

# **AGENDA**

## **Council Meeting**

### **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

**Thursday, 13 February 2025**

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



**Far North District Council  
Ordinary Council Meeting**  
**will be held in the Council Chamber, Memorial Ave, Kaikohe on:**  
**Thursday 13 February 2025 at 10:00 AM**

**Te Paeroa Mahi / Order of Business**

<b>1</b>	<b>Karakia Timatanga / Opening Prayer .....</b>	<b>5</b>
<b>2</b>	<b>Ngā Whakapāha Me Ngā Pānga Mema / Apologies and Declarations of Interest .....</b>	<b>5</b>
<b>3</b>	<b>Ngā Tono Kōrero / Deputations .....</b>	<b>5</b>
<b>4</b>	<b>Ngā Kōrero A Te Kahika / Mayoral Announcements .....</b>	<b>5</b>
<b>5</b>	<b>Te Whakaaetanga o Ngā Meneti o Mua / Confirmation of Previous Minutes .....</b>	<b>6</b>
5.1	Confirmation of Previous Minutes .....	6
<b>6</b>	<b>Ngā Pūrongo / Reports .....</b>	<b>22</b>
6.1	Maritime Facilities Bylaw - Analysis of Submissions and Adoption of a new Bylaw .....	22
6.2	Initiation of public consultation on the granting of a ground lease over 36 Recreation Road, Kaikohe - Sportsville .....	70
6.3	Initiation of public consultation on disposal of sections of Kerikeri reserve .....	118
6.4	Annual Plan 2025/26 .....	133
6.5	Adoption of Amended Dangerous and Insanitary Building Policy .....	137
6.6	Review of Class 4 Gaming and TAB Venue Policy .....	157
<b>7</b>	<b>Ngā Pūrongo Taipitopito / Information Reports .....</b>	<b>177</b>
7.1	Community Board Minutes - December 2024 .....	177
7.2	Far North 2100 Progress Report .....	188
7.3	Chief Executives Report - Period October - December 2024 .....	197
7.4	Mayor and Councillor's Reports .....	240
7.5	Council Open Resolutions Update February 2025 .....	268
<b>8</b>	<b>Te Wāhanga Tūmataiti / Public Excluded .....</b>	<b>289</b>
8.1	Te Raupo Road Easement .....	289
8.2	Kaitāia Wastewater Overflow Reduction Contract Award .....	289
8.3	Emergency and Resilience Works Supplier Panel - Supplier Recommendation .....	289
8.4	Confirmation of Previous Minutes - Public Excluded .....	289
8.5	Council Public Excluded Open Resolutions Update February 2025 .....	290
<b>9</b>	<b>Karakia Whakamutunga / Closing Prayer .....</b>	<b>291</b>
<b>10</b>	<b>Te Kapinga Hui / Meeting Close .....</b>	<b>291</b>



## **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.

[Elected Member - Register of Interests](#)

## **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:** A5056459

**Author:** Marysa Maheno, Democracy Advisor

**Authoriser:** Aisha Huriwai, Manager - Democracy Services

#### 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 12 December 2024 are 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.

#### ĀPITIHINGA / ATTACHMENTS

1. 2024-12-12 Council Minutes [A5015693] - A5015693 [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	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.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	There are no implications for Māori in confirming minutes from 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.

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**MINUTES OF FAR NORTH DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE TE AHU, CNR STATE HIGHWAY 1 AND MATHEWS AVENUE, KAITAIA  
ON THURSDAY, 12 DECEMBER 2024 AT 10:02AM**

**PRESENT:** Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Babe Kapa (online), Cr Penetaui Kleskovic (online), Cr Steve McNally, Cr Mate Radich, Cr Tāmāti Rākēna, Cr John Vujcich.

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

**STAFF PRESENT:** Guy Holroyd (Chief Executive Officer), Carla Ditchfield (Manager – Legal Services), Trent Blakeman (Group Manager – Delivery and Operations), Jacine Warmington (Group Manager – Strategic Relationships), Mary Moore (Manager – Infrastructure Services), Emma Healy (Chief of Staff), Charlie Billington (Group Manager – Corporate Services), Elizabeth Stacey (Senior Road Safety and Traffic Engineer), Aisha Huriwai (Manager – Democracy Services), Maria Bullen (Democracy Advisor), Tanya Proctor (Head of Infrastructure)(online), Ruben Garcia (Group Manager – Community and Engagement)(online), Shayne Storey (Team Leader – Policy and Bylaws), Esther Powell (Manager – Climate Action and Resilience), Roger Ackers (Group Manager – Planning and Policy).

## 1 KARAKIA TIMATANGA / OPENING PRAYER

At 10:02am, Kahika/Mayor Moko Tepania commenced the meeting with a karakia.

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

- There were no apologies.

At 10:05am, Cr Hilda Halkyard-Harawira arrived to the meeting.

## 3 NGĀ TONO KŌRERO / DEPUTATION

- There were no deputations.

## 4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Today in the Maramataka is Hotu, which is a high energy phase.
- Acknowledged Cr Foy for bringing in crates of produce for Councillors and staff.
- Acknowledged that this is the last Council Meeting for 2024 and thanked the Elected Members for their mahi.
- Acknowledged the community Christmas events happening all around the Far North.
- Acknowledged the upcoming events including the Kaitāia Airport signing and the opening of Mangamuka Gorge.

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

Page 1

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**6.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 6.1 document number A5002689, pages 12 - 21 refers

**RESOLUTION 2024/163**

Moved: Cr Steve McNally  
 Seconded: Kahika - Mayor Moko Tepania

**That Council confirm the minutes of the Council meeting held 14 November 2024 are a true and correct record.**

**CARRIED**

**8.2 COMMUNITY BOARD MINUTES - NOVEMBER 2024**

Agenda item 8.2 document number A5002685, pages 437 - 457 refers

**RESOLUTION 2024/164**

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Cr Tāmami Rākena

**That Council note the following Community Board minutes:**

- **19 November 2024 Te Hiku Community Board;**
- **21 November 2024 Bay of Islands-Whangaroa Community Board; and**
- **22 November 2024 Kaikohe-Hokianga Community Board**

**CARRIED**

**6 HE PĀNUI WHAKAMŌTINI / NOTICE OF MOTION**

**5.1 NOTICE OF MOTION - CANCEL FLUORIDE TO PROTECT PUBLIC HEALTH**

Agenda item 5.1 document number A5003619, pages 6 - 8 refers

**MOTION**

Moved: Cr Hilda Halkyard-Harawira  
 Seconded: Cr Babe Kapa

That the Far North District Council cancel the fluoridation of Far North waters until local residents on town water supply agree to do so.

**AMENDMENT**

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That council defers this decision to ensure that appropriate financial and legal advice can be provided and discussed in a workshop in the new year.

In Favour: Crs Moko Tepania, Kelly Stratford, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Tāmami Rākena and John Vujcich

Against: Crs Ann Court, Penetaui Kleskovic and Mate Radich

The amendment became the substantive motion.

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**RESOLUTION 2024/165**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

**That council defers this decision to ensure that appropriate financial and legal advice can be provided and discussed in a workshop in the new year.**

Against: Cr Ann Court

Abstained: Cr Mate Radich

**CARRIED**

**5.2 NOTICE OF MOTION - PROMOTION & PROTECTION OF HE WAKAPUTANGA O TE RANGATIRATANGA O NŪ TIRENI & TE TIRITI O WAITANGI WITHIN THE AREAS OF THE FAR NORTH DISTRICT COUNCIL**

Agenda item 5.2 document number A5008664, pages 9 - 11 refers

**RESOLUTION 2024/166**

Moved: Cr Hilda Halkyard-Harawira

Seconded: Cr Tāmati Rākena

**That Council:**

1. **future proof Tiriti gains made over the last 184 years, and in years to come, so that incoming governments cannot undermine local progress and cause unnecessary anxiety amongst 53% of its population;**
2. **adopt and embrace mutual and beneficial partnerships with Māori that uplift community wellbeing i.e. housing, incentives for health, education and sustainability industries within the area;**
3. **proactively heed the recommendations of the Waitangi Tribunal findings regarding matters that impact on the territories within Tai Tokerau i.e. Te Paparahi o Te Raki Stage 1 & 2 Reports;**

Against: Crs Ann Court, Steve McNally and Mate Radich

**CARRIED**

**5.2 NOTICE OF MOTION - PROMOTION & PROTECTION OF HE WAKAPUTANGA O TE RANGATIRATANGA O NŪ TIRENI & TE TIRITI O WAITANGI WITHIN THE AREAS OF THE FAR NORTH DISTRICT COUNCIL**

Agenda item 5.2 document number A5008664, pages 9 - 11 refers

**RESOLUTION 2024/167**

Moved: Cr Hilda Halkyard-Harawira

Seconded: Cr Tāmati Rākena

**That Council:**

4. **return all unused Council reserves to mana whenua expeditiously;**

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

5. uphold and maintain former and yet to come Iwi settlements, reparations agreements/ redress options and their evolving conditions;

6. never approve resource consents or walking routes on wāhi tapu;

7. by June 2025, commit formally in the Long-Term Plan to the restoration of moana, rivers and streams and adopt the wholesale ban on all sewage and hazardous waste dumping to the harbours, rivers and streams in Tai Tokerau;

8. ensure 80% local procurement in all contracts to sustain Tai Tokerau businesses.

In Favour: Crs Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic and Tāmami Rākena

Against: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Steve McNally, Mate Radich and John Vujcich

**LOST**

**7 NGĀ PŪRONGO / REPORTS**

**7.1 SETTING OF 2025 MEETING SCHEDULE**

Agenda item 7.1 document number A4993990, pages 22 - 28 refers

**RESOLUTION 2024/168**

Moved: Kōwhai - Deputy Mayor Kelly Stratford  
 Seconded: Kahika - Mayor Moko Tepania

**That Council:**

a) adopt the proposed 2025 calendar;

b) note the 2025 reserve dates:

- January 28
- February 26
- March 5, 11, 25, 27
- April 1, 2, 4, 30
- May 1, 2, 22, 27, 28
- June 11, 18, 25
- July 9, 23, 24
- August 13, 19, 20, 26
- September 3, 10, 11, 17, 23

**CARRIED**

**7.2 WAITANGI 2025 TEMPORARY ROAD CLOSURES**

Agenda item 7.2 document number A4982563, pages 29 - 42 refers

**RESOLUTION 2024/169**

Moved: Kahika - Mayor Moko Tepania

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

Seconded: Cr Steve McNally

**That Council approve the proposed temporary road closures to accommodate the safe operation of the Waitangi Day commemoration week event.**

**CARRIED**

**7.3 TEMPORARY ROAD CLOSURE - KERIKERI CRUZ'N THE BAYZ**

Agenda item 7.3 document number A4851211, pages 43 - 46 refers

**RESOLUTION 2024/170**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Steve McNally

**That Council approve the proposed temporary road closure to accommodate the safe operations of the Kerikeri Cruz'n the Bayz event.**

**CARRIED**

**7.4 CONTROL OF EARTHWORKS BYLAW CONSULTATION**

Agenda item 7.4 document number A4897747, pages 47 - 62 refers

**RESOLUTION 2024/171**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

**That Council:**

- a) **approves, under section 160(3)(b)(ii) of the Local Government Act 2002, to consult on continuing the Control of Earthworks Bylaw without amendment in a manner that gives effect to the requirements of section 82 of the local government act 2002.**
- b) **approves, the Proposal for Consultation on the Control of Earthworks Bylaw, in attachment one, to be made publicly available for the purpose of the consultation.**
- c) **approves, the period for making written submissions on the proposal will be a minimum of 4 weeks.**
- d) **delegates authority to the Mayor to decide on the date of oral presentation/s of submissions.**
- e) **directs council staff to make all necessary logistical arrangements for people's verbal submissions to be heard in person in the council chambers or online via Microsoft Teams on the date decided by the mayor.**
- f) **authorises the Chief Executive to make minor changes to the Proposal for Consultation on the Control of Earthworks Bylaw to correct grammatical or spelling errors, or formatting.**

**CARRIED**

**7.5 2024-27 NATIONAL LAND TRANSPORT PLAN (NLTP) OUTCOMES**

Agenda item 7.5 document number A4952885, pages 63 - 83 refers

**MOTION**

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

Moved: Cr Ann Court  
 Seconded: Cr Hilda Halkyard-Harawira

That Council:

a) Receives the report dated 30<sup>th</sup> October – 2024-27 National Land Transport Plan outcomes  
 b) Approves Option 1 for all recommended allocations of unsubsidised funding for:

i) Continuous Programmes Funding; and  
 ii) Low-Cost Low Risk Investment Funding

**AMENDMENT**

Moved: Cr Felicity Foy  
 Seconded: Cr Steve McNally

That Council approve works for unsubsidised funding for the following:

1 - tree trimming  
 3 - REAP road safety  
 4 - pothole prevention  
 5 - road rehabilitation  
 6 - school zones

and that more information be provided to a Te Koukou Committee workshop, for items 2, 7, 8, 9 and 10.

In Favour: Kōwhai - Deputy Mayor Kelly Stratford, Crs Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic, Steve McNally, Tāmati Rākena and John Vujcich  
Against: Kahika - Mayor Moko Tepania and Cr Ann Court  
Abstained: Cr Mate Radich

**CARRIED**

The amendment became the substantive motion.

**RESOLUTION 2024/172**

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Cr Felicity Foy

**That Council approve works for unsubsidised funding for the following:**

**1 - tree trimming**  
**3 - REAP road safety**  
**4 - pothole prevention**  
**5 - road rehabilitation**  
**6 - school zones**

**and that more information be provided to a Te Koukou Committee workshop, for items 2, 7, 8, 9 and 10.**

Against: Cr Ann Court

**CARRIED**

*At 11:53am, the meeting adjourned and resumed at 11:58am.*

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**7.6 TRANSFER OF INDEPENDENTLY QUALIFIED PERSON'S (IQP'S)**

Agenda item 7.6 document number A4934061, pages 84 - 103 refers

**RESOLUTION 2024/173**

Moved: Cr John Vujcich

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council approve the transfer of powers from the Far North District Council to Auckland Council to administer the Independently Qualified Person's register for Independently Qualified Person's working in our district.**

**CARRIED**

**7.7 DEVELOPMENT OF A LOCAL ALCOHOL POLICY**

Agenda item 7.7 document number A4950769, pages 104 - 274 refers

**RESOLUTION 2024/174**

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr John Vujcich

**That Council approves the development of a Local Alcohol Policy (LAP) for the district.**

**CARRIED**

**7.8 FUTURE OF SEVERELY AFFECTED LOCATIONS (FOSAL) PROPOSED BUYOUT & RELOCATION POLICY**

Agenda item 7.8 document number A4975532, pages 275 - 285 refers

**RESOLUTION 2024/175**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Ann Court

**That Council:**

- a) acknowledge that that there are no residential properties in the Far North District that meet the FOSAL criteria; and**
- b) does not adopt the Proposed FOSAL Buyout and Relocation Policy as there are no properties that meet the FOSAL criteria in the Far North.**

In Favour: Kahika - Mayor Moko Tepania, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Penetaui Kleskovic, Mate Radich and John Vujcich

Against: Crs Kelly Stratford, Babe Kapa and Steve McNally

Abstained: Cr Tāmāti Rākena

**CARRIED**

**7.9 APPOINTMENT TO EXTERNAL ORGANISATIONS**

Agenda item 7.9 document number A4988098, pages 286 - 289 refers

**RESOLUTION 2024/176**

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Cr John Vujcich

**That Council appoint:**

- a) **Councillor Rākena to Kaikohe Sportsville**
- b) **Councillors Kapa and Rākena as liaisons for Lake Ōmāpere Trust**
- c) **Kahika Moko Tepania as the alternate to Councillors Vujcich and Kleskovic to Joint Regional Economic Development Group**
- d) **Councillor Rākena to replace Councillor Foy as lead for Creative Communities.**
- e) **Councillor Foy to be added as an alternate to the Awanui River Working Group.**

*Note: Cr Rākena has requested the FNDC website be updated to include a full list of Councillors portfolios, committees, community boards, under their profiles, alongside member reports. Kahika Moko Tepania to follow up at the February 2025 Council meeting.*

**CARRIED**

**7.10 PROGRESSING THE MULTI-AGENCY JOINT EMERGENCY COORDINATION CENTRE**

Agenda item 7.10 document number A4997686, pages 290 - 384 refers

**RESOLUTION 2024/177**

Moved: Kōwhai - Deputy Mayor Kelly Stratford  
 Seconded: Kahika - Mayor Moko Tepania

**That:**

- a) **the report ‘Progressing the Multi-Agency Joint Emergency Coordination Centre’ by Ruben Garcia, Group Manager – Community & Engagement and dated 12 December 2024, be received.**
- b) **Council approve the Chief Executive entering into a Heads of Agreement with Northland Councils for a Multi-Agency Joint Emergency Coordination Centre (the Agreement), subject to him being satisfied that:**
  - i) **Council has complied with all statutory, regulatory (and policy) obligations that relate to the Agreement; and**
  - ii) **The Agreement includes any conditions deemed to be reasonable and appropriate in his view having taken legal or other professional advice, if required.**

**CARRIED**

**7.11 REGIONAL DEAL TE TAI TOKERAU NORTHLAND**

Agenda item 7.11 document number A5001582, pages 385 - 408 refers

**RESOLUTION 2024/178**

Moved: Cr Ann Court  
 Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council:**

- a) **endorse the preparation of a Regional Deal proposal for submission to central**

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

<p><b>government.</b></p> <ul style="list-style-type: none"> <li><b>b) agrees to collaborate with the other three local authorities, Kaipara District Council (KDC), Whangārei District Council (WDC), and Northland Regional Council (NRC) as a single “region” for the purpose of the Regional Deal.</b></li> <li><b>c) approves Northland Inc as the lead organisation responsible for coordinating the development of the Regional Deal proposal, with support from all four councils.</b></li> <li><b>d) approves the Joint Regional Economic Development Committee as the governance entity overseeing the development of the proposal.</b></li> <li><b>e) approves the amendment to the Joint Regional Economic Development Committee Terms of Reference as provided in Attachment 4 of this agenda item.</b></li> <li><b>f) agrees that the Chair of the Joint Regional Economic Development Committee be the spokesperson of the Regional Deal programme on behalf of the region.</b></li> <li><b>g) approves the registration form being submitted by Northland Inc. on behalf of Northland Local Authorities (by 18 December 2024), following review by the Chief Executive.</b></li> <li><b>h) notes that the Joint Regional Economic Development Committee may be required to meet outside of the normal council meeting cycle during the traditional Christmas recess period.</b></li> <li><b>i) notes that similar recommendations are being presented to KDC, WDC, and NRC at their December 2024 meetings to ensure regional alignment and collaboration.</b></li> </ul> <p><u>Against:</u> Cr Tāmati Rākena and Cr Mate Radich</p>	<p><b>CARRIED</b></p>
--	-----------------------

*At 12:57pm, the meeting adjourned and resumed at 1:56pm.*

**7.12 SUBMISSION ON THE TREATY PRINCIPLES BILL**

Agenda item 7.12 document number A5008393, pages 409 - 417 refers

<p><b>RESOLUTION 2024/179</b></p> <p>Moved: Cr Tāmati Rākena                  Seconded: Cr Hilda Halkyard-Harawira</p> <p><b>That the Far North District Council:</b></p> <ul style="list-style-type: none"> <li><b>a) strongly opposes the Treaty Principles Bill</b></li> <li><b>b) makes a submission to the Justice Select Committee outlining the Far North District Council's strong opposition to the Bill</b></li> <li><b>c) delegate the Mayor and the Deputy Chair of the Te Kuaka Committee to give a verbal submission to the Justice Select Committee to support Council's written submission</b></li> </ul> <p><u>In Favour:</u> Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Crs Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich, Tāmati Rākena and John Vujcich</p> <p><u>Against:</u> Cr Ann Court</p>		<p><b>CARRIED</b></p>
---	--	-----------------------

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**7.13 ADOPTION OF FAR NORTH HOLDINGS STATEMENT OF INTENT FOR THE YEAR ENDED 30 JUNE 2025**

Agenda item 7.13 document number A5013083, pages 418 - 433 refers

**RESOLUTION 2024/180**

Moved: Cr John Vujcich  
 Seconded: Cr Steve McNally

**That Council:**

- a) **adopts the Far North Holdings Limited Statement of Intent for the year ended 30 June 2025**
- b) **publishes the Far North Holdings Limited Statement of Intent for the year ended 30 June 2025 on its website within 1 month of adoption**

**CARRIED**

**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS**

**8.1 REPORT ON THE INAUGURAL STATE OF THE FAR NORTH ADDRESS: OUTCOMES, INSIGHTS, AND FUTURE DIRECTIONS**

Agenda item 8.1 document number A4997684, pages 434 - 436 refers

**RESOLUTION 2024/181**

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Cr Tāmati Rākena

**That the Council receive the Report on the Inaugural State of the Far North Address: Outcomes, Insights, and Future Directions.**

**CARRIED**

**8.3 MAYOR AND COUNCILLOR'S REPORTS**

Agenda item 8.3 document number A5002703, pages 458 - 499 refers

**RESOLUTION 2024/182**

Moved: Cr John Vujcich  
 Seconded: Kahika - Mayor Moko Tepania

**That Council note the reports submitted by Kahika Moko Tepania, Kōwhai Kelly Stratford, Crs Hilda Halkyard-Harawira, Ann Court, Tāmati Rākena and Penetaui Kleskovic be received.**

**CARRIED**

**Attachments tabled at meeting**

- 1 Member Report John Vujcich

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**8.4 COUNCIL OPEN RESOLUTIONS UPDATE DECEMBER 2024**

Agenda item 8.4 document number A5002693, pages 500 - 514 refers

**RESOLUTION 2024/183**

Moved: Cr Steve McNally  
 Seconded: Cr Tāmāti Rākena

**That Council receive the report Council Open Resolution Update December 2024.**

**CARRIED**

**8.5 LOCAL WATER DONE WELL**

Supplementary Agenda item 8.1 document number A5023095, pages 4 - 57 refers

**RESOLUTION 2024/184**

Moved: Kahika - Mayor Moko Tepania  
 Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council LEAVE TO LIE the following:**

1. confirm the three water service delivery options to be consulted on are:
  - a) Internal Business Unit (“status quo”);
  - b) Single Council-owned water organisation;
  - c) Multi-Council owned water organisation; and
2. request staff hold another workshop on the three options in January 2025 and provide a further report on the preferred option to the February 2025 Council meeting.

**CARRIED**

**9 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**

**RESOLUTION TO EXCLUDE THE PUBLIC**

**RESOLUTION 2024/185**

Moved: Cr John Vujcich  
 Seconded: Kahika - Mayor Moko Tepania

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>9.1 - Confirmation of Previous Minutes - Public Excluded</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(h) - the withholding of the	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

Page 11

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

	<p>information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>exist under section 6 or section 7</p>
<p><b>9.2 - Facilities Management FNDC Swimming Pools</b></p>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>9.3 - Options for the Future of 11 Matthews Avenue, Kaitāia</b></p>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>9.4 - Disposal of land under Public Works Act: the Kaitāia waterwork known as Kauri Dam.</b></p>	<p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>9.5 - Moerewa Storm Water Improvements Contract Award</b></p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>9.6 - Kaitāia Wastewater Treatment Plant Desludging Procurement</b></p>	<p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure</p>

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

	disadvantage, negotiations (including commercial and industrial negotiations)	of information for which good reason for withholding would exist under section 6 or section 7
<b>9.7 - Options for Flood Affected Location</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>9.8 - Council Public Excluded Open Resolutions Update December 2024</b>	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>9.9 - Committee Recommendations and Resolutions - December 2024</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<p><b>And that the following are permitted to remain in the Public Excluded part of the meeting:</b></p> <ul style="list-style-type: none"> <li>• <b>Community Board Chairs Adele Gardner, Belinda Ward and Chicky Rudkin</b></li> <li>• <b>Kawiti Waetford Kaiwhakawhiti Reo – Language Interpreter</b></li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>		

**CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC**

At the conclusion of the public excluded discussion, Council confirmed the following decision be restated in public meeting as follows:

Facilities Management FNDC Swimming Pools

That Council approve a variation to the 2020 Facilities Management Services Far North District Council Swimming Pools Contract to increase the value of the base management fee to Hapori Aquatics by \$REDACTED per annum bringing the base management fee to \$REDACTED per annum.

Options for the Future of 11 Matthews Avenue, Kaitāia

e) That council adopt the Kaitāia concept masterplan, the Kaitāia town centre retail strategy and the Kaitāia Parking Strategy.

Return of land under Public Works Act: the Kaitāia waterwork known as Kauri Dam.

That Council receives the report – return of land under Public Works Act: the Kaitāia waterwork known as Kauri Dam.

**UNCONFIRMED**

Ordinary Council Meeting Minutes

12 December 2024

**CLOSING COMMENTS**

- Kōwhai - Deputy Mayor Kelly Stratford acknowledged that it's been 25 years since the Hundertwasser toilets were built in Kawakawa, and noted that these have heritage status and receive 250k visitors per year.
- Cr Felicity Foy noted that next week council will have its Mangamuka announcement with the reopening of State Highway 10, and noted the Kaitāia Airport signing on Friday 13 December.
- Kahika Moko Tepania wished everyone around the Far North a Merry Christmas.

**10 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

At 3:33pm, Cr Tāmati Rākena closed the meeting with a karakia.

**11 MEETING CLOSE**

**The meeting closed at 3:33pm.**

**The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 13 February 2025.**

.....  
**CHAIRPERSON**

## 6 NGĀ PŪRONGO / REPORTS

### 6.1 MARITIME FACILITIES BYLAW - ANALYSIS OF SUBMISSIONS AND ADOPTION OF A NEW BYLAW

**File Number:** A4910501

**Author:** Dan Bowmar, Policy Advisor

**Authoriser:** Roger Ackers, Group Manager - Planning & Policy

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this report is to seek approval from Council to adopt a new Maritime Facilities Bylaw under sections 145 and 146 of the Local Government Act 2002.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The proposed new Maritime Facilities Bylaw (Bylaw) will replace the current Maritime Facilities Bylaw 2002 and the Mooring Charges Bylaw 2002
- On 07 April 2022 after a review of the Maritime Facilities and Mooring Charges Bylaws, Council approved the development of a new Maritime Facilities Bylaw, under sections 145 and 146 of the Local Government Act 2002.
- On 06 September 2022, the Council approved a proposal for the proposed new Bylaw to be released for public consultation. This consultation was put on hold by the CEO at the time.
- On 21 September 2023, the Council approved a new proposal for the proposed new Bylaw to be released for public consultation.
- Initial consultation on the proposal was from 12 October to 16 November 2023, with oral submissions heard on 09 July 2024
- Attachment 1 shows the recommended changes to the draft amended Bylaw in response to submissions.
- Attachment 2 shows recommended changes to the draft
- Attachment 3 is the final recommended new Bylaw.

#### TŪTOHUNGA / RECOMMENDATION

**That Council:**

- a) approve the recommendations in the staff report in attachment 1 that:**
  - i) the preliminary clause, clauses 4 to 10, clause 14 and clauses 19, 20, and 21, are amended to improve certainty and clarity**
  - ii) no changes are made to clauses 1 to 3, 11 to 13, 15 to 18, and 22 to 23**
- b) adopt the new Maritime Facilities Bylaw in attachment 3 under sections 145 of the Local Government Act 2002 and every other enabling power and authority**
- c) revoke the Maritime Facilities Bylaw 2002 and the Mooring Charges Bylaw 2002.**

#### 1) TĀHUHU KŌRERO / BACKGROUND

On 08 February 2002, the Maritime Facilities and Mooring Charges Bylaws were adopted.

On 07 April 2022 (resolution 2022/18 refers), after a review of the two bylaws, Council approved the development of a new Maritime Facilities Bylaw, under sections 145 and 146 of the Local Government Act 2002.

On 06 September 2022 (resolution 2022/56 refers), Council approved a proposal for the proposed new Bylaw to be released for public consultation. This consultation was put on hold by the CEO at the time.

On 21 September 2023 (resolution 2023/113 refers), Council approved a new proposal for the proposed Bylaw to be released for public consultation.

The period during which people could make written submissions on the proposal was 12 October to 16 November 2023 while oral submissions were heard on 09 July 2024. Forty-two submissions were received in total - 36 written submissions (21 online and 15 by email) and 6 oral submissions.

## **2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

### **Support for the proposed Bylaw**

From 36 written submissions:

- 18 submitters (50%) supported the proposed Bylaw – 8 gave full support (22%) while 10 supported the Bylaw in part (28%)
- 11 did not support the Bylaw (31%)
- 7 were unsure (19%)

### **Reasons for supporting the proposed bylaw in part or in full were:**

- Support for the principles and values of the proposed Bylaw (expressed in a submission representing approximately 80% of Ōpito Bay residents)
- The Bylaw is reasonable and fair (4 responses)
- Support for combining the two existing Bylaws (2 responses)

### **Concerns and queries:**

#### **1. General concerns regarding:**

- Balance given to recreational users versus commercial users (5 responses)
- Enforcement of the Bylaw (4 responses)
- Removal of the rights of mooring holders (1 response)
- Re fees and charges (1 response)
- The maritime facilities should be privatised (1 response)

#### **2. Concerns about Council's role regarding the proposed Bylaw**

- Council does not have the authority to make the Bylaw (1 response)
- Duplication of the powers of Council and NRC (1 response)
- Suspicion about Council's hidden agenda (1 response)
- Who is responsible for improvements to maritime facilities? (1 response)

#### **3. Concerns from commercial users**

- Re the fee structure and fairness (4 responses)
- Needing clarity around implementation details (3 responses)
- Impact on small businesses and industries (3 responses)
- The regulatory burden (2 responses)
- Infrastructure maintenance and revenue use (1 response)
- Commercial access to the facilities (1 response)

#### **4. Māori and Treaty Matters**

- Treaty of Waitangi obligations (2 responses)

- Consultation and Inclusivity (2 responses)
- Māori rights and access (1 response)
- Free and accessible marine assets (1 response)
- Accountability and mitigation of harm (1 response)

#### 5. Concerns that are wider than the proposed Bylaw

- Concerns about health and safety of the facilities (1 response)
- Council should use other methods of charging (1 response)
- Concerns about the Ōpito Bay ramp specifically (1 response on behalf of approximately 80% of Ōpito Bay residents)
- Concerns about the Windsor Landing ramp specifically (1 response)
- Need to take a broad view of a complex issue (1 response)
- Lack of investment (1 response)
- Rules for privately owned maritime facilities (1 response)
- Re 'further engagement' mentioned in the Proposal document (1 response)

#### Feedback on specific clauses in the Bylaw:

In addition to the general positive feedback and concerns summarised above, submitters commented or made suggestions on fifteen clauses in the draft Bylaw. This feedback is analysed in Attachment 1. The analysis resulted in two recommendations by Council staff to amend or delete these clauses to improve certainty and clarity:

#### 1. Amendment to Clause 6(2) - Prohibition of unsafe practices on, under or about any maritime facility

- Clause 6(2) states "No persons shall engage in any activity or unsafe practice on, under or about any maritime facility"
- Staff agree with a submission that the word 'unsafe' should be included in this Clause as follows: "No persons shall engage in any **unsafe** activity or unsafe practice on, under or about any maritime facility"

#### 2. Deletion of Clause 20 - Wastewater discharge

- Clause 20 states: "When berthing at, coming alongside or using any Maritime Facility the Master or owner of every Vessel must ensure that they have sealed all waste water discharge seacocks with the exception of bilge, refrigeration and engine cooling system discharge points and shall permit officers of the Northland Regional Council, Far North District Council or their agents to board Vessels at any time to inspect the Vessel and/or to check any discharges"
- A submission pointed out that this Clause is an overreach as rules and regulations are already enforced by Northern Regional Council and Maritime New Zealand
- Staff agree that it is unnecessary for this provision to be included in the Bylaw, as issues regarding discharges to water are already covered by the Resource Management Act 1991 and administered by Northern Regional Council and others.

### COMPLIANCE WITH SECTION 155 OF THE LOCAL GOVERNMENT ACT

#### 1) Bylaw is the most appropriate way to address the problem

A review by Allen and Clarke Policy and Regulatory Specialists Ltd, identified that a bylaw is the most appropriate way to address perceived problems regarding maritime facilities as there is no other regulatory instrument or method with which Council could use to manage and regulate the

maritime facilities under its jurisdiction. This was agreed by Council on 07 April 2022 for the purposes of section 155(1) of the Local Government Act 2002

## 2) Form of the Bylaw

If the recommended changes are agreed to, Council staff advise that the amended Maritime Facilities and Fees Bylaw in Attachment 3 is an appropriate form of bylaw for the purposes of section 155(2)(a) of the Local Government Act 2002.

## 3) Compliance with the New Zealand Bill of Rights Act 1990

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

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

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

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

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

## IMPLEMENTATION PLAN

Next steps will include:

- Licensing Process for Commercial Operators
- Fees and Charges for Commercial Operators
- Communications with Commercial Operators and the Wider Public
- A Review of the Maritime Management Agreement to Ensure Alignment with the New Bylaw

### Licensing Process for Commercial Operators

Far North Holdings Limited will have a Principal Policy Statement for the Commercial Use of Recreational Maritime Facilities document available for commercial operators. This policy aims to:

1. establish sustainable commercial use of the Council's recreational maritime assets where appropriate
2. ensure public access and enjoyment of these assets
3. ensure the fair and equitable use of recreational maritime assets by all users
4. ensure the safety and environmental integrity of all users.

This policy relates directly to commercial use over recreational assets.

The policy will cover:

- The scope and purpose of the policy
- Commercial use and fees
- Assessment criteria
- Fees and Charges
- Permitted use
- The application process
- Application review and processing
- Approval and conditions of use
- Payment and payment options

- Payment methods
- Use without approval

A Commercial Use of Recreational Maritime Facilities Application Form will also be available to commercial users as the initial part of the application process.

These documents will be available on the Far North Holdings Limited website and available to those that request it by email or phone. They will be outlined in clear and easy to understand language for commercial operators.

### **Fees and Charges for Commercial Operators**

Commercial fees and charges will be set and consulted on in the fees and charges section of the Long-term Plan. Any fees or charges would be managed and collected by Far North Holdings Limited.

Recreational fees and charges will not be set in 2025. This may be looked at a later stage. As with the commercial fees, recreational fees and charges would need to be set and consulted on through the Long-Term Plan and these would be managed and collected by Far North Holdings Limited.

Swing mooring charges are levied and collected by Northland Regional Council. It is charged via the Navigation Safety Bylaw (Section 4) and charges are levied through Council's Fees and Charges.

### **Communications with Commercial Operators and the Wider Public**

A communications plan will be developed once commercial fees and charges have been set and consulted on in the fees and charges section of the Long-term Plan.

This is to ensure that:

1. commercial operators are aware of what is expected with commercial licencing, fees, and charges
2. commercial operators know where to find relevant information and documentation for the application process
3. wharf wardens are made aware of what is happening
4. the wider public and made aware of what is happening.

### **TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

The new Maritime Facilities and Fees Bylaw in Attachment 3 can be made, under sections 145 and 146 of the Local Government Act 2002 because, following the changes recommended in the report in Attachment 1:

- a) A bylaw is the most appropriate way to address the problem; and
- b) The bylaw is an appropriate form of bylaw; and
- c) The bylaw provisions are reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.

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

The operational costs for amending the bylaw are expected to be minimal (less than \$1,000 plus staff time and resources) and will be met from existing operational budgets.

Operational costs for implementing the bylaw, for example administrating the licensing process, will be managed by Far North Holdings Limited and offset by fees and charges.

### **ĀPITIHINGA / ATTACHMENTS**

1. **Analysis of Submissions - A5060183**  
2. **Tracked Changes to Maritime Facilities Bylaw - A5060185**  
3. **Proposed Maritime Facilities Bylaw - A5060187**  

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	In line with the Significance and Engagement policy the recommendation to make a new Bylaw is consistent with existing plans and policies. Therefore, the level of significance is low.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Local Government Act, section 145, 146 and 155 apply to the decisions recommended in this report.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The bylaw recommended in this report has District wide relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	Seeking the views and input of iwi in the development of bylaws is integral. Access to maritime facilities plays a part in ensuring the wellbeing of tangata whenua. Māori were given an opportunity to contribute during the engagement and consultation stage of the bylaw development process, and a number of submissions were made from a Māori perspective.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Affected and interested parties who were included in the Bylaw development and consultation process included: <ul style="list-style-type: none"> <li>• local residents affected by maritime facility use</li> <li>• commercial and recreational users of maritime facilities</li> <li>• Far North Holdings Ltd</li> <li>• Northland Regional Council</li> </ul>
State the financial implications and where budgetary provisions have been made to support this decision.	The operational costs for amending the Bylaw are expected to be minimal (less than \$1,000 plus staff time and resources) and will be met from existing operational budgets.
Chief Financial Officer review.	This report has been reviewed by the Chief Financial Officer.



# Analysis of submissions

## Maritime Facilities Bylaw

### 1 Background

The Maritime Facilities and Mooring Charges Bylaws were made by Council on 02 August 2002.

On 07 April 2022 (resolution 2022/18 refers), after a review of the two bylaws, the Council approved the development of a new Maritime Facilities Bylaw, under sections 145 and 146 of the Local Government Act 2002.

On 06 September 2022 (resolution 2022/56 refers), the Council approved a proposal for the proposed new Bylaw to be released for public consultation. This consultation was put on hold by the CEO at the time.

On 21 September 2023 (resolution 2023/113 refers), the Council approved a new proposal for the proposed new Bylaw to be released for public consultation. The period during which people could make submissions on the proposal was 12 October to 16 November 2023. Oral submissions were delayed until 09 July 2024, due to the need to wait for an available time slot as Long-Term Planning hearings took precedence.

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

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

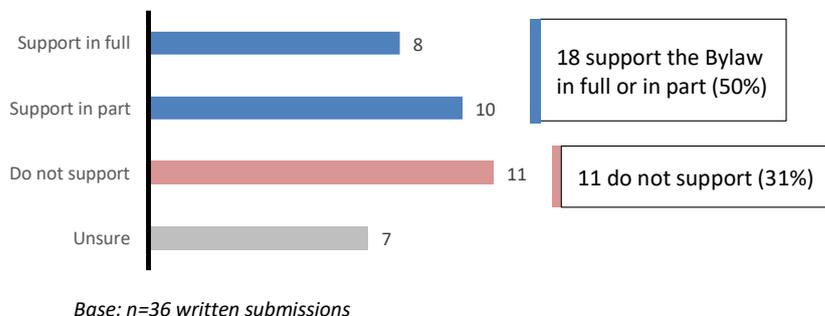
- Strategy and Policy
- Legal Services.

Staff from Far North Holding Limited also contributed to this analysis.

### 2 Summary of submissions

Forty-two submissions were received, thirty-six were written submissions (21 online and 15 by email) and six were oral submissions. The chart below shows the level of support for the proposed bylaw among the written submissions:

Figure 1 – Level of support for the proposed Bylaw



Six people who made written submissions asked to submit verbally to Council and were heard by Council on 09 July 2024. Three of these submitters supported the proposed Bylaw in part, two were fully opposed and one was unsure.

### 3 General feedback

The following feedback was received that is not related to specific clauses in the draft Bylaw.

#### 3.1 General support for the proposed Bylaw

##### *Submissions received*

##### **Support for the principles and values of the proposed Bylaw**

Submission 29 (representing ~80% of Option Bay residents) supported the Bylaw's principles and values but requested further consultation on specific plans for the Opito Bay ramp.

##### **General support (reasons not specified)**

General support was expressed in submissions 04, 06, 33, 41, and 42.

##### **The Bylaw is reasonable and fair**

Four submitters (06, 10, 19 and 22) who supported the Bylaw in full, made general comments that they support the proposed Bylaw as it is reasonable and will lead to fairer, more appropriate uses of maritime facilities.

##### **Support for combining the two existing Bylaws**

Submitters 22 and 28 supported combining the two existing bylaws into one new bylaw to facilitate streamlined charging, easier identification of non-compliance, and simplified enforcement.

##### *Staff analysis*

##### **Re general supportive feedback**

General feedback in support of the proposed Bylaw is that the proposed Bylaw is fair, reasonable, and practical, combining the two existing Bylaws into one Bylaw is appropriate, and the Bylaw will lead to appropriate use of maritime facilities.

##### **Re request for further consultation re the Opito Bay ramp**

Regarding plans for the Opito Bay ramp, the building of ramps is outside the scope of the Bylaw. However, staff have communicated the Opito Bay community's desire for input into plans for the Opito Bay road map.

##### *Staff recommendation*

Council staff recommend no changes in response to these submissions in support of the Bylaw.

#### 3.2 Two main general concerns about the proposed Bylaw

##### *Submissions received*

Two main concerns expressed were as follows:

##### **1) Concerns re enforcement of the Bylaw**

- Lack of enforcement or policies to ensure commercial users can use facilities when needed (Submitters 12, 24).
- Lack of enforcement of the prohibition on people swimming and fishing from wharves (see section 4.2 re Clause 6(7) and section 4.2.3 re Clause 10) (Submitters 12,16)
- Submission 26 (from Opito Bay residents) questioned the Bylaw's enforceability and questioned how the council will monitor and enforce fees for vessels hired or chartered outside the Far North. They highlighted the lack of enforcement and fee collection under the existing bylaw.

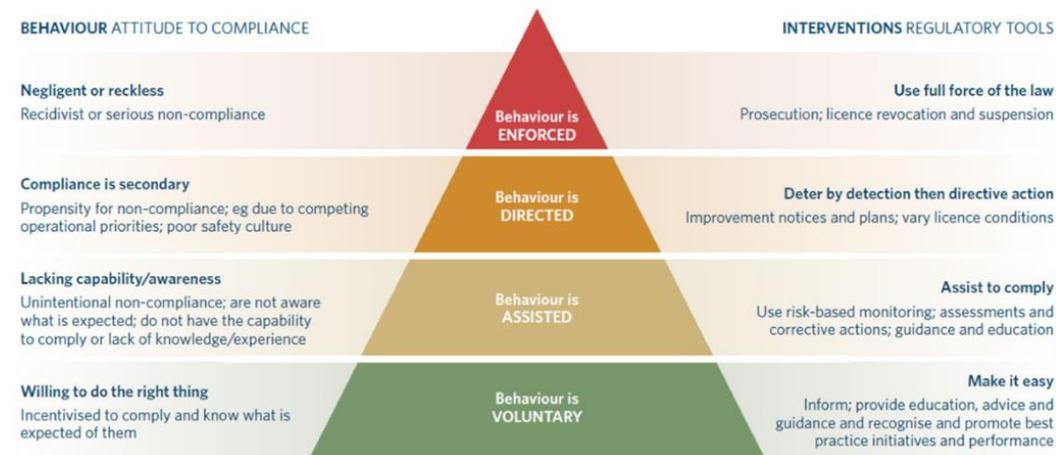
##### *Staff analysis*

Far North Holdings are responsible for management and administration and will call upon the monitoring team if and when they experience compliance issues that require enforcement.

This Bylaw is intended to address these issues. The use of licencing will enable Far North Holding to manage the use of facilities appropriately for each maritime facility and its users. This will be addressed further when reviewing each clause below.

Council will look to use the VADE approach for enforcement – see Figure 2 below:

Figure 2 – VADE approach to Compliance



Source: Report by the Environmental Services Monitoring and Compliance Team to the Regulatory Compliance Committee 08 September 2020

Using this model, “V” stands for **Voluntary compliance** where most people will comply through information and education. “A” stands for **Assistance to comply** where someone may be asked by a Council officer to comply with the Bylaw. “D” stands for **Directed enforcement** where the offender may receive a letter from Council noting a fine of up to \$20,000 for breaching the bylaw. “E” stands for **full Enforcement** where someone may be prosecuted or receive an injunction. Most enforcement activity by Council will always involve Voluntary and Assisted behaviour.

*Staff recommendation*

Council staff recommend no changes to the proposed Bylaw in response to these submissions about enforcement of the proposed Bylaw.

**2) Balance between recreational versus commercial users**

*Submissions received*

**Re equity for commercial and recreational users**

- Calls for equitable treatment of commercial and recreational users (Submitters 15, 22)
- Need for a balanced approach to ensure sustainable operations for both sectors (Submitters 22, 24)
- Concerns about prioritization of recreational over commercial use during peak times (Submitter 12).

**Re Council’s response to complaints about commercial vessels**

Concerns about Council not responding to complaints about commercial vessels (Submitter 21).

*Staff analysis*

**Re equitable treatment of commercial and recreational users**

This consultation has received submissions from both recreational and commercial users of maritime facilities. Council does not favour either group but rather intends the Bylaw to ensure shared and fair use for both recreational and commercial users. The intention of this Bylaw is to address providing fair, safe, shared use of maritime facilities for both recreational users and commercial operators.

**Re having a balanced approach to ensure sustainable operations for both sectors**

The Bylaw does not prioritise commercial over recreational use. The purpose of the Bylaw is to ensure a balance of all activities, both commercial and recreational.

Recreational and commercial sectors have different uses for the facilities. Far North Holdings Limited acts as the agent for the collection and distribution of any administrative fees associated with the maritime facility assets. One of the reasons for the bylaw is to better understand how many commercial operators are operating and from which facilities. Requiring commercial operators to make applications for use will enable Far North Holdings to understand the intended use of maritime facilities and to consider whether the equipment for each facility is appropriate and/or whether a modified or larger facility is required to operate from. Information from these applications will also indicate what facilities may need to be improved over time to ensure they are fit for purpose.

Currently, Council does not require recreational users of maritime facilities, including local ratepayers to pay fees for use. This will not change without further public consultation on the Maritime Facilities Bylaw.

**Re Council not responding to complaints about commercial vessels**

Council staff agree that not responding to complaints about commercial vessels is a concern. This concern has been shared with Far North Holdings who have systems in place to ensure that complaints are heard and responded to.

*Staff recommendation*

Council staff recommend no changes to the proposed Bylaw in response to these submissions about the balance between recreational versus commercial users.

**3.3 Concerns about Council's role regarding the proposed Bylaw***Submissions received*

Three submitters (8, 26, 17) expressed concerns about Council's role:

**Council does not have the authority to make the Bylaw**

Submitter 08 stated that the Council has no legal basis to maintain facilities, demand fees, or to engage with the people of Northland in any way.

**Duplication of the powers of Council and NRC**

Submitter 26 also pointed out the duplication of the proposed Bylaw with the Northern Regional Council harbourmaster's existing powers.

**Suspicion about Council's hidden agenda**

Submitter 17 suspected a hidden agenda by Council, more regulation, more expense, and more restrictions.

**Responsibility for improvements of maritime facilities**

Submission 19 states *'it is not clear who is responsible or what steps will be taken to fix or enforce improvements'*.

*Staff analysis***Regarding the authority to make the Bylaw**

Under the Local Government Act, Council has broad powers to make bylaws under sections 145 and 146 of the Local Government Act 2002, including for the purposes of addressing public nuisance, public health and safety and offensive behaviour in public places.

Also, under section 150 of the Local Government Act 2002, Council may prescribe a fee or charge for permits, approvals, and consents provided for under a Bylaw. Any such fee must not provide for Council to recover any more than the reasonable costs incurred by the Council for the matter for which the fee is charged.

**Regarding duplication of the powers of Council and NRC**

Council Staff advise that there is no intent for the Council to duplicate the powers of Northland Regional Council. The intent of the proposed Bylaw is to support the Northern Regional Council harbourmaster's existing powers and to sit alongside the policies of Northland Regional Council.

**Regarding suspicion about Council's hidden agenda**

Council staff advise that there is no hidden agenda. The Bylaw intends to regulate the use of Council's maritime facilities to protect public health, prevent nuisance, and ensure safe use of maritime facilities. The Bylaw intends

4

to impose reasonable limitations on behaviour and access. Costs associated with permits, approvals, and consents are to offset administration costs and to be put towards the future maintenance and development of maritime facilities in the Far North District.

**Regarding responsibility for improvements of maritime facilities**

Far North Holdings Limited holds the management contract from the Council for maritime facilities in the Far North. They will also assess the need for fixing or improving maritime facilities.

*Staff recommendation*

Council staff recommend no changes to the proposed Bylaw in response to these submissions about Council's role.

**3.4 Other general concerns regarding the proposed Bylaw**

*Submissions received*

**Removal of the rights of mooring holders**

Submitter 26 raised concerns about the removal of rights for mooring owners as ratepayers. They argued for retaining the Mooring Fees Bylaw.

**Re fees and charges by weight limits and/or discharge of polluting material**

Submitter 19 stated that they agree that commercial interests should pay to use the facilities but suggest weight limits and discharge of bio-matter pollution (e.g. oyster debris) and other fouling of ramps be factored into charges. However, locals who pay rates should not have additional charges for ramp use.

**The maritime facilities should be privatised**

Submission 03 stated *"Revoke the bylaws. Sell the maritime facilities, privatise."*

*Staff analysis*

**Re removal of the rights of mooring holders**

FNDC is responsible for 32 swing moorings. Swing mooring charges are levied and collected by Northland Regional Council. It is charged via the Navigation Safety Bylaw (Section 4) and charges are levied through Council's Fees and Charges.

There is no provision for free water or water services via FNDC maritime assets. None are provided other than historical provisions (Waipapa landing, Pukenui Wharf, Totara North, Kerikeri Basin). These have had historic provisions that are not 'maintained' by Far North Holdings Limited. Totara North water will be supplied with a charge as this comes from Far North Holdings Limited water tanks. The other sites are in kind until an effective control measure can be implemented.

The owner of a mooring can rent it out but the Harbourmaster can move them off. The Northland Regional Council Navigation Safety Bylaw only contracts (Licences) the mooring owner, not the renter (unless it is a mooring owned by the Northland Regional Council).

**Re fees and charges by weight limits and/or discharge of polluting material**

Regarding weight limits, Far North Holdings Limited advises they use a condition assessment not a structural rating for each maritime asset. There is a correlation between the condition of each asset and what activities vehicles and machinery are suitable for use on each asset.

Regarding the discharge of polluting material, this is discussed further in this report when reviewing clause 20 in Section 4. Staff agree that it is unnecessary for this provision to be included in the Bylaw, as issues regarding discharges to water are already covered by the Resource Management Act 1991 and administered by Northland Regional Council and others. Due to this, fees and charges relating to the discharge of polluting material is not appropriate to the Bylaw.

**Re maritime facilities should be privatised**

Council is not intending to sell or privatise the maritime facilities of the Far North District. Maritime facilities will continue to be managed by Far North Holdings Limited.

*Staff recommendation*

Council staff recommend that clause 20 be omitted from the Bylaw as discussed below in section 4.

No other changes are recommended by Council staff regarding these submissions.

**3.5 Concerns from commercial users**

Submitters 12, 15, 21, 22, 24, 38 expressed concerns around commercial operators. Submissions 24 (written submission) and 38 (oral submission) were from Leigh Commercial Fishermen's Association Incorporated, and submission 21 was from Electric Boat Co NZ Ltd.

Main themes from this feedback are listed below:

**1) Re the fee structure and fairness***Submissions received*

- High costs already borne by commercial operators, including mooring fees (Submitters 12, 15)
- Potential for unfair or unrealistic fees for commercial users (Submitters 12, 22)
- Questions about fairness and monitoring of recreational user fees (Submitters 15, 24)
- Concern that current and proposed fees are seen as a revenue-generating "tax grab" (Submitters 12, 15).

*Staff analysis***Re high costs already borne by commercial operators, the potential for unfair or unrealistic fees for commercial users, and fairness and monitoring of recreational user fees**

The fees provisions under clauses 21 of the Bylaw allow for fees to be set under Council's Fees and Charges Schedule, which is standard practice. This allows fees to be reviewed as appropriate annually. Any fees so set must still comply with the cost recovery limitation provided for in section 150(4) of the Local Government Act 2002 i.e. costs charged can only involve the recovery of reasonable costs incurred by the Council.

**Re current and proposed fees are a revenue-generating "tax grab"**

Staff advise that current and proposed fees are to ensure appropriate funds are collected to cover maintenance and improvements to existing maritime facilities, and administration costs. They are not intended to be a revenue-generating "tax grab".

There is no intention for Council to collect fees and charges for recreational users currently. However, there are provisions in the Bylaw for these to be established in the future. This would need to go through the consultation process of the fees and charges section of the long-term plan if recreational fees and charges are to be established in the future.

Recreational users will be monitored and managed by Far North Holdings Limited and will be expected to display fair, safe, shared use of maritime facilities.

*Staff recommendation*

Council staff recommend no changes to the proposed Bylaw in response to these submissions.

**2) Commercial Access***Submissions received*

- Limited access to wharves for commercial operators due to recreational users (Submitters 12, 24).

*Staff analysis***Re limited access for commercial users**

Council staff acknowledge that there will be limited access to wharves for commercial operators as restrictions (e.g. weight restrictions), necessary to each asset for safe use will impact on whether a commercial operator will be approved to use each maritime facility.

Maritime facilities are monitored and enforced by Far North Holdings Limited. Applications for use of maritime facilities will inform who can hold a license, who can use specific facilities (taking into consideration vehicles and equipment), and where bottlenecks are created with recreational usage.

*Staff recommendation*

Council staff recommend no changes to the proposed Bylaw in response to these submissions.

**3) Clarity around implementation details**

*Submissions received*

- Vague language and lack of detail in the bylaw (Submitters 24, 38)
- Unclear processes for authorizations, such as handling dangerous goods or obtaining permits (Submitters 24, 38)
- Need for clarity on permit costs, renewal frequency, and commercial designation requirements (Submitters 22, 24).

*Staff analysis***Re vague language and lack of detail**

Council staff agree that the Bylaw should be clear and have relevant detail. This will be addressed later in this submission analysis report where each specific Bylaw clause is looked at in further detail.

**Re unclear processes for authorisations, such as handling dangerous goods or obtaining permits**

Council staff advises that authorization of dangerous goods is covered under the application for use and ensures that the user is complying with health and safety, and Maritime New Zealand requirements.

**Re need for clarity on permit costs, renewal frequency, and commercial designation requirements**

Council staff agree that clarity on permit costs, renewal frequency, and commercial designation requirements are required. These are not covered in the Bylaw as they will be addressed by the Annual Plan and the setting of fees within the fees and charges process, which has its own consultation process. This process will ensure clarity for commercial users.

**4) Impact on small businesses and industries***Submissions received*

- Negative effects on small-scale food growers like oyster farmers (Submitter 15).
- Potential adverse impact on the Northland aquaculture industry due to restricted access (Submitter 22).
- Concerns that compliance burdens disproportionately affect small businesses (Submitter 15).
- Concerns that the proposed bylaw might hinder the provision of hard stand and anti-fouling services (Submitter 34).

*Staff analysis***Re negative effects on small-scale food growers and potential adverse impact on the Northland aquaculture industry due to restricted access**

The intent of this Bylaw is to ensure that all users of maritime facilities can do so safely and fairly. It is not the intent of the bylaw to favour one group over another group but to allowed shared use of facilities where appropriate to each maritime facility. Supporting businesses within the region is important to Council and ensures positive economic stability and growth.

**Re the provision of hard stand and anti-fouling services**

Hard stand and anti-fouling services are not an activity monitored or managed by the Far North District Council. Any such provision is way of approval from Northland Regional Council.

**5) Infrastructure maintenance and revenue use***Submission received*

- Perceived inadequacy of funds collected (e.g., cruise ship docking fees) being used for maintaining maritime facilities (Submitter 15).

*Staff analysis***Re perceived inadequacy of funds collected and lack of investment in facilities**

As stated above, funds collected should be used for maintaining maritime facilities. This perceived inadequacy of funds is an issue that has been raised by Council, Far North Holdings, Commercial Operators and the public. The intent of this Bylaw is to ensure that all commercial operators are paying a fair rate for facility use and that this will contribute to the costs of maintaining facilities at the expected levels of service.

Northland Regional Council collects pilotage and booking fees for cruise ships as per their Bylaw and fees and charges.

Far North Holdings Limited collects a 'Pax Cap' (passenger capacity) fee from each cruise ship vessel, and a fee for use of the Place of First Arrival (PoFA) at Waitangi Wharf. To receive offshore craft, vessels, persons and cargo, an airport or a seaport must be approved as a PoFA under section 37 of the Biosecurity Act 1993.

## 6) Regulatory burden

### *Submissions received*

- View that the bylaw introduces unnecessary compliance burdens (Submitters 12, 15)
- Frustration with perceived over-regulation of commercial maritime activities (Submitters 12, 15).

### *Staff analysis*

#### **Re unnecessary compliance burdens and perceived over-regulation of commercial maritime activities**

Maritime facilities are monitored and enforced by Far North Holdings Limited. Applications for use of maritime facilities will inform who can hold a license, who can use specific facilities (taking into consideration vehicles and equipment), and where bottlenecks are created with recreational usage. Licenses for commercial operations will be looked at annually rather than each individual instance of use.

The Bylaw is more about regulating use that is inappropriate and unreasonable, and/or a risk to people or assets. Given the public nature of maritime facility assets, it is necessary to regulate this as it underpins the intent of the Bylaw.

### *Staff recommendation re commercial operators' feedback*

Council staff recommend no changes to the proposed Bylaw in response to these submissions from commercial operators.

## 3.6 Māori and Treaty Matters

Submissions 10 and 13 addressed issues regarding Māori and Treaty of Waitangi. Five themes were generated from these submissions.

### 1) Treaty of Waitangi Obligations

#### *Submission received*

- Emphasis on addressing unresolved Treaty claims (e.g., Wai 49) before implementing new bylaws (Submitter 10)
- Need for the Bylaw to explicitly recognize and adhere to Te Tiriti o Waitangi (Submitter 13).

#### *Staff analysis*

Council staff recognise that the common marine and coastal area is accorded special status under the Marine and Coastal Area (Takutai Moana) Act 2011, including the ability to seek recognition/confirmation of protected customary rights and customary marine title.

A number of claims under the Marine and Coastal Area (Takutai Moana) Act 2011 are currently before the Courts. However, under the Marine and Coastal Area (Takutai Moana) Act 2011, structures such as wharves and other maritime facilities are specifically excluded from coverage and the ability of Council to regulate and potentially restrict the use of such structures is expressly confirmed.

Having sought legal opinion on the Bylaw, under the Marine and Coastal Area (Takutai Moana) Act 2011, structures in the common marine and coastal area such as maritime facilities are personal property and do not form part of the common marine and coastal area. The Act also recognises that public access to such structures can be subject to any "authorised prohibitions or restrictions" imposed under any enactment, including a bylaw.

Maritime facilities, even when located in the Marine and Coastal Area (Takutai Moana) Act 2011, do not come within the scope of the protections under the Marine and Coastal Area (Takutai Moana) Act 2011, and remain within the control of Council.

#### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions regarding Treaty of Waitangi obligations.

### 2) Māori Rights and Access

#### *Submission received*

- Recognition and protection of Māori rights as tangata whenua to access and use customary waterways, the foreshore, and the seabed (Submitter 13)
- Concern about potential discriminatory impacts of the Bylaw on Māori (Submitter 13).

#### *Staff analysis*

Section 11 of the Marine and Coastal Area (Takutai Moana) Act 2011 makes it clear that the special status of the common marine and coastal area does not prevent restrictions in the common marine and coastal area from being imposed under enactments, including bylaws. The Marine and Coastal Area (Takutai Moana) Act 2011 does not restrict Council's powers under the Local Government Act 2002, to make bylaws regulating the use of structures such as wharves and other maritime facilities located within the common marine and coastal area.

The Bylaw is intended to ensure the free use of facilities and protect customary rights so that one individual person cannot solely use the whole facility and prevent others using it. The Bylaw is intended to protect tangata whenua rights to have free and unobtrusive use.

#### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions regarding Māori rights and access.

### **3) Consultation and Inclusivity**

#### *Submission received*

- Recommendation to consult the Waitangi Tribunal for guidance and timelines on Treaty settlements (Submitter 10)
- Call for greater consultation and inclusion of Māori perspectives in bylaw development (Submitter 13).

#### *Staff analysis*

Council addresses the importance of the views of Māori and highly values engagement with Māori as part of the decision-making process. This is outlined in Council's Te Pae Uta document.

#### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions regarding consultation and inclusivity.

### **4) Free and Accessible Marine Assets**

#### *Submission received*

- Importance of ensuring free and equitable access to marine facilities like wharves, jetties, and ramps for Māori and local communities (Submitter 13)
- Highlighting how changes in local areas (e.g., Opua) have reduced accessibility and inclusivity for locals, especially children (Submitter 13).

#### *Staff analysis*

The Bylaw states that recreational users may be asked to pay fees for recreational use. Council is not asking for this. If this is to change, then further public consultation would be necessary to implement this. There are already existing bylaw charges fees for commercial use, so there is no change for recreational users. Fees and charges will be discussed as part of the Fees and Charges policy which is renewed annually.

#### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions regarding free and accessible marine assets.

### **5) Accountability and Mitigation of Harm**

#### *Submission received*

- Criticism of the Bylaw's lack of information on its purpose and potential impacts on Māori (Submitter 13)
- Advocacy for proactive measures to prevent harm to Māori interests and rights (Submitter 13).

#### *Staff analysis*

The Bylaw is intended to ensure the free use of facilities and protect customary rights so that one individual person cannot solely use the whole facility and prevent others using it. The Bylaw is intended to protect tangata whenua rights to have free and unobtrusive use.

#### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions regarding accountability and mitigation of harm.

### 3.7 Concerns that are wider than the proposed Bylaw

Several broad concerns were raised, which were not directly about the proposed Bylaw:

#### **1) Concerns about health and safety**

##### *Submission received*

Submitter 19 expressed concerns around health and safety on and around maritime facilities. They suggest that commercial users make facilities unsafe. They state their ramp is damaged and the seabed churned up in the launching and retrieval zone, and that safety is compromised on the road by overweight vehicles using the ramp. The submitter requests that Council consider access and ease for use for disabled or one person launching.

##### *Staff analysis*

As discussed above, the application process is required for Far North Holdings to assess the use of maritime facilities by commercial users. This process will assess whether the maritime facilities are able to be safely utilised by commercial users and that the facilities are appropriate for the use required.

Safety of all users, including those who are disabled will be taken into consideration when assessing and implementing facility maintenance and improvement. Fees and charges are monitored and enforced by Far North Holdings Limited. Applications for use of maritime facilities will also inform the need for further infrastructure such as parking, public toilets, and rubbish collection.

##### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

#### **2) Council should use other methods of charging**

##### *Submission received*

Submission 26 (from Opito Bay residents) suggested Council should use alternative fair and proven methods of charging, such as coin-operated barriers or annual stickers.

##### *Staff analysis*

Council staff looked at various methods of charging used throughout New Zealand. In discussion with Far North Holdings Limited, this form of charging commercial operators has been identified as the most practical.

##### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

#### **3) Concerns about the Opito Bay ramp**

##### *Submission received*

Submission 26 (from Opito Bay residents) raised concerns about the lack of resource consent for the Opito Bay boat ramp and potential breaches of consent for other facilities.

##### *Staff analysis*

Far North Holdings Limited advises that Opito Bay is a unique scenario that will require a specific strategy to address long term. Far North Holdings Limited has been informed of these concerns and the view expressed by the submission will carry weight when the Long-Term Plan is next revised.

##### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

#### **4) Concerns about the Windsor Landing ramp**

##### *Submission received*

Submitter 35 raised concerns about the inadequate and dangerous condition of the Windsor Landing boat ramp.

##### *Staff analysis*

Far North Holdings Limited has been informed of these concerns and the view expressed by the submission will carry weight when the Long-Term Plan is next revised.

##### *Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

**5) Need to take a broad view of a complex issue***Submission received*

Submitter 27 emphasised the need to consider social, cultural, environmental, and ecological impacts in all decisions. They highlighted the potential impact on roading infrastructure due to increased heavy vehicle traffic and call for location-specific plans developed in consultation with affected parties. They also stress the complexity of the issue and the need to address the needs and safety of all stakeholders.

*Staff analysis*

Council staff agree that maritime facilities have a broader socioeconomic impact. Managing this can be achieved through the Council's Long Term and Annual Plans and other strategies developed by the Council. However, in this case, the consultation covers a relatively narrow question around the wording of the bylaw.

*Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

**6) Lack of investment***Submission received*

Submitter 15 said there has been a lack of investment in maintaining or improving wharves and ramps despite significant revenue.

*Staff analysis*

Perceived lack of investment in maritime facilities is outside the scope of the consultation on the wording of the proposed Bylaw but is part of the wider discussion regarding the future of these facilities.

Far North Holdings have been informed of this concern and the view expressed by the submission will carry weight when the Long-Term Plan is next revised.

*Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

**7) Rules for privately owned maritime facilities***Submission received*

Submitter 20 questioned rules for privately owned maritime facilities and the impact of potential Council and/or Far North Holdings facility sales.

*Staff analysis*

The proposed Bylaw is concerned with maritime facilities owned by Far North District Council and not privately owned facilities. The Bylaw does not cover the selling or acquiring of private maritime facility assets.

*Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

**8) Regarding 'further engagement'***Submission received*

Submitter 31 requested an explanation of the term 'further engagement' in the consultation proposal.

*Staff analysis*

It is expected that in the future Council may want to amend certain aspects of this Bylaw such as recreational fees. Further engagement and consultation with public is necessary whenever Council make decisions on bylaws.

*Staff recommendation*

Council staff recommend no changes to the Bylaw wording in response to these submissions.

**4 Analysis and recommendations regarding the Bylaw wording**

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

**4.1 Clauses not referred to in submissions**

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

**Part 1: Preliminary provisions**

- Clause 1 Title

- Clause 2 Commencement
- Clause 3 Application
- Clause 4 Purpose
- Clause 5 Interpretation

Part 2: **Substantive provisions**

- Clause 9 Vessels Coming Alongside Wharves
- Clause 11 Cleaning Maritime Facilities
- Clause 14 Removal of Goods
- Clause 16 Closure of maritime facilities
- Clause 17 Requirement to Obey Council Signage
- Clause 19 Removal of Vessels

Part 4: **Enforcement**

- Clause 22 Offences

Part 5: **Savings and transitional provisions**

- Clause 23 Bylaw does not limit any other enactment

**4.2 Submissions on substantive provisions (clauses 6 to 20)**

*Clause 6(1) - Nuisance on, under or about any maritime facility*

**Submissions received**

Submitter 29 stated strong agreement with the Bylaw's purpose to protect public health, prevent nuisance, and ensure safe use of maritime facilities, the bylaw's aim to impose reasonable limitations on behaviour and access, and highlights the importance of preserving the serenity of seaside communities.

Submission 31 suggests addressing priorities and 'give way' rules at the specific facility level in individual ramp plans.

**Staff analysis**

Safety of all users (including 'give way' rules) will be taken into consideration when assessing and implementing specific plans for maritime facilities.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

*Clause 6(2) - Prohibition of unsafe practices on, under or about any maritime facility*

**Submission received**

Submission 23 suggests rewording to clarify that the prohibition applies to unsafe activities, not all activities.

**Staff analysis**

Council staff agree that a change of wording is required for clause 6(2) to make this clause clearer.

**Staff recommendation**

To improve clarity in clause 6(2), staff recommend inserting the word 'unsafe' before the words 'activity or unsafe practice'.

**Tracked changes to the clause as recommended**

6(2) No persons shall engage in any **unsafe** activity or unsafe practice on, under or about any maritime facility.

*Clause 6(3) - Prohibition of intimidation, endangerment or obstruction of any other person in their use of any maritime facility*

**Submission received**

Submission 29 expressed strong agreement with this clause.

**Staff analysis**

Staff agree that all people should feel safe when using maritime facilities.

**Staff recommendation**

Council staff recommend no changes in response to this submission.

*Clause 6(7) - Prohibition of people fishing, swimming from, or engaging in any underwater swimming or underwater activities from or near any maritime facility while that maritime facility is being used*

**Submission received**

Submission 16 questioned the enforceability of this clause and raised concerns about the lack of enforcement observed in relation to swimming and fishing from wharves.

**Staff analysis**

In order to manage clause 6(7), Council would look to use the VADE approach for enforcement (see the discussion in section 3.2)

Far North Holdings Limited advise that signage will outline prohibited unsafe and nuisance behaviour on maritime facility assets.

**Staff recommendation**

Council staff recommend no changes in response to this submission.

*4.2.1 Clause 7 - Fees for the recreational use of maritime facilities*

**Submissions received**

Submitter 19 agreed that commercial interests should pay to use facilities, suggested factoring in weight limits and pollution into charges, and proposed no additional charges for locals who pay rates

Submission 26 challenged the classification of users as solely commercial or recreational, and provided examples of vessels that fall outside these categories. They raised concerns about discrimination against public who hire vessels and argue that fees for commercial hire operators unfairly burden recreational users and create a disadvantage for local hire operators.

Submitter 26 also emphasised the role of maritime facilities as essential infrastructure and argued against relegating these facilities to purely recreational use. They questioned the prioritisation of recreational use over commercial use. They advocated prioritising commercial vessels due to the economic contributions of commercial users.

**Staff analysis**

Section 150 of the Local Government Act 2002 allows Council to prescribe a fee or charge for permits, approvals, consents provided for under a Bylaw. Any such fee must not provide for Council to recover any more than the reasonable costs incurred by the Council for the matter for which the fee is charged.

The fees provisions under clauses 7 and 21 of the Bylaw simply allow for fees to be set under Council's Fees and Charges Schedule, which is standard practice. This allows fees to be reviewed as appropriate annually. Any fees that are set must still comply with the cost recovery limitation provided for in section 150(4) of the Local Government Act 2002.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

*4.2.2 Clause 8 - commercial operators*

**Submissions received**

*a) Support for Regulating Commercial Use*

Submitters 29 and 31 agree with regulating commercial operators and requiring approvals to use maritime facilities, emphasizing the need for transparent processes and written approvals.

*b) Development of Location-Specific Plans*

Submitters 29 and 31 call for specific plans for each maritime facility, considering unique factors such as structural capacity, environmental impacts, safety, and current use patterns.

Balancing Recreational and Commercial Use

Submission 29 highlights the importance of balancing the needs of recreational and commercial users to ensure fair and efficient facility use.

Concerns About Practicality of Written Approvals

Submission 25 argues that requiring written approval for commercial operators is impractical and may impede safe operations.

*c) Proposal for a Ramp Grading System*

Submission 32 suggests implementing a grading system (A, B, C, D) to classify ramps based on various factors such as construction, safety, environmental impact, and congestion.

*d) Input from Opito Bay Residents*

Submissions related to Opito Bay (e.g., Submission 31, identified as "from Opito Bay residents") emphasize location-specific concerns, including the balance between recreational and commercial use and the need for tailored management plans.

**Staff analysis**

*a) Support for regulating commercial use*

The Bylaw does not prioritise commercial over recreational use. The purpose of the Bylaw is to ensure safe and appropriate use in the public landscape of the maritime facilities. Far North Holdings Limited are concerned with ensuring that maritime facilities will cope with whatever use is required. Each maritime facility will have specific loading specification and limits. Therefore, if a ramp or wharf is unable to cope with a particular commercial activity then a license will not be issued for that maritime asset.

*b) Development of location-specific plans*

One of the reasons for a license is to identify commercial activity, where and how it is occurring, and to then plan for future maritime facility development. These improvements will be outlined in future Long-Term Plans.

*c) Proposal for a ramp grading system*

Far North Holdings Limited advises that they do have a grading system for the maritime assets. However, it is a condition assessment not a structural rating. There is a correlation between the condition of each asset and what activities vehicles and machinery are suitable for use on each asset.

*d) Input from Opito Bay Residents*

As discussed above, Far North Holdings Limited advises that Opito Bay is a unique scenario that will require a specific strategy to address long term. Far North Holdings Limited has been informed of these concerns and the view expressed by the submission will carry weight when the Long-Term Plan is next revised.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

**4.2.3 Clause 10 - berthing directions**

Clause 10(2) states that no vessel shall remain berthed at any maritime facility, longer than is necessary to load or unload passengers or goods, provided that no vessel shall remain berthed at any wharf for more than 30 minutes without approval from Council or any authorised officer.

**Submissions received**

Submission 16 questions the enforceability of this clause and raises concern about the lack of enforcement observed related to swimming and fishing from wharves.

**Staff analysis**

To manage clause 10(2), Council would look to use the VADE approach for enforcement (See clause 6(7) and section 3.2).

**Staff recommendation**

Council staff recommend no changes in response to this submission.

#### 4.2.4 Clause 12 - Animals on maritime facilities

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

##### **Submission received**

Respondent 16 stated that this clause is unfair and suggests allowing pets on a leash.

##### **Staff analysis**

Under the Council's Dog Management Policy, maritime facilities are considered public places, where dogs must be kept on a leash as per the Dog Management Bylaw and the Dog Control Act 1996. This means dog owners must ensure their dogs are controlled by a leash held by someone capable of restraining them.

Clause 4 of the Dog Management Bylaw enforces this requirement in "On-Leash Areas," while Section 53 of the Dog Control Act 1996 outlines specific offences for failing to control a dog. Enforcement of these rules would follow the VADE approach (As discussed in section 3.3 report).

##### **Staff recommendation**

Council staff recommend no changes in response to this submission.

#### 4.2.5 Clause 13 - Goods, items and dangerous goods

##### **Submissions received**

##### *a) Re clause 13(3)*

Clause 13(3) states that no goods may remain on any maritime facility for more than 2 hours. Submission 31 raises concerns about the 2-hour limit potentially blocking access for others.

##### **Staff analysis**

It is fair and reasonable for larger vessels that have a large capacity for storage or fuel to require 2 hours to load or unload at a maritime facility. Far North Holdings Limited will take this into considerations when approving licenses and will ensure that facilities that can accommodate this length of time will be used by these larger vessels.

##### **Staff recommendation**

Council staff recommend no changes in response to this submission.

##### *b) Re clause 13(7)*

Clause 13(7) states that "Fuel bunkering on Maritime Facilities is prohibited unless prior Approval has been obtained from the Council. No bunkering will be approved by Council on wharves which have an operating on-site fuel service"

Submission 23 finds the wording unclear and suggests revising to clarify that approval will not be given for bunkering from personal supplies at facilities with commercial fuel services.

Submission 25 opposes restrictions on fuel bunkering, arguing that it is anti-competitive and could lead to unreasonable fuel prices.

##### **Staff analysis**

Far North Holdings Limited advises that goods and dangerous goods, such as fuel, on maritime assets are prescriptive according to the Resource Management (Marine Pollutions) Regulations 1998 linked to the Maritime Transport Act 1994.

Far North Holdings Limited advises that where bunkering facilities are provided, they do not allow private bunkering (e.g. Totara North, Pukenui, and Clansman wharves). This is to ensure that licensed providers are not undermined where these facilities already exist. However, where there are no bunkering facilities available (e.g. Opononi wharf), Far North Holdings will allow private bunkering with prior approval. Commercial operators would need a tier 1 plan as per the requirement under the Maritime Transport Act. Trucks and suppliers will have these, and approvals will be site specific.

Bunkering at sites where prior approval has not been established would still be possible by exception (e.g. emergency situations), but this is not the norm.

**Staff recommendation**

Council staff recommend no changes in response to this submission.

**4.2.6 Clause 15 - Vehicles and maritime facilities**

**Submissions received**

*a) Temporarily unattended vehicles*

Submitter 20 requested an amendment to address situations where vehicles are temporarily unattended while manoeuvring a boat trailer single-handed.

*b) Inclusion of road vehicles*

Submitter 26 criticised the inclusion of road vehicles used for launching in the commercial/recreational distinction.

**Staff analysis**

*a) Temporarily unattended vehicles*

It is reasonable to expect that someone utilising a maritime facility will not leave their 'vehicle unattended' for an 'extended' period. However, leaving a vehicle to sort out their boat briefly whilst launching or relaunching is normal not for an 'extended' period. An example of an extended period would be leaving a vehicle unattended on a boat ramp while fishing for a couple of hours. This would block the facility for an extended period until the vehicle is removed.

*b) Inclusion of road vehicles*

Each maritime asset has its limitations in terms of what it can safely accommodate in the way of vehicles and machinery. Road vehicles using these facilities will need to ensure that they are adhering to any size or weight restrictions to ensure safety and minimisation of damage to the maritime assets.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

**4.2.7 Clause 18 - Obstruction of wharves**

**Submissions received**

Submission 40 (oral submission), highlighted challenges for marine contractors and the need for urgent decision-making in accessing wharves and ramps.

**Staff analysis**

Subclause 21(8) allows authorised officers to make urgent decisions regarding accessing of wharves and ramps should the need arise.

**Staff recommendation**

Council staff recommend no changes in response to this submission.

**4.2.8 Clause 20 - Wastewater discharge**

**Submissions received**

Submission 25 considers this clause an overreach as rules and regulations are already enforced by Northern Regional Council and Maritime New Zealand.

**Staff analysis**

This submission is less about the use of maritime facilities and more about pollution of the body of water surrounding those facilities.

Within 12 miles from shore (the New Zealand Territorial Sea), discharges to water are regulated by the Resource Management Act 1991. Regional coastal plans and marine pollution regulations are made under that Act with monitoring and enforcement carried out by regional councils.

Staff agree that it is unnecessary for this provision to be included in our Bylaw, as issues regarding discharges to water are already covered by the Resource Management Act 1991 and administered by Northern Regional Council and others.

**Staff recommendation**

Staff recommend that clause 20 is removed from the Bylaw.

N.B. This will alter the subsequent numbering of the clauses in the Bylaw (i.e. clauses 21-24 will become clauses 20-23). However, this report uses the current numbering.

**4.3 Clause 21 - Approvals****Submissions received***a) Conflict between clauses 21(3) and 21(8)*

Submission 31 (from Opito Bay residents) highlights clause 21 and questions potential conflict between subclauses (3), 'The Approval from Council will be in written form and may include a licence, permit, order, letter or other written document' and subclause (8), 'Where an approval can be granted by an authorised officer under this bylaw, that approval may be a verbal or written approval and may be granted on such terms and conditions as the authorised officer considers appropriate. The authorised officer may cancel said approval at their discretion at any time.' They suggest expanding the clause to list factors to consider when granting a license.

*b) Fees for recreational users*

Submission 29 expresses strong agreement with no fees for recreational users. However, they also suggest the need for location-specific plans. They believe that this emphasizes the importance of considering factors such as location, current use, structural capability, impact on residents and other users, infrastructure, environmental/ecological issues, health and safety, and specific rules for each facility. They have particular emphasis on protecting cultural and environmental values

They also promote consultation with affected parties and stressed the need for consultation in developing location-specific plans. They have raised concerns about commercial operators at Opito Bay Ramp, which they believe highlights issues with commercial operators. They go on to suggest land purchase for dedicated commercial use.

*c) Bill of Rights Act 1990 (Section 18: Freedom of Movement)*

Submission 30 (Moturoa Island Manager) has jurisdictional concerns and questions whether the bylaw complies with existing legislation, specifically the Bill of Rights Act 1990 (Section 18: Freedom of Movement).

They argue that the Bylaw's proposed limitations on commercial access may exceed the council's authority and highlight that revenue gathering is not a valid reason for introducing a new bylaw. The submission suggests the council needs empirical data to justify the bylaw's restrictions on commercial use and goes on to propose considering alternative solutions like widening the ramp, designated lanes, or time/tide limits instead of blanket exclusions.

*d) Approvals for maritime facility use*

Submission 30 also has specific Concerns for Moturoa Island:

- Explains Moturoa Island's reliance on the Opito Bay ramp for essential operations, including refuse collection, shareholder access, and services for DOC and Top Energy
- Emphasizes the lack of alternative suitable ramps in the region
- Suggests upgrading the Opito Bay ramp to accommodate all ratepayers
- Expresses willingness to adhere to reasonable time, tide, speed, and designated area restrictions
- Raises concerns about a potential blanket exclusion of commercial vessels, which could impact Moturoa Island's operations
- Offers to meet with the council to address concerns and ensure continued access.

Submission 40 (oral submission) opposes the requirement for written approval for facility use.

Submission 07 suggests banning oyster barge activity from the Opua Marina Ramp.

**Staff analysis***a) Re conflict of clauses 21(3) and 21(8)*

There is no conflict between subclauses 21(3) and 21(8). Subclause 21(8) accommodates situations, such as emergencies, where authorised officers may need to grant or cancel approvals quickly, making verbal approval more practical. However, in most cases, written approval as outlined in subclause 21(3) will suffice.

*b) Fees for recreational users*

Under Section 150 of the Local Government Act 2002, the Council can charge fees for permits, approvals, or consents under a Bylaw, but these fees must not exceed the reasonable costs incurred by the Council.

Clause 21 of the Bylaw aligns with this by allowing fees to be set through the Council's Fees and Charges Schedule, a standard practice enabling annual reviews. Any fees established must comply with the cost-recovery limitation outlined in section 150(4) of the Local Government Act 2002.

*c) Bill of Rights Act 1990 (Section 18: Freedom of Movement)*

Council staff acknowledge that the Bylaw may limit access to maritime facilities but argue these limitations are justified as reasonable, aiming to enhance community safety and reduce public disturbance.

In response to the submitter's concern that clause 21(2) allows Council to refuse access, staff emphasize that such decisions must be made on reasonable grounds in accordance with natural justice. They argue that refusals are not unreasonable as they apply only to specific applicants and facilities on a case-by-case basis and do not constitute a blanket prohibition on access.

Staff further clarify that under the Marine and Coastal Area (Takutai Moana) Act 2011, maritime facilities are considered personal property, and public access can be subject to authorized restrictions, such as those imposed by a bylaw.

*d) Approvals for maritime facility use*

All commercial operators will be required to make an application for the use of maritime facilities and will be approved or declined by an appropriate Authorised Officer.

Each maritime asset is subject to their capabilities. For example, Houhora is not capable of commercial use. Far North Holdings Limited advises that each asset will be looked at for capability and applications for use will be approved based on asset capability. Restrictions on which assets may be used and other terms of use, such as days and times of use or restrictions on vehicle tonnage, may be put in place as part of the commercial license.

Far North Holdings Limited advises that they expect to establish relationships with 50 new commercial operators through the licensing process. If license applicants are successful, Far North Holdings Limited will let those applying for a license know their fee and which maritime assets may be used and with what restrictions.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

*Clause 24 - Applications, approvals in force as at commencement of this bylaw*

**Submissions received**

*a) Policy transition*

Submission 31 proposed that current approvals should cease once the new policy is adopted, and individual ramp plans are agreed upon.

*b) Management of busy periods*

Submission 14 suggested employing staff, such as security guards or boat ramp marshals, during peak periods as an alternative to enforcing a bylaw.

*c) Commercial operations*

Submission 29 raised concerns about the number of commercial operators and a lack of enforcement under the existing bylaw.

Submission 40 (oral submission) recommended increasing commercial facilities to mitigate conflicts with recreational users. The submitter expressed willingness to pay wharf fees but requested these fees be reviewed to ensure they are reasonable and not prohibitive.

**Staff analysis**

*a) Policy transition*

The submissions primarily focused on the practicalities of implementing the Bylaw rather than its specific content. Currently, there are no existing approvals for maritime facility use in the Far North District, emphasizing the necessity of individual licensing for managing facility usage effectively.

*b) Management of Busy Periods*

Far North Holdings Limited advises they have tried employing security guards or boat ramp marshals during peak times previously and that they were deemed inequitable and impractical for addressing the Council's need to regulate maritime facilities.

*c) Commercial operations*

The Bylaw is considered the most appropriate mechanism for regulating access to maritime facilities, as permitted under section 145 of the Local Government Act 2002, which covers issues related to nuisance, public health and safety, and offensive behaviour in public spaces. However, addressing the demand for additional maritime facilities lies beyond the scope of this Bylaw.

**Staff recommendation**

Council staff recommend no changes in response to these submissions.

## 5 Staff recommendations for drafting clarifications and amendments

A further technical review of the wording of the Bylaw was undertaken and amendments to clarify the meaning of several clauses have been recommended. Staff also identified typographical errors and these changes have been incorporated throughout the Bylaw. These amendments and corrections are addressed in this subsection.

*Preliminary enabling provision*

Council staff recommend a change to the preliminary provision of the Bylaw to clarify the enabling powers and ensure all potential enabling powers and authorities under which the Bylaw could be made are covered off.

**Staff recommendation**

Preliminary clause amended by adding the words “and every other enabling power and authority” “after the number “2002”.

**Tracked changes to the clause as recommended to be amended**

This bylaw is made pursuant to section 145 ~~and 146~~ of the Local Government Act 2002 and every other enabling power and authority.

*Clause 4 Purpose*

Council staff recommend a minor change to clause 4 to clarify the scope of the purpose of the Bylaw based on the enabling powers under section 146(1)(b)(vi) Local Government Act 2002 which allows Council to regulate infrastructure on land under council control (in other words those maritime facilities attached to or extending from the land).

**Staff recommendation**

Amend clause 4 by adding the wording “while also protecting these facilities from damage” after the word “behaviour”.

**Tracked changes to the clause as recommended to be amended**

4 Purpose

The purpose of this Bylaw is to regulate the use of maritime facilities under the control, management or ownership of the Far North District Council or Far North Holdings Limited, to ensure the public can utilise these

spaces safely, free from nuisances and offensive behaviour, while also protecting these facilities from damage and where applicable imposing fees or charges for the use of said maritime facilities.

#### Clause 5 Definitions

Council staff recommend several minor amendments to the definitions provisions under clause 5, to correct and clarify the scope of those definitions.

#### Staff recommendations

- Amend definition of “Authorised Officer” to “Authorised Person” and add wording to clarify the inclusion of warranted enforcement officers and Far North Holdings Limited staff within those definitions.
- Remove the definition of “Coastal Marine Area” on the basis that the term “Coastal Marine Area” is no longer used within the body of the Bylaw
- Amend all references to “equipment” throughout clause 5 and the body of the Bylaw to “associated equipment” to clarify the connection between “equipment” and the “Vessels” that the equipment is associated with.
- Amend all references to “Council’s Fees and Charges Policy” to “Council’s Fees and Charges Schedule” as a correction.
- Amend the definition of “Maritime Facility” to include reference to the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992 as underlying the basis for Council’s regulation and control of maritime assets.
- Amend the definition of “Maritime Facility” to include reference to “moorings” to make it clear that “moorings” are “Maritime Facilities”
- Amend definition of “Mooring” to make it clear that the definition covers mooring assets rather than the physical act of mooring by inserting a new definition of mooring based on the definition of “mooring” under the NRC Bylaw definition of “Mooring” for purposes of consistency.
- Amend the definition of “Vessel” to clarify that a vessel may be classified as such whether it has a means of propulsion or not.
- Delete the reference to the Interpretation Act 1999, which has been repealed, from clause 5(2) and replace it with a reference to the Legislation Act 2019, which replaces the repealed Act.

#### Tracked changes to the clause as recommended to be amended

##### 5 Interpretation

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

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

**Authorised Person** means any person authorised in writing, or warranted as an authorised officer or enforcement officer under the Local Government Act 2002, as the case may be, by the Council or by the Council’s Chief Executive Officer to carry out and enforce the obligations and requirements of this Bylaw. An Authorised Person may include any officer of Far North Holdings Limited so authorised by the Council or by the Council’s Chief Executive Officer except under clauses 14 (Removal of Goods), 19 (Removal of Vessels) and 21 (Offences) of this Bylaw.

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

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

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

**Council** means the Far North District Council.

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

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

**Maritime Facility** means any facility under the ownership or control of Far North District Council or Far North Holdings Limited, whether in accordance with the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992 or otherwise, which is constructed and used for the launching and landing of Vessels or associated equipment and includes wharves, marinas, boat ramps, moorings and any other such man-made structure.

**Master** means the any person, except a pilot, having command or charge of any Vessel

**Mooring** means any weight, pile or article placed in or on the foreshore or the bed of a waterway for the purpose of permanently securing a vessel, raft, aircraft, or floating structure; and pile or swing moorings, including any wire, rope, chain, buoy, or other device attached or connected to the pile or weight; but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage. anchoring or making fast to the shore, dock, seabed or foreshore; the securing or confining of a Vessel in a particular station, as by cables, anchors, line or chain.

**Pilot** means any person not being the master or a member of the crew of not belonging to a Vessel who has the conduct of the Vessel.

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

**Vessel** means a ship, boat, hovercraft, kayak, floating platform, pontoon or any other description of a vessel or associated equipment used or designed to be used in navigation whether or not it has any means of propulsion.

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

(2) The Legislation Act 2019 applies to this Bylaw.

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

#### *Clause 6 Use of Maritime Facilities*

Council staff recommend a minor change to clause 6(6), to ensure clarity and consistent use of language.

#### **Staff recommendations**

Amend clause 6(6) to add the word “associated” before “equipment” and to add the words “associated equipment, trailer or motor vehicle” to the end of the subclause.

#### **Tracked changes to the clause as recommended to be amended**

(6) No person shall leave on or near any Maritime Facility any Vessel, associated equipment, trailer, equipment or motor vehicle which may obstruct the use of that Maritime Facility for a period of time longer than is reasonably expected to launch, secure or retrieve the Vessel, associated equipment, trailer or motor vehicle.

#### *Clause 7 Fees for the Recreational use of Maritime Facilities*

Council staff recommend minor changes to clause 7 to replace the reference to “Council’s Fees and Charges Policy” with “Council’s Fees and Charges Schedule” as a correction and by adding wording the word mooring to clause 7(1) to make it clear that fees for the use of Maritime Facilities can include fees for moorings.

#### **Staff recommendations**

Amend clause 7(1) to add the words “including moorings” after “Facilities” and replace the word “Policy” with the word “Schedule” in both clause 7(1) and 7(3).

**Tracked changes to the clause as recommended to be amended**

## 7 Fees for the Recreational use of Maritime Facilities

(1) All Recreational Operators must pay the any applicable Fees for the use of Maritime Facilities, including moorings, as set out in the Council's Fees and Charges Schedule. This may include Fees for specific types of activities or operations that may be carried out by the Recreational Operators.

(2) No Recreational Operator may use any Maritime Facilities unless that have paid the required Fees under clause 7(1) of this Bylaw.

(3) The above clauses shall have no effect if the Council has not included Fees for the use of Maritime Facilities by Recreational Operators within the Council's Fees and Charges Schedule.

*Clause 8 Commercial Operators*

Council staff recommend minor changes to clause 8 to align it with clause 7 and ensure the reference to fees that may be charged to Commercial Operators sits within the appropriate position in the Bylaw.

**Staff recommendations**

- Amend clause 8(1) to replace the wording "Far North Holdings Limited" with the wording "Authorised Person" given that the revised definition of Authorised Person" expressly includes Far North Holdings Limited officers where authorised.
- Add new subclauses 8(2) to 8(4) based on subclauses 7(1) to 7(3) to ensure that the provisions that allow for fees to be charged to Commercial Operators mirror similar provisions for Recreational Operators. The existing reference to charging Commercial Operators under clause 20(1)(d) can then be deleted.

**Tracked changes to the clause as recommended to be amended**

## 8 Commercial Operators

(1) No Commercial Operator shall use any Maritime Facility without written Approval from the Council or an Authorised Person.

(2) All Commercial Operators must pay any applicable Fees for the use of Maritime Facilities, including moorings, as set out in the Council's Fees and Charges Schedule. This may include fees for specific types of activities or operations that may be carried out by Commercial Operators.

(3) No Commercial Operator may use any Maritime Facilities unless they have paid the required Fees under clause 8(2) of this Bylaw.

(4) The above clauses shall have no effect if the Council has not included Fees for the use of Maritime Facilities by Commercial Operators within the Council's Fees and Charges Schedule.

*Clause 9 Vessels Coming Alongside Wharves*

Council staff recommend minor typographical and formatting changes to clause 9.

**Staff recommendations**

Amend clause 9(3) to replace the word "charge" with the word "recover" and delete the words "such cost being recoverable by action in the appropriate Court of Law". The word "recover" better aligns with legislative drafting convention while it goes without saying that recover can be achieved through the Courts. Likewise, recover may be achieved without recourse to formal legal proceedings and in that respect such action should not be inadvertently precluded by the wording of the Bylaw.

**Tracked changes to the clause as recommended to be amended**

## 9 Vessels Coming Alongside Wharves

(1) The Master of any Vessel coming alongside any Wharf shall be responsible for the proper and safe berthing of that Vessel.

(2) The Master and owner of the Vessel shall be responsible for any damage done to any Wharf in connection with that Vessel.

(3) The Council may repair any such damage and recover the cost of doing so against from the Master or owner of the Vessel that caused the damage ~~such cost being recoverable by action in the appropriate Court of Law.~~

#### Clause 10 Berthing Directions

Council staff recommend minor typographical changes to clause 10.

#### Staff recommendations

Amend clause 10 to replace the word "Officer" with the word "Person" and replace the word "Wharf" with the word "Maritime Facility" to ensure consistent wording is being used throughout the clause.

#### Tracked changes to the clause as recommended to be amended

##### 10 Berthing Directions

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

#### Clause 14 Removal of Goods

Council staff recommend amendments to clause 14 to ensure that the powers of removal align with the relevant powers of seizure, disposal and cost recovery under sections 164, 167 and 168 of the Local Government Act 2002.

#### Staff recommendations

- Amend clause 14 to delete the word "hinder" and replace it with the word "obstruct"
- Amend clause 14 to delete the wording "are an impediment to" and replace it with the word "obstruct"
- Amend clause 14 by adding the wording "authorise seizure and removal of the Goods in accordance with the requirements of section 164 of the Local Government Act 2002" after the word "may"
- Amend clause 14 by deleted the wording "have the Goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt"

#### Tracked changes to the clause as recommended to be amended

##### 14 Removal of Goods

~~(1) Where any Goods remain on any Maritime Facility for more than 2 hours, or where any such Goods hinder obstruct the loading or unloading of any Vessel, ~~are an impediment to obstruct~~ Vessels approaching any Maritime Facility or obstruct any Maritime Facility, the Council or any Authorised Person may authorise the seizure and removal of the Goods in accordance with the requirements of section 164 of the Local Government Act 2002.~~

~~(2) The Council or an Authorised Person must either return or dispose of any Goods seized under clause 14(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover any costs incurred by the Council in seizing, impounding, transporting, storing or disposing from the owner have the Goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt of the Goods.~~

#### Clause 19 Removal of Vessels

Council staff recommend amendments to clause 19 to ensure that the powers of removal align with the relevant powers of seizure, disposal and cost recovery under sections 164, 167 and 168 of the Local Government Act 2002.

#### Staff recommendations

- Amend clause 18(1) to delete the wording “or cannot be readily located” and add the wording “seizure of the Vessel in accordance with the requirements of section 164 of the Local Government Act 2002 and”
- Amend clause 18(3) to add the wording “The Council or an Authorised Person must either return or dispose of any Vessel seized under clause 19(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover” to the beginning of the subclause.
- Amend clause 18(3) to replace the word “expense” with the word “costs”.
- Amend clause 18(3) to add the wording “in seizing, impounding, transporting, storing or disposing” after the word “Council”.
- Amend clause 18(3) to delete the wording “during such removal”, “may be recovered” and “in an appropriate Court”

#### Tracked changes to the clause as recommended to be amended

##### 19 Removal of Vessels

(1) If the owner or Master of any Vessel does not comply with this Bylaw or any direction of the Council or an Authorised ~~Person under this Bylaw or cannot readily be located~~, the Council or an Authorised ~~Person~~ may authorise the seizure of the ~~Vessel in accordance with the requirements of section 164 of the Local Government Act 2002~~ and removal of the Vessel to another place of reasonable safety.

(2) ~~Neither the Council nor an~~ Authorised ~~Person~~ shall be responsible for any loss of or damage to such ~~a~~ Vessel or its ~~associated~~ equipment sustained for any reason during the course of or subsequent to its removal.

(3) ~~The Council or an Authorised Person must either return or dispose of any Vessel seized under clause 19(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover any costs incurred by the Council in seizing, impounding, transporting, storing or disposing during such removal~~ the Vessel ~~may be recovered~~ from the owner or Master ~~in an appropriate Court~~.

#### Clause 20 Approvals

Council staff recommend minor amendments to clause 20 correct typographical errors, delete references to charging Commercial Operators from the Approvals clause and to make it clear when verbal approvals by Authorised Persons (as opposed to written approvals) may be appropriate.

#### Staff recommendations

- Amend subclauses 20(1)(c) and (d) to replace the word “Policy” with the word “Schedule”.
- Amend clause 20(1)(d) to delete the wording “This may include fees for specific types of activities or operations that may be carried out by the Commercial Operator”
- Amend clause 20(8) to replace the word “Officer” with the word “Person”
- Amend clause 20(8) to add the wording “under clauses 10, 15 or 16 of” after the word “under” and to “where appropriate” after the word “Bylaw” and delete the wording “or in written form”

#### Tracked changes to the clause as recommended to be amended

##### 20 Approvals

(1) Where any Approval from the Council is required by this Bylaw, a person who seeks that Approval must:

- Apply in writing to the Council for the ~~A~~approval which may include using the any applicable application form for that Approval;
- Provide the information required or requested by the Council; and
- If applicable, pay the fee for that Approval as set out in the Council’s Fees and Charges ~~Schedule~~.
- Pay any applicable fees for the use of Maritime Facilities as set out in the Far North District Council’s Fees and Charges ~~Schedule~~. ~~This may include fees for specific types of activities or operations that may be carried out by the Commercial Operator.~~

- (2) The Council may grant or refuse to grant the requested Approval.
- (3) The Approval from the Council will be in written form and may include a licence, permit, order, letter or other written document.
- (4) The Approval may be granted on such terms and conditions as the Council considers appropriate.
- (5) The Approval may be granted for a set term after which the Approval will expire.
- (6) Council may revoke the Approval if any of the terms and conditions of the Approval are not complied with.
- (7) Council may revoke any Approval that has been granted at any time if the circumstances under which the Approval was granted have changed since the Approval was granted.
- (8) Where any Approval can be granted by an Authorised [Person under clauses 10, 15 or 16](#) of this Bylaw, [where appropriate](#) that Approval may be given verbally ~~or in written form~~ and may be granted on such terms and conditions as the Authorised [Person](#) considers appropriate. The Authorised [Person](#) may cancel said such an Approval at their discretion at any time.

#### [Clause 21 Offences](#)

Council staff recommend amendments to clause 21 to cross reference the mode of enforcement of offences available under revised clause 18 by referencing the power of seizure under that clause in accordance with section 164 Local Government Act 2002.

#### **Staff recommendations**

Amend clause 21 to add a new clause cross referencing clause 18 by adding the wording “(3)Under clause 18 of this Bylaw the Council or an Authorised Person may authorise the seizure of a Vessel in accordance with the requirements of section 164 of the Local Government Act 2002”.

#### **Tracked changes to the clause as recommended to be amended**

##### [21](#) Offences

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

[\(3\) Under clause 18 of this Bylaw the Council or an Authorised Person may authorise the seizure of a Vessel in accordance with the requirements of section 164 of the Local Government Act 2002.](#)

APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED

Number	Organisation
1	Individual submission
2	Individual submission
3	Individual submission
4	Individual submission
5	Individual submission
6	Individual submission
7	Individual submission
8	Individual submission
9	Individual submission
10	Individual submission
11	Taniwha Oysters
12	Individual submission
13	Te Kapotai, Ngāti Hine, Te Whare Wananga o Awanuiārangi
14	Individual submission
15	Individual submission
16	Bayscapes Charters
17	Individual submission
18	Individual submission
19	Individual submission
20	Individual submission
21	Electric Boat Co NZ Ltd.
22	Individual submission
23	Individual submission
24	Leigh Commercial Fishermen’s Association Incorporated
25	Johnson Bros Limited Marine Construction
26	Electric Boat Co NZ Ltd.
27	Individual submission
28	Individual submission
29	Residents of Opito Bay
30	Moturoa Island Limited
31	Individual submission
32	Individual submission
33	Individual submission
34	Individual submission
35	Ben Tombs Carpentry
36	Individual submission
37	Electric Boat Co NZ Ltd.
38	Leigh Commercial Fishermen’s Association Incorporated
39	Individual submission– did not attend due to illness
40	Johnson Bros Limited Marine Construction
41	Individual submission
42	Residents of Opito Bay

1-21	Online survey submissions
22-36	Written submissions
37-42	Verbal submissions



## THE FAR NORTH DISTRICT COUNCIL

### MARITIME FACILITIES BYLAW 20~~22~~25

FAR NORTH DISTRICT COUNCIL

Maritime Facilities Bylaw 20~~22~~25

This bylaw is made pursuant to sections 145 and 146 of the Local Government Act 2002 and every other enabling power and authority.

To come into force: XX Month 20~~22~~25

To be reviewed by: XX Month 20~~27~~30

## Part 1: Preliminary provisions

### 1 Title

This bylaw is the Maritime Facilities Bylaw 20~~22~~25.

### 2 Commencement

This Bylaw comes into force on XX Month 20~~22~~25.

### 3 Application

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

### 4 Purpose

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

### 5 Interpretation

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

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

**Authorised ~~Officer~~ Person** means any person authorised in writing, or warranted as an authorised officer or enforcement officer under the Local Government Act 2002, as the case may be, by the Council or by the Council's Chief Executive Officer to carry out and enforce the obligations and requirements of this Bylaw. An Authorised Person may include any officer of Far North Holdings Limited so authorised by the Council or by the Council's Chief Executive Officer except under clauses 14 (Removal of Goods), 19 (Removal of Vessels) and 21 (Offences) of this Bylaw.

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

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

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

**Council** means the Far North District Council.

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

**Goods** includes wares and merchandise of every description and all ~~effects~~ chattels, livestock and other articles.

**Maritime Facility** means any facility under the ownership or control of Far North District Council or Far North Holdings Limited, whether in accordance with the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992 or otherwise, which is constructed and used for the launching and landing of Vessels or associated equipment and includes wharves, marinas, boat ramps, moorings and any other such man-made structure.

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

**Mooring** means any weight, pile or article placed in or on the foreshore or the bed of a waterway for the purpose of permanently securing a vessel, raft, aircraft, or floating structure; and pile or swing moorings, including any wire, rope, chain, buoy, or other device attached or connected to the pile or weight; but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage. ~~anchoring or making fast to the shore, dock, seabed or foreshore; the securing or confining of a Vessel in a particular station, as by cables, anchors, line or chain.~~

**Pilot** means any person not being the master or a member of the crew of ~~not belonging to a~~ Vessel who has the conduct ~~thereof~~ of the Vessel.

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

**Vessel** means a ship, boat, hovercraft, kayak, floating platform, pontoon or any other description of a vessel or associated equipment used or designed to be used in navigation whether or not it has ~~by~~ any ~~form~~ means of propulsion.

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

- (2) The ~~Interpretation Act 1999~~ Legislation Act 2019 applies to this Bylaw.
- (3) Explanatory notes and related information boxes are for information purposes only, do not form part of this Bylaw, and may be inserted, amended, or removed by the ~~Far North District~~ Council without any formality at any time.

## Part 2: Substantive provisions

### 6 Use of Maritime Facilities

- (1) No person shall commit a nuisance on, under or about any Maritime Facility.
- (2) No person shall engage in any unsafe activity or unsafe practice on, under or about any Maritime Facility.
- (3) No person shall intimidate, endanger or obstruct any other person in their use of any Maritime Facility.
- (4) No person shall allow any Vessel that is not using a Maritime Facility to be so near to any Maritime Facility as to obstruct the approach of other Vessels.

- (5) No person shall undertake any behaviour or activity on or near any Maritime Facility that causes damage to that Maritime Facility or any Council property located in the vicinity of that Maritime Facility.
- (6) No person shall leave on or near any Maritime Facility any Vessel, associated equipment, trailer, ~~equipment~~ or motor vehicle which may obstruct the use of that Maritime Facility for a period of time longer than is reasonably expected to launch, secure or retrieve the Vessel, associated equipment trailer or motor vehicle.
- (7) No person shall fish, ~~nor~~ swim from, ~~nor~~ engage in any underwater swimming or underwater activities from or near any Maritime Facility while that Maritime Facility is being used by any Vessel or any Vessel is approaching or departing that Maritime Facility.

7 Fees for the Recreational use of Maritime Facilities

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

8 Commercial Operators

- (1) No Commercial Operator shall use any Maritime Facility without written Approval from the Council or an Authorised Person, ~~or Far North Holdings Limited~~.
- (2) All Commercial Operators must pay any applicable Fees for the use of Maritime Facilities, including moorings, as set out in the Council's Fees and Charges Schedule. This may include fees for specific types of activities or operations that may be carried out by Commercial Operators.
- (3) No Commercial Operator may use any Maritime Facilities unless they have paid the required Fees under clause 8(2) of this Bylaw.
- (4) The above clauses shall have no effect if the Council has not included Fees for the use of Maritime Facilities by Commercial Operators within the Council's Fees and Charges Schedule.

9 Vessels Coming Alongside Wharves

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

10 Berthing Directions

- (1) The Master of any Vessel berthing at any Maritime Facility, shall obey ~~the any~~ instructions of the Council or any Authorised ~~Officer~~ Person
- (2) No Vessel shall remain berthed at any Maritime Facility, longer than is necessary to load or unload passengers or ~~goods~~Goods, provided that no Vessel shall remain berthed at any ~~Wharf~~ Maritime Facility for more than 30 minutes without Approval from the Council or any Authorised ~~Officer~~ Person.

- (3) Any Master required by the Council or any Authorised ~~Officer~~Person to move any Vessel from any Maritime Facility, must do so immediately.

#### 11 Cleaning Maritime Facilities

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

#### 12 Animals on Maritime Facilities

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

#### 13 Goods, Items and Dangerous Goods

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

#### 14 Removal of Goods

- (1) Where any Goods remain on any Maritime Facility for more than 2 hours, or where any such Goods ~~hinder-obstruct~~ the loading or unloading of any Vessel, ~~are an impediment to obstruct~~ Vessels approaching any Maritime Facility or obstruct any Maritime Facility, the Council or any Authorised ~~Officer~~Person may authorise the seizure and removal of the Goods in accordance with the requirements of section 164 of the Local Government Act 2002.
- ~~(2) The Council or an Authorised Person must either return or dispose of any Goods seized under clause 14(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover any costs incurred by the Council in seizing, impounding, transporting, storing or disposing from the owner, have the Goods removed at the expense of the owner, and the cost of removal shall be payable by the owner before taking receipt of the Goods.~~

#### 15 Vehicles and Maritime Facilities

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

#### 16 Closure of Maritime Facilities

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

#### 17 Requirement to Obey Council Signage

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

#### 18 Obstruction of Wharves

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

#### 19 Removal of Vessels

~~(1) If the owner or Master of any Vessel does not comply with this Bylaw or any direction of the Council or an Authorised Officer under this Bylaw cannot readily be located, the Council or an Authorised Officer~~Person may authorise the ~~seizure of the Vessel in accordance with the requirements of section 164 of the Local Government Act 2002 and~~ removal of the Vessel to another place of reasonable safety.

~~(2) Neither t~~The Council nor ~~an the~~ Authorised ~~Officer~~Person shall be responsible for any loss of or damage to such ~~a~~ Vessel or ~~its associated~~ equipment sustained for any reason during the course of or subsequent to its removal.

~~(3) The Council or an Authorised Person must either return or dispose of any Vessel seized under clause 19(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover Any expense costs incurred by the Council in seizing, impounding, transporting, storing or disposing during such removal the Vessel may be recovered from the owner or Master. in an appropriate Court.~~

#### ~~20 Wastewater Discharge~~

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

### Part 3: Approvals

#### ~~24~~20 Approvals

(1) Where any Approval from ~~the~~ Council is required by this Bylaw, a person who seeks that Approval must:

- a. Apply in writing to ~~the~~ Council for the ~~Approval~~ ~~which may include~~ using ~~the any~~ applicable application form for that Approval;
- b. Provide the information required or requested by ~~the~~ Council; ~~and~~
- c. If applicable, pay the fee for that Approval as set out in the ~~Far North District Council's~~ Fees and Charges ~~Policy~~Schedule.
- d. Pay any applicable fees for the use of Maritime Facilities as set out in the ~~Far North District Council's~~ Fees and Charges ~~Policy~~Schedule. ~~This may include fees for specific types of activities or operations that may be carried out by the Commercial Operator.~~

(2) ~~The~~ Council may grant or refuse to grant the requested Approval~~.~~

- (3) The Approval from the Council will be in written form and may include a licence, permit, order, letter or other written document.
- (4) The Approval may be granted on such terms and conditions as the Council considers appropriate.
- (5) The Approval may be granted for a set term after which the Approval will expire.
- (6) Council may revoke the Approval if any of the terms and conditions of the Approval are not complied with.
- (7) Council may revoke any Approval that has been granted at any time if the circumstances under which the Approval was granted have changed since the Approval was granted.
- (8) Where any Approval can be granted by an Authorised ~~Officer~~Person under clauses 10, 15 or 16 of this Bylaw, where appropriate that Approval may be ~~a-given verbally or in written form~~ and may be granted on such terms and conditions as the Authorised ~~Officer~~Person considers appropriate. The Authorised ~~Officer~~Person may cancel ~~said-such an~~ Approval at their discretion at any time.

#### Part 4: Enforcement

##### 2221 Offences

- (1) Every person who fails to comply with the requirements of this Bylaw or breaches this Bylaw commits an offence under the Local Government Act 2002 and is liable to the penalties set out in that Act
- (2) The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw.
- (3) Under clause 18 of this Bylaw the Council or an Authorised Person may authorise the seizure of a Vessel in accordance with the requirements of section 164 of the Local Government Act 2002.

#### Part 5: Savings and transitional provisions

##### 2322 Bylaw does not limit any other enactment

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

##### 2423 Applications, ~~a~~Approvals in force as at commencement of this ~~b~~Bylaw

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



## **THE FAR NORTH DISTRICT COUNCIL**

### **MARITIME FACILITIES BYLAW 2025**

**FAR NORTH DISTRICT COUNCIL**

**Maritime Facilities Bylaw 2025**

**This bylaw is made pursuant to sections 145 and 146 of the Local Government Act 2002 and every other enabling power and authority.**

**To come into force:** XX Month 2025

**To be reviewed by:** XX Month 2030

## Part 1: Preliminary provisions

### 1 Title

This bylaw is the Maritime Facilities Bylaw 2025.

### 2 Commencement

This Bylaw comes into force on XX Month 2025.

### 3 Application

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

### 4 Purpose

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

### 5 Interpretation

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

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

**Authorised Person** means any person authorised in writing, or warranted as an authorised officer or enforcement officer under the Local Government Act 2002, as the case may be, by the Council or by the Council's Chief Executive Officer to carry out and enforce the obligations and requirements of this Bylaw An Authorised Person may include any officer of Far North Holdings Limited so authorised by the Council or by the Council's Chief Executive Officer except under clauses 14 (Removal of Goods), 19 (Removal of Vessels) and 21 (Offences) of this Bylaw.

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

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

**Council** means the Far North District Council.

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

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

**Maritime Facility** means any facility under the ownership or control of Far North District Council or Far North Holdings Limited, whether in accordance with the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992 or otherwise, which is constructed and used for the launching and landing of Vessels or associated equipment and includes wharves, marinas, boat ramps, moorings and any other such man-made structure.

**Master** means any person, except a pilot, having command or charge of any Vessel

**Mooring** means any weight, pile or article placed in or on the foreshore or the bed of a waterway for the purpose of permanently securing a vessel, raft, aircraft, or floating structure; and pile or swing moorings, including any wire, rope, chain, buoy, or other device attached or connected to the pile or weight; but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.

**Pilot** means any person not being the master or a member of the crew of a Vessel who has the conduct of the Vessel.

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

**Vessel** means a ship, boat, hovercraft, kayak, floating platform, pontoon or any other description of a vessel or associated equipment used or designed to be used in navigation whether or not it has any means of propulsion.

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

- (2) The Legislation Act 2019 applies to this Bylaw.
- (3) Explanatory notes and related information boxes are for information purposes only, do not form part of this Bylaw, and may be inserted, amended, or removed by the Council at any time.

## Part 2: Substantive provisions

### 6 Use of Maritime Facilities

- (1) No person shall commit a nuisance on, under or about any Maritime Facility.
- (2) No person shall engage in any unsafe activity or unsafe practice on, under or about any Maritime Facility.
- (3) No person shall intimidate, endanger or obstruct any other person in their use of any Maritime Facility.
- (4) No person shall allow any Vessel that is not using a Maritime Facility to be so near to any Maritime Facility as to obstruct the approach of other Vessels.
- (5) No person shall undertake any behaviour or activity on or near any Maritime Facility that causes damage to that Maritime Facility or any Council property located in the vicinity of that Maritime Facility.
- (6) No person shall leave on or near any Maritime Facility any Vessel, associated equipment, trailer or motor vehicle which may obstruct the use of that Maritime Facility for a period of time longer than is reasonably expected to launch, secure or retrieve the Vessel, associated equipment trailer or motor vehicle

- (7) No person shall fish, swim from, or engage in any underwater swimming or underwater activities from or near any Maritime Facility while that Maritime Facility is being used by any Vessel or any Vessel is approaching or departing that Maritime Facility.

#### 7 Fees for the Recreational use of Maritime Facilities

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

#### 8 Commercial Operators

- (1) No Commercial Operator shall use any Maritime Facility without written Approval from the Council or an Authorised Person..
- (2) All Commercial Operators must pay any applicable Fees for the use of Maritime Facilities, including moorings, as set out in the Council's Fees and Charges Schedule. This may include fees for specific types of activities or operations that may be carried out by Commercial Operators.
- (3) No Commercial Operator may use any Maritime Facilities unless they have paid the required Fees under clause 8(2) of this Bylaw.
- (4) The above clauses shall have no effect if the Council has not included Fees for the use of Maritime Facilities by Commercial Operators within the Council's Fees and Charges Schedule.

#### 9 Vessels Coming Alongside Wharves

- (1) The Master of any Vessel coming alongside any Wharf shall be responsible for the proper and safe berthing of that Vessel.
- (2) The Master and owner of the Vessel shall be responsible for any damage done to any Wharf in connection with that Vessel.
- (3) The Council may repair any such damage and recover the cost of doing so from the Master or owner of the Vessel that caused the damage.

#### 10 Berthing Directions

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

#### 11 Cleaning Maritime Facilities

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

#### 12 Animals on Maritime Facilities

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

### 13 Goods, Items and Dangerous Goods

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

### 14 Removal of Goods

- (1) Where any Goods remain on any Maritime Facility for more than 2 hours, or where any such Goods obstruct the loading or unloading of any Vessel, obstruct Vessels approaching any Maritime Facility or obstruct any Maritime Facility, the Council or any Authorised Person may authorise the seizure and removal of the Goods in accordance with the requirements of section 164 of the Local Government Act 2002.
- (2) The Council or an Authorised Person must either return or dispose of any Goods seized under clause 14(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover any costs incurred by the Council in seizing, impounding, transporting, storing or disposing from the owner of the Goods.

### 15 Vehicles and Maritime Facilities

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

### 16 Closure of Maritime Facilities

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

### 17 Requirement to Obey Council Signage

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

### 18 Obstruction of Wharves

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

### 19 Removal of Vessels

(1) If the owner or Master of any Vessel does not comply with this Bylaw or any direction of the Council or an Authorised Person under this Bylaw, the Council or an Authorised Person may authorise the seizure of the Vessel in accordance with the requirements of section 164 of the Local Government Act 2002 and removal of the Vessel to another place of reasonable safety.

(2) Neither the Council nor an Authorised Person shall be responsible for any loss of or damage to such a Vessel or associated equipment sustained for any reason during the course of or subsequent to its removal.

(3) The Council or an Authorised Person must either return or dispose of any Vessel seized under clause 19(1) in accordance with sections 167 and 168 of the Local Government Act 2002 and may recover any costs incurred by the Council in seizing, impounding, transporting, storing or disposing the Vessel from the owner or Master.

## Part 3: Approvals

### 20 Approvals

- (1) Where any Approval from the Council is required by this Bylaw, a person who seeks that Approval must:
  - a. Apply in writing to the Council for the Approval using any applicable application form for that Approval;
  - b. Provide the information required or requested by the Council;
  - c. If applicable, pay the fee for that Approval as set out in the Council's Fees and Charges Schedule.
  - d. Pay any applicable fees for the use of Maritime Facilities as set out in the Council's Fees and Charges Schedule.
- (2) The Council may grant or refuse to grant the requested Approval.
- (3) The Approval from the Council will be in written form and may include a licence, permit, order, letter or other written document.
- (4) The Approval may be granted on such terms and conditions as the Council considers appropriate.
- (5) The Approval may be granted for a set term after which the Approval will expire.
- (6) Council may revoke the Approval if any of the terms and conditions of the Approval are not complied with.
- (7) Council may revoke any Approval that has been granted at any time if the circumstances under which the Approval was granted have changed since the Approval was granted.
- (8) Where any Approval can be granted by an Authorised Person under clauses 10, 15 or 16 of this Bylaw, where appropriate that Approval may be given verbally and may be granted on such terms and conditions as the Authorised Person considers appropriate. The Authorised Person may cancel such an Approval at their discretion at any time.

## Part 4: Enforcement

### 21 Offences

- (1) Every person who fails to comply with the requirements of this Bylaw or breaches this Bylaw commits an offence under the Local Government Act 2002 and is liable to the penalties set out in that Act

- (2) The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw.
- (3) Under clause 18 of this Bylaw the Council or an Authorised Person may authorise the seizure of a Vessel in accordance with the requirements of section 164 of the Local Government Act 2002.

## Part 5: Savings and transitional provisions

### 22 Bylaw does not limit any other enactment

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

### 23 Applications, approvals in force as at commencement of this Bylaw

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

## 6.2 INITIATION OF PUBLIC CONSULTATION ON THE GRANTING OF A GROUND LEASE OVER 36 RECREATION ROAD, KAIKOHE - SPORTSVILLE

**File Number:** A4961745

**Author:** Michelle Rockell, Team Leader - Property Management

**Authoriser:** Trent Blakeman, Acting Group Manager - Delivery and Operations

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek resolution from Council to initiate public consultation on the granting of a new ground lease over 36 Recreation Road, Kaikohe, Part Lot 3 DP 22327, and Lot 31 DP 10045, being recreation reserve under Section 54 Reserves Act 1977, to Kaikohe & Districts Sportsville Incorporated.

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Kaikohe & Districts Sportsville Incorporated have managed Lindvart Park since 1 January 2018 under the management agreement with Far North District Council.
- A Reserve Management Plan over Lindvart Park was executed in July 2018.
- The Long Term Plan 2021-2031 included a contribution of \$3,226,493 for the construction of a new sporting facility to be located at Lindvart Park.
- On 24 August 2022, Kaikohe & Districts Sportsville obtained building consent from Far North District Council to build this new sporting facility. This facility, known as Papa Hawaiiiki, was opened to the public in April 2024 and is owned by Kaikohe & Districts Sportsville Incorporated.
- In April 2024 Kaikohe & Districts Sportsville Incorporated formally requested a new ground lease over the site occupied by the new sporting facility.
- The Reserves Act 1977 requires public consultation on the issuing of a lease over a Recreation Reserve.
- Public consultation for the Long Term Plan 2021-2031 occurred but was not specific about the new sporting facilities.
- At the time of writing this report, public consultation for the legal occupation of the Recreation Reserve has not occurred. This report seeks to ensure due process is followed under Section 54 Reserves Act 1977.
- This report was presented to Kaikohe – Hokianga Community Board on 25 October 2024 who passed the recommendation to Council.

### TŪTOHUNGA / RECOMMENDATION

**That Council:**

- a) **commence the public consultation process on the granting of a new ground lease to kaikohe & districts sportsville incorporated, over approximately 485.7m<sup>2</sup> of land being lot 31 dp 10045 and 7,067.5m<sup>2</sup> of land being part lot 3 dp 22327, vested in far north district council as recreation reserve, located at 36 recreation road, kaikohe.**

**the terms of the proposed lease shall be:**

**term: 30 years (10+10+10) – allowed for under the reserves act 1977**

**rental: \$121 plus gst for 2024/25 and reviewed annually in conjunction with the fnc fees and charges schedule.**

- b) **appoint the kaikohe-hokianga community board to hear any submissions received in response to the consultation process and to make recommendations to council.**

**1) TĀHUHU KŌRERO / BACKGROUND**

The Kaikohe – Hokianga Community Board passed the following recommendation on 25 October 2024:

**7.1 INITIATION OF PUBLIC CONSULTATION ON THE GRANTING OF A GROUND LEASE OVER 1 RECREATION ROAD, KAIKOHE - SPORTSVILLE**

Agenda item 7.1 document number A4909284, pages 17 - 64 refers.

**RESOLUTION 2024/109**

Moved: Member Jessie McVeagh

Seconded: Deputy Chairperson Tanya Filia

**That the Kaikohe – Hokianga Community Board recommend to Council:**

- a) **that the public consultation process is commenced on the granting of a new ground lease to Kaikohe & Districts Sportsville Incorporated, over approximately 485.7m2 of land being Lot 31 DP 10045 and 7,067.5m2 of land being part Lot 3 DP 22327, vested in Far North District Council as recreation reserve, located at 36 Recreation Road, Kaikohe.**

**The terms of the proposed lease shall be:**

**Term: 30 years (10+10+10) – allowed for under the Reserves Act 1977**

**Rental: \$121 plus GST for 2024/25 and reviewed annually in conjunction with the FNDC Fees and Charges Schedule.**

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

**CARRIED**

Lindvart Park Recreation Reserve is vested in Council and has been managed by Kaikohe & Districts Sportsville Incorporated as per the Management Agreement between the group and Far North District Council since being formalised on 1 January 2018.

Through the Management Agreement, Kaikohe and Districts Sportsville is responsible for preserving the park for public use by ensuring the ongoing maintenance and up-keep, club management and public access to Lindvart Park along with development of a strategic plan for improvement, development and enhancement of Lindvart Park.

Kaikohe & Districts Sportsville Incorporated exist to promote sport in Kaikohe and extend this area beyond to all outlying settlements for which Kaikohe is the main town centre, for example Hokianga.

The Long Term Plan 2021-2031 included a capital contribution of \$3,226,493 to the new Lindvart Park Kaikohe – Sportsville project. On 7 April 2022, Council resolved to re-affirm this contribution:

**7.3 LINDVART PARK PAVILION, KAIKOHE PROJECT**

Agenda item 7.3 document number A3641588, pages 82 - 86 refers.

**RESOLUTION 2022/19**

Moved: Cr John Vujcich

Seconded: Cr Ann Court

**That Council:**

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

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

Against: Nil

**CARRIED**

*Note: that the CEO was asked to provide advice to the next meeting on how to ensure a consistent approach to the way that FNDC supports community facilities across the District, by way of operational grant*

In August 2022, Far North District Council approved building consent to Kaikohe & Districts Sportsville Incorporated and the new sporting facility, known as Papa Hawaiiiki, was built and open to the public in April 2024. No formal discussions had been made in regard to a ground lease prior to this time.

The complex is owned by Kaikohe & Districts Sportsville Incorporated, who received funding from Ministry of Business, Innovation and Employment, Far North District Council, Northland Rugby Club, Foundation North, Department of Internal Affairs Lotteries and Grassroots to complete this build.

Papa Hawaiiiki consists of two indoor basketball courts, a meeting room and viewing platform on a mezzanine floor. The building has sprung wooden floors and is capable of hosting National basketball tournaments.

The complex aims to highlight a return of basketball to Kaikohe with a focus on developing basketball and other indoor sports, such as volleyball. The development of the complex has enabled the community (including the wider area of Hokianga) the ability to participate in sports that had previously been inaccessible due to lack of facilities or travel constraints.

Since the sports facility opened in April 2024, schools such as Kura Kaupapa o Kaikohe and Kaikohe Christian School, neither of which have school gymnasiums utilise the building during the day for enhancement of their wider curriculum. It has also been utilised in the evenings for teams participating in Badminton, Table Tennis, Basketball, Netball and Turbo Touch.

Kaikohe & Districts Sportsville Incorporated have received numerous enquiries for various events such as Matariki celebrations, Masters sports tournaments, youth days, kapa haka, fight nights and regional sport gatherings. Papa Hawaiiiki has the ability to accommodate these events where in the past there has been no facility available for these groups.

The facility is open 24/7, users are provided their own access swipe cards, catering for all abilities with wheelchair access to both floors.



Aerial view of proposed leased area in red.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The sporting facilities available at Lindvart Park prior to the construction of Papa Hawaiiiki were outdated and undersized. The construction of this new facility has given Lindvart Park a new lease of life and there has been an increase in members of the public utilising the facility since its inception.

As per the Reserves Act 1977 section 54, public consultation is required on the granting of a lease over recreation reserve.

### Public Notification

Sections 119 and 120 of the Act require that before granting a lease the proposal must be publicly notified and all submissions/objections to the proposal are to be in writing and where requested, a submitter must be given the opportunity to appear before Council or a committee of Council, to speak to their objection/submission. Every submission/objection in relation to the proposal must be considered before proceeding with the proposal.

The options available for this site are:

### **Option 1 (recommended):**

#### **That Council:**

- a) **commence the public consultation process on the granting of a new ground lease to Kaikohe & Districts Sportsville Incorporated, over approximately 485.7m<sup>2</sup> of land being Lot 31 DP 10045 and 7,067.5m<sup>2</sup> of land being part Lot 3 DP 22327, vested in Far North District Council as recreation reserve, located at 36 Recreation Road, Kaikohe.**

**The terms of the proposed lease shall be:**

**Term: 30 years (10+10+10) – allowed for under the Reserves Act 1977**

**Rental: \$121 plus GST for 2024/25 and reviewed annually in conjunction with the FNDC fees and Charges Schedule.**

**b) appoint the Kaikohe – Hokianga Community Board to hear any submissions received in response to the consultation process and to make recommendations to Council.**

Option 1 will allow Kaikohe & Districts Sportsville Incorporated to continue providing their service to the community.

**Option 2:**

- a. Decline Kaikohe & Districts Sportsville Incorporated request for a new ground lease
- b. Ask Kaikohe & Districts Sportsville Incorporated to remove any existing building(s) and associated assets from the reserve and reinstate the recreation reserve at their cost.

**TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

Building Consent was given by Far North District Council to Kaikohe & Districts Sportsville Incorporated for the establishment of this building on 24 August 2022. Construction was completed in 2024, with the facility opening in April 2024.

Through this new sporting facilities, Kaikohe & Districts Sportsville Incorporated provide a beneficial service to the community, bringing life to the sporting world in Kaikohe and surrounding areas. Resolving to vacate the land (including removal of the building) will be detrimental to the Community, Whānau and Tamariki of the area.

As per the Reserves Act 1977, Council can grant exclusive leases to part or all of a reserve for a maximum term of 30 years.

Public Notice is a statutory requirement under Reserves Act for the leasing of a Recreation Reserve.

Public consultation will enable the Kaikohe – Hokianga Community Board and Council to assess the community's engagement with the Kaikohe & Districts Sportsville Incorporated proposal, albeit retrospectively. Public consultation gives the community the opportunity to put forward alternative options for the occupation of the building and/or the use of the site.

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

The Long Term Plan 2021-2031 included a capital contribution of \$3,226,493 towards the build of this facility, which was reaffirmed by Council in April 2022. A public access agreement will be noted within the proposed lease in order to establish Far North District Councils capital contribution as an intangible asset. This would be of the above amount and will be depreciated over time to provide for strategic asset renewals (structural areas and services). Any renewals required to the internal fit out would be directly funded by Kaikohe & Districts Sportsville Incorporated, or through additional grants or fund raising.

Far North District Council provided the group an annual operation grant of \$40,000 for the facility. This amount was increased by \$35,000 for a total of \$75,000 per annum at the April 2022 Council meeting to support ongoing operational costs. The capital contribution and total operational grant (inclusive of increase) were provided for and represented an increase in ward rate of \$4.70 per SUIP.

The lease will provide for the lessee to continue to be responsible for all ongoing maintenance of the associated land, including responsibility for the payment of all utility charges, rates and insurances.

**ĀPITIHINGA / ATTACHMENTS**

1. **Sportsville Management agreement final - A4909399** [↓](#) 
2. **Letter informing on request to lease - A4910316** [↓](#) 
3. **Record of Title Lot 31 - A4911100** [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Medium
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	<p>FNDC Reserves Policy: The Policy supports a long-term lease being offered to community orientated groups wanting a permanent base.</p> <p>The Reserves Act 1977: Section 119 and 120 require that public consultation be initiated prior to the granting of a lease</p>
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Delegation to the Kaikohe-Hokianga Community Board to provide recommendations to the Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
<p>State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.</p> <p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	<p>Far North District Council recognises the significant role of tangata whenua as set out in the Working with Māori chapter in the Long-Term Plan 2021-2031. It is important to notify tangata whenua in the Kaikohe locality of the lease proposal prior to the public consultation. Te Hono was approached to provide advice on who the main contacts were in the first instance.</p> <p>A letter (attached) was sent via email to Te Uri O Hua representatives to inform them of the requested lease. These representatives are mandated (within the hapū) under tikanga as a spokesperson/representative of Te Uri O Hua hapū, who are through whakapapa direct descendants of the tupuna who resided on the whenua until soon after it became an asset of the Crown/Council. At the time of writing this report a response has not been received. When this lease goes for public consultation, the information will be redistributed Te Uri O Hua representatives to seek feedback as part of the public consultation process.</p>

<p>Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).</p>	<p>Public consultation and Iwi consultation will be progressed as per the Reserves Act 1977 and the FNDC Engagement Policy. This will allow Council to identify any people or groups who may be affected or have interest in the matter.</p>
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>All upgrade and maintenance costs fall to the lessee. The appropriate community rent for the land is set by the FNDC Fees Charges Schedule.</p>
<p>Chief Financial Officer review.</p>	<p>The Chief Financial Officer has reviewed this report.</p>

**Management Agreement**

**Between**

**Far North District Council**

**&**

**Kaikohe and District Sportsville**

**1 July 2018**

**to**

**30 June 2023**

# Contents

- 1. AGREEMENT OVERVIEW .....3**
  - 1.1 Parties to the Agreement.....3
  - 1.2 Scope .....3
  - 1.3 Purpose .....4
  - 1.4 Background .....4
- 2. MANAGEMENT AGREEMENT .....4**
- 3. COMMUNICATION .....7**
- 4. TERM .....7**
- 5. TRANSITION ASSISTANCE .....7**
- 6. MANAGEMENT ELEMENTS .....8**
- 7. INSURANCE .....8**
- 8. MEDIATION .....8**

**APPENDICES:**

- One: Map of Lindvart Park
- Two: Lindvart Park and Marlin Park Council Asset List
- Three: Roles & Responsibilities Matrix

**Version**

Version	Date	Description	Author
1.0	9.10.17	Service Level Agreement	Todd Luders
2.0	22.1.18	Management Agreement	George Swanepoel
2.1	15.2.18	Management Agreement	George Swanepoel
2.2	21.3.18	Management Agreement	George Swanepoel
3	31.7.2018	Management Agreement Review	Jaime Dyhrberg
4	15.08.2018	Management Agreement Review and addition of Roles & Responsibility Matrix	Nina Gobie
5	11.09.2018	Management Agreement Review and addition of Roles & Responsibility Matrix	Nina Gobie
6	25.09.2018	Management Agreement Review and addition of Roles & Responsibility Matrix	Jaime Dyhrberg & George Swanepoel
7	05.11.2018	Management Agreement FINAL review	Nina Gobie
8	13.11.2018	Management Agreement FINAL review	Nina Gobie
9	11.12.2018	Management Agreement FINAL	Nina Gobie

**Approval**

Signed for and behalf of Far North District Council	Signed for and behalf of the Kaikohe and District Sportsville
 Signature	 Signature
R. SHAWN CLARKE Name	Te Ropu POA Name
CEO FNDC Position	Chair Position
20 DEC 18 Date	20 Dec 2018 Date

## 1. AGREEMENT OVERVIEW

This Agreement represents a Management Agreement (“MA” or “Agreement”) between Kaikohe and District Sportville and Far North District Council for the management and operation of Lindvart Memorial Park (Lindvart Park) by Sportville for the purpose of:

- The provision and management of club and public access to Lindvart Park
- The on-going maintenance and up-keep of Lindvart Park
- The developing of a strategic plan for improvement, development and enhancement of Lindvart Park.

### 1.1 Parties to the Agreement

#### Far North District Council (FNDC) – “the Council”

Council is represented by members of its elected Council, with its principle legislation being:

- Local Government Act 2002
- Resource Management Act 1991
- Reserves Act 1977

#### Kaikohe and District Sportville – “Sportville” (the operator)

In 2009 a steering group was formed by Council to progress sports facility development and improvements to Lindvart Park. In 2010, as a result of the work undertaken by the steering group, an application was made to the Active Communities Investment Fund. The funding application was granted enabling investment into the development of a “Sportville” entity aimed at improving the capacity of sports clubs and to advance initiatives that address the retention of school leavers in sport and recreation.

Sportville was incorporated on 9 April 2013 and represents the interests of member sports clubs and the wider community. Sportville has a Governance Board made up of a mix of appointed Board Members with necessary skills and Board Members elected directly by member clubs.

Legal Status: Incorporated Society Ltd / registered as an Incorporated society.

### 1.2 Scope

The scope of this MA is in relation to Lindvart Park – (the Park).

Council's objectives are to:

- empower local communities to administer and run sporting and community facilities;
- develop responsibility for the facilities care and maintenance within the community;
- better focus limited resources to achieve better outcomes for the community and its facilities
- enter into strategic alliances with community groups to bring about future development and enhancements of the facilities for the benefit of the community using the facilities.

### 1.3 Purpose

Sportsville and the Council are committed to providing excellent facilities and services which meet the recreational needs of sports clubs, individuals, children and families in the community.

This Management Agreement provides the framework for an on-going relationship between FNDC and Sportsville to achieve these objectives.

### 1.4 Background

Lindvart Park is a significant community asset located on the southern side of Kaikohe. Management of the Park has previously been provided by the Lindvart Park Management Committee (LPMC). LPMC in addition to managing the booking of sports facilities and the management of subscription fees was also responsible for operational expenditure and maintenance of the Park.

LPMC was originally set-up by Council as a sub-committee. Following the most recent election, by operation of Schedule 7 Clause 30(7) of the Local Government Act 2002 (LGA) and absence of further resolution, LPMC has been disestablished. As a result there is presently no legal management entity in charge of the Lindvart Park facilities and operations.

Kaikohe – Hokianga Community Board have recommended to Council that Sportsville be appointed as the management entity of Lindvart Park, with responsibility for the day-to-day operations of the park.

The Council is a territorial authority pursuant to the Local Government Act 2002.

Council and Sportsville signed a memorandum of agreement in July 2014 to work together on the Reserve Management Plan for Lindvart Park, further Sportsville to make recommendations for the restructure of the management of Lindvart Park with a focus to increase participation and usage of the park.

Council has approved \$40,000 for the 2018/2019 year and ongoing funding in its Long Term Plan for future years. The funding is subject to the entering of this agreement and complying with the other fiscal conditions set out in this agreement.

The Council has set aside an amount of \$10,000 (exclusive of GST) per annum to go towards the annual minor maintenance and running costs of Lindvart Park. Sportsville are expected to provide evidence about the expenditure of this funding for minor maintenance and running costs in the annual report to Council.

For the purpose of this agreement minor maintenance covers all maintenance and repairs that cost less than \$500. Major maintenance is maintenance and repairs costing more than \$500.

## 2. MANAGEMENT AGREEMENT

The following detailed service parameters are the responsibility of Sportsville in the ongoing support of this Agreement;

### Sportsville Agrees:

1. That the appointment panel for new board members of Kaikohe and District Sportsville include a member of Kaikohe-Hokianga Community Board
2. To provide evidence on request by Council that all facilities are fully compliant with all relevant legislative and regulation requirements supported by appropriate documentation
3. To notify Council of any major maintenance issues with Lindvart Park; its facilities and equipment
4. To be responsible for all bookings
5. To be responsible for opening and closing of the park including any gates, facilities and ground closures
6. Not to do or say anything to prejudice the good name of Council in any dealings with third parties, nor undertake any action which could bring the Council into disrepute
7. Not to transfer or assign any right, obligation or liability under this MA to a third party without prior written consent of the Council
8. To comply with all Health and Safety requirements and indemnify Council from all liability under the Accident Compensation Act, Health and Safety at Work Act 2015 or any other applicable legislation, for any injury or accident to any person carrying out services or activities on behalf of Sportsville or arising out of or in the course of carrying out those services or activities
9. To indemnify, and keep indemnified, Council from and against all actions, losses, costs and claims for injuries or damage to any person or property whatsoever, which may arise out of, or as a consequence of, the performance of any of its obligations or services under this MA
10. To ensure the building interior without exception including the function room, toilets, showers, change rooms, storage facilities and kitchen are clean
11. To carry out all minor maintenance and repairs required on the building and other Lindvart Park assets
12. To immediately return to Council, records, equipment or other Council property in its possession upon termination or expiry of this MA
13. To operate Lindvart Park as a smoke-free environment and to ensure activities are appropriate for a public site
14. To encourage and promote use of appropriate attire by facility users
15. To comply, abide by and carry out any obligations imposed by the terms of the Lindvart Park Reserve Management Plan.
16. Collaborate with Council on the strategic development and improvement of Lindvart Park.

**To supply the following reports:**

**Lindvart Park Seasonal Summary Report**

- User Numbers – seasonal and YTD: Level of Use; Facilities used; Type of use
- User complaints/compliments/community involvements
- Health and Safety: Any accidents or H&S issues during the month
- Site and Equipment Repairs and Maintenance: summary of issues, concerns, complaints raised by users and Sportsville response, maintenance carried out and maintenance issues that need to be raised with Council
- Promotional Activities
- Events
- Risks identified / resolved
- Report annually on progress with the action plan in the Lindvart Park Reserve Management Plan

**Six monthly Financial Statements**

- Summary - Monthly Operational Charges – Income and Expenditure – supported by supporting documentation when at the request of Council.  
Account for all minor repairs and maintenance carried out during the preceding six month

**Future funding Requirements**

By October each year or such earlier time as agreed to with the Council: Sportsville will communicate any future resourcing requirements to the Council in advance of the Annual Plan and Long-term Plan planning and budgeting cycles. In doing so: Sportsville will prepare an annual business plan and budget (including expected income and expenditure) to meet the Council's annual planning timeframes.

- The Council will provide sufficient notice, schedules, etc., and appropriate templates or formats to assist the Trust to meet its requirements

**Council agrees:**

1. That subject to the entering into this agreement and Council approving the sum for payment in the Long Term Plan 2018/2028, to pay to Sportsville \$40,000;
2. To be responsible for the major maintenance needs of Lindvart Park;
3. To be responsible for the ground care maintenance
4. To respond to issues raised by Sportsville, in a timely manner; and
5. To be responsible for the security of the park's buildings and sports fields and provide Sportsville with the key security details and contact of the security companies involved.
6. To work with Sportsville to develop a strategic plan for the development of Lindvart Park and to assist Sportsville with the implementation of that plan.
7. To appoint a member of Council staff to attend monthly Committee meetings.
8. To consult with Sportsville on the Reserve Management Plan for Lindvart Park.

### 3. COMMUNICATION

The parties agree to set up clear lines of communication. Sportsville will provide Council with 2 key contacts that can make requests to the council for maintenance and repairs. The key Sportsville contacts will be the Board Chair and Board Treasurer.

Council will only action those requests made by the key contacts and communicate within a reasonable timeframe when done or to be done any issue that may arise regarding the maintenance to the key contacts.

If Council receive calls from other members or public, they will be referred back to Sportsville.

Sportsville will immediately advise Council of any issue, incident or accident that occurs on Lindvart Park that potential or may give rise to any Health and Safety concern or breach.

### 4. TERM

This agreement will take effect and commence from 1 July 2018, for a period of 5 years.

A formal review of this agreement may be initiated on a bi-annual basis by either party three months prior to its expiry and may be renewed or amended at such time.

This agreement shall expire by either party giving the other not less than 6 months written notice of the termination of this agreement.

### 5. TRANSITION ASSISTANCE

In order to facilitate a smooth transition from the LPMC to Sportsville, Council will appoint an appropriate Council Officer for a period of 3 months from the date of the agreement being signed to assist Sportsville with the carrying out of the minor maintenance and repairs required to be carried out on the facilities. Sportsville will thereafter take over all minor maintenance in accordance with the provisions of this agreement.

### 6. MANAGEMENT ELEMENTS

#### a. Key Performance Indicators/Measures

1. Seasonal reports are to be submitted to the Kaikohe Hokianga Community Board.
2. Quarterly meetings with Community Board.
3. Appropriate KPI's to be agreed and reported on concerning measure of use and user satisfaction to be included in the reports to Council.

#### b. Change or Issue Escalation Process

1. If a change is required or an issue arises, any party may contact the other in writing to identify the change/issue and request a meeting to resolve the matter.
2. Should a change or issue be identified, the parties are to attempt to resolve the matter by discussion between themselves failing which the matter will be mediated according to clause 7 of this agreement.

**7. INSURANCE**

Sportsville will obtain and hold insurance cover against loss of, damage to or destruction of property in its custody or possession (including improvements on, in or to land but otherwise excluding land) for full reinstatement or replacement value subject to a limit of liability of not less than \$5,000,000 each loss and a deductible of not more than \$10,000 for each loss.

The above insurance cover held by Sportsville shall not apply to any of the assets listed in the Assets Register. However, any new assets purchased or acquired by Sportsville must be covered by Sportsville and built into its sustainability plans.

**8. MEDIATION**

If the parties are unable to resolve the Dispute by discussion and negotiation then the Dispute will be referred to mediation and the mediator will be Geoff Sharp, Commercial mediator or any other commercial mediator that the parties may agree upon.

A party must use the mediation procedure below to resolve the Dispute before commencing any other proceedings.

Where a Dispute requires mediation the following procedure applies:

1. The parties must cooperate with the mediator in an effort to resolve the Dispute;
2. If the Dispute is settled, the parties must sign a copy of the terms of the settlement;
3. If the Dispute is not resolved within 14 days after the mediator has been appointed, or within any extended time that the parties agree to in writing, the mediation must cease;
4. Each party must pay an equal share of the costs of the mediator’s fee and costs including travel, room hire, refreshments etc.;
5. The terms of settlement are binding on the parties and override the terms of this Agreement if there is any conflict;
6. The terms of settlement may be tendered in evidence in any subsequent mediation or legal proceedings;
7. The parties agree that written statements given to the mediator or to one another, and any discussions between the parties or between the parties and the mediator during the mediation period are not admissible by the recipient in any arbitration or legal proceedings;
8. If the Dispute is not resolved following compliance with this paragraph, a party shall be free to bring proceedings in an appropriate court and take any other lawful action as they may determine in respect of such Dispute.



**Appendix Two – Lindvart Park and Marlin Park Council Asset List**

**Lindvart Park and Marlin Park Council Asset List**  
*As of September 2018*

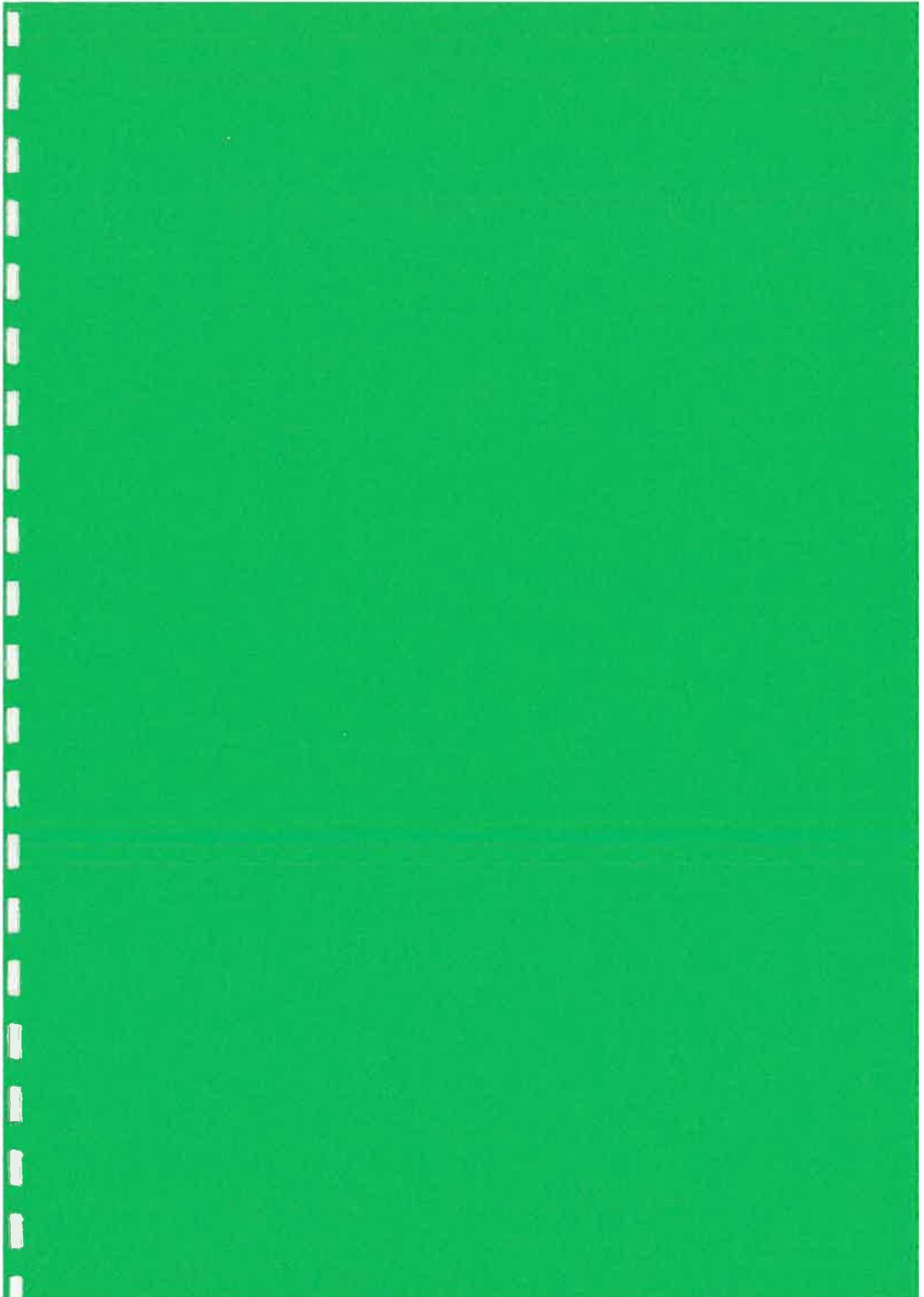
<i>Search Description</i>	<i>Asset Long Description</i>
Chairs Lindvart Park	Chairs Lindvart Park Pav Slate Black
Kaikohe Lindvart Par	Concrete, seal, gravel Carpark and Accessway Base 9808m2
Kaikohe Lindvart Par	Boundary Fencing Post and 7 Wire 1164m
Kaikohe Lindvart Par	Hockey Electrical Works
Kaikohe Lindvart Par	Fencing Internal Post and 7 Wire 298m
Kaikohe Lindvart Par	Hockey Paths & dugouts incl fountain
Kaikohe Lindvart Par	Hockey Pitch base course incl drainage
Kaikohe Lindvart Par	Hockey Pitch surface
Kaikohe Lindvart Par	Playscapes - Play equipment
Kaikohe Lindvart Pk	Concrete, seal, gravel Carpark and Accessway Surface 9808m2
Turf Surface Marlin	Turf Surface Marlin Park Kaikohe
Lindvart Park 523-82	Pav Building 809m2
Lindvart Park Boundary Fence Iron, 652m	Boundary Corrogated Iron 2m High, 652m
Lindvart Park Fencing Inter Iron 2m h	Fencing Internal Corrogated Iron 2m high
Lindvart Park Pav Building Roof	Pav Building Roof
Lindvart Park Pav Build Internal Fit-out	Pav Building Internal Fit-out
Lindvart Park Pav Building Services	Pavillion Building Services
Lindvart Park Pav Building Ext Features	Pav Building External Features (footpaths around building etc)
Lindvart Park Sound System Incl Speakers	Sound System Incl Dispersion Horn Speakers and Cabling
Lindvart Park Power Meter for Netball	Upgrade of Power Supply and Meter Station netball area
Lindvart Park Grandstand Toilets	Lindvart Park Grandstand Toilets
Lindvart Park Rugby Grandstand Structure	Lindvart Park Rugby Grandstand Structure
Kaikohe Lindvart Park - Large Sign	Lindvart Park Large Sign
Hockey Lights, 8 Poles & 8 sets of lamps	Hockey Lights, 8 Poles and 8 sets of lamps
Lindvart Park ACM Signs Hockey x 3	ACM Signs Hockey x 3
Lindvart Park 523-823-A-D CCTV Cameras	ACM CCTV Cameras, ACTI CA-7411 with Vandal Proof Dome
Lindvart Park 523-823-A-D Goal Posts	Goal Posts x 2, Dual Purpose Rugby and Soccer
Lindvart Park Rugby Grandstand	Lindvart Park Rugby Grandstand Roof Coloursteel
Lindvart Park Rugby Grandstand	Lindvart Park Rugby Grandstand Steel Refurb Painting
Lindvart Park Rugby Grandstand	Lindvart Park Rugby Grandstand Block Wall Panel at Back
Lindvart Park Rugby Grandstand	Lindvart Park Rugby Grandstand Disabled Ramp at Base
Lindvart Park Rugby Grandstand	Lindvart Park Rugby Grandstand Disabled Ramp Handrails
Lindvart Park Netball Courts Linemarking	Netball Courts Linemarking - Tennis and Netball
Lindvart Park Lighting	Netball Courts Fencing, 416m Galv Steel
Lindvart Park Lighting	Oclyte 12.2m Lighting Column including lighting arms
Lindvart Park Netball Goals	Netball Goal Posts, Demountable post in ground sleeves
Lindvart Park Netball Goals	Netball Goal Posts, Demountable post in ground sleeves - Senior
Lindvart Park Tennis Posts	Tennis Posts, Demountable, in ground sleeves
Lindvart Park Bollards	Lockable Traffic Bollard, 150mm dia, H5 Timber, Removeable
Lindvart Park Bollards	Traffic Bollards, 150mm dia, H5 Timber
Lindvart Park Lighting	Flood Lighting, Metal Halide, Including Cabling, Timer Controls and Connection. 6 x 12m poles with 16 Luminaires
Lindvart Park Netball Footpath	Footpath around Netball Courts, Black Oxide, 330m2, 2-3m wide
Lindvart Park Netball Footpath	Edge Beam Around netball Courts, Concrete, 150mm
Lindvart Park Stormwater	Stormwater Drainage Channel, 150mm wide x 320mm deep, Grated, Including Outlet sump
Lindvart Park Stormwater	Swale Drain Netball Courts, 17m
Lindvart Park Netball Courts	Netball Courts Surface x 8, AC with waterproof membrane 6000m2
Lindvart Park Netball Courts	Netball Courts Surface - Warm up Area, AC, 600m2
Lindvart Park Netball Courts	Netball Courts Base x 8, AC with waterproof membrane, 6000m2
Lindvart Park Netball Courts	Netball Courts Base - Warm up Area, AC, 600m2
Lindvart Park Netball Courts	Electrical Upgrade for Netball Courts - Power from Transformer on Penney Cres
Lindvart Park Rugby Toilets	Rugby Fields Toilets Concrete Block
Lindvart Park Softball Dug-out	Lindvart Park Softball Dug-out, Lockable Gates

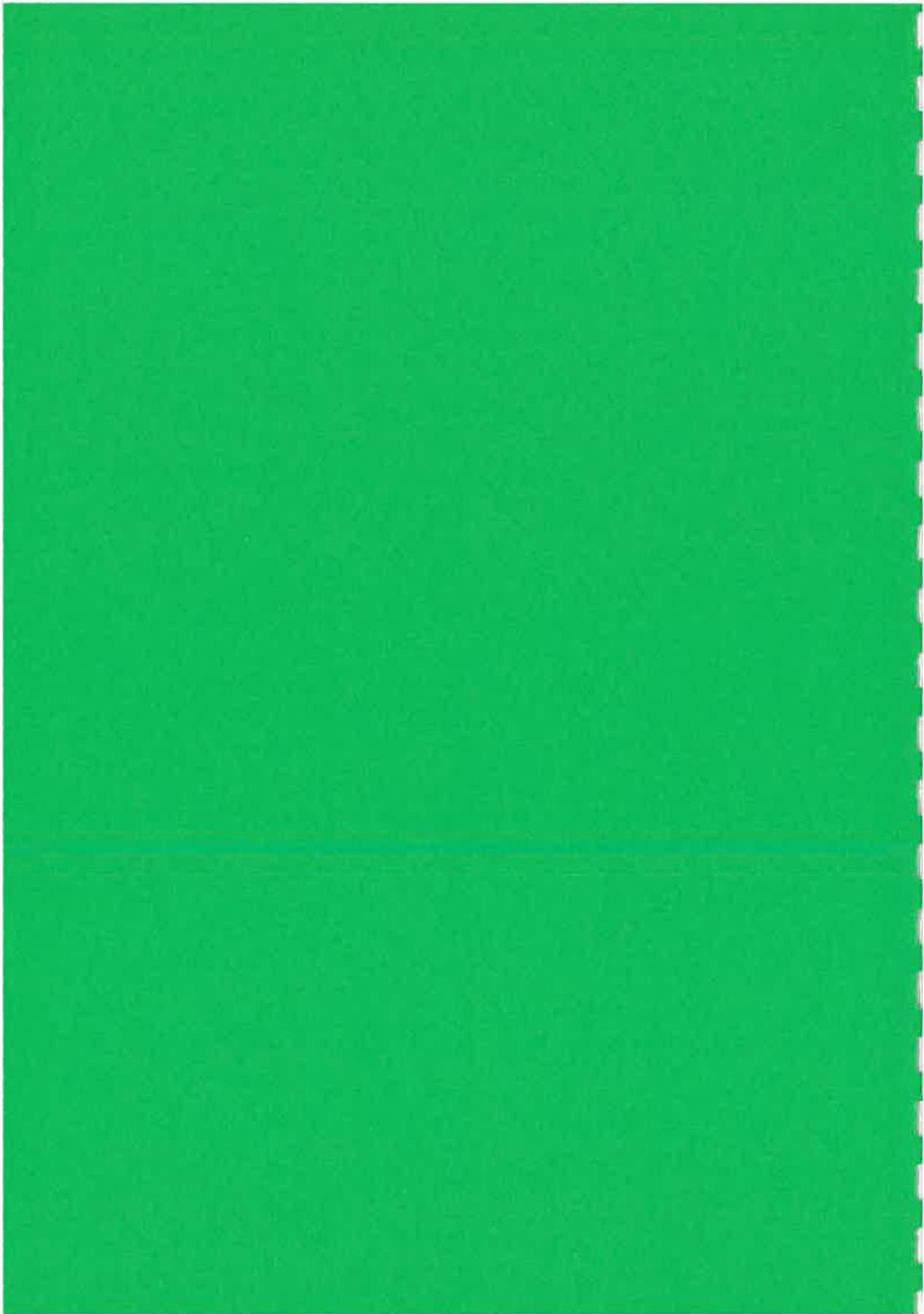
**NB: The asset schedule as above is a work in progress which will be updated as assets are identified and ownership agreed by both parties.**

**Appendix Three – FNDC and Sportsville Roles and Responsibility Matrix**

FNDC Roles & Responsibilities	SPORTSVILLE Roles & Responsibilities	JOINT Roles & Responsibilities
<p><b>ADVICE - LEGAL</b> Provision of legal advice for matters solely related to the management and operation of Lindvart Park</p>	<p><b>ADVICE - GENERAL</b> Provide advice to Council on improving the capacity of sports clubs and to advance initiatives in sport and recreation</p>	
<p><b>ANNUAL BUSINESS PLAN</b></p> <ul style="list-style-type: none"> <li>Council will provide sufficient notice, schedules, etc., and appropriate templates or formats to assist the Trust to meet its requirements</li> <li>Initiate planning meetings with SPORTSVILLE to ensure adequate budget planning completed prior to Annual / Long Term Plan deadlines</li> </ul>	<p><b>ANNUAL BUSINESS PLAN</b> Communicate any future resourcing requirements to Council in advance of the Annual Plan and Long-term Plan planning and budgeting cycles as per Council's timeframes</p>	
<p><b>ASSET MANAGEMENT</b> Council to provide building facilities and use of Lindvart Park</p>	<p><b>ASSET MANAGEMENT</b> Sportsville to ensure facilities meet the required standards and ensure compliant</p>	
<p><b>COMMUNICATION</b> Action those requests made by the key contacts (Council position TBC) and communicate within a reasonable timeframe when done or to be done any issue that may arise regarding the maintenance to the key contacts</p>	<p><b>COMMUNICATION</b></p> <ul style="list-style-type: none"> <li>Taal Smith has been delegated the responsibility to manage the FNDC relationship and will be the key contact as per the Management Agreement between KDS and FNDC.</li> <li>Board Chair and Treasurer to be the 2 key contacts who can make requests to the council for maintenance and repairs</li> <li>Immediately advise Council of any issue, incident or accident that occurs on Lindvart Park that potential or may give rise to any Health and Safety concern or breach</li> </ul>	<p><b>COMMUNICATION</b> Agree to set up clear lines of communication</p>
<p><b>FINANCIAL MANAGEMENT</b></p> <ul style="list-style-type: none"> <li>Council to provide a grant of \$40,000 (excl. GST) annually to Sportsville for the purpose of providing excellent facilities and services which meet the recreational needs of sports clubs, individuals, children and families in the community</li> <li>Council to provide a grant of \$10,000 (excl. GST) annually to be used for the maintenance and running costs of Lindvart Park</li> </ul>	<p><b>FINANCIAL MANAGEMENT</b></p> <ul style="list-style-type: none"> <li>Provide quarterly financial statements to Council as per Management Agreement</li> <li>Sportsville to submit a request for a grant every three years through the Long Term Plan process</li> </ul>	
	<p><b>FUNDING</b> Seek alternative funding for the purpose of increasing participation, usage of the park and maintaining / operating the building</p>	
<p><b>INSURANCE</b> Responsible for the building and assets as identified by Council</p>	<p><b>INSURANCE</b> Responsible for insurance cover against loss of, damage to or destruction of property in its custody or possession</p>	

<p><b>LEGISLATION</b></p> <ul style="list-style-type: none"> <li>Keep in accord with the Local Government Act 2002</li> <li>Keep in accord with the Resource Management Act 1991</li> <li>Keep in accord with the Reserves Act 1977</li> <li>Keep in accord with the Building Act 2004 and Building Code</li> </ul>	<p><b>LEGISLATION</b></p> <ul style="list-style-type: none"> <li>Keep in accord with the Resource Management Act 1991</li> <li>Keep in accord with the Reserves Act 1977</li> <li>Keep in accord with the Health &amp; Safety at Work Act 2015</li> <li>Keep in accord with the Building Act 2004 and Building Code</li> <li>To comply, abide by and carry out any obligations imposed by the terms of the Lindvart Park Reserve Management Plan.</li> <li>To indemnify, and keep indemnified, Council from and against all actions, losses, costs and claims for injuries or damage to any person or property whatsoever, which may arise out of, or as a consequence of, the performance of any of its obligations or services</li> </ul>	<p><b>LEGISLATION</b></p> <p>Ensure the obligations of the Management Agreement are being met</p>
<p><b>MARKETING &amp; PROMOTION</b></p> <p>To be reviewed and discussed at a later date</p> <p><b>RESPONSIBLE FOR:</b></p> <ul style="list-style-type: none"> <li>MAJOR maintenance needs of Lindvart Park Major maintenance is maintenance and repairs that cost more than \$500.</li> <li>Ground care maintenance</li> <li>Responding to issues raised by Sportsville, in a timely manner</li> <li>Working with Sportsville to develop a strategic plan for the development of Lindvart park and to assist Sportsville with the implementation of that plan</li> <li>Attend monthly Committee meetings</li> <li>Partnering with Sportsville on the Lindvart Park Reserve Management Plan</li> <li>The security of the parks buildings and sports fields</li> <li>After hour contact for any urgent major maintenance issues. To be contacted via Council's afterhours number: 0800 920 029</li> </ul>	<p><b>MARKETING &amp; PROMOTION</b></p> <p>To be reviewed and discussed at a later date</p> <p><b>RESPONSIBLE FOR:</b></p> <ul style="list-style-type: none"> <li>Notifying Council of any MAJOR maintenance issues with Lindvart Park: incl. facilities and equipment</li> <li>All bookings</li> <li>Opening and closing the park including gates, facilities and ground closures</li> <li>Cleaning the building interior without exception including the function room, toilets, showers, change rooms, storage facilities and kitchen</li> <li>Carrying out all MINOR maintenance and repairs required on the building and other Lindvart Park assets. Minor maintenance is maintenance and repairs that cost less than \$500</li> <li>Operating Lindvart Park as a smoke-free environment and to ensure activities are appropriate for a public site</li> <li>After hours contact to be via the Booking Officer</li> </ul>	
<p><b>REPORTS</b></p> <p>As agreed</p> <p><b>VOLUNTEERS</b></p> <ul style="list-style-type: none"> <li>Provide volunteer induction sessions</li> </ul>	<p><b>REPORTS</b></p> <p>As specified in the Management Agreement</p> <p><b>VOLUNTEERS</b></p> <ul style="list-style-type: none"> <li>Manage / supervise as required</li> </ul>	<p><b>RELATIONSHIP MANAGEMENT</b></p> <p>Committed to providing excellent facilities and services which meet the recreational needs of sports clubs, individuals, children and families in the community</p>





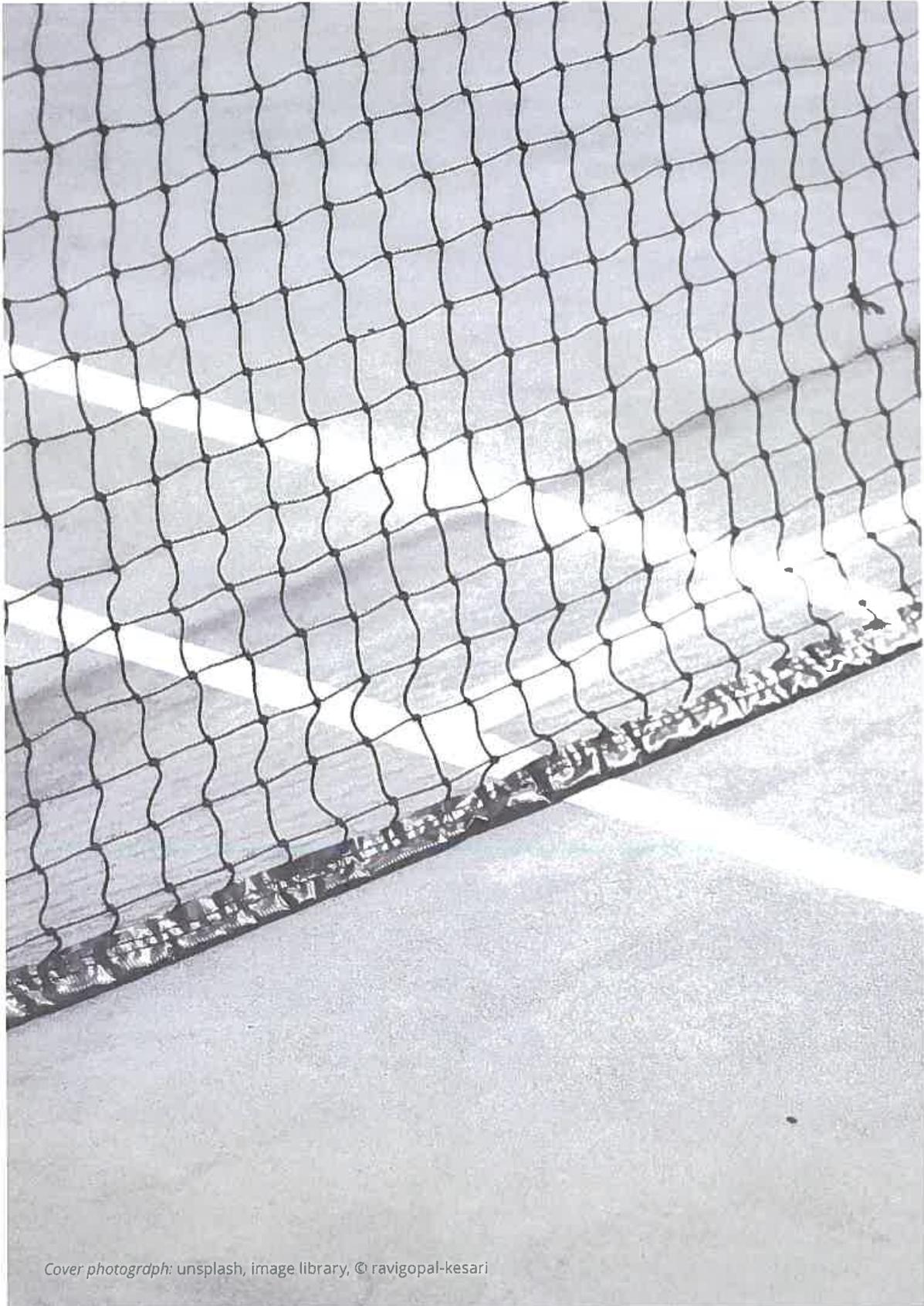


**LINDVART  
PARK**

**RESERVE  
MANAGEMENT  
PLAN**

Adopted  
25 October 2018

**HE ARA TĀMATA  
CREATING GREAT PLACES**  
*Supporting our people*



Cover photograph: unsplash, image library, © ravigopal-kesari



## Contents

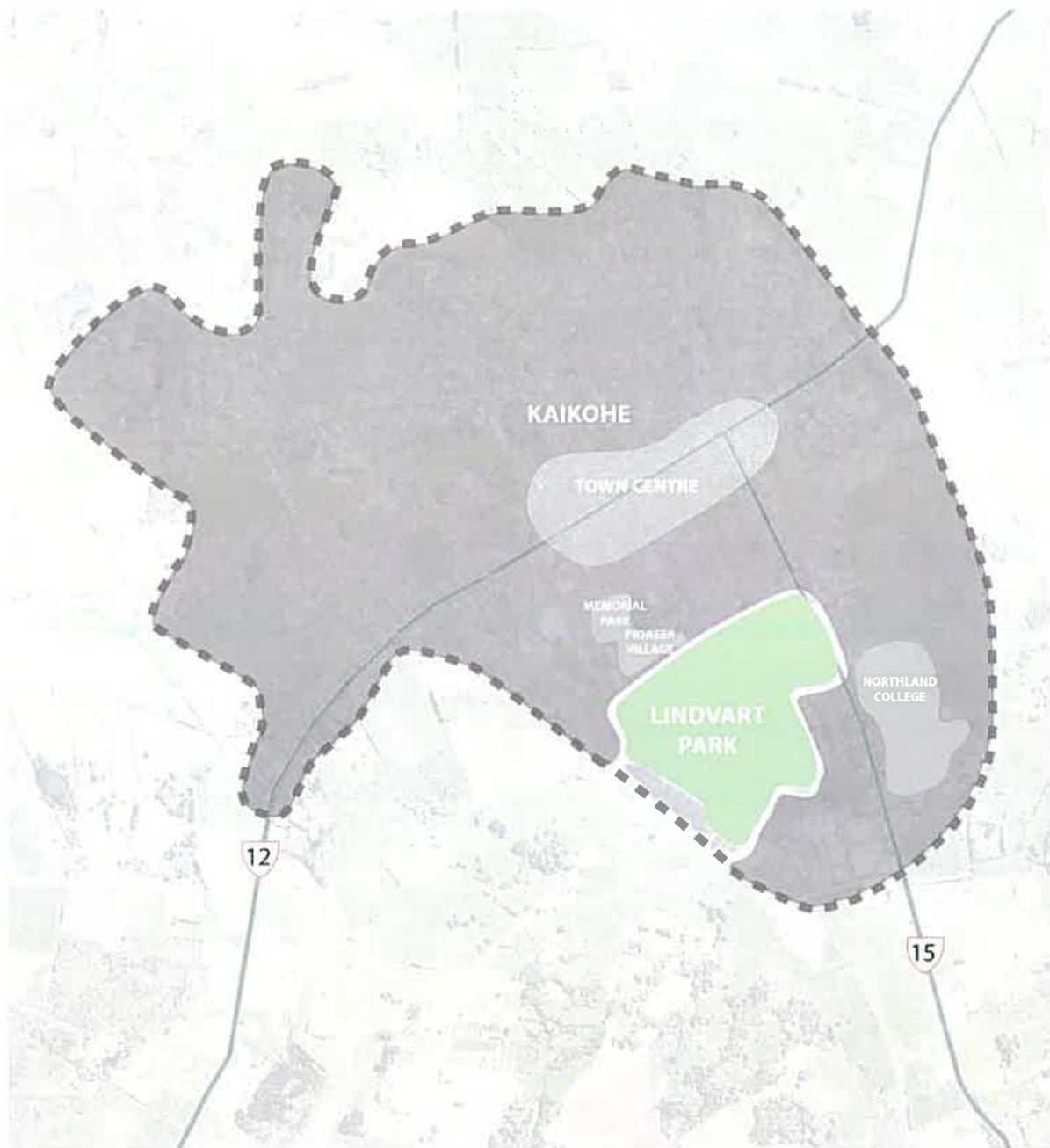
Purpose of the Reserve Management Plan . . . . .	1
History of Lindvart Park. . . . .	2
Features of Lindvart Park. . . . .	3
Sports, events, activities and facilities available . . . . .	4
Vision and goals . . . . .	5
Reserve opportunities. . . . .	6
Management objectives and policies . . . . .	7
Actions . . . . .	9
Implementation and funding . . . . .	11
Decision-making process for requests not specifically included in the Reserve Management Plan . . . . .	12
Administrative information. . . . .	13
How reserve management fits with legislation and other Council documents . . . . .	14
Reserve legal description . . . . .	15
Reserve classification . . . . .	16
Appendix 1 Gazette notices and land online information . . . . .	17
Appendix 2 Existing site photographs. . . . .	20



## Purpose of the Reserve Management Plan

The purpose of the Reserve Management Plan is to provide direction for the management and development of Lindvart Park.

The reserve management plan provides the community with certainty about the function and management of the reserve. It helps make sure management decisions are consistent with the Reserves Act 1977.



## History of Lindvart Park

Kaikohe was originally the Ngāpuhi village Opango. Present day Kaikohe derived its name from shelter and sustenance provided by the Kohekohe trees on Tokareireia (Kaikohe Hill) during a raid by Ngāti Whātua. Following that event, the place became known as Kai kohekohe and was later shortened to Kaikohe. Kaikohe is of central importance to Ngāpuhi and remains the hub of Te Rūnanga ā Iwi o Ngāpuhi.

The first European settlers began to arrive in Kaikohe in the late 19th century. However, it was when the railway from the south was extended into Kaikohe in 1914, that European settlement, and associated industry like dairy farming, escalated.

John Julius Lindvart was a prominent farmer and landowner in the Kaikohe area, who, at his death in 1930, bequeathed \$2,000 for the purchase and upkeep of a public recreation ground for the inhabitants of Kaikohe. Problems with the estate meant that the Public Trustee was not able to pay out the total amount of Lindvart's reserve land bequest until two decades after his demise, in the 1950s.

Much of the reserve land comprising Lindvart Park was purchased in the early 1930s by the then Kaikohe Town Board as Kaikohe Recreation Ground. Amendments to the terms of Lindvart's will in the 1950s enabled his original bequest to be used for the upkeep of the reserve. The name was officially changed to Lindvart Memorial Park in 1951. An additional seven hectares, locally known as Rugby Park, was acquired in the late 1960s.

Lindvart Park is a district park as it serves a wider community than solely Kaikohe, with many people travelling to Kaikohe from outlying areas to access sport and recreation facilities within the park.





## Features of Lindvart Park

Lindvart park is located at the southern end of Kaikohe township. It is bounded by Mangakahia Road, Penney Crescent and Recreation Road. The principal entry to the park is from Penney Crescent.

Much of Lindvart Park was originally low-lying swamp. The geology comprises layers from successive volcanic activity. A superficial layer of volcanic soil overlies Taheke basalt, which in turn overlies Horeke basalt, like much of Kaikohe township. The sports grounds are located on flat land, with a high water table. Parts of the park are prone to flooding.

A landfill operated in the north-western corner of the park until mid-1998. The entire 4ha landfill area was capped with clay overlain by topsoil. The area provides elevation and contour. At present the landfill site does not form part of the active recreation component of the park.

Council engaged Fraser Thomas Limited to undertake environmental and geotechnical investigations on Lindvart Park to better understand the potential for recreation on the former landfill site. The report concludes the area is suitable for informal recreation provided nothing penetrates the clay cap and that the crown should be regraded and planted in grass. More detail is included in the report which is available from the Council.

The existing vegetation within the park, including the stand of cypress trees dividing the former landfill site from the sports fields and the stand of willows along the south-western edge of the park, is aging and in poor condition.

An access strip of Māori land runs through the centre of the park from the eastern edge.



## Sports, events, activities and facilities available

Lindvart park services a wide variety of sporting codes

### User groups include:

-  Kaikohe Rugby Football and Sports Club and Bay of Islands Rugby Union
-  Kaikohe Lions Rugby League
-  Bay of Islands Hockey
-  Bay of Islands Netball
-  Kaikohe Football Club (soccer)
-  Hub of the North Sports – tennis and table tennis and kids holiday programmes
-  Bay Marlins little league softball

<b>1</b> Lindvart Park Pavilion (owned by Far North District Council) - not fit for purpose	<b>1</b> Rugby clubrooms (owned by Kaikohe Rugby Football and Sports Club)	<b>1</b> Rugby grandstand (owned by Far North District Council)
<b>3</b> Rugby fields	<b>3/4</b> Size rugby league field	<b>1</b> Hockey turf – the turf was established in 2008, lighting was installed in 2014 (funded by Top Energy)
<b>3</b> Football fields	<b>6</b> Touch fields	<b>1</b> Softball diamond (needs rehabilitation)
<b>8</b> Netball courts (used as tennis courts in summer) – these were upgraded to competition standard in 2015	<b>3</b> Unmarked car parking areas within the park at the northern edge of the park off Recreation Road, adjacent to the pavilion and adjacent to the rugby clubrooms (additional 41 marked spaces on Penney Crescent)	



## Vision

**Lindvart Park will be the premier sports venue for the Far North District with attractive, well maintained and well used facilities.**

## Goals

- 1 Lindvart Park provides a venue for strong, successful, sustainable recreation and sporting activities that are flexible and able to meet, and adapt to, the needs of the people of Kaikohe and the wider Far North District over time.

---

- 2 Lindvart Park reflects a strong sense of place, history and Ngāpuhi identity.

---

- 3 People of all ages and abilities are able to use, access and enjoy Lindvart Park.

---

- 4 Wherever possible sports facilities are designed for multi-use and are universally accessible for organised and informal sports and recreation.

---

- 5 Lindvart Park contributes to, and maintains, green open space for passive recreation to encourage better use and enjoyment of the reserve.

---

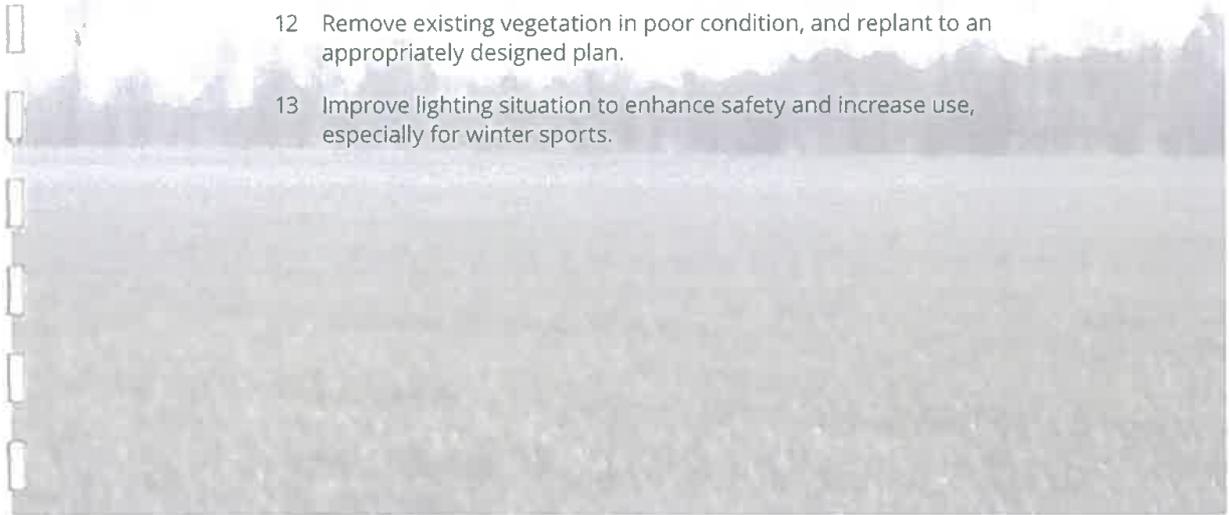
- 6 Facilities are developed and maintained to a high standard for active recreation.



## Reserve opportunities

Lindvart Park currently presents the following opportunities:

- 1 The former landfill site, given its past use, can be redeveloped for low impact recreation use.
- 2 Strengthen the sense of place and cultural identity through re-design.
- 3 Integrate sports codes and facilities by developing multi-use facilities rather than continuing with single purpose facilities that are not fully utilised.
- 4 Reconfigure the layout of pathways to improve circulation and access for all park users, both through the reserve and to the surrounding street network.
- 5 Re-design the fencing to improve accessibility, usability, visual amenity and safety of the park for all users.
- 6 Reconfigure parking areas to improve vehicular access and parking proximity to sports facilities.
- 7 Provide new and additional toilet and change facilities.
- 8 Develop a purpose-built covered / indoor multi-sports facility.
- 9 Provide for covered spectator seating within the purpose-built facility.
- 10 Provide for other recreational activities including fitness trail and cycling trails.
- 11 Establish children’s play facilities within the park.
- 12 Remove existing vegetation in poor condition, and replant to an appropriately designed plan.
- 13 Improve lighting situation to enhance safety and increase use, especially for winter sports.





## Management objectives and policies

**Satisfies goal**

<p><b>1 Optimise utilisation and development of sports and recreation on the reserve</b></p>	<p>1, 5 &amp; 6</p>
<p>Develop Lindvart Park in general accordance with the reserve management plan.</p>	
<p><b>2 Improve the facilities to a high standard for indoor and outdoor sport and recreation</b></p>	<p>1 &amp; 6</p>
<p>Establish a centralised, purpose built facility for indoor sport and recreational use.</p>	
<p>Provide and maintain ground surface conditions that will meet the requirements of a wide range of winter and summer sports codes.</p>	
<p>Ensure that the wide range of sports and recreational facilities, wherever possible, are shared by different codes, in particular winter and summer sports codes.</p>	
<p>Establish and operate training lights to enable training and play to club competition level.</p>	
<p>Recondition dis-used sportsfields where necessary.</p>	
<p>Enable establishment of low impact recreational activities on the former landfill site and the park, which may include walking / cycling tracks, sculpture trail, and bmx / pump track for bicycles subject to sufficient demand and on the proviso that the integrity of the landfill cap is maintained.</p>	
<p>Establish a children's playground within Lindvart Park.</p>	
<p>Ensure that additional equipment for sports and recreational facilities can be established.</p>	
<p>Provide fresh drinking water facilities.</p>	
<p><b>3 Develop and nurture a sense of place and cultural identity</b></p>	<p>2</p>
<p>Provide opportunities to showcase Ngāpuhi identity through architectural design, cultural markers, public art, signage and planting.</p>	
<p><b>4 Provide protection from weather, particularly for spectators, to enhance amenity</b></p>	<p>3</p>
<p>Establish and maintain shade and shelter.</p>	
<p><b>5 Improve the amenity of the reserve</b></p>	<p>5</p>
<p>Encourage tree planting that does not block passive surveillance of the area.</p>	
<p>Establish linkages to surrounding areas of ecological value.</p>	
<p>Remove trees that detract from amenity.</p>	

## Management objectives and policies

Satisfies goal

### 6 Improve access and parking

3 & 4

Establish universally accessible walkways to Lindvart Park to improve access to and connections across the reserve.

Establish cycleways within Lindvart Park, where possible linking to the cycleway to the west of the reserve and provide secure cycle parking.

Provide carparking areas that are safe and accessible to key sporting facilities without dominating the greenspace amenity of the park. Parking within the road reserve of immediately adjoining streets is also encouraged.

Work with lessees and the codes to facilitate public use of all facilities within Lindvart Park in accordance with the Management Agreement.

### 7 Improve safety and security

3 & 5

Establish directional lighting in areas of high use such as car parks, around buildings and along paths to improve safety and perceived safety.

Ensure that existing and future planting retains clear sightlines to recreation areas and does not create areas of concealment.

Remove internal fences where possible and replace perimeter wire fences with low perimeter fences that act as vehicular barriers to improve usability while not compromising security.

Avoid fencing, lighting, service trenches or other structures are on the former landfill area, where these might risk penetrating the clay cap.

Prohibit any activities on the former landfill area that involve open flames due to the risk to public safety of potential gas leakage.

### 8 Avoid or reduce potential public health and safety risks from the former landfill area

5

Undertake remedial works to address the leachate issue.

### 9 Enhance toilets and changing facilities

1 & 3

Improve public access to clubroom toilets.

Construct stand-alone public toilets / change facilities on Lindvart Park.

### 10 Enable the use of Lindvart Park for organised events

1 & 4

Permit events on Lindvart Park where these do not affect its amenity, or conflict with and/or limit the public use and enjoyment of the reserve.

### 11 Improve waste management and recycling at Lindvart Park

5 & 6

Provide recycling bins for the sorting of rubbish.



## Actions

The actions outlined below give effect to the Reserve Management Plan. They have been prioritised using the following principles:

- **Adaptability / functionality**  
functional and adaptable spaces that are fit-for-purpose.
- **Asset management planning**  
to inform operational plans and ensure facilities are in good condition as part of a 'whole of life' planning function.
- **Equity and access**  
position is most accessible to community for organised and informal sport and recreation activities.
- **Multi-use**  
designed for multi-uses wherever possible to ensure wise investment of scarce resources.
- **Optimise existing assets**  
optimise/refurbish don't replace unless there is a compelling reason for doing so e.g. do not continue to invest in assets that are not fit-for-purpose.
- **Partnerships**  
working together to optimise the network.
- **Return on Investment (ROI)**  
return must deliver much or more than the project it displaces.
- **Sustainability**  
project must be financially sustainable, and maximise community benefit.

However, priority actions are subject to change through the LTP process. The next LTP will be developed for the Far North District Council (FNDC) in 2021.



### IMMEDIATELY

- Commission business case for new purpose-built centralised recreation centre adjacent to (and covering two) netball courts to include at least: 2 x multi-purpose courts, a gym, sheltered viewing areas, storage and offices and associated amenity such as accessible drinking fountains and toilets.  
Lead: FNDC, KDS and Sport Northland
- Undertake further investigation and / or remedial works on the former landfill site as recommended in the Environmental / Geotechnical Investigation Report by Fraser Thomas Ltd.  
Lead: FNDC
- Recondition softball diamond.  
Lead: FNDC
- Investigate changing parking on Penney Crescent from angle to 90° degree.  
Lead: FNDC

### 1-3 YEARS

- Develop and enhance walkways and cycleways to and through the park to improve access and connectivity.  
Lead: FNDC with Sportsville Kaikohe
- Investigate demand for and feasibility of an athletics track around the rugby grounds, with field athletics on the rugby field.  
Lead: Sportsville Kaikohe
- Provide training lighting on sports grounds to enable night time use.  
Lead: Sportsville Kaikohe
- Recondition/rehabilitate Maihi Park /Marlin Park by regrading and grassing.  
Lead: FNDC
- Provide directional lighting in the car parking areas and over the internal pedestrian paths to recreational facilities.  
Lead: FNDC
- Remove internal fences between sports fields to improve internal circulation.  
Lead: Sportsville Kaikohe
- Construct facilities to provide activities set out in bylaws.  
Lead: FNDC
- Work with relevant sporting codes to identify and implement fencing solutions that will improve visibility, security, amenity and internal circulation.  
Lead: Sportsville Kaikohe
- Improve accessibility and functionality of the netball and tennis courts including functional fencing and provision of nets.  
Lead: KDS
- Improve access to and legibility of the park via way-finding signage.  
Lead: KDS with FNDC
- Remove existing cypress and willow shelter belts.  
Lead: FNDC
- Design and build a new children's playground in the northern part of park adjacent to Recreation Road.  
Lead: FNDC and KDS
- Investigate the construction of a new softball diamond.  
Lead: FNDC and KDS



**1 - 3 YEARS AND ONGOING**

Establish a sculpture trail on the former landfill in the western side of the park that tells the story of Ngāpuhi, Kaikohe and of Lindvart Park.

Lead: FNDC and KDS

**1-5 YEARS**

Following business case for purpose-built recreation centre, prepare design brief for, commission design and undertake works to consent and construct.

Lead: FNDC and KDS

**3-5 YEARS**

Plant a new forest area of Totara or a similar native species at the south-western corner of the park.

Lead: FNDC

Remove perimeter wire fences and replace with low perimeter fences (1.2m maximum height) that act as barriers to motorised vehicles but allow pedestrians and cyclists to enter park.

Lead: FNDC

Establish low impact recreational activities on the former landfill site which may include walking / running / cycling tracks provided these do not penetrate the clay cap.

Lead: FNDC and KDS

Construct a universally accessible public toilet and drinking fountains on the north-eastern part of the reserve, to link with the fitness trail.

Lead: FNDC

Investigate demand for a BMX / pump track to be located at the western edge of the park.

Lead: FNDC

**3-10 YEARS**

Rationalise car parking areas around the park to improve vehicle access and circulation to sportsfields / facilities.

Lead: FNDC

Install bike stands in new carpark areas.

Lead: FNDC

**LONG TERM**

Extend Penney Crescent through to Mangakahia Road in the south to improve circulation around key facilities on the eastern side of the park.

Lead: FNDC

## Implementation and funding

This Reserve Management Plan provides a vision, goals, objectives, policies and actions that determine the appropriate use, protection and development of Lindvart Park.

Decisions relating to the funding and priority for works described in this Reserve Management Plan will be undertaken within Far North District Council's Long Term Plan and Annual Plan.

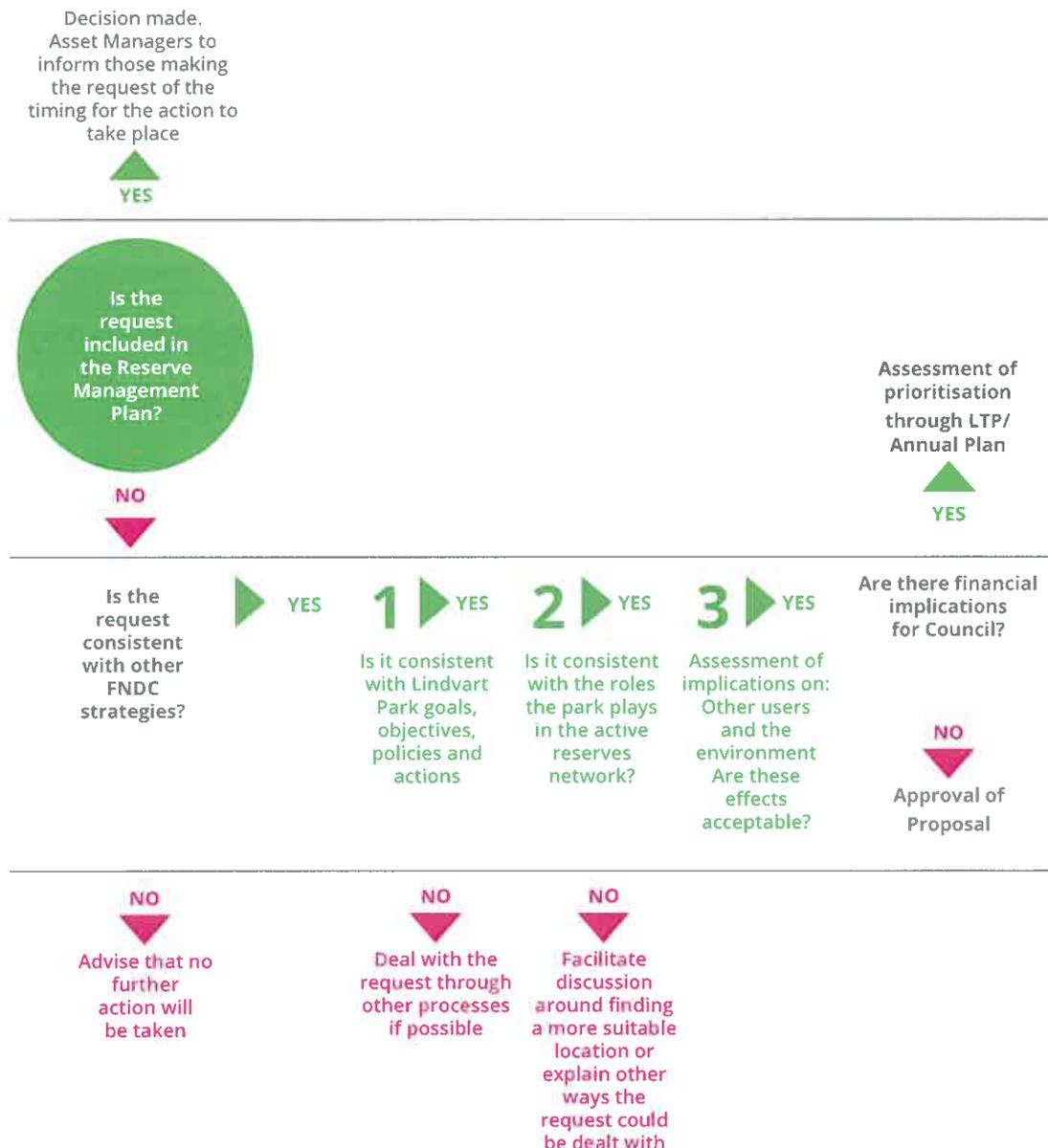
It is important to note that, it is not because a particular action has been included within this Reserve Management Plan, that Council will make funding available for those works. It is anticipated that Kaikohe and Districts Sportsville and the various sporting codes will work in partnership with Council to raise future funding to deliver the outcomes anticipated in this Plan.



## Decision-making process for requests not specifically included in the Reserve Management Plan

The Reserve Management Plan is developed for a ten-year term. Because of the length of time there are likely to be proposals made for the park not specifically included as actions in the Reserve Management Plan.

The following process will be used to decide whether or not to proceed with any such proposals.





## Administrative information

### Process for preparing a Reserve Management Plan for Lindvart Park

Section 41 of the Reserves Act 1977 sets out the process that must be followed when preparing a Reserve Management Plan.

#### The following steps outline the process:

1	FNDC publicly notifies its intention to prepare the Reserve Management Plan and invites interested parties / persons to send in written suggestions on the proposed plan within a set time period (usually one month). This was done by on-line survey.	March – May 2017
2	A draft Reserve Management Plan is prepared giving consideration to comments received.	Nov 2017 - Feb 2018
3	The draft Reserve Management Plan is adopted and advertised for public submissions and made available for viewing for a minimum of two months.	May - July 2018
4	Consideration is given to submissions and objections received and a hearing is held.	Aug - Sept 2018
5	Appropriate changes are made to the Reserve Management Plan.	Sept - Oct 2018
6	As Lindvart Park is a recreation reserve vested in the Council, the final Reserve Management Plan can be approved and adopted by FNDC, with no requirement for Ministerial approval.	Oct 2018
7	The final Reserve Management Plan is produced. Implementation commences. All those who made submissions are notified that the plan has been finalised and is available if they require a copy. Lindvart Park Reserve Management Plan will also be available on-line.	Nov 2018
8	Lindvart Park Reserve Management Plan is kept under continuous review by FNDC.	Ongoing

## How reserve management fits with legislation and other Council documents



### Statutory context for reserve management

Resource Management Act 1991

- Far North District Plan
- Northland Regional Plan

Reserves Act 1977 Reserve Management Plan

Other legislation e.g. Local Government Act 2002 and Health and Safety at Work Act

Northland Sports Facilities Plan 2014

Council Bylaws e.g. public places, dog control

Council Policy e.g. Reserves Policy

Council Plans

- Long-term Plan
- Annual Plan
- Asset Management Plan: Parks and Recreation

Lindvart Park Management Agreement



## Reserve legal description

Lindvart Park is located at Mangakahia Road, Recreation Road and Penney Crescent, Kaikohe.

It covers a total area of approximately 21.7 hectares.

The legal description is:

Lot 2 DP 14413, and Parts Kohewhata 50 and 69A (Gazetted: Recreation Reserve NZGZ 1982 p 4185)

- Parts Lots 3 and 4 DP 22327, Part Lots 22 and 31 DP 10045, and Parts Kohewhata 64 (Gazetted: Recreation Reserve NZGZ 1982 p 2171)
- Lot 1 DP 141391 (Vested on deposit)
- Part Kohewhata 69 is also included within the reserve area. This is Māori land designated as a Right of Way in favour of Council, and is not gazetted as recreation reserve.



## Reserve classification

Lindvart Park is classified as a Recreation Reserve under section 17 of the Reserves Act 1977. Section 17 (1) states the purpose of recreation reserves is for:

**'Providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.'**

What this means is that the purpose of Lindvart Park as an active recreation reserve is primarily for providing areas for organised sports and events and other recreational opportunities for the well-being and enjoyment of the wider community, and to protect the natural environment.

## Reserve ownership and management

Lindvart Park is owned by FNDC – it has variously been owned by its predecessors Kaikohe Town Board and Kaikohe Borough Council.

As of 1 March 2018, Kaikohe and Districts Sportville (KDS) has taken on the management of Lindvart Park. KDS is an incorporated society that has been set up to promote, foster and develop amateur sport, sports training, health and fitness in the Far North area, and in particular for young people. The society's role is to work in partnership with FNDC and the various sports codes to secure sports fields, grounds and facilities for its members, and to assist in raising funds for improvements to facilities.

The KDS Board consists of seven members: three elected and four appointed. Current members codes include:

- Bay of Islands Rugby Football Union
- Kaikohe Rugby Football and Sports Club
- Kaikohe Yun Jung Do development Trust
- Bay of Islands Netball Centre
- Rugby League Northland
- Kaikohe Amateur Football Club
- Bay of Islands Hockey Association.

In alignment with the management agreement between FNDC and KDS, it is expected that all sporting and recreational organisations using the park will work in partnership and sign user agreements with KDS to help ensure the health and safety of users, minimise user conflicts, and maximise enjoyment of the park for all users.

## Existing leases

Lessee	Leased area	Terms of lease
Kaikohe Rugby Football and Sports Club (est 1908)	Pt Kohewhata 50, only that part containing the buildings: rugby football club room, training sheds and toilets	21 years with perpetual rights of renewal under Reserves and Domains Act
Bay of Islands Football Rugby Union	Pt Kohewhata 50, Pt Kohewhata 69A and Lot 2 DP 14413	21 years terminating in October 2033 Reserves and Domains Act



**Appendix 1**  
Gazette notices and land online information

8 JULY

THE NEW ZEALAND GAZETTE

2171

hereto, to be classified as reserves for the purposes specified at the end of the respective descriptions of the said lands, subject to the provisions of the said Act.

**SCHEDULE**

**NORTH AUCKLAND LAND DISTRICT—KAIKŌHE BOROUGH**

29588 hectares, more or less, being part Kohewhata No. 64 Block, situated in Block XV, Omapere Survey District. Balance certificate of title 934/253, M.L. Plan 8556, recreation.  
54739 hectares, more or less, being part Lot 4, D.P. 22327, situated in Block XV, Omapere Survey District. Balance certificate of title 604176. Together with a water easement created by T233 995, recreation.  
53603 hectares, more or less, being part Lot 3, D.P. 22327, situated in Block XV, Omapere Survey District. All certificate of title 1008/196, recreation.  
2125 square metres, more or less, being part Lot 22, D.P. 10045, situated in Block XV, Omapere Survey District. Part certificate of title 649/53, recreation.  
519 square metres, more or less, being part Lot 31, D.P. 10045, situated in Block XV, Omapere Survey District. Part certificate of title 649/53, recreation.  
3850 square metres, more or less, being Lot 14, D.P. 38215, situated in Block XV, Omapere Survey District. Part Gazette notice 16340. Subject to a stormwater drainage easement contained in K. 61163, recreation.  
2648 square metres, more or less, being Lot 3, D.P. 39389, situated in Block XV, Omapere Survey District. Part certificate of title 1313/86, recreation.  
792 square metres, more or less, being Lot 35, D.P. 46326, situated in Block XV, Omapere Survey District. All certificate of title 24C/584, local purpose (drainage).  
549 square metres, more or less, being part Lot 37, D.P. 38220, situated in Block XV, Omapere Survey District. Part Gazette notice A. 236639. Subject to a sewage easement contained in K. 63084, local purpose (drainage).

Dated at Auckland this 25th day of June 1982.

R. F. SMITH,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 2/2/354; D.O. 1/39/2/17)

*Classification of Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for local purpose (site for roadmans hut), subject to the provisions of the said Act.

**SCHEDULE**

**SOUTH AUCKLAND LAND DISTRICT—OHINEMURI COUNTY**  
4046 square metres, more or less, being Section 5, Block III, Waihi North Survey District. Part *New Zealand Gazette*, 1911, page 2669. S.O. Plan 15928.

Dated at Hamilton this 16th day of June 1982.

G. L. VENDT,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 3/44/5; D.O. 3/3041)

*Classification of Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for Government purpose (primary education), subject to the provisions of the said Act.

**SCHEDULE**

**SOUTH AUCKLAND LAND DISTRICT—CAMBRIDGE BOROUGH**  
4046 square metres, more or less, being Section 68, Town of Cambridge East, situated in Block IX, Cambridge Survey District. Part *New Zealand Gazette*, 1878, page 1769. S.O. Plan 1387.

Dated at Hamilton this 11th day of June 1982.

G. L. VENDT,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 3/44/8; D.O. 8/5/281)

*Classification of Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserve, described in the Schedule hereto, to be classified as a reserve for recreation purposes, subject to the provisions of the said Act.

**SCHEDULE**

**SOUTH AUCKLAND LAND DISTRICT—TAURANGA CITY—PART MITCHELL PARK RECREATION RESERVE**

14396 hectares, more or less, being Lot 31, D.P. S. 5351, Lot 60, D.P. S. 6693 and Lot 2, D.P. S. 10996, situated in Block X, Tauranga Survey District. All certificate of title, Nos. 25B/309, 25B/310 and 25B/328. All *New Zealand Gazette* 1968, page 615.

This notice is issued in substitution for the notice dated 14 April 1981 and published in *New Zealand Gazette*, 23 April 1981, No. 46, page 1131, which was issued in error and that notice is hereby revoked.

Dated at Hamilton this 15th day of June 1982.

G. L. VENDT,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 3/2/93; D.O. 8/5/262/1)

*Boundaries of Taupo Borough and Taupo County Defined*

PURSUANT to section 48 of the Local Government Act 1974, the Secretary for Local Government hereby defines, as set out in the Schedule hereto, the boundaries of Taupo Borough and Taupo County, those boundaries having been altered by Order in Council made on 27 October 1981 and published in the *New Zealand Gazette* 5 November 1981, No. 131, page 3045.

**FIRST SCHEDULE**

**BOUNDARIES OF THE BOROUGH OF TAUPO**

ALL that area in the South Auckland Land District containing 3384 hectares, more or less, bounded by a line commencing at the easternmost point of Lot 1, D.P. S. 21311 being a point on the left bank of the Waikato River and proceeding in a south-westerly direction along that bank to and along the shore of Lake Taupo to a point bearing 165° 00' south-east of the intersection of the north-eastern corner of a public road (as defined on M.L. 16214) with Acacia Bay Road; thence in a north-westerly direction along that right line to the said intersection; thence in a north-easterly direction along the south-eastern side of Acacia Bay Road to the production of the north-eastern boundary of Rangaura 8615 Block; thence north-westerly to and along that boundary to the northernmost corner of the said Block; thence south-westerly along the north-western boundary of the said Block to the north-eastern boundary of part Rangaitira 8A Block; thence north-westerly along that boundary to an angle bearing 52° 02' 17.08 metres from IT XI shown on M.L. 19097; thence in a north-easterly direction along a right line to the westernmost point of Rangaitira 5 Block, along the north-western boundary of the said Block to the northernmost point and along another right line to an angle on the western side of Pohiipi Road opposite IT XV as shown on S.O. 41900; thence in an easterly direction along a right line to boundary peg XXIVc as shown on S.O. 44183 on the eastern side of State Highway No. 1; thence in a north-easterly direction along the said eastern side to the intersection with the right bank of the Waipu-Werawera Stream; thence in a south-easterly direction along that right bank to the intersection with the left bank of the Waikato River along a right line to the westernmost point of Section 2, Block XIV, Tatum Survey District along the south-western boundary of that section to its southernmost point, along another right line to the south-western corner of Lot 1, D.P. S. 28936 on the northern side of Spa Road, once again along another right line to the most north-eastern corner of Section 320, Block II, Tauhara Survey District, and again along a right line to the north-eastern corner of part Tauhara Middle 4A2 Block; thence in a generally southerly direction along the generally eastern and the south-eastern boundaries of the said 4A2 Block, shown on M.L. 20427 to and along the north-western boundary of Section 19, Block III, Tauhara Survey District to the westernmost corner of the said Section 19; thence south-westerly along a right line to Transmission Line Pylon Number 565 (co-ordinates 593594.16 mN, 269175.14 mE) another right line to the southernmost corner of the Taupo Borough (*Gazette* 1969, p. 787) being a point on the production of the south-eastern boundary of the former Section 1, Block VI, Tauhara Survey District in line

2 DECEMBER

THE NEW ZEALAND GAZETTE

4185

hereby appoints the Marlborough Sounds Maritime Park Board to control and manage the reserve, described in the First Schedule hereto, subject to the provisions of the said Act, as a reserve for recreation purposes, and in the Second Schedule hereto, subject to the provisions of the said Act, as reserves for local purpose (esplanade).

FIRST SCHEDULE

MARLBOROUGH LAND DISTRICT—MARLBOROUGH COUNTY  
2327 square metres, more or less, Lot 24, D.P. 2198, situated in Block XII, Wakamarina Survey District. All certificate of title 3D/1218

SECOND SCHEDULE

2,9821 hectares, more or less, Lot 18, D.P. 2094, Lot 37, D.P. 2198, Lot 10, D.P. 2603, Lot 36, D.P. 2705, and Lot 6, D.P. 4140, situated in Block XIII, Wakamarina Survey District. All certificates of title 3D/1414 and 3D/1359

Dated at Blenheim this 7th day of October 1982.  
D. I. MURPHY,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 8/8/2/24; D.O. 8/5/114)

*Revocation of the Reservation Over Part of a Reserve Specifying the Manner of Disposal and How Proceeds of Sale Shall be Utilised*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby revokes the reservation over that part of the reserve for recreation purposes, described in the Schedule hereto, and further, declares that the said land may be disposed of by The Rotorua District Council at current market value, the proceeds from any such sale to be paid into the council's Reserves Account, such moneys to be used and applied in or towards the improvement of other reserves under the control of the council, or in or towards the purchase of other land for reserves.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—ROTORUA DISTRICT  
157 square metres, more or less, being Lot 1, L.T.S. 32229, situated in Block IV, Horohoro Survey District  
This notice is issued in substitution for the notice, dated 7 October 1982, and published in *New Zealand Gazette* No. 123, 21 October 1982, page 3473, and that notice is hereby cancelled.  
Dated at Hamilton this 16th day of November 1982.

L. C. PRICE,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 3/2/114; D.O. 8/5/259)

*Transfer of Unformed Legal Road in Block IV, Ruakaka Survey District*

PURSUANT to section 323 of the Local Government Act 1974, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares that the land, described in the Schedule hereto, has been transferred to the Crown by the Whangarei County Council, pursuant to the said section 323, and as from the date of this notice the said land shall be deemed to be Crown land subject to the Land Act 1948.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—WHANGAREI COUNTY  
8,1730 hectares, more or less, being Allotment 164, Manaia Parish, situated in Block IV, Ruakaka Survey District. S.O. Plan 56628.  
Dated at Auckland this 11th day of November 1982.

R. F. SMITH,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 2/3/48; D.O. 13/54)

*Reservation of Land and Declaration That the Reserve be Part of the Manaia Ridge Scenic Reserve*

PURSUANT to the Land Act 1948, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby sets apart the land, described in the Schedule hereto, as a

reserve for scenic purposes and further, pursuant to the Reserves Act 1977, declares the said reserve to form part of the Manaia Ridge Scenic Reserve to be administered as a reserve for scenic purposes subject to the provisions of section 19(1)(a) of the said Act.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—WHANGAREI COUNTY  
8,1730 hectares, more or less, being Allotment 164, Manaia Parish, situated in Block IV, Ruakaka Survey District. S.O. Plan 56628.  
8689 square metres, more or less, being Allotment 563, Manaia Parish, situated in Block IV, Ruakaka Survey District. S.O. Plan 56873.

Dated at Auckland 11th day of November 1982  
R. F. SMITH,  
Assistant Commissioner of Crown Lands  
(L. and S. H.O. Res. 2/3/49; D.O. 13/54)

*Classification of Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares the reserves, described in the Schedule hereto, to be classified as reserves for the purposes specified at the end of the respective descriptions of the said lands, subject to the provisions of the said Act.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—KAIKOHU BOROUGH  
857 square metres, more or less, being part Lot 29, D.P. 7981, situated in Block XV, Omaperere Survey District. All certificate of title 678/55, recreation.  
2,5267 hectares, more or less, being part Kohewhata No. 50 Block, situated in Block XV, Omaperere Survey District. All certificate of title 958/66, M.L. Plan 8556, recreation.  
1,5067 hectares, more or less, being Lot 2, D.P. 14413, situated in Block XV, Omaperere Survey District. All certificate of title 323/32. Subject to a right of way appurtenant to Kohewhata No. 42B, recreation.  
3,3487 hectares, more or less, being part Kohewhata No. 69A Block, situated in Block XV, Omaperere Survey District. All certificate of title 358/171, M.L. Plan 14418, recreation.  
1,1179 hectares, more or less, being Kohewhata 11C 1 Block situated in Block XV, Omaperere Survey District. All certificate of title 614/129, M.L. Plan 12673. Having appurtenant thereto a right of way created in and by provisional register, Volume 176/7, and right to enter and lay water pipes created in and by transfer No. 240606 and a right of way created in and by provisional register, Volume 183/100, as amended by order No. 12746, local purpose (site for a water supply).  
3035 square meters, more or less, being Lot 2, D.P. 58730, situated in Block XV, Omaperere Survey District. All certificate of title 14C/165, local purpose (site for a memorial hall).  
1,5306 hectares, more or less, being Lot 1, D.P. 81512, situated in Block XV, Omaperere Survey District. All certificate of title 38B/557, local purpose (site for pioneer village).

Dated at Auckland this 11th day of November 1982  
R. F. SMITH,  
Assistant Commissioner of Crown Lands.  
(L. and S. H.O. Res. 2/2/354 Res. 2/44/16; D.O. 1/39/2/17)

*Classification of Parts of a Reserve*

PURSUANT to the Reserves Act 1977, and to a delegation from the Minister of Lands, the Assistant Commissioner of Crown Lands hereby declares that part of the reserve, described in the First Schedule hereto to be classified as a reserve for recreation purposes subject to the provisions of the said Act, and further, declares that part of the reserve, described in the Second Schedule hereto, to be classified as a reserve for scenic purposes, subject to the provisions of section 19(1)(a) of the said Act.

FIRST SCHEDULE

NORTH AUCKLAND LAND DISTRICT—OTAMATEA COUNTY—WHENUANUI DOMAIN RECREATION RESERVE  
15,3640 hectares, more or less, being Sections 36 and 38, Block XII, Tokatoka Survey District. Part *New Zealand Gazette*, 1970, page 1427 and 1924, page 742. S.O. Plan 56806.

C



Far North District Council | Lindvart Park Reserve Management Plan 2018



## View Statutory Action

**Parcel** Lot 1 Deposited Plan 141391  
**Current Purpose** Recreation Reserve

**Parcel Status** Current

Statutory Action	Type	Recorded	Action	Status
DP 141391	Vesting on Deposit	04/04/2002	Create	Current
<b>Statute</b>				
<b>Purpose</b>	Recreation Reserve			
<b>Name</b>				
<b>Comments</b>				

\*\*\* End of Report \*\*\*

*Client Reference: cclarke004*

*Dated 2 03 2018 2:04 pm, Page 1 of 1*

*© Copyright: Land Information New Zealand*

*The record of unregistered gazette notices may be incomplete and does not necessarily represent the current legal status of land.*

## Appendix 2

### Existing site photographs (taken November 2017)



1. Former landfill site looking towards rugby park



2. Premier rugby ground and grandstand



3. Hockey turf including lighting and fencing



4. Netball courts



5. View of Lindvart Park from Recreation Road



6. Perimeter fencing



**CONTACT US**

Far North District Council  
*Te Kaunihera o Tai Tokerau ki te Raki*

[www.fndc.govt.nz](http://www.fndc.govt.nz)  
Helpdesk Telephone (09) 401 5200  
Freephone 0800 920 029

**Postal Address**  
Far North District Council  
Private Bag 752  
Memorial Ave  
Kaikohe

**Headquarters**  
Far North District Council  
5 Memorial Ave  
Kaikohe

© FNDC 2018



**HE ARA TĀMATA**  
**CREATING GREAT PLACES**  
*Supporting our people*

Private Bag 752, Memorial Avenue  
Kaikohe 0405, New Zealand  
✉ [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz)  
☎ 0800 920 029  
[www.fndc.govt.nz](http://www.fndc.govt.nz)

1st October 2024

Tēnā koe

We are contacting you to notify you of the requested lease and invite iwi and hapū feedback on the proposed lease.

Kaikohe & Districts Sportville Incorporated have been responsible for the management of Lindvart Park, Kaikohe, since 1 January 2018. Their goal is to promote sport in Kaikohe and surrounding areas, making it accessible to all.

Kaikohe & Districts Sportville Incorporated has recently opened the newly developed sporting facility, Papa Hawaii, on Lindvart Park. The complex consists of two indoor multi-use courts, meeting room and viewing platform. The building has been designed to provide accessibility for all.

The complex intends to bring basketball back to Kaikohe and grow this sport and others including volleyball. The complex offers volleyball and other indoor sports to the community and the wider area of Hokianga, allowing people who had to travel or couldn't travel, to access numerous sports.

The group has approached Council and requested a new lease over the Recreation Reserve. The proposed lease term is 30 years, broken into 3 x 10 year terms.

As the lease is over Recreation Reserve, public consultation will be required – should this be granted by Council, you will be notified of the commencement of this.

If you would like further information, discuss this proposal further, have any questions or want to share feedback, please do not hesitate to get in contact with Michelle Rockell at [michelle.rockell@fndc.govt.nz](mailto:michelle.rockell@fndc.govt.nz).

Yours sincerely,

A handwritten signature in black ink, appearing to read "Trent Blakeman", with a large, sweeping flourish underneath.

Trent Blakeman

Acting Group Manager – Delivery & Operations



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
 R.W. Muir  
 Registrar-General  
 of Land

**Identifier**                      **NA649/53**

**Land Registration District** **North Auckland**

**Date Issued**                      15 November 1933

**Part-Cancelled**

**Prior References**  
NA255/264

**Estate**                              Fee Simple

**Area**                                5274 square metres more or less

**Legal Description**              Lot 21-22 and Lot 31 Deposited Plan  
10045

**Purpose**                              Providing additional land to enable a  
roading scheme to be carried into effect

**Registered Owners**  
Kaikohe Town Board

**Interests**

Fencing Agreement in Transfer 260645 - 15.11.1933

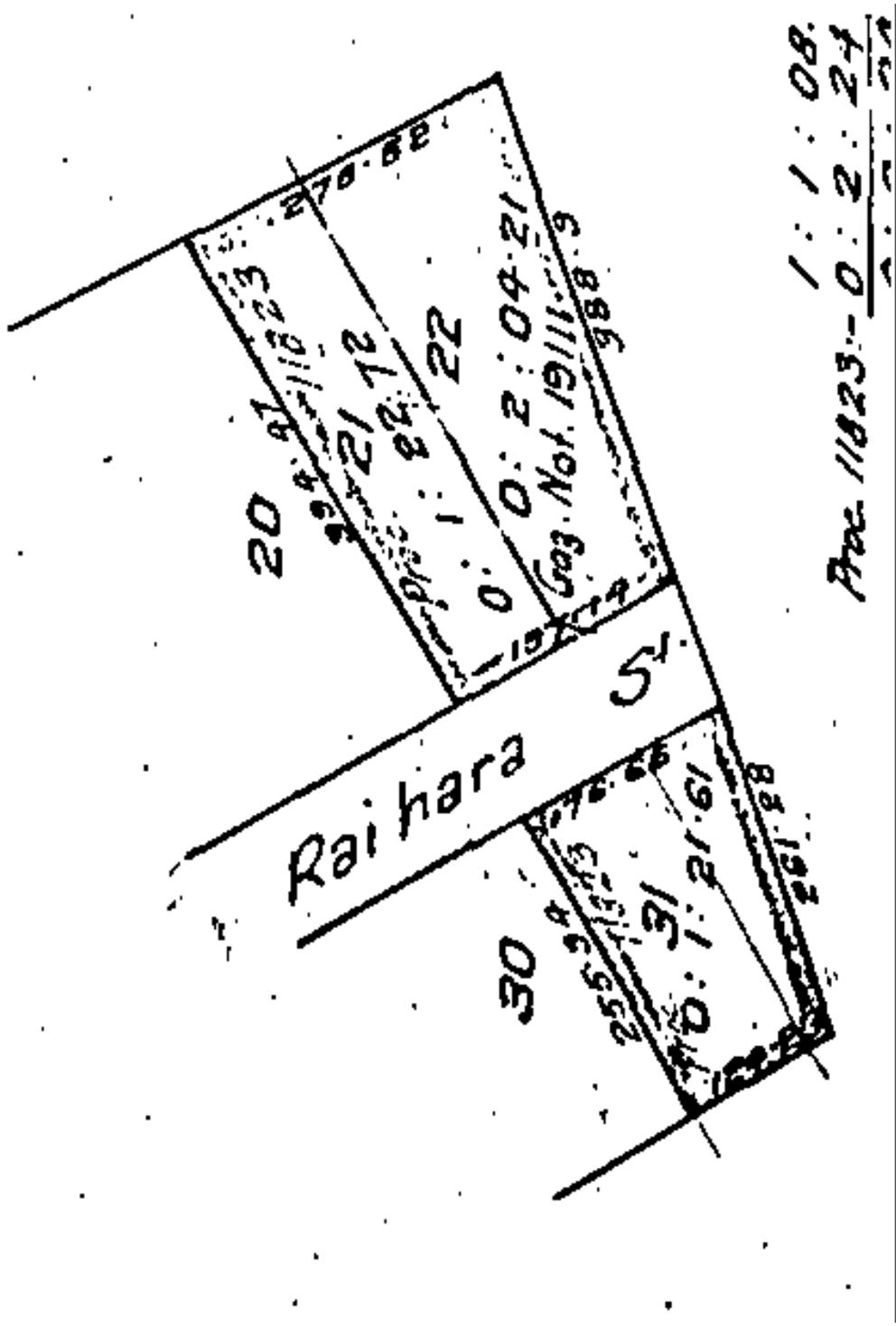
11823 Proclamation proclaiming parts as street - 17.5.1946 at 10.00 am

19111 Gazette Notice declaring part Lot 22 DP10045 to be a public reserve for recreation purposes - 3.7.1962 at 11.00 am

A176011 Gazette Notice declaring part Lot 31 DP 10045 to be a recreation reserve - 26.9.1966 at 9.01 am

Identifier

NA649/53



Transaction ID 4032327  
Client Reference kmeekings001

Search Copy Dated 02/10/24 9:44 am, Page 2 of 2  
Register Only

### 6.3 INITIATION OF PUBLIC CONSULTATION ON DISPOSAL OF SECTIONS OF KERIKERI RESERVE

**File Number:** A4981808

**Author:** Robin Rawson, Parks & Reserves Planner

**Authoriser:** Roger Ackers, Group Manager - Planning & Policy

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek the approval of Council to initiate public consultation under the Reserves Act 1977 to consider possible revocation of areas of a reserve fronting Kerikeri Road and Morcom Lane (Lot 10 DP 62588) to facilitate the legalisation of an existing retaining wall on a neighbouring property (which has been built across the boundary and marginally into the reserve) by a boundary adjustment.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council has received a request from Investore Property Limited to legalise the encroachments of an existing private retaining wall on the Woolworths Kerikeri supermarket property where it extends onto two parcels of Council owned land.
- One of the affected properties is held in a fee simple title and the other is a recreation reserve.
- Legalisation of the occupation of the wall is required for approval of a building consent to repair the wall and any required resource consent.
- In the short term a licence to occupy is adequate for gaining consents and undergoing work on the wall. This process can be completed via staff delegations.
- In the long term, revocation of a section of reserve to allow a boundary adjustment would provide greater certainty to the owner of the long-term occupation and would absolve Council from responsibility for the retaining wall structure.
- In accordance with the Reserves Act 1977, public consultation is required to consider revocation of a section of a reserve to allow a boundary adjustment by subdivision.
- On 24 October 2024, the Bay of Islands-Whangaroa Community Board expressed support for a licence to occupy as a short-term action, and the initiation of public consultation to consider revocation areas of the reserve underlying the retaining wall.
- Property staff will assess the effects of the encroachments on fee simple land and are delegated to approve licences to occupy.
- Council approval is required for revocation of a reserve.
- Council approval is required for sale of any Council land; and these options will be reported to Council for approval after public consultation and a hearing under the Reserves Act 1977, (should this be necessary).

#### TŪTOHUNGA / RECOMMENDATION

**That Council:**

- approve the initiation of a public consultation process under Section 24 of the Reserves Act 1977 to revoke small parts of Recreation Reserve (Lot 10 DP 62588 – owned by the Far North District Council) underlying an existing retaining wall owned by Woolworths Ltd;**
- appoint Bay of Islands-Whangaroa Community Board to hear any submissions received in response to the consultation processes and to make recommendations to the Council in respect of the reserve classification and revocation.**

## 1) TĀHUHU KŌRERO / BACKGROUND

Investore Property Limited has contacted Council to request landowner approvals to do necessary and high priority remediation work to existing retaining walls at the edges of their Kerikeri supermarket site (Woolworths) to stabilise the wall and prevent further movement that could result in failure of the wall. The footprint of existing walls has moved since construction and the walls extend into adjoining Council properties to the north-west and south-west with a maximum encroachment of 430mm (refer Appendix 1).

Investore Property Limited seeks agreement from Council for a course of action that will allow consents to be obtained and future works to take place to remediate the walls. Options to enable this work are considered in the following section. Investore Property Limited has stated that the completion of remediation works is expected to ensure that there is no further movement of the wall over the next 50 or more years. The building consent application to remediate the wall will need to demonstrate at least 50 year structural durability. e two Council properties that are the subject of this request are identified in Appendix 1. One is a fee simple title owned by Council that was purchased to help facilitate the future Kerikeri western ring bypass. It contains a residential building that is currently being used for short-term tenancies to FNDC transitional staff. The other property is a recreation reserve which is used for drainage and public access.

The Bay of Islands-Whangaroa Community Board approved the following resolution on 24 October 2024 (Alternate resolution 2024/1):

- a) Endorse the issuance of a LTO to allow remediation of the wall to begin.
- b) Approve the initiation of a public consultation process under Section 24 of the Reserves Act 1977 to revoke areas of reserve underlying an existing retaining wall.
- c) Agree to hear any submissions received in response to the consultation processes and to make recommendations to the Council in respect to the revocation.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

This section assesses possible Council responses to the request from Investore Property Limited and was prepared with contributions from Legal Services, Delivery and Operations and Property Management. It includes recommendations for actions to provide a short-term solution and a long-term solution.

	Options	Advantages, disadvantages, costs
1	<b>Walls rebuilt outside of Council land</b>	<ul style="list-style-type: none"> <li>• No further action required from Council staff</li> <li>• Disruption to supermarket activities over long period</li> <li>• Expected temporary disruption to adjoining properties including Council properties greater than for other options because of extent of works</li> <li>• Council would have no legal responsibility for the rebuilt wall</li> <li>• Possible reputational risk to Council for not being more accommodating due to rebuilding costs to applicant (estimate \$1.5 million from applicant) and small impact on Council land.</li> </ul>
2	<b>Boundary adjustments after reserve revocation (recommended option for the long-term if supported by public consultation)</b>	<ul style="list-style-type: none"> <li>• Would result in the private retaining wall not being on Council owned land and providing wall owners with greater certainty</li> <li>• Council would be absolved from any responsibility in the event of failure of the wall as no part would be on Council land</li> <li>• Public notification needed under Section 24 of Reserves Act 1977 for revocation of (small) areas of land where the retaining walls are on reserve</li> <li>• Revocation and boundary adjustments requires approval from Council Elected Members</li> </ul>

		<ul style="list-style-type: none"> <li>• Applicant to pay resource consents costs, valuation, legal and survey costs, land purchase costs or equivalent.</li> </ul>
3	<b>Easements</b>	<ul style="list-style-type: none"> <li>• Provides an enduring legal right for structures to occupy land</li> <li>• Long-term solution that would legalise the retaining walls on Council land</li> <li>• Council could decide that public notification was not needed as structures largely underground and minimal encroachment</li> <li>• Council resolution needed for approval of reserve easement</li> <li>• Council liability would need to be addressed by easement agreement</li> <li>• Applicant to pay costs including \$476 application fee under current policy, additional valuation, legal and survey costs, land costs or equivalent.</li> </ul>
4	<b>Lease</b>	<ul style="list-style-type: none"> <li>• Provides a temporary right for structures to occupy land</li> <li>• Not consistent with Reserves Act 1977 – not a recreational activity and does not recognise long-term use</li> <li>• Public notification may still be needed</li> <li>• Not permanent and does not provide all parties assurance</li> <li>• A lease longer than 35 years requires subdivision consent</li> <li>• Council liability would need to be addressed by lease agreement</li> <li>• Applicant to pay \$484 application fee and other costs.</li> </ul>
5	<b>Licences to Occupy (recommended option for the short-term only, to accommodate building works)</b>	<ul style="list-style-type: none"> <li>• Provides a temporary right for structures to occupy land that can be rescinded at any time</li> <li>• Fast, can be completed by Council staff to plan for remediation works</li> <li>• Not consistent with Reserves Act 1977 – not a recreational activity and does not recognise long-term use</li> <li>• Not permanent and does not provide all parties assurance</li> <li>• Council remains affected – as a landowner.</li> <li>• Applicant to pay \$121 application fee</li> <li>• Property staff are delegated to consider and approve licences to occupy Council land.</li> </ul>

Recommended Actions:

A licence to occupy, (option 5 – short term solution) would allow building and any other necessary consents to be obtained and works progressed however a boundary adjustment after reserve revocation (option 2- long term solution) would remove Council liability for remediation in the event of failure of the wall.

Transport issues

Council's Senior Transport Planner has discussed the plans of the retaining wall with the Consultant Engineer for the Kerikeri CBD Road Designation project and advises that:

'legalisation of this wall in the current location is not expected to constrain the location of any future road corridor. The current proposed road corridor is a high-level concept design from

2006 from which no degree of precision can be inferred. This is not the only road corridor option being considered. This matter presents the opportunity for Council to engage with a key stakeholder for the CBD road designation and ideally gain support for the concept even in principle and thus de-risk their future involvement in the RMA process.

If supported by public consultation, Council approval would be needed for reserve revocation to allow boundary adjustments for both the reserve land and fee simple property at 16 Butler Road.

#### Construction issues

In addition to legalisation of the occupation of sections of the wall, a construction works agreement is being considered that would need to be agreed to allow Woolworths to undertake the remediation works. This would be finalised by staff and cover practical matters including the following:

- Woolworths paying for alternative accommodation (for short term rentals at 16 Butler Road) during construction works.
- Planting within the reserve at the edge of the wall to be removed to allow for construction will need to be replanted when works are completed.
- Construction requirements including access.

#### Assessment against Policies

The criteria for the disposal of parks and reserves is outlined in Section 3 and Schedule 2 of the Council Parks and Reserves Policy. In this instance, the areas of reserve that are being considered for revocation are sufficiently small that the proposal is not inconsistent with this policy.

#### Next steps

Revocation of a reserve and property sale are at the discretion of Council; and these options will be reported to Council for decision after public consultation and a hearing under the Reserves Act 1977, (should this be needed).

### **TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

A boundary adjustment after reserve revocation is a suitable a long-term outcome as the private retaining wall would no longer be located on Council land. Revocation of reserve status of a section of the reserve and subsequent boundary adjustment would remove Council from any responsibility and potential liability regarding the building works associated with the retaining walls performed by Woolworths, as well as the wall itself once the works are completed. This option is consistent with the Reserves Act 1977.

A licence to occupy can be agreed as a temporary measure to gain necessary consents, facilitate repairs, revocable once a boundary adjustment is in place.

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

Staff time working with Woolworths to understand the issue, and look at potential solutions is not cost recoverable, as it was done outside any application process. Expenses to facilitate the reserve revocation and boundary adjustment will be charged to the applicant when application is lodged and processed for a licence to occupy, a reserve revocation for the purposes of a boundary adjustment, and a subdivision by boundary adjustment. Any areas of land subject to boundary adjustment and transferred to Woolworths will be valued, and reasonable compensation paid to Far North District Council. Council will be requiring that Woolworths pay the costs associated with undertaking the public engagement process on the reserve (e.g. public notice in a newspaper). If there is impact on Council tenants and a loss of revenue or costs incurred, that will also be considered through any agreement with Woolworths.

**ĀPITI HANGA / ATTACHMENTS**

1. **Kerikeri Reserve - A4877078** [↓](#) 
2. **Record of Title NA65D/309 (Council's Freehold Land) - A4924501** [↓](#) 
3. **Record of Title 566382 (Recreation Reserve) - A4924505** [↓](#) 

**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:

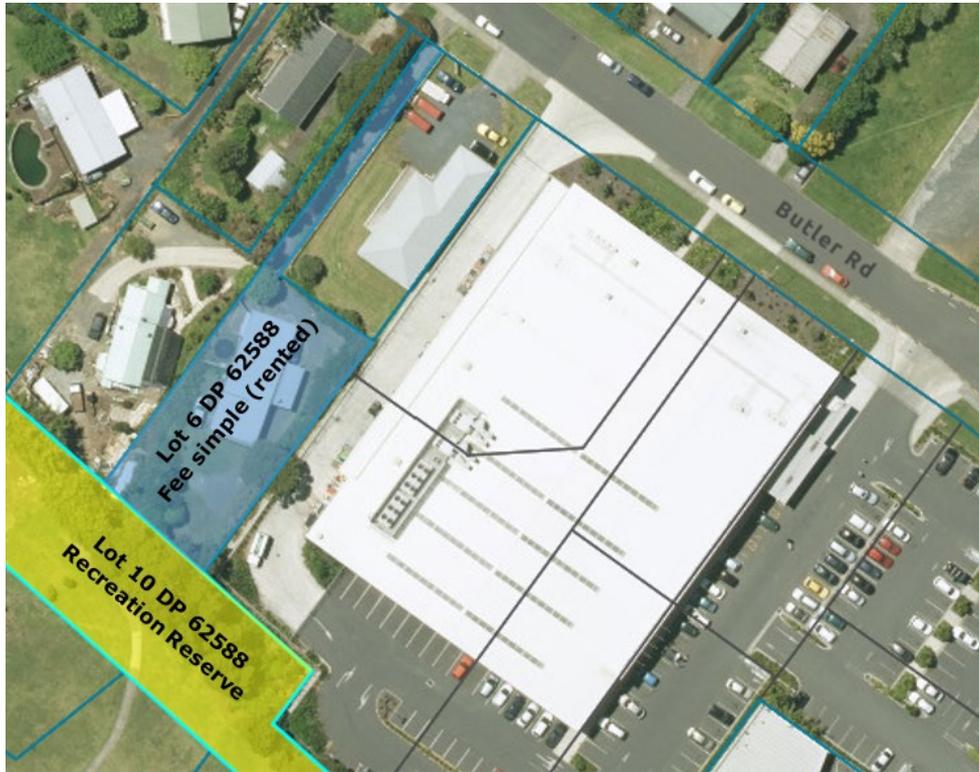
1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified 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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
<p>State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a></p>	<p>Areas of reserve (if revoked) and fee simple land that would be involved in any future boundary adjustments are small, and sale will not prevent possible future plans for use of the remaining areas of Council properties. Failure to remove legal liability for wall failure where walls remain on Council land has potential with a small likelihood to result in unbudgeted financial expenditure. Overall, the level of significance to Council is assessed as being low. The boundary adjustment is very significant to Woolworths/Investore and there is potential reputational loss to Council if legalisation is not actioned.</p>
<p>State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.</p>	<p>The proposed revocation of reserve land will not affect use of the remaining area and is therefore not inconsistent with the Parks and Reserves Policy. Public consultation is required under the Reserves Act to assess applications for the revocation of recreation reserves.</p>
<p>State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.</p>	<p>This issue is site specific. The Bay of Islands-Whangaroa Community Board has endorsed both a licence to occupy as an interim process and the public consultation required to consider the suitability of revocation of areas of reserve land.</p>
<p>State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.</p> <p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	<p>Staff have met with and provided plans showing the occupation of the retaining wall to Ngāti Rēhia who have not raised concerns at this time.</p>
<p>Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example</p>	<p>Council's Infrastructure Asset and District Facilities Teams were consulted as stakeholders and have not expressed any concerns about the proposal. The public will have the opportunity to comment on the proposed reserve revocation.</p>

<p>– youth, the aged and those with disabilities).</p>	
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>Staff time so far is not recoverable. Expenses for processing any application will be charged to the applicant. Areas of land that may be transferred are small and land cost will be by valuation.</p>
<p>Chief Financial Officer review.</p>	<p>The Chief Financial Officer has reviewed this report.</p>

**Appendix: Kerikeri reserve classification**

**1. Council properties adjoining wall - 16 Butler Road shown in blue and reserve in yellow**



**2. Reserves assessment**

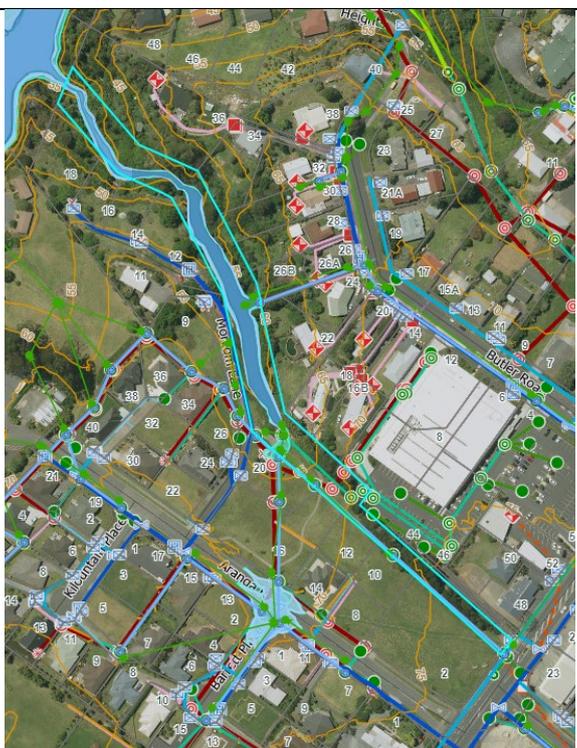
Identified functions of reserve:

- + **stormwater drainage** – overland flow down gully, underground stormwater pipes, also underground sewer pipes and vehicle access to sewer pump station on adjoining local purpose reserve to south
- + **walking access** – off-road access from Kerikeri Road to recreation reserve on Aranga Road
- + **recreation** associated with adjoining recreation reserve to south including section of walkway

Assessment:

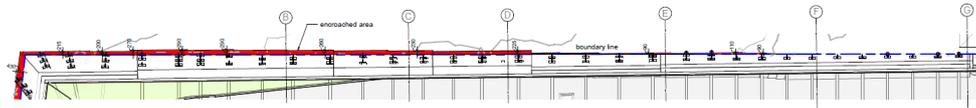
Stormwater functions cannot be removed from this reserve as the boundaries contain a gully and overland flow path, and this is assessed to be the primary function of the reserve. The eastern third of the reserve does not have a drainage function and the primary function of this area is assessed to be walking access. This area also includes an access easement for trucks exiting the Woolworths site.

The primary functions of the reserve are assessed as being drainage and access, and the appropriate classification as **local purpose reserve – drainage and access**

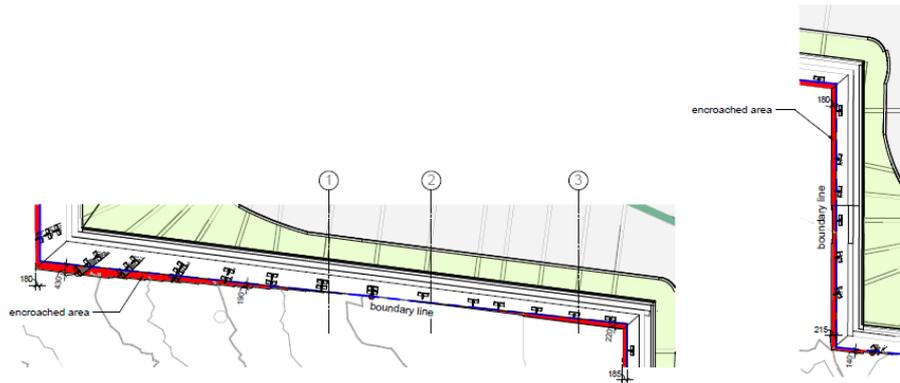


**3. Retaining wall to be legalised by boundary adjustment**

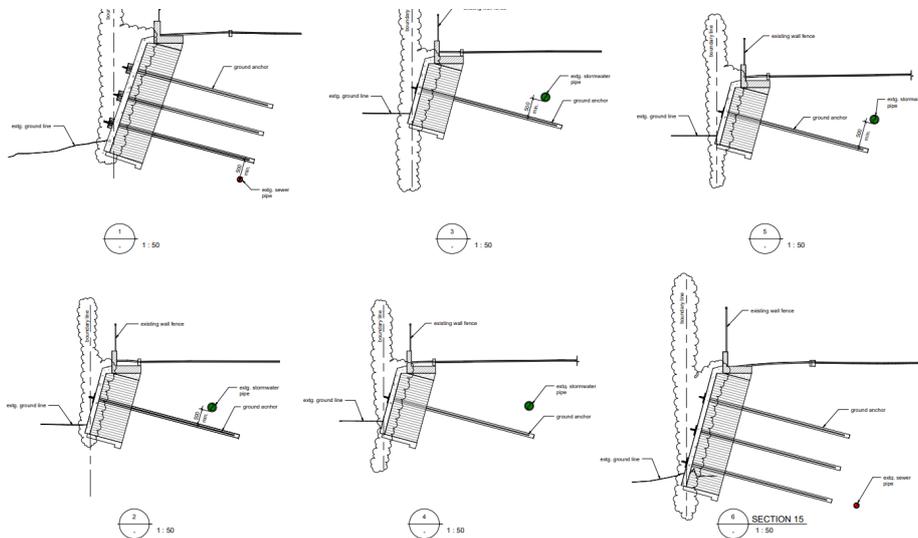
Encroachments across boundary of Lot 6 shown in red – maximum width 290mm:



Encroachments across boundary of reserve Lot 10 shown in red – maximum width 430mm:



Cross sections of retaining walls showing boundary encroachments:





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
UNIT TITLE  
Search Copy**



*R. W. Muir*  
Registrar-General  
of Land

**Identifier**                    **NA65D/309**  
**Land Registration District** **North Auckland**  
**Date Issued**                14 August 1987

**Prior References**  
NA18C/1451

**Supplementary Record Sheet**  
NA65D/310

**Estate**                        Stratum in Freehold  
**Legal Description**        Unit B and Accessory Unit 2 and 4  
   Deposited Plan 115681

**Registered Owners**  
Far North District Council

**The above estates are subject to the reservations, restrictions, encumbrances, liens and interests noted below and on the relevant unit plan and supplementary record sheet**



**Identifier** **NA65D/309**



**SUPPLEMENTARY RECORD SHEET  
UNDER UNIT TITLES ACT 1972**

**Search Copy**

**Identifier** **NA65D/310**  
**Land Registration District** **North Auckland**  
**Date Issued** 14 August 1987  
**Plan Number** DP 115681

**Subdivision of**  
 Lot 6 Deposited Plan 62588

**Unit Titles Issued**  
 NA65D/308 NA65D/309

**Interests**

OWNERSHIP OF COMMON PROPERTY

Pursuant to Section 47 Unit Titles Act 2010 -

(a) the body corporate owns the common property and

(b) the owners of all the units are beneficially entitled to the common property as tenants in common in shares proportional to the ownership interest (or proposed ownership interest) in respect of their respective units.

The above memorial has been added to Supplementary Record Sheets issued under the Unit Titles Act 1972 to give effect to Section 47 of the Unit Titles Act 2010.

Appurtenant hereto is a right of way specified in Easement Certificate A473407

Subject to a right of way over part coloured blue on Plan 62588 specified in Easement Certificate A473407

The easements specified in Easement Certificate A473407 are subject to Section 37 (1) (a) Counties Amendment Act 1961



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **566382**  
**Land Registration District** **North Auckland**  
**Date Issued** 30 September 2011

**Prior References**  
NA1100/85

---

**Estate** Fee Simple  
**Area** 7325 square metres more or less  
**Legal Description** Lot 10 Deposited Plan 62588  
**Purpose** Recreation Reserve

**Registered Owners**  
Far North District Council

---

**Interests**

Subject to a right of way, electricity supply, telecommunications and right to convey water easements over part herein described in and created by Transfer C402728.1 - 10.8.1992 at 1.30 pm

Subject to the Reserves Act 1977

Subject to a vehicular right of way over part marked A on SO 447750 created by Easement Instrument 9266493.1 - 13.12.2012 at 4:29 pm

12401062.2 Surrender of the right of way and a right to convey water and telecommunications and an electricity supply rights over part herein created by Transfer C402728.1 appurtenant to Lot 1 DP 348294 and 5/8 share in Lot 57 DP 348294 (held in RT 198250) - 14.9.2022 at 4:51 pm



**6.4 ANNUAL PLAN 2025/26****File Number: A5049955****Author: Angie Thomas, Acting Chief Financial Officer****Authoriser: Charlie Billington, Group Manager - Corporate Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek approval to consult on the Annual Plan 2025/26 with the option for the community to provide feedback.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

- The request is applied under the basis of section 95, (2A) of the Local Government Act 2002 as follows: Subsection (2) does not apply if the proposed Annual Plan does not include significant or material differences from the content of the Long Term Plan for the financial year to which the proposed Annual Plan relates.
- The council has as part of its Annual Plan (AP) process – reviewed all budgets pertaining to capital and operational spending and where applicable reductions have been applied.
- The rates increase is as published in the Three Year Long Term Plan (LTP) 2024-27 at 11.3%. The council will continue to look for savings and apply where practical.
- The proposed Annual Plan makes minor amendments to the capital works programme and operational budgets which do not trigger the council's Significant and Engagement Policy 2021 requirement to consult.
- Not reconsulting on issues already addressed in the LTP 2024-27 leads to cost savings for the ratepayer.
- Under the current LTP 2024-27, Council's main focus is repairing our transport network and to continue to make progress on weather related damage repairs.

**TŪTOHUNGA / RECOMMENDATION**

**That Council approve to inform only on the Annual Plan 2025/26 and enable the community to provide feedback.**

**1) TĀHUHU KŌRERO / BACKGROUND**

As part of the AP process, four workshops were held with elected members in preparing the annual plan.

These workshops reviewed all planned projects and operational budgets for the upcoming financial year, establishing the direction for the Council's work programmes. They also assessed any incomplete projects from the previous year, which are subsequently carried forward into the current year's programme.

On conclusion of this process, Council is to determine if public consultation is required.

**Consultation**

Consultation is when Councils publicly notify proposals, invite and receive written submissions from residents, and often hold hearings so submitters can speak to their feedback. Councils then deliberate on all submissions before making final decisions. This process is designed to provide transparency, accountability, and community involvement in local governance.

In the context of an AP, the requirement for consultation is met when issues or changes are made to a LTP (which has already undergone consultation), and those issues or changes meet the threshold of Council's Significance and Engagement Policy (attachment 1).

At the conclusion of the workshops on the 2025/26 AP, no issues were identified that met the threshold for formal consultation.

**Inform Only**

When consultation is not required, Council can elect to adopt an inform only approach. This approach involves providing clear, accessible information about the Council's plans or decisions without a structured submission process or formal hearings. In the context of an AP, Inform only is suitable when changes from the LTP are deemed minor and do not meet the Policy's significance thresholds.

**The 2025/26 AP**

On conclusion of AP workshops held with Elected Members, a budget was presented necessitating a 11.3% rates increase. This budget includes minor operating and capital changes to the published in the Three Year LTP 2024/27 was 11.3%, but the changes do not meet the threshold for consultation under the significance and engagement policy.

Council will continue to seek savings where feasible.

**Other consultation**

In 2025 several other consultations will be undertaken at the same time, seeking feedback on other important topics such as Te Pātukurea (Kerikeri-Waipapa Spatial Plan) and Local Waters Done Well. Adopting an inform only approach for the Annual Plan 2025/26 allows greater focus on these other consultations.

**2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

- As outlined at the 10 December 2024 Annual Plan workshop, discussions were held regarding an inform only process on the already adopted LTP 2024-27 rate increase of 11.3%, or less if applicable noting any minor changes.
- Items raised to date have not been deemed significant under the Significance and Engagement Policy 2021, with proposed rates increases aligning with the Three Year Long Term Plan 2024-27.

**Option 1 – inform only with the option for feedback (recommended option):**

- Website only with the option to give feedback - March to April
- Hearings – not required  
Deliberations – not required  
Adoption of Annual Plan 2025/26 - 25<sup>th</sup> June 2025

**Pros:**

- Allows for public participation through feedback.
- Council is transparent on any minor changes from the LTP2024-27.
- Focus on other consultations.
- Reduced costs and resourcing as compared to consultation.

**Cons:**

- Less opportunity for the public to be able to provide feedback compared to consultation.

**Option 2 – no consultation:**

- Notify the community of the intent to adopt the annual plan – March
- Hearings – not required
- Deliberations – not required
- Adoption of Annual Plan 2025/26 – 25<sup>th</sup> of June 2025

**Pros:**

- Council is transparent on any minor changes from the LTP2024-27.

- Focus on other consultations.
- Reduced costs and resourcing as compared to consultation.
- Good practice to notify with the inclusion of any differences and why these are not significant or material. The proposed funding impact statement for the year and reference to levels of service for the year.

**Cons:**

- No opportunity for the public to provide feedback.

**Option 3 – consultation:**

- Consultation document adoption - February
- Public consultation with submissions - March to April
- Hearings for verbal submissions – April
- Deliberations – May
- Adoption of Annual Plan 2025/26 – 25<sup>th</sup> June 2025

**Pros:**

- Allows for greater ability for the public to participate in the annual plan process by providing submissions and attending hearings.
- Council is transparent on any minor changes from the LTP2024-27.

**Cons:**

- Reduced costs and resourcing as compared to other options.
- Need to be clear on what issue is being consulted on (this needs to include the impact on level of service, impact to the ratepayer and impact on debt)

**TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**Recommendation for option 1.

By proceeding with Option 1, the public can participate by providing feedback on the proposed plans. No significant changes have been identified in the 2025/26 Annual Plan that would require a formal consultation process. This also reduces costs to ratepayers.

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

There are no additional budget requirements.

**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.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Low.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act 2002 Significance and Engagement Policy 2021
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 Annual Plan 2025/26 process have budgets and information that pertain to Community Boards which have been considered through the workshops.
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.	Implications to Māori have been included in the LTP 2024-27 Te Mahi Tahī Me Te Māori which continues to be embedded in the Annual Plan 2025/26.
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 does not have any implications for persons identified in legislation.
State the financial implications and where budgetary provisions have been made to support this decision.	Financial implications are covered within operational budgets.
Chief Financial Officer review.	The Acting CFO wrote this report.

## 6.5 ADOPTION OF AMENDED DANGEROUS AND INSANITARY BUILDING POLICY

**File Number:** A5053227

**Author:** Shayne Storey, Team Leader - Policy & Bylaws

**Authoriser:** Roger Ackers, Group Manager - Planning & Policy

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To approve the adoption of the Dangerous and Insanitary Building Policy without amendment.

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Under the Building Act 2004, Council must have a policy on dangerous and insanitary buildings.
- On 13 June 2024, following a review of the Dangerous, Insanitary, and Earthquake Prone Buildings Policy, Council resolved that the Policy continue with amendment and that the Dangerous and Insanitary Buildings Policy Statement of Proposal in be released for public consultation (Resolution 2024/82 refers)
- Consultation took place from 17 June to 17 July 2024 and oral submissions were heard on 3 December 2024.
- Council staff have analysed the submissions and recommend no changes to the draft amended Policy in response to these submissions (see attachment 1)
- Attachment 2 is the proposed final amended Policy for adoption.

### TŪTOHUNGA / RECOMMENDATION

**That Council makes the Dangerous and Insanitary Building Policy under section 132 of the Building Act 2004.**

### 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. A review of the Policy identified that it did not align with current legislation, including a requirement to remove the earthquake prone section of the Policy. On June 13, 2024, Council determined the Policy should continue with amendment and approved the release of the Statement of Proposal for public consultation (Resolution 2024/82 refers).

The period during which people could make submissions on the Statement of Proposal was from 17 June to 17 July 2024. Thirty-five written submissions were received, with 31 received online and 4 via email. One person who made a written submission also made an oral submission, which was heard by the Council on 3 December 2024.

### 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The report in Attachment 1 summarises the public submissions and recommends no change to the draft Dangerous and Insanitary Building Policy in response to these submissions.

If this recommendation is agreed to, Council staff advise that the amended Dangerous and Insanitary Building Policy in Attachment 2 is an appropriate form of policy for the purpose of section 132 of the Building Act 2004.

Of the 31 submissions received online, 79% supported the proposal to amend the policy to meet statutory requirements and 88% supported maintaining a reactive approach.

Several submitters acknowledged that maintaining public health and safety is a priority and that the proposed policy helps Council fulfil its legal obligations under the Building Act 2004. These submissions emphasise the importance of the policy in safeguarding the community.

One submitter praised the council's proactive approach to ensuring the well-being of the community, particularly regarding dangerous and insanitary buildings.

Another submitter noted that Far North residents should not be permitted to create and live in unsanitary and unprofessionally established housing, highlighting a concern about substandard housing in the district.

### **Content and form of the proposed policy**

Council staff have addressed the content and form of the proposed policy by ensuring it:

- is certain (clear)
- has removed reference to earthquake prone buildings
- is consistent with relevant laws and legislation.

### **TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

The submissions indicate support for the policy's focus on public health and safety, as well as the Council's role in managing dangerous and insanitary buildings. No significant opposition to the policy was raised in these submissions.

The statutory requirements under section 132 of the Building Act 2004 regarding the adoption and review of a dangerous and insanitary building policy have been met.

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

The costs to implement the amended Policy will come from existing operational budgets. Staff do not expect the amendments to the policy to alter the existing operational expenditure regarding dangerous and insanitary buildings.

### **ĀPITIHINGA / ATTACHMENTS**

1. **Analysis Report- Dangerous and Insanitary Buildings Policy - A5033476** [↓](#) 
2. **Draft Dangerous and Insanitary Buildings Policy - A4690023** [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	As retaining the status quo is consistent with existing policies, the level of significance as determined by the Significance and Engagement Policy is low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Section 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.
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.
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 Chief Financial Officer has reviewed this report.



HE ARA TĀMATA  
CREATING GREAT PLACES  
*Supporting our people*

# Analysis of Submissions Report

## Dangerous and Insanitary Buildings Policy

December 2024

### 1 Background

On 13 June 2024, following a review of the Dangerous, Insanitary, and Earthquake Prone Buildings Policy, the Council approved a Statement of Proposal for an amended Dangerous and Insanitary Buildings Policy be released for public consultation (Resolution 2024/82 refers).

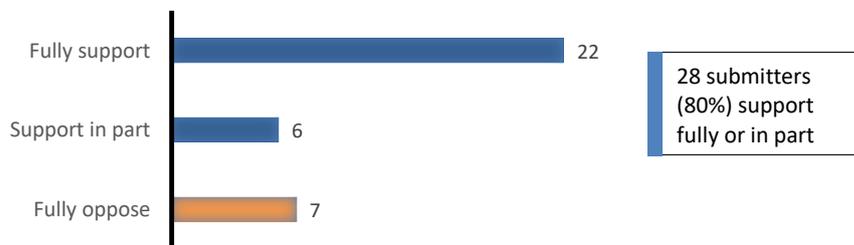
The period during which people could make submissions was 17 June to 17 July 2024. Thirty-five submissions were received.

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

### 2 Summary of submissions

Thirty-five written submissions were received, with 31 received online and 4 via email. Of the 31 people who made online submissions, 79% supported the proposal to amend the policy to meet statutory requirements and 88% supported maintaining a reactive approach. Figure 1 shows support for the proposed policy.

Figure 1: Support for the proposed amended policy



Base: 35 responses

Twenty-two responses were in support of the proposed amended policy and the proposal to retain the current reactive approach, 6 supported the amended policy in part and 7 were not supportive of the proposed amended policy.

One submitter who made a written submission also made a verbal submission to the Council. The verbal submission was heard by the Council on 3 December 2024

Where submitters did not fully support the proposed policy and made suggestions for changes, these suggestions are included in section four of this report.

### 3 General feedback

#### 3.1 Support for the policy in general

Twenty-four submitters answered 'yes' to the question - Do you agree with the proposal to amend the policy to meet statutory requirements? Five of the submissions made comments in support of the proposed policy.

##### General comments

##### Public health and safety is a priority

Two submitters acknowledged that maintaining public health and safety is a priority and that the proposed policy helps Council fulfil its legal obligations under the Building Act 2004. These submissions emphasise the importance of the policy in safeguarding the community (21,33).

##### Important for the wellbeing of the community

One submitter (33) praises the council's proactive approach to ensuring the well-being of the community, particularly regarding dangerous and insanitary buildings.

##### Prevents sub-standard housing

Another submitter (21) noted that Far North residents should not be permitted to create and live in insanitary and unprofessionally established housing, highlighting a concern about substandard housing in the district.

##### Staff analysis

These submissions indicate strong support for the policy's focus on public health and safety, as well as the Council's role in managing dangerous and insanitary buildings. No significant opposition to the policy was raised in these supportive submissions.

##### Staff recommendation

No changes are recommended to the proposed Dangerous and Insanitary Buildings Policy based on these submissions that are supportive of the policy.

#### 3.2 Opposed to the policy

Seven submitters answered 'no' to the question - Do you agree with the proposal to amend the policy to meet statutory requirements?

The following comments are general in nature and are not related to specific clauses in the proposed amended Policy. Their feedback touched on the following themes:

##### Legislative requirements

One submitter (5) expressed frustration with additional regulations, viewing them as unnecessary and burdensome. They stated:

*"Yet another layer of red tape for a situation that will not happen in our lifetime, and we ratepayers have to pay for it all. No way!!"*

This highlights broader concerns about regulatory overreach and scepticism about the necessity of policy amendments.

##### Cost

The financial implications of implementing the policy were a concern for one submitter (14) who noted the potential burden on property owners, particularly for buildings constructed decades ago, stating: *"To retrospect current building standards on existing buildings built decades ago will be too costly for owners to bear... Please take that into consideration... many buildings in Northland will be designated, I fear, under this type of ruling. "*

#### Public Buildings

A targeted approach focusing exclusively on public buildings was suggested by one submitter (26), who argued: *"The proposed policy should be limited to public buildings only."*

This indicates a preference for prioritising resources and regulations toward spaces that serve the broader community, rather than extending requirements to private properties.

#### Council resources

Concerns were raised about the feasibility of meeting new standards without Council adding additional resources. One submitter (25) asked:

*"With the severe shortage of houses and low incomes, how is council going to be able to support people in the wider region who are unable to bring properties up to proposed standards?"*

This submission reflects the socio-economic challenges faced by many residents in the region.

#### Staff analysis

The opposing submissions highlight key concerns about the financial and practical implications of the proposed policy amendments. While the frustrations regarding increased regulations and costs are valid, it is important to note that the Building Act 2004 mandates councils to manage dangerous, insanitary, and earthquake-prone buildings. The submitters' feedback suggests a need for clear communication about why these statutory requirements are necessary and how they benefit public safety.

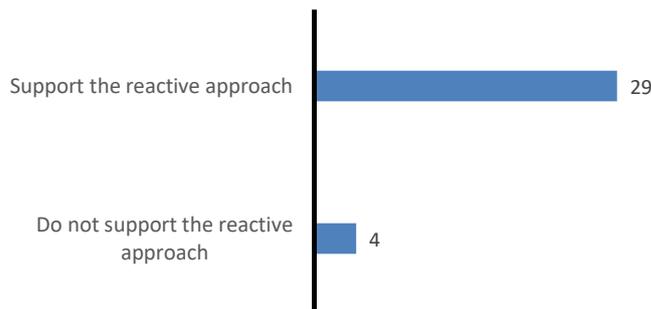
#### Staff recommendation

While these concerns are noted, the statutory requirements of the Building Act 2004 necessitate the inclusion of provisions for managing dangerous and insanitary buildings. As such, no changes to the scope of the policy are recommended.

### 3.3 Support for the reactive approach

Twenty-nine submitters (88%) answered 'yes' to the question – "Do you agree with the proposal to retain the current reactive approach to identifying dangerous or insanitary buildings?", while 4 submitters answered no and 2 submitters did not answer this question. Figure 2 outlines the support for the reactive approach compared to a proactive approach.

*Figure 2: Support for the reactive approach*



Base: 33 responses

**A reactive approach is more fiscally responsible**

Six submitters specifically commented on the fiscal responsibility of maintaining a reactive approach.

For example, submission 8 said “To inspect ALL buildings would be time consuming, unnecessary, and cost prohibitive! Deal with issues as and when (if!) they arrive.”

Submission 10 said “There are times to be proactive and in our current financial, and economic climate, this is NOT one of those times. .... The FNDC approach is fair and reasonable. It needs to stay that way.”

**Staff Analysis**

The submissions indicate a clear preference for the reactive approach, with submitters recognising its alignment with fiscal prudence and the practical management of resources. The support for addressing safety issues as they arise rather than conducting blanket inspections underscores a desire for the Council to prioritise urgent matters and allocate resources effectively given the prevailing economic conditions.

**Staff Recommendation**

No changes are recommended to the current reactive approach based on these submissions.

**3.4 Opposed to the reactive approach**

Four submitters answered ‘no’ to the question - Do you agree with the proposal to retain the current reactive approach to identifying dangerous or insanitary buildings?

**Concerns About Monitoring School and Government-Owned Buildings**

One submitter (17) questioned whether the reactive approach was effective citing experiences where reports of unsafe school buildings were either not followed up or poorly handled. The submitter suggested that such buildings should have been proactively monitored as part of Council policy. The submitter argued that government-owned infrastructure, such as schools, libraries, and council buildings, should be proactively monitored as part of council policy. They further noted that entities like WorkSafe were difficult to engage with and did not effectively resolve such issues, suggesting better collaboration between council and other agencies was needed.

**Concerns About Unsanitary and Unsafe Residential Housing**

Another submitter (19) questioned if the standards in the policy would be applied to unsanitary and unsafe residential housing, specifically highlighting concerns for a high percentage of Māori housing in

the Far North District. This submitter questioned whether the reactive approach would address these significant housing issues.

#### Preference for Focusing on Public Buildings

Another submitter (26) suggested that the reactive approach should be adjusted to focus primarily on public buildings, arguing that interference with private properties should be limited.

#### Staff analysis

The concerns raised reflect a desire for greater effectiveness in the implementation of the reactive approach. However, expanding to a proactive approach or limiting the policy to specific building types would have significant implications for resourcing and equity. The reactive approach allows the Council to address safety concerns as they are reported, directing resources to urgent and substantiated cases while minimising costs.

The need for timely responses and effective follow-up processes in the reactive approach was a recurring theme.

#### Staff Recommendation:

No changes are recommended to the policy's reactive approach. The reactive approach remains the most financially sustainable and pragmatic option for the council, enabling it to address urgent and substantiated cases effectively while complying with statutory requirements. During implementation of the policy staff will strengthen operational guidelines to ensure prompt and thorough responses to complaints.

### 3.5 Misinterpretation of the Question

It appears that one submitter (23) may have misunderstood the intent of the question. Rather than opposing the reactive approach, the submitter seemed to be expressing opposition to blanket inspections. The submitter did not want a repeat of the leaky homes situation and preferred a targeted, case-by-case inspection approach where buildings are assessed as needed.

#### Staff Analysis

This submission highlights concerns about balancing efficiency and thoroughness in implementing building inspections. While the submitter supports case-by-case assessments, their comments do not directly oppose the reactive approach. Instead, they reinforce the importance of ensuring the process is appropriately targeted to address specific issues without imposing unnecessary burdens on property owners.

#### Staff Recommendation

No changes to the reactive approach are recommended, as it aligns with the Council's resources and statutory obligations under the Building Act 2004.

## 4 Analysis and recommendations regarding the policy wording

The following section analyses submissions made about specific sections in the draft policy and recommends how to address these submissions in the policy. Most of the submissions were focused on the general approach and fiscal impacts of the policy, rather than specific wording of the proposed Policy. However, the following analysis outlines where submissions have been linked to sections of the Policy and provides recommendations based on the submissions.

### 4.1 Sections not referred to in submissions

No submissions were made about the following sections in the draft policy:

- Legislative Context
- Definitions
- Purpose

Analysis of Submissions Report on Dangerous and Insanitary Buildings Policy

- General Approach
- Heritage Buildings Section
- Determining Risk Section

#### *Staff Recommendation*

No changes to these sections are recommended.

#### 4.2 Prioritisation Criteria Section

##### *Submissions received*

One submitter (19) questioned whether the prioritisation criteria would address unsanitary and unsafe residential housing, specifically in Maori communities, where housing conditions are often substandard. Another submitter (35) suggested a more active approach for specific high-risk buildings such as those in landslip-prone areas, flood zones, or buildings critical for emergency functions. They recommended using natural hazard maps, risk databases, and other tools to identify and manage such buildings proactively.

##### *Staff analysis*

The current prioritisation criteria focus on public safety, fire risks, structural unsoundness, and other immediate threats. These criteria align with the policy's reactive approach but could be enhanced by incorporating additional tools, such as hazard maps or databases, to identify and prioritize high-risk buildings.

While the policy emphasises resource efficiency, targeted proactive assessments for specific high-risk scenarios could improve public safety without requiring a complete shift to proactive inspections.

#### *Staff Recommendation*

No changes to the prioritisation criteria are recommended in the policy wording.

#### 4.3 Inspection and Investigation Section

One submission (32) expressed concerns about the timeliness of Council's responses to complaints and notifications regarding dangerous buildings. The submitter emphasized the importance of prompt action when safety concerns are reported, irrespective of the existing policy framework. They shared personal experiences, such as reporting damaged road guards in Whangaroa and observing delays in their repair, despite being informed of an inspection. This led to concerns that building-related issues might face similar delays, undermining public confidence in Council's processes.

While recognizing the challenges, the submitter highlighted that a robust response mechanism should not be contingent on the existence or update of a specific policy. Instead, they argued that Council should always act swiftly on professional advice once a danger is reported, regardless of policy considerations.

##### *Staff analysis*

The submitter's concerns align with the intent of the policy, which already specifies that "inspections will be done promptly on the receipt of a complaint or notification." The policy includes prioritization criteria to ensure efficient allocation of resources to high-risk issues. While the submitter's experiences highlight potential operational delays, these appear to be issues of implementation rather than policy inadequacy. The submission underscores the need for clear communication and follow-through during the inspection and resolution process to maintain public trust.

##### *Staff recommendation*

No changes to the "Inspection and Investigation" section of the policy are recommended. The current policy adequately addresses the need for prompt inspections upon receiving complaints or notifications. Operational improvements may be considered to ensure that these policy commitments are met consistently in practice.

#### 4.4 Taking Action Section

Two submissions expressed concerns about the fairness of enforcement, particularly regarding financial burdens on property owners. One submission (25) highlighted challenges for low-income residents in bringing properties up to standard. One submission (27) stressed the need for humane approaches when issuing notices to families living in substandard buildings. These concerns reflect a desire for enforcement practices to balance public safety with sensitivity to the financial and social realities of affected property owners.

##### Staff analysis

The "Taking Action" section of the policy provides a framework for considering enforcement in a way that acknowledges broader social and economic factors. The policy states: *"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."*

This provision ensures that enforcement is not applied in a punitive or inflexible manner. Instead, it allows for case-by-case consideration of the financial and personal circumstances of property owners while maintaining the primary focus on public safety and building standards.

##### Staff recommendation

No changes to the taking action section are recommended as the existing wording already emphasizes a balanced approach to enforcement.

#### 4.5 Register Section

Submission 17 emphasized the importance of maintaining accurate records and ensuring information is accessible to stakeholders.

##### Staff analysis

The policy specifies maintaining a register of dangerous and insanitary buildings, including details about notices issued and actions taken.

##### Staff recommendation

No changes to the Register Section are recommended.

#### 4.6 Monitoring and Implementation

Submission 33 highlighted the importance of regular reviews and follow-up to ensure the policy remains effective.

##### Staff analysis

The policy already provides for a review every five years, as required by the Building Act 2004. Regular interim monitoring, such as annual reporting, could enhance responsiveness to emerging issues.

##### Staff recommendation

No changes to the Monitoring and Implementation Section are recommended. Staff may consider supplementing the five-year review cycle with an annual performance report on policy implementation outcomes.

#### 4.7 Out of Scope

One submission (34) provided detailed commentary and recommendations related to the management of earthquake-prone buildings. The submitter highlighted the statutory requirements under Part 2, Subpart 6A of the Building Act 2004, including steps for identifying, assessing, and managing earthquake-prone buildings. The submission also included a SWOT analysis and referenced Northland's relatively low seismic risk as a justification for deprioritising resources for earthquake-prone building management within the district.

##### Staff Analysis

While the feedback is noted, the management of earthquake-prone buildings is outside the scope of the Dangerous and Insanitary Buildings Policy. Amendments to the policy specifically removed references to earthquake-prone buildings to ensure compliance with section 132A of the Building Act 2004.

The management of earthquake-prone buildings is governed separately under Part 2, Subpart 6A of the Building Act, which provides a clear framework and statutory mandates for territorial authorities. This policy focuses on dangerous and insanitary buildings and does not overlap with the provisions for earthquake-prone buildings.

*Staff Recommendation*

No changes to the policy are required based on this submission. The Council will continue to address earthquake-prone buildings under the relevant legislative provisions separately from the Dangerous and Insanitary Buildings Policy.

**APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED**

Number	Organisation	Oral Submission
1	Key Conveyancing Limited	
2	Individual submission	
3	Individual submission	
4	Individual submission	
5	Individual submission	
6	Individual submission	
7	Individual submission	
8	Individual submission	
9	Individual submission	
10	Individual submission	
11	Individual submission	
12	Individual submission	
13	Individual submission	
14	Individual submission	
15	Waimamaku Service Station	
16	Individual submission	
17	Individual submission	X
18	Individual submission	
19	Vision Kohukohu (2008) & Tirohanga/Vision Kohukohu (2018)	
20	Individual submission	
21	Individual submission	
22	Individual submission	
23	Individual submission	
24	Individual submission	
25	Individual submission	
26	Individual submission	
27	Individual submission	
28	Individual submission	
29	Individual submission	
30	Individual submission	
31	Individual submission	
32	Individual submission	
33	Individual submission	

Analysis of Submissions Report on Dangerous and Insanitary Buildings Policy

34	Individual submission	
35	Cook Costello	

## Dangerous and Insanitary Buildings Policy

Adopted:  
Last updated:

### 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	Structural elements fail that could cause a person to fall >1.0m but <2.0m Unconsented habitable space

Level	Consequences	Description	Examples
		May cause some significant damage to property or the environment Can include multiple instances of minor effects long term	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
<b>Almost Certain</b>	Moderate	Moderate	High	Very High	Very High
<b>Likely</b>	Moderate	Moderate	High	High	Very High
<b>Possible</b>	Low	Moderate	Moderate	High	High
<b>Uncertain</b>	Low	Low	Moderate	Moderate	High
<b>Rare</b>	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 building<sup>1</sup>, 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.

#### **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 building<sup>1</sup>, 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.

---

<sup>1</sup> Under section 124(1)(b), (c) or (d) of the Building Act 2004

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.

**6.6 REVIEW OF CLASS 4 GAMING AND TAB VENUE POLICY****File Number: A5053400****Author: Dan Bowmar, Policy Advisor****Authoriser: Roger Ackers, Group Manager - Planning & Policy****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek approval for the continuation of the Class 4 Gaming and TAB Venue Policy

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

- Council is required to have a Class 4 gaming policy under section 101 of the Gambling Act 2003
- Council is also required to have a TAB venue policy under section 96 of the Racing Industry Act 2020
- On 03 August 2023, Council approved an amended Class 4 Gaming and TAB Venue Policy under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020 (Resolution 2023/92 refers)
- Council is required to complete a review of the policy every 3 years under section 102 of the Gambling Act 2003
- The Class 4 Gaming and TAB Venue Policy was due for review 09 February 2025. However, under subsection 102(6) of the Gambling Act 2003, it does not cease to have effect and remains in place while it is due for review
- The Policy has been reviewed by Council Staff following section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020.

**TŪTOHUNGA / RECOMMENDATION**

**That Council:**

- a) agree the Class 4 Gaming and TAB Policy has been reviewed under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020**
- b) approve, under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the continuation of the Class 4 Gaming and TAB Venue Policy.**

**1) TĀHUHU KŌRERO / BACKGROUND**

Council is required to have a Class 4 gaming policy under section 101 of the Gambling Act 2003.

Council is also required to have a TAB venue policy under section 96 of the Racing Industry Act 2020.

This policy cannot prohibit Class 4 gaming and/or TAB gambling in the district but must address the location and number of Class 4 gaming venues and standalone TAB venues.

On 03 August 2023, Council approved the adoption of an amended Class 4 Gaming and TAB Venue Policy under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020 (Resolution 2023/92).

Under section 102 of the Gambling Act 2003, and section 97 of the Racing Industry Act 2020, Council is required to complete a review of a policy within 3 years after the policy is adopted and then within 3 years after each subsequent review is completed.

The Policy has been reviewed by Council Staff under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020 (See review report - Attachment 1).

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Staff have completed a separate report to capture the review of the Policy (Attachment 1). For further information please refer to the full report.

Council staff have reviewed the Policy to ensure that it:

- is certain (clear)
- consistently follows the intent of a sinking lid policy
- applies a sinking lid policy to both Class 4 gaming venues and standalone TAB venues
- is consistent with relevant laws and legislation.

The Far North District is more vulnerable to the detrimental effects of problem gambling. The current policy uses a sinking lid approach. This approach is working as the number of class 4 gaming venues in the District have decreased from 25 to 17, and the number of class 4 gaming machines in the District have decreased from 314 to 262 since implementation of the sinking lid policy. Therefore, a sinking lid policy is the most appropriate way to address the establishment of both Class 4 gaming and TAB venues in the Far North District.

Under section 102 of the Gambling Act 2003, when conducting a review of the Policy, the Council must consider whether to include a relocation policy. When considering a relocation policy, the Council must consider the social impact of gambling in high-deprivation communities in the Far North District.

A relocation policy (defined in section 101 of the Gambling Act 2003) is a policy setting out if and when the Council will allow a venue to replace an existing venue to which a class 4 venue licence applies.

The intent of the Act with regard to relocation policies is to support the movement of class 4 gaming venues to areas at less risk of gambling related harm such as away from sensitive sites or areas of high deprivation.

The Act states that when considering a relocation policy, the Council must specifically consider the social impact of gambling in high-deprivation communities within the district.

The current policy allows the relocation of Class 4 gaming machines under the following circumstances:

- a. Where two or more clubs, with existing licenses, may legally merge, at which time the maximum number of machines should not exceed 18, and the venue must be suitably located to meet the criteria of this Policy; or,
- b. Where a business which holds an existing Class 4 gaming license, wishes to relocate from its current premises to a new venue within the District, and take all or fewer of its existing machines to those new premises. Council will only consider such applications for relocations due to:
  - i. a natural disaster, fire or other damage to the present venue, or
  - ii. expiry of lease on present venue, or
  - iii. the building of a new premises or refurbishment of an existing building as a new venue.
- c. No machines may be left at the current venue.
- d. A new venue will not be considered if it is defined as a venue declared unfit under section 4 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.
- e. Applications for relocation of machines to a new premise will be subject to public notification and referred to the relevant Community Board for consideration and comments, as well as other key interested parties (e.g., iwi/hapū, the Police, Te Whatu Ora).
- f. A new Class 4 gaming venue must not be within 100 metres of any other Class 4 gaming venue.
- g. A new Class 4 gaming venue must not be in a higher deprivation area than the existing venue.

- h. New Class 4 gaming venues shall be in Commercial, Industrial, General Coastal, Rural Living or Rural Production zones, or within sports clubs or public houses and shall be eligible for consent provided the venue is at least 100 metres from any Kindergarten, early childhood centre, school, place of worship, Marae, or other community facility, and 100 metres from any Residential, Coastal Residential, Coastal Living, or Recreational Activities zones.
- i. If it is not practicable to apply a 100 metre proximity policy, then the distance becomes a discretionary condition. The Council will then make the decision.
- j. Following the Waikiwi precedent, certain kinds of moves will not trigger the Council's relocation policy. If the relocation to a different site meets the following criteria, it may not be a change of venue:
  - a. the new building is in very close proximity to the existing site
  - b. the venue name will be the same
  - c. ownership and management of the venue will be the same
  - d. patrons and the public will regard it as the same venue.

Under section 101(4) of the Gambling Act, when considering the location for a relocated venue, the Council may have regard to the following matters:

- a) the characteristics of the district and parts of the district:
- b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:
- c) the number of gaming machines that should be permitted to operate at any venue or class of venue:
- d) the cumulative effects of additional opportunities for gambling in the district:
- e) how close any venue should be permitted to be to any other venue:
- f) what the primary activity at any venue should be

The relocation policy maintains the intent of the 'sinking lid' policy by only allowing relocation when circumstances arise outside of the control of the owner of the business such as fire or other damage to the present venue.

If a class 4 venue changes site in line with the above requirements, it is not considered a new venue and therefore does not require a council consent, nor is it considered a relocation and it will not trigger the application of a council's relocation policy.

Council must have regard to the social impact and harm prevention of gambling within the district.

95% of the 17 class 4 venues in the Far North District are in areas of medium high and very high deprivation. The demographics of the Far North District mean that our communities are more vulnerable to the detrimental effects of problem gambling. A large proportion of the Far North District consists of the highest deprivation areas, and 50% of the population of the Far North is Māori. Both factors significantly increase the risk of gambling harm.

In 2022, the total money spent on class 4 EGMs in the Far North District was \$17.1 million, however only \$4.7 million was returned to the district in grants to community and sporting groups. The figures suggest that, overall, a significant amount of money is taken out of the district.

The policy reflects the social impacts of gambling in the Far North District and aligns with current legislation.

### **Next Steps**

A review without amendment does not require consultation, under section 102 of the Gambling Act 2003. Therefore, Council is able to approve the continuation of the policy without consultation. Extensive consultation was undertaken in 2023 when amending the current policy.

The review report in Attachment 1 recommends a continuation of the Class 4 Gaming and TAB Venue Policy.

If Council approves a continuation of the policy without amendment, the policy will be due for the next review in 2028.

**TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

Council staff advise that the Class 4 Gaming and TAB Venue Policy in Attachment 2 is an appropriate form of policy for the purposes of section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020.

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

The operational costs for amending the policy are expected to be minimal (less than \$1,000 plus staff time and resources) and will be met from existing operational budgets.

**ĀPITIHINGA / ATTACHMENTS**

1. **Review of Class 4 Gaming and TAB Venue Policy Feb 2025 - A5055943** [↓](#) 
2. **Class 4 Gaming and TAB Venue Policy 2023 - A4327980** [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	The decision to review the Policy is of low significance as it does not involve the change of ownership or control of a strategic asset or other important asset, and it is not inconsistent with Council's plans and policies.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Sections 102 of the Gambling Act 2003, section 97 and 98 of the Racing Industry Act 2020 and sections 10 and 83 of the Local Government Act 2002 apply to the decision recommended in this report.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The proposal has District wide relevance. The current policy already includes everything that is within Council's power to control and therefore Community Boards' views have not been sought.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	The decision in this report is not significant and does not relate to land and/or any body of water.  However, Māori are significantly more likely than non-Māori to be negatively impacted by the harmful effects of gambling.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	<ul style="list-style-type: none"> <li>• community groups concerned about class 4 gaming and TAB venues in their community</li> <li>• the gaming trust industry</li> <li>• Te Whatu Ora - Public Health Northland</li> <li>• social service organisations.</li> </ul>
State the financial implications and where budgetary provisions have been made to support this decision.	The operational costs for amending the Bylaw are expected to be minimal (less than \$1,000 plus staff time and resources) and will be met from existing operational budgets.
Chief Financial Officer review.	This report has been reviewed by the Chief Financial Officer.





Te Kaunihera  
o Te Hiku o te Ika  
Far North District Council

HE ARA TĀMATA  
CREATING GREAT PLACES  
*Supporting our people*

## Research Report

### Review of Class 4 Gaming and TAB Venue Policy

February 2025

#### 1 Purpose

To describe and discuss the review of the Class 4 Gaming and TAB Venue Policy (2014).

#### 2 Context and Situation

The Council is required to have a Class 4 gaming policy under section 101 of the Gambling Act 2003. The Council is also required to have a TAB venue policy under section 96 of the Racing Industry Act 2020.

Under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the Class 4 Gaming and TAB Venue Policy (the policy) must be reviewed every three years.

Under section 102 of the Gambling Act 2003, when conducting a review of the Policy, the Council must consider whether to include a relocation policy. When considering a relocation policy, the Council must consider the social impact of gambling in high-deprivation communities in the Far North District.

The development and review of the policies must follow the decision-making process as per the Local Government Act 2002.

##### 2.1 Council's role relating to Class 4 gaming and TAB venues

###### 2.1.1 Local Government Act 2002

Under section 10 of the Local Government Act 2002, the purpose of local government is to "... promote the social, economic, environmental, and cultural wellbeing of communities, in the present and for the future".

The presence of gambling within a community can have both positive and negative impacts. Gambling can have a negative effect on a community's wellbeing through direct impacts, such as affecting peoples physical and mental wellbeing, causing financial and economic harm, and increased crime. However, gambling can also provide entertainment and some proceeds are returned to the community in the form of grants.

###### 2.1.2 Gambling Act 2003

The purpose of the Gambling Act 2003 is to:

- a) control the growth of gambling
- b) prevent and minimise the harm caused by gambling, including problem gambling
- c) authorise some gambling and prohibit the rest
- d) facilitate responsible gambling
- e) ensure the integrity and fairness of games
- f) limit opportunities for crime or dishonesty associated with gambling
- g) ensure that money from gambling benefits the community
- h) facilitate community involvement in decisions about the provision of gambling.

Under section 101 of the Gambling Act 2003 every territorial authority must adopt a Class 4 venue policy.

Class 4 gambling is:

- any activity that involves the use of a gaming machine outside of a casino
- from which the net proceeds (profits) are distributed back to the community.

The Class 4 venue policy must specify:

- whether or not Class 4 venues may be established in the Far North District
- where venues may be located (if the policy allows venues)

The Class 4 venue policy may:

- specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue
- include a relocation policy.

In reviewing the Policy, Council must have regard to the social impact of gambling within its district.

Under section 100 of the Gambling Act 2003 the Council must consider applications, in accordance with its Class 4 venue policy, for:

- a new Class 4 venue
- existing venues that held a licence on 17 October 2001 but have not held a licence in the last six months
- amendments to Class 4 venue licences to allow an increase in the number of gaming machines that may be operated at a venue.

### [2.1.3 Racing Industry Act 2020](#)

Under section 96 of the Racing Industry Act 2020, Council must adopt a TAB venue policy.

A TAB venue is any premise that is owned or leased by the TAB and where the main business carried out is providing racing-betting or sports-betting services.

Council does not have authority over other venues where the main business is not racing-betting or sports-betting which provide TAB facilities e.g., on licensed premises.

The TAB venue policy must specify:

- whether or not TAB venues may be established in the Far North District
- where venues may be located (if the policy allows venues).

In reviewing the policy, the Council must have regard to the social impact of gambling within its district.

Under section 95 of the Racing Industry Act 2020 the Council must consider applications for a new TAB venue in accordance with its TAB venue policy.

## [2.2 Statutory Agency Roles](#)

### [2.2.1 Department of Internal Affairs](#)

The Department of Internal Affairs is responsible for regulating the Class 4 gambling sector and for ensuring compliance with the Gambling Act 2003.

The Secretary for Internal Affairs is responsible for licensing Class 4 gambling.

The Secretary for Internal Affairs cannot issue a Class 4 venue licence unless satisfied (among other things) that Council's consent is valid. Generally, a consent that is inconsistent with the Council's policy will not be accepted as valid. However, if a territorial authority decides it wants to issue a consent that is inconsistent with its policy, it can use section 80 of the Local Government Act 2002 to do so.

Council must provide a copy of the policy to the Secretary for Internal Affairs each time a review is completed under Section 102(4) of the Gambling Act 2003.

### 2.2.2 Ministry of Health

Under the Gambling Act 2003, the Ministry of Health is responsible for:

- developing an integrated problem gambling strategy, focused on public health
- the funding and co-ordination of problem gambling services.

The current *Strategy to Prevent and Minimise Gambling Harm*<sup>1</sup> aligns with the role of local government by:

- promoting healthy public policy in relation to gambling harm
- enhancing the capacity of communities to define and address gambling harm.

## 3 Objectives

### 3.1 Purpose of review

To determine whether the provisions of the Policy are still the most appropriate way to address Class 4 gaming and TAB venues in the Far North District as per sections 101-102 of the Gambling Act 2003 and sections 96-97 of the Racing Industry Act 2020.

### 3.2 Review objectives

- To define Class 4 gambling and TAB related problems in the Far North District that are within Council's function to control
- To describe and discuss the social impacts of gambling within the Far North District
- To identify if the provisions of the Policy are still the most appropriate way to address the regulation of Class 4 gambling and TAB venues in the Far North District
- To identify if the Policy meets current legislative requirements.

## 4 Problem definition

### 4.1 Scope

#### In scope

Problems relating to Class 4 gambling and TAB venues in the Far North District which are a function of Council to control or address.

Class 4 gambling as defined in the Gambling Act 2003 is:

- any activity that involves the use of a gaming machine outside of a casino
- from which the net proceeds (profits) are distributed back to the community.

A TAB venue as defined in the Racing Industry Act 2020 is any premise that is owned or leased by the TAB and

---

<sup>1</sup> Strategy to prevent and minimise gambling harm 2022-23 to 2024-2025

where the main business carried out is providing racing-betting or sports-betting services.

#### **Out of scope**

All other forms of gambling such as Lotto, Raffles and gambling occurring in a casino as these forms of gambling are regulated under the Gambling Act 2003 and are not a requirement for the Council to address in the Policy.

#### **4.2 Purpose of current Policy**

The Policy aims to support the primary objectives of the Gambling Act 2003 and to ensure that:

- harm caused by gambling is prevented or minimised
  - the growth of gambling is controlled
  - Gaming machines are located in appropriate venues
- the community is appropriately involved in the decision-making process
- gambling is primarily used to raise funds for community purposes.

The Gaming and TAB Policy was first introduced in 2004 and followed a “capped policy” model, in which the total number of gaming machines throughout the Far North District would not increase, but machines could be redistributed to other venues. The policy was reviewed in 2007, 2010, 2014, and 2022.

The 2014 policy was developed in consultation with residents, community stakeholders, Police and Public Health. The policy was amended to become the *Class 4 Gaming and TAB Venue Policy*, and the policy moved to follow a “sinking lid” policy model.

Under a sinking lid policy, Council will not grant consent for the establishment of any new Class 4 gaming venues, except where an existing licensed venue needs to relocate for the reasons specified below. Council will not grant consent for additional Class 4 gaming machines, and machines will not be available for redistribution.

#### **4.3 Other problems relating to Class 4 gambling and TAB venues not currently controlled or addressed by the Policy**

The Policy addresses all the matters in which are a function of the Council to control under the Gambling Act 2003 and Racing Industry Act 2020.

## **5 Review of Policy**

### **5.1 Class 4 venues**

#### **5.1.1 Gambling harm is prevented or minimised**

To minimise gambling related harm, the Policy does not allow for new class 4 gaming venues to be established in the District as the Policy follows a sinking lid policy model.

Under a sinking lid policy, there will never be machines available for redistribution. As machines are released through either venue closures, voluntary release of machines, or by enforcement, the machines are not able to be redistributed to a new venue and the number of machines over time will shrink.

Since the implementation of the sinking lid policy, the number of class 4 gaming venues have decreased from 25 to 17 as shown in Figure 1. The number of class 4 gaming machines in the District have decreased from 314 to 262 as shown in Figure 2.

Figure 1: Graph showing the total number of class 4 gaming venues in the Far North District by quarter

(Sourced: Department of Internal Affairs<sup>2</sup>).

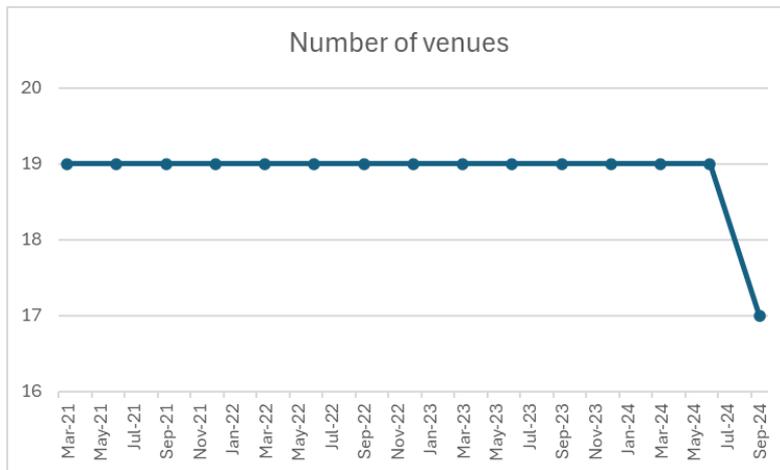
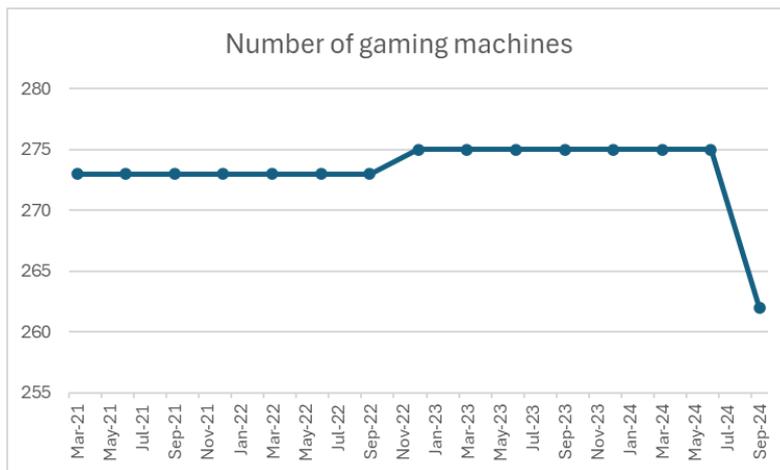


Figure 2: Graph showing the total number of class 4 gaming machines in the Far North District by quarter

(Sourced: Department of Internal Affairs)



The decrease in venues and gaming machines 2024 is due to 2 clubs closing in the Bay of Island/ Whangaroa Ward.

The current policy is achieving the objective of decreasing the number of venues and machines available in the District over time.

**5.1.2 Class 4 relocation policy**

A relocation policy (defined in section 101 of the Gambling Act 2003) is a policy setting out if and when the Council will allow a venue to replace an existing venue to which a class 4 venue licence applies.

The intent of the Act with regard to relocation policies is to support the movement of class 4 gaming venues to

<sup>2</sup> Department of Internal Affairs 2025 (data.govt.nz)

areas at less risk of gambling related harm such as away from sensitive sites or areas of high deprivation.

The Act states that when considering a relocation policy, the Council must specifically consider the social impact of gambling in high-deprivation communities within the district.

The current policy allows the relocation of Class 4 gaming machines under the following circumstances:

- a. Where two or more clubs, with existing licenses, may legally merge, at which time the maximum number of machines should not exceed 18, and the venue must be suitably located to meet the criteria of this Policy; or,
- b. Where a business which holds an existing Class 4 gaming license, wishes to relocate from its current premises to a new venue within the District, and take all or fewer of its existing machines to those new premises. Council will only consider such applications for relocations due to:
  - i. a natural disaster, fire or other damage to the present venue, or
  - ii. expiry of lease on present venue, or
  - iii. the building of a new premises or refurbishment of an existing building as a new venue.
- c. No machines may be left at the current venue.
- d. A new venue will not be considered if it is defined as a venue declared unfit under section 4 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.
- e. Applications for relocation of machines to a new premise will be subject to public notification and referred to the relevant Community Board for consideration and comments, as well as other key interested parties (e.g., iwi/hapū, the Police, Te Whatu Ora).
- f. A new Class 4 gaming venue must not be within 100 metres of any other Class 4 gaming venue.
- g. A new Class 4 gaming venue must not be in a higher deprivation area than the existing venue.
- h. New Class 4 gaming venues shall be in Commercial, Industrial, General Coastal, Rural Living or Rural Production zones, or within sports clubs or public houses and shall be eligible for consent provided the venue is at least 100 metres from any Kindergarten, early childhood centre, school, place of worship, Marae, or other community facility, and 100 metres from any Residential, Coastal Residential, Coastal Living, or Recreational Activities zones.
- i. If it is not practicable to apply a 100 metre proximity policy, then the distance becomes a discretionary condition. The Council will then make the decision.
- j. Following the Waikiwi precedent, certain kinds of moves will not trigger the Council's relocation policy. If the relocation to a different site meets the following criteria, it may not be a change of venue:
  - a. the new building is in very close proximity to the existing site
  - b. the venue name will be the same
  - c. ownership and management of the venue will be the same
  - d. patrons and the public will regard it as the same venue.

Under section 101(4) of the Gambling Act, when considering the location for a relocated venue, the Council may have regard to the following matters:

- a) the characteristics of the district and parts of the district:
- b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:
- c) the number of gaming machines that should be permitted to operate at any venue or class of venue:
- d) the cumulative effects of additional opportunities for gambling in the district:
- e) how close any venue should be permitted to be to any other venue:
- f) what the primary activity at any venue should be

The relocation policy maintains the intent of the 'sinking lid' policy by only allowing relocation when

circumstances arise outside of the control of the owner of the business such as fire or other damage to the present venue.

If a class 4 venue changes site in line with the above requirements, it is not considered a new venue and therefore does not require a council consent, nor is it considered a relocation and it will not trigger the application of a council's relocation policy.

### *5.1.3 Merging of two corporate societies (clubs)*

In the case that two clubs wish to merge, section 95 of the Gambling Act 2003 allows for the Council to stipulate the maximum number of gaming machines which can be operated at the new venue up to a maximum of 30. For example, if two clubs operating 18 machines each merge, the total number of machines that could operate at the new venue would be 30 not 32 ( $18 \times 2 = 32$ ) or less if stipulated in the policy.

The Policy stipulates that in the case of two clubs merging in the Far North District, the maximum number of gaming machines which can be operated at the new venue is 18, which aligns with the maximum number of machines operating at non-club venues (who held a licence on 17 October 2001) in the District.

There is currently only one club in the District, which operates nine gaming machines. Due to the sinking lid policy, a new class 4 gaming venue cannot be established. Therefore, under the current policy there is no need to include a clause regarding two clubs merging. The policy could be amended to remove this clause. However, this component of the policy would not impact on the number of gaming machines in the District.

## **5.2 TAB venues**

Since the Policy was adopted in 2014, the Racing Act 2003 has been replaced by the Racing Industry Act 2020. The Policy was amended in 2023 to ensure all references to the Racing Act 2003 were replaced with the Racing Industry Act 2020.

### *5.2.1 Establishment of TAB venues in the Far North District*

Under section 96(s) of the Racing Industry Act 2020, the Council can decide whether or not new TAB venues may be established in the District. The Policy only applies to stand alone TAB venues. Council does not have authority over other venues which provide TAB facilities e.g., on licensed premises.

Currently, there are no TAB venues in the District.

TAB venues in on-licence premises do not require a TAB venue consent from Council.

In alignment with the sinking lid policy on class 4 gaming machines, the Far North District Council will not accept TAB NZ applications for new TAB venues. A sinking lid model has no impact on the current status of TAB venues in the District but would prevent future gambling related harm.

## **6 Social Impacts of Gambling in the Far North District**

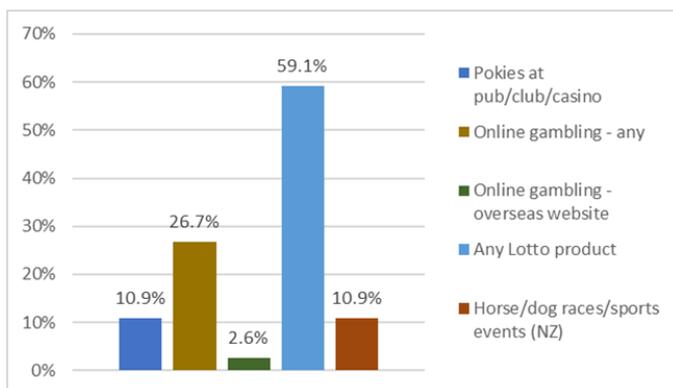
The demographics of the Far North District mean our communities are more vulnerable to the detrimental effects of problem gambling.

### **6.1 Gambling participation in New Zealand**

There are four main types of gambling legally allowed in New Zealand:

- Sports betting through the TAB
- Class 4 Electronic Gaming Machines (EGMs), also known as pokie machines
- New Zealand Lotteries Commission (Lotto)
- Casinos.

Figure 3: Gambling by type, 2020 (% of population aged 15+)<sup>3</sup>



The figures show that participation on Class 4 EGMs is more than twice that of Lotto.

### 6.2 Gambling related harm

Most people can safely enjoy gambling as a recreational activity. However, research shows that about 22% of New Zealand adults will be adversely affected by their own gambling or the gambling of others.<sup>4</sup>

Problems associated with gambling harm include:

- detrimental effects on an individual’s physical, emotional and psychological health
- financial difficulties
- bankruptcy
- reduced employment performance
- relationship conflict
- family violence
- child neglect
- criminal activity such as theft and fraud.

Different forms of gambling carry different levels of risk for gambling harm. EGMs are a high-risk form of gambling, as they are a solitary activity rather than social, and are continuous. A large amount of the money spent on gambling in New Zealand comes from the relatively small number of people who play gaming machines. Most people accessing gambling-harm intervention services cite pub or club pokies as the primary problem gambling mode.

#### 6.2.1 Gambling related inequities

2.3% of New Zealand adults experience moderate to severe risk of problem gambling. However, this risk is not

<sup>3</sup> Ministry of Health Strategy to Prevent and Minimise Gambling Harm 2025/26-2027/28

<sup>4</sup> Ministry of Health Strategy to Prevent and Minimise Gambling Harm 2025/26-2027/28

evenly distributed. Risk for problem gambling is higher for Māori and Pasifika populations. In 2024 Māori were 3.13 times more likely to be moderate-risk or problem gamblers than non-Māori and non-Pacific peoples. Pacific peoples were 2.56 times more likely to be moderate-risk or problem gamblers than non-Māori and non-Pacific peoples.<sup>5</sup>

About 45.7% of youth aged 16–24 had gambled in the past year. Young people make up approximately 14% of moderate- and high-risk gamblers (1.6% of all adults).<sup>6</sup>

Total gambling participation is similar across ethnicities and deprivation levels, but the types and cost of gambling are not evenly spread.

- People living in the most deprived neighbourhoods are more likely to participate in EGM activities, which are high-risk.
- Much more gambling harm is experienced by those living in areas with a high social deprivation index score 8/10 or higher).
- People in deprived neighbourhoods are 4.5 times as likely to experience gambling-related arguments or money problems related to gambling.

95% of the 17 class 4 venues in the Far North District are in areas of medium high and very high deprivation.<sup>7</sup>

The demographics of the Far North District mean that our communities are more vulnerable to the detrimental effects of problem gambling. A large proportion of the Far North District consists of the highest deprivation areas, and 50% of the population of the Far North is Māori. Both factors significantly increase the risk of gambling harm.

### 6.3 Gambling expenditure in the Far North District

In 2022, the total money spent on class 4 EGMs in the Far North District was \$17.1 million, however only \$4.7 million was returned to the district in grants to community and sporting groups. The figures suggest that, overall, a significant amount of money is taken out of the district.<sup>8</sup>

Despite the decrease in the number of EGMs and class 4 venues since 2014, class 4 gambling expenditure (both absolute and per machine) in the Far North District has increased by a larger proportion than the change across New Zealand as a whole.

## 7 Discussion

### 7.1 Is the policy the most appropriate way to address the establishment of Class 4 gaming and TAB venues in the Far North District?

The review has identified that a sinking lid policy is the most appropriate way to address the establishment of Class 4 gaming venues in the District for the following reasons:

- the existing sinking lid policy has been effective in reducing the number of Class 4 gambling venues and EGMs machines
- the demographics of the District mean that our communities are more vulnerable to the detrimental effects of problem gambling
- a significant amount of money is removed from the District due to class 4 gambling.

The review has identified that a restrictive relocation policy is the most appropriate way to address the relocation

<sup>5</sup> Ministry of Health Strategy to Prevent and Minimise Gambling Harm 2025/26-2027/28

<sup>6</sup> Ministry of Health Strategy to Prevent and Minimise Gambling Harm 2025/26-2027/28

<sup>7</sup> Department of Internal Affairs 2025 (data.govt.nz)

<sup>8</sup> Department of Internal Affairs 2025 (data.govt.nz)

of Class 4 gaming venues in the District as the policy supports the intent of a sinking lid policy.

#### 7.2 Is the policy in the most appropriate form?

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

- a) meets the objectives it is intended to achieve
- b) is certain, e.g. it uses clear wording so people will understand what they are required to do
- c) complies with all relevant laws and legislation.

The policy meets the objectives, has the appropriate form, and is consistent with relevant laws and legislation and aligns with the Gambling Act 2003 and Racing Industry Act 2020.

Therefore, the Policy is the most appropriate form of policy.

### 8 Conclusion

The Far North District is more vulnerable to the detrimental effects of problem gambling therefore, a sinking lid policy is the most appropriate way to address the establishment of both Class 4 gaming and TAB venues in the Far North District. The policy is easily understood, reflects the social impacts of gambling in the Far North District, and aligns with current legislation.

## Class 4 Gaming and TAB Venue Policy

Adopted: 28 April 2004  
Last updated: 3 August 2023

### Background

The Class 4 Gaming and TAB Venue Policy is made under Section 101 of the Gambling Act 2003 and section 96 of the Racing Industry Act 2020. The review and amendments to the Policy are made under Section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020.

Under the Gambling Act 2003, applicants for Class 4 gaming ('pokies') venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by the Act to have a policy specifying whether or not Class 4 venues may be established in their district, and if so where. The policy may also include a relocation policy, and may restrict the maximum numbers of machines below the statutory limits (in the Act this is 18 for venues licenced as at 17 October 2001, and 9 after that date, with some exceptions for clubs).

Under Section 96 of the Racing Industry Act 2020, territorial authorities must adopt a policy on TAB venues. The policy must specify whether or not new standalone TAB venues may be established in their district, and where they may be located.

This policy has been developed to enable the Council to consider and determine consent applications. As required by the Acts, all decisions by the Council to grant or decline consent must be made in accordance with this policy.

### Objective

The Far North District Council supports the primary objectives of the Gambling Act 2003 to ensure that:

- Gambling is primarily used to raise funds for community purposes
- The harm caused by gambling is prevented or minimised
- Local involvement in decisions about the availability in communities of more 'risky' forms of gambling is facilitated
- The growth of gambling is controlled
- Gaming machines are located in appropriate venues
- Community input is sought in the preparation of the Policy through the Local Government Act 2002 Special Consultative Procedure (SCP)

### Policies

#### Class 4 Venues

1. The Far North District Council has set a 'sinking lid' on the number of machines in the district with effect from the date the policy is adopted by Council. Under a sinking lid policy, Council will not

grant consent for the establishment of any new Class 4 gaming venues, except where an existing licensed venue needs to relocate for the reasons specified below. Council will not grant consent for additional Class 4 gaming machines, and machines will not be available for redistribution.

2. The Far North District Council will accept applications for the relocation of existing machines to a new venue. The criteria for relocation are:
  - a. Where two or more clubs, with existing licenses, may legally merge, at which time the maximum number of machines should not exceed 18, and the venue must be suitably located to meet the criteria of this Policy; or,
  - b. Where a business which holds an existing Class 4 gaming license, wishes to relocate from its current premises to a new venue within the District, and take all or fewer of its existing machines to those new premises. Council will only consider such applications for relocations due to:
    - i. a natural disaster, fire or other damage to the present venue, or
    - ii. expiry of lease on present venue, or
    - iii. the building of a new premises or refurbishment of an existing building as a new venue.
  - c. No machines may be left at the current venue.
  - d. A new venue will not be considered if it is defined as a venue declared unfit under section 4 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.
  - e. Applications for relocation of machines to a new premise will be subject to public notification and referred to the relevant Community Board for consideration and comments, as well as other key interested parties (e.g., iwi/hapū, the Police, Te Whatu Ora).
  - f. A new Class 4 gaming venue must not be within 100 metres of any other Class 4 gaming venue.
  - g. A new Class 4 gaming venue must not be in a higher deprivation area than the existing venue.
  - h. New Class 4 gaming venues shall be in Commercial, Industrial, General Coastal, Rural Living or Rural Production zones, or within sports clubs or public houses and shall be eligible for consent provided the venue is at least 100 metres from any Kindergarten, early childhood centre, school, place of worship, Marae, or other community facility, and 100 metres from any Residential, Coastal Residential, Coastal Living, or Recreational Activities zones.
  - i. If it is not practicable to apply a 100 metre proximity policy, then the distance becomes a discretionary condition. The Council will then make the decision.
  - j. Following the Waikiwi precedent, certain kinds of moves will not trigger the Council's relocation policy. If the relocation to a different site meets the following criteria, it may not be a change of venue:
    - a. the new building is in very close proximity to the existing site
    - b. the venue name will be the same
    - c. ownership and management of the venue will be the same
    - d. patrons and the public will regard it as the same venue.

## TAB Venues

---

3. TAB venues in on-licence premises do not require a TAB venue consent from Council.
4. In alignment with the sinking lid policy on class 4 gaming machines, the Far North District Council will not accept TAB NZ applications for new TAB venues.

## Procedures

---

### Application requirements

1. All applications for consent for Class 4 Gaming machines or TAB Venues must be accompanied by the following information:
  - A fully completed prescribed application form.
  - Appropriate application fee payment. This fee shall incorporate the administration charge and a proportion of the cost of monitoring and review of policy.
  - A full floor plan, location map of premises, detailing distance to nearest school, Kindergarten, Child care centre, place of worship or other community facility, and residential zone.
  - Floor plan to be the same plan that accompanies the Sale & Supply of Alcohol Act (2012) On-Licence and show designated areas.
  - Details of current or proposed Liquor Licence applications, or existing licenses.
  - Copies of all other appropriate current licenses (e.g. Health Licence).

## Processing of Relocated Applications

---

2. Applications will be checked by Council staff to ensure that all relevant information has been provided. In cases where all relevant information is not available, the application shall be rejected as incomplete. This information shall include payment of any appropriate fees.
3. All accepted applications will be checked to ensure compliance with District Plan requirements. At this point, the applicant will be notified of the need for any Resource Consents, if applicable.
4. Applications for relocation of machines to a new premise will be subject to public notification and referred to the relevant Community Board for consideration and comments, as well as other key interested parties (e.g., iwi/hapū, the Police, Te Whatu Ora).
5. Applications will be assessed for compliance with the Class 4 Gaming and TAB Venue Policy.
6. Consents will be issued following compliance with Resource Planning requirements if necessary and compliance with the Class 4 Gaming and TAB Venue Policy.

7. Applications for the relocation of machines shall not be subjected to specified processing time scales due to the need for consultation.

### Monitoring and Implementation

---

8. The Council may amend this at any time.
9. The Council will complete a review of the policy every 3 years as specified in the legislation.
10. If the Council amends or replaces this policy, it will do so in accordance with the Special Consultative Procedure as required by the Local Government Act 2002.

### Fees and Charges

---

11. All Fees and Charges will be those set by Council, from time to time, and in accordance with Council's current Fees and Charges Schedule.
12. The Fees and Charges shall include the following costs:
  - a. Application and processing (administration) fee
  - b. Cost of compliance inspections (monitoring)
  - c. Contribution costs toward triennial assessments of economic and social impact of gambling in the District (review).

## 7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

### 7.1 COMMUNITY BOARD MINUTES - DECEMBER 2024

**File Number:** A5070089

**Author:** Marysa Maheno, Democracy Advisor

**Authoriser:** Aisha Huriwai, Manager - Democracy Services

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide an overview of resolutions made by Community Boards with an opportunity for Chairpersons to speak with Council about pertinent discussions held at Community Board.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Minutes from Te Hiku and Bay of Islands-Whangaroa Community Board December 2024 meetings are attached for Council information.
- Kaikohe-Hokianga Community Board did not hold a meeting in December 2024.

#### TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- 17 December 2024 Bay of Islands-Whangaroa Community Board; and
- 17 December 2024 Te Hiku 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. 2024-12-17 Bay of Islands-Whangaroa Community Board Minutes - A5026683 [↓](#) 
2. 2024-12-17 Te Hiku Community Board Minutes - A5025054 [↓](#) 

UNCONFIRMED

Bay of Islands-Whangaroa Community Board Meeting Minutes

17 December 2024

**MINUTES OF  
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING  
HELD AT THE TURNER CENTRE, 43 COBHAM ROAD, KERIKERI  
ON TUESDAY, 17 DECEMBER 2024 AT 10:04 AM**

**PRESENT:** Chairperson Belinda Ward, Deputy Chairperson Lane Ayr, Member Bruce Mills, Member Amy Slack, Member Roddy Hapati-Pihema, Member Jane Hindle, Member Tyler Bamber.

**IN ATTENDANCE:** Councillor Babe Kapa.

**STAFF PRESENT:** Kim Hammond (Community Board Coordinator), Maria Bullen (Democracy Advisor), Trinity Lane (Finance and Customer Services Administrator), Victoria Neki (Team Leader - Technical Operations).

**1 KARAKIA TIMATANGA / OPENING PRAYER**

At 10:04am, Chair Belinda Ward commenced the meeting and Cr Babe Kapa opened with a karakia.

**2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

**APOLOGY**

**RESOLUTION 2024/147**

Moved: Chairperson Belinda Ward

Seconded: Member Tyler Bamber

**That the apology received from Cr Ann Court be accepted and leave of absence granted.**

**CARRIED**

**3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM**

- Shane Savill representing Pitchford Properties, speaking in relation to item 7.2 Peacock Gardens Reserve.

**4 NGĀ TONO KŌRERO / DEPUTATIONS**

- There were no deputations.

**5 NGĀ KAIKŌRERO / SPEAKERS**

- Trista Raharuhi representing Te Waka Taua o Te Rāngimarie, speaking in relation to funding application item 7.6b.

UNCONFIRMED

Bay of Islands-Whangaroa Community Board Meeting Minutes

17 December 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 A5006273, pages 8 - 18 refers

**RESOLUTION 2024/148**

Moved: Deputy Chairperson Lane Ayr

Seconded: Member Jane Hindle

**That Bay of Islands-Whangaroa Community Board confirm the minutes of the meeting held on 21 November 2024 are a true and correct record.**

**CARRIED**

**7 NGĀ PŪRONGO / REPORTS**

**7.1 NEW ROAD NAME - 354 OLD BAY ROAD, WAIMATE NORTH**

Agenda item 7.1 document number A4977068, pages 19 - 22 refers

**RESOLUTION 2024/149**

Moved: Member Bruce Mills

Seconded: Member Jane Hindle

**That Bay of Islands-Whangaroa Community Board name a private road “Ngaungau Lane” that is currently located at 354 Old Bay Road, Waimate North.**

**CARRIED**

**7.2 PEACOCK GARDENS RESERVE - REQUEST FOR THE REMOVAL OF TREES**

Agenda item 7.2 document number A5007063, pages 23 - 98 refers

**RESOLUTION 2024/150**

Moved: Deputy Chairperson Lane Ayr

Seconded: Member Tyler Bamber

**That the Bay of Islands-Whangaroa Community Board support the removal of trees #4, #5, #6 and #7 identified in the arborist report from Peacock Gardens Reserve, Kerikeri at the cost of the developer.**

- a) **That the developer replaces the trees by planting native species, in partnership with Ngāti Rēhia.**

**CARRIED**

**7.3 REMOVAL OF TREES AT FAIRY POOLS RESERVE KERIKERI**

Agenda item 7.3 document number A5007814, pages 99 - 111 refers

**RESOLUTION 2024/151**

UNCONFIRMED

Bay of Islands-Whangaroa Community Board Meeting Minutes

17 December 2024

Moved: Deputy Chairperson Lane Ayr  
 Seconded: Member Bruce Mills

**That the Bay of Islands – Whangaroa Community Board support the recommendation to remove the trees located in three areas on Fairy Pools Reserve, as identified in the arborist report.**

- a) **That established native trees, located in area three and identified in the arborist report, remain standing.**

**CARRIED**

**7.4 NEW KERIKERI MOTORHOME & CARAVAN DUMP STATION**

Agenda item 7.4 document number A5001478, pages 112 - 114 refers

**TŪTOHUNGA / RECOMMENDATION**

**That Bay of Islands-Whangaroa Community Board leave to lie awaiting additional information.**

- a) **receive the New Kerikeri Motorhome & Caravan Dump Station Report; and**
- b) **support the installation of a new motorhome and caravan dump station at Julian Carpark, Kerikeri.**

**7.5 CHAIRPERSON AND MEMBERS REPORT**

Agenda item 7.5 document number A5009018, pages 115 - 125 refers

**RESOLUTION 2024/152**

Moved: Chairperson Belinda Ward  
 Seconded: Member Bruce Mills

**That the Bay of Islands-Whangaroa Community Board note the reports from Chairperson Ward and Members Bruce Mills and Jane Hindle.**

**CARRIED**

**7.6a FUNDING APPLICATIONS**

Agenda item 7.6 document number A5009963, pages 126 – 150 refers

**MOTION**

Moved: Member Roddy Hapati-Pihema  
 Seconded: Member Jane Hindle

- a) **That Bay of Islands-Whangaroa Community Board approve the sum of \$4,000 (plus GST if applicable) be paid from the Boards Community Fund account to the Te Waka Taua o Te Rangimārie for accommodation costs towards participating in Waitangi week waka events in 2025.**

**LOST**

UNCONFIRMED

Bay of Islands-Whangaroa Community Board Meeting Minutes

17 December 2024

**7.6b FUNDING APPLICATIONS**

Agenda item 7.6 document number A5009963, pages 126 - 150 refers

**RESOLUTION 2024/153**

Moved: Deputy Chairperson Lane Ayr

Seconded: Member Tyler Bamber

**That Bay of Islands-Whangaroa Community Board LEAVE TO LIE the following:**

- b) Approve the sum of \$3,000 (plus GST if applicable) be paid from the Boards Community Fund account to the Road Safety Education Limited for costs towards running road safety education classes at Kerikeri High School.**

**CARRIED**

**8 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS**

**8.1 CONDITION ASSESSMENT SUMMARY FOR COUNCIL HALLS**

Agenda item 8.1 document number A4990021, pages 151 - 153 refers

**RESOLUTION 2024/154**

Moved: Chairperson Belinda Ward

Seconded: Member Bruce Mills

**That the Bay of Islands-Whangaroa Community Board receive the report Condition Assessment Summary for Council Halls.**

**CARRIED**

*At 12:16pm, Member Jane Hindle left the meeting.*

**8.2 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD OPEN RESOLUTION REPORT**

Agenda item 8.2 document number A5003381, pages 154 - 155 refers

**RESOLUTION 2024/155**

Moved: Member Bruce Mills

Seconded: Member Tyler Bamber

**That Bay of Islands-Whangaroa Community Board receive the Bay of Islands-Whangaroa Community Board December Open Resolution Report.**

**CARRIED**

**9 TE KAPINGA HUI / MEETING CLOSE**

At 12:18pm, Chair Belinda Ward concluded the meeting and Member Roddy Hapati-Pihema closed with a karakia.

**The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 19 December 2024.**

UNCONFIRMED

Bay of Islands-Whangaroa Community Board Meeting Minutes

17 December 2024

.....  
**CHAIRPERSON**

**MINUTES OF  
TE HIKU COMMUNITY BOARD MEETING  
HELD AT THE CONFERENCE ROOM - TE AHU, CNR STATE HIGHWAY 1 AND MATHEWS  
AVENUE, KAITĀIA  
ON TUESDAY, 17 DECEMBER 2024 AT 10:03AM**

**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:**

**STAFF PRESENT:** Beverly Mitchell (Community Board Coordinator), Marysa Maheno (Democracy Advisor), Jeanette England (District Facilities Design Officer)(online)

**1 KARAKIA TIMATANGA / OPENING PRAYER**

Member Rahcel Baucke commenced the meeting with a karakia at 10:03am

**2 NGĀ TONO KŌRERO / DEPUTATIONS**

Lisa McNabb spoke on behalf of the Ahipara Takiwā/Tūturu Rangers regarding item 7.3a, funding application for Te Runanga o Te Rarawa.

Kaihautu Waha Tauhara spoke in regard to item 7.3b, funding application for Te Waka Taua o Te Rangimārie.

**3 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

Chair Adele Gardner noted the conflict of interest from Deputy Chair John Stewart regarding item 7.3a.

**4 TE WĀHANGA TŪMATANUI / PUBLIC FORUM**

Graeme McMillan, Chairman of Rangiputa Community Incorporated spoke about the concerns of the cliff on the side of the road that leads down to Rangiputa beach and boat ramp.

John Templeton, Vicki Stevens and Haina Parata gave feedback on behalf of their community regarding item 5.1, Lake Ohia Hall Renewal.

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

**5.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 6.1 document number A4667628, pages 8 - 13 refers

**RESOLUTION 2024/74**

Moved: Chairperson Adele Gardner  
Seconded: Member Darren Axe

**That Te Hiku Community Board confirm the minutes of the meeting held 19 November 2024 to be a true and correct record.**

**CARRIED**

**6 NGĀ PŪRONGO / REPORTS**

**6.1 LAKE OHIA HALL RENEWAL**

Agenda item 7.1 document number A4941448, pages 14 - 25 refers

**RESOLUTION 2024/75**  
 Moved: Member Sheryl Bainbridge  
 Seconded: Member Rachel Baucke  
**That Te Hiku Community Board:**

- a) receive the report Lake Ohia Hall Renewals;
- b) progress with the Community’s preference of option 2 be progressed, preferably within the funds available; and
- c) recommend Council proceed with divesting the Lake Ohia Hall to the Committee once the work is carried out and the hall is compliant.

**CARRIED**

**6.2a FUNDING APPLICATIONS**

Agenda item 7.2 document number A5005875, pages 26 - 40 refers

**RESOLUTION 2024/76**  
 Moved: Chairperson Adele Gardner  
 Seconded: Member William (Bill) Subritzky  
**That Te Hiku Community Board leave the application to lie from Youthline Auckland Charitable Trust for the costs of operating the national call line until it can be demonstrated how much coverage/calls are provided specifically to Te Hiku ward.**

**CARRIED**

**6.2b FUNDING APPLICATION**

Agenda item 7.2 document number A5005875, pages 26 - 40 refers

**RESOLUTION 2024/77**  
 Moved: Deputy Chairperson John Stewart  
 Seconded: Member William (Bill) Subritzky  
**That Te Hiku Community Board approve the sum of \$1,700 (plus GST if applicable) be paid from the Board’s Community Grant Fund account to Te Hiku Roller Skating for costs towards venue hire and skate purchase.**

**CARRIED**

**Note: Item 7.2c, funding application was withdrawn.**

**6.3a FUNDING APPLICATIONS - SUPPLEMENTARY**

Agenda item 7.3 document number A5009979, pages 41 - 61 refers

**RESOLUTION 2024/78**

Moved: Member Rachel Baucke

Seconded: Councillor Felicity Foy

**That Te Hiku Community Board approve the sum of \$4880 (plus GST if applicable) be paid from the Board’s Community Grant Fund account to Te Waka Taua o Te Rangimārie for costs towards purchase of Gazebos for waka events in Waitangi week 2025.**

**CARRIED**

**6.3b FUNDING APPLICATION – SUPPLEMENTARY**

Agenda item 7.3 document number A5009979, pages 41 - 61 refers

**RESOLUTION 2024/79**

Moved: Chairperson Adele Gardner

Seconded: Member Rachel Baucke

**That Te Hiku Community Board approve the sum of 9500 (plus GST if applicable) be paid from the Board’s Community Grant Fund account to Te Runanga o Te Rarawa for costs towards the Ahipara Takiwā/Tūturu Rangers at Tauroa and on Te Oneroa a Tōhe to Hukatere.**

*Abstained: Deputy Chair John Stewart*

**CARRIED**

**6.4 COMMITTEE RECOMMENDATIONS DECEMBER 2024**

Agenda item 7.4 document number A5015142, pages 62 - 64 refers

**RECOMMENDATION**

Moved: Member Darren Axe

Seconded: Member William (Bill) Subritzky

**That Te Hiku Community Board:**

*Kaitāia Drainage Area Committee – item 4.3 Kaitāia Drainage Area Programme 2024-2027*

- a) approve the programme of works for the 2024/25 financial year;
- b) request the proposed rate change of \$133k for the 2025/26 year including drone hireage and machine cleaning, be reported back to the Kaitāia Drainage Area Committee; and
- c) submit to Council a request for a Public Good component in the rates to be reviewed for the Long-Term Plan.
- d) request a workshop on Management Plans and Bylaws 2019 update before March 2025 Committee meeting;
- e) continue to follow up on resolution 2023/1 ‘copy of an email sent to David Van Bysterveldt’ regarding continued works within the scheme has increased the height of stop banks and removed culverts for spray contracting access.
- f) contact Northland Regional Council regarding increased height of stop banks and the effects on the flood protection catchment.

- g) request that Far North District Council continue consulting with Northland Regional Council regarding the Resource Consent becoming a permitted activity.**

Waiharara and Kaikino Drainage Area Committee – item 4.3 Waiharara and Kaikino Drainage Area 2024/2025 Update

- a) approve the programme of works for the 2024/25 financial year;**
- b) request correct start and finish points on the measurements of the drains need to be established;**
- c) request a workshop on Management Plan and Bylaws before the next Committee in March 2025;**
- d) request that a process be developed for the addition and alterations to drains as per the bylaw;**
- e) approve that the machine cleaning be let to Mike Steel to begin in December 2024;**
- f) note that the 25/26 rate take remain the same;**
- g) request a rate review on the differentials be made for Waiharara and Kaikino Drainage District; and**
- h) request that Far North District Council continue consulting with Northland Regional Council regarding the Resource Consent becoming a permitted activity.**

Motutangi Drainage Area Committee – item 3.3 Motutangi Drainage Area 2024/25

- a) approve the programme of works for the 2024/25 financial year;**
- b) request a workshop on management plan and bylaws before the next Committee meeting in March 2025,**
- c) request that a process be developed for the addition and alterations to drains as per the bylaw,**
- d) approve that the machine cleaning be let to Mike Steel to begin in December 2024,**
- e) note that the 25/26 rate take remain the same,**
- f) request that Far North District Council continue consulting with Northland Regional Council regarding the Resource Consent becoming a permitted activity.**

**CARRIED**

*Note: The board gave massive thanks to Tanya Proctor for all the work she has done regarding Land Drainage.*

*At 11:51am the meeting adjourned and resumed at 12:12pm.*

*At 12:00pm Cr Hilda Halkyard-Harawira left the meeting.*

**7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS**

**7.1 CONDITION ASSESSMENT SUMMARY FOR COUNCIL HALLS**

Agenda item 8.2 document number A4990077, pages 82 - 86 refers

**RESOLUTION 2024/80**

Moved: Member William (Bill) Subritzky

Seconded: Member Darren Axe

**That Te Hiku Community Board receive the report Condition Assessment Summary for Council Halls.**

**CARRIED**

**7.2 RENOVATION OF PIONEER HOUSE, KAITĀIA**

Agenda item 8.3 document number A4925044, pages 87 - 108 refers

**RESOLUTION 2024/81**

Moved: Deputy Chairperson John Stewart  
 Seconded: Member William (Bill) Subritzky

**That Te Hiku Community Board:**

- a) receives the report for the renovation of Pioneer House, Kaitāia; and
- b) recommend to Council that they partner with the trust to deliver the proposed renovations for Pioneer House.

**CARRIED**

**7.3 TE HIKU COMMUNITY BOARD DECEMBER 2024 OPEN RESOLUTION REPORT**

Agenda item 8.1 document number A4667417, pages 73 - 81 refers

**RESOLUTION 2024/82**

Moved: Chairperson Adele Gardner  
 Seconded: Deputy Chairperson John Stewart

**That Te Hiku Community Board receive the report Te Hiku Community Board December 2024 Open Resolution Report.**

**CARRIED**

**7.4 CHAIRPERSON AND MEMBERS REPORTS**

Agenda item 8.4 document number A5003538, pages 109 - 109 refers

**RESOLUTION 2024/83**

Moved: Chairperson Adele Gardner  
 Seconded: Member William (Bill) Subritzky

**That Te Hiku Community Board note the December 2024 member reports from Chairperson Adele Gardner, Deputy Chairperson John Stewart, and Members Darren Axe, Bill Subritzky and Rachel Baucke.**

*Note: verbal report were received from Cr Felicity Foy.*

**CARRIED**

**8 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 1:29pm.

The minutes of this meeting will be confirmed at the Te Hiku Community Board Meeting held on 18 February 2025.

.....  
**CHAIRPERSON**

## 7.2 FAR NORTH 2100 PROGRESS REPORT

**File Number:** A5059273

**Author:** Steve Rylands, Senior Policy Advisor

**Authoriser:** Roger Ackers, Group Manager - Planning & Policy

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide a progress report on the implementation of Far North 2100 (FN2100).

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Far North 2100 was adopted by Council in 2021. It is a strategy that is intended to realise the vision of “He Whenua Rangatira – A District of Sustainable Prosperity.” It is intended to set Council directions. It also sets the aspirations for the economic and social development of the region.

The implementation of Far North 2100 was intended to be undertaken through initiatives that are grouped under five “drivers of change”:

- putting the wellbeing of the communities and people first
- promoting resilient economic growth for sustainable prosperity
- active response to climate change
- connecting people, businesses, and places
- protect the natural environment for future generations.

Highlights of progress in implementing the FN2100 drivers of change include:

- promoting resilient economic growth through the adoption of Te Rerenga - Taitokerau Northland Economic Wellbeing Pathway
- the Climate Action Policy that sets adaptation, emissions reduction and climate-related risk management objectives
- commencement of the District Wide Spatial Strategy that enables the district to take a long-term spatial view of wellbeing, infrastructure objectives and growth
- the Proposed District Plan (PDP), which has mechanisms to protect indigenous vegetation and fauna, indigenous biodiversity, and versatile soils.

FN2100 is scheduled to be reviewed in 2025.

### TŪTOHUNGA / RECOMMENDATION

**That Council receive the report Far North 2100 Progress Report.**

### TĀHUHU KŌRERO / BACKGROUND

FN2100 was adopted by Council and published in 2021. It is a strategy that is intended to realise the vision of “He Whenua Rangatira – a district of sustainable prosperity.”<sup>1</sup> FN2100 was the culmination of consultation with the community extending back to 2014.

For the Council, it is intended to guide the direction of land-use, infrastructure and planning, by supporting the District Plan, the Long-Term Plan, and infrastructure plans. It is also an aspirational plan for the Far North. For the *District*, it provides guidance for “investment decisions, community development and our cultural identity.”<sup>2</sup>

---

<sup>1</sup> Far North 2100.

<sup>2</sup> *ibid*

FN2100 incorporates three strategic objectives:

- *Communities of Care* – social and cultural prosperity
- *Growth* – promoting economic prosperity
- *Stewardship* – Promoting environmental prosperity.

The implementation of FN2100 was to be undertaken through initiatives grouped under five “drivers of change”:

- putting the wellbeing of the communities and people first
- promoting resilient economic growth for sustainable prosperity
- active response to climate change
- connecting people, businesses, and places
- protect the natural environment for future generations.

FN2100 seeks to promote the Far North around its comparative advantages. It also seeks to diversify the economy so that the region is more resilient to economic shocks. The actions in FN2100 relate to both the core business of Council – e.g. spatial planning, and advocacy for the region.

## **MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**

Staff have completed a separate report to capture the progress on FN2100 (Attachment 1). For further information please refer to the full report.

### **Highlights of Council Actions to Support FN2100**

#### ***Putting the wellbeing of the communities and people first***

Council staff have developed draft social, economic, environmental and cultural wellbeing indicators<sup>3</sup>.

Te Pae o Uta is a highlight for the Council. It is a wide-ranging strategy to create enablers across staff to respond more effectively to Māori and to empower communities, working collaboratively.

#### ***Promoting resilient economic growth***

Te Rerenga Taitokerau Northland Economic Wellbeing Pathway is a comprehensive evidence and strength-based strategy that encompasses the collective aspirations of the Far North. Council endorsed the strategy at its 12 October 2024 Council meeting.

Council has actively participated in the Joint Regional Economic Development Committee, which is focussed on raising economic growth in the region.

#### ***Active response to climate change***

Council has adopted a Climate Action Policy that sets adaptation, emissions reduction and climate-related risk management objectives.

Sustainability guidance is integrated into the procurement policy.

Council has published 2022-2023 footprint reports for Te Taitokerau Northland and Te Hiku o Te Ika Far North District.

Council disclosed climate change impacts, risks, opportunities and key work in the 2024-2034 Long Term Plan.

Te Tai Tokerau Climate Adaptation Strategy was adopted in 2022, and a regional work programme has been established.

---

<sup>3</sup> The Government has announced its intention to remove references to wellbeing from the Local Government Act 2002. This briefing does not analyse the implications of that announcement for FN2100.

Council has developed a Community Adaptation Programme and started Stage One of the programme, Community Adaptation and Planning, in the Hokianga area.

### ***Connecting people, business and places***

Council has successfully implemented the “Nothing But Net” programme to break down barriers to accessing the internet for Far North communities.

The District Wide Spatial Strategy is a planning document that will look at 30 to 50 years into the future. It is focused on how the Far North should grow and function. It looks at how settlements, or selected locations, work together and how we connect with the wider region.

A high performing transport system is important for social connections and lifting productivity. It was identified as one of the actions in FN2100. Council has developed a Programme Business Case in conjunction with key stakeholders to support an Integrated Transport Strategy.

### ***Scheduled Review***

A review of FN2100 is scheduled for 2025. The review will be undertaken by Council staff, with targeted engagement with the community. This would allow staff to make informed recommendations to Council about the prerequisites for success for a refreshed FN2100. Subject to the outcome of this review, any amendments to FN2100 would be redeveloped through a codesign process with the community.

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

There are no budgetary implications from this report.

## **ĀPITIHINGA / ATTACHMENTS**

1. **Far North 2100 Progress Report for Council - A5060374** [↓](#) 



[www.fndc.govt.nz](http://www.fndc.govt.nz)  
Memorial Ave, Kaikohe 0440  
Private Bag 752, Kaikohe 0440

[askus@fndc.govt.nz](mailto:askus@fndc.govt.nz)  
Phone 0800 920 029

## Research Report

### Far North 2100 – Progress Report

#### 1 Purpose

To provide a progress report to Council on the implementation of Far North 2100 (FN2100).

#### 2 Context

Far North 2100 was adopted by Council in 2021. It is an economic, social and environmental strategy for the Far North. It is scheduled to be reviewed during 2025.

This report reviews key economic, social and environmental indicators for the region in the period prior to the adoption of FN2100. It also highlights the Council's achievements in implementing FN2100.

#### 3 Discussion

FN2100 was adopted by Council and published in 2021. It is a strategy to realise the vision of "He Whenua Rangatira – a district of sustainable prosperity."<sup>1</sup> FN2100 is far reaching and ambitious. It sets important directions of Council's work. It also sets out aspirations for the economic and social development of the region:

- For Council, it guides the direction of land-use, infrastructure and planning, by supporting the District Plan, the Long-Term Plan, and infrastructure plans.
- For the *District*, it provides guidance for "investment decisions, community development and our cultural identity."<sup>2</sup>

A focus for the strategy was the reinstatement by the Government of the four aspects of community wellbeing in the Local Government Act.<sup>3</sup>

---

<sup>1</sup> Far North 2100.

<sup>2</sup> *ibid*

<sup>3</sup> The Government has announced that Council responsibility for advancing these wellbeings will be removed from the Local Government Act.

FN2100 incorporates three strategic objectives:

- *Communities of Care* – social and cultural prosperity
- *Growth* – promoting economic prosperity
- *Stewardship* – Promoting environmental prosperity.

The implementation of FN2100 was to be undertaken through initiatives grouped under five “drivers of change”:

- putting the wellbeing of the communities and people first
- promoting resilient economic growth for sustainable prosperity
- active response to climate change
- connecting people, businesses, and places
- protecting the natural environment for future generations.

Each of the ‘drivers of change’ has an action plan with:

- actions on implementation of the strategy in 2021
- actions for the period 2021 – 2024
- actions for 2024 onwards.

FN2100 seeks to promote the Far North around its comparative advantages. It also seeks to diversify the economy so that the region is more resilient to economic shocks. The actions in FN2100 are both:

- **specific to the council** – e.g. achieving excellence in spatial planning, actioning climate change mitigation and adaptation, and the incorporation of te ao Māori into Council decision making
- **advocacy for the region and persuading others to act in the interests of the region** – e.g. assisting businesses to access entrepreneurship support from central government or acting as an advocate for education in the region.

FN2100 was developed because there are material gaps between the current and desired states of economic, social and environmental wellbeings in the Far North. In adopting FN2100, Council adopted a central role in closing those gaps. The social and economic conditions in the Far North cannot be materially improved without a strategy. The region will not prosper unless the Council takes effective actions to promote growth, social cohesion, and environmental sustainability. One of these actions is ensuring that Council staff are equipped to provide Te Ao Māori governance and that Māori communities are strong, and resilient and that they can pursue opportunities to achieve prosperity.

#### 4 Economic and Social Indicators<sup>4</sup>

The starting premise for FN2100 was that the region could do better to achieve wellbeing for the people who live here. Table 1 shows key social, environmental, and economic indicators for the Far North. These indicators provide essential information about the region in the period shortly prior to FN2100 being developed.<sup>5</sup>

Table One - Indicators

Indicator	Far North District	New Zealand
<b>Economic Growth 10 years to 2018</b>	1.5%	2.2%

A persistent gap between GDP growth in the Far North and the rest of New Zealand places pressure on living standards and the resources available to support the community.

##### Economic diversity

*Agriculture, forestry and fishing* is the most important sector in the Far North, accounting for 13.4% of GDP, compared to 5.1% nationally. However, *services sectors*, such as *retail and health services* are increasingly important in the region.

<b>Productivity<sup>6</sup></b>	\$110,808	\$133,370
---------------------------------	-----------	-----------

Productivity in the Far North was 16.9% lower than the New Zealand average in the Far North. That gap was consistent over the preceding 10 years.

<b>Unemployment</b>	8.3%	4.6%
---------------------	------	------

Unemployment has been consistently higher in the Far North compared to the rest of New Zealand for the last two decades.

<b>Taitamariki not in education or employment</b>	13.3% <sup>7</sup>	11.8%
---	--------------------	-------

The numbers of young people aged 2018 – 2025 who are not in employment, education and training has consistently been higher than average in the Far North.

<b>Greenhouse gas emissions<sup>8</sup></b>	1,327	83,054
---	-------	--------

Greenhouse emission in the Far North comprise 1.6% of New Zealand emissions. In the ten years to 2018, Far North emissions decreased by an average of 1.0% annually, compared to an average annual decrease of 0.1% in New Zealand.

<sup>4</sup> All sources are from *Infometrics – Regional Economic Profile*.

<sup>5</sup> 2018 is presented as a base year because it avoids the effects of the pandemic in 2020 and 2021. It coincides with the initial consideration of adopting a strategy such as FN2100.

<sup>6</sup> GDP per job – this shows how efficient the region is compared to the rest of New Zealand.

<sup>7</sup> The 2018 level was unusually low. In 2017 it was 10.4% and in 2019 it was 17.5%.

<sup>8</sup> Kilotonnes CO<sub>2</sub>e.

**Chart 1 – Wellbeing Indicators – Far North District and New Zealand 2018<sup>9</sup>**



These wellbeing indicators tell us a story about the Far North in the period prior to the adoption of FN2100.

*Wellbeing in the Far North in 2018 compared to the rest of Aotearoa New Zealand*

- **Housing** was slightly lower – rental affordability and overcrowding are the key concerns.
- **Health** was slightly lower – life expectancy, mental health, and the suicide rate are the key concerns.
- **Environment** was slightly higher – waste management is excellent compared to other regions.
- **Civic engagement and governance** were about the same.
- **Social connections** are much lower – the truancy rate was a problem and internet access was lower than for the rest of the nation.
- **Knowledge and Skills** were much lower – ECE participation, workforce qualifications, school leavers with NCEA Level 2, and transitions of young people from school to tertiary education were all low relative to New Zealand generally.
- **Safety** was much lower – road fatalities, workplace injury, and crime rates were higher than for New Zealand generally.

<sup>9</sup> Source: Infometrics, Regional Economic Profile, Far North District, 2018.

- **Jobs and earnings** were lower – the unemployment rate was higher than the New Zealand average, and the numbers of young people not in employment, education, or training were higher than the New Zealand average.
- **Income and consumption** were much lower – measured by beneficiary numbers, earnings, and household incomes.

## 5 Progress by the Council in Implementing FN2100 - Highlights

This section sets out the highlights of the Council's progress in actioning the drivers of change in FN2100.

### *Putting the wellbeing of the communities and people first*

- Council staff have developed draft social, economic, environmental and cultural wellbeing indicators<sup>10</sup>. However, these have not yet been systematically included in decision making.
- Council collaborates with other agencies to promote wellbeing. For example, Health New Zealand Te Whatu Ora was involved in the development of the Far North District Alcohol Control Bylaw.
- *Te Pae o Uta* is a highlight for the Council. It is a wide-ranging strategy to create enablers across staff to respond more effectively to Māori and to empower communities, working collaboratively.

### *Promoting resilient economic growth*

- Taitokerau Northland Economic Wellbeing Pathway is a comprehensive evidence and strength-based strategy that encompasses the collective aspirations of the Far North. It has been co-created by representation from business and industry, Iwi/Māori, local and central government, community, Northland Inc, and guided by Te Rerenga Steering Group. Te Rerenga seeks to cultivate a prosperous, sustainable, and innovative economy for all to partake in its benefits.
- Council endorsed Te Rerenga - Taitokerau Northland Economic Wellbeing Pathway at its 12 October Council meeting.
- Council has actively participated in the Joint Regional Economic Development Committee. The Committee has a focus on raising economic growth in the region. Consistent with FN2100, the Committee focuses on sustained economic growth as a means of generating the resources needed to address the pressing problems affecting the region, such as relatively poor housing, health and education.

### *Active response to climate change*

- Council has adopted a Climate Action Policy that sets adaptation, emissions reduction and climate-related risk management objectives.
- Sustainability guidance is integrated into the procurement policy.
- Council has published 2022-2023 footprint reports for Te Taitokerau Northland and Te Hiku o Te Ika Far North District.

---

<sup>10</sup> The Government has announced its intention to remove references to wellbeing from the Local Government Act 2002. This briefing does not analyse the implications of that announcement for FN2100.

- Council disclosed climate change impacts, risks, opportunities and key work in the 2024-2034 Long Term Plan.
- Te Tai Tokerau Climate Adaptation Strategy was adopted in 2022, and a regional work programme has been established.
- Council has developed a Community Adaptation Programme and started of the Programme, Community Adaptation and Planning the Hokianga area.

#### *Connecting people, business and places*

- Council has successfully implemented the “Nothing But Net” programme to break down barriers to accessing the internet for Far North communities.
- The District Wide Spatial Strategy is a planning document that will look at 30 to 50 years into the future. It is focused on how the Far North should grow and function. It looks at how settlements, or selected locations, work together and how we connect with the wider region. It enables the district to take a long-term spatial view of wellbeing, infrastructure objectives and growth. It will also help to facilitate investment from public and private sector partners and influence any future regional spatial plans.
- A high performing transport system is important for social connections and lifting productivity. This was identified as one of the actions in FN2100. Council has developed a Programme Business Case in conjunction with key stakeholders to support an Integrated Transport Strategy. This business case is a transport investment map that will address the key transport problems faced by the Far North. It will address the challenges of growth, changing land use and new technology.

#### *Protect the natural environment for future generations*

- The Proposed District Plan (PDP) has mechanisms to protect indigenous vegetation and fauna, indigenous biodiversity, and versatile soils. One of these mechanisms is a horticulture zone. This zone is intended to prevent fragmentation of productive land. There are also new rural production subdivision rules. These require the protection of biodiversity for those who wish to undertake lifestyle development. This new proposed framework will better protect our natural resources than the operative district plan, which is over 20 years old.

## 6 The Scheduled Review of FN2100

A review of FN2100 is scheduled for 2025. The review will be undertaken by Council staff, with targeted consultation with the community. This review will inform recommendations to Council about a refreshed FN2100. Subject to decisions by Council, FN2100 could be redeveloped through a codesign process with the community.

**7.3 CHIEF EXECUTIVES REPORT - PERIOD OCTOBER - DECEMBER 2024****File Number:** A5061108**Author:** Philippa Boye, Project & Facilities Coordinator**Authoriser:** Guy Holroyd, Chief Executive Officer**TAKE PŪRONGO / PURPOSE OF THE REPORT**

The purpose of this report is to provide Elected Members with an overview of key activities across the organisation for quarter two of the 2024/2025 financial year.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

The Chief Executive's report to Council presents an overview of activities that Council undertakes.

**TŪTOHUNGA / RECOMMENDATION**

**That Council receive the report Chief Executives Report - Period October - December 2024.**

**TĀHUHU KŌRERO / BACKGROUND**

The Chief Executive's report to Council is attached and covers a detailed overview of progress against Council's activities.

**MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**

This Report is for information only.

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

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

**ĀPITIHINGA / ATTACHMENTS**

1. CE Report to Council - 13 February 2025 (Oct-Dec) - A5070383 [↓](#) 



## CHIEF EXECUTIVE'S REPORT

Period: October– December 2024 (Q2)

Update on operational activities

### Chief Executive's Introduction

The purpose of this report is to provide Elected Members with a snapshot overview of key activities across the organisation for this quarter.

The Chief Executive's focus during this time has been on –

- Kaitaia Airport** - the long-term future of Kaitaia's airport was secured with the signing of a Crown transfer of land to iwi and hapū, confirmation of a lease of the airport and the release a multi-million-dollar funding package for vital maintenance and upgrades. Under the deal, the airport land will be returned to Ngāi Takoto, Te Paatu, Patukoraha and Ngāi Tohianga, FNDC will lease the airport from iwi and hapū for 35 years and the council's commercial arm, Far North Holdings Limited (FNHL), will operate and manage the facility. The council will pay the landowners \$80,000 excluding GST each year for the lease. The agreement will see the Office for Māori Crown Relations – Te Arawhiti release \$5.4 million in funding allocated last year for urgent maintenance required to keep the site operational. This will be topped up with another \$2.4 million from the council which was earmarked for capital works in its Long Term Plan 2024-27. The agreement between Crown, the council and mana whenua is an example of how critical partnerships are driving success for the whole district. Elected Members have been instrumental in helping to secure this deal.
- Public Service Association (PSA) Negotiations** – the PSA union represents a significant proportion of our workforce and following negotiations, agreement was reached on the new Collective Employment Agreement. The organisation's commitment to tikanga and te reo has been strengthened, allowance and salary grade rates updated and coverage of the agreement extended. Thank you to members of the bargaining team made up of PSA delegates/members and representatives from across the organisation.
- State of the Far North** - The State of the Far North event was a first of its kind for the Far North District Council, held at the Turner Centre in Kerikeri. Attended by over 200 stakeholders, it aimed to connect governance with the community, sharing updates on challenges, achievements, and the Council's vision. Mayor Moko Tepania delivered a compelling presentation themed Road to Recovery, addressing issues such as extreme weather events, infrastructure improvements, and long-term strategic projects. The event received positive feedback from attendees, national media coverage, and robust digital engagement. The Address set a precedent for Council transparency and community connection.
- Annual Plan & Annual Report** – a number of workshops for the Annual Plan 2025/26 have been held with a report due to Council in February noting the adopted LTP 2024/27 rate of 11.3%. The Annual Report was also adopted in October 2024.
- Procurement & Tender Panel** – Following a workshop with Elected Members, the Tender Panel was re-established. Having the tender panel will enhance oversight and transparency, establish a robust review and endorsement process, and provide an appropriate balance of adherence to principles of probity and compliance while not being unduly burdensome or restrictive. Te Miromiro Committee received its first Tenders Panel and Procurement Update report during this quarter.
- Memorandum of Understanding progress** – The signing of MOU with Ngāti Rehia Hapū occurred and a MOU Hui with Te Rōroa and Te Aupouri representatives also took place. Strengthening relationships across iwi and hapu continues to be a focus.

- **Civic Engagement and Education** – With local government elections this year, it is important Council encourages voter participation through engagement and education. With a dedicated resource to progress this work, a work programme is being developed and a 'Local Legends' video series in development to engage digitally with our District's constituents.
- **All staff engagement** – To acknowledge the mahi of staff this year, an all-staff meeting in November (both online and in person) was followed by a BBQ. This was an opportunity to share the internal organisational strategy, designed to focus and align work, and encourage in-person collaboration. There was a fantastic buzz in the office and connections made across different people and teams. The Christmas BBQ for staff also built on this positive vibe and goes a long way to building the culture of the organisation.
- **Proposed District Plan (PDP) Hearings and Te Pātukurea Kerikeri Waipapa Spatial Plan** – Four PDP hearings were held this quarter, with more scheduled and now aligned to Te Pātukurea Kerikeri Waipapa Spatial Plan. Engagement on this Spatial Plan commenced, with six growth options presented and Elected Members signalling a preferred hybrid approach via a workshop.
- **Water Restrictions** – The Water Shortage Management Committee was stood up to assess water flows on a weekly basis. New public signage was put in place explaining the water restriction levels and promoting water conservation and to Tiaki ngā wai, care for our waters. Water restriction levels continue to be assessed weekly with updates provided to Elected Members via Friday Notices.
- **Regional Deals** – Northland Inc have taken the mandate to coordinate and produce submissions/applications for the regional deal template. They are supported by a working group made up of senior staff from the four councils. As a precursor to this effort FNDC provided resource and authored a regional deals framework proposal for discussion. Unfortunately, this has gone largely ignored despite having received favourable comments from DIA.
- **FNHL** – Maintaining focus on completing the transformation of how we communicate expectations and manage our relationship with FNHL Directors. Continue to build out the pipeline of potential deals in order to strengthen FNHL's mandate and to ensure future profitability with resulting dividends to FNDC.
- **Focus on bringing staff back to the office** – a number of discussions have occurred with SLT and People Leaders to reinforce the need to have more staff in the office more often. The CE will be meeting with each GM and some of their People Leaders prior to the next People Leader offsite day on 24<sup>th</sup> February.

---

## Delivery & Operations

---

### Building Services

#### Building Consent Authority (BCA)

Building Consent and Code Compliance Certificate compliance for the year are 100% respectively, with average working and calendar days for building consents 9 and 24 days, while code compliance certificates and 6 and 24 days. December had 65 building consents granted, and 84 code compliance certificates issued while November had 106 building consents granted, and 90 code compliance certificates issued.

With the construction industry in decline presently the BCA has time to refine procedures and look for efficiencies that can save time and resource during busy times.

We are currently looking at Artisan as a remote inspection tool, the inaugural edition of the Building Services Newsletter has been sent to local practitioners, and we are looking forward to welcoming a new inspector and processor to our team in the new year.

### Compliance

#### Monitoring and Compliance

Monitoring received 131 Requests for Service (RFS) in November and 128 in December 2024.

A total of 57 noise complaints were received and responded to in November, and 38 in December 2024. In November response times of 56.6% were achieved for urban areas and 100% for rural. In December response times of 96.4% were achieved for urban areas and 100% in rural areas.

There were 59 parking tickets issued in November and 30 in December 2024.

#### Animal Management

877 RFS's were received for Animal Management in the November/December 2024 period, 119 urgent and 758 non-urgent. Officers responded to urgent RFS (within 1.5 hours) and non-urgent RFS (within 3 working days).

89 dogs were impounded during November and December 2024. 38 were released from the shelter. In terms of the dogs released, 28 were claimed by their owners, 8 taken by a Rescue Group and 2 were adopted out to a new home. A total of 50 dogs were euthanised due to not being claimed by an owner and not meeting the criteria to be rehomed.

There were 124 infringements issued in November by the Animal Management team:

- 106 x failure to register dog - s42
- 9 x not under control – s53(1)
- 4 x Failure to control and confine – s52A
- 2 x Breaching Dog Control Notices – s20
- 3 x breaching Menacing Classification – s33EC(1)

#### Environmental Health

A total of 45 Food Verification audits were completed in September and October 2024.

During September and October 2024, 31 good host visits were completed by the Environmental Health Services team. The level of service target is that 25% of licensed premises are visited once every four years.

A total of 199 Requests for Service (RFS) were received in September and October 2024.

---

## Resource Consents

### Application Trends

In November we received 89 applications, down from the month before (October 2024), and with December showing a slight decrease receiving 80 resource consent applications.

The decrease in the use of consultants for processing resource consents has been continuing to an almost all time low. Now only those applications where an independent consultant is desirable to mitigate any perceived conflicts of interest are allocated to consultants. Only 2% of current applications are being processed by consultants.

Engineering is a slightly different story, due to limited internal capacity and vacant positions within the engineering team, but we have recently brought onboard Sujeet Tikaram as a Senior RC Engineer who has extensive council and engineering experience and knowledge.

### November Performance Metrics

In November the Resource Consents team issued 59 decisions under the Resource Management Act subject to statutory timeframes and reported to the Ministry for the Environment (MfE). 13 consents were outside statutory timeframes and 46 consents within statutory timeframes in November, resulting in 78% compliance rate.

The team processed a further 40 various applications that are not recorded by MfE.

### December Performance Metrics

In December, the Resource Consents team issued 43 decisions under the Resource Management Act subject to statutory timeframes and reported to the Ministry for the Environment (MfE). Three consents were outside statutory timeframes and 40 consents within statutory timeframes in December, resulting in 93% compliance rate.

The team processed a further 50 various applications that are not recorded by MfE.

### Improved Efficiency and Future Focus

The substantial improvement in our compliance rate is ongoing and is directly attributed to our now almost fully staffed resource consent planning team and consistently working through the legacy consents.

## Property and Facilities Management

Property Management's focus in November and December has been on ensuring all events are permitted for the busy upcoming Christmas and Summer season.

Staff have progressed interim plot reservation guidelines for Council owned cemeteries to ensure plot availability. These will be reviewed in 2025 alongside Councils Cemetery Policy.  
Staff presented various reports to Council, including OCS and Hapori contract variations and renewals.

Healthy Homes inspections for all tenanted Housing for the Elderly units have been completed and works will begin to bring these required units up to standard in the new year.

### Technical Operations

Technical Operation's focus for November and December has been the ongoing mobilisation of our Community Facilities contract with Citycare Property Ltd, monitoring levels of service and fast grass growth and management of historical works.

Increased rainfall and warmer temperatures have meant grass growth across the district has been challenging to keep on top of. FNDC staff are receiving many requests for service and are attending to them accordingly.

An influx of tourists has put pressure on the district's assets. To support this, Citycare have increased their servicing from mid-December to adapt to peak season. We also see an increase in vandalism during this time – we kindly ask that the community remain vigilant and report any indecent behaviour.

Healthy Families Far North and Ngā Tohu have created educational fruit-shaped signs. The signs, temporarily installed in Kerikeri Domain, include a QR code which links to a quiz about fruit trees. A group of rangatahi in Kerikeri pulled together to develop the signs after working to understand the depth and breadth of being a kaitiaki for the community: “to be a good kaitiaki, you first have to have the knowledge and understanding of what you're being a kaitiaki for”. The signs are in place until February 3rd.

---

## Planning & Policy

---

### Economic Development

#### Regional Deal for Northland

Regional Deals is the Government's initiative for establishing long-term agreements between central and local government. In August 2024, the Government released the Regional Deals Strategic Framework which sets out the Government's expectations for Regional Deals and criteria for selecting regions for a deal with the following primary and secondary objectives.

##### Primary objectives

- Building economic growth
- Delivering connected and resilient infrastructure
- Improving the supply of affordable and quality housing

##### Secondary objectives

- Improved local government decision-making and funding
- Greater regional and private sector collaboration
- Promoting innovative and collaborative ways of working between central and local government
- Ensuring resilient and sustainable cities and regions

Regional Deals will be based on a 30-year vision, with negotiated 10-year strategic plans to deliver shared objectives and outcomes between central and local government.

Taking onboard the objectives in the Strategic Framework, FNDC developed a model based on setting long term economic growth targets (GDP per capita, productivity, increase in jobs, increase in high paying jobs) and then taking a bottom up current state analysis across the spatial extents of the region, identifying the strategic advantages of various localities and the latent potential. The need to uplift the current economic indicators for those areas that are well below national averages let alone any potential overall targets for the Northland Regional was identified as a result. The intent of this exercise was to produce a range of initiatives that could directly demonstrate local and regional economic growth in hard numbers (GDP per capita, productivity) that could be put forward to the government as a part of a proposal for a regional deal for Northland.

During the month of October, the FNDC model was shared with the other four councils and Northland Inc alongside the Far North District Council elected members. It was also shared with the Northland Corporate Group and the Department of Internal affairs who was complementary and supportive of FNDC's model. Minimal feedback was received for the other Northland Councils and Northland Inc.

On 21 November 2024, The Minister of Local Government sent a letter to the mayors / chairs of all local authorities inviting them to submit a regional deal proposal. The Northland Mayoral Forum (NMF) discussed the Minister's letter at its meeting on Monday 25 November 2024 and agreed that the following steps be taken:

- Proposal Submission: A regional deal proposal be submitted.
- Regional Collaboration: All four Northland councils (Far North District Council (FNDC), Northland Regional Council (NRC), Whangārei District Council (WDC) and Kaipara District Council (KDC)) will participate collectively as a single "region."
- Coordination Role: Northland Inc, as the council-controlled organisation jointly owned by all four councils, will coordinate the development of the proposal with support from key staff within each council.
- Governance Mechanism: The Joint Regional Economic Development Committee (Joint Committee), made up of two members from each of the four councils, will act as the governance entity for developing the proposal, engaging with central government, and Regional Deals decision-making.

Alongside the other Councils, FNDC approved the above arrangements at its 12 December 2024 Council meeting. All Councils also approved that the Chair of the Joint Regional Economic Development Committee, Councilor Vujcich, be the spokesperson of the Regional Deal programme on behalf of the region. All Councils approved at the end of December 2024 the registration to intend to submit a light touch proposal to government for Northland Regional Deal.

The following four themes are now the focus of the light touch proposal being prepared as part of a collaborative effort across all the Council and lead by Northland Inc.

1. Marsden Point Future Fuels Cluster – bio refinery, sustainable aviation fuels, hydrogen, methanol
2. Marine Manufacturing Cluster (Dry Dock, Inshore Fishing, Navy – maintenance & training)
3. Primary and Associated Manufacturing Sector Development – value added processing, Ngawha Innovation Park; land utilisation; mussel & oyster spat, new horticulture products
4. Destination Management– quality accommodation development, road and air connectivity

The light touch proposal is due to be submitted to the government by 28 February 2025 following a series of workshops and meetings with the Joint Committee.

## Climate Action & Resilience

### Community Adaptation Programme

Under the Community Adaptation Programme, The Climate Action and Resilience Department continues to prepare Stage One Community Adaptation Planning Project in Hokianga and surrounds.

Since September, this department has:

- Worked closely with the kaimanaaki hapori / community advisors to lead early engagement and support relationship - building.
- Reviewed of natural hazards information and drafted natural hazards stocktake report for the Stage One draft project area.
- Continued the development of Risk Explorer, risk assessment spatial mapping
- Finished the content for the Community Toolkits, adaptation, and resilience resources, and started the final design process.
- Scoped and drafted Kaupapa Māori resources, tools, and templates.
- Helped facilitate the Joint Climate Change Adaptation Committee meeting in November, supporting regional governance for climate adaptation.
- Continued to draft the Community Adaptation Programme Plan, for direction by Te Kuaka in early 2025.

### Climate Action Policy

The Climate Action Reference Group is starting work on the Climate Action Policy Implementation Plan. The Group is planning engagement and communication for the Implementation Plan's development and delivery. Stakeholder mapping is complete. The Group will start objectives and goals setting in March.

The Climate Action Reference Group is made up of delegates from all areas of Council to ensure input on climate-related initiatives across the organisation.

### Emissions Inventory and Reporting

Council's 2023 and 2024 emissions footprint reports are almost ready! Toitū Envirocare is in the final steps of the data inventory and reporting audit and sign-off. Our department will present the reports to the Climate Action Reference Group, Te Kuaka and Council early 2025. This work is part of Council's commitments to reduce emissions in line the Government's national emission reduction targets or better and to support business, communities, and council towards a Carbon Zero 2050.

### Future of Severely Affected Land (FOSAL)

The FOSAL programme is now formally closed. Following a first pass risk assessment, secondary assessments confirmed that no freehold sites or Whenua Māori sites met the FOSAL criteria for eligibility set by the Crown Recovery Unit. Council resolved on 12th December 2024 for no further action to be taken.

## Integrated Planning

### Proposed District Plan (PDP)

- Hearings 6, 7, 8 & 9 were completed in this quarter. Hearing 10 is scheduled to start on 24 March 2024. This timeframe is required to avoid continuing processes through the summer closedown for submitters and their representatives.
- The total number of hearing days through this quarter were reduced by 5 days with staff finding efficiencies in the hearing process. This created time and cost savings for the Council and submitters.
- Council Reporting Officers have received significant support from submitters for many of their recommendations (Section 42a Hearing Reports). We have also been receiving positive feedback from submitters and the Hearing Panel about the overall hearing process, and in particular the clear communication and helpfulness of our Hearings administrator.
- Staff have developed a process to assist submitters seeking a change of zone. The purpose of the process is to ensure that submitters seeking a change of zone understand the level of information required to enable consideration of their request. The process is 'opt in,' and requests evidence to be provided 'in advance' of the normal timeframe to give Council Reporting Officers sufficient time to consider the significant amount of information required. The Hearings Panel have agreed to process, as per their Final Minute 14.
- Variation 1 – Minor Corrections and Other Matters was publicly notified on 14 October 2024. The Variation received 18 submissions. A number appear 'out of scope' and not on the matters contained in Variation 1. The summary of decisions requested was notified on 26 November 2024. No further submissions were received. Submissions on Variation 1 will be incorporated to the existing hearings schedule.
- A request was received to defer the Carrington Estate Zone chapter to align with Environment Court proceedings on their historical resource consents. This was programmed to be heard as part of Hearing 10 in late April 2025. This request has been accepted by the Hearings Panel and the submissions on this zone will now be heard alongside the Kauri Cliffs Zone in Hearing 15A in August of 2025.
- Minor amendments to the Hearing schedule have been made that further align with the Te Paukurea – Kerikeri- Waipapa Spatial Plan process. This does not affect Council meeting its extension of time set down by the Ministry of Environment (May 2026), for Council decisions.

### Reserve Management Plans

- Simpson Park, Moerewa: A second round of consultation on the potential need for a fourth playing field occurred in December 2024, the draft reserve management plan is currently being prepared for formal consultation in mid-2025.
- Rangitoto Pa, Hihi: Staff have established a partnership model with mana whenua and are now collaboratively progressing the Rangitoto Pa RMP with public engagement for feedback to go into the draft spatial plan scheduled for March 2025.
- Kaikohe Memorial Park, Kaikohe: Work at this stage on the Rawene domain RMP cannot progress while hapū engagement regarding existing activities at the site is underway. Due to this, approval was sought from the Kaikohe Hokianga Community Board to undertake a RMP on the Kaikohe Memorial Hall reserve to progress an RMP in the Kaikohe Hokianga Ward.
- Work is progressing on a Council Reserves Network project, which is required to rationalise land across the district that has historically not been correctly recorded with Far North District Council or predecessor as owner at the time of subdivision. Staff are working with LINZ on data requirements to enable the titles to be issued.

### Te Pātukurea Kerikeri Waipapa Spatial Plan

- Staff have been working with the Hapū Rōpū and elected members to agree a preferred growth scenario from the 6 options put forward in late 2024, with a hybrid of scenarios D (Kerikeri South) and E (Waipapa Focus) being agreed to at the 10 December 2024 workshop with elected members.
- A workshop is scheduled with elected members on 28 January 2025 to seek feedback on the proposed allocation of growth into the agreed hybrid scenario, with a further workshop on 26 February seeking feedback from elected members on the draft spatial plan prior to taking the draft plan out for public consultation in March/April 2025, Members of the Hapū Rōpū are invited to, and generally attend the elected member workshops for this project.

#### **District Wide Spatial Strategy**

- Staff from Planning and Policy workshopped a District Wide Kaupapa Framework for Tangata Whenua partnership and governance with Te Kuaka in October. Te Kuaka approved a structure and terms of reference for the Kaupapa Steering Rōpū overseeing the Strategy in December. Work is underway to establish the Rōpū to progress this strategy.

#### **Placemaking**

- Taipa: Is currently being concluded, with a revised report that addresses boat-trailer parking and cost estimates for placemaking outcomes going to the Te Hiku Community Board in the first quarter of 2025. It was formally adopted by the Te Hiku Community Board in October subject to this additional work being undertaken.
- Russell: In December 2024, a six-month trial was commenced, which converts the southern extent of The Strand (Cass to Pitt St) to limited vehicle access and converts the northern extent of The Strand (Cass Street to Kent Street) to a shared space. The trial has been positively received, many locals and visitors love the new pedestrian-centric focus of The Strand whereas a few members of the local community have indicated a strong preference to return it to how it was. Formal consultation on the temporary changes will be carried out in April 2025, to determine whether there is sufficient support to make permanent traffic changes to The Strand.
- Kaikohe: The project team in collaboration with the project steering group are working towards public engagement to identify priority placemaking outcomes for Broadway.

#### **Strategy & Policy**

- The Solid Waste Strategy Working Group has completed their initial workshops and a draft Solid Waste Strategy and Waste Management and Minimisation Plan (WMMP) is being developed. The draft will be workshopped with elected members in March. An updated Waste Assessment is underway to inform the WMMP.
- Housing Strategy – Interim Action Plan is progressing. Research into temporary accommodation and the gap analysis is now completed. This research will be workshopped with elected members in March. Stakeholder engagement is underway.
- Staff from Planning and Policy workshopped a District Wide Kaupapa Framework for Tangata Whenua partnership and governance with Te Kuaka in October. Te Kuaka approved a structure and terms of reference for the Kaupapa Steering Rōpū overseeing the Open Spaces Strategy in December. Work is underway to establish the Rōpū and therefore progress the Open Spaces Strategy.
- Council's Development Contributions policy has been reviewed, and Council approved the development of a new development contributions policy in December. Staff are moving forward with gathering the evidence required to inform a policy. A workshop with elected members is planned for March 2025.
- In October, a workshop was held with elected members on the Local Alcohol Policy. At the meeting on 12 December 2024, Council approved the development of a Local Alcohol Policy. Developing this policy will require extensive community engagement, and engagement planning is underway.
- The Class 4 Gaming and TAB venue policy is due for statutory review. Research required for the review has been completed and an options report will be presented to Council at the February council meeting.

- 
- The draft Keeping of Animals Bylaw was approved for consultation by Council on 12 September 2024. Consultation will open on 23 September 2024. Councillors requested that the consultation period be extended, therefore the consultation period will now be open for 8 weeks. It is expected that the draft bylaw will be of high interest to the public.
  - A workshop re the Land Drainage Bylaw was held with the Te Hiku community Board and Land Drainage Committees in October. Amendments to the Bylaw are being drafted and will be presented to Council in the second quarter of 2025.
  - Current consultation update on policies and bylaws:
    - Dangerous and Insanitary Buildings Policy consultation is complete. An analysis of submissions report will be presented to Council in February for policy adoption.
    - Keeping of Animals Bylaw written consultation has closed. However verbal submissions have been postponed until March. An analysis of submissions report will be presented to Council following the verbal submissions.
    - Control of Earthworks Bylaw consultation will open on 10 February till 13 March 2025. An analysis of submissions report will be presented to Council following the verbal submissions.

## Strategic Relationships

### Group Manager Introduction

The purpose of this report is to provide Elected Members with a snapshot overview of key activities across the Strategic Relationships group for this quarter.

### Te Hono

The role of Te Hono is to provide advice to Council on our Te Tiriti o Waitangi obligations, implement Te Pae o Uta – Te Ao Māori framework, and enhance the understanding of mana whenua partners and their priorities. This will foster stronger partnerships, help Council to gain a deeper understanding of our objectives to improve outcomes for mana whenua partners and Māori. Te Hono work across the organisation to develop the guidance and training needed to enable council to succeed in this area.

#### Achievements:

- 91 check-ins with People Leaders to progress goals against Te Pae o Uta completed
- Te Tiriti o Waitangi Risks discussion with Te Miromiro Audit, Risk & Finance Committee
- Signing of MOU with Ngāti Rehia Hapū
- MOU Hui with Te Rōroa and Te Aupouri representatives
- Support Elected Members at events notably:
  - Te Kuini Nga Wai Hono i te Po welcome at Potahi Marae, Te Kao
  - Waharoa Unveiling at Waimanoni Marae
  - Inspiring Rangatahi event co-hosted with Tertiary Commission and Ngāpuhi Iwi Social Services
  - Pōwhiri for Chinese delegation
  - Kororipo Pā signing with Ngāti Rēhia
  - Signing of the Kaitaia Airport lease and Funding agreement with Te Arawhiti

#### Kaupapa nui te taha ō ngā hapū:

- Support with running an RMA 101 course that involved Hapū and Iwi from across the Northland Region. This was a cross-council collaboration with all 4 councils nominating hapū and iwi to attend. This was followed by 15 hapū and iwi members, Council staff and Elected Members undertaking the Making Good Decisions RMA Course. Council funds both courses lifting the capability of both Hapū and Iwi.
- Ahipara Bridge – hapū engagement
- Safety Cameras collaboration alongside NZTA
- Whatuwhiwhi WWTP hapū engagement
- Moringahe – takiwa/ hapū engagement
- Kaitāia Stormwater – hapū engagement
- Ōruru Valley Project – Working group involvement and hapū engagement
- Whatuwhiwhi/Awanui ward name change – engaging with Hapū
- Te Oneroa a Tohe Board – Māori advisory support
- Hihi Bridge – Hapū engagement
- North Hokianga Roading Working Group – Hapū engagement
- Ngāti Rua introductory hui – MOUs, IHMPs and Mana Whakahono a Rohe korero
- The first cohort of staff on Te Pae o Waho was completed seeing 66 staff complete Levels 1, 2 or 3
- Support Tikanga and Cultural Services at:
  - Quarterly celebration, New Starters Powhiri
  - State of the Far North – collaborating with Ngāti Rehia Hapū
- Support staff internally through:
  - Whenua Māori Working Group on roadshows at Waipuna Marae and Otiria Marae
  - Contributing to Waitangi Day 2025 preparations as part of a working group
  - Climate Change Adaptation working group
  - Te Pātukurea working group
  - Quarterly New Starters Induction

### Democracy Services

Democracy Services are responsible for the statutory requirements associated with the official meetings of Council and operate within two core pieces of legislation: the Local Government Act (LGA) and the Local Government Official Information and Meetings Act (LGOIMA).

**Achievements:**

- Facilitated 23 formal meetings, including two extraordinary formal meetings
- Assisted in facilitating 10 workshops with elected members
- 9 Portfolio meetings with appointed elected members were held virtually
- The Formal Meeting Calendar for 2025 was adopted at the December Council meeting
- Mayor and Councillors reports went live on the Far North District Council website from October 2024  
<https://www.fndc.govt.nz/Council/governance/Elected-member-reports>
- Elected Member profiles updated to show their external appointments on the FNDC website  
<https://www.fndc.govt.nz/Council/governance/Elected-member-reports>
- Successfully held the last Council meeting for 2024 at Te Ahu in Kaitiāia.

**Strategic Relationships****Kai Ora Fund**

The Kai Ora Fund Working Group continues to meet regularly has completed the 2025 priorities and timeframes. Including funding and workshop opportunities.

**Northland Chamber of Commerce**

Council is a Partner Sponsor of the Northland Business Excellence Awards. This year Lisa Nelson (previously a Council cadet and now employed full time) was nominated for the He Poutama Taitamariki (Youth Employee/Employer of the Year) award and attended the Business Awards event.

New Chief Executive Leah McKerrow commenced in October.

**Creative Northland**

Attended Creative After 5 event and continue to work with Creative Northland on activities that support the recently adopted Arts, Culture and Heritage Strategy and projects that support local communities.

**Business Associations**

Continue to support business associations and attend meetings and forums where possible.

**Waitangi Week Celebrations**

FNDC has taken a proactive approach to the Waitangi week celebrations and formed an internal working group to work with the Waitangi National Trust and Waitangi Commemorations Committee on the Waitangi 2025 Event.

This was to ensure based on the issues and concerns due to inflated numbers attending the 2024 event, that collectively we can improve management of the 2025 Waitangi Day event. The group aim to develop a strong relationship for future Waitangi events and what is an event of national significance for the Far North.

The internal group was formed early and attended monthly combined hui with the Waitangi National Trust and members of the Waitangi Commemoration Committee from July 2024 onwards. The team focussed on support in the following areas:

- Te Hono – Funding, Relationships
- Rooding - Traffic Management Plan
- Technical Operations – Rubbish & Toilets (Waitangi/Paihia & Russell)
- Communications and Engagement – Communications Plan
- Strategic Relationships – Funding, Economic Development, Community Board
- Monitoring – Trespassing on Council Reserves

In the lead up to the event and during the event we have contributed to the following:

- 1) Traffic management means we have supported Kia Tupato with their traffic mgmt. plan. Staff will be onsite to support Kia Tupato (ie Cath Beaumont) should they require it. This will be done in conjunction with NZ Police.

- 2) Citycare have increased rubbish removal and toilet cleaning in Paihia and Russell and will be on the ground for quick response.
- 3) Council will also be supporting the Waitangi National Trust with Operations over the week.
- 4) Elected members have been/are being invited to various functions and events through the week.
- 5) Comms – Our comms team are working on providing Maps of areas where bus shuttles will be located, Parking and any Towage areas. Waitangi National Trust have already put this info out in list form.
- 6) Council are supporting with numerous hapu enquiries also just this week and last:
  - a) Availability of Council reserves for hapu utilisation in hosting.
  - b) Collaborating with NRC on Beach management and safety for the week.
  - c) Providing Council resources and support to Hapu stalls during the week.
- 7) Operations staff (Property & Facilities, Monitoring & Compliance) have staff assigned and ready to respond to any reactive requirements e.g. reserve, public toilet, etc. maintenance/enquiries, and FNDC bylaw non-compliance.

The feedback from the Waitangi National Trust has been awesome appreciating our pro-active approach and lifting our response times and willingness to support them to make this event and future events as successful as possible.

The Waitangi National Trust team and Waitangi Commemorations Committee at all hui have been amazing to work with and we have ensured a strong relationship across the organisation.

**Kaikohe-Hokianga Community Board**

Kaikohe Placemaking Project: This project is underway. The steering group developed a survey seeking feedback from the community on a variety of preferred options via their networks and opportunities such as the Kaikohe Christmas parade and A&P Show. Akau are now leading the project and will pick up future engagement and work with the steering group and FNDC to finalise.

Rawiri Taiwhanga Park, Kaikohe: A new commemoration plaque was installed to replace the previous one that contained errors. This was initiated and driven by our KHCB Chair and was a year-long collaborative effort between Council Teams, Hapu, elected members, and external contractors.

Original English text	Translation to Māori
Rawiri Taiwhanga successfully operated one of the first dairy farms in New Zealand in this vicinity from 1834 to 1844.	I eke panuku te whakahaere a Rāwiri Taiwhanga i tētahi o ngā pāmu kau tuatahi i Aotearoa, i tēnei takiwā, mai i te tau 1834 ki te 1844.
As a young man he was a respected warrior. He accompanied Hongi Hika on some of the punitive military expeditions of the Ngāpuhi tribe in the first quarter of the nineteenth century.	He toa maruwehi ia i tōna mātātāhitanga. I te ūpoko o te rautau ngahuru mā iwa i hāereere tahi ia me Hongi Hika i tētahi o ngā ngakinga a Ngāpuhi.
He received an education in agriculture and construction at the Kerikeri Mission and in Australia.	I whakaakona ki a ia ngā mahi ahuwheua me te whakatūtū whare, i te Mihana i Kerikeri, i Ahitereria anō hoki.
A man of remarkable intelligence and resourcefulness he moved to Kaikohe in 1834 and created a commercial dairy farm which at its peak had a herd of 40 cows.	He tangata koi te hinengaro, rauhangā hoki, i hūnuku ia ki Kaikohe i te tau 1834, ā, ka whakatūria he pāmu kau arumoni, i tōna tāpuhipuhitanga he 40 te nui o te māpu kau.
Rawiri Taiwhanga continued to farm sheep in the Kaikohe area until his death in the 1870's.	I mahi pāmu hipi tonu a Rāwiri Taiwhanga i te takiwā o Kaikohe tae noa ki tana matenga i ngā tau 1870.

Rawene Domain: The future use of the recreation reserve area along Clendon Esplanade is still progressing towards resolution with a workshop scheduled for the end of January to seek direction from the Council.

Rawene Glyphosate Reduction Trial: This request originally arising from the KHCB Hokianga no spray (sub) committee in 2021 was workshopped with community representatives in collaboration with the relevant Council Teams and KHCB members. We are looking forward to this work continuing with further support required from Council staff for an elected member directive.

Laurie Byers Memorial Plaque: Previous KHCB member and committed community leader Laurie Byers, known for his advocacy for Kaikohe will have a memorial plaque installed at memorial park learn to ride track in recognition of his contributions. Proposed by the Kaikohe Lions Club and approved by the KHCB, staff are liaising with the Lions Club to finalise the necessary documentation.

Kaikohe Christmas Event: Council staff partnered with Ngāpuhi Iwi Social Services, Te Hau Ora O Ngāpuhi and Te Whare Awhina O Ngāti Tautahi to organise the Kaikohe Christmas Parade and Festival, contributing to funding and running the main stage on the evening. Activities included the parade, main stage with entertainment and competitions, Santa's pataka, children's rides, food trucks and so much more. Kaikohe-Hokianga CB Chairperson Chicky Rudkin judged the floats that took part in the parade and was able to promote the upcoming Kaikohe Placemaking Project as part of the presentation.



**Bay of Islands-Whangaroa Community Board**

Community Board Volunteer Awards: Member Hindle nominated Daniel Sherbanowski for his volunteer efforts with weed busting in Russell. *Daniel attends all the community working bees and observes the area and when he sees something that needs doing, that he can do, he just gets on and does it. Daniel also helps to maintain a large section of the shared cycleway and full circle walkway on his own including removing gorse and clearing weeds back.*

Chairperson Ward nominated Anne Corbett for the 20 years of voluntary service for the Friends of Williams House, Paihia. Anne was presented with her certificate of recognition and a small gift at the Christmas event for

Friends of Williams House: In total, the Bay of Islands-Whangaroa Community Board have presented four volunteer community awards for Kerikeri, Russell and Paihia and will continue to allocate the remainder over the upcoming year.



**Christmas Parades:** The Community Board received an unprecedented number of applications for Christmas Parades/Festivals this year. The Strategic Plan includes that funding has been set aside for each community to apply to help with costs, up to \$5,000, for local community organisations with their Christmas Parades/Festivals. In previous years, applicants could apply for up to \$2,500 for traffic management costs and \$2,500 for other event costs. As many Christmas Parades/Festivals are moving from having a parade down the main street, to being undertaken on reserves, school grounds or even just a community Christmas dinner this has allowed the Community Board to ease on what can be applied for.

Funding awarded for Christmas Events/Festivals:

Our Kerikeri	\$5,000
Tracey Cadogan (Russell)	\$5,000
Kawakawa Business and Community Association	\$5,000
Paihia Christian Community Church (Carols in the Park)	\$2,000
Bay of Islands Budgeting and Community Services (Moerewa)	\$5,000
Te Runanga o Waingaroa	\$5,000

Photo credit to Kahika Tepania who attended all the Christmas Events. Left to right – Kaeo Christmas Parade, Russell Christmas Parade, Kawakawa Christmas in the Park, Kerikeri Christmas Festival on the Domain and tree, Paihia Christmas Parade.





The Community Board acknowledges the volunteers who help to organise and put on such events for everyone in the community to enjoy and take part in.

**Disability Action Group**

Accessibility Workshop: The Disability Action Group held their first Accessibility Workshop for Elected Members and staff in over four years. The all-day workshop was facilitated by Jonny Wilkinson and David Senior (Chairperson of the Disability Action Group) from Tiaho Trust. Topics included Accessibility and the Social Model, Personal Stories and Local Barriers, Universal Design Principles, Te Tai Tokerau Regional Accessibility Strategy – Implementation. Over the lunch break participants were also able to experience firsthand what it is like to have a disability with the use of moving around Council facilities in a wheelchair and other accessibility aids. This allowed them to have a greater understanding and empathy for those who need to access Council (and private) facilities and the challenges they face daily.

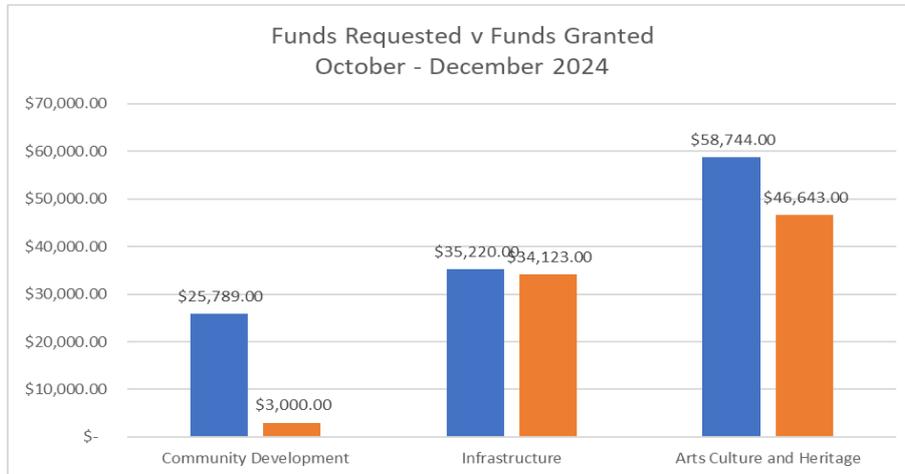
Educational Video: With help from the Communications and Engagement team, the first educational video was filmed. The video focuses on accessibility parking and consideration for those who need to use these parking spaces. The video includes David Senior and others and aims to educate the public on the importance of accessibility carparks. The video also asks that those who do not need to or do not have permits to park in accessible carparks be considerate of those who do. This is the first of several videos that the Disability Action Group would like to create as part of an educational piece for members of the public.

**Funding**

In the following graphs the amount requested is shown in blue and the amount granted is shown in orange.

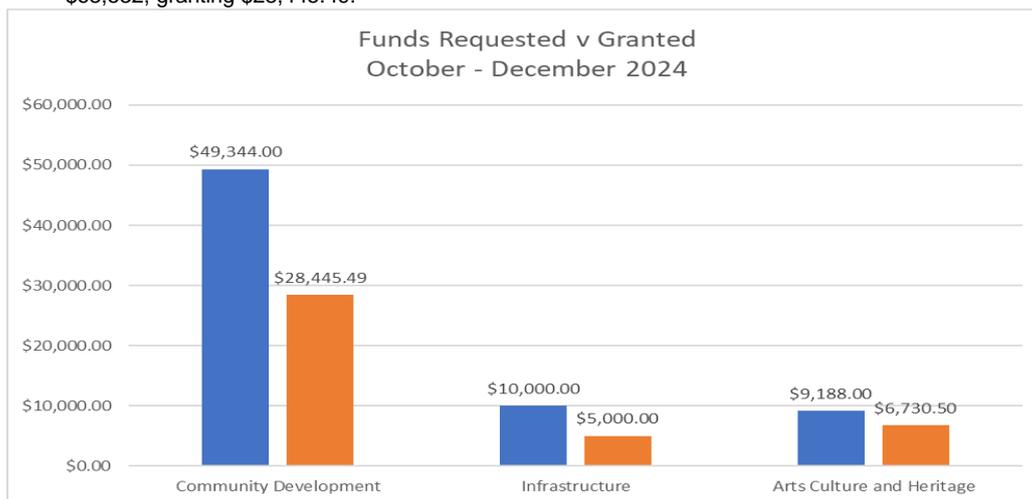
Bay of Islands-Whangaroa Community Board

- The Board started the 24/25 financial year with \$301,609 to allocate
- The Board received 17 applications between October and December for funding in the amount of \$119,753 and granted \$83,766
- Two applications were left to lie pending a request for further information and one application was denied



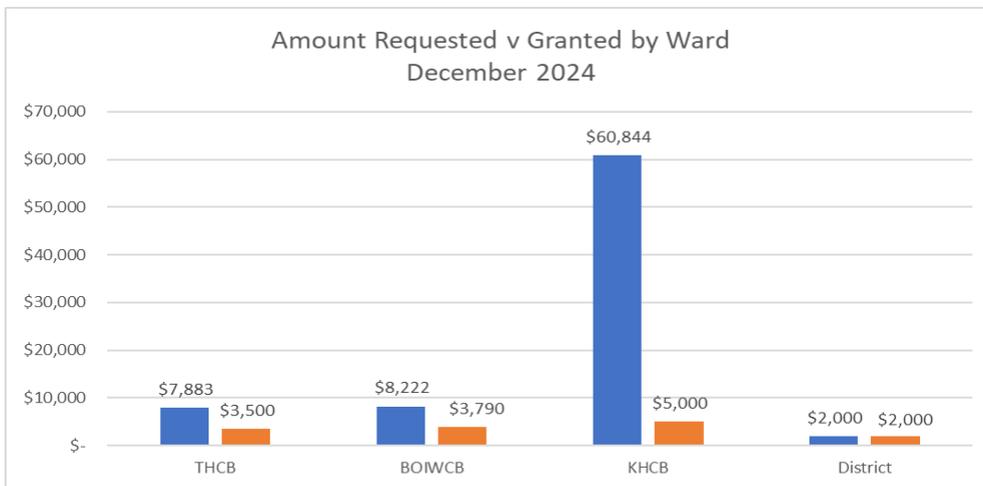
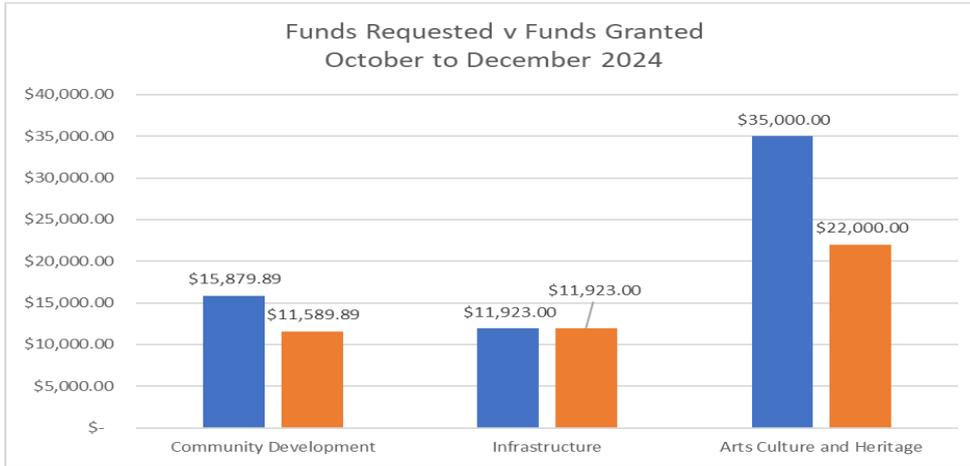
**Te Hiku Community Board**

- The Board started the 24/25 financial year with \$246,811 to allocate
- The Board considered 10 applications between October and December for funding in the amount of \$68,532, granting \$28,445.49.



**Kaikohe-Hokianga Community Board**

- The Board started the 24/25 financial year with \$206,927 to allocate
- The Board considered 9 applications between October to September for funding in the amount of \$62,802.86, granting \$45,512.89
- One application was left to lie.



**Creative Communities**

The Creative Communities Committee is formed mostly of members of the wider Far North District Community who volunteer to consider applications four times a year (March, June, September, and November/December). Two Councillors sit on the committee by appointment of Council (Councillor Foy and Councillor Rākena). Councillor Foy resigned from the Committee in this quarter.

The committee is actively seeking new members to join, particularly as there is no community representative from Te Hiku ward and there is no youth voice. While the role is unpaid, mileage is reimbursed for members attending the meetings (and the option to join by VC is also available).

The Committee considered 9 applications for funding at their December meeting, requesting \$78,949 and granted \$14,290 to 7 applicants. Applications included the 50th Jubilee of Te Tai Tokerau Secondary Schools Kapa Haka Festival, Kaitaia MetalFest, sensory circus and children's theatre shows, a touring concert and a mural project being undertaken by the Whangaroa Museum.

**Other Funding Matters**

The Community Grant Fund Policy was adopted by Council at their meeting in November 2024. The Funding Application went live in time for applications being lodged for meetings taking place in 2025.

A guidance document to assist applicants is available and will be updated as queries and clarifications are raised by applicants.

An updated report form (to match the application form) will be available in early 2025.

For the financial year of 2024-25, a dual-application system (manually and online) is in place, with the system being fully online from 1 July 2025, allowing for more detailed and timely reporting to be available on request.

The Strategic Funding Plan workbook is still in development and will be rolled out to the wider 19afety19s19 for them to adapt and use for their organisations, to allow them to be more funding ready when they are looking to undertake 19afety19s that require external funding.

**Health and Safety**

- HSW training provided to 165 staff
- No lost time injuries (LTIs) due to work injuries
- Three contractor audits completed
- 20 health and 19afety incidents recorded

**Role Profiles**

The new staff role profiles were developed during Q2 with engagement with staff from across the organisation. HSW Role Profiles ensure that employees receive the appropriate training, understand and follow relevant policies, and comply with regulatory requirements. They play a significant role in building a safe, compliant, and well-functioning workplace.

*Table 1: HSW engagement with staff on the new role profiles during Q2 - 2024.*

Q	Date	Topic	Team	No. of attendees
Q2 24	29/11/2024	HSW role profile review	C&E - Customer Service	2
Q2 24	4/12/2024	HSW role profile review	C&E - Te Ahu	2
Q2 24	10/12/2024	HSW role profile review	C&E - Procter Library	1
Q2 24	13/12/2024	HSW role profile review	C&E - Kaikohe Library	2
Q2 24	16/12/2024	HSW role profile review	COS - Manager/TLs	5

Final consultation will occur during Q3 2024-5. Links to all role profiles can be found [here](#). Figure 2 shows an example of a role profile, in this case for an Animal Management Officer.

HSW role profile	Animal Management Officer			
<b>Name:</b>				
Hazard register (list of known hazards staff member may encounter whilst doing role)	Aggressive dogs Threatening individuals/group of people Lone working Driving on council business Psychosocial hazards Site Visits			
Job Safety Analysis documents (internal JSA's that staff member should be aware of to do role safely)	<b>JSA</b>		<b>Completion Date</b>	
	<a href="#">Driving on council business</a>			
	<a href="#">Lone Working</a>			
	<a href="#">Psychosocial Hazards</a>			
	<a href="#">Site Visits</a>			
Personal Protective equipment requirements	<b>PPE</b>		<b>Issue date</b>	
	Hi vis vest/clothing			
	Safety footwear			
	Sun Hat			
	Sun block			
	Wet weather gear			
	Lone worker device			
	Hi vis vest/clothing			
Training Requirements	<b>Training</b>		<b>Frequency</b>	
			<b>Completion Date</b>	
	HSW Induction		Once	
	<a href="#">Driver training (4X4)</a>		Once	
	<a href="#">Online Driver Training (Fleetcoach)</a>		Once	
	Lone Worker Device		Once	
	<a href="#">Situational Safety and Tactical Communications</a>		Annual	
	<a href="#">St John First Aid</a>		Biannual	
	Dog Handling		Once	
	Inspector Warrant		Once	
<a href="#">Manual Handling</a>		Once		
<a href="#">Remote worker risk assessment (home) completed?</a>	Y/N			
Policy docs (Internal HSW documents staff member is expected to be familiar with)	<a href="#">Health, Safety &amp; Wellbeing Policies</a>			

Name	Position	Date
	People Leader	
	Animal Management Officer	

Figure 1: Example of a role profile.

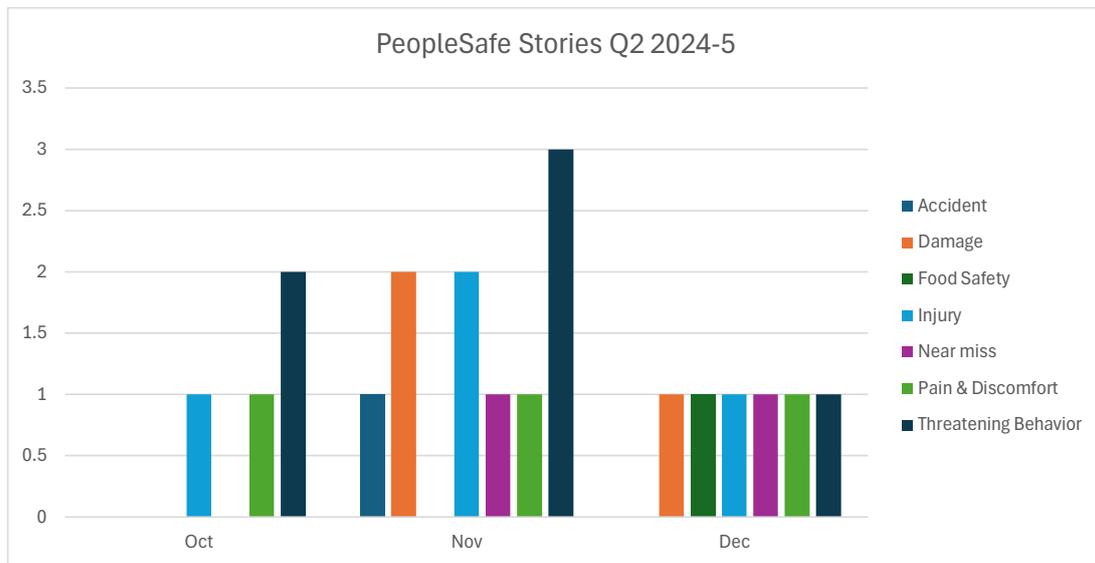


Figure 2: PeopleSafe incidents for Q1 24-25

There were no staff warning flags (SWFs) raised by staff during Q2 as a result of threatening behaviour incidents.

**What is a SWF?**

- SWFs are memo alert pop ups in Pathways that open automatically when an address or person has a SWF allocated against them.
- The SWF will warn employees of hazards associated with the person or address.
- SWFs are usually created as a result of abusive, violent, or dangerous behaviour by the occupant of the address. Other hazards, such as dangerous dogs, may be listed.

---

## Infrastructure Group

---

The Infrastructure Group holds the following responsibilities within six separate teams:

- Asset Management
- Infrastructure Engineering
- Infrastructure Delivery
- Infrastructure Services
- Waters Services
- Transportation

Three of our group key priorities are:

1. Implement an Asset Management Information System
2. Compliant 3 waters assets
3. Improved contract management for the Roothing and 3 Waters contracts

### Key Priorities

#### **New asset management system to be implemented**

The implementation of an Asset Management Information System has now been realised.

A centralised system for managing the whole of life activities on Council assets including asset data, planning, condition and maintenance has been selected – Graphic Business Solutions (GBS) – New Zealand implementation partner of Trimble Unity. This Asset Management Information System (AMIS) will handle our Facilities and 3 Waters assets driving better decision making and improving compliance, financial, and risk management through increased visibility and control of Council's assets. Other types of assets may be added in the future. The project team are finalising the commercial agreements and planning how the system will be delivered to provide benefit to the Infrastructure team, wider organisation and subsequently our customers and rate payers.

A team of IT and infrastructure staff spent 12 months on this project, identifying and prioritising data requirements, procuring for the services of, and evaluating tenders for a system. With the system now purchased, data cleansing and inputting Council's asset and as-built information into the new system has begun. As asset owners update operations and maintenance manuals, ensuring maintenance work is completed and asset condition assessments continue, the system will begin to identify and plan our forward works programmes.

Approximate cost to date is \$150,000 with Phases 1 and 2 to come with indicative costs of \$450,000 and \$150,000 respectively. The project costs to date and for Phases 1 and 2 will be funded with the repurposing of 3 Waters Reform funding as approved by the Department of Internal Affairs. Therefore, the project costs in the last 12 months have not impacted on rates.

A1943439

Far North District Council | Long Term Plan 2018-28 | Rating Policies 23

**Water and Wastewater RMA Compliance Report – December 2024**

Compliance Key	
Currently compliant with resource consent	●
Administrative compliance issue.	●*
Marginal noncompliance.	●
Noncompliant as of most recent sample.	●

\*New colour blue from December 2024 indicates an administrative rather than a biological or equipment issue

Sites	Dec 23	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24	Abatement Notices (Current)	Comments and Maintenance
Kaitaia water	●	●	●	●	●	●	●	●	●	●	●	●	●		Awanui River take compliant. Sweetwater bore not yet in production.
Kaikohe water	●	●	●	●	●	●	●	●	●	●	●	●	●		
Kawakawa water	●	●	●	●	●	●	●	●	●	●	●	●	●		
Rawene Omanaia water	●	●	●	●	●	●	●	●	●	●	●	●	●		Earlier non-compliance related to flow meter in the Petaka Stream.
Kerikeri water	●	●	●	●	●	●	●	●	●	●	●	●	●		
Okaihau water	●	●	●	●	●	●	●	●	●	●	●	●	●		
Opononi water	●	●	●	●	●	●	●	●	●	●	●	●	●		Marginal non compliances related to occasional water take limit exceedances.
Paihia water	●	●			●	●	●	●	●	●	●	●	●	12 Nov 2025	Missing data due to SCADA software failure. Has since been fixed.

Ahipara WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•	5 Sept 2022	Currently awaiting 6 months of compliant data. This is a requirement before the abatement notice can be lifted by NRC.  Condition 2 of the resource consent limits leachate discharge from the landfill to the WWTP to 10m3/day. The first 8 days of December had discharges at or over the limit.
Hihi WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Currently inconsistencies in rainfall data reporting.
Kaeo WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Missing data due to SCADA software failure. Has since been fixed.
Kaikohe WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Data incomplete late December 2024 due to work in progress.
Kaitaia WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•	20 Apr 2016	Providing work schedules timelines to NRC indicating expected dates for compliance.
Kawakawa WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		
Kerikeri WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		
Kohukohu WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Currently inconsistencies in rainfall data reporting.
Opononi WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•	20 April 2016	Desludging and improvements in progress. This work will address compliance for current abatement notice.
Paihia WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Administration issue for water metering.
Rawene WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Occasional low level wastewater standards breaches.
Rangiputa WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		
Russell WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•	1 Nov 2024	Currently researching landfill issues. Providing work schedules timelines to NRC indicating expected dates for compliance
Taipa WW	•	•	•	•	•	•	•	•	•	•	•	•	•	•		Continued low level wastewater standards breaches.

Longstanding abatement notices for Ahipara, Russell, Ōpononi and Kaitāia wastewater schemes have been prioritised and work towards all four has seen:

- Russell Wastewater Treatment Plant notice was cancelled in April 2024.
- A Super Critical Ultra-Violet unit was installed and commissioning completed in October 2024. This work has the support of the Ahipara Takiwā working group. The Abatement Notice requires 6 months compliance before the Northland Regional Council will cancel the notice. Compliance test results have provided significantly higher quality discharge than the consent conditions require. A report detailing this success is being written as part of a presentation for an upcoming waters conference. Ahipara Takiwā representatives have been instrumental in the remedial works at the wastewater treatment plant, with the rōpū now focusing on wetland improvements. A request to cancel the abatement notice will be made by Council in April 2025.
- The Ōpononi Wastewater Treatment Plant pond desludging and wetland reinstatement works commenced in November 2024. The final design of plant improvements is complete. Procurement of the plant improvements will commence on completion of the desludging works. Both desludging and plant improvements are required to improve treatment performance to meet compliance requirements for the purpose of the abatement notice being cancelled.
- The Kaitāia wastewater network overflows reduction project contract is currently in tender negotiations. Council approval to award a contract will be required due to the value of works. A report will be presented to Council at the February 2025 meeting and if approved, construction would commence early 2025. Northland Regional Council have advised that the abatement notice will not be cancelled until physical works are complete.

Five abatement notices were received in October/November 2024. All of these have been investigated and are being addressed immediately. Reporting will be to Te Koukou and Te Miromiro Committees. A consenting work programme has been developed to track consent renewal applications and regular updates are presented to Te Koukou Committee.

## Te Pae o Uta

Infrastructure team members are actively encouraged to enrol in the Te Reo courses. We have new team members enrolling for the first time in 2025 and others who are moving into the next level of 2025 intakes.

## Asset Management

### Asset Management Team

This team is still in development and two Asset Managers have been recruited. Recruitment of a Manager and a replacement District Facilities Asset Manager are currently underway.

Asset data updating is ongoing with some inroads being made into the backlog of 3Waters asset data outstanding from the operations contractor.

## Infrastructure Engineering

Recruitment of a Manager, Senior Waters Engineer, Land Discharge Officer, District Facilities Design Officer and replacement Development Engineer is currently underway.

### Development Engineering

For the period 1 July 2024 – 30 November 2024 a total of 82 Resource Consent applications and 25 Engineering Plan Approvals have been received and processed within 5 working days.

A draft of the Stormwater Strategy is being peer reviewed by Asset Management and update will be presented to Te Koukou in February 2025.

Assignment of discharge consent from Cavalli Properties Ltd to the Far North District Council for the Matauri Bay Wastewater Treatment Plant has been completed. The operations contractor is finalising costing of works required to meet all consent conditions.

### 3 Waters Engineering

Water and Wastewater models for Kaikohe and Kaitiāia, and Water model for Kerikeri calibrated in 2022 are currently in use. The Wastewater model for Kerikeri calibrated in 2022 is planned for recalibration in FY26 and is not being used for long term planning until recalibration is complete. Assistance has been provided to the Spatial Planning team with Water and Wastewater capacity assessments for reticulation network for Waipapa/Kerikeri.

Storm water models for the district were calibrated in 2022. Only the model for Kerikeri has been peer reviewed. Recommendations from the review are currently being assessed and peer reviews for remaining models are recommended. Planning and scheduling of this work is underway with completion expected in FY26.

Currently working with, and providing technical input to, Northland Regional Council and their consultants as they develop their flood model for the Kerikeri catchment but not including urban area pipe network <450mm diameter. Northland Regional Council is expecting completion in February 2025.

#### Design Engineering

Providing technical input into LTP Capital projects, RFS matters, and Local Waters Done Well planning. Unplanned works in design include Whatuwhiwhi wastewater and Kaipatiki Rise water pipe renewals.

#### District Facilities – Projects in Design

- **Kāeo Memorial Hall:** Building Consent lodged. Hall to be brought up to standard for fire safety and accessibility. Work can be tendered in the New Year once consent is gained.
- **Kaitiāia Resource & Recovery Centre Bridge:** Replacement bridge access is with Design Engineer to confirm potential new design. Resource Consent application lodged in 2023 awaiting confirmation of final design and agreement from local iwi/hapu.
- **Te Puawaitanga:** Remaining works required to complete project includes Signage, Ablution Block, House demolition, Metal Carpark, Wood piles, Entrance Gates and Fencing.
- **Lake Ohia Hall:** The December meeting of the Te Hiku Community Board voted for Option 2 being a reduced design option preferred by the Community. This reduced design will still incur a shortfall in budget / require additional funding. The Community Board also recommended that Council proceed with divestment of the hall once the work is carried out and the hall is compliant.
- **Ōkaihau Hall Renovations:** A contract has been awarded to a local builder. Removal of asbestos cladding and new kitchen and bathroom facilities will commence early February with completion due end of May.
- **Housing for the Elderly – Healthy Homes Requirements:** Healthy Homes reports are being obtained for all tenanted units, minor issues being highlighted e.g. insulation repositioning, draft stopping on doors/louvre windows, installation of moisture barriers. Works by contractors expected to be completed by the due date of 1st July 2025.

### 3 Waters – Projects in Design

- **Paihia Water Treatment Plant Upgrade:** Construction of a new water treatment plant at a new location was confirmed in an initial business case completed in 2020. Two sites were identified for further investigation. Property owners have been approached for access to undertake feasibility investigations. These investigations of one of the sites was completed in 2024. Engagement with Iwi/Hapu was established in 2023 and is ongoing.
- **IAF Kaikohe:** Wastewater and water reticulation upgrades. Water treatment improvements to support growth in Kaikohe. The milestone date for contract award is 30th April 2025.

#### Water Treatment Plant:

- All planned survey works completed (topographical and drone).
- Geotechnical field investigations completed for WWTP and WTP sites.
- Geotechnical factual reports completed and submitted to FNDC.
- Geotechnical Interpretive Report 95% complete. Will be submitted to FNDC by mid-January.
- Safety in Design workshop scheduled with Ventia and FNDC team for 22 January.

#### Water Reticulation:

- Water reticulation Package 1 – draft drawings are 95% complete. Geotechnical field boreholes are 100% complete. Geotechnical report complete. Tender document schedule, specifications and basis of payment are underway.
- Water reticulation Package 2 – Reservoir Road: GPR cleared holes complete and CPTs complete. Taraire Hills line: GPR complete and CPT complete. Geotechnical fieldwork complete.
- Water reticulation Package 3 – Monument Hill: Walkover and geotechnical fieldwork complete. Drawings 15% complete. Survey crew engaged to provide assistance in resolving boundary issues.

#### **Wastewater Reticulation:**

- Wastewater reticulation Package 1B (Wihongi pump station) – Preliminary geotechnical work complete. Topographic survey complete. Preliminary options presented to FNDC. Direction to proceed with feasibility for Wihongi reserve option, subject to bearing capacity and groundwater conditions being suitable. Machine drilling booked for mid-January. Favourable results for the ground bearing capacity are anticipated due to volcanic cobbles and boulders exposed in the nearby drain.
- Wastewater reticulation Package 2 (Orrs to Rankin St gravity main) – Optioneering completed, CCTV completed. Engagement with Kiwirail re option within the rail corridor has commenced. First discussions went well, Kiwirail have provided a pathway for seeking approval to install services within the rail corridor.
- Wastewater reticulation Package 3 (Bisset Road gravity main) – Optioneering completed. Survey complete, GPR for services complete, CCTV complete, geotechnical work in progress.
- Wastewater reticulation Package 4 (Recreation Road) – Geotechnical work complete. CCTV carried out and survey underway.

#### **Infrastructure Delivery**

This team has been boosted by the recruitment of a new Senior Project Manager, promotion of an Intermediate Project Manager, internal appointment from another group, and appointment of a cadet to a Project Manager role. Recruitment of a Manager and a further 2 Intermediate Project Managers is underway.

#### **District Facilities – Projects in Construction**

- **Awanui Sport Complex:** Programmed health and safety work scheduled through to February 2025.
- **Housing for the Elderly – Rāwene - Accessibility Ramps & Paths:** Contractors are building new compliant timber ramps to all 10 units. Existing concrete paths will then be replaced with wider ones linking the entire complex with the car park. This will provide tenants and emergency services (when required) with safe compliant access to and from each unit.



#### **Infrastructure Delivery – Projects in Construction**

- **Donald Road Wastewater Upgrades:** Wastewater pipe, manhole and emergency storage tank upgrades to support the infill of 117 houses, including affordable housing developments in the catchment is on schedule. The tank installation and associated pipework is nearing completion. The pipe and manhole upgrades along Donald Lane and Donald Road are also on schedule.

- **Kaitāia Wastewater Overflows:** Response to the 2016 abatement notice for excessive overflows is currently in procurement. A contract for award is scheduled for presentation to the February 2025 Council meeting.
- **Kaitāia Wastewater Treatment Plant Security Gates:** Quotes for the installation of an electronic gate to the treatment plant and a further electronic gate to the septage receiving area were sent to local contractors in December.
- **SH12 Ōmāpere Stormwater:** A contract for award is scheduled for presentation to the February 2025 Council meeting with an expected start in March 2025 and finish in early June 2025.
- **Ōpononi Stormwater Swale Extension:** Project to resolve an RFS issue is currently in procurement with a 3-week contract period.
- **Jacaranda Odour Control:** A contract to design, build and install a carbon bed filter to Jacaranda Pump Station. Procurement of a design and build contract is underway.
- **Kawakawa Flow Monitoring:** Consent application for a bore permit to be lodged with Northern Regional Council in late January 2025.
- **Kaitāia Septage Screen:** Final design being confirmed with operational contractor input expected late January 2025.
- **Kaikōhe Septage Screen:** Final design being confirmed with operational contractor input expected late January 2025.
- **Rāwene Septage Screen:** Final design being confirmed with operational contractor input expected late January 2025.
- **Kaitāia Wastewater Pump Station 5 Access Track:** Construction of an all-weather access track to an orphaned pump station. A local contractor has been engaged, drawings and contract price agreed. Consultation with private property owners completed.
- **Kaitāia Wastewater Treatment Plant Pond Desludging:** Preliminary work to supply potable water to site, clear sludge bed of vegetation and construct a laydown area are on schedule.
- **Kaitāia Wastewater Treatment Plant Potable Water Supply:** Installation of new and re-purpose existing pipework from the Kaitāia Water Treatment Plant to convey potable water to site is expected to be completed February 2025.

#### District Facilities – Projects Completed

- **Renewal of Te Ahu Campervan Dump Station:** Completed and reopened to the public on Monday 4th November 2024 within timeframe and budget.
- **Awanui Sport Complex:** Roof replacement completed December 2024.

#### Infrastructure Delivery – Projects Completed

- **Ahipara Stormwater swale:** Stormwater swale maintenance clearing, rock apron, fence and gate install. Completion was in December 2024.
- **41-53 Pukepoto Rd Wastewater pipe renewals:** An RFS project requiring the realignment, renewal and upgrade of wastewater pipes and manholes from under dwellings was completed in October 2024.

#### Infrastructure Services

This is a newly formed, multi-disciplined team delivering services to the wider Infrastructure Group. The team includes Project Analysis, Quality Assurance, Compliance, Consenting, Procurement/RFS/Contract Administration. Recruitment for a further two Planners and a Support Officer is underway.

Newly formed with a good mix of existing personnel and new recruits, the team includes the Transportation support roles, and this has resulted in improved support for those people after moving from the NTA. There has been a focus on addressing RFS numbers by completing and closing out historical and keeping up to date with new RFS. Contract administration is also a key area in which broadening capability to support contracts from the procurement phase through to contract completion is the aim. Training and establishing robust processes is underway to achieve this.

#### Consenting Team

The Consenting team, while being an established team, is continuing to build capacity and capability. There is an identified programme of work on which is being reported regularly to the Te Koukou Committee. This team has also maintained the Compliance reporting while a Compliance Officer was recruited. Progress is being

made on several historical applications that have been on hold, while also developing a process to aid in the management of new applications. This process follows the Project Management Framework.

- **Ōpononi/Ōmāpere WWTP Consent:** The Environment Court issued its decision to grant FNDCs resource consent application on 19th November 2024. The consent commenced on 19th November 2024 and expires in 3 years.
- **Kaitāia WWTP resource consent renewal:** Two submissions had been received as a result of Northland Regional Council's public notification process and staff have been working with them on updating the proposed consent conditions as a result of their feedback. 1 of 2 submitters have withdrawn their right to be heard. FNDC staff are working with the remaining submitter on incorporating their feedback into the proposed consent conditions.
- **Houhora Campground Wastewater Disposal System:** The resource consent application for the Wastewater Disposal system was lodged with Northland Regional Council in December 2024 and is awaiting a decision.
- **Marreine Place stormwater project:** The Department of Conservation has granted the concession for the stormwater project at the end of Marreine Place. A New Zealand Heritage Authority is to be applied for which will take approximately 40 working days for a decision. When the decision is received, physical works will commence.

## Water Services

### The Team

Recruitment for the Water Services group began this quarter. The following positions have been filled as at December 2024: Water Services Team Leader and two Water Technical Officers. Recruitment continues for a Water Services Manager, an additional Water Technical Officer, and a Land Drainage Technical Officer. It is encouraging to see highly experienced and skilled individuals joining our Infrastructure whānau.

### Sweetwater Source Update

The membrane plant is enroute to Kaitaia, due to shipping constraints over Christmas/New Year period, there has delayed the arrival to mid-January 2025. Water pumping coordination and main line flushing are scheduled for January 2025. Civil works at the Kaitaia Water Treatment Plant are ongoing, with some tasks pending the membrane plant's arrival. Power and electrical setup is in progress. Telemetry and communication from bores to WTP are mostly complete, with temporary Starlink in place. Resource consent for contingency discharge point granted. Technical support and training with Veolia and Ventia staff are planned post-arrival of membrane plant.

### Water Restrictions Update

The Water Shortage Management Committee comprising representatives from FNDC and our 3 Waters Operations and Maintenance contractor Ventia, was stood up in November with ongoing weekly meetings. Forecasts indicate a drier than normal summer season with limited rainfall. Prior to Christmas, water restrictions were implemented due to low river levels, increased demand, and predicted minimal rainfall: Ōpononi-Ōmāpere, Ōmanaia-Rāwene, and Kawakawa/Moerewa moved to Level 2, while Kaitāia, Kerikeri, Ōkaihau, and Paihia remained at Level 1. Engagement with our monitoring team has started. Water level signage was installed throughout the district, and communications reached a wide audience.

### Land Drainage

The Drain Spraying Contract has been awarded for 2024/27 LTP period. Preferred Drain Clearing Contractors have been approved by the Land Drainage Committees. It is intended to run a communications campaign in 2025 reminding property owners of obligations to comply with Land Drainage Act and will include a copy of the current bylaw for reference, reiterating compliance requirements.

Ensuring drains are clear and compliant with the bylaw will be a focus in the next quarterly reporting period to ensure the land drainage areas are clear and free of obstructions before the second quarter of 2025. Any non-compliances will be notified to the Compliance team, with the Infrastructure and Delivery & Operations teams working together to ensure compliance.

### 3 Waters Done Well

A workshop was held with Elected Members on 4 December providing an overview of requirements under the Act, delivery model options, and a discussion to inform consultation. Discussions have continued with Northland Councils on any potential regional approach to LWDW that could be considered.

A further workshop with FNDC Elected Members is scheduled 11 February with a decision-making paper to Council 14 February to provide the direction on community consultation. There is a continued focus on asset data and development of a LWDW work programme to ensure FNDC can meet its statutory requirements under the Act.

### Transport Services

#### Reporting

There is regular weekly reporting to Elected Members from this team via Friday Notices together with new Te Huinga Transport and Waters pages that have been set up and regularly updated. A Capital Work Programme is to come to Te Koukou monthly starting February 2025.

#### Progress

During this quarter, work ramped up on the Phase 3 (complete/>100k) slip repairs. The value of this programme is approximately \$25 million.

Key progress:

- Construction Panel tender released to the market early October 2024.
- Whangae Road project is complete.
- West Coast Rd Motuti, and West Coast Rd Panguru slips are now under construction.
- Ngapipito Road repair works are under construction.
- Internal project management resources are in place to support the capital delivery programme

The reseal programme is indicatively ~\$6M per year & the rehabilitation programme is indicatively ~\$4.5M per year for each year of this 2024-2027 LTP.

~\$2M Pre-seal repairs are also to be delivered for to support year 1's reseal programme.

Key progress:

- Pre-seal repairs are on program and approximately 90% complete
- Resurfacing works commenced in mid-November

#### Maintenance, Operations & Renewals

38% of maintenance, operations and renewals programme has been delivered from the budget of \$32 million.

Some key progress on programmed works:

- 15% completed on resurfacing
- 76% completed on pre-reseal repairs
- 58% completed on sealed road dig out
- 100% completed on P1 culvert clearing
- 71% completed on water tabling clearing
- 69% completed on unsealed road rehabilitation, ahead of the programme

#### Asset Management

Ongoing value for money, optimised asset management and least life cycle costs are being delivered through the Network Improvement Plan projects.

Forward Works Programmes for 2024/25 issued to the Maintenance and Capital Teams, and the 2025-2026 Forward Works Programmes are currently being finalised.

---

## Corporate Services

---

### Financial Services

#### Accounting Services

The Accounting Services team will implement a revised financial reporting framework to enhance the structure and layout of financial information. This initiative aims to improve transparency and facilitate better interpretation of Council financial data. Elected members will be invited to provide feedback for further refinements. The first report will be presented at Te Huia in February 2025.

There has been a lot of pre-planning and preliminary testing in the lead-up to the all-staff project team for the testing of TechOne to move to the Cloud which will commence in January 2025. The Go Live date will be March 2025.

With the changes to the organisation in particular the Infrastructure team, the team is progressing through the changes to align the budgets and actuals to the correct departments.

Financial Planning has completed a number of workshops for the Annual Plan 2025/26 and is to provide a report to the council in February noting the adopted LTP 2024/27 rate of 11.3%.

Involvement in the Local Waters Done Well has continued to ensure the budget modelling aligns with the programme of work alongside the Annual Plan.

The Annual Report 2023/24 was adopted at the end of October, this was well received noting a number of improvements from the Deloitte team and the Chair of Te Miromiro.

Management Accounting has a team of 3 instead of 2 which will better service the organisation once training has been completed.

#### Rating Services

Rating Services continues to make good progress with the CEO write-offs, direct debits, rate account queries and journals. The rates team is still incorporating MFL training wherever possible and concentrating on getting applications processed. They are progressing on new rates accounts. They are re-establishing connections with Contractors for water maintenance and catching up on new water meter connections. The rates team have also started trialling UX and VPN. Working together with the IT team for any concerns raised about the new system. Incorporating the new rate rebate management system introduced by DIA. Staff have also started attending the Whenua Māori Rating Relief Working Group hui.

#### Transactions Services

Fleet and publications have finished installing BlackHawk in all 76 of the fleet and pool cars owned by the Far North District Council. This will enable our reporting to lessen misuse and increase fleet efficiency and accountability, and it will go live on 20<sup>th</sup> January 2025.

The revenue recovery team has added an additional step to their Mortgage Demand process: pre-calling ratepayers to arrange payment arrangements prior to sending the first mortgage demand notices to ratepayers and mortgagee. First notices have already been sent to 294 properties, and more will follow in the upcoming quarter with the final demand notices being issued 90 days after the dated first notice. Their key priorities for the remaining year are to collaborate with other departments within the Council to reduce the sundry debtor debt and to work with our ratepayers to offer alternative payment arrangements that have more flexibility in the amounts they pay without being penalised due to the increase of the cost of living.

On 1 June 2023 Council passed a resolution to endorse a rating sale of vacant land and recover outstanding rates and legal costs incurred. The Registrar served the notice to the property owners in 2024 that they have six months from the date of notice to pay the judgement and costs or the property will be sold. Six months have now passed, and this has now been filed with the Courts to proceed with the rating sale.

In addition, multiple members of the team are involved with the Tech1 migration to the cloud project. This is to ensure that when TechOne migration to the cloud goes live the first weekend of March 2025 all the testing and configuration have been completed and we have a functioning environment.

### Far North Holdings Limited (FNHL)

The Council will initiate the process of preparing the annual Letter of Expectations (LoE) for FNHL in February. A 'Letter of Expectation' is a document from a council to its council-controlled organisation (CCO) that outlines the council's strategic priorities and performance expectations to guide the CCO's planning and operations.

The Council's Financial Services team has begun working with FNHL management to enhance shareholder reporting—an outcome recommended by the Te Miromiro Audit Risk and Finance Committee and endorsed by elected members. These improvements aim to enhance transparency regarding FNHL's operations and management.

FNHL will respond to the LoE with a Statement of Intent (Sol). The Sol is a document that publicly outlines the CCO's activities, intentions, and performance targets, providing a basis for accountability to its shareholders. The Council will review the Sol and is required to adopt it by 30 June 2025.

### Digital Information Services

In addition to carrying out the Council's essential IT tasks, the DIS team is committed to ongoing development, which includes cybersecurity, and a continuous improvement approach.

Further efforts are being made to investigate ways to reduce costs throughout the IT infrastructure optimisation.

We're still working through the final phases of replacing the Citrix environment with Azure Virtual Desktop (AVD). This is expected to be completed in the coming months.

We have selected a vendor/partner to deliver our new Asset Management system, Trimble Unity. The system has been "stood-up" and some of our data is already loaded and the Asset Management team are working through the cleansing of data and ensuring the asset information is correct.

The TechOne Financial and HR migration to the cloud project is now underway and we're currently in User Acceptance testing (UAT). This is progressing well and looking to go live in the production environment in March.

We are also in the process of upgrading our Pathway system so that the migration to the new Pathway UX feature set will be functional and rolled out in the coming months.

Phase 2 of the ERP programme (Core Systems) review is also underway, along with the completion of the DIS Strategy review. To complete these key initiatives, the Project Delivery and ICT Operations teams collaborated closely. Likely to go to a Request for Information (RFI) in February.

Nothing but Net (NBN) is still handling the connectivity and public Wi-Fi rollout; Mangonui & Taipa will soon go live, Kaitaia Market Square & Town Square have been connected, and some last-minute fibre connectivity work needs to be done.

The Twin Cycle Trail (near Horeke) has been installed before Xmas and the feedback has been excellent. The Panguru/Motuti, Marae and Papakinga project and other NBN projects are now in the final design and work scheduling phase. NBN has also met with the three Community Boards to discuss and work on future projects around CCTV and Public Wi-fi across the Far North, with plans being developed to improve connectivity and CCTV awareness.

### Digital Information

We are currently revising the Council's Information Management Strategy to ensure full compliance with Local Government legislative requirements.

To ensure that best practices in information management and security are implemented, the Digital Information Management Team is actively working with other departments within the organisation to support and concentrate on areas that need improvement.

We have started the process of assessing and interacting with the business to help with the information migration into Objective, our records management system, as part of the initiative to decommission the Shared Drives.

Since the disestablishment of Northland Transport Alliance (NTA), we have been working alongside those coming back in-house to establish a new file structure and have migrated our district-related information into our tenancy.

Additionally, we have initiated a new Induction/Refresher Programme, which has been authorised by our Strategic Leadership Team ready for the deployment phase.

### Digital Analytics

The data engineering team supported the upgrades for Pathway, TechOne, and GIS, including creating two new SQL servers to move GIS so that the upgrade could take place.

The business intelligence team completed the first stage of Power Bi Report Server Migration to Power Bi Online Services. The new access to Power Bi reporting all in one place and the cloud will be more streamlined and efficient for end users and the Data Analytics team to provide services.

The RFS stormwater dashboard was created to help the infrastructure planner report on RFS related to stormwater and, more broadly, water issues.

The second phase of the Pae o Uta dashboard was completed incorporating Te Pae o Waho reporting and the alignment to the strategic goals. This will be deployed to production once Te Hono has had a chance to update the source data.

The rate modelling is expanded in preparation for the Snowflake build.

The ELIM and Property file analysis is completed to support the fees and service charges review.

The GIS team upgraded the GIS Platform to ArcGIS 11.3. This was a significant upgrade and allows FNDC to leverage the latest ArcGIS technologies including Experience Builder. The upgrade also required that we upgrade FME, SQL and ArcGIS Pro.

3Waters was migrated from a stand-alone database to hosted feature services in the GIS Platform. This makes the 3Waters datasets easier to manage, allows the use of ArcGIS mobile data capture tools and is essential preparation for migrating to the new Asset Management System. Data quality reporting for 3Waters and District Facilities assets was implemented (and continually extended). This is part of a data cleanse and preparation process before migrating to the new Asset Management System.

Top Energy asset data is made available to staff (specifically building, resource consent, and monitoring teams) to assess proximity to overhead and underground assets—critical information to determine whether potential works require a 'close approach consent' from Top Energy.

A survey and app were created for 'Connecting Whenua Information Sessions.'

### Risk & Assurance

In 2024, the primary focus of the Council's risk management efforts was on risk identification. For 2025, the focus will shift towards analysing risks with an emphasis on developing mitigating solutions.

Additionally, the Senior Leadership Team (SLT) will review the Council's risk appetite to establish a formal risk appetite statement.

Increased risk awareness across the Council is contributing to a positive trajectory in the organisation's risk maturity.

### Project Management Office

#### Project Management System (CAMMS)

CAMMS implementation is complete, with rollout to over sixty staff across the business.

Roading responsibilities have been incorporated into the workflow with the asset managers and capital works and renewals teams now running projects within CAMMS.

Training has been provided to over twenty new starters across the business and multiple refresher sessions for existing staff since July last year. All new staff are supported with one-on-one sessions as they commence their first project in Camms and have access to the PMO for ongoing queries or training refreshers.

CAMMS workflows and functionality continue to be developed and refined with input from end users and in line with executive direction. An example of this includes the change to a 5x5 risk matrix from a four-by-four risk matrix for enterprise, waters, and project risks. A continuous improvement ethos ensures Camms remains fit for purpose and continues to deliver benefits to the business.

Workshops with project teams and one-ones with individuals continue to be provided to support risk ideation, programme management and project management principles. This includes hosting quarterly Community of Practice meetings for all staff undertaking project management tasks.

### **Procurement**

The procurement team is leading the establishment of the Slip Repairs Emergency Works Supplier Panel and received 22 submissions. Tender evaluation has been completed and the outcome will be presented to an Elected Member Workshop on Tuesday 28th Jan, followed by a decision report to the Council on 13th Feb 2025.

The Tender Panel is now fully functional with quarterly reporting on Procurement Activities to Te Miromiro Assurance, Risk & Finance Committee.

### **Property Information**

All LIM reports and Property file requests have been processed and sent to requestors within the statutory timeframe.

Continue to liaise with QV regarding the next triannual revaluation in 2025 to ensure we are aligned on timelines and deliverables.

LGOIMA amendments are set to come into force on 1 July 2025, introducing the requirement for LIMs to contain understandable information about natural hazards.

---

## Chief of Staff

---

This quarter saw the Manager – Organisational Development position become vacant and successfully recruited to, with the new employee to commence January 2025, and the Change Specialist role filled with the successful hire due to commence January 2025.

The group led an initiative in December to encourage food donations from staff for the Far North Community Foodbank, who were extremely grateful for the boxes of donated food we delivered to them. This was noted in their Facebook post and accompanying commentary - "Thank you so very much to you and your Team for the beautiful and bountiful donations - you guys are such a blessing."

## Organisational Development

### Organisational Strategy

The strategy which provides internal direction for staff, was launched in December 2024. This strategy responds to staff feedback through the engagement survey about the direction the organisation is headed. The strategy sets six strategic priorities (better informed decisions, value for money, health safety & wellbeing, people & culture, te ao Māori and service delivery to guide where resources are focused on improving how we deliver to our communities.

### Staff Engagement Survey

Preparations are underway for the first of the 2025 biannual staff engagement surveys which will run from 24 February - 9 March. Results will be shared in the following quarter's report.

### Diversity Works NZ

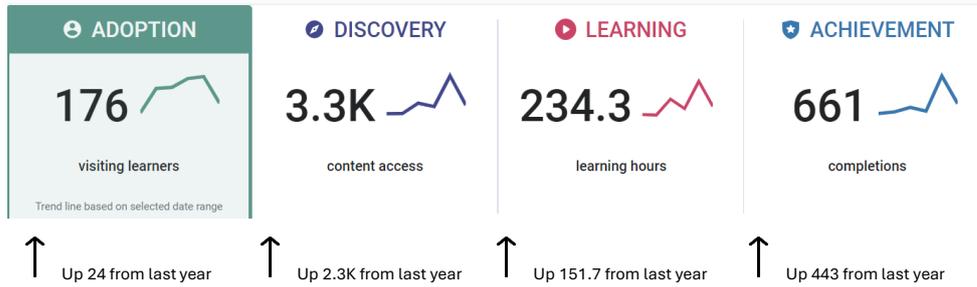
After becoming a member of the national body for workplace diversity, equity & inclusion (DE&I) with Diversity Works New Zealand in quarter one, we have during quarter two undertaken a qualified assessment to establish our organisation's current level of maturity in the DE&I space. The assessment analysed our practices & processes over seven components, namely: Leadership, Diversity infrastructure, Diverse recruitment, Inclusive career development, Bi-culturalism, Inclusive collaboration and Social impact. Upon the completion of the assessment, we will receive a recommendations report, which will enable us to understand what we currently do well and indicate areas where we need to increase our DE&I competency. This is anticipated to be received January 2025.

### Learning & Development

During the last quarter there were 724 engagements with learning and development activities, an increase of 326 since last quarter. Courses ranged from facilitation skills, time and stress management and conflict resolution. This figure included webinars covering areas such as privacy breaches, climate change, Artificial Intelligence and LGOIMAs. In-house workshops were also provided to upskill people in Pathways and Te Pae o Waho classes continued in October and November, which staff really enjoyed. SLT were also able to start their classes in November.

The transition from Mariner 7 to Ci Anywhere has resulted in a more comprehensive onboarding programme through Percipio, the online learning platform, complete with checklist for both employee and their People Leader. This has also enabled the number of L & D plans to be monitored and an overview of learning and development needs to be ascertained. The organisational training needs analysis was carried out at the People Leaders offsite and a draft learning and development framework has been produced, which will be finalised after discussion with members of the SLT.

The metrics below show that self-directed learning on Percipio has continued to increase compared to this quarter last year, the number of visitors having increased from 15% to 25%. This is as a result of continued promotions, Percipio workshops and a competition launched in November to see who could complete the most learning badges through Percipio.



**Leadership Framework**

The steering group continues to meet regularly to review the uptake of the leadership framework and promote the leadership kete. The leadership behaviour self-assessment form is being upgraded to make it interactive and this will be relaunched. People leader groups prioritising peer group coaching are gaining a lot from it and those not prioritising it are being encouraged to do so. A peer group coaching workshop for new People Leaders was run in November.

**Promapp**

The objective for the first 2 months of 2025 is in line with the original strategy from 2024. There is a continued focus on awareness of Promapp to maintain traction. Promapp is now included as a key Onboarding tool for all new starters. The onboarding framework itself has been included as a Promapp Process which provides clarity as well as an understanding that Promapp is a key council tool. Uploads and new processes are continuing to build as people become more familiar with Promapp. This relates to ease of learning via our self-directed platform 'Promapp Lite'. Critical process completion is now over 80% complete. Promapp's focus for the coming months will be within the infrastructure business unit as the mapping of many new processes would assist with the development of structured accountabilities for new roles and incumbents. A key area in the Promapp Strategy is growing process connectivity (reduction of silo'd activity). This is making headway and will be a key opportunity and focus for the next 6 months. Other activities include assisting with continuous improvement across a number of business units including the identification of improvement opportunities with FNDC's rates process as well as creating process maps.

**People & Capability**

**Recruitment and Staffing**

With a focus on resourcing the infrastructure group, a number of new staff have been hired; 33 new external starters (incl. 3 casuals for libraries 5 customer service summer staff). There were also 19 internal movements, comprised mostly of movements into the new Infrastructure positions, as well as a number of extensions to secondments.

There are currently 31 open vacancies being recruited to – 8 being interviewed, 3 with offers made/references checked, remaining 20 currently accepting applications).

	# staff leaving	Turnover rate	# of staff hired	External Hires	Internal Movements
Quarter One	16	4.09%	27*	23	9
Quarter Two	18	4.88%	52	33	19

\*Q1 includes 6 fixed term new starters on the Cadetship Programme

Please note, information may be updated from previous quarters if other staff movements occur post publishing of the report.

As at the time of authoring the report, there is a total headcount of 427 (386 permanent staff, 34 fixed term and 11 casual). This is distinct from Full Time Equivalents (FTE) which is the number of full-time positions (for clarity 1 FTE may have a headcount of 2 part-time employees). Future reports will include FTE information. The headcount is expected to increase as the additional infrastructure roles are recruited to, however overall FTE should remain at current levels. Any additional FTE requires CE authorisation.

### Organisational Changes

There have been significant changes in the People Leader space, with three key appointments made for January 2025 – Manager Compliance, Manager Organisational Development and an internal secondment to the GM Delivery & Operations. Recruitment remains underway for the Chief Financial Officer and Manager Te Ahu Museum & Archives positions.

Out of the remaining 16 vacancies in the Infrastructure department, 5 are in the final interview/under offer stage.

### System Upgrade

In Q1, the HR System, CiAnywhere, was updated and reconfigured. In Q2, the talent and performance modules were rolled out to all staff. The rollout has been successful, with all staff having set their 2024-2025 Performance and Development Plans. The mid-year performance review process began in December. CiAnywhere's next phase of improvement is to move production to the cloud. The transition to SAAS is now underway, with UAT (User Acceptance Training) beginning January and February by those in the P&C and Finance teams.

### Mayors Taskforce for Jobs

The Mayors Taskforce for Jobs Coordinator has had a successful first half of the year, achieving 14 sustainable employment placements. The Inspiring the Futures event was a successful collaboration with the Tertiary Education Commission, with Mayor Moko hosting the first event delivered entirely in te reo Māori. Further business connections were made in the Kaitaia area, with several businesses expressing interest in placing some of our job seekers.

### PSA and FNDC Negotiations

Negotiations for the latest Collective Employment Agreement have concluded successfully. The updated agreement is effective from 1 July 2024 – 30 June 2026.

### He Tohu Whakapau Kaha – Love Your Work Awards

The quarterly Love Your Work Awards have been updated to better reflect the incredible work of our staff. The categories to recognise staff are aimed towards building a culture of support, appreciation and recognition:

1. **Eke Panuku - Consistently Going Above & Beyond:** To recognise people who are consistently going above and beyond what is expected in their role
2. **Te Pikinga Ahurea - Building Our Culture:** Someone who comes up with an initiative or has a real positive impact on the team culture of those around them or has shown a real enthusiasm for and is living Te Pae o Uta
3. **Te Tohu Auahatanga - Innovation & Creativity:** Those who bring innovative ideas, growth opportunities and problem-solving solutions to the business; creative thinking outside the box
4. **Te Hāpai o ki Muri - Service Superstar:** Someone who delivering exceptional service; whether that be in the community or internally with our peers
5. **Te Tohu Mahi Tahī - Team Collaboration:** When a team has pulled together and gone the extra mile in their job or stepped up in an out-of-the-box situation.

### Leadership

Quarterly People Leader off-site days have been set for the year, with the first of these occurring 24 January. This is an opportunity to set expectations with people leaders, engage all leaders on critical FNDC matters and collaborate on cross-cutting initiatives. The agenda for these are set by the Strategic Leadership Team.

## Executive Projects

The programme for the Executive Projects Advisor is broad and consists of a mixture of existing projects which require advancing, progressing opportunities, and business improvement actions. In addition to the below, the Executive Projects Advisor also provides ad hoc advice and support across the organisation when requested. The projects which the Executive Projects Advisor is involved in play a vital role in managing FNDC's balance sheet, and the role is intended to provide a focal point for key, complex projects which sit across the organisation.

Projects have included:

- Housing for the Elderly: Decisions on next steps were made by the Council in November 2024 following a recommendation from the elected member Steering Group. That Steering Group will continue to meet as part of progressing the Council's November 2024 resolution.
- 11 Matthews Ave: Council resolved in its December 2024 meeting on a pathway for next steps, and a paper on these is to go to Council during Q2 2025.
- Te Puāwaitanga, Phases One & Two: Work is ongoing to operationalise maintenance contracts, understand infrastructure requirements to enable the sports park to open, and progress requirements associated with use of the sports park. Opportunities for the overall property and steps required are being considered, noting that the work occurring for Te Patūkurea is ongoing and directly affects this. Update reports to elected members to occur in Q1 2025.
- Support has also been given to other projects such as IAF Kawakawa, Kaikohe Library & Civic Hub, and infrastructure funding projects.
- Work on these projects by the Executive Projects Advisor has also identified business improvement actions and opportunities to improve processes, which work is ongoing.

---

## Community & Engagement

---

### Te Ahu Museum

The final quarter of 2024 showed a mixed performance for the museum across its key metrics. October was a standout month, with 3,002 visitors, the highest of the year, demonstrating significant public interest and engagement. However, visitor numbers declined sharply in November to 1,350 and further to 1,086 in December. This drop likely reflects seasonal factors such as holiday schedules or a reduced focus on marketing efforts during this period.

Bookings remained steady in October and November, with 15 each month, but fell to zero in December. This decrease suggests a pause in organised group visits or public programmes, possibly due to holiday closures or resource reallocation. Research activity followed a similar pattern, peaking at 62 requests in October and remaining robust with 54 in November, before dropping to just one request in December. This sharp decline aligns with the holiday season, where public engagement and staff availability tend to wane.

In terms of collections, October saw 204 new items added, reflecting strong acquisition efforts, but the numbers steadily decreased to 143 in November and 80 in December. While still contributing to the museum's growth, the decline reflects a shift in focus toward year-end administrative tasks and slower pace of acquisitions as the calendar year wrapped up.

Overall, the museum had a strong start to the quarter, but activity tapered off in November and December, reflecting expected seasonal trends. Moving forward, strategies to maintain engagement during quieter months—such as virtual programmes, targeted marketing, or enhanced research services—could help sustain momentum and build on October's successes.

### isite Visitor Information Centres

This quarter, October – December, the three isite Information Centres in the Far North District, Paihia (Bay of Islands), Ōpononi (Hokianga) and Kaitiāia all reported heightened activity as expected with the start of the 2024-2025 summer season.

As a result, the performance analysis for the fourth quarter of 2024 shows an increase in key performance indicators, including visitor numbers, bookings revenue, as well as ticket and retail sales, compared to the previous two quarters.

During the last quarter of 2024 isites collectively generated a total of \$126,180 through FNDC revenue: rates payments, application fees for manager's licenses, and other FNDC-related revenue.

The arrival of 24 cruise ships to the Bay of Islands, bringing approximately 40,000 visitors ashore, significantly increased foot traffic through the Paihia isite. Between October and December, the isites welcomed a total of approximately 63,500 visitors.

The Christmas holiday period has seen a substantial influx of both domestic and international travellers to Northland, leading to high occupancy rates across accommodations, campsites, and car parks. Consequently, this surge in tourist numbers contributed to a notable increase in bookings at the isite locations. Water activities are in high demand during these warmer months, including Hole in The Rock cruises, sailing trips and ferries out to the islands and to Russell.

A new key performance indicator, Facebook engagement, has been implemented over the last quarter of this year and has proven successful. This new measure enhances community engagement by keeping residents informed about events, cruise ship schedules, and other relevant information, while also providing a new avenue for making bookings through platform interactions. The isites Facebook page has garnered 60,000 views and nearly 500 interactions with posted content between October-December 2024.

In summary, the Far North isites are diligently working to convert visitor numbers into revenue through targeted sales strategies. Despite the challenging global economic conditions, they continue to make concerted efforts to optimise business performance and foster positive engagement with the local community.

### Contact Centre

Contact Centre performance analysis for the October-December quarter has achieved good results with the new changes that have been implemented.

The average wait time refers to the amount of time a customer has to wait to have their call answered by an operator from the phone queue. This is an important metric to monitor as this tracks how effectively the team are managing initial call handling and is measured in minutes and seconds.

The average wait time in Oct and Nov was 13 seconds, which is the lowest wait time during this reporting period. The average wait time in December was 21 seconds, which is under the KPI but due to a rates issue more calls than usual were fielded.

Average call handle time refers to the time it takes to fully complete a customer query and is measured in minutes and seconds. This metric is important to monitor as it demonstrates how effectively the team are managing call flows and the average amount of time a customer remains on the phone while their query is managed by an operator.

The average handle time in November was 4 minutes 07 seconds, which is the lowest handle time during this reporting period.

Percentage of calls abandoned has a target of 12% as an LTP success measure. Abandoned calls are those where customers have disconnected the call while waiting to speak with an operator. This metric is important to monitor because it demonstrates the percentage of attempted calls per month that are not taken. While it has been volatile throughout the current reporting period it is pleasing to see lower percentages of abandoned calls being consistently maintained in the last 3 months.

The abandoned rate for October and November was 3% and was 4% for December 2024.

## Libraries

Libraries' weighted performance metrics measure actual delivery against set goals, collectively establishing the baseline for the team's total performance score.

Monthly goals are based on the previous year's 12-monthly average figure, plus a 1% increase. Each weighted metric for 2024-25:

- Total number of programmes offered (35% of total score) = 270
- Total programme attendee numbers (20% of total score) = 1,690
- Total online engagement (25% of total score) = 226,613
- Total mobile library interactions (20% of total score) = 245

Strong positive use figures for the current quarter reflect the ongoing value return on ratepayer investment library services offer, with December's performance score being expected due to fewer days open to the public affecting the baseline metrics for programmes offered and attendee numbers. December's score of 92% represents an improvement for this traditionally quiet month; when the weighted metrics for libraries were applied to December 2023 figures, performance was only 66%.

Highlights from this reporting period were commemorating He Whakaputanga o te Rangatira o Nui Tirenī across sites, progressing the Kaikohe Library design through concept phase; and preparing the mobile library service for an upcoming trial including service centre functions on the regular run, which launches in February when mobile services are back on the road after January's planned offroad maintenance period.

## Customer Services

Customer Services weighted performance metrics measure actual delivery against set goals, collectively establishing the baseline for the team's total performance score.

Resolution at first point of contact is set at 68%. All other monthly goals are based on the previous year's 12-monthly average figure, plus a 1% improvement. Each weighted metric for 2024-25:

- Walk-ins resolved at first point of contact (45% of total score) = 68%
- RFS closure rate (30% of total score) = 80%
- Average handle time for email requests (25% of total score) = 18 minutes

Customer Services performance this quarter has been positive.

Results above 100% are due to walk-in resolution rates above 90% consistently achieved across five of the previous six months, and email handle times under 10 minutes being achieved every month in the September-December quarter. The walk-in resolution target will be raised to 80% for the final quarters of 2024-25, and the email handle time reduced to 10 minutes.

### Communications & Engagement

The Communications and Engagement Team's overall performance is measured by news stories published, online engagement, the monthly closure rate of internal job tickets, and video viewing statistics for Facebook and YouTube.

The highlight for the Communications & Engagement Team this quarter was delivering the inaugural State of the Far North address at the Turner Centre on 12 November. This was a first-of-its-kind event for FNDC (and perhaps for New Zealand), which saw Mayor Moko Tepania present a the 90-minute address to more than 200 invited guests.

Working closely with the mayor, members of the Communications & Engagement Team scripted the presentation, created invite lists and delivered several video packages that ran during the event. Staff from across the organisation helped the team manage the event on the night and ensured it ran smoothly. Staging the event was only one part of the project; a full video recording of the address made by the team was edited into multiple bite-sized segments. Each of these was designed to tease online audiences with event highlights and encourage them to watch the full recording on the council's YouTube channel. These 'teasers' were published each week through to December. The full presentation video was watched on YouTube 732 times, representing 171 hours total watch-time between 15 November (when it was uploaded to YouTube) and 31 December. The video will continue to be available for viewing in 2025.

Creating and delivering the State of the Far North address was a significant undertaking that involved five members of the team, impacting on their ability to undertake BAU tasks. This did see a drop in the number of news and video stories published in October – 18, six less than the 24 monthly target. Output bounced back in November and December with 25 and 35 stories published respectively.

A series of hui aimed at providing information on whenua Māori in the Far North were launched in November. This project is being led by the Corporate Services but Communications and Engagement Team member, Will Davis, also provided significant support. The first event was held on Saturday 23 November at Waipuna Marae in Panguru and the second at Ōtiria Marae in Moerewa was held on 16 December. The hui were widely applauded by the public and more are planned for 2025.

December traditionally marks the beginning of summer water restrictions. The Communications and Engagement Team plays a key part in this work promoting water conservation messages and informing residents and visitors of water restriction levels. This year the team developed new water restriction signs. These were printed and distributed to local retailers around the district, while large roadside signs were delivered to new council contractor, CityCare. It will post these signs at key intersections within urban areas once Level 2 water restrictions are applied to each water supply. All signs feature easily recognisable icons for the four restriction levels and more clearly show what types of water use cannot be undertaken at each level. A new te reo message Tiaki ngā wai also encourages users to protect this precious resource. Distribution of the new signs proved timely – Level 2 water restrictions banning the use of outdoor sprinklers or irrigation systems were applied to the Kawakawa-Moerewa, Ōmanaia-Rāwene and Ōpononi-Ōmāpere supplies on 16 December.

### Customer Service Excellence Special Project: RFS

Over the past 18 months, staff have managed an average of 3,470 new Requests for Service (RFS) created per month, while simultaneously closing an average of 3,550 RFS per month. Despite the high closure rates, a persistent challenge has been the rollover of outstanding RFS, which has averaged approximately 1,370 per month during this period. This backlog represented a key issue for improving overall operational efficiency and customer satisfaction, as identified by elected members.

In response to this issue, a Customer Service Excellence Coordinator role was established in July 2024. The purpose of this role was to address the outstanding backlog of RFS and foster a stronger customer service-oriented culture within the Council.

Within five months of the new role's implementation, significant progress has been observed: the Total Open RFS by Month exhibited a marked decrease, reversing its previously stagnant trend and demonstrating a positive downward trajectory, going from as high as 2,275 to as low as 1,256 Open RFS during this period. The

---

Total Overdue RFS by Month similarly declined dramatically, further underscoring the success of targeted initiatives, reducing from 1,434 to as low as 665 Overdue RFS during this period.

These improvements are directly attributed to the targeted work programme and customer service excellence strategy spearheaded by the Customer Service Excellence Coordinator. The role's primary activities included facilitating an average of 32 engagement meetings per month with cross-departmental teams, involving approximately 58 staff members each month. These meetings were critical for addressing outstanding RFS, resolving bottlenecks, and closing a significant percentage of overdue requests, and responding to customers. Additional efforts, such as training sessions, documenting best practices, and implementing system changes to streamline RFS handling, have contributed to creating a sustainable, customer-focused culture within FNDC.

During the October – December quarter 9,645 RFS were created across FNDC while over the same period 10,049 were closed: an average closure percentage rate of 105.66%.

The data for overdue Requests for Service (RFS) indicates a consistent downward trend in the final months of 2024, reflecting ongoing improvements in addressing outstanding requests. October recorded 665 overdue RFS, continuing the steady reduction from earlier months. However, November and December showed a slight plateau, with 704 and 702 overdue RFS, respectively. Despite this minor stagnation, the overall numbers represent significant progress compared to July's peak of 1,434.

The steady decline earlier in the year suggests that processes and strategies implemented to reduce overdue RFS have been largely effective. The slight rise in November and December could be attributed to end-of-year pressures, resource limitations, or seasonal fluctuations in demand.

Overall, the trend highlights an encouraging improvement in service delivery efficiency, though there is room to further reduce the backlog. To sustain momentum, the focus on overall customer service will continue in 2025 with measurable insights to ensure improvements across the organisation are realised to satisfactory levels.

---

## 7.4 MAYOR AND COUNCILLOR'S REPORTS

**File Number:** A5056536

**Author:** Marysa Maheno, Democracy Advisor

**Authoriser:** Aisha Huriwai, Manager - Democracy Services

### TE TAKE PŪRONGO / PURPOSE OF THE REPORT

This report is a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives.

### NGĀ TŪTOHUNGA / RECOMMENDATION

That Council receive the reports submitted by Kahika-Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally and John Vujcich.

### TE TĀHUHU KŌRERO / BACKGROUND

Kahika-Mayor Tepania has reintroduced Council members reports as a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives. Members reports are compulsory for Councillors.

### TE MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Members reports are attached for information.

### REASON FOR THE RECOMMENDATION

To formally receive the Mayor and Councillor reports.

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

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

### NGĀ ĀPITIHINGA / ATTACHMENTS

1. Kahika-Mayor Moko Tepania Member Report - A5067019 [↓](#) 
2. Kowhai-Deputy Mayor Kelly Stratford Members Report - A5070990 [↓](#) 
3. Cr Ann Court Members Report - A5067024 [↓](#) 
4. Cr Hilda Halkyard-Harawira Members Report - A5070776 [↓](#) 
5. Cr Babe Kapa Members Report - A5070752 [↓](#) 
6. Cr Steve McNally Members Report - A5070779 [↓](#) 
7. Cr John Vujcich Members Report - A5061600 [↓](#) 



## Te Tari o te Kahika o Te Hiku o te Ika

### Office of the Mayor of the Far North

**Member’s Report - December 2024**

DATE	MEETING TOPIC
02/12/24	Far North Holdings AGM, Ngāwhā Citizenship Ceremony, Kaikohe Radio Wātea Fortnightly Interview Mayors Taskforce for Jobs (MTFJ) Zoom
03/12/24	Chief Executive Catchup, Kaikohe Te Miromiro Assurance Risk & Finance Committee, Kaikohe Council Agenda Preview, Kaikohe
04/12/24	Local Waters Done Well & Joint Priorities Workshops, Kaikohe RNZ Interview - Local Democracy Reporting Young Elected Member Zoom
05/12/24	Far North Business & Agency Leaders’ Call via Teams
06/12/24	National Council Meeting via Teams Paihia Christmas Parade
07/12/24	Ōkaihau Christmas Parade Kerikeri Christmas in the Domain
08/12/24	Kāeo Hineraumati Festival Kawakawa Christmas in the Park Russell Christmas Parade
10/12/24	More FM Interview - Mangamuka Opening Te Pātukurea Kerikeri-Waipapa Spatial Plan Workshop, Kaikohe Annual Plan Workshop, Kaikohe
11/12/24	CE Catchup, Kaikohe Te Kuaka Committe & Ngāti Rēhia MoU Signing, Kaikohe Housing for the Elderly Meeting

**Far North District Council | Private Bag 752, Kaikohe 0440 | 0800 920 029 | [www.fndc.govt.nz](http://www.fndc.govt.nz)**



**Te Tari o te Kahika o Te Hiku o te Ika**  
**Office of the Mayor of the Far North**

12/12/24	Council Meeting, Kaitāia
13/12/24	Te Huia Subcommittee Meeting via Teams Office of the Mayor Weekly Briefing via Teams Newstalk ZB Interview - Summer Segment Te Hiku FM Interview, Kaitāia Kaitāia Airport Signing, Te Rangi Āniwaniwa
15/12/24	Newstalk ZB Interview - Real Life
16/12/24	Meeting with Tainui Group Holdings / Tupu Tonu, Kaikohe Radio Wātea Fortnightly Interview Community Board Chairs' Catchup via Teams
17/12/24	CE Catchup, Kaikohe NorthChamber Meeting, Kaikohe Karere Kahika Filming, Ōkaihau
18/12/24	Kai o te Rangatira Meeting via Teams RNZ Interview - Summer Times Stakeholder Relationships Meeting, Kaikohe Manaaki Rangatahi Housing Meeting via Teams
19/12/24	Mangamuka Gorge Opening RNZ Interview - Dogs Newstalk ZB Interview - Cemeteries
20/12/24	Office of the Mayor Weekly Briefing via Teams
22/11/24	LGNZ Rural & Provincial Sector Meeting, Wellington <ul style="list-style-type: none"> <li>• DIA - Local Water Done Well</li> <li>• Commerce Commission - Economic Regulation</li> </ul> MTFJ Far North Update, Wellington



Member Report

**Name:** Kōwhai | Deputy Mayor Kelly Stratford

**Ward:** Bay of Islands – Whangaroa

**Date:** 31 January 2025

**Meetings/Events Attended**

Date	Meeting Topic	Comment
2 Dec 2024	Housing Portfolio	Reviewed the Short Stay Accommodation, Rotorua Case Study and the mahi that staff have been doing – meetings with Rotorua and Queenstown councils. Had an overview of the research carried out in our district. Discussed progress of Housing Strategy, housing gap analysis and other studies underway across the country. Briefly went over the Hastings District Council case study “council land for housing outcomes” and will go into this further at next hui. All this information coming to a full council workshop early 2025.
	Citizenship Ceremony	Always beautiful. Especially with a haka tautoko, and a non-Te Reo Māori speaker doing our anthem in Te Reo Māori after doing her affirmation or oath!
3 Dec 2024	Te Taupua, Kōwhai & Kahika	Catchup with our CE over items immediately important. And any updates for the mayoral office.
	Civil Defence Emergency Management Hui	Chairing the CDEM for Northland. Highlights from this hui are in my portfolio report below.
	Dangerous and Insanitary Buildings verbal submission	Hearing of verbal submission on this policy we consulted on - purpose of this policy to reduce public health and safety risks that unsafe buildings could present to our community.
	Council Agenda Preview	Review of agenda for upcoming hui.
4 Dec 2024	Local Waters Done Well	New water service delivery plans have to be developed by 3 Sep 2025. These will detail the proposed future water services delivery arrangements, and an implementation plan. Information will include operational aspects, assets, revenue, expenditure, pricing, and projected capital expenditure and financing arrangements.



Member Report

	Joint Priorities	Councillor and Strategic Leadership Team (SLT) workshop to discuss priorities over the rest of the triennium.
5 Dec 2024	Business Call Hui	
	Keikeri CBD Road Designation Process	Going over the possible options for shortlisting.
6 Dec 2024	Kerikeri Red Cross 85 year commemoration	Morning tea celebrating all the volunteers and their amazing service over those years. Two lifetime memberships were given out, there were displays of the wonderful archive books history, a lovely dance by their international group, cutting of the anniversary cake. I said a few words on behalf of council acknowledging the work they do helping people to feel welcome in their new community, supporting refugees, meals on wheels, fundraising and being a hub for first aid courses and being about of response during Cyclone Gabrielle.
9 Dec 2024	Kerikeri CBD Road Designation	Meeting of the project steering group, shortlisting options.
10 Dec 2024	Te Pātukurea	
	Annual Plan Workshop	
	Benefits of Fluoridation	Manatū Hauora - Ministry of Health gave a brief presentation on the benefits of community water fluoridation.
11 Dec 2024	Temu Taupua CE catchup	
	Te Kuaka – Te Ao Māori Committee	
12 Dec 2024	Council hui	
13 Dec 2024	Kaitaia Airport	Lease signing and commemoration of transfer ownership from the crown.
	Took annual leave	Ended up sick for a few weeks, ripped off!
15 Jan 2025	Resilience against organisation crime	Hui with representatives from this MSD organisation informing us of some initiatives underway in Kaikohe, and hopefully out to other parts of our district later this year.
	Temu Taupua Acting CE catchup	



Member Report

	10 years of Kerikeri Mens Shed	<p>Celebrating the 10th anniversary of the Kerikeri Men’s Shed and achieving its charitable status.</p> <p>It was inspiring to hear the story of how the Shed came to life back in 2014, from the first meeting of 40 attendees to forming a steering committee just six days later. I also got to hear their vision for the future, including the aspiration to establish a permanent space on council-owned land next to the new sports grounds at Te Puawaitanga.</p>
16 Jan 2025	Business Call	Concerns raised re no mowing around our town centres before and during the busy summer period. Weeds waist height - looks terrible.
17 Jan 2025	Interviewing for new EA for Mayoral office	
20 Jan 2025	Quarterly pōwhiri new starters	
	Number of briefings from staff	Keeping me apprised of rising issues.
21 Jan 2025	Temu Tapua CE Catchup	
	Interview with Mediaworks	Regarding the dog attack of international Te Araroa Trail runner. I spoke with the mayor of WDC and connected our team with his, to have a collaborative approach as this happened in Whangarei’s council jurisdiction, but our boundary is near. The WDC animal management team know the owners of the dogs, they were not actually “wild” as we would term it.
23 Jan 2025	Filming of awareness videos	Promoting councils present during Waitangi Week at Te Tiriti o Waitangi Marae and at the sports ground at Waitangi Trust grounds on Waitangi Day.
	Te Tiriti o Waitangi Marae	Conversation with committee member about getting some trees for the Tiaki Whakapapa tents from 2 <sup>nd</sup> to 6 <sup>th</sup> Feb on Te Taumata Mohi (this is the actual name of the reserve next to Shippeys, we need to start referring to it as so.
24 Jan 2025	Housing for the Elderly steering group	Expectations, timelines for ongoing steering group mahi. May be requirement for ad hoc hui, to address any concerns that arise ahead of divestment.
28 Jan 2025	Moerewa Stormwater Project	So nice to attend the turning of the sod for this project which will see an actual stormwater network



Member Report

		drain away water in the direction of into the Waiharakeke, under the railway line.
	Te Pātukurea Spatial Plan	Workshop on the draft options before the staff do up the draft for consultation. Will come back to us in another workshop to go over before a decision comes to council pre consultation.
	Kawakawa concerns	Query regarding Settlement Road Kawakawa why was this stopped back in 2016. Can council upgrade that driveway to the roping club and build a walking track through to the other side, and get rid of those gum trees. What is happening with the mowing that has stopped next to the Kawakawa Bowling Club.
30 Jan 2025	Business Call	Good updates from MSD, ACC and some of the business associations across our district. Rising concerns of burglaries. Shared the korero about the speed reversals on state highways.
	Housing Portfolio	<p>Rotorua DC have invested a significant amount of resource investigating short term rentals, we had a look at their data &amp; insights. Approx. 100k if we were to do this work, warranted if we were looking to support their rating tool</p> <p><a href="https://www.rotoruanz.com/en-nz/do-business/insights/tourism-sector-data-and-research/rotorua-visitor-short-term-rental-dashboard">https://www.rotoruanz.com/en-nz/do-business/insights/tourism-sector-data-and-research/rotorua-visitor-short-term-rental-dashboard</a></p> <p>Also went over the NRC presentation and the infometrics dashboard which is a source of date showing guest nights etc</p> <p><a href="https://gem.infometrics.co.nz/far-north-district">https://gem.infometrics.co.nz/far-north-district</a></p> <p>Policy workshop coming up 5<sup>th</sup> March could go over these tools.</p> <p>Housing strategy working group stakeholders have been confirmed. And comms with them will start soon. Interim action plan, actions whilst strategy is getting developed will be coming as a briefing to update council.</p> <p>Great presentation on the myths vs realities around the building legislation. Would be good to workshop this with practitioners.</p>
	Northland Forward Together	Northland Forward Together workshop. Northland Inc connected us with the Ocean Flyer project and Cr Benney connected us with Michael Connett (US



Member Report

		<p>Lawyer) who spoke about fluoridation of water supplies.</p> <p>Michael’s presentation traversed the science behind fluoride’s potential harm - referring to toxicology risks for those that have existing health complications. And he also talked about the varying rate of toxicity per individual.</p> <p>He shared how their legal battle progressed. What he had to say really challenged my thinking around water fluoridation.</p> <p>Further details of Mr Connett’s tour around NZ can be found here <a href="https://fluoridefree.org.nz/michael-connett/">https://fluoridefree.org.nz/michael-connett/</a></p> <p>We also had an update from Mayor Jepson of Kaipara on the Mangawhai event, and the recovery. He and Cr Lambert giving us some insight into the trauma the residents have been through. And the next steps into recovery.</p>
31 Jan 2025	Office of the Mayor briefing	Staff briefing on issues on the horizon
	Waitangi Briefing	Final briefing ahead of Waitangi Week commemorations. Parking, traffic management, reserves and mowing and final logistics.

**Community Matters**

Topic	Comment
Russell WWTP	Public works act inquiry – progressing, need to check if the resident has been updated.
Hihitahi Rise	Investigations for Te Haumi Slip Options assessment were due to finish 27 <sup>th</sup> September, with 12 month monitoring to start in September. Hihitahi resident advocating for this mahi, contact at council has been sorted. Need to ensure funding is sought to deliver this resilience work.
Ohaeawai stormwater	Need staff to front up to the community on this issue. <b><i>They did an LTP submission, and I was assured it was in hand by staff, otherwise I would have fought for it in deliberations.</i></b>
Laundromat	Moerewa has no wastewater treatment plant. Community and hapū are concerned that a consent may be granted for discharge into the river for the new laundromat. A consent was erroneously granted. And then cancelled. Currently no consent in place. Applicant working on a new one.



Member Report

Kohukohu Town Hall	Concerns regarding the unsuccessful funding application. What next, for this high-profile historic hall please, ensuring it stays open, and is not degrading.
Rangitane Maritime	<b>Consent declined.</b>

**Portfolio Update: (Housing)**

- There is a good lot of information coming through for housing strategy early next year – housing vs tourism accommodation; rating AirBnB, how to collate data of short term accommodation and enable rating, so we have a fair approach to user pays. Staff have been working with Rotorua and Hastings and other councils, accessing information to support our progress.
- Homelessness is an ongoing issue

**Portfolio Update: (Emergency Management)**

- Section 17a review of the service level agreement between the four councils underway.
- Multi agency coordination centre final agreements coming to councils for approval.
- Await confirmation of on staff local controller.
- Have requested a hui as portfolio holder, to discuss internal CDEM policies and procedures.
- We need to work with iwi to see if they have any CIMs trained staff and could become part of our pool of controllers in a significant event.



Member Report

Name: Cr Ann Court

Date: December 2024 – January 2025

**Meetings Attended**

Date	Meeting Topic	Comment
3 <sup>rd</sup>	Road Controlling Authority: Webinar Temporary Traffic Management (TTM) NZGTTM 10:00AM – 11:30AM	
	Assurance, Risk and Finance: From 10:30AM	
	Verbal Submission on the FNDC Dangerous, Insanitary and Earthquake Prone Policy	
4 <sup>th</sup>	Local Waters Done Well: Workshop	
	Joint Priorities: Workshop	
5 <sup>th</sup>	Kerikeri CBD Road Designation Project Steering Group	
9 <sup>th</sup>	Maintenance Working Group Kerikeri CBD Designation Project Steering Group	
10 <sup>th</sup>	Kerikeri Waipapa Spatial Plan Workshop Annual Plan Workshop Northland Energy Plan Hosted by the Institute of Directors	
11 <sup>th</sup>	Regional Land Transport Committee Meeting /Workshop	
12 <sup>th</sup>	Council	
17 <sup>th</sup>	Maintenance Working Group	
17/January	Site visit Rangiahoua Road in response to multiple RFS regarding dust and corrugations	
21 <sup>st</sup>	Automobile Association Meeting Whangarei	
28 <sup>th</sup>	Kerikeri Waipapa Spatial Plan: Chambers	
30 <sup>th</sup>	LWDW pre workshop strategy meeting	

Nb: The holiday period was interspersed with requests for service ranging from dust to corrugations and illegal dumping.



Māori Ward Councillor Report hhh 30.1.2025



**H Halkyard-Harawira** all minutes & agenda <https://infocouncil.fndc.govt.nz/>

<div style="text-align: center;"><b>2024 Highlights</b></div> <div style="text-align: right;"></div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>KAITAIA AIRPORT - NEW LANDLORD</b></p> <p>Crown returned land to Ngai Takoto , Patu Koraha, Ngai Tohianga &amp; Te Pātū - December 13 2024.</p> <p>FNDC signed lease with new landlord</p> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>INFRASTRUCTURE -MAHI NGĀTAHI</b></p> <ul style="list-style-type: none"> <li>• Decommission of Kauri Dam</li> <li>• Return of Moringaehē to ngā hapu o Ahiparapara</li> <li>• North Hokianga Roading Komiti-slips repairs to vital roads begun</li> </ul> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>STOP SEWAGE TRAFFICKING</b></p> <ul style="list-style-type: none"> <li>• Hapu &amp; Community working groups working alongside FNDC re wastewater</li> <li>• Purchased alternate disposal site in Hokianga</li> <li>• Stopped cartage of tiko sludge to Kaitaia.</li> <li>• Monthly progress reporting re 16 wastewater systems to Council</li> </ul> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px;"> <p style="text-align: center;"><b>Ngā Take Tiriti - equity</b></p> <ul style="list-style-type: none"> <li>• All of the above</li> <li>• Mahi tahi with Te Kahu o Taonui in Te Kuaka Standing Komiti</li> <li>• Te Pae o Uta framework in FNDC</li> <li>• Hapu / Māori representation at start, middle and end of projects.</li> </ul> <p>Māori Ward Councillor - H Halkyard-Harawira   • No developments on wāhi tapu</p> </div>	<div style="text-align: center;"><b>2025 Goals</b></div> <div style="text-align: right;"></div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>KAITAIA AIRPORT - NEW LANDLORD</b></p> <ul style="list-style-type: none"> <li>• Runway maintenance &amp; upgrades</li> <li>• Co management Komiti - Council , Landlord &amp; community involvement</li> <li>• Better support for emergency health &amp; rescue services</li> <li>• New airport buildings</li> </ul> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>INFRASTRUCTURE -MAHI NGĀTAHI</b></p> <p>Support local contractors &amp; proven agencies to deliver housing, roading, wai &amp; wellbeing outcomes to whānau. Regular maintenance &amp; repairs</p> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center;"><b>STOP SEWAGE TRAFFICKING</b></p> <ul style="list-style-type: none"> <li>• Stop dumping sewage into our harbours &amp; waters by December 2025 in favour of land disposal &amp; wetland development.</li> <li>• Stop cartage of tiko and sludge to other neighbours. Develop local options.</li> <li>• Invest in upgrading 16 wastewater systems to cope with fast population growth.</li> </ul> </div> <div style="border: 1px solid blue; border-radius: 15px; padding: 5px;"> <p style="text-align: center;"><b>Ngā Take Tiriti - equity</b></p> <ul style="list-style-type: none"> <li>• Embrace partnerships with Māori to address wai , whenua, whare, marae, wāhi tapu, hauora, kura, representation etc at start, middle and end of project.</li> <li>• Collaborate with Māori on mutual projects.</li> <li>• No developments on wāhi tapu</li> </ul> <p>Māori Ward Councillor - H Halkyard-Harawira  </p> </div>
---	--

**Tai Tokerau is the home of He Whakaputanga and Te Tiriti o**

**Waitangi.** Tai Tokerau Māori, FNDC and Tai Tokerau Members of Parliament are the kaitiaki of He Whakaputanga and Te Tiriti o Waitangi. We want Tai Tokerau to be a place where all our community members have a sense of belonging and pride, with a commitment to manage our taiao wisely and enable informed, sustainable economic development.<sup>1</sup>



<sup>1</sup> Te Pae Tata Three Year Long Term Plan 2024-2027



Māori Ward Councillor Report hhh 30.1.2025



Hui attended December

2 Dec RāHina	8.30 am Kuaka Hui preview with staff, chair Harry Burkhardt & Kiri Slone Hobson Te Kahu o Taonui CEO
3 Dec	10am Crowns pre- offer to Ngāti Rēhia re Kororipo Pā - Whitiara Marae, Te Tii
4 Dec	10-12 Local waters done well- 1pm Joint priorities 4pm Ahipara Wastewater Treatment Plant
5	5pm Pō Tuku Taonga - Te Wharekura o Aniwaniwa
8	Tangi o Ted Moses, Pa o Parore
9	Impromptu CEO visit to Waitomo Papakainga re drainage issue, tour around Korowai Aroha papakainga and visit to Kaitaia Airport.
11	MOU signing between Te Rūnanga o Ngāti Rēhia and FNDC
10	10am Patukurea 1-4.30 pm Annual Plan - 11% rates increase for 2025 Tangi o Mere Rawiri Tau, Rangikohu Marae Herekino
11	MOU SIGNING between Te Runanga o Ngāti Rēhia and FNDC <a href="#">TE KUAKA HUI MINUTES</a> on FNDC infocouncil
12	10-2 Hui Kaunihera ki Te Ahu <a href="https://infocouncil.fndc.govt.nz/Open/2024/12/CO_20241212_MIN_2739.PDF">https://infocouncil.fndc.govt.nz/Open/2024/12/CO_20241212_MIN_2739.PDF</a> 4pm end of 2024 dinner

**Commitments from 13 o Noema-2024 Ngākahu /Ngākohu Ahuwhenua Steering Komiti**

- a) Bellinghams to complete the final stages of Kauri Dam in drier weather Oct-Nov ;
- b) Return and expedite the reinstatement of lands to Ngākahu/ Ngākohu Trust - via the Māori Land Court;
- c) Follow up on FNDC remission of rates regarding land locked blocks;
- d) Reinstate power to the pumphouse and change the account to Ngākahu Trust. ✓





Māori Ward Councillor Report hhh 30.1.2025



e) Plant trees for wetlands	
13	1.30 pm Return of Kaitaia Airport
RāHoroi 14	8.30-3 Ngā Hoe Horo regatta, Lake Ngātu
16 Ra Hina	<p><b>10am Otiria Marae-</b> rating Whenua Māori- te pai o te hui Māori kei roto i te pōhiri, ka takoto ngā kaupapa o te hau kainga me ngā manuhiri. Ahakoa te maha o ngā kaimahi Māori i roto i te Kaunihera, ka mauriri ētahi ki ngā mahi tūkino kua mahia e te Kaunihera i ngā tau kua pāhure ake nei. Ko Ngāhau Davis te kaihautu o te hui .</p> <p>Ahakoa ko te tino hiahia o ngā kaimahi kaunihera hei whakatika ētahi o ngā nawe utu reiti, ka hōhā te hunga ki a mātou. Marama pai au ki aua whakaaro.</p>
<p>The back drop to the hui is the <b>wharehui Tumatauenga in Otiria</b> showcased many whakairo of our often spoken tupuna in Te Hiku:</p> <ul style="list-style-type: none"> <li>● <b>Tumatahina-</b> whence the famous Far North whakatauki - "Ruia ruia" originated whilst he used ingenuity to escape an attack from Ngāpuhi and saved his people</li> <li>● <b>Ruanui-</b> te kāpene o Mamari waka, former name of Te Aupouri Iwi</li> <li>● <b>Te Ikanui and Wheeru</b> - tupuna of Te Aupouri</li> <li>● <b>Tohe-</b> tupuna of Ngāti Kuri who named places along Te Oneroa a Tohe while in search of his daughter Rāninikura who moved to Ngāti Whātua</li> <li>● <b>Houtaewa-</b> nephew of Tūwhakaterere , tupuna athlete of Te Aupouri who ran to Ahipara and took kumara back to Te Kao - still not liked by some in Ahipara despite hohou te rongo</li> <li>● <b>Nukutāwhiti-</b> kāpene o Ngātokoimatawhaorua</li> <li>● <b>Puhimoanaariki-</b> was the name of one taniwhā that guided Nukutāwhiti to Aotearoa</li> <li>● <b>Tumoana-</b> nephew of Kupe and navigator of Tinana waka and connections to Ahipara</li> <li>● <b>Kahukuraariki</b> - wife of Tumoana and highly revered in Whangaroa and some parts of Ngāti Kahu</li> <li>● <b>Tamahotu-</b> son of Tumoana and also a navigator- his grandson was Toakai , whose whakairo is at Moringaiehe</li> <li>● <b>Parata-</b> tupuna matua o Ngāti Kahu, he and his wife sailed Mamaru from Ahipara to Tokerau,</li> <li>● <b>Kahutianui</b> - daughter of Tumoana and wife of Parata- founders of hapu Te Whānau Moana and Te Rorohuri</li> <li>● <b>Haititaimarangai-</b> mokopuna of Parata and Kahutianui</li> <li>● <b>Ueoneone-</b> tupuna from Whangape, Pawarenga, who brought Reitu to the Far North and her sister Reipae to Whangarei</li> <li>● <b>Tarutaru-</b> a well known warrior of Te Rarawa, who married Ruapounamu</li> <li>● <b>Kahi</b> - son of Tarutaru and father of Papahia and Te Huhu - Te Rarawa signatories of He Whakaputanga and Te Tiriti</li> <li>● <b>Waimirirangi-</b> is often called the Queen of Ngāpuhi , she and Kairewa had 10 children - all of the northern tribes can trace their descent to her children</li> </ul>	



Māori Ward Councillor Report hhh 30.1.2025



- **Kawiti** - he fought alongside Hone Heke, a signatory to Te Tiriti , his people reside in Waiomio. Descendant Tawai Kawiti and his whānau sheltered Ngā Tamatoa in 1971 and Te Kawariki up until 1990 , after his death , he wanted Te Tiriti o Waitangi to be honoured.
- **Hineamaru**- wahine ancestress of Ngāti Hine- love hearing today’s generation of men pay homage to her fearless leadership
- **Pumuka** -connections to Opuia whenua Puketiti and his famous flag

**Kōrero shared by staff member Marlema Baker** “ Otiria Marae was built to commemorate those who had died in WW1 (and indeed all of our fallen Maori soldiers in all wars). Interesting fact, the original name for the marae was meant to be Rongomau, but when the rangatira who gave that name passed away, Ngapuhi decided that it should be Tumatauenga, so the name Rongomau was given to the old carved flagpole, which we are currently hoping to repair and re-erect.

The original trustees were rangatira from all over Ngapuhi: Whare Hauraki, Whina Cooper, Rikihana Etana, Rev. Henare Paraone, Tamati Rapihana, Ngatikahu Henare Kingi, Wiremu Popata, Pene Perepe, Tapiana Paraire Paikea, Keina Poata, Piri Mokena, Morere Piripi, Haami Pu, Henare Te Nana (My Tupuna), Hone Heke Rankin, Eru Moka Pou, Rore Wikiteoi (my tupuna), Kerei Mihaka, Heke Te Rangi, Heemi Tono Wetiwha, Peeni Henare (old the current labour minister’s namesake), James Clendon Henare (Sir James), Paki and Paora Keretene Kerepeeti Mahanga, Henare Kepa, Mohi Tito, Hanita Ranga Paraone (uncle Hunter), Himi Rapana Hepi, Aramiha Baker (also my Tupuna), Waata Naera, Tawai Riri Kawiti, Mahu Otene, Heta Te Ahu Ahu, Maihi Tahu Paraone, Hare Ngawati, Arena Ngawati, Rae Hona Tana, Walton Davis, Rata Tipene, Taranaki Tarau

Eventually those elders passed and lwi stopped appointing their representatives to the trusteeship so, because Ngati Hine were the custodians and stewards of the marae, Ngati Hine, Ngati Kopaki and Ngati Te Ara have held and maintained the mana of the marae.”

17	<p><b>10am Te Hiku Community Board</b>- local presentations from:</p> <ul style="list-style-type: none"> <li>● <b>Lake Ohia Community Hall</b>, who presented a more realistic plan for the renovation of the hall.</li> <li>● <b>Ahipara Rangers</b> , who work in the summertime on Te Oneroa a Tohe and monitor speed limits and safe driving.</li> <li>● <b>Te Waka Taua o Te Rangimarie</b> re men and womens waka training (waka taua, waka tete) in readiness for Waitangi week</li> </ul> <p>1pm Muriwhenua Education &amp; Sports Hub , Kaitaia</p>
18	<p>10 am Regional Deals 3 pm Ahipara Wastewater Treatment Plant</p>
19	<p>5am Mangamuka SH1 Opening and blessing of pou 10am Mangamuka Opening - with Minister Brown</p>
20 Dec	<p>Holidays</p>



Māori Ward Councillor Report hhh 30.1.2025



## He Maumaharatanga Remembering Good Friends 2024

### Jan -February Ahuahua Mataora /

- **Selwyn Murupaenga** - nō Ngāti Kuri , Ngai Tohianga, ringa toi rongonui o Aotearoa i whakahokia mai ki te Marae o Ōturu.
- **Aorere Awi Ridell**- nō Ngāti Porou, Ngāti Kahungunu , he kaiako rongonui o ngā kura Tipene me Te Aute.
- **Muru Walters** nō Te Aupouri, Te Rarawa, he toa Opango, he Pīhopa o te hāhi Mihinare.
- **Manuao Hita**, nō Ngāti Ueoneone, Ngāti Tara, i mate aitua ai tēnei raukura o Rangīāwhia me Te Rangī Aniwaniwa.
- **Diivo Joseph**, nō Ngai Tohianga nō Rarotonga i mate ohore.

### March - Pūtokinuiatau

- **Jackson Tait**, hoa rangatira o Kimberly Desmond, i mate ohore.
- **Dale Tāwhiti**, te tamaiti a Ben Tāwhiti, hoa rangatira o Carol Murray, i nehu ai ki Whangapē.
- **Reni Hawke**, te mareikura i okioki ki te taha o tana hoa rangatira a Joe Hawke me tana mokopuna a Joanne, i Takaparawhau.
- **Connor Murray**, he mokopuna o Syd Murray nō Te Pātu, Ngāti Haua , i mate manawa.
- **Erana Urikorē Matiu**, he kuia nō Ngāti Whātua i hoki ki te kōpu whenua ki te taha o tana hoa pūmau a Hakopa Matiu i Pawarenga.

### April - Tikaka Muturangi

- **Nani Brown** nēe Ngawaka, he kuia nō Whangape.
- Gail Shepherd, he uri nō Te Aupouri me Ngāti Haua , he pirihihana. He aitua.

### May - Uruwhenua

- **Bruce Gage**, te hoa rangatira 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, he tangata pākihi 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 Puru.

### June- Te Ao Nui

- **Keith Locke**, he toa o Rongo - i tautoko i ngā mōtika o ngā lwi taketake i ngā whenua o East Timor, West Papua me Aotearoa. He mema o Te Pāti Kakariki.
- **Boy Beazley**, he uri o Ngāti Rangī i mārena i a Jean Herbert nō Te Uri o Tai. Kaha a ia i ngā



Māori Ward Councillor Report hhh 30.1.2025



hākinakina me te whakapai i ngā urupā tawhito.

- **Hone Pene**, he kaitiaki o Te Taiao, he toa o Te Tiriti , He kaiwaiata, nō Tainui me Waimate North.
- **Freda Evans**- Kua wheturangihia te wahine toa, te taniwha niho koi te ao matauranga mai Ngāpuhi, Ngāti Kahu, Te Aupouri, Ngai Takoto me Ngāti Porou Freda Donna Evans.

#### July- Te Ao Turuturu

- **Ted Watts**, nō Ōtamatea, he tino pononga o Te Hāhi Ratana, kaha ki te tautoko ngā mahi o Ngāti Kuri me Te Awanui.
- **Bella Leef**, he mareikura nō Ngāti Haua o Whangape, he wahine humarie.
- **Vanessa Smith**, te hoa rangatira o Wally Smith, he wāhine kaha te tautoko i ngā mahi me ngā hākinakina o Manukau Marae i Herekino.

#### August- Te Iho Nui

- **Ko Manemane Henare**, he kaumātua nō Ngāti Haua o Whangapē me Te Uri o Tai.
- **Ko Winiata Brown**, he kaumātua koi nō Te Aupouri, he engineer, he kai pāmu.
- **Ko Dave Ruru**, nō Uawa , Te Tai Rāwhiti he mema mārika o Ngā Tamatoa.
- **Ko Kingi Tuheitia Potatau Te Wherowhero te tuawhitu**- he Kingi pai o Te Kotahitanga - “ be Māori every day”.

#### September- Tāpere Wai

- **Ko Des Mahoney**, kaihautu o Ngākahu, Ngākohu Ahuwhenua Trust - tangata kaha ki te tautohe me Te Kaunihera kia kapi Kauri Dam.

- **Ko Burt Henry** nō Ngai Takoto.
- **Ko te mareikura a Jude Cooper** nō Ngātu Hau me Ngāti Hine, kaha āna mahi i Te Marae o Hoani Waititi.
- **Ko Cyril Tainui Chapman** nō Kohatutaka Mangataipa, nō Ngāpuhi me Te Aupouri. Haere ra e hoa. Nāna me tana whānau te teihana Tautoko FM i timata.

#### October Tatau Uru Tahī

- **Don Bellingham** - a kind Kaitaia local who gave permission for Te Hiku Media antennae to be hoisted on their land at Bellingham's Quarry Puketutu Hill. .
- **Robert Ludbrook**-lawyer , member of Auckland Committee On Racism and Discrimination ACORD -who defended young Māori and Pacific youth during Dawn Raids and during the times now known as the Abuse of children in State Care.

#### November Tatau Uru Roa

- **Mabel Rakich**- he kuia nō Ngāi Takoto
- **Tawhia Nicolls**- Contractor Fulton Hogan whānau, i hoki ki Te Kao.
- **Bom Gillies** - he hoia morehu o Te Hokowhitu a Tūmataunga, nō Kamupene C , Te Arawa.
- **Tanya Wharton**- he wahine toa mō te hākinakina, nee Keremete nō Te Māhurehure , i mate ohore.
- **Kiwi Campbell**-Nee Takao, nō Tuhoe, he wahine toa , i mate ohore a ia, ka hoki ki tana marae i Waimako.
- **Grace Matiu**- nō Te Aupouri i hoki atu ki Te Kao.

#### December Akaaka NUI

- **Ted Moses** nō Ngāti Kuri me Ngāti Kahu, kei te taha o tana hoa pūmau a Norma Moses.
- **Mere Rawiri Tau**, nō Utakura-Pawarenga me Herekino i whakahokia mai i Ahitereiria .
- **Ani Taniwhā**- he kairangahau pukumahi mō ngā papa hapu o Whangaroa.

#### Hura Kohatu - Unveilings

- **Mataatua Patuone Rameka**, Te Kao
- **Miriama (Ama) Rauhihi** , Waikumete



Māori Ward Councillor Report hhh 30.1.2025



- **Emily Dalton**, Parawhenua
- **Pineaha Murray**, Te Hāpua
- **Thomas Murray**, Whangape
- **Billy Parore Murray**, Whangape,
- **Bill Kaua**, tarahiti o Kohanga Reo Trust , he toa mO Te Reo Māori

#### 1 year anniversaries

- **Titewhai Harawira**- he toa mō Te Tiriti o Waitangi
- **Frances Halkyard**- taku whaea
- **Dun Mihaka**- he toa o Ngāpuhi
- **Norma Jean Dudley**- he manu waiata o Te Rarawa
- **Eric Shackleton**- he tangata akiaki mō te hauora o te hāpori

## Significant Achievements 2024

- **Te tūwheratanga o te rori matua o Maungataniwhā , 70 % nga kaimahi o te kainga, contractors, ngā hapū o Te Pātu me Mangamuka me NZTA**- the reopening of Maungataniwhā gorge, Mangamuka.
- **Far North Hokianga Roading Komiti** - slips work begun in Panguru and Motutū
- **Rangitāne Marsden**- chief negotiator for Kaitaia Iwi
- **Te Runanga o Ngai Takoto, Patu Koraha, Ngāi Tohianga, Te Pātu** - return of airport.
- **Kaitaia Airport**- FNDC renewed lease with local mana whenua
- **Dr Logan Murray**, graduated from Otago University as a new Māori doctor
- **Paul White**, author of “Ngā Tātai Hono, Ngāti Here Hapu” and Te Iringa a Tūpoto- a Hapū History”
- **Kuini ngā wai hono i te pō me Te Kingitanga**- i tae mai ki Te Hiku mō te kawae mate o Kingi Tūheitia me te tūwheratanga o te waharoa ki Waimanoni.
- **Eru Harawira**, author of “Tōku Hiko Whakamua i Tēnei Ao Hurihuri”
- **Karleen Everitt**, Te Aupouri, Business Award leading Te Ao Māori Strategy at ANZ
- **Harry Burkhardt** -Ngāti Kuri, 2024 Outstanding Māori Business Leader award
- **Te Kukupā - Tautoko, Te Hiku Media, me Ngāti Hine FM- ngā irirangi reo Māori o Tai Tokerau** combined Tai Tokerau Māori media news service.
- **Ngā Kaumātua me Ngā Kuia o Tai Tokerau**- e tautoko ana i ngā kaupapa maha
- **Akinihi Smith**, nā Kingi Tiare i tohungia mō āna mahi i te Hāhi Mihinare me te Iwi o Ngāi Takoto.
- **Mike Smith**, he tūtehi mō te taiao.
- **Archbishop Kitto Pikaahu**, Pou tautoko mō te tūwheratanga ano o Te Kura o Tipene 2025
- **Lake Omāpere Trust**- 30 tau kua werohia kia Māori anō te wai o te Roto o Omāpere
- **He Korowai Aroha Trust, - kainga hāpori** te tūwheratanga o ngā whare 24 me te whakanui tonu i te rangatira a Riki Houghton nō Te Pātū.
- **Te Mauri o Te Wai** - he rōpu kaha e akiaki ana kia whakahoki te mauri o te wai ki nga awa me te Moana o Hokianga.
- **Ngā Kura Kaupapa Māori i haere ki Whakatū, Nelson** mō te whakatatae kapa haka. Te Rāwhitiroa, Kaikohekohe me Te Rangi Āniwaniwa
- Kua tūwhera **Papa Hawaiiki, Te Hiku Sports Hub, Te Kahu o Te Ao**
- **Te Runanga o Whaingaroa**-ngā mahi toi o te piriti o Kaeo- Kaeo bridge artwork - using text from He Whakaputanga- “he wenua rangatira” a sovereign nation
- **Tia Ashby mā, Te Hauora o Ngāpuhi** kainga hāpori building homes in Kaikohe
- **Te Papa Hawaiiki** - te tūwheratanga o te whare hākinakina ki Kaikohe.



Māori Ward Councillor Report hhh 30.1.2025



- **Kāhika 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 2025** : Muriwhenua, Hātea, Te Uri o Manumanu me Pūao

## January 2025

4 January	Ngāti Rēhia Regatta waka ama Lake Manuwai -
7	<b>Treaty Principles Submission no 2</b> - parliament system crashed with over 300,000 submissions.
8	8-11.30 am Rangaunu tamariki regatta Lake Ngātū
11	Mokopuna party- Waimanoni Tai Tokerau juniors travel to waka ama sprints at Lake Karapiro
12-19	Nationals waka ama - on leave
20	Tangi o Eru Harawira 2pm Ngā Tai o Tokerau briefing re Waitangi
21	Karakia mō Eru Harawira Te Kao 2.30 pm - Respite care for tamariki haua
27	Watched Treaty Principles Submissions in Select Cttee online
28-29 Jan	Admin days-
30	10-2 Muriwhenua Education & Sports Hub (MESH)- joint management group to run Te Punawaiaora at Te Rangi Āniwaniwa



Māori Ward Councillor Report hhh 30.1.2025



### Seal Marae Roads over next 3 years

Te Hiku	Kaikohe - Hokianga	Whangaroa - Bay of Islands
Kenana, Te Ahua, Taemaro, Haititai Marangai, Wharemaru, Waimanoni, Wainui, Rangikohu, King Hori, Kotahitanga Taiao, Te Ohaki, Morehu, Ngāti Manawa, Waiparera, Motutī, Waihou, Mātihetihe	Ngāpuhi, Te Arohanui, Ngai Tūpoto, Tauteihiihi, PāTeOro, Pikipāria, Mātai Aranui , Whakamahara tanga, Piki Te Aroha, Motukiore, Puketawa, Te Rangatahi, Otaatara, Moehau, Māhuri, Otaua, Kaingahoa, Ngaitawake. Mokonuiarangi, Tauwhara Wharepunga	Patunga Tuhiwai Tahaawai Te Huia Wainui, Te Ngaere, Waimahana Taupo, Tākou , Te Tii, Rāwhiti Te Kainga Hoa Waikare, ** Waiomio , Maromaku Kawiti, Mohinui, Kaikou, Motatau, Matawaia,

Roads 58 Marae and 11 Kohanga Reo are on unsealed roads- would like 10 Marae roads to be sealed each year- as significant venues for community gathering.

The Far North district has a total 2510km network of roads – 1614 km of which is

**Kua oti** Waimanoni Marae road sealed 29 o Noema, 2024

### Unsafe Roads

Seal Kohanga Reo soon	Roadway slips	Coastal erosion
Rangaunu Whangape Pā Arapatea Ngāpuhi Whakamaharat anga Tauwhara Wharepunga Waikare Waimamaku Taurangi  Roundabouts Kaikohe x 3 Awanui x 1  Other Roads Parapara Porters Access, Otangaroa Rd, Pupuke Rd, Weber, Waihapa Rd, Matangirau Old School Rd  Waitangi Bridge 2 lanes	Panguru, Motutī, Herekino, Broadwood, Whangape, Pawarenga, Wainui Rd.   Drop Speed zones in front of Karangahape Marae , Urupā, Kohanga Reo and Kaumatua flats, Whangaroa Houhora Ngataki Marae Quarry Rd Awanui Te Oneroa a Tohe KKM o Pukemiro crossing	Flooding : Ahipara, Rangikohu , Owhata, Whangapē, Pawarenga, Mitimiti, Motutī, Motukaraka, Wharemaru Taipā Pakanae Omanaia   Relocate coastal Marae Te Hāpua Matihetihe Wharemaru



Māori Ward Councillor Report hhh 30.1.2025



Other Significant Projects & Wish Lists	
2025	<p><b>PERMANENT CEASEFIRE in GAZA</b></p> <p><b>RESOLUTION 2024/47</b> “That the Far North District Council:</p> <p>a) call for an immediate permanent humanitarian ceasefire in Gaza;</p> <p>b) call on the Prime Minister and Minister of Foreign Affairs to show the support and call for peace;</p> <p>c) call for immediate international aid to be allowed into Gaza;</p> <p>d) condemn all acts of violence and terror against civilians on both sides of the conflict; e) call for the immediate return of hostages. <b>CARRIED 23 Mei, 2024 Extraordinary Hui-</b></p> <div style="float: right; background-color: black; color: white; padding: 5px; text-align: center; width: 100px;"> <p><b>CEASE FIRE NOW</b></p> </div>
Moana Restoration	<p><b>Upgrade all 17 WWTPs in Far North.</b>  <b>Stop any sewage outflow into harbours and rivers of Tai Tokerau</b>  <b>Seek infrastructure grants to systematically improve the wwtps in Far North. Purchase extension land disposal site Hokianga</b> -Opononi, Kohukohu,</p> <p><b>Alternate land bought in Rawene</b> ✓ to remedy spoilage of Hokianga harbour. Kaikohe to develop natural wetlands &amp; better taiao ways of dealing with sewage. Stop other local towns dumping their waste in Hokianga.                      NRC to work in tandem with FNDC to improve wwtps, otherwise we get a reactive solution rather than a long term solution.                      New housing to incorporate wwtp systems.</p>
Oct 2025	<p><b>Make Lake Ngātu an Alcohol Free Zone</b>-due to the reckless behaviour of hoons who smash bottles and leave jagged broken glass in the Lake .</p>
Oct 2025	<p><b>Upgrade the Mangamuka Toilets</b>                      Find a budget to support the local community plan to upgrade Mangamuka toilets on the south side.</p>
Yesterday	<p><b>More housing, health, dental , mental health services to Tai Tokerau communities-</b> remove the barriers.</p>
2028	<p><b>Me whiriwhiri He Whakaputanga me Te Tiriti i te Ture Tuapapa o Aotearoa. Weave He Whakaputanga and Te Tiriti into the Constitution of Aotearoa as per Matike Mai Report led by Moana Jackson, Makere Mutu and rangatahi.</b> Otherwise Māori will always be subject to flip flop government changes.</p>
	<p style="text-align: center;"><b>WHAKANUIA 2025</b></p> <ul style="list-style-type: none"> <li>• <b>Renovation of 101 year old Te Tiriti o Waitangi Marae, Waitangi</b></li> <li>• <b>Dr Makarena Dudley NZ Order of Merit</b> nō Manukau, mō āna rangahau</li> </ul>

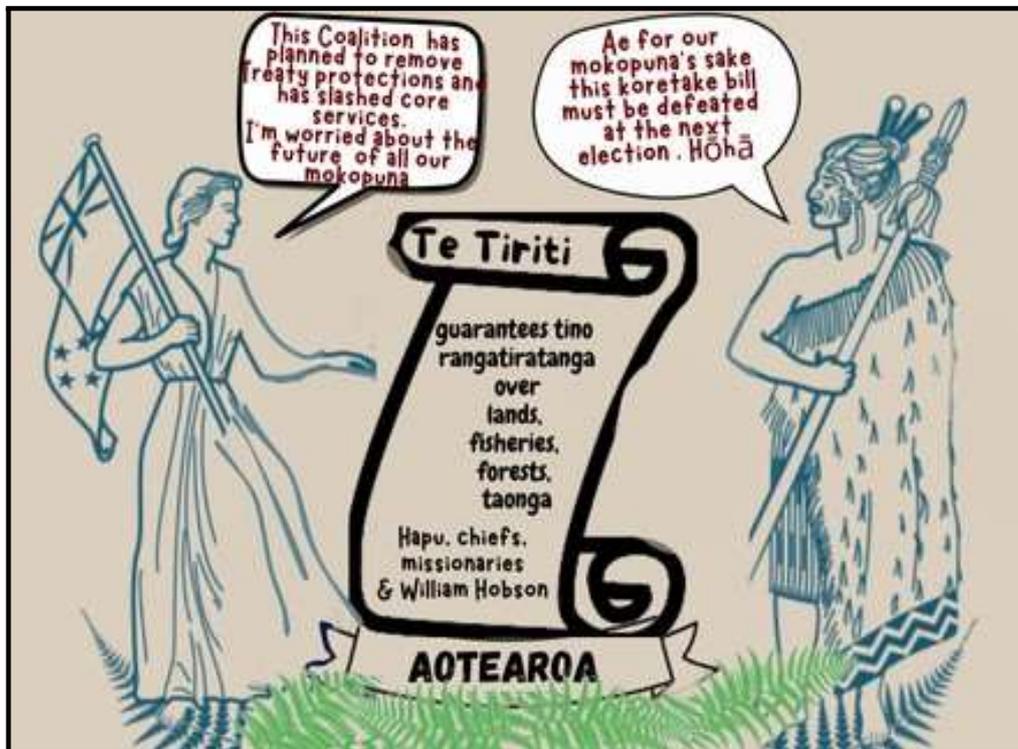


Māori Ward Councillor Report hhh 30.1.2025



	<p>o te mate wareware.</p> <ul style="list-style-type: none"> <li>● <b>Craig Wells, Kings Medal</b> - nō ngā lwi katoa o Muriwhenua, an accountant</li> <li>● <b>Haami Piripi</b> - kaikōrero mō Wai 262 , te takutai moana me ngā take maha</li> </ul>
--	---

Kaupapa Hāpori	Nā koutou i tangi, nā tātou i tangi
<p><b>Kua wheturangitia</b></p>  <p><i>Nā koutou i tangi, nā mātou i tangi</i></p>	<ul style="list-style-type: none"> <li>● <b>Dame Tariana Tūria</b> - he wahine toā no Wānganui, nāna Te Pāti Māori me te kaupapa o Whānau Ora i timata,ko āna hua i heke mai ki a tātou mokopuna.</li> <li>● <b>Nanny O Rudolph</b>, nō Te Uri o Tai, he wahine rongonui mō tana manākitanga.</li> <li>● <b>Chrystal Waaka</b>, he kōtiro nō Ngāi Takoto i mate ohore.</li> <li>● <b>Peter Kitchen</b>, i tupu i Te Kao, i akiaki a ia ko te rongoa Māori he rongoa i raro i te maru o ACC. He tangata werowero hoki Te Kaunihera mō te taunga waka o Kaitaia.</li> <li>● <b>Colin Gardiner</b>, i mate ohore a Colin te tamaiti o Adele Gardiner.</li> <li>● <b>Eru Harawira</b>, te tamaiti a Reverend Herepō Harawira, he kaumatua ngakaunuitia nei e ngā hapu o Te Rarawa.</li> </ul>





Member Report

**Name:** KAPA, Babe  
**Ward:** Maori Ward  
**Date:** Ending 24 Jan

**Meetings Attended**

Date	Meeting Topic	Comment
Fri 3 <sup>rd</sup> Wed 8 <sup>th</sup>	Khe Library Promotion: Nga Kaitiaki o te Ao. Travel to Khe	Activity promoting families to visit main libraries in Tai Tokerau and collect gemstones to match varies stories. Start was slow and re-visited on Wed 8 <sup>th</sup> .
Tues 14 <sup>th</sup>	Sport Northland discussion for Temp Co-Chair. Online <b>Portfolio Holder</b>	Confirm Co-chair [Cr. Kapa] in interim
Wed 15 <sup>th</sup>	Simson Park Applicant; Extra rugby field Moerewa. Travel to Kv	At applicant's request to update their application.
Thurs 16 <sup>th</sup>	Kaikohe Placemaking. Travel to Khe	Survey for main street facelift. Lack of responses. Proposed to hold site at Khe AMP Show on Sat 18 Jan. Khe Bus Assn Dep Chr and Cr to man site.
Sat 18 <sup>th</sup>	Khe AMP Show; FNDC site. Travel to Khe	Conduct survey on behalf; collected 49 on the day also hand-out pamphlets and respondents to return to FNDC office.
Mon 20 <sup>th</sup>	>Asst. Appraisal Performance Cycle Trail Manager. Travel to Khe <b>Portfolio Holder</b>	Cycle Trail Chair request assistance to conduct appraisal.
	>Nga Tai o Tokerau Councillors prep for Waitangi week.	Confirm program to attend various hui.
Thurs 23 <sup>rd</sup>	Turner Centre Board. Kerikeri <b>Portfolio Holder</b> Travel to Keri	First monthly; focusing on the refurbishing of the centre.
Tues 28 <sup>th</sup>	>Te Patukurea Spatial Plan >Future of Rawene Domain Online	
Thurs 30 <sup>th</sup>	>Housing Portfolio >Pioneer Village, Kaikohe	> >In support of Cr. Vujcich; meeting focussed on its future. Working Committee established to investigate options. WIP



Member Report

--	--	--

**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
Leaking water	Park Road property in Khe has very wet spot; possible leak from water supply. Responsibility to repair not established to date. Leak according to tenant has been like this for some time. EM visited the property and advised main tap turned off however, leak continued. EM sent email correspondence to Support Staff to issue RFS. WIP

**Portfolio Update: (Name of Portfolio)**

- 

**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**

*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:**

**Steve McNally Report February 2025**

Two years and 4 months in this governance role with seven months of decision making left until the next election.

As a governance group we inherited the prior council governance and maintenance budgets, long term plan projects and problems and a reactionary work plan rather than planned and prioritised.

The 24 to 27 long term plan is this council governance groups responsibility and still needs work.

My working life over the past 50 years has been driven by performance/productivity/delivery and solution-based outcomes, with financial penalties for non-performance, a harsh but great KPI driver.

Council business has repeated delivery, process and outcome delays.

Issues include;

- problem discovery versus solution focus
- lack action and timeline deadlines
- process and policy issues
- lack appropriate systems to track asset condition
- communication between departments needs improvement

I am unable to decide whether this entrenched behaviour is due to the above system the deficiencies or if we lack capability, capacity and ability to implement and deliver across the business, including appropriate delegation through work streams.

This leads to duplication of service delivery causing additional costs as we require staff, plus external consultants and project managers

**Asset management** is lacking all required detail and I have been unable to obtain the asset management plans for the artepayer assets of district facilities, water and waste water assets despite asking for over 2 years.

This leads to **my main concern of financial information** that counsellors require in their governance role and responsibilities of fiscal prudence and transparency.

Open book accounting cannot be used if the asset management plan is unusable,

budgets cannot be accurately assessed, calculated or formulated without a usable asset management plan

Financial figures such as project unders and overs or carry forwards on different budgets are difficult to obtain.

I am still waiting for under an over information relating to the roading budgets for the past year as is the Regional Transport Committee.

So with the 25/26 annual plan process underway we need to focus on these issues and critically review next year's financial plan and the long term plan construction that leads this process.

All **capital expenditure** needs to be critically reviewed with;

clear project timelines,

focus on Core infrastructure versus nice to have projects

all carry forward projects to be reassessed and if not underway, deferred or canned

project timelines and budgets can then be reset as required

All **operational expenditure** also needs critical review line by line looking at;

level of service

is it realistic ?

is it affordable ?

is it what the ratepayer wants?

is the ratepayer happy to pay for service ?

what expenses can be cut ?

where can cost savings be made ?

**Delivery Outcomes** must become this councils focus;

that will allow delivery of the annual plan and carry forward projects

have an operative asset management plan that is up to date and operative

which will allow improvement of asset condition on a priority basis

ensure resource consents for water take and discharge are current

ensure resource consents for wastewater discharge capacity are up to date

Water and Wastewater plants allow for current users and have plant capacity and upgrade requirements factored into Resource Consent applications and forward budget planning



Member Report

**Name:** John Vujcich

**Ward:** Far North District Council

**Date:** 24/01/2025

**Meetings Attended**

Date	Meeting Topic	Comment
23/01/25	Update of Regional Deals and Northland Inc with Paul Linton	Innovation Park
23/01/25	Business Call Meeting	Teams Meeting
21/01/25	Comms & Engagement Meeting	Teams Meeting
18/01/25	Kaikohe Show	Help setup FNDC site and catchup with MPs
17/01/25	Meet Kiwi North	Whangarei regarding options for Pioneer Village and different funding models
23/12/24	Meeting with Tiaki Nga Wai O Hokianga	Rawene training campus. Meet with Hokianga Harbour Care Incorporated looking at their proposed new projects. I was very impressed with this organisation's work, the training and jobs they will create. Hopefully they will be successful in their Riparian Roadside Restoration Project.
19/12/24	Rau Marama Trust Meeting	Farewell to Whai Waiwata team
19/12/24	Workshop JREDC committee Meeting	Teams Meeting
18/12/24	Meeting CE Northland Inc	Innovation Park
17/12/24	Cycle Trail onsite meeting Murray and Team	Meeting on Opua side of tunnel looking at Trail reestablishment options and costs
12/12/24	Elected Members end of year dinner	Kaitaia
12/12/24	Council Meeting	Main Hall Te Ahu Kaitaia
11/12/24	Te Kuaka Te Ao Maori Committee Meeting	Council Chambers
11/12/24	Signing Te Aro Manatu MOU with Ngati Rehia	Council Chambers
10/12/24	Community Water Fluoridation	Teams Meeting



Member Report

10/12/24	Annual Plan Discussion	Council Chambers
10/12/24	Kerikeri Waipapa Spatial Plan Meeting	Council Chambers
07/12/24	Revaluation & Depreciation meeting Financial Staff	Teams Meeting
06/12/24	JREDC Meeting	NRC Chambers Whangarei
05/12/24	Innovation Park Meeting	Innovation Park – Visiting Chinese delegation
05/12/24	Business Call Meeting	Teams Meeting
04/12/24	Local Waters Done Well	Council Chambers
03/12/24	Verbal Submission – Dangerous Buildings	Council Chambers
03/12/24	Assurance Risk and Finance Committee	Council Chambers



Member Report

**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
<p>Kaikohe A&amp;P Show</p>	<p><b>Thankyou to all Community Volintees</b></p> <p>At the Show I was struck by the delight and enjoyment of the young people. They spoke of seeing the various small animals, riding the merry-go-round, watching the pig races, sheep shearing and more. I observed my granddaughter squeal with delight every time a horse jumped over an obstacle. She even started jumping on the spot herself in hopeful anticipation, as if it would help.</p> <p>What is clear to me is that we depend upon the tireless dedication of volunteers, who help protect and form the services, sights and events that enrich our communities in so many ways.</p> <p>Behind the scenes the whole A&amp;P organisation is run by dedicated volunteers who keep it going year after year.</p> <p>What is clear to me is that we depend upon the tireless dedication of volunteers, who help protect and form the services, sights and events that enrich our communities in so many ways.</p>
<p>A Very Rare Stellar Visitor</p>	<p>Comet Atlas has put on a great show for us but its falling apart from its close approach to the sun and releasing a hugh amount of gas and dust. It was estimated it last visited the Sun about 180,000 years ago and perhaps what remains may mean it will never be a spectacular again.</p>  <p style="text-align: center;"><b>Comet C/2024 G3 (ATLAS)</b></p> <p style="text-align: center;">Photo taken Jan 23<sup>rd</sup> with my phone looking west from a rural location near Kaikohe</p>

**7.5 COUNCIL OPEN RESOLUTIONS UPDATE FEBRUARY 2025****File Number:** A5056497**Author:** Marysa Maheno, Democracy Advisor**Authoriser:** Aisha Huriwai, 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 2020.

**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 February 2025.**

**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 - A5072397** [↓](#) 

<b>OPEN RESOLUTION REPORT</b>			
		<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Printed:</b> Wednesday, 5 February 2025 <b>11:08:12 am</b> <b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025
Meeting	Title	Resolution	Notes
Council 14/11/2024	Committee Recommendations and Resolutions - October 2024	<b>RESOLUTION 2024/160</b> <b>That Council</b> <u>Te Kuaka- Te Ao Māori Committee: Item 5.1 – Te Oneroa-a-Tōhē</u> <u>Variation to Speed Limits</u> <b>amend Te Kaunihera o Te Hiku o Te Ika Interim Speed</b> <b>Management Plan to include 30 kilometre per hour speeds 200</b> <b>metres either side of the following beach access points:</b> a) Hukatere Access; b) Te Wakatehāua Access; and c) Kauēparāoa Access. <p style="text-align: right;"><b>CARRIED</b></p>	17 Jan 2025 3:29pm A variation to the existing speed management plan, considering the new Rules, is being prepared for NZTA Waka Kotahi approval. Anticipated submittal is February 2025
Council 12/12/2024	Notice of Motion - Cancel Fluoride to Protect Public Health	<b>MOTION</b> That the Far North District Council cancel the fluoridation of Far North waters until local residents on town water supply agree to do so. <b>RESOLUTION 2024/165</b> <b>That council defers this decision to ensure that appropriate</b> <b>financial and legal advice can be provided and discussed in a</b> <b>workshop in the new year.</b> <p style="text-align: right;"><b>CARRIED</b></p>	

<b>OPEN RESOLUTION REPORT</b>		Printed: Wednesday, 5 February 2025 11:08:12 am Date From: 1/01/2020 Date To: 5/02/2025
Division: Committee: Council Officer:		

Meeting	Title	Resolution	Notes
Council 12/12/2024	Notice of Motion - Promotion & protection of He Wakaputanga o Te Rangatiratanga o Nū tirenī & Te Tiriti o Waitangi within the areas of the Far North District Council	<b>RESOLUTION 2024/166</b>  That Council: <ol style="list-style-type: none"> <li>1. future proof Tiriti gains made over the last 184 years, and in years to come, so that incoming governments cannot undermine local progress and cause unnecessary anxiety amongst 53% of its population;</li> <li>2. adopt and embrace mutual and beneficial partnerships with Māori that uplift community wellbeing i.e. housing, incentives for health, education and sustainability industries within the area;</li> <li>3. proactively heed the recommendations of the Waitangi Tribunal findings regarding matters that impact on the territories within Tai Tokerau i.e. Te Paparahi o Te Raki Stage 1 &amp; 2 Reports;</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	
Council 14/11/2024	Review of Development Contributions Policy	<b>RESOLUTION 2024/158</b>  That Council: <ol style="list-style-type: none"> <li>a) note, the Development Contributions Policy has been reviewed</li> <li>b) approve, to develop a new development contributions policy for Kawakawa, Kaikohe and Kerikeri by July 2025 and September 2025 for the rest of the district.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<b>24 Jan 2025 9:05am</b> Staff have commenced work on developing a new development contributions policy.

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
Council 17/10/2024	Classification and Revocation of a Kerikeri Reserve (Lot 10 DP 62588)	<p><b>RESOLUTION 2024/143</b></p> <p><b>That Council leave to lie the options below:</b></p> <p>a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Lot 10 DP 62588 as a Local Purpose (drainage and access) reserve;</p> <p>b) approve the initiation of a public consultation process under Section 24 of the Reserves Act 1977 to revoke areas of reserve underlying an existing retaining wall owned by Woolworths Ltd;</p> <p>c) appoint Bay of Islands-Whangaroa Community Board to hear any submissions received in response to the consultation processes and to make recommendations to the Council in respect of the reserve classification and revocation; and</p> <p>d) that BECA be consulted and provide a report on any implications with the current designation process for the Kerikeri CBD Ring Road.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>04 Nov 2024 2:31pm</b></p> <p>The Bay of Islands Community Board approved the following motion on 24 October 2024.; Alternate Motion 2024/114,</p> <p>a) Endorse the issuance of a LTO to allow remediation of the wall to begin.,</p> <p>b) approve the initiation of a public consultation process under Section 24 of the Reserves Act 1977 to revoke areas of reserve underlying an existing retaining wall,;</p> <p>c) agree to hear any submissions received in response to the consultation processes and to make recommendations to the Council in respect of the revocation., Staff will prepare a report for the December Council meeting to consider support for the following alternative approach,;</p> <p>1. A licence to occupy (LTO) to be issued by Council for consent and works purposes,</p> <p>2. Public consultation to be initiated in 2025 for revocation of areas of reserve underlying the retaining wall.</p> <p><b>23 Jan 2025 8:22am</b></p> <p>A report is scheduled for the February Council meeting to consider support for the following alternative approach,; 1. Public consultation to be initiated in 2025 for revocation of areas of reserve underlying the retaining wall., 2. A licence to occupy (LTO) to be issued by Council for consent and works purposes</p>
Council 17/10/2024	Te Pātukurea Kerikeri Waipapa Spatial Plan - Public Engagement on Growth Scenarios	<p><b>RESOLUTION 2024/140</b></p> <p><b>That Council approves public engagement to be carried out on the growth scenarios for Te Pātukurea Kerikeri Waipapa Spatial Plan in November 2024 as set out in this report.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>06 Nov 2024 3:00pm</b></p> <p>Public engagement opened on the 1st of November and will close on the 29th of November. Link is below <a href="https://www.fndc.govt.nz/whats-new/Have-your-say/Te-Patukurea-Kerikeri-Waipapa-Spatial-Plan">https://www.fndc.govt.nz/whats-new/Have-your-say/Te-Patukurea-Kerikeri-Waipapa-Spatial-Plan</a></p> <p><b>03 Dec 2024 10:21am</b></p> <p>Public engagement on Te Pātukurea growth scenarios was completed on task, between 1 and 29 November. Staff are analysing the results of this engagement for the purpose of informing elected members to make a decision on a preferred growth scenario.</p>

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
Council 17/10/2024	Proposal fee increase for Property Files and LIM Reports	<p><b>RESOLUTION 2024/145</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li>a) <b>Approve amendments to the Fees and Charges Schedule 2024/25 to increase fees for Property Files from \$26.00 to \$33.50 and for Land Information Memorandum Reports from \$319.00 to \$395.00.</b></li> <li>b) <b>Approve the fee increases for Property Files and Land Information Memorandum Reports to take effect from 11 November 2024, for the remainder of the 2024/25 rating year.</b></li> <li>c) <b>Approve a news story being published on the Council website, clearly outlining the fee adjustments and the date that they will take effect, and</b></li> <li>d) <b>Instruct the Chief Executive to commence a structured, evidence-based review of fees and charges for Property File and LIM Report services with a view to reporting to Council on any further changes required to cover 100% of costs of providing services for simple and complex/commercial Property File and LIM Report services in preparing the 2025/26 Annual Plan.</b></li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>04 Nov 2024 3:08pm</b> The news story was published 25 October 2024. The website and pathway/epathway change requests are in place and will be completed for go live 11 November 2024.</p> <p><b>29 Nov 2024 2:12pm</b> Fee changes have taken effect, no issues reported. , The team have been collecting timesheet data and will provide analysis to accounting services to ensure this is included in the LTP consultation process.</p> <p><b>16 Jan 2025 8:44am</b> Analysis has been completed and proposed fee increases for the 2025/26 rating year have been submitted for review.</p>
Council 12/12/2024	Progressing the Multi-Agency Joint Emergency Coordination Centre	<p><b>RESOLUTION 2024/177</b></p> <p><b>That:</b></p> <ul style="list-style-type: none"> <li>a) <b>the report 'Progressing the Multi-Agency Joint Emergency Coordination Centre' by Ruben Garcia, Group Manager – Community &amp; Engagement and dated 12 December 2024, be received.</b></li> <li>b) <b>Council approve the Chief Executive entering into a Heads of Agreement with Northland Councils for a Multi-Agency</b></li> </ul>	<p><b>28 Jan 2025 12:03pm</b> The Chief Executive has initiated discussions with other Northland regional Chief Executives to progress the Heads of Agreement for the Multi-Agency Joint Emergency Coordination Centre. The Chief Executive will consider all statutory, regulatory, and policy obligations, along with seeking legal or professional advice as required. The Agreement will be signed once the Chief Executive is satisfied that all conditions and obligations have been appropriately addressed. This action remains on track, and further updates will be provided as progress continues.</p>

<b>OPEN RESOLUTION REPORT</b>			
		<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Printed:</b> Wednesday, 5 February 2025 <b>11:08:12 am</b> <b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025
Meeting	Title	Resolution	Notes
		<p><b>Joint Emergency Coordination Centre (the Agreement), subject to him being satisfied that:</b></p> <ul style="list-style-type: none"> <li><b>i) Council has complied with all statutory, regulatory (and policy) obligations that relate to the Agreement; and</b></li> <li><b>ii) The Agreement includes any conditions deemed to be reasonable and appropriate in his view having taken legal or other professional advice, if required.</b></li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>	
Council 12/12/2024	Regional Deal Te Tai Tokerau Northland	<p><b>RESOLUTION 2024/178</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li><b>a) endorse the preparation of a Regional Deal proposal for submission to central government.</b></li> <li><b>b) agrees to collaborate with the other three local authorities, Kaipara District Council (KDC), Whangārei District Council (WDC), and Northland Regional Council (NRC) as a single “region” for the purpose of the Regional Deal.</b></li> <li><b>c) approves Northland Inc as the lead organisation responsible for coordinating the development of the Regional Deal proposal, with support from all four councils.</b></li> <li><b>d) approves the Joint Regional Economic Development Committee as the governance entity overseeing the development of the proposal.</b></li> <li><b>e) approves the amendment to the Joint Regional Economic Development Committee Terms of Reference as provided in Attachment 4 of this agenda item.</b></li> </ul>	<p><b>24 Jan 2025 12:45pm</b></p> <p>The Northland Councils confirmed their intention to submit a light touch proposal by Northland Inc submitting a registration on behalf of the Councils before 18 December 2024., An Operational Working Group made up of staff from all four Councils and Northland Inc worked on the content of the Light Touch Proposal over December 2024 and January 2025., The Joint Regional Economic Development Committee has meetings on 31 January 2025 and then again on 21 February 2025 to review the content of the proposal and then approval proposal prior to the proposal submission due date of 28 February 2025.</p>

<b>OPEN RESOLUTION REPORT</b>		Printed: Wednesday, 5 February 2025 11:08:12 am Date From: 1/01/2020 Date To: 5/02/2025
Division: Committee: Council Officer:		

Meeting	Title	Resolution	Notes
		f) agrees that the Chair of the Joint Regional Economic Development Committee be the spokesperson of the Regional Deal programme on behalf of the region.  g) approves the registration form being submitted by Northland Inc. on behalf of Northland Local Authorities (by 18 December 2024), following review by the Chief Executive.  h) notes that the Joint Regional Economic Development Committee may be required to meet outside of the normal council meeting cycle during the traditional Christmas recess period.  i) notes that similar recommendations are being presented to KDC, WDC, and NRC at their December 2024 meetings to ensure regional alignment and collaboration.  CARRIED	
Council 12/12/2024	Adoption of Far North Holdings Statement of Intent for the year ended 30 June 2025	<b>RESOLUTION 2024/180</b> That Council: a) adopts the Far North Holdings Limited Statement of Intent for the year ended 30 June 2025 b) publishes the Far North Holdings Limited Statement of Intent for the year ended 30 June 2025 on its website within 1 month of adoption  CARRIED	28 Jan 2025 12:36pm Work in progress
Council 12/12/2024	Appointment to External Organisations	<b>RESOLUTION 2024/176</b> That Council appoint: a) Councillor Rākena to Kaikohe Sportville	24 Jan 2025 8:42am Currently working with Communications and Engagement to have all Elected Members appointments uploaded to the FNDC website.

<b>OPEN RESOLUTION REPORT</b>		Printed: Wednesday, 5 February 2025 11:08:12 am Date From: 1/01/2020 Date To: 5/02/2025
Division: Committee: Council Officer:		

Meeting	Title	Resolution	Notes
		b) Councillors Kapa and Rākena as liaisons for Lake Ōmāpere Trust c) Kahika Moko Tepania as the alternate to Councillors Vujcich and Kleskovic to Joint Regional Economic Development Group d) Councillor Rākena to replace Councillor Foy as lead for Creative Communities. e) Councillor Foy to be added as an alternate to the Awanui River Working Group.  <i>Note: Cr Rākena has requested the FNDC website be updated to include a full list of Councillors portfolios, committees, community boards, under their profiles, alongside member reports. Kahika Moko Tepania to follow up at the February 2025 Council meeting.</i>  <p style="text-align: right;"><b>CARRIED</b></p>	
Council 12/12/2024	Control of Earthworks Bylaw Consultation	<p><b>RESOLUTION 2024/171</b></p> <p><b>That Council:</b></p> a) approves, under section 160(3)(b)(ii) of the Local Government Act 2002, to consult on continuing the Control of Earthworks Bylaw without amendment in a manner that gives effect to the requirements of section 82 of the local government act 2002. b) approves, the Proposal for Consultation on the Control of Earthworks Bylaw, in attachment one, to be made publicly available for the purpose of the consultation. c) approves, the period for making written submissions on the proposal will be a minimum of 4 weeks. d) delegates authority to the Mayor to decide on the date of oral presentation/s of submissions.	<p><b>28 Jan 2025 9:44am</b>                      The approval to consult was sought and granted by Council in the 12 December 2024 Council meeting.</p>

<b>OPEN RESOLUTION REPORT</b>		Printed: Wednesday, 5 February 2025 11:08:12 am Date From: 1/01/2020 Date To: 5/02/2025
Division: Committee: Council Officer:		

Meeting	Title	Resolution	Notes
		e) directs council staff to make all necessary logistical arrangements for people's verbal submissions to be heard in person in the council chambers or online via Microsoft Teams on the date decided by the mayor.  f) authorises the Chief Executive to make minor changes to the Proposal for Consultation on the Control of Earthworks Bylaw to correct grammatical or spelling errors, or formatting.  <p style="text-align: right;"><b>CARRIED</b></p>	
Council 12/12/2024	2024-27 National Land Transport Plan (NLTP) Outcomes	<b>RESOLUTION 2024/172</b> That Council approve works for unsubsidised funding for the following: 1 - tree trimming 3 - REAP road safety 4 - pothole prevention 5 - road rehabilitation 6 - school zones and that more information be provided to a Te Koukou Committee workshop, for items 2, 7, 8, 9 and 10.  <p style="text-align: right;"><b>CARRIED</b></p>	
Council 12/12/2024	Development of a Local Alcohol Policy	<b>RESOLUTION 2024/174</b> That Council approves the development of a Local Alcohol Policy (LAP) for the district.  <p style="text-align: right;"><b>CARRIED</b></p>	28 Jan 2025 10:58am Staff have commenced developing a local alcohol policy

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> <b>Officer:</b>	Council	<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
Council 8/02/2024	New Ground Lease to Playcentre Aotearoa - Russell Playcentre over 12 Church Street, Russell	<p><b>RESOLUTION 2024/12</b></p> <p><b>That Council:</b></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><b>The terms of the lease shall be:</b></p> <ul style="list-style-type: none"> <li>• 30 years (10+10+10)</li> <li>• Rental: as per FNDC Fees and Charges schedule for a community lease.</li> <li>• \$118 plus GST for 2023/2024 and reviewed annually in conjunction with the FNDC Fees and Charges schedule.</li> </ul> <p>b) with further conditions negotiated and agreed upon by the Group Manager Delivery and Operations, and Playcentre Aotearoa.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>03 Oct 2024 1:04pm</b> As above, no changes</p> <p><b>30 Oct 2024 11:20am</b> Disputes in regard to building ownership, sitting with legal to clarify</p> <p><b>02 Dec 2024 11:59am</b> Sitting now with the tenant to sign lease</p> <p><b>24 Jan 2025 9:24am</b> Tenant does not want to take ownership of the building. Discussions with legal have produced 3options: FNDC carry out a building condition assessment and either: , 1. dismantle the draft lease and negotiate a new commercial lease on commercial terms (to cover cost of the building) , 2. tenant decides they do not want to enter into a new lease and we work towards other options of use for the building and or green space, 3. tenant decides to take over ownership of the building and we continue with existing negotiations. , , Currently sitting with the tenant to decide before we take further action</p>
Council 11/12/2023	Ngakahu Steering Group Recommendations	<p><b>RESOLUTION 2023/166</b></p> <p><b>That Council:</b></p> <p>a) confirm that Kauri Dam has not been transferred to any 3 Waters Entity,</p> <p>b) cancel the Ford Repair Agreement, and;</p> <p>c) confirm the Steering Group guidelines covered by Council Resolution 2021/72</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>02 Aug 2024 11:36am</b> The dam has been decommissioned, and the area has been grassed and secured. Rocks have been added to enhance the newly formed streams, and all old debris has been cleared. Rock weirs were created in the old dam floor to further prevent silt from being flushed out of the old dam floor and into the stream. There is still a bit of land rehabilitation left to complete.</p> <p><b>29 Aug 2024 8:39am</b> A verbal update was given at the August Council meeting - The Project Manager has confirmed that the site is now clear of asbestos and that they have received a certificate verifying that there is no asbestos present.</p>

<b>OPEN RESOLUTION REPORT</b>			
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b> <b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025	
Meeting	Title	Resolution	Notes
			<p><b>08 Oct 2024 3:39pm</b>                      External advisor engaged to manage PWA process to offer land back where a public work no longer required. Investigation into successors of land prior to public work well underway.</p> <p><b>23 Oct 2024 4:19pm</b>                      Expecting a report from external advisor on PWA offer back successors - week of 4 Nov.</p> <p><b>29 Nov 2024 1:42pm</b>                      Have received external recommendations. Report going to Council meeting 14 Dec 2024 to outline those recommendations. Land offer back and easement surrender will follow.</p> <p><b>24 Jan 2025 9:34am</b>                      Information Report to Council Dec 2024 supported the recommendation to offer land back to successors in title. This action is now underway. It will take some time.</p>
Council 14/03/2024	Options Analysis for Financial Contributions	<p><b>RESOLUTION 2024/19</b></p> <p><b>That Council approve the development of a draft financial contributions chapter.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>30 May 2024 1:16pm</b>                      work is still underway to complete a draft chapter for a further district plan change to include FC</p> <p><b>01 Oct 2024 9:59am</b>                      Elected Members via a briefing paper have been advised that staff recommend financial contributions are introduced after Council decisions on the Proposed District Plan. This has also been advised in the CEO Quarterly update. Work is till progressing on the development of a chapter.</p> <p><b>06 Nov 2024 7:07pm</b>                      work is proceeding on creating a draft chapter, but wanting to also see what direction is being provided from elected members on the DC policy work to ensure integration and non duplication of work</p> <p><b>29 Jan 2025 3:38pm</b>                      Working with the Development Contributions team to ensure we are not conflicting. Awaiting some direction from that project team</p>

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b>	Council	<b>Date From:</b> 1/01/2020
<b>Committee:</b>		<b>Date To:</b> 5/02/2025
<b>Officer:</b>		

Meeting	Title	Resolution	Notes
Council 24/08/2023	Rangitoto Reserve, Mangonui	<p><b>RESOLUTION 2023/98</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li>a) <b>approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve.</b></li> <li>b) <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.</b></li> <li>c) <b>staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.</b></li> </ul> <p style="text-align: right;"><b>CARRIED</b></p> <p><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></p>	<p><b>27 Aug 2024 8:53am</b> A hapū reference group for the Rangitoto Reserve reserve management plan is being set up with the assistance of Te Hono staff. When consultation messages are agreed with the reference group public consultation will proceed.</p> <p><b>09 Oct 2024 6:51pm</b> Currently on hold awaiting a meeting with the hapū reference group and relevant staff.</p> <p><b>22 Oct 2024 10:34am</b> The status of Rangitoto Reserves as a historic reserve was gazetted on 21 October.</p> <p><b>04 Dec 2024 1:23pm</b> Discussions are continuing with hapu on representation on the hapu reference group.</p> <p><b>23 Jan 2025 8:31am</b> The Working Group for the Rangitoto Historic Reserve reserve management plan has been established as a partnership between Ngāti Ruaiti, Matarahurahu, and Council, with a further agreement that all written communications will be circulated to Ngāti Kahu ki Whaingaroa. The initial focus is on messages to be included in the first round of public consultation.</p>
Council 11/08/2022	Russell Landfill Options Report	<p><b>RESOLUTION 2022/61</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li>a) <b>approve in principle, the permanent closure of Russell Landfill (Option One).</b></li> <li>b) <b>approve staff commence the resource consent application Northland Regional Council to close the Russell Landfill</b></li> <li>c) <b>request staff bring back to Council the terms of the resource consent and investment required to close the landfill</b></li> <li>d) <b>approve staff commence the community consultation process and report to Council the outcome of that consultation</b></li> </ul>	<p><b>26 Mar 2024 10:38am</b> PDP has surveyed the site. We are awaiting quotes to install telemetry equipment to monitor leachate flows.</p> <p><b>23 Apr 2024 3:48pm</b> 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.</p> <p><b>27 May 2024 3:04pm</b> Millichamp, Simon: No further update or progress to report.</p> <p><b>24 Jun 2024 2:59pm</b> No further update or progress to report</p> <p><b>03 Jul 2024 8:22am</b></p>

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
		<p>e) <b>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.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>No change to progress as reported. Boreholes and sensors installed in Apr 24. Investigation works underway, report to follow and budget plus consent will be applied for later this year..</p> <p><b>23 Jul 2024 9:08am</b> No updates or progress to report since comment on 3/07/2024</p> <p><b>26 Aug 2024 9:21am</b> CCTV cameras were used to investigate the leachate pipes with in the landfill and the results were informative. it appears much of the leachate issues will be resolved when the final capping is in place.</p> <p><b>30 Sep 2024 8:55am</b> Pattle Delamore Partners have performed a Geotechnical Slope Stability Assessment on the Russell Landfill and it indicates that the slopes remain stable under both static and seismic conditions and for the upper and lower bound refuse strength parameters. The results are being peer reviewed by NZ Environmental Management.</p> <p><b>30 Oct 2024 3:55pm</b> no further update form 30/09</p> <p><b>04 Dec 2024 10:42am</b> Draft Assessment of Environmental effects has been written by PDP and is currently being reviewed.</p> <p><b>28 Jan 2025 9:49am</b> Funding for this project is uncertain as the budget for the Russell closure plan in the Better off Fund has been re-allocated to another project.</p>
Council 9/02/2023	Easement On Local Purpose Esplanade Reserve-Wairarawa Stream	<p><b>RESOLUTION 2023/5</b></p> <p><b>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 Wairarawa Stream connecting:</b></p> <p>i. <b>2276C State Highway 10 Kerikeri - Lot 1 DP 91402 contained in record of title NA64B/178; and</b></p>	<p><b>15 May 2024 9:09am</b> 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.</p> <p><b>24 Jun 2024 2:56pm</b> Same as above. No agreement received from customer as yet.</p> <p><b>23 Jul 2024 1:35pm</b> Landowner has asked FNDC to provide a draft easement agreement. A draft will be provided to the landowner by end of August 2024.</p> <p><b>23 Aug 2024 10:52am</b></p>

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> <b>Officer:</b>	Council	<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
		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.  <b>and that approval is provided subject to:</b> 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. 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	Draft agreement is now with FNDC staff. A draft is hoped to have been achieved by end of Sep. <b>24 Sep 2024 8:08am</b> As per the above note. <b>05 Nov 2024 4:07pm</b> Agreement to grant easement is with the landowner's solicitor. Seeking execution of that agreement by the end of this month (November). <b>29 Nov 2024 1:42pm</b> Same as above. <b>24 Jan 2025 9:36am</b> As above in Nov 20204 - FNDC has drafted agreement to grant easement and sent to the land owners for review and signature. We have not heard back from owners as yet.

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> <b>Officer:</b>	Council	<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
		<p>decommissioned and Reserve land remediated to Council's satisfaction;</p> <p>f) indemnifying the Council of all costs, claims and expenses arising from use and operation of the bridge during its lifetime.</p> <p style="text-align: right;"><b>CARRIED</b></p>	
Council 24/02/2022	Ngakahu Steering Group Update	<p><b>RESOLUTION 2022/12</b></p> <p><b>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;</b></p> <p>a) <b>obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.</b></p> <p>b) <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.</b></p> <p>c) <b>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.</b></p> <p>d) <b>and that further recommendations be brought to the 7 April Council meeting.</b></p> <p style="text-align: right;"><b>CARRIED</b></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><b>24 Apr 2024 8:54am</b> Works continuing and the project continues to be well managed by the project manager</p> <p><b>03 Jul 2024 12:40pm</b> No further update</p> <p><b>02 Aug 2024 11:42am</b> The dam has been decommissioned, and the area has been grassed and secured. Rocks have been added to enhance the newly formed streams, and all old debris has been cleared. Rock weirs were created in the old dam floor to further prevent silt from being flushed out of the old dam floor and into the stream. The final stages of the dam project, including tidying up, will resume in dry weather, with some land rehabilitation still left to complete</p> <p><b>05 Nov 2024 3:20pm</b> A verbal update was given from the CEO at the 31 October Te Kuaka Te Ao Māori Committee meeting. A briefing paper update was included in the minutes attachments.</p> <p><b>29 Jan 2025 8:49pm</b> • The recommissioning of electricity to the Pump Station shed was completed before Christmas 2024., • Contractor has completed Stages 13, 14, and 15A as of Christmas 2024., • The final stage, 15B, is scheduled for completion in Q1 of 2025 (fencing the stream, labour for cleaning the paddocks, re-grassing the exposed earthworks, and repairing the farm roads. Additionally, there are contingency measures, which may include silt control.), • 17th January 2025, liaised with Contractor and included Trustee, for when final stage 15B works would recommence. 28/01/2025 contractor advised all works except fencing and regrassing have been completed. They are in progress of fencing quotes from subcontractor.</p>

<b>OPEN RESOLUTION REPORT</b>		Printed: Wednesday, 5 February 2025 11:08:12 am Date From: 1/01/2020 Date To: 5/02/2025
Division: Committee: Council Officer:		

Meeting	Title	Resolution	Notes
Council 12/09/2024	Keeping of Animals Bylaw- Approval of Draft for Public Consultation	<p><b>RESOLUTION 2024/124</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li>a) approves the Statement of Proposal for a new Keeping of Animals Bylaw in Attachment 1 to be released for public consultation to meet the requirements of section 156 of the Local Government Act 2002.</li> <li>b) approves a minimum four-week period for making written submission on the proposal in Attachment 1.</li> <li>c) approves to hear any oral submissions and agrees to delegate to the Mayor, the power to arrange and change the date of the oral presentations of submissions.</li> <li>d) directs Council staff to make all necessary logistical arrangements for people to be heard in person in the council chambers or online via Microsoft Teams.</li> <li>e) Authorises the Chief Executive to make minor changes to the proposal for a new Keeping of Animals Bylaw to correct grammatical or spelling error, or formatting.</li> </ul> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>01 Oct 2024 10:15am</b>                      Consultation on the proposed new Keeping of Animals Bylaw is from Monday, September 23rd to Monday, November 18th. , Oral submissions are scheduled for November 27th.</p> <p><b>05 Nov 2024 4:25pm</b>                      Consultation is still in progress no further update at this stage</p> <p><b>24 Jan 2025 9:31am</b>                      Oral submissions are taking place in March.</p>
Council 12/09/2024	Review of Control of Earthworks Bylaw	<p><b>RESOLUTION 2024/125</b></p> <p><b>That Council:</b></p> <ul style="list-style-type: none"> <li>a) approve, under section 158 of the Local Government Act 2002, the Control of Earthworks Bylaw has been reviewed.</li> <li>b) approve, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to the control of earthworks.</li> </ul>	<p><b>03 Oct 2024 1:09pm</b>                      An Approval to Consult report will be going to Council by the end of the year. I have yet to get dates for consultation due to the changes happening within the engagement team and current scheduling of consultations for the last quarter of 2024. However, engagement have suggested that consultation will be in quarter 1 of 2025.</p> <p><b>30 Oct 2024 11:24am</b>                      An Approval to Consult report will be going to Council in December. Dates for consultation are planned for 10 February to 03 March 2025 with any oral submissions to be heard following this consultation period.</p> <p><b>04 Dec 2024 3:37pm</b>                      Refer to comment above.</p> <p><b>28 Jan 2025 9:45am</b></p>

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b>
<b>Division:</b> <b>Committee:</b> <b>Officer:</b>	Council	<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
		<p>c) <b>approve, under section 155(2) of the Local Government Act 2002, the Control of Earthworks Bylaw:</b></p> <ol style="list-style-type: none"> <li>1. i) <b>is the most appropriate form of bylaw</b></li> <li>2. ii) <b>does not give rise to any implications under the New Zealand Bill of Rights Act 1990.</b></li> </ol> <p>d) <b>Approve, to continue the Control of Earthworks Bylaw without amendment under section 145 of the Local Government Act 2002.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The consultation will be open from 10 February to 13 March 2025, with the oral submissions to take place after this</p>
Council 12/09/2024	Kororāreka/Russell Placemaking - Traffic Changes Pilot on The Strand	<p><b>RESOLUTION 2024/126</b></p> <p><b>That Council approve a pilot commencing late 2024 for six-months, during which the use of The Strand is changed to:</b></p> <p><b>Option 3: Essential Vehicle Access Only from Cass Street to Pitt Street with the remainder of The Strand as a Shared Space (Attachment 1 Map 3).</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>24 Sep 2024 8:48am</b> Project planning is progressing to implement the trial as approved</p> <p><b>06 Nov 2024 3:19pm</b> Project team are on track to commence the traffic management trial on The Strand from 08 December 2024 for 6 months.</p> <p><b>03 Dec 2024 10:18am</b> The six month trial period (during which time The Strand will operate as a shared space between Cass Street and Kent Street, and operate as a limited vehicle access road between Cass Street and Pitt Street) is on track to commence on 6 December.</p>
Council 8/08/2024	2024 Local Government New Zealand Annual General Meeting Remits	<p><b>RESOLUTION 2024/111</b></p> <p><b>That Council support the following remits, in order of priority:</b></p> <ol style="list-style-type: none"> <li>a) <b>Representation Reviews</b></li> <li>b) <b>Entrenchment of Māori Ward seats for local government</b></li> <li>c) <b>Local government constituencies and wards should not be subject to referendum</b></li> <li>d) <b>Good and services tax (GST) revenue sharing with local government</b></li> </ol>	<p><b>04 Nov 2024 10:15am</b> No further update at this stage</p> <p><b>06 Nov 2024 8:40am</b> Communications are expected from LGNZ in early November. It is understood that of the 8 remits submitted for consideration at the AGM, there was just one that was not supported to proceed - Entrenchment of Māori Ward Seats for local Government. This particular remit was initiated by NRC and supported by FNDC at a Zone 1 meeting. More information will be shared with elected members once received from LGNZ.</p>

<b>OPEN RESOLUTION REPORT</b>			
		<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b> <b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025
Meeting	Title	Resolution	Notes
		e) <b>Appropriate funding models for central government initiatives</b> f) <b>Community Services Card</b> g) <b>Proactive lever to mitigate the deterioration of unoccupied buildings</b> h) <b>Graduate driver licensing system</b>  <b>CARRIED</b>	
Council 13/06/2024	Speed Limits Kohukohu	<b>RESOLUTION 2024/81</b> <b>That Council request CEO to commence consultation on an amendment to the North Hokianga Interim Speed Management Plan for Kohukohu Road.</b>  <b>CARRIED</b>	<b>18 Jul 2024 3:45pm</b> Consultation materials are being prepared for the public. Information regarding the proposed changes to the speed limit rule will be included in all consultation documents. <b>20 Aug 2024 10:39am</b> Delay in preparing consultation materials, will complete limited consultation in September with affected parties. <b>01 Oct 2024 9:50am</b> Placing this item on hold until the 2024 speed limit rule is published as it impacts the extension of the 30kph school zone. <b>30 Oct 2024 11:44am</b> The new Speed Limit Rule does not support a permanent 30 kph through the town. The change requested by community is not supported by the new legislation. Democracy services to determine if a follow up report required. <b>04 Dec 2024 3:58pm</b> The new speed limit rule does not support a permanent 30. An information report has been prepared for the Kaikohe-Hokianga Community Board. The speed limits will be addressed when the school speed is reversed under the new Rule. This item can be closed.

<b>OPEN RESOLUTION REPORT</b>		<b>Printed: Wednesday, 5 February 2025</b> 11:08:12 am
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025

Meeting	Title	Resolution	Notes
Council 13/06/2024	ALTERNATIVE MOTION	<p><b>RESOLUTION 2024/93</b></p> <p><b>That Council:</b></p> <p><b>c10) request CEO to provide a report to Te Koukou- Transport and Infrastructure Committee to update Elected Members on the stormwater project called “Turner Centre sub-catchment and Upgrade to Heritage Bypass, Kerikeri Water” for decision on capital investment.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>01 Oct 2024 9:51am</b> Consultation has closed and a consultation report is being prepared for elected members. The report will also discuss the impacts of the new speed limit rule on the consultation if the rule and guidance have been published by the Ministry of Transport.</p> <p><b>30 Oct 2024 11:45am</b> Consultation has been reopened to satisfy the new Speed Limits Rule. Consultation closed on 8 November. A full report will be prepared for elected members post consultation close.</p> <p><b>04 Dec 2024 4:00pm</b> An elected members report has been prepared and will be provided to elected members for consideration of how to move this catchment forward. This project did not receive NZTA funding.</p> <p><b>17 Jan 2025 3:26pm</b> An elected members report has been prepared and will be presented in workshop session with Te Koukou at the February meeting. Depending on the workshop outcome a formal decision paper will come to a future council meeting.</p>
Council 13/06/2024	Setting of Speed Limit - Temporary and Permanent - Russell Catchment	<p><b>RESOLUTION 2024/80</b></p> <p><b>That Council:</b></p> <p><b>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></p> <p><b>b) approve that staff commence consultation with the public on setting permanent speed limits for the Russell Catchment area; and</b></p> <p><b>c) note that implementation of any permanent speed limits is dependent on final funding for the 2024-2027 Long-Term Plan.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>	<p><b>18 Jul 2024 3:45pm</b> Consultation materials are being prepared for the public. Information regarding the proposed changes to the speed limit rule will be included in all consultation documents.</p> <p><b>20 Aug 2024 10:40am</b> Public consultation will begin on 2/9/2024 and run through September. Early engagement with Hapu underway last two weeks of August.</p> <p><b>01 Oct 2024 9:54am</b> Consultation has closed and a consultation report is being prepared for elected members. The report will also discuss the impacts of the new speed limit rule on the consultation if the rule and guidance have been published by the Ministry of Transport.</p> <p><b>30 Oct 2024 11:46am S</b> Consultation has been re-opened for three weeks to satisfy the new speed limit rule. A full report will be prepared post consultation.</p> <p><b>04 Dec 2024 4:01pm</b></p>

<b>OPEN RESOLUTION REPORT</b>			
<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>		<b>Printed: Wednesday, 5 February 2025</b> <b>11:08:12 am</b> <b>Date From:</b> 1/01/2020 <b>Date To:</b> 5/02/2025	
Meeting	Title	Resolution	Notes
			An elected members report has been prepared and will be provided to elected members for consideration of how to move this catchment forward. This project did not receive NZTA funding. <b>17 Jan 2025 3:28pm</b> An elected members report has been prepared and will be presented in workshop session with Te Koukou at the February meeting. Depending on the workshop outcome a formal decision paper will come to a future council meeting.



**8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**

**RESOLUTION TO EXCLUDE THE PUBLIC**

<b>RECOMMENDATION</b>		
<p><b>That the public be excluded from the following parts of the proceedings of this meeting.</b></p> <p><b>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:</b></p>		
<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>8.1 - Te Raupo Road Easement</b>	<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)(g) - the withholding of the information is necessary to maintain legal professional privilege</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
<b>8.2 - Kaitāia Wastewater Overflow Reduction Contract Award</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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
<b>8.3 - Emergency and Resilience Works Supplier Panel - Supplier Recommendation</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	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
<b>8.4 - Confirmation of Previous Minutes - Public Excluded</b>	<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</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>disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	
<p><b>8.5 - Council Public Excluded Open Resolutions Update February 2025</b></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 (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**and that the Kaiwhakawhitireo Kawiti Waetford and Community Board Chairs remain in the public excluded part of the meeting.**

**9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

**10 TE KAPINGA HUI / MEETING CLOSE**