minister, Ministers, and party leaders

Changes to Māori ward and constituency poll provisions

Local Government New Zealand and the Mayors and Chairs that have signed this letter are opposed to the changes the Coalition Government is proposing to Māori ward and constituency poll provisions.

The Government's decision to remove decision-making from councils by mandating that polls be run on Māori wards and constituencies is an overreach on local decision-making when current legislation already requires councils to seek community views. We are disappointed this is in contrast with the commitments the Government made during the election campaign to empower local government to make decisions about its own communities.

Our position – a position that has been held by Local Government New Zealand since 2018 – is that Māori wards and constituencies should be treated like all other wards and that decisions should be made at the council level. Polls aren't required on any other wards or constituencies, and requiring them will add increased costs to councils.

We are concerned that the Government's decision is a distraction from the hard work that councils are doing to deliver infrastructure and keep costs down for their communities. It also undermines the important contributions that Māori are making to local government.

We urge the Government to reconsider its position and leave it to local councils to make decisions about appropriate representation arrangements in partnership with iwi and their communities.

Ngā mihi nui

A handwritten signature in blue ink, appearing to be "S Broughton".

Mayor Sam Broughton
President
Local Government New Zealand
Selwyn District Council

A handwritten signature in blue ink, appearing to be "C Barry".

Mayor Campbell Barry
Vice-President
Local Government New Zealand
Hutt City Council

1

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Aotearoa New Zealand // lgnz.co.nz



Mayor Grant Smith
Palmerston North City Council

Mayor Moko Tepania
Far North District Council

Mayor Sandra Hazlehurst
Hastings District Council

Mayor Toby Adams
Hauraki District Council

Mayor Janet Holborow
Kāpiti Coast District Council

Mayor Neil Holdom
New Plymouth District Council

Mayor Gary Caffell
Masterton District Council

Mayor Nadine Taylor
Marlborough District Council

Mayor Tim Cadogan
Central Otago District Council

Mayor Monique Croon
Chatham Islands Council



Mayor Alex Walker
Central Hawke's Bay District Council

Mayor Rehette Stoltz
Gisborne District Council

Chair Daran Ponter
Greater Wellington Regional Council

Mayor Tim King
Tasman District Council

Mayor Tory Whanau
Wellington City Council

Mayor Len Salt
Thames-Coromandel District Council

Mayor Anita Baker
Porirua City Council

Mayor Andrew Tripe
Whanganui District Council

Mayor Max Baxter
Ōtorohanga District Council

Mayor David Moore
Ōpōtiki District Council



Mayor Phil Nixon
South Taranaki District Council

Mayor Kirsten Wise
Napier City Council

Mayor David Trewavas
Taupō District Council

Mayor Faylene Tunui
Kawerau District Council

Mayor Bryan Cadogan
Clutha District Council

Mayor Gary Kircher
Waitaki District Council

Mayor Bernie Wanden
Horowhenua District Council

Mayor Ben Bell
Gore District Council

Mayor Jacqui Church
Waikato District Council

Chair Nicol Horrell
Environment Southland



Mayor Dr Victor Luca
Whakatāne District Council

Chair Doug Leeder
Bay of Plenty Regional Council

Mayor Neil Volzke
Stratford District Council

Mayor Andy Watson
Rangitikei District Council

Mayor Craig Little
Wairoa District Council

Chair Geoff Crawford
Northland Regional Council

Acting Chair Craig Pauling
Environment Canterbury

Chair Charlotte Littlewood
Taranaki Regional Council

Mayor Jules Radich
Dunedin City Council

Mayor Rob Scott
Southland District Council



Chair Hinewai Ormsby
Hawke's Bay Regional Council

Mayor Weston Kirton
Ruapehu District Council

Chair Rachel Keedwell
Horizons Regional Council

Mayor Tracey Collis
Taranaki District Council

Mayor Wayne Guppy
Upper Hutt City Council

Mayor Susan O'Regan
Waipā District Council

Mayor Gary Petley
South Waikato District Council

Mayor Martin Connelly
South Wairarapa District Council

Mayor Anne Munro
Mackenzie District Council

Chair Pamela Storey
Waikato Regional Council



Cr Toni Boynton
Co-Chair Te Maruata Rōpū Whakahaere



Cr Iaeen Cranwell
Co-Chair Te Maruata Rōpū Whakahaere



7.4 COUNCIL OPEN RESOLUTIONS UPDATE JUNE 2024**File Number: A4705990****Author: Fleur Beresford, 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

- Open resolutions are a mechanism to communicate progress against decisions/resolutions.
- Open resolutions are also in place for all formal elected member meetings.

TŪTOHUNGA / RECOMMENDATION

That Council receive the report Council Open Resolution Update June 2024.

1) TĀHUHU KŌRERO / BACKGROUND

Any resolution or decision from a meeting is compiled on an open resolution status report, to capture actions triggered by Council decisions. Staff provide updates on progress against tasks that are not yet completed.

The open resolution 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.

ĀPITIHINGA / ATTACHMENTS

1. Open Resolution Report - A4733074  

OPEN RESOLUTION REPORT		Printed: Friday, 31 May 2024 11:14:56 am
Division:	Council	Date From: 1/01/2021
Committee:		Date To: 31/05/2024
Officer:		

Meeting	Title	Resolution	Notes
Council 11/08/2022	Russell Landfill Options Report	RESOLUTION 2022/61 That Council: <ol style="list-style-type: none"> approve in principle, the permanent closure of Russell Landfill (Option One). approve staff commence the resource consent application Northland Regional Council to close the Russell Landfill request staff bring back to Council the terms of the resource consent and investment required to close the landfill approve staff commence the community consultation process and report to Council the outcome of that consultation 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. <p style="text-align: right;">CARRIED</p>	23 Nov 2023 1:54pm Hoskins have recommended a direct award of Professional services support for the assessment of effects, closure plan & resource consent to Pattie Delamore Partners (PDP). PDP hold the corporate knowledge and experience in relation to the issues and proposed solutions at Russell Landfill. • Russell Landfill: PDP have already completed. - Russell Landfill: Options Assessment (June 2022), - Russell Landfill: Interim resource consent (September 2022) RFQ Award 22 Feb 2024 1:57pm Pattie Delamore Partners (PDP) have started discussions on capping options and developing estimated costs. Hoskins Civil (HC) have been put in contact with Te Hono to co-ordinate lwi consultation with other FNDC projects in the Russell area. A site visit with PDP and HC has been scheduled. 26 Mar 2024 10:38am PDP has surveyed the site. We are awaiting quotes to install telemetry equipment to monitor leachate flows. 23 Apr 2024 3:48pm The initial focus is on investigating the quantity and quality of leachate from the landfill (stormwater or groundwater diverted around and/or passing through the landfill which is collected and treated before exiting the landfill). CTV cameras have been used to investigate the state of the leachate collection system. Contractors have been engaged to drill boreholes and install piezoelectric sensors installed to investigate potential impacts on groundwater. 27 May 2024 3:04pm Millichamp, Simon: No further update or progress to report.
Council 20/12/2022	Turner Centre Stormwater Catchment	RESOLUTION 2022/94 Moved: Cr Tāmāti Rākena Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: <ol style="list-style-type: none"> notes the storm water flooding risk within the Turner Centre sub-catchment 	22 Jan 2024 2:33pm A review options being undertaken to endeavour to mitigate anticipated cost of mitigation which is currently estimated to be in excess of \$10m. Timing of report to Council seeking approval and further funding to follow post March. 28 Feb 2024 9:32am Outline design and modelling still being refined 05 Mar 2024 10:12am Action reassigned to Proctor, Tanya by Greenwood, Ellie 03 Apr 2024 4:54pm

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		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	Need to follow up on progress of outline design and modelling. This project is not in the LTP. 24 Apr 2024 8:56am No further update. 28 May 2024 2:02pm To be considered in next LTP.
Council 9/02/2023	Easement On Local Purpose Esplanade Reserve-Wairawarawa Stream	RESOLUTION 2023/5 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 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.	30 Jan 2024 3:30pm Nov 2023 letter of valuation received. Legal Services proceeding to prepare Agreement to Grant Easement for landowners' and lawyer's consideration/review. Once AGE finalised and executed, landowners can apply to NRC for consent, works can commence. Once completed, it can be surveyed and easement plan lodged with LINZ. 22 Feb 2024 3:48pm No further update. 26 Mar 2024 9:24am Status quo. 23 Apr 2024 3:35pm Status quo. 15 May 2024 9:09am Still waiting on draft easement agreement from customer. Action is with external party. The benefit of the action is for the external party. If the external party does not complete the action there is no disadvantage to Council.

OPEN RESOLUTION REPORT			
Division: Committee: Officer:		Council	
		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		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 24/02/2022	Ngakahu Steering Group Update	RESOLUTION 2022/12 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;	24 Jan 2024 11:02am Awaiting update from Steering Group post 8 November meeting. 25 Jan 2024 8:42am Kowhai Deputy Mayor Kelly Stratford: Recommendations from steering group were tabled at November hui, with a decision report on the December agenda (in the minutes). Decommissioning has commenced. 03 Apr 2024 4:53pm

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		<p>a) obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.</p> <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>Photos supplied from the Project Manager demonstrate significant progress of the decommissioning of the dam, unachievable without the efforts of the Project Manager at significantly less than original price indication. This will result in the LTP budget being removed.</p> <p>24 Apr 2024 8:54am Works continuing and the project continues to be well managed by the project manager</p>
Council 24/08/2023	Rangitoto Reserve, Mangonui	<p>RESOLUTION 2023/98</p> <p>That Council:</p> <p>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.</p> <p>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.</p> <p>c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.</p> <p style="text-align: right;">CARRIED</p>	<p>22 Jan 2024 10:54am Project work continuing. Public consultation expected to start February.</p> <p>22 Feb 2024 1:43pm Consultation for classification of Rangitoto Reserve started 14 February and remains open until 14 March. This is on website, and stakeholders have also been advised.</p> <p>26 Mar 2024 9:51am Consultation for classification of Rangitoto Reserve has concluded with 12 submissions in support and 4 opposed. 2 submissions in support of the proposal wish to speak at a hearing to be organised.</p> <p>24 Apr 2024 10:43am Classification of the reserve will be considered at the May meeting of the Te Hiku Community Board. Further work on the reserve management plan will proceed when cultural values assessments have been received.</p> <p>27 May 2024 12:35pm</p>

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		<i>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.</i>	Further to public consultation, Te Hiku Community Board resolved at the May meeting to recommend that Council classify Rangitoto Reserves as a Historic Reserve. A report will be taken to Council in July for a resolution under the Reserves Act to approve classification. Further to a scope of works and quote, funding has been allocated for initial weed removal works to take place at Rangitoto Reserve this Winter.
Council 21/09/2023	Maritime Facilities Bylaw - Approval of Draft for Public Consultation	RESOLUTION 2023/113 Moved: Kahika - Mayor Moko Tepania Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: <ol style="list-style-type: none"> 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. approves a minimum four-week period for making written submissions on the proposal in Attachment 1. 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. 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. 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. <p style="text-align: right;">CARRIED</p>	24 Jan 2024 2:16pm Dan Bowman: "The consultation period has ended and the feedback from consultation has been received and collated. It is currently being summarised. There are oral presentations requests that will be organised through Democracy Services in due course." 27 Feb 2024 9:37am Getting help with answering legal questions from consultation feedback with advice from legal. Getting help with answering technical questions from consultation feedback with advice from Far North Holdings. Organising requested 1 on 1 meetings with consultation respondents that have requested it with Far North Holdings. Will arrange verbal submissions with Democracy services following 1 on 1 meetings. Working with Far North Holdings and Finance to finalise maritime facilities fees and charges schedule and criteria. 24 Apr 2024 8:57am 1 on 1 meetings completed. End of May pencilled in for Oral submissions with Democracy Services. Consultation with FNHL on Technical questions completed. Currently working through legal questions. 27 May 2024 3:52pm The date for the Oral Submissions is now 26 June for Maritime Facilities. Currently awaiting final feedback from Legal and Technical Info from FNHL.

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
Council 19/10/2023	Kerikeri-Waipapa Spatial Plan Project - Public Engagement on Emerging Themes	RESOLUTION 2023/127 That Council approves for public engagement in November/December 2023 the emerging themes for Te Pātukurea (Kerikeri-Waipapa Spatial Plan) as set out in this report. CARRIED	02 Apr 2024 1:39pm A briefing paper was sent out with the Friday Notices to Elected Members on 28th March 2024 to provide a further update 24 Apr 2024 8:51am No further update. 27 May 2024 12:46pm The project is currently on track for Council adoption of the spatial plan in March/April 2025, with a revised timeline for public consultation in 2024 currently being developed by the project team.
Council 19/10/2023	Hokianga Harbour Long Term Plan	RESOLUTION 2023/135 Moved: Kahika - Mayor Moko Tepania Seconded: Cr John Vujcich That Council allocate \$175,000 in the 2024/27 Long Term Plan to allow the preparation of a long-term plan for the crossing of the Hokianga Harbour. CARRIED	22 Jan 2024 11:53am Awaiting confirmation of funding following LTP consultation and deliberation to commence this in next financial year 26 Feb 2024 9:40am Awaiting confirmation of funding following LTP consultation and deliberation to commence this in next financial year 26 Mar 2024 12:58pm Awaiting confirmation of funding following LTP consultation and deliberation to commence this in next financial year. Commencing preliminary scoping discussions with Hokianga Ferry Liason Group. 23 Apr 2024 3:48pm No change expected until after 30th June 2024 27 May 2024 12:34pm No change is expected until after 30th June 2024
Council 8/02/2024	Notice of Motion - Interim Speed Management Plan for Kerikeri Bay of Islands	RESOLUTION 2024/5 Moved: Kōwhai - Deputy Mayor Kelly Stratford Seconded: Cr Hilda Halkyard-Harawira That Council consider the impact of the impending changes that will be made to the Land Transport Rule: Setting of Speed Limits 2022 (the Rule) and that Council continue implementation of all the changes adopted Interim Speed Management Plan for Kerikeri – Bay of Islands (2023/151) at the 16 November 2023 Council meeting.	05 Mar 2024 10:10am NTA is progressing this catchment through final design and implementation over the next few months. 26 Mar 2024 2:34pm Plan has been certified by NZTA Waka Kotahi 24 Apr 2024 9:00am No further update. 29 May 2024 12:19pm

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		CARRIED	NZTA Sign off: 26/2/2024, https://www.nzta.govt.nz/assets/Safety/docs/speed-management-resources/speed-limit-approvals/director-approval-for-far-north-district-council-kerikeri-bay-of-islands-interim-smp-20240226.pdf , Implementation: Speeds will be implemented over the months of June and July. The speed limits in the Haruru, Paihia and Opua areas will be completed first in order to align with the NZTA Waka Kotahi changes to speeds on SH 11.
Council 8/02/2024	Lease Extension Request Aupouri Ngati Kahu Te Rarawa (ANT) Trust	RESOLUTION 2024/9 That Council: a) approve a new ground lease to Aupōuri Ngāti Kahu – Te Rarawa Trust over Tangonge Domain, over 20,234 square metres being Recreation Reserve DP 108 Title NA530/132, located at 63 Bonnet Road, Kaitaia. The terms of the proposed leased shall be: <ul style="list-style-type: none"> Term: 30 years (15 + 15) Rental: \$118 plus GST per year in conjunction with the Fees & Charges Schedule for 2023/24 and reviewed annually. b) approve further conditions to be negotiated and agreed upon by the Group Manager Delivery and Operations. CARRIED	23 Feb 2024 11:42am Council passed resolution to grant the lease. a new ground lease will be drawn up and put in place 23 Apr 2024 2:32pm Lease is now being finalised. 29 Apr 2024 1:36pm Please note, the lease is a grounds and building lease rather than just a grounds lease as there is a building located on it that we have recently discovered is owned by Council. This is will be reflected within the lease schedule and in our asset data information 27 May 2024 12:25pm The Lease is currently being reviewed by ANT Trust
Council 8/02/2024	New Ground Lease to Te Rarawa Rugby Club Incorporated over Rarawa Memorial Domain Recreation Reserve	RESOLUTION 2024/10 That Council: a) approve the commencement of public consultation process on the granting of a new ground lease to Te Rarawa Rugby Club Incorporated over part of the Rarawa	23 Feb 2024 11:44am Working with internal staff to bring public consultation process 23 Apr 2024 2:33pm Currently under public consultation until 30th April 2024 27 May 2024 12:22pm

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		<p>Memorial Domain Recreation Reserve being Section 151 Block IV Ahipara SD, approximately 40,468 square metres, held in New Zealand Gazette 1979, page 1202 and Recreation Reserve held in Record of Title 308444, being of Lot 4 DP 366836, approximately 6010 square metres.</p> <p>The terms of the proposed lease shall be:</p> <ul style="list-style-type: none"> • 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; <p>with further conditions negotiated and agreed upon by the Group Manager Delivery and Operations, and Te Rarawa Rugby Club Incorporated; and</p> <p>b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to Council.</p> <p style="text-align: right;">CARRIED</p>	<p>Public Consultation closed 30th April. Public Submissions to occur 18th June at Te Hiku Community Board Meeting with a Report to Council in July.</p>
Council 8/02/2024	New Ground Lease to Playcentre Aotearoa - Russell Playcentre over 12 Church Street, Russell	<p>RESOLUTION 2024/12</p> <p>That Council:</p> <p>a) grant a new ground lease to Playcentre Aotearoa over the Local Purpose (Playcentre) Reserve being approximately 736 square meters of Lot 6 DP 7147, 12 Church Street, Russell, held in New Zealand Gazette 1984 page 3528 and vested in Far North District Council as Local Purpose Reserve.</p>	<p>23 Feb 2024 11:43am Council passed resolution to grant the lease. a new ground lease will be drawn up and put in place</p> <p>23 Apr 2024 2:20pm New Lease is with Playcentre for review.</p> <p>27 May 2024 12:49pm Lease still with Playcentre for review - followed up by FNDC Staff on 15th May 2024</p>

Division:

Committee:

Officer:

Council

OPEN RESOLUTION REPORT

Printed: Friday, 31 May 2024 11:14:56 am

Date From:

Date To:

1/01/2021

31/05/2024

Meeting	Title	Resolution	Notes
		<p>The terms of the lease shall be:</p> <ul style="list-style-type: none"> 30 years (10+10+10) Rental: as per FNDC Fees and Charges schedule for a community lease. \$118 plus GST for 2023/2024 and reviewed annually in conjunction with the FNDC Fees and Charges schedule. <p>b) with further conditions negotiated and agreed upon by the Group Manager Delivery and Operations, and Playcentre Aotearoa.</p> <p>CARRIED</p>	
Council 11/12/2023	Housing Strategy Options Analysis	<p>RESOLUTION 2023/159</p> <p>That Council:</p> <p>a) approve to develop a housing strategy</p> <p>b) endorse the interim Housing Action Plan (attachment 2).</p> <p>CARRIED</p>	<p>26 Feb 2024 3:27pm 22 Jan 2024: Development of Housing Strategy underway. Funding from MHUD recieved to support development of Housing Strategy. Staff attending the Māori Housing Expo on Waitangi Day</p> <p>26 Feb 2024 3:32pm Development of Housing Strategy continuing. Staff attended Housing Expo on Waitangi Day. Gap analysis work to start this week.</p> <p>26 Mar 2024 10:10am Development of Housing Strategy progressing with gap analysis review started.</p> <p>23 Apr 2024 4:00pm Development of Housing Strategy progressing with gap analysis, research, and stakeholder identification continuing</p> <p>28 May 2024 2:32pm Development of Housing Strategy progressing with gap analysis, research on impact of short term accommodation, stakeholder work. Interim Action Plan status reporting to commence in following weeks via briefing paper.</p>
Council 11/12/2023	Investment for Housing for the Elderly	<p>RESOLUTION 2023/165</p>	<p>24 Apr 2024 8:44am Hopkins, Nadine Project planning progressing with work commencing on land status reports and review of expressions of interest</p>

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		Moved: Cr Steve McNally Seconded: Kōwhai - Deputy Mayor Kelly Stratford That the Council receive the report Investment for Housing for the Elderly. CARRIED	28 May 2024 2:34pm Briefing paper as to progress provided on 10 May 2024. Progressing land status and EOI evaluation with additional briefing papers to be provided in coming weeks.
Council 11/12/2023	Ngakahu Steering Group Recommendations	RESOLUTION 2023/166 Moved: Cr John Vujcich Seconded: Cr Hilda Halkyard-Harawira That Council: a) confirm that Kauri Dam has not been transferred to any 3 Waters Entity, b) cancel the Ford Repair Agreement, and; c) confirm the Steering Group guidelines covered by Council Resolution 2021/72 CARRIED	26 Feb 2024 3:30pm 24 Jan 2024: Recommendations from steering group were tabled at November hui, with a decision report on the December agenda (in the minutes). Decommissioning has commenced. 06 Mar 2024 11:39am The Ford Repair Agreement cancellation has been drafted. 24 Apr 2024 8:55am No further update. 10 May 2024 3:44pm The Ford Agreement with the Ngākahu/Ngākohu Trust signed off 6th March, 2024 which then withdrew the need for FNDC to go to Māori Land Court.
Council 14/03/2024	Options Analysis for Financial Contributions	RESOLUTION 2024/19 Moved: Cr Felicity Foy Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council approve the development of a draft financial contributions chapter. CARRIED	26 Mar 2024 10:08am Work progressing to develop a chapter on financial contributions. Elected member working to occur as part of that development on 27 March. 23 Apr 2024 4:05pm Work continuing with developing a chapter on financial contributions and associated s32 evaluation. Workshop in May 2024 with Te Kuaka to advise of the work occurring on the chapter and to discuss exemptions. 28 May 2024 2:27pm Action reassigned to Wooster, Tammy by Beresford, Fleur - Reallocated by Nadine Hopkins 30 May 2024 1:16pm

OPEN RESOLUTION REPORT			
Division: Committee: Officer:		Council	
		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
			work is still underway to complete a draft chapter for a further district plan change to include FC
Council 9/05/2024	Representation Review 2024 - Arotake Whakaahuatanga Tangata 2024	RESOLUTION 2024/44 That the Far North District Council, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, adopt the following as its initial proposal for the review of representation arrangements for at least the 2025 triennial local elections: a) the Far North District Council to comprise the Mayor elected at large and 10 councillors elected under the ward system, specifically 6 general ward councillors and 4 Māori ward councillors. b) the Far North District Council be divided into 4 wards, these being: i) Kaikohe-Hokianga General Ward (represented by 1 general ward councillor), comprising the area in the current Kaikohe-Hokianga General Ward map as shown on Attachment 1. ii) Te Hiku General Ward (represented by 2 general ward councillors), comprising the area in the current Te Hiku General Ward map as shown on Attachment 1. iii) Bay of Islands-Whangaroa General Ward (represented by 3 general ward councillors), comprising the area in the current Bay of Islands-Whangaroa General Ward map as shown on Attachment 1.	31 May 2024 12:00pm Initial proposal consultation period finishes 17 June 2024

OPEN RESOLUTION REPORT			
Division: Committee: Council Officer:		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		iv) Ngā Tai o Tokerau Māori Ward (represented by 4 Māori ward councillors), comprising the whole of the district in the Ngā Tai o Tokerau Māori Ward map as shown on Attachment 2. c) the Far North District Council be divided into 3 subdivided communities, these being: i) Bay of Islands-Whangaroa Community subdivided into: (1) Kawakawa-Moerewa Subdivision comprising the area in the proposed Kawakawa-Moerewa Subdivision map as shown on Attachment 4 (tabled); (2) Kerikeri Subdivision comprising the area in the proposed Kerikeri Subdivision map as shown on Attachment 4 (tabled); (3) Paihia Subdivision comprising the area in the proposed Paihia Subdivision map as shown on Attachment 4 (tabled); (4) Russell-Ōpua Subdivision comprising the area in the proposed Russell-Ōpua Subdivision map as shown on Attachment 4 (tabled); d) there be 19 community board members being: (i) 7 members elected from the Bay of Islands-Whangaroa Community Board comprising:	

OPEN RESOLUTION REPORT			
Division: Committee: Officer:		Council	
		Printed: Friday, 31 May 2024 11:14:56 am Date From: 1/01/2021 Date To: 31/05/2024	
Meeting	Title	Resolution	Notes
		1) Kawakawa-Moerewa Subdivision – 1 member 2) Kerikeri Subdivision – 2 members 3) Paihia Subdivision – 1 member 4) Russell-Ōpua Subdivision – 1 member 5) Waipapa Subdivision – 1 member 6) Whangaroa Subdivision – 1 member and 2 members of the Council, 1 representing either the Bay of Islands- Whangaroa General Ward or and 1 representing Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights. (ii) 6 members elected from the Kaikohe-Hokianga Community Board comprising: 1) Kaikohe Subdivision – 3 members 2) North Hokianga Subdivision – 1 member 3) South Hokianga Subdivision – 2 members and 2 members of the Council representing either the Kaikohe-Hokianga General Ward or Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights. (iii) 6 members elected from the Te Hiku Community Board comprising: 1) Doubtless Bay Subdivision – 1 member 2) Kaitāia Subdivision – 3 members	

OPEN RESOLUTION REPORT			
Division: Committee: Officer:		Council	
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Meeting	Title	Resolution	Notes
		g) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each councillor represents must be within the population range of 8,077 +/- 10% (7,269 – 8,884) unless particular community of interest considerations justify otherwise. The representation of the Te Hiku General Ward falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.	
		h) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Te Hiku Community Board represents must be within the population range of 3,877 +/- 10% (3,489 – 4,264) unless particular community of interest considerations justify otherwise. The representation of the North Cape Subdivision and the Doubtless Bay Subdivision fall outside of the stipulated range as to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.	
		i) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Bay of Islands-Whangaroa Community Board represents must be within the population range of 4,967 +/- 10% (4,470 – 5,464) unless particular community of interest considerations justify otherwise. The representation of the Whangaroa Subdivision and the Russell-Ōpua Subdivision fall outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.	
		j) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Kaikohe-	

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		<p>Hokianga Community Board represents must be within the population range of 2,790 +/- 10% (2,511 – 3,069) unless particular community of interest considerations justify otherwise. The representation of the South Hokianga Subdivision falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.</p> <p>k) the hearing of any representation arrangements review submissions received be heard by Council on 9 and 10 July 2024.</p> <p><i>NOTE: Error on the report, pages 61-62 should reflect “two members” as stated in the recommendation</i></p> <p style="text-align: right;">CARRIED 8</p>	

8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

9 TE KAPINGA HUI / MEETING CLOSE