



**Far North
District Council**



Te Kaunihera o Te Hiku o te Ika

AGENDA

Motutangi Drainage Area Committee Meeting

Thursday, 5 December 2024

Time: 3:00PM

**Location: Conference Room - Te Ahu
Cnr State Highway 1 and Mathews
Avenue
Kaitaia**

Membership:

Chairperson Jeremy White
Member Paul Harvey
Member Darren Axe

Far North District Council
Motutangi Drainage Area Committee Meeting
will be held in the Conference Room - Te Ahu, Cnr State Highway 1 and
Mathews Avenue, Kaitaia on:
Thursday 5 December 2024 at 3:00PM

Te Paeroa Mahi / Order of Business

1	Karakia Timatanga / Opening Prayer	5
2	Ngā Whakapāha Me Ngā Pānga Mema / Apologies and Declarations of Interest	5
3	Ngā Kaikōrero / Speakers	5
4	Te Whakaaetanga o Ngā Meneti o Mua / Confirmation of Previous Minutes	6
4.1	Confirmation of Previous Minutes	6
5	Ngā Pūrongo / Reports.....	10
5.1	Motutangi Drainage Committee Open Resolutions Update November 2024	10
5.2	Motutangi Drainage Area 2022/2023 Programme	12
5.3	Motutangi Drainage Area 2024/25	21
6	Karakia Whakamutunga – Closing Prayer.....	23
7	Te Kapinga Hui / Meeting Close	23

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

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

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

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

3 NGĀ KAIKŌRERO / SPEAKERS

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

4.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A4952497

Author: Marysa Maheno, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

The minutes of the previous Motutangi Drainage Area Committee meeting are attached to allow the Committee to confirm that the minutes are a true and correct record.

TŪTOHUNGA / RECOMMENDATION

That the Motutangi Drainage Area Committee confirm that the minutes of the meeting of the Motutangi Drainage Area Committee held 13 March 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 meeting are attached.

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

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 meeting.

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. 2024-03-13 Motutangi Drainage Area Committee Minutes - A4613701 [↓](#) 

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This 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.	The Motutangi Drainage Area is of local relevance and a member of the Te Hiku Community Board sits on the committee to be able to provide the views of the Community Board to the Committee.
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 on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report is asking for the minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Motutangi Drainage Area Committee Meeting Minutes

13 March 2024

**MINUTES OF FAR NORTH DISTRICT COUNCIL
MOTUTANGI DRAINAGE AREA COMMITTEE MEETING
HELD AT THE BOARDROOM - TE AHU, CNR STATE HIGHWAY 1 AND MATHEWS AVENUE,
KAITAIA
ON WEDNESDAY, 13 MARCH 2024 AT 3.00PM**

PRESENT: Chairperson Jeremy White, Member Darren Axe, Member Paul Harvey

IN ATTENDANCE: Adele Gardner (Chairperson of Te Hiku Community Board)

STAFF PRESENT: Ellie Greenwood (Democracy Advisor – Democracy Services), Imrie Dunn (Democracy Advisor – Democracy Services), Beverly Mitchell (Community Board Co-ordinator – Stakeholder Relationships), Tanya Proctor (Head of Infrastructure Strategy) (virtual)

1 MEETING OPENING

The meeting commenced at 3:00pm

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

Nil

3 NGĀ KAIKŌRERO / SPEAKERS

Nil.

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

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A4611215, pages 6 - 10 refers.

RESOLUTION 2024/1

Moved: Chairperson Jeremy White

Seconded: Member Paul Harvey

That the Motutangi Drainage Area Committee confirm that the minutes of the meeting of the Motutangi Drainage Area Committee held 17 April 2023 are a true and correct record.

CARRIED

5 NGĀ PŪRONGO / REPORTS

5.1 MOTUTANGI DRAINAGE AREA 2023/24

Agenda item 5.1 document number A4611211, pages 11 - 12 refers.

RESOLUTION 2024/2

Moved: Chairperson Jeremy White

Page 1

Motutangi Drainage Area Committee Meeting Minutes

13 March 2024

Seconded: Member Paul Harvey
That the Motutangi Drainage Area Committee receive the report Motutangi Drainage Area 2023/2024.

CARRIED

Attachments tabled at meeting.

- 1 Motutangi Programme of Works

5.2 MOTUTANGI DRAINAGE COMMITTEE OPEN RESOLUTIONS UPDATE MARCH 2024

Agenda item 5.2 document number A4603479, pages 13 - 14 refers.

RESOLUTION 2024/3

Moved: Chairperson Jeremy White

Seconded: Member Paul Harvey

That Motutangi Drainage Committee receive the report March 2024 Open Resolution Report.

CARRIED

6 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 3:20pm.

The minutes of this meeting were confirmed at the Motutangi Drainage Area Committee Meeting held on 26 September 2024.

.....

CHAIRPERSON

5 NGĀ PŪRONGO / REPORTS

5.1 MOTUTANGI DRAINAGE COMMITTEE OPEN RESOLUTIONS UPDATE NOVEMBER 2024

File Number: A4952507

Author: Marysa Maheno, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Motutangi Drainage Committee with an overview of outstanding Committee decisions from 17 April 2023.

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 Motutangi Drainage Committee receive the report November 2024 Open Resolution Report.

1) TĀHUHU KŌRERO / BACKGROUND

At the 17 April 2023 Motutangi Drainage Committee Meeting the Committee requested an action sheet update report be included in all future Drainage Committee Meetings. Any resolution or decision from a meeting is compiled on an open resolution status report, to capture actions triggered by Motutangi Drainage Committee decisions. Staff provide updates on progress against tasks that are not yet completed.

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 Motutangi Drainage Committee with an overview of outstanding decisions from 17 April 2023.

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 - A5002509 [↓](#) 

OPEN RESOLUTION REPORT	Printed: Wednesday, 27 November 2024 10:00:11 pm
Division: Committee: Motutangi Drainage Area Committee Officer:	Date From: Date To:

Meeting	Title	Resolution	Notes
Motutangi Drainage Area Committee 16/08/2021	Motutangi Drainage Area 2021/2022 Programme	RESOLUTION 2021/4 That the Motutangi Drainage Area Committee recommends Te Hiku Community Board a) approve the Motutangi Drainage Area 2021/22 work programme. b) request a workshop with the Motutangi Drainage Area Committee in October/November to work on the draft management plan. c) request that contractors spray takes place twice a year in late spring (September/October) and late autumn (April/ very early May at the latest). <p style="text-align: right;">CARRIED</p>	12 Apr 2023 11:54am Item a) approved at Te Hiku Community Board Meeting, Held Virtually Via Microsoft Teams, On Tuesday, 24 August 2021 26 Apr 2023 11:54am Item b) a workshop was held in April 2022 and a DRAFT Land Drainage Area Management and Operational Plan was drafted but has not been adopted. 18 Aug 2023 3:22pm RESOLUTION 2021/4 (Update as at 17 August 2023), a) Noted, b) Noted - to be actioned when Drainage specialist appointed, c) Noted - to be actioned when Drainage specialist appointed
Motutangi Drainage Area Committee 17/04/2023	Motutangi Drainage Area 2022/2023 Programme	RESOLUTION 2023/2 That the Motutangi Drainage Area Committee recommend that the Te Hiku Community Board; a) approve the reviewed Motutangi Drainage Area 2023/2024 work programme. b) amend the 2022/2023 budget \$50,000 for machine cleaning from the Motutangi Drainage Area reserve fund. c) request the proposed rate change for \$68,864 including drone hireage and machine cleaning, and dedicated staff member be reported back to the Drainage Committees. <p style="text-align: right;">CARRIED</p>	26 Apr 2023 3:30pm This report has been escalated to the Te Hiku Community Board meeting on the 9 May 2023 15 Aug 2023 2:55pm Parts a) b) and :c) of this resolution were tabled as part of the Te Hiku Community Board minutes which were presented to Council at the meeting held 1 June 2023. 18 Aug 2023 3:28pm RESOLUTION 2023/2 (Update at 17/8/2023), a) Noted, b) Complete, c) Noted - to be actioned when Drainage specialist appointed, , RESOLUTION 2023/1 Update at 17/8/2023), a) Complete – work organised through Drainage Board chair. , b) Noted, c) To be actioned through Finance- requested., d) Noted, e) Noted 23 Aug 2023 3:38pm a) Noted, b) Complete, c) Noted- to be actioned when Drainage specialist appointed 27 Nov 2024 9:59pm In the last stages of Contract finalisation - Status Quo

5.2 MOTUTANGI DRAINAGE AREA 2022/2023 PROGRAMME

File Number: A4876157

Author: Tanya Proctor, Assets & Planning Manager

Authoriser: Guy Holroyd, Chief Executive Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the Motutangi Drainage Area Committee with a progress report of works undertaken during the 2022/2023 financial year and to provide an outline of the proposed works and costs for the 2023/2024 financial year.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Over the 2023/2024 financial year, the Far North District Council wishes to complete a selection of drainage area works.

- The work includes spraying and cleaning of the areas drains. Currently there is a proposed budget of \$25,420 for Motutangi for planned work, with an additional \$58,000 of contingency for unplanned work if required.
- It is likely that the interpretation of the proposed Regional Plan for Northland will require resource consents to be obtained for each of the Drainage Areas by 20 December 2023.
- Provisional estimates suggest costs of \$100K split across the four Drainage Boards to engage a planning consultant to lead the consent application and an additional \$200K split across both the Waiharara and Kaikino Drainage Areas to undertake the evidence to support the consent application
- It is proposed to engage a full-time staff member to support the Drainage Boards and District Engineer at an estimated cost of \$120K annually
- This work programme has been compiled on estimated costs.

TŪTOHUNGA / RECOMMENDATION

That the Motutangi Drainage Area Committee recommend that the Te Hiku Community Board approve the reviewed Motutangi Drainage Area 2023/2024 work programme.

1) TĀHUHU KŌRERO / BACKGROUND

The Motutangi Drainage Area Committee was formally established at the 26 February 2015 meeting of the group previously known as the Northern Advisory Drainage Committee.

Prior to the formal establishment of the individual drainage area committees, there were meetings of the Northern Advisory Drainage Committee.

The proposed works programme for the 2022/2023 financial year has been estimated from previous costs.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

2.1 Works undertaken during 2022/2023 Financial Year

The delivery of the 2022/2023 work programme was interrupted in early 2023 with the resignation of the Far North Waters Operations and Maintenance Manager who was tasked with the management of the Land Drainage portfolio.

The limited nature of the portfolio handover, the unknown status of much of the work and the unconfirmed status of the budgets available to the Land Drainage Committees has meant that a significant amount of investigative work has been needed simply to gain a reasonable understanding of the role of the FNW in the Land Drainage space and the status of the programmed works within each of the Drainage Areas.

It has been determined that the spraying programme was well entrenched and was progressing well however the machine clearing works within the Motutangi Drainage Area was still to be finalised and carried out.

The following sections provide a summary of the status of the 2022/2023 programmed works.

Spraying

The works undertaken during the 2022/2023 financial year have primarily been associated with the approved spraying programme. At the time of writing a total of 14.850km or 80.01% of the approved programme has been completed. A summary of spray work completed within the drainage area is provided below.

It is noted that previous minutes discussed the increase in spray costs from \$0.55 per lineal metre of drain to \$0.65 per lineal meter of drain. It is further noted that the per meter costs being charged by the spraying contractor is \$0.60 per lineal meter. The costs provided below are adjusted to reflect the \$0.60 per meter rate charged to ensure comparison between forecast and actual costs.

Drain Name	Length Forecast	Length Complete	Cost Forecast	Cost for Completed	% Length Complete	% Cost Completed
Motutangi Stream	2,600m	2,600m	\$2,082.25	\$1,731.60	100.00%	83.16%
Main Outfall Drain	1,150m	1,150m	\$ 920.89	\$ 765.90	100.00%	83.16%
Bryan Drain	2,900m	2,900m	\$2,322.51	\$1,931.40	100.00%	83.16%
Beazley Drain	2,050m	2,050m	\$1,641.77	\$ 965.70	70.73%	58.82%
Aspin Drain	2,250m	2,250m	\$1,801.95	\$1,498.50	100.00%	83.16%
Cut to Lands' End Drain	1,700m	1,700m	\$1,361.47	\$1,132.00	100.00%	83.16%
Selwyn Drain	2,950m	0m	\$2,362.55	\$ 0.00	0.00%	0.00%
Seymour Drain	750m	750m	\$ 600.65	\$ 499.50	100.00%	83.16%
Bacicas Drain	2,050m	2,050m	\$1,641.77	\$1,365.30	100.00%	83.16%
Subritzky Drain	160m	0m	\$ 128.14	\$ 0.00	0.00%	0.00%
TOTALS	18,560	14,850	\$14,864.05	\$9,890.10	80.01%	66.54%

Machine Clearing

The changes in role within the Far North Waters Alliance has meant that the machine clearing work programme has been delayed while some clarity is obtained around the works actually required and budgets available to complete the work.

The 2022/2023 budgets included an amount of \$20,000 for the "spot" machine clearing of problem areas identified within the Motutangi Drains. This work occurred in July 2022 at a cost of \$17,582.40 excluding GST.

A machine cleaning contingency of a further \$12,000 was allocated for the 2022/2023 financial year which was unused.

Within the Motutangi Area, there are several areas which require work. The items detailed in the following work programmes have been determined by staff based on information from the spraying contractor and other sources. However, the Committee may be aware of other work that is required, and this meeting provides an opportunity to adjust the work programme.

Drain Condition Reports

Drain inspections are being undertaken by the spraying contractor while performing the spraying works. Not all of the inspection reports have been received at the time of writing so a full assessment of the issues is yet to be completed. Typical comments from the reports received to date and from discussions with the spray contractor include:

- long paddocks with no internal gates near drain adds significant time backtracking to do the next section of drain in the next paddock;

- Some sections of running track are damaged or overgrown and undriveable in places;
- Some gateways permanently wired up or unable to be opened;
- Branches clogging sections in some drains.

Once inspection reports are received for all the drains, a thorough assessment will be carried out and key issues identified together with potential remedial options.

Other Issues Identified

An RFS was received in January 2023 in relation to the Motutangi Stream, advising that there is a structure that was built across the stream by FENZ whilst fighting the recent fires, presumably to allow vehicle access across the drain. The submitter was strongly requesting that FNW and/or the Drainage Committee remove the structure in a timely manner and furthermore, spray and machine clear the drains.

The submitter was advised that because it was FENZ that installed the structure, the responsibility should lie with FENZ to remove it and that the responsibility did not lie with FNW or the Committee.

The submitter replied adamant that the responsibility lies with FNW and the Land Drainage Committee also advising that it is highly illegal to alter the height or direction of the drain. The submitter demanded that the structure be removed, or they would be seeking legal advice on the matter.

Given that the submitters claim regarding spraying and machine clearing is at odds with both the spray programme (sprayed in early January 2023) and the machine clearing works undertaken in mid-2022 further investigation is needed into this matter. This notwithstanding, the issue of the structure across the Motutangi Stream needs to be resolved with some urgency.

2.2 Proposed 2023/2024 Work Programme Summary

Within the Motutangi Area, there are several items that require work. The items detailed in the below work programme has been determined by staff based on information from the spraying contractor and other sources. However, the Committee may be aware of other work that is required, and this meeting provides an opportunity to adjust the work programme.

The programme will be available for further review/adjustment at the next Committee meeting in August 2023, however the overall budget will be set by that time.

Work is to be completed before 30 June 2024, with the spraying programme to again start during late 2023.

Drain Spraying

Spraying of the Motutangi Area is to be completed during late spring / early summer 2023. To ensure the weed growth in the drains is maintained sufficiently, a budget item for additional spraying during autumn has been included. The amount allowed is enough to spray half of the drains a 2nd time.

Invasive weed is known to be an issue, particularly alligator weed. The spray currently being used is likely to have little effect on it. It is understood that NRC are using sprays that can deal with alligator weed however it would be necessary for resource consents to be obtained for its use. Enquiries with NRC and other spray contractors for their approach to dealing with alligator weed and other invasive species is recommended. For serious cases machine cleaning may be required.

The spray programme consists of 18.56 kilometres of drain spraying and has been separated out into individual drains.

Spray programme follows:

Motutangi Area	Total	Spray	Cost
Motutangi Stream	2,600 m	2,600 m	\$2,082.25
Main Outfall Drain	1,150 m	1,150 m	\$920.99
Bryan Drain	2,900 m	2,900 m	\$2,322.51

Beazley Drain	2,050 m	2,050 m	\$1,641.77
Aspin Drain	2,250 m	2,250 m	\$1,801.95
Cut to Lands' End Drain	1,700 m	1,700 m	\$1,361.47
Selwyn Drain	2,950 m	2,950 m	\$2,362.55
Seymour Drain	750 m	750 m	\$600.65
Bacicas Drain	2,050 m	2,050 m	\$1,641.77
Subritzky Drain	160 m	160 m	\$128.14
Totals	18,560 m	18,560 m	\$14,864.05

Machine cleaning

The changes in role within the Far North Waters Alliance has meant that the machine clearing work programme has been delayed while some clarity is obtained around the works actually required and budgets available to complete the work.

Over the 2023/2024 year, the Motutangi Drainage Area shall be investigated in conjunction with the spraying contractor to identify the location of any significant siltation and/or vegetation mats which will require removal. These investigations will be based primarily on the findings of the drain inspections carried out through the 2022/2023 financial year.

In addition, the structure reported to have been constructed across the Motutangi Stream by FENZ during the fires will need to be removed to reinstate the stream profile.

Accessibility issues & maintenance

The state of access can have negative / positive impacts on the efficiency and operations of the drainage area.

It's believed access track maintenance may be required along several drains, particularly the Motutangi Stream. A contingency of \$2,000 was allowed in the 2022/2023 budgets for this work however at this stage it is unclear whether this work was undertaken.

In addition to maintenance of the drains, the spraying contractor has been requested to identify the location of any of the following issues which are covered by the Far North District Council Land Drainage Bylaw 2009 (Rev 2019):

- i) Obstructions which interfere with the access for plant or machinery to and along the drainage channel or parts thereof and within 10 m of the drain, Clause 3.1.
- ii) Grazing stock, which is not excluded from the drainage channel, Clause 5.7.
- iii) Damage caused to the drainage channel due to stock accessing the drainage channel for water, Clause 11.1.
- iv) Obstructions to flow within the drainage channel due to excessive vegetation material.

Far North Water staff will analyse this information and make recommendations to the Committee on work which may be required. Staff, or as agreed by the Committee, may also contact the landholders directly where they are in breach of the Drainage Bylaw.

An annual notice will be issued to all property owners reminding them of the requirements that they must comply with under the Drainage Bylaw, and in particular the above issues.

Previous minutes detailed that discussions were to be undertaken with DoC about the cleaning of Drainage Channels adversely affected by the fires. These discussions were to cover accessibility including permissions required for Channel cleaning as well as covering costs associated with damage repair and cleaning of Drainage Channels caused by the fires. It is unknown whether these discussions were held by the previous FNW O&M Manager or not.

Deferred projects

Motutangi stream stockpile relocation

The Motutangi Stream stockpile relocation area must be positioned in accordance with the Department of Conservation (DoC) Concession Agreement conditions. Additionally, any dumpsites would be identified by DoC before work commences.

As discussed in the 2021/2022 report, a review of the agreement by DoC is underway, however there is no defined timeframe for completion. The new FNW O&M Manager has not had an opportunity to review this issue in the time in the role so is therefore largely unaware of the requirements of this issue at this stage. With that in mind, it would be worthwhile deferring this project again to a later work programme.

Resource Consents

All drainage works, including any associated activities on land, in the beds of river and lakes, the taking, use, diversion and discharge of water, and discharges of contaminants to land and water are all managed under the Resource Management Act 1991 (RMA). FNDC's land drainage works and operations are therefore subject to Northland's regional planning framework, as well as any relevant national instruments such as National Environment Standards and National Policy Statements. Drainage works may also be subject to FNDC's bylaws.

Under the provisions of these documents various elements of Council's drainage works may be allowed as of right (permitted activity) or may require resource consent from Northland Regional Council (NRC).

In the past drainage works have been carried out as permitted activities. However, NRC's regional planning framework is now in flux, with a replacement regional plan at the appeals stage. It is likely that the interpretation of the proposed Regional Plan for Northland means that all activities in the Drainage areas would be a controlled activity, including maintenance, repair, reconstruction, and alteration of structures, along with maintenance and discharge from the network.

As a minimum, any consent application would need to include the following:

- The rationale for the proposed works
- A catalogue and map of all the assets and activities relating to the proposed works
- A catalogue and map of all relevant elements of the surrounding and receiving environment- including but not limited to land and land uses, streams, rivers, wetlands, coastal areas
- A basic hydrological assessment to understand the range of flows expected within the land drainage schemes
- A basic ecological assessment showing actual and/or potential ecological effects from proposed works
- A cultural effects assessment which may be best presented as Cultural impact assessment
- A planning assessment
- Evidence and outcomes of any consultation
- A suggested monitoring regime
- Suggested resource consent conditions.

NRC have highlighted the need for Discharge consents for the four drainage areas in a letter written to Council. Unless Resource consent applications are lodged by 20 December 2023, then the NRC is likely to take formal enforcement action against the FNDC for continuing unauthorised drainage activities.

At the time of writing the cost of this activity has not been costed. However, provisional estimates would suggest \$100k split across the four Drainage Districts to engage a planning consultant to lead the consent application and \$200k for each Drainage District to undertake the evidence to support the Resource Consent application.

Staffing

The Te Hiku Community Board have previously requested that the management of the Drainage Districts be kept in Council, rather than managed through Far North Waters. There is a preference for a dedicated full-time member of staff based in Kaitaia. However, neither Council nor Far North Waters have the capacity to deliver on this.

It is therefore proposed to engage a new member of staff to work alongside the Drainage Boards reporting to the District Engineer. The cost of this, plus dedicated vehicle is estimated at \$120k annually.

2.3 Budgets

2022/2023 Budgets

The financial report referenced provided the following information.

2022/2023 Budgets						
Location	Reserves 2021/22 (Note 1)	Budget 2022/23	Total	Expenditure (April YTD)	Additional Expenditure Expected	Forecast Reserve Balance (Note 1)
Motutangi	\$135,000	\$34,000	\$169,000	\$9,890	\$4,974	\$154,136

Note 1 : This amount is forecast reserve as at 1 April 2023 subject to change based on any further additional expenditure

2023/2024 Proposed Budget

From the above tables, it is apparent that the reserves balance within the Motutangi Drainage area is accumulating to quite high amounts. It is recommended that the Committee set an ideal reserve balance to be held by Council for unplanned works should it be required. Once this amount is set, a programme for machine clearing of drains, or other works identified by the Committee can be developed and implemented either in the 2023/2024 financial year or subsequent years.

In anticipation of this, additional contingency amounts have been included in the proposed 2023/2024 budgets following.

A breakdown of proposed budget expenditure follows:

Motutangi	
Spraying of the Motutangi drains (spring) (breakdown in section 2.2)	\$13,391
Additional spraying of the Motutangi drains (autumn)	\$6,696
Status report on the drains	\$333
Removal of structure in Motutangi Stream (TBC)	\$5,000
Resource Consent Planning Consultant	\$25,000
Resource Consent Application	\$200,000
Dedicated staff member	\$30,000
Total (planned work)	\$280,420
Machine cleaning contingency (TBC)	\$50,000
Access track maintenance contingency	\$5,000
General contingency	\$3,000
Total (contingencies)	\$58,000

A breakdown of proposed budget expenditure with rating implications follows:

Motutangi		
	Expenditure	Forecast Reserve
2023 Opening Reserve Balance		\$ 154,136
<u>2023/2024 Proposed Expenditure</u>		
2023/2024 Proposed expenditure to be rated	\$ 34,000	\$ 34,000
2023/2024 Proposed expenditure to be funded from reserve	\$ 49,420	-\$ 49,420
	<u>\$ 83,420</u>	<u>\$ 138,716</u>
<u>Additional Expenditure to be rated for</u>		
Resource Consent Planning Consultant	\$ 25,000	
Resource Consent Application	\$ 200,000	
Dedicated Staff Member	<u>\$ 30,000</u>	
	\$ 255,000	
Total Expenditure	\$ 338,420	
Expenditure to be rated for	\$ 289,000	
<u>Rate Implication per hectare of land</u>		
		gst incl
<i>On Normal Expenditure of \$34K</i>		
Motutangi A	\$ 391.77	
Motutangi B	\$ 195.88	
Motutangi C	\$ 65.44	
<i>On All Expenditure Incl of RC Consultant/Application/Staff of \$289K</i>		
Motutangi A	\$ 46.09	
Motutangi B	\$ 23.05	
Motutangi C	\$ 7.70	

Take Tūtohunga / Reason for the recommendation

To discuss the proposed works and their associated costs, with the work programme to be completed by 30 June 2024.

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

A summary of the expected 2023/2024 financial year is as follows:

Motutangi	
2023 Opening balance (2022/2023 Reserve balance) TBC	\$154,136
2023/2024 Proposed rated income	\$34,000
2023/2024 Expenditure to be drawn from reserve	\$83,420
2023/2024 Resource consents/Consultants/RCAApplication/HC – to be rated (Not yet in Annual Plan 2023/2024)	<u>\$255,000</u>
2024 Closing balance (\$154,136 less \$83,420)	\$101,601

Rate Implications

	Rate amounts inclusive of all headcount and resource consent application fees			Normal external services costs		
	Rate in \$	GST Incl	Rate per ha	Rate in \$	GST Incl	Rate per ha
Kaikino						
A			\$ 198.95			\$ 11.75
B			\$ 99.47			\$ 5.87
C			\$ 33.23			\$ 1.96
	\$ 135,500	\$ 155,825		\$ 8,000	\$9,200	
Motutangi						
A			\$ 391.77			\$ 46.09
B			\$ 195.88			\$ 23.05
C			\$ 65.44			\$ 7.70
	\$ 289,000	\$ 332,350		\$ 34,000	\$39,100	
Waiharara						
A			\$ 250.61			\$ 14.80
B			\$ 125.30			\$ 7.40
C			\$ 41.86			\$ 2.47
	\$ 135,500	\$ 155,825		\$ 8,000	\$9,200	
Kaitaia	\$ 325,000	\$ 373,750	\$ 39.73	\$ 70,000	\$ 80,500	\$ 8.56

ĀPITI HANGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	A 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.	Policy #4302 - Northland River Management Policy. Policy #2104-14 Procuring Goods and Services. Land Drainage Bylaw 2009 (Rev 2019).
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This report seeks Te Hiku Community Board to approve a recommendation from the Motutangi Drainage Area Committee.
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.	Ngai Takoto and Te Rarawa Iwi are to be included in the development of the management plan for the district's drainage areas.
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 purpose of the Committee is to liaise with persons likely to be affected.
State the financial implications and where budgetary provisions have been made to support this decision.	Financial implications are to be considered by the committee and budgetary provision is made.
Chief Financial Officer review.	The Acting CFO has reviewed this report.

5.3 MOTUTANGI DRAINAGE AREA 2024/25

File Number: A4876199

Author: Tanya Proctor, Head of Infrastructure Strategy

Authoriser: Guy Holroyd, Chief Executive Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide the Motutangi Drainage Area Committee with an update report and agree the programme of work for the 2024/2025 financial year.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The Motutangi Drainage Area has had drains machine cleared in accordance with Resolution 2023/2.

The programme of work for the 2024/25 financial year has been proposed and is to be approved by the committee.

TŪTOHUNGA / RECOMMENDATION

That the Motutangi Drainage Area Committee approve the programme of works for the 2024/25 financial year.

TĀHUHU KŌRERO / BACKGROUND

The Motutangi Drainage Area Committee was formally established at the 26 February 2015 meeting of the group previously known as the Northern Advisory Drainage Committee.

Prior to the formal establishment of the individual drainage area committees, there were meetings of the Northern Advisory Drainage Committee.

The work programme is to be approved annually by the committee.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

2.1 Works programmed for 2024/25

Spraying

The Motutangi Land Drainage District requires spraying twice per year in both spring and autumn.

The sprays are as follows:

Location	Meters	Spring spray	Autumn spray	Autumn clean
Motutangi Stream	4225	✓		✓ long reach
Main outfall	1147	✓		✓ long reach
Byran's drain	2716	✓		
Beazley drain	2012	✓ on request		
Aspin drain	3200	✓	✓	
Cut to land end	1609	✓	✓	
Selwyn drain	2750	✓	✓	

Bacica drain	2414		✓	
Seymour drain	800		✓	
Subritzky	200			✓
Total	20073			

Machine clearing and spraying

Machine clearing and spray timing will be co-ordinated between contractors.

Land Drainage Bylaw and Compliance

Whilst the drains have not been maintained to a satisfactory standard by Council for several years, there are also a significant number of breaches to the Land Drainage Bylaw, specifically vegetation and structural obstructions, flow impediments and blockages and grazing stock. The bylaw allows Council to require the owner responsible for such damage to repair to the satisfaction of Council and on default, may have the necessary repairs executed and recovered from the said owner. It also allows for breaches, for fines not exceeding \$20,000.

It is proposed to run a communications and amnesty period prior the autumn sprays and cleans. Any remaining breaches to the bylaw will be escalated and worked through together with the Compliance team.

Budgets

2024/25 Budgets

The financial report referenced provided the following information.

Location	Reserves 2023/2024	Budget 2022/23	Total	Expenditure	Available budget
Motutangi	\$101,626	\$53,984	\$155,610	\$8,927	\$146,683

2024/2027 Proposed Budget

From the above tables, it is apparent that the reserves balance within the Motutangi Drainage area remains high. Consideration should be given to reducing the rates for the 2025/26 rating year given the current reserves funds available.

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

Rate Implications

At the completion of spray and machine works this financial year, indicative costs for the next financial year should be budgeted and consideration given to reducing the rates due to the constant surplus in reserves.

Revised budgets will be proposed on completion of the 2024/25 programme of works.

ĀPITIHINGA / ATTACHMENTS

Nil

6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

7 TE KAPINGA HUI / MEETING CLOSE