

AGENDA

Extraordinary Council Meeting

Tuesday, 7 October 2025

Time: 10:00 AM

Council Chambers,

Memorial Ave, Kaikohe

Far North District Council
Extraordinary Council Meeting
will be held in the Council Chamber, Memorial Ave, Kaikohe on:
Tuesday 7 October 2025 at 9.00am

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1 KARAKIA TIMATANGA / OPENING PRAYER

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

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

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

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

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

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

Elected Member - Register of Interests

3 NGĀ TONO KŌRERO / DEPUTATIONS

No requests for deputations were confirmed 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: **A5394236**

Author: **Amber Wihongi-Alderton, 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 25 September 2025 as a true and correct record.

1) TĀHUHU KŌRERO / BACKGROUND

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

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The minutes of the meetings are attached.

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

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

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

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

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

ĀPITIHANGA / ATTACHMENTS

1. Council Minutes - 25 September 2025

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.	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

MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 25 SEPTEMBER 2025 AT 10:06 AM

PRESENT: Kahika - Mayor Moko Tepania, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Babe Kapa, Cr Penetaui Kleskovic, Cr Steve McNally, Cr Tāmati Rākena, Cr John Vujcich

IN ATTENDANCE: Chair Belinda Ward (Bay of Islands-Whangaroa Community Board), Chair Chicky Rudkin (Kaikohe-Hokianga Community Board Chair)

STAFF PRESENT: Jacine Warmington (GM - Strategic Relationships), Charlie Billington (GM – Corporate Services), Ruben Garcia (Acting GM – Delivery & Operations), Nicola Smith (Acting GM – Community & Engagement) , Tanya Proctor (Head of Infrastructure), Roger Ackers (GM – Policy & Planning), Rebecca Rowsell (Senior Solicitor), Margriet Veenstra (Manager – Property Information & Business Compliance), Ken Lewis (Manager – Communications & Engagement), Shayne Storey (Team Leader – Policy & Bylaws), Ken MacDonald (Chief Financial Officer), Stephen FitzHerbert (Community Board Coordinator), Leonie Wood (Team Leader – Rating Services) , Briar Macken (Manager – Strategy & Policy), Virginia Smith (Policy Advisor), Aisha Huriwai (Manager – Democracy Services), Marlema Baker (Democracy Advisor)

STAFF ONLINE: Amber Wihongi-Alderton (Democracy Advisor), Natasha Rmandic (Democracy Advisor), Cath Beaumont (Road Corridor Manager), Emma Healy (Chief of Staff), Gaynor Muller (Waste Minimisation & Sustainability Specialist), Fleur Beresford (Transport Customer Service Excellence Coordinator), Harley Alexander (Multimedia Strategy & Communications Advisor), Jonathan Fairclough (Manager – Property & Facilities Management), Lisa Nelson (Support Officer), Robin Rawson (Parks & Reserves Planner), Tammy Wooster (Manager – Integrated Planning), Trish Routley (Manager – Resource Consents). Maggie Thomas (EA to GM – Community & Engagement)

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika - Mayor Moko Tepania commenced the meeting with a karakia/prayer.

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

APOLOGIES

RESOLUTION 2025/112

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

That the apologies received from Cr Mate Radich & Te Hiku Community Board Chair Adele Gardner, and the apologies from Crs Ann Court and John Vujcich for early departure to attend a meeting, be accepted and a leave of absence granted.

CARRIED

Unconfirmed

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations for this meeting.

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Maramataka Māori – Ōuenuku.
- Acknowledgement of Mr Warren Pattinson who participated in raising awareness for Blue September Prostate Cancer Month and brought his hot rod into Kaikohe to support the kaupapa.
- Acknowledge the passing of Sir Tumu Te Heuheu Tukino IIIV in Ngāti Tūwharetoa.
- Acknowledge and thank Elected Members not seeking re-election:
  Bay of Islands-Whangaroa Community Board Members:
  - Amy Slack, 3 years *(1 term)*, Lane Ayr, 9 years *(3 terms)*, Bruce Mills, 15 years *(5 terms)*

  Kaikohe-Hokianga Community Board Members:
  - Trinity Edwards, 3 years *(1 term)*, Harmonie Gundry, 3 years *(1 term)*, Tanya Filia, 3 years *(1 term)*

  Te Hiku Community Board Members:
  - Sheryl Bainbridge, 6 years *(2 terms)*
- Thanks and acknowledgement of retiring Councillor Materangatira Radich for 15 years *(5 terms)* of public service.

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

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A5341408, pages 6 - 30 refers.

RESOLUTION 2025/113

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

That Council confirm the minutes of the Council meeting held 31 July 2025 and 28 August 2025 are a true and correct record.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 SOLID WASTE STRATEGY 2025-2050 AND WASTE MANAGEMENT AND MINIMISATION PLAN 2025-2031 - ANALYSIS OF SUBMISSION - ADOPTION

Agenda item 6.1 document number A5333380, pages 31 - 112 refers.

RESOLUTION 2025/114

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Penetaui Kleskovic

That Council:

a) approve the recommendations in the Solid Waste Strategy 2025–2050 & Waste Management and Minimisation Plan 2025–2031 Submissions Analysis Report in

Attachment 1 that recommends:

No changes to the draft Solid Waste Strategy 2025-2050.

ii) Amend line 10 of the WMMPs Introduction to rectify typographical errors to date references.

iii) Amend text in Initiative 1 - Table A of the WMMPs Action Plan to enable the phased implementation of a Contestable fund through a pilot programme in 2026

iv) Amend Table B of the WMMPs Action Plan to insert a new initiative to provide equity by committing engagement measures with community organisations that represent the Elderly, Disabled, and Rural stakeholders of the district

b) adopt the Solid Waste Strategy 2025-2050 in Attachment 2 to this report.

c) adopt the Waste Management and Minimisation Plan 2025–2031 in Attachment 4 to this report that replaces the 2017 – 2023 Waste Management and Minimisation Plan.

d) authorise the Chief Executive to make any necessary minor drafting or presentation amendments to the Solid Waste Strategy 2025-2050 and the Waste Management and Minimisation Plan 2025–2031 to correct errors or omissions, or to reflect the decisions made by the Council prior to final publication and public release.

CARRIED

6.2 RATING RELIEF POLICY - ANALYSIS OF SUBMISSIONS AND ADOPTION OF AMENDED POLICY

Agenda item 6.2 document number A5301273, pages 113 - 151 refers

RESOLUTION 2025/115

Moved: Cr John Vujcich
Seconded: Cr Hilda Halkyard-Harawira

That Council:

a) approve the recommendation in the staff report on the Rating Relief Policy Analysis of Submissions in attachment 1 that no changes are made to the draft Policy

b) adopt the Rating Relief Policy 2025 in attachment 2 under section 102 of the Local Government Act 2002.

CARRIED

6.3 REVIEW OF ALCOHOL CONTROL AREAS - PROPOSAL FOR PUBLIC CONSULTATION

Agenda item 6.3 document number A5319418, pages 152 - 229 refers

RESOLUTION 2025/116

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

That the Council, under section 147B of the Local Government Act 2002, approves consulting on:

a) declaring three new permanent Alcohol Control Areas that will apply 24 hours a day, 7 days a week, all year round:

i) **Waitangi**
ii) **Ōpua**
iii) **Lake Ngātu.**

b) **amending five current permanent Alcohol Control Areas that will continue to apply 24 hours a day, 7 days a week, all year round:**

i) **Kaitāia**
ii) **Kerikeri**
iii) **Waipapa**
iv) **Paihia**
v) **Kaikohe.**

c) **adopts the Proposal in Attachment 3 to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002.**

d) **approves the period for making written submissions on the proposal will be a minimum of 4 weeks and will take place after the local body elections.**

e) **delegates authority to the Mayor to decide on the date of any oral presentation/s of submissions.**

f) **authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the attached supporting documents to correct errors or omissions, or to reflect the decisions made by the Council prior to final publication and public release.**

CARRIED

6.4 SIMSON PARK DOMAIN - PUBLIC CONSULTATION ON RESERVE CLASSIFICATION OF ADJOINING RESERVE AND DELEGATION FOR RESERVES ACT HEARINGS

Agenda item 6.4 document number A5338051, pages 230 – 236 refers.

RESOLUTION 2025/117

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Ann Court

That Council:

a) **approve the initiation of a public consultation process under Section 16(4) of the Reserves Act 1977 to classify Lot 35 DP 51470 as a recreation reserve.**

b) **endorse the Bay of Islands-Whangaroa Community Board's decision to initiate a public consultation process under Section 41(6) the Reserves Act 1977 on the draft reserve management plan for Simson Park Domain.**

c) **appoint the Bay of Islands-Whangaroa Community Board to hear any submissions received in response to the consultation process associated with the classification of Lot 35 DP 51470 and to make recommendations to the Council in respect of the Reserve Classification under section 16(1) of the Reserves Act 1977.**

d) **appoint the Bay of Islands-Whangaroa Community Board to hear any submissions received in response to consultation associated with the development of a reserve management plan under section 41(6)(d) of the Reserves Act 1977.**

CARRIED

Unconfirmed

6.5 NEW GROUND LEASE TO KOHUKOHU BOWLING CLUB INCORPORATED OVER 22 BEACH ROAD, KOHUKOHU

Agenda item 6.5 document number A5342830, pages 237 - 243 refers.

RESOLUTION 2025/118

Moved: Cr John Vujcich
Seconded: Cr Hilda Halkyard-Harawira

That Council:

a) approve a new ground lease to Kohukohu Bowling Club Incorporated, over approximately 2,555.4 square metres being Part Lot 2 DP 23934 and Pt Sec 81 Blk X Mangamuka SD, vested in Far North District Council as recreation reserve, located at 22 Beach Road, Kohukohu.

b) approve the lease being for:

i. a term of 30 years (10+10+10) – allowed for under the Reserves Act 1977;

ii. an amount of $124 plus GST for 2025/26, adjusted annually as per the Fees and Charges Schedule.

c) authorise the Group Manager Delivery and Operations to negotiate the final terms and conditions of the lease and execute the lease on behalf of Council.

CARRIED

Kōwhai-Deputy Mayor Kelly Stratford joined the meeting online 10:30 am.

6.6 AMENDMENTS TO DELEGATIONS UNDER THE RESOURCE MANAGEMENT ACT 1991

Agenda item 6.6 document number A5356626, pages 244 - 247 refers.

RESOLUTION 2025/119

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

That Council:

a) approve the delegation of powers to specified staff under new and amended sections 92AA, 106A, 107G and 123B of the Resource Management Act 1991 as outlined in Attachment 1

b) approve amendment of Council's Delegations Register to include the delegations outlined in Attachment 1, to take effect from 20 October 2025, being the day on which the amended provisions commence.

CARRIED

Kōwhai-Deputy Mayor Kelly Stratford, and Crs Felicity Foy, Hilda Halkyard-Harawira and Steve McNally did not participate the discussion and decision-making for item 6.7.

Unconfirmed

6.7 PROPOSED DISTRICT PLAN HEARING PANEL ELECTED MEMBER MAKE UP POST OCTOBER 2025 ELECTIONS

Agenda item 6.7 document number A5313676, pages 248 - 252 refers.

RESOLUTION 2025/120

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

That Council;

a) approves the following current elected members be re-appointed to the Proposed District Plan Hearing Panel as independent commissioners if they are not re-elected in October 2025 elections:
- **i) Cr Felicity Foy**
- **ii) Cr Kelly Stratford**
- **iii) Cr Steve McNally**
- **iv) Cr Hilda Halkyard-Harawira, and**

b) appoints if required one or more of the above persons to Council's Approved Commissioners with "Making Good Decisions" certification list if they are not re-elected in the October 2025 elections.

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

CARRIED

6.8 TE KIRI WAIWAI O PAPATŪĀNUKU - WHENUA MĀORI STRATEGY

Agenda item 6.8 document number A5371705, pages 253 – 291 refers.

RESOLUTION 2025/121

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Hilda Halkyard-Harawira

That Council;

a) approve Te Kiri Waiwai o Papatūānuku - Whenua Māori Strategy.
b) delegate authority to the Chief Executive to make minor editorial corrections.

Against: Cr Court

CARRIED

6.9 FAR NORTH TOWNS AND NAMES

Agenda item 6.9 document number A5371729, pages 292 - 352 refers.

RESOLUTION 2025/122

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

That Council:

a) approve the towns and place names for adoption by the New Zealand Geographic

Unconfirmed

Board.

b) include Taipā and Mōtatau with the macronised spelling.

CARRIED

6.10 TEMPORARY ROAD CLOSURE REPORTS

Agenda item 6.10 document number A5350196, pages 353 - 365 refers.

RESOLUTION 2025/123

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

That pursuant to the Local Government Act 1974, section 342 and schedule 10 clause 11(e), the Council approves the temporary closure of specified roads to enable the safe operation of the following community and public events:

a) Kerikeri Half Marathon - Saturday 22nd November 2025
b) Kerikeri Street Party - Saturday 22nd November 2025
c) Kaikohe Christmas Parade - Saturday 29th November 2025
d) Paihia Christmas Parade - Friday 5th December 2025
e) Northland Car Club Inc Car Sprints - Sunday 7th December 2025
f) Waitangi Day 2026 - Tuesday 3rd – Friday 6th February 2026
g) Cruzn the Bayz – Saturday 7th – Sunday 8th March 2026
h) Mangōnui Waterfront Festival - Saturday 28th March 2026
i) Māngungu Treaty Commemorations 2026 - Thursday 12th February 2026
j) Te Taenga Mai o Hōkūle'a - Friday 14th – Saturday 15th November 2025

CARRIED

Kōwhai-Deputy Mayor Kelly Stratford arrived at the meeting 11:14 am.
At 11:20am Kahika-Mayor Moko Tepania vacated the Chair, Kowhai-Deputy Mayor Kelly Stratford assumed the Chair.
Kahika-Mayor Moko Tepania returned at 11:23am and resumed the Chair.

6.10 CARRY FORWARDS FOR CAPITAL PROGRAMME 2024-25

Agenda item document number A5339513, supplementary agenda pages 6 - 28 refers.

MOTION

Moved: Cr Steve McNally
Seconded: Cr John Vujcich

That the Council

a) approve the capital budgets identified in the report "Carry Forwards Capital Programme 2024-25" totalling $106,578,407 be carried forward to the 2025-26 financial year, and

AMENDMENT

Moved: Cr Steve McNally
Seconded: Cr Hilda Halkyard-Harawira

b) review all projects in carry forward budget to establish prioritised work plan and reorganise all carry forward projects to establish actual expenditure required annually.

Unconfirmed

CARRIED

The amendment became the substantive motion.

RESOLUTION 2025/124

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

That Council

a) approve the capital budgets identified in the report "Carry Forwards Capital Programme 2024-25" totalling $106,578,407 be carried forward to the 2025-26 financial year, and

b) review all projects in carry forward budget to establish prioritised work plan and reorganise all carry forward projects to establish actual expenditure required annually.

CARRIED

Cr Ann Court declared a conflict for item 6.11 and left the room

6.11 DISTRICT LICENSING COMMITTEE APPOINTMENTS

Agenda item document number A5312326, pages 29 - 38 refers.

RESOLUTION 2025/125

Moved: Kōwhai - Deputy Mayor Kelly Stratford
Seconded: Cr Babe Kapa

That Council:

a) appoint Murray Clearwater as Commissioner/Chair of the District Licensing Committee;

b) appoint John Thorne as Commissioner / Deputy Chair of the District Licensing Committee;

c) the Committee members that become the pool from which the Chairperson/Commissioner allocates two members to attend District Licensing Committee hearings as required are Graeme Wright, Lisa McNab and Raniera Kaio.

d) agree that the term of appointment of members of the District Licensing Committee is a period of five years.

e) note the resignations from Martin Macpherson and Ann Court with thanks for their service.

CARRIED

Meeting adjourned at 11:45am and resumed at 12:06pm
Cr Court re-joined the meeting at 12.06pm

Unconfirmed

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 ALCOHOL & REGULATORY LICENSING AUTHORITY ANNUAL REPORT 2024-2025

Agenda item 7.1 document number A5332801, pages 366 – 382 refers.

RESOLUTION 2025/126

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

That the Council receive the report Alcohol & Regulatory Licensing Authority Annual Report 2024-2025.

CARRIED

7.2 COMMUNITY BOARD MINUTES - SEPTEMBER 2025

Agenda item 7.2 document number A5341465, pages 383 - 408 refers.

RESOLUTION 2025/127

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

That Council note the following Community Board minutes:

- **2 September 2025 Te Hiku Community Board;**
- **4 September 2025 Bay of Islands-Whangaroa Community Board;**
- **5 September 2025 Kaikohe-Hokianga Community Board.**

CARRIED

7.3 COMMITTEE AND JOINT COMMITTEE MINUTES - SEPTEMBER 2025

Agenda item 7.3 document number A5341476, pages 409 - 410 refers.

RESOLUTION 2025/128

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

That Council receive the report Committee and Joint Committee Minutes.

CARRIED

7.4 MAYOR AND COUNCILLOR'S REPORTS

Agenda item 7.4 document number A5373088, pages 411 - 426 refers.
Cr Rākena tabled report document number A5397717

RESOLUTION 2025/129

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

That Council note the reports submitted by Kahika Moko Tepania, Kōwhai Kelly Stratford, Cr Ann Court, Cr Hilda Halkyard-Harawira, Cr Babe Kapa and Cr John Vujcich and the report tabled by Cr Tāmati Rākena.

CARRIED

Unconfirmed

7.5 COUNCIL OPEN RESOLUTIONS AND ACTION POINTS UPDATE - SEPTEMBER 2025

Agenda item 7.5 document number A5341418, pages 427 - 427 refers.

RESOLUTION 2025/130

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Mate Radich

That Council receive the report Council Open Resolutions and Action Points Update September 2025.

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2025/131

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

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
8.1 - Confirmation of Previous Minutes - Public Excluded	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 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
8.2 - Interim Arrangements to Manage the Transportation Services	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 s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or	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

Unconfirmed

	disadvantage, negotiations (including commercial and industrial negotiations)	
8.3 - Variation to Contract 7/24/27 SH12 Ōmāpere Stormwater Upgrades	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 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
8.4 - Public Excluded Committee Minutes - September 2025	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
8.5 - Council Public Excluded Open Resolutions September 2025	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
8.6 - Te Koekoeā - CCO Committee Recommendations	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)(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

And that the Community Board Chairs Belinda Ward, Chicky Rudkin and Kaiwhakawhiti Reo Language Interpreter remain in the public excluded part of the meeting.

CARRIED

At the conclusion of the Public Excluded part of the meeting Council resolved as follows:

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2025/132

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

That Council confirms the decisions contained in the part of the meeting held with public excluded be restated in public meeting as follows:

8.2 Interim Arrangements to Manage the Transportation Services

That Council:

a) Note that resolution 2025/64 (18 June 2025 Council meeting) to extend and vary the contractual terms with Hoskin Civil is no longer in effect due to the withdrawal of Hoskin Civil from delivering the interim Transportation Services.

b) Note that Council's Chief Executive subsequently engaged Stellar Projects Limited under separable portion 1 to support the provision of Transportation Services to enable the open tender process to be undertaken.

c) Delegate authority to the Chief Executive to approve and award separable portions 2 and 3 to Stellar Projects Limited under the Interim Roading Team Professional Services contract (PROC 916) to a total value of "redacted" to support the provision of Transportation Services as an interim solution.

d) Note that Council will undertake an open tender process to select an appropriate external Professional Services provider for a period of 3 + 2 years to deliver Council's Transportation Services.

8.3 Variation to Contract 7/24/27 SH12 Ōmāpere Stormwater Upgrades

That Council:

a) increase the total value of the contract, including variations, from "redacted" to "redacted" to cover Engineer to Contract approved overspend of "redacted", and

b) delegate authority to the Chief Executive Officer (or nominee) to approve further spend up to "redacted" when endorsed and approved by the Engineer to Contract.

8.6 Te Koekoeā - CCO Committee Recommendations

Information and decisions relating to this item will be released in the near future, once confirmation is received from those affected.

Against: Cr Ann Court
Abstained: Cr Penetaui Kleskovic

CARRIED

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Kahika - Mayor Moko Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 1:12pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 7 October 2025.

.....

CHAIRPERSON

6 NGĀ PŪRONGO / REPORTS

6.1 LAND DRAINAGE BYLAW - ANALYSIS OF SUBMISSIONS AND ADOPTION OF AMENDED BYLAW

File Number: **A5391007**

Author: **Dan Bowmar, Policy Advisor**

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek adoption of the amended Land Drainage Bylaw.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- There are four land drainage districts in the Far North, all situated in Te Hiku Ward: Kaitāia, Motutangi, Waiharara and Kaikino.
- The Local Government Act 2002 gives Council the power to make bylaws to regulate the use and management of these drainage assets.
- On 03 October 2019 (Resolution 2019/37 refers), the Land Drainage Bylaw 2019 was made, replacing the Land Drainage Bylaw 2009.
- On 24 September 2024 (Resolution 2024/134 refers), the Land Drainage Bylaw 2019 was reviewed by Council under Section 158 of the Local Government Act 2002 and Council approved the Land Drainage Bylaw 2019 to continue with amendment.
- Section 160 (3)(a) of the Local Government Act 2002 requires that Council consult with the public when amending a bylaw.
- On 31 July 2025 (Resolution 2025/91 refers), Council approved the proposed Land Drainage Bylaw to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002.
- The consultation was open for a period of four weeks, from 05 August 2025 to 02 September 2025.
- The Te Hiku Community Board considered this report at their meeting held 30 September 2025 and resolved to leave the report to lie on the table, with the following recommendations to Council[1]:

  Te Hiku Community Board request consideration that the updated Land Drainage maps, and a list of drains, be escalated to Council for inclusion in the District Plan, and;

  Council staff develop a process for written approvals, required under the Bylaw, including recording of all decisions from Council.
- Staff are actively considering the feedback provided from Te Hiku Community Board. In the interim, approval of the bylaw is recommended based on the following rationale.
  i. updated maps can be added to the schedules of the bylaw by resolution post adoption of the bylaw.
  ii. the development of processes and procedures that guide and direct Council operational staff are completed as part of the implementation of the bylaw.
  iii. while submissions to the Proposed District Plan have been received on the land drainage areas and heard by the Proposed District Plan Hearings Panel, there is no certainty at this stage of the process as to whether new rules will be introduced into the Plan, either through the Hearing Panel recommendations or an appeal. Due to this uncertainty no timeframe can be given as to having the matter regulated under the RMA if that is Council's

[1] At the time of writing this report the minutes of the Te Hiku Community Board meeting had not been confirmed.

preference. It may also be determined that a separate plan change is required, which will take significant time plus we would have to demonstrate it's more appropriate to regulate under the RMA. It is also not certain, given government direction, that Council will be able to undertake a plan change.

TŪTOHUNGA / RECOMMENDATION

That Council:

a) approve the recommendation in the staff report in attachment 1 that:

i. clause 9.1 is amended to improve certainty and clarity;

b) adopt the amended Land Drainage Bylaw in attachment 3 and its schedule in attachment 4 under section 145 and section 146(b)(iv) of the Local Government Act 2002, Part 29 of the Local Government Act 1974, the Land Drainage Act 1908, and every other enabling power and authority.

c) Staff report to the Te Hiku Community Board on the implementation of the Bylaw.

d) Staff explore the inclusion of land drainage areas and rules via a District Plan.

1) TĀHUHU KŌRERO / BACKGROUND

- There are four land drainage districts in the Far North, all situated in Te Hiku Ward: Kaitāia, Motutangi, Waiharara and Kaikino
- The Local Government Act 2002 gives Council the power to make bylaws to regulate the use and management of these drainage assets
- On 03 October 2019 (Resolution 2019/37 refers), the Land Drainage Bylaw 2019 was made, replacing the Land Drainage Bylaw 2009
- On 24 September 2024 (Resolution 2024/134 refers), the Land Drainage Bylaw 2019 was reviewed by Council under Section 158 of the Local Government Act 2002 and Council approved the Land Drainage Bylaw 2019 to continue with amendment
- Section 160 (3)(a) of the Local Government Act 2002 requires that Council consult with the public when amending a bylaw
- On 08 July 2025 (Resolution 2025/65 refers), Te Hiku Community Board recommended to Council to approve the draft proposal to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002
- On 31 July 2025 (Resolution 2025/91 refers), Council approved the proposed Land Drainage Bylaw to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002
- From 05 August to 02 September 2025, the consultation was open for a period of four weeks.
- On 30 September 2025 Te Hiku Community Board reviewed the draft amended Land Drainage Bylaw and left it to lie on the table.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Below is a summary of the submissions received. A full analysis of submissions is in attachment 1.

Support for the proposed Bylaw

Thirty-four written submissions were received online and via email:

- 22 submitters (65%) supported the proposed Bylaw – 10 gave full support (30%) while 12 supported the Bylaw in part (35%)
- 8 did not support the Bylaw (24%)
- 4 were unsure (12%)

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

- Support for the principles and values of the proposed Bylaw (expressed through Te Rūnanga o Te Rarawa's submission).
- The proposed amendments provided clearer responsibilities, improved enforcement roles, and gave greater clarity for citizens and agents to help avoid disputes and misinterpretation (5 submissions).
- Proposed amendments reflect changes to legislation (2 submissions).
- Proposed amendments enhance Council's ability to protect wetland and drainage areas (1 submission).
- The proposed Bylaw protects the productivity of rural land (1 submission).
- The draft Bylaw protects wetlands, drainage areas and rural land as flooding is becoming more frequent due to climate change, with the amendments being overdue. (3 submissions).

Concerns and queries:

1. **General concerns regarding the amended Bylaw**
   - The current Bylaw is already sufficient (1 submission)
   - The proposed Bylaw does not fairly reflect the realities of farming operations (1 submission)
   - Drainage impacting on areas of natural wetlands (4 submissions)
2. **Concerns about Council's role**
   - Council's role in implementing the amended Bylaw (11 submissions)
   - Contractor oversight and maintenance standards (2 submissions)
   - Timeliness and responsiveness of Council (1 submission)
   - Transparency, practicality, and ratepayer confidence (1 submission)
   - Accountability and use of targeted rates (1 submission)
   - Lack of respect for Drainage Committees (2 submissions)
   - Council action and inaction leading to flooding and blockage issues (5 submissions)
3. **Māori and Treaty Matters**
   - Te Tiriti o Waitangi obligations and iwi engagement (3 submissions)
   - Cultural practices and customary land use (1 submission)
   - Support for the proposed Bylaw with conditions for implementation (expressed through Te Rūnanga o Te Rarawa's submission)
   - Equity and cost-sharing for Māori land blocks (1 submission)
4. **Requests for clarification of the draft Bylaw**
   - Bylaw enforceability and legal clarity (3 submissions)
   - Rating boundaries and equity (1 submission)
   - FNDC processes for written approvals (1 submission)

Feedback on specific clauses in the Bylaw:

In addition to the general positive feedback and concerns summarised above, submitters commented or made suggestions on twelve of the clauses and also on the Schedules in the draft Bylaw. This feedback is analysed in Attachment 1. The analysis resulted in one recommendation by Council staff to amend a clause to improve certainty and clarity:

1. **Amendment to Clause 9. Removal of Obstructions**

- Clause 9.1 states "The Council may require the removal of any growth or other obstruction that is or is likely to obstruct the free flow of any water in any watercourse - and in default thereof Council may do the work required and recover the cost thereof from such owner or owners."
- Staff recommend the following note be added to explain the circumstances under which a resource or building consent is required:

  In addition to any consent required under this Bylaw, a resource consent under the Resource Management Act 1991 or a building consent under the Building Act 2004 may be necessary for any works undertaken under clauses 6 to 15 of this Bylaw. Further advice should be sought to any works involved any discharge to water, excavations or landfill or the construction of structures.

COMPLIANCE WITH SECTION 155 OF THE LOCAL GOVERNMENT ACT

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

A bylaw is still the most appropriate way of addressing the problems of Land Drainage. Amendment to clause 9.1 of the Bylaw will make it more certain (clear).

2) Form of the Bylaw

If the recommended changes are agreed to, Council staff advise that the amended Land Drainage 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 civil and political rights that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society.

The rights or freedoms under the Bill of Rights Act potentially affected by the Bylaw are likely to be:

1. the rights to freedom of movement in relation to the restriction of access to the land drainage channels for people, vehicles and stock.
2. the right to be secure against unreasonable search or seizure, whether of the person, property, or correspondence or otherwise

Limitations on these rights must be no more than is reasonably necessary to achieve the purpose of the Bylaw. The Bylaw limits these rights only to the extent that they create a danger to health and safety or a nuisance to others or the public generally.

The proposed amended bylaw may give rise to implications for the right to be secure against unreasonable search or seizure, whether of the person, property, or correspondence or otherwise (section 21 of the New Zealand Bill of Rights Act 1990). This is because the bylaw gives the Council powers to enter private land to inspect parts of the drainage system. However, the bylaw provisions are fully within the scope of powers the Council already has under sections 171 to 174 of the Local Government Act 2002 and section 332 of the Resource Management Act 1991. Therefore, the bylaw provisions will be reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.

Therefore, the Bylaw does not raise any implications under and is not inconsistent with the Bill of Rights because any limitations of rights are justified.

IMPLEMENTATION PLAN

Next steps will include:

- Continued implementation of land drainage asset inspection
- Continued implementation of land drainage asset maintenance
- Continued implementation of compliance management as required, including the development of procedures, processes, forms and education of staff on the enforcement of the Land Drainage Bylaw
- Research and planning into and creation of accurate schedules including:
    - Maps illustrating the boundaries of Land Drainage Areas in the Far North District
    - Maps illustrating the targeted rating areas in the Far North District
    - Maps of each Land Drainage Compartment with accompanying tables which show the length of drainage in each land drainage compartment (e.g., Puckeys Outfall Compartment)
    - Maps illustrating the flow of stormwater flowing into each drainage are in the Far North District
    - Maps that illustrate the area of the Kaimaumau Reserve and other Outstanding natural Landscapes as identified by the Department of Conservation
- New schedules are to be adopted by Council resolution as they are developed by the Infrastructure team
- Continued development of the relationship between Council, through the Infrastructure Team and:
    - The Land Drainage Board
    - The Land Drainage Committees
    - Iwi and hapu
    - Landowners within drainage rated areas
    - Department of Conservation
    - Northern Regional Council

  to ensure:
    - Appropriate consultation on land drainage matters
    - Appropriate cultural perspective on land drainage matters
    - Appropriate respect be given to those that live the practical implications of land drainage in the Far North District
    - Accuracy of mapping and data on land drainage assets
    - Maintenance is being consistently and appropriately undertaken
    - Council support community engagement and education around land drainage assets
    - Enhanced interagency coordination of land drainage assets
    - Monitoring and evaluation of environmental outcomes in the Far North District.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The amended Land Drainage 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 bylaw is the most appropriate way to address the problem; and
- The bylaw is an appropriate form of bylaw; and
- 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.

ĀPITIHANGA / ATTACHMENTS

1. **Analysis of Submissions - Land Drainage Bylaw - September 2025 - A5351375**
2. **Tracked Changes for Land Drainage Bylaw - September 2025 - A5351371**
3. **Final Land Drainage Bylaw - September 2025 - A5351373**
4. **Final Schedule 1 Land Drainage Maps - Land Drainage Bylaw - September 2025 - A5351393**

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	**Aromatawai Kaimahi / Staff Assessment**
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	In line with the Significance and Engagement Policy, the recommendation to continue the Land Drainage Bylaw with amendment will have little effect on the financial thresholds, ratepayers, specific demographics, or levels of service. The recommendation is consistent with existing plans and policies. Therefore, the level of significance is low.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	• Land Drainage Bylaw 2019 • Local Government Act 2002 • New Zealand Bill of Rights Act 1990 • Far North District Council – Te Pae Ata – Three-Year Long-Term Plan 2024-2027 (Section 7 – Wai Ua me Hapuwai Stormwater and Drainage) • Land Drainage Act 1908 • Interpretation Act 1999 • Legislation Act 2019 • Resource Management Act 1991
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 issue has relevance within Te Hiku Ward. Engagement has been undertaken with Te Hiku Community Board to further understand the issues and problems relating to Land Drainage. On 08 July 2025 (Resolution 2025/65 refers), Te Hiku Community Board recommended to Council to approve the draft proposal to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002.
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.	Engagement with iwi and hapū occurred through submissions from representatives of Te Wānanga o Te Rangi Aniwaniwa, Te Rūnanga o Te Rarawa and Te Hiku to ensure appropriate amendments are made to the Bylaw. Māori are kaitiaki of the land and are therefore an important voice in issues of Land Drainage.

State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	All interested parties were given an opportunity to share their views and preferences including: • Te Hiku Community Board • Land Drainage Board • Land Drainage Committees • affected landowners • Infrastructure and Compliance Group subject matter experts • Iwi and hapū. • Forest and Bird • DOC
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.	The Chief Financial Officer has not reviewed this report.

Te Kaunihera o Te Hiku o te Ika
Far North District Council

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Analysis of Submissions

Land Drainage Bylaw

September 2025

1 Background

There are four land drainage districts in the Far North, all situated in Te Hiku Ward: Kaitāia, Motutangi, Waiharara and Kaikino. The Local Government Act 2002 gives Council the power to make bylaws to regulate the use and management of these drainage assets.

On 03 October 2019 (Resolution 2019/37 refers), the Land Drainage Bylaw 2019 was made, replacing the Land Drainage Bylaw 2009.

On 24 September 2024 (Resolution 2024/134 refers), the Land Drainage Bylaw 2019 was reviewed by Council under Section 158 of the Local Government Act 2002 and Council approved the Land Drainage Bylaw 2019 continuing with amendment.

Section 160(3)(a) of the Local Government Act 2002 requires that Council consult with the public when amending a bylaw.

On 08 July 2025 (Resolution 2025/65 refers), Te Hiku Community Board recommended that Council approve the draft proposal in attachment 4 to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002.

On 31 July 2025 (Resolution 2025/91 refers), Council approved the proposed Land Drainage Bylaw to be released for public consultation to meet the requirements of section 82 of the Local Government Act 2002.

From 05 August to 02 September (a four-week period), consultation was open to receive written submissions.

This report analyses the submissions and makes recommendations for amendments to the Land Drainage 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.

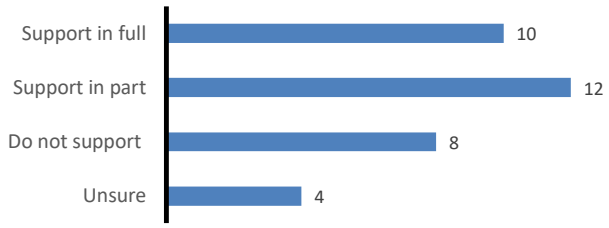
Council staff from the following teams contributed to the analysis of the submissions:

- Strategy and Policy
- Infrastructure
- Compliance
- Legal Services.

2 Summary of submissions

Thirty-four written submissions were received (27 online and 7 by email). The chart below shows the level of support for the proposed Bylaw among the written submissions:

Figure 1 – Level of support for the amended the Land Drainage Bylaw



Base: n=34 written submissions

In total:

- 65% of written submissions fully or partly supported the amended Bylaw (22 submissions)
- 35% did not support or were unsure (14 submissions).

No verbal submissions were received by Council.

3 General feedback

3.1 General support for the amended Bylaw

Submissions received

Ten submissions fully supported the amended Land Drainage Bylaw (submissions 1, 4, 5, 6, 7, 8, 13, 15, 16 21), and twelve submissions partly supported the amended Land Drainage Bylaw (submissions 9, 14, 20, 23, 24, 26, 27, 28, 30, 31, 32, 33).

Reasons for supporting the amended Bylaw

Support the Bylaw in principle

Submission 28 expressed support for the Bylaw in principle, "Te Runanga o Te Rarawa supports the kaupapa of protecting our water and drainage networks as water management is critical to our collective wellbeing."

Support for the amendments to the Bylaw

Several submissions said that the amendments provided clearer responsibilities, improved enforcement roles, and gave greater clarity for citizens and agents to help avoid disputes and misinterpretation.

Submission 28 commented, "It defines who is responsible for maintenance, repairs, and obstruction removal. This avoids disputes between mana whenua, neighbours or with council."

Submission 28 also stated, "Having a clear Bylaw makes it easier for responsible landowners to comply. It protects them from being unfairly lumped with those doing things the wrong way."

This was backed up by Submission 7 who said, "Clarifying authorised agents is good."

As did Submission 8 who responded, "I like the added clarification the amendments provide - no room for misinterpretation."

Submissions 4 and 5 commented that all amendments made sense and the Bylaw looks suitable.

Amendments reflect changes to legislation

Submission 6 stated, "The amendments appear to be clarifying the role of the enforcement officer and updating the plan to include the 2019 regulations."

Submission 21 supported the Bylaw as, "The amendment updates to more recent legislation and refers to authorised persons."

Protection of wetland and drainage areas
The updated Bylaw was also praised for enhancing council's ability to protect wetland and drainage areas.

Submission 16 stated, "Increased ability for council operatives to maintain protection of wetland and drainage areas [are] good for all."

Protection of rural land
Submission 32 supported the Bylaw as it is, "Critical for farm production, horticulture etc. and brings in the revenue for the month. Important to keep productivity on rural land."

Drainage action overdue
Submission 1 commented, "Drainage action is long overdue in the Far North- but other areas in the mid North could also benefit from some attention. We live in the Awanui flood plain- so appreciate the efforts to keep drains, culverts and floodgates clear in the north."

Submission 13 and 15 discussed flooding. They suggested that flooding is becoming more frequent due to climate change and needs constant updates and that the amended Bylaw would improve water control and stop flooding.

Staff analysis
The submissions provided general support for the amended Land Drainage Bylaw, acknowledging improvements in clarity regarding responsibilities, enforcement, and compliance, with several contributors highlighting the fairness, necessity, and sense of the proposed amendments. Submitters mentioned that the amended Bylaw protects wetlands, drainage areas and rural land, with the amendments being overdue.

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

3.2 General concerns about the amended Bylaw
Submissions received
Five of the submissions received did not support the amended Bylaw, and four submitters were unsure whether they were in support.

Reasons for concerns
Existing Bylaw is sufficient
Submission 3 believed that the existing Bylaw is already sufficient.

Concern Bylaw does not fairly reflect the realities of farming operations
Submission 33 supported the continuation of the Land Drainage Bylaw but believed several amendments and clarifications are urgently required before adoption. "The Bylaw in its current form does not fairly reflect the realities of farming operations or the responsibilities of FNDC as managers of the drainage schemes."

Concerns re wetlands
Several submitters were concerned about drainage impacting on areas of natural wetlands.

Submission 29: "Drainage needs to have consideration of necessary wetlands as storage of CO2. At present it looks as if drainage is there to keep the flood prone land dry as pastures."

Submission 18 and 19 both commented that they are not very familiar with the area, where the land drainage is presently applied. However, they strongly requested refraining from any draining of natural wetlands, which are "extremely important ecological features to reduce climate change."

Submission 22 points out that whatever work is carried out in the Motutangi Drainage area, has a direct impact on the endangered Kaimaumau Wetlands. The Kaimaumau wetlands is a critical wetland as it is the only one like it in the world and is vital to the ecology of the native wildlife and endangered plants

An extensive submission was received from Forest and Bird (Submission 24). The key issues they raised were:

- Wetland Degradation: Over 90% of NZ wetlands have been lost; Kaimaumau is one of the few remaining large freshwater wetlands.
- Legal Non-Compliance: The Motutangi Drainage District overlaps with the Kaimaumau wetland reserve, managed by DOC.
- Drainage activities in this area are likely prohibited under the National Environmental Standards for Freshwater (Regulations 52 & 53).
- The area is also regulated under the Far North District Council's Operative and Proposed District Plans.

They state that wetlands in the Far North has ecological significance:

- third largest freshwater wetland in the North Island at4183.7 hectares.
- Holds significant biodiversity:
  - Habitat for at least 14 threatened plant species and 9 threatened fauna, including bittern, fernbird, Northland green gecko, and black mudfish.
  - Contains rare and endemic wetland vegetation types and orchid assemblages.
- Landscape Status: Classified as an Outstanding Natural Landscape in both District Plans.
- International Importance: Under consideration for RAMSAR status.

Forest and Bird request amendments to clause 4.3 of the Bylaw: and the maps in the Bylaw Schedule.

Staff analysis

Eight submissions expressed either opposition or uncertainty toward the amended Bylaw, with one submitter considering the existing Bylaw sufficient.

The amendments to the Bylaw are aimed to protect water flow and prevent flooding or environmental degradation. However, there are mixed views on whether the amendments will protect the wetlands or not. Several submissions raised strong concerns about the ecological importance of protecting natural wetlands from drainage due to their role in carbon storage and climate change mitigation, including an extensive submission from the Royal Forest and Bird Society.

Other comments above are supportive. Rural land in the drainage areas is seen as a productive asset.

The protection of the wetlands is the responsibility of NRC who have issued consents for the drainage channels.

Staff recommendation

Strengthening clause 4.3 of the Bylaw and amending drainage district mapping will be looked at further in section 4.

Council staff recommend that through implementation of the Bylaw, Council enhance interagency coordination of land drainage assets:

- Establish formal consultation protocols with the Department of Conservation (DOC) for any proposed drainage activities near or within protected reserves.
- Coordinate with the Northland Regional Council to ensure consistency in resource consent processes and enforcement.

Council staff also recommend that Council support community engagement and education around land drainage assets:

- Provide clear guidance to landowners and stakeholders on the implications of the Bylaw and national regulations.

- Promote awareness of the ecological and cultural significance of the Kaimaumau wetland, including its potential RAMSAR status.

Council staff recommend that Council work with the Land Drainage Board and Committees, other drainage rated land owners, iwi and Hapu, NRC, and DOC to monitor and evaluate environmental outcomes in the Far North District

- Implement a monitoring framework to assess the impact of drainage activities on wetland health and biodiversity.
- Use this data to inform future policy updates and ensure compliance with national and international conservation standards.

3.3 Concerns about Council's role regarding the amended Bylaw

Submissions received

Concerns regarding Council's role

Several submitters voiced concerns over Council's role in implementing the amended Bylaw (submissions 2, 10, 11, 12, 13, 14, 17, 28, 30, 32, and 33).

Submission 28 suggests that council discretion can feel opaque, stating that "Council "may impose such conditions as it thinks fit" in multiple clauses. This open-ended discretion could feel arbitrary or inconsistent without clear guidelines or communication."

Submission 2 doubts the decisions made by Council as they have corrupt councillors who use these things to their own advantages and will do whatever they want regardless. They also suggest conflict of interest with people on the drainage committee.

Submission 28 advocates for clarity and flexibility. They, "seek that Council exercises its powers in a way that recognises responsible landowners, rural realities, and cultural values."

Contractor oversight and maintenance standards

Submission 11 finds Council, "incapable of remedial works," and sees, "capital from ratepayers is wasted on an overstaffed council wages and salaries."

Submission 30 highlights serious deficiencies in the ongoing maintenance of the Okohine Stream, pointing to:

- Poor timing of operations, such as spraying during high tide, which leads to ineffective treatment and environmental runoff
- Incomplete work, resulting in blocked drains
- Excessive costs, including machine work necessitated by a failed spray programme and instances of machine cleaning being billed at double the stated price
- Ineffectiveness, with outcomes such as overgrowth and erosion persisting despite interventions.

These issues reflect a lack of contractor accountability, quality control, and strategic planning in maintenance operations. To improve these issues, they recommend that Council:

- Implement a twice-yearly automatic spraying programme
- Require formal approval of work programmes and contractors
- Introduce a sign-off process to confirm that work has been completed to an acceptable standard.

Timeliness and responsiveness of Council

Submission 14 expressed concern about the practicality of relying on FNDC to address drainage issues in a timely manner. It notes that some repairs are urgent and pose safety risks and that Council should adopt a proactive approach to drainage management rather than reactive or delayed responses.

This submission underscores the need for operational agility and local responsiveness, particularly in rural or high-risk areas.

Transparency, practicality, and ratepayer confidence
Submission 33 supports the necessity of a Land Drainage Bylaw but stresses that it must be:

- Enforceable, with clear mechanisms for compliance
- Transparent, especially in how targeted rates are used and how decisions are made
- Practical, recognising the realities of farming and rural land management.

This submitter criticised the presentation of the draft Bylaw to the public without adequate mapping or clarification, describing it as sloppy and burdensome for ratepayers. The expectation is that Council staff should deliver a clear, workable, and implementation-ready Bylaw, not one that requires the public to identify and resolve gaps themselves.

Respect for Drainage Committees
Both Submission 30 and Submission 33 emphasized the critical role of local Drainage Committees in managing water infrastructure.

Submission 30 highlights that these committees contribute voluntary, farm-specific expertise, and should be treated as partners in decision-making.

Submission 33 notes that despite their decades of experience, Drainage Committees' input is often overlooked or disregarded, leading to decisions that may not reflect local realities or priorities.

The submitter recommends that Council formally integrate Drainage Committees into the Bylaw's governance framework, particularly in contractor oversight and work planning and prioritization.
Ensure that committee advice is respected and acted upon, not sidelined, thereby reinforcing community trust and leveraging local knowledge for more effective infrastructure management.

Council action and inaction leading to flooding and blockage issues
Further submissions raise concerns over Council's action or inaction resulting in flooding and drainage asset blockage issues.

Submission 12 questions why landowners are subject to a Bylaw when councils have failed to maintain drains and rivers, criticises ongoing inaction despite repeated feedback, and calls for FNDC to be held accountable rather than shifting responsibility onto landowners.

They also express Wells Road residents' frustration that blocked culverts and obstructions in the river are causing persistent flooding, large puddles, and encroachment onto the roadside. Drainage assets require maintenance, and in some instances, replacement.

Submission 10 states that the river in Victoria Valley regularly floods and that landowners get no assistance to clear debris out of the river.

Residents of Valley Hall and Pamapuria, noted that willows originally planted and maintained by council are now dying and blocking the river, combined with pine debris from upstream, causing flooding into nearby homes. They stress that clearing the river requires heavy machinery beyond farmers' capacity and urgently request assistance.

Submission 17 says that for years, flooding on Broadwood Awarua Road near the Herekino one-lane bridge and further towards Roma Road from Kaitaia has made access impossible, yet FNDC has long been aware of the issue and taken no action.

Submission 13 has commented that because of the new NRC flood maps, houses that were safe but near a river are now in flood zone. They ask if anything can be done to help the affected homeowners who can no longer sell their houses.

Submission 32 opposes the Bylaw if it can be used by FNDC to ensure the Drainage Area continues to operate as they have done in the past.

Staff analysis

The submissions collectively call for:

- Enhanced accountability in the use of targeted rates
- Improved contractor management through clear standards and local oversight
- Formal recognition and integration of Drainage Committees in decision-making processes.

Implementing these recommendations would strengthen the governance of drainage infrastructure, improve service delivery, and ensure that public funds are used effectively and equitably.

Council staff are aware that the implementation of a maintenance programme has been an issue in the past. Council staff have been advised that a spraying and maintenance programme that includes all FNDC-managed drainage assets is being carried out currently. The Land Drainage Committees and Te Hiku Board have acknowledged that this is currently being implemented and are monitoring progress to ensure that continues to be done appropriately over time.

Staff acknowledge the decades of experience and knowledge of the local Drainage Committees and their role in managing water infrastructure. They have been consulted throughout the Bylaw review process and input from those with roles within the Drainage Committees are represented in the feedback received via submissions as part of this consultation process. This feedback is appreciated and respected.

The amendments to the Bylaw are aimed to protect water flow and prevent flooding or environmental degradation.

Decisions on targeted rates and the use of targeted rates is not part of the scope of this Bylaw. This should be dealt with through the RMA, annual plan and operational plan.

Infrastructure are responsible for carrying out the maintenance plan for land drainage. Staff advise that this has been reestablished this year in consultation with the Te Hiku Community Board, Drainage Committees, and drainage rated land owners. The amendments to the Bylaw are aimed to protect water flow and prevent flooding or environmental degradation.

Staff advise that most of the concerns raised in this section are related to operational issues and are issues with the implementation of the Bylaw, rather than the wording of the Bylaw itself.

Staff recommendation

Staff recommends that Te Hiku Community Board, the Drainage Board and Committees, drainage rated land owners, iwi, hapu, and DOC, be informed of any actions being taken in the implementation of the Bylaw to ensure an inclusive and collaborative approach.

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

3.4 Māori and Te Tiriti matters

Submissions received

Submissions 25–28 collectively call for a transformative and culturally responsive approach to land drainage governance. Embedding Te Tiriti principles, protecting customary rights, and ensuring equity and ecological integrity are essential to building a modern, inclusive, and sustainable drainage system. Incorporating these recommendations would enhance the Bylaw's legitimacy and strengthen relationships between Council and tangata whenua.

Te Tiriti o Waitangi obligations and iwi engagement

Submissions 26 and 27 strongly advocate for the embedding of Te Tiriti o Waitangi obligations in all aspects of drainage governance. Key recommendations include:

- Iwi as decision-making partners: Amendments must ensure that mana whenua are engaged from the outset and at all levels of planning, implementation, and review.
- Respect for mātauranga Māori: Submission 26 calls for the recognition of Māori knowledge systems in drainage design and ecological restoration.
- Collaborative governance: Submission 27 emphasizes the need for robust and open consultation with iwi to ensure sustainable outcomes for whānau, whenua, and te taiao.

Submission 25 expresses concern that these principles are not reflected in the review document, and urges the Council to explicitly incorporate the following into the Bylaw:

- Te Tiriti obligations and Iwi engagement
- Fish-passage compliance
- Wetland protection and nature-based solutions
- Fair cost-sharing for Māori land blocks

Cultural practices and customary land use

Submission 28 raises concerns about potential conflicts between the draft Bylaw and Māori cultural practices:

- Cultural planting and taonga species (e.g., mahinga kai) near waterways may be unintentionally restricted under current Bylaw provisions.
- Customary land use rights and historical entitlements are not acknowledged, particularly for Māori landowners modifying land around drains.

To address these issues, Submission 28 recommends:

- Cultural use provisions: Explicit protections for culturally significant plantings and land features.
- Regular engagement: Annual dialogue with iwi, hapū, and landowners to ensure the Bylaw remains responsive and transparent.

Support for the Bylaw with conditions

Te Rūnanga o Te Rarawa (Submission 28) supports the intent of the Bylaw—particularly the protection of water and drainage networks—but stresses that implementation must:

- Recognize responsible landowners
- Reflect rural realities
- Respect cultural values and practices
- This reflects a desire for a collaborative and flexible framework, rather than a rigid or punitive approach.

Equity and Cost-Sharing for Māori Land Blocks

Submission 26 highlights the disproportionate drainage rates faced by Māori landowners due to historic land alienation and collective ownership structures. It recommends:

- Fairer cost-sharing mechanisms
- Subsidised rates or targeted financial support to prevent undue compliance burdens.

Staff analysis

The concerns regarding potential conflicts with cultural practices highlight the need for the Bylaw to be sensitive to cultural values, particularly where land and water management intersect with tikanga Māori and kaitiakitanga (guardianship).

It is important in the implementation of the Bylaw to ensure compliance is culturally appropriate and strengthen relationships between Council and tangata whenua.

Decisions of which property is rated and how much is outside the scope of the Bylaw whose aim is to inform the properties that are within the drainage rated areas. Ratings are set by the Finance team through the Annual Plan.

Staff recommendation

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

However, staff recommend that local iwi and hapu be informed of any actions being taken in the implementation of the Bylaw to ensure and inclusive and collaborative approach.

The key actions of recognising and protecting culturally significant land uses, ensuring customary rights are not unintentionally infringed, and establishing ongoing dialogue with Māori communities to support shared water management goals, will also be carried out during the implementation of this Bylaw.

3.5 Requests for Clarification

Submissions received

Bylaw Enforceability and Legal Clarity

Submissions 31, 32 and 33 raise concerns about the enforceability of the proposed Land Drainage Bylaw and the lack of clarity around FNDC's internal responsibilities:

Submission 31 questioned whether the Bylaw is enforceable by FNDC, who within FNDC would be responsible for enforcement, and whether a legal opinion exists to confirm its enforceability and weight if challenged.

Submission 32 sought clarification that the Bylaw can be used and enforced within the land drainage areas identified in the maps.

Submission 33 reiterated the need for clarity on enforcement responsibilities and asks whether FNDC has obtained legal advice confirming the Bylaw's enforceability. It also raised concerns about potential liability for risks (e.g., fire, pest, erosion) arising from mandatory ungrazed buffer zones.

They recommend that FNDC should provide a clear legal opinion on the enforceability of the Bylaw. The Bylaw should explicitly identify which FNDC roles or departments are responsible for enforcement and FNDC should clarify its liability position regarding unintended consequences of mandated land management practices.

Rating Boundaries and Equity

Submission 31 highlighted inconsistencies in the rating boundaries within the Kaitaia area. Some properties are rated outside the mapped boundaries, while others within the boundaries are not rated.

The submission calls for a review of rating categories and per-hectare charges, suggesting this be aligned with the ongoing review of the Management Plan. They recommend that Council conduct a comprehensive review of land drainage area boundaries, particularly in Kaitaia to reassess rating categories and charges to ensure fairness and alignment with actual service delivery.

Council should integrate this review with the Management Plan currently in progress to ensure consistency and transparency.

FNDC Processes for Written Approvals

Submission 31 raises concerns about the lack of a defined process for obtaining written approvals required under the Bylaw.

The submission notes that no current process exists, and questions who within FNDC is responsible for managing approvals. It calls for the Bylaw to include a clear, documented process for:
Submitting applications.

- Making decisions.
- Recording changes to drainage areas.
- Reference is made to Clause 7.2, which applies to private drains, but the concern extends to broader approval requirements.

The submitter recommends that Council should embed a transparent and accessible approval process within the Bylaw, including:

- Defined roles and responsibilities

- Timeframes for decision-making
- Documentation and publication of all approvals and changes.

This process should apply consistently across all approval types, not just private drains.

Submission 33 raises the question that while the draft Bylaw requires written approvals for various activities, it does not specify how these approvals are to be obtained. This lack of clarity risks undermining the enforceability and fairness of the Bylaw.

They recommend introducing a transparent application process that includes:

- Defined timeframes for decision-making
- Clear fee structures
- Explicit decision rights
- A requirement for FNDC to document and publish all approvals and changes.

This would ensure consistency, accountability, and accessibility for affected landowners.

Need for Embedded Application Pathways
Submission 31 supports the above by explicitly stating that a process to apply for written approvals should be part of the Bylaw. This reinforces the need for procedural clarity and integration within the legislative framework itself, rather than relying on external or ad hoc mechanisms.

Concerns About Administrative Burden
Submission 28 expresses concern that requiring written Council consent for every private drain connection, crossing, or alteration could impose excessive red tape, particularly for long-standing rural landowners who have historically managed their land responsibly.

They recommend introducing streamlined consent processes for:

- Small-scale works
- Low-risk properties.

This would help balance the need for regulatory oversight with the practical realities of rural land management, reducing unnecessary administrative burden while maintaining environmental and infrastructural safeguards.

Staff analysis

Legal Clarity
The submissions collectively call for:

- Legal and procedural clarity regarding the Bylaw's enforceability and FNDC's internal responsibilities
- Equitable rating practices, supported by accurate mapping and transparent categorisation
- A formalised approval process that is clear, consistent, and documented.

Addressing these concerns will improve the Bylaw's credibility, ensure fair treatment of ratepayers, and support effective implementation by FNDC.

Staff advises that this confusion relates to a fundamental misunderstanding of the purpose of the Land Drainage Bylaw. The purpose of the Bylaw as set out in clause 4.1 is to regulate land drainage assets within the land drainage areas. Although it puts landowners on notice that other regulatory provisions in the RMA and Building Act may apply (at clauses 4.3 and 19 for example) it does not have anything to do with consenting under either of those statutory provisions.

In relation to land drainage the power of the Bylaw, as set out in section 146(1)(b)(iv) of the Local Government Act 2002, is managing, regulating and protecting the use of land, structures and infrastructure associated with land drainage.

In the Bylaw, as per the definition in clause 5.1, the 'Council' means the Far North District Council wherever it occurs.

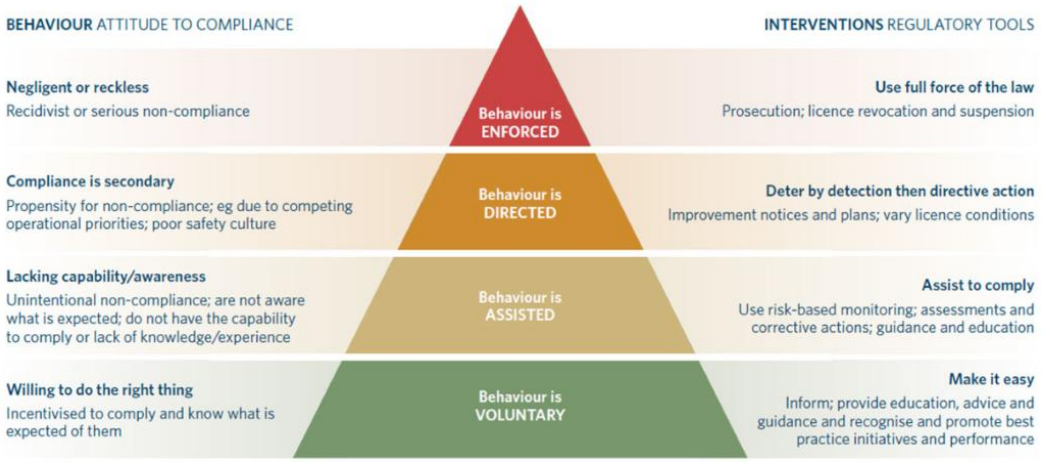
FNDC processes for written approvals
The prohibition on drainage works without Council consent in clause 7.1 does not refer to either resource or building consent, but to the consent of Council as the authority responsible for the drainage channels affected by those connections. Consents under the RMA or the Building Act are dealt with by the appropriate authorities outside of the Bylaw and may or may not be required depending on the nature and extent of the physical works. It would be beyond the scope of an explanatory note to explain the circumstances under which a resource or building consent might be required. However, it may be useful to add a note to clause 9.1 that simply states:

> *"In addition to any consent required under this Bylaw, a resource consent under the Resource Management Act 1991 or a building consent under the Building Act 2004 may be necessary for any works undertaken under clauses 6 to 15 of this Bylaw. Further advice should be sought to any works involved any discharge to water, excavations or landfill or the construction of structures."*

Bylaw enforceability
Staff advise that Council call upon the monitoring team when they experience compliance issues that require enforcement. This Bylaw is intended to address these issues.

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

Figure2 – 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.

Rating boundaries and equity
Although ratings boundaries will be shown on maps within the schedules of the Bylaw, ratings areas are established under the RMA. As these ratings areas are updated through the RMA, they will be consequently updated on the maps within the Bylaw Schedules.

Staff suggest that schedules, such as maps and ratings boundaries are updated as required and as the RMA and mapping reviews are undertaken over time.

Staff recommendation

Staff recommend a note be added to clause 9.1 to explain the circumstances under which a resource or building consent is required as follows:

> In addition to any consent required under this Bylaw, a resource consent under the Resource Management Act 1991 or a building consent under the Building Act 2004 may be necessary for any works undertaken under clauses 6 to 15 of this Bylaw. Further advice should be sought regarding any works involved any discharge to water, excavations or landfill or the construction of structures.

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 amended Bylaw:

Clause 1 Title
Clause 2 Commencement
Clause 12 Stopbanks
Clause 13 Crossings
Clause 15 Damage, Maintenance and Repair
Clause 17 Obstruction to Officers
Clause 19 Other Requirements
Clause 20 Land Drainage Areas

4.2 Clauses referred to in submissions

Clause 3 - Application

This Bylaw applies to land drainage areas in the Far North District as identified in Schedule 1 of this Bylaw.

Submissions received

Submission 31 states that 'Land Drainage Areas' means all land that is target-rated in the Te Hiku area and the maps in the Bylaw Schedules need to show these boundaries clearly.

Staff analysis

Staff agree that the land drainage areas that are target-rated in the Bylaw Schedules need to be clearly defined.

The maps are currently being updated by Council's infrastructure team and will take time to be completed. These maps will continue to be updated as necessary over time. As new maps become available that clearly and accurately define the boundaries of targeted rate areas for land drainage in the Te Hiku Area, the Bylaw schedules will be also updated by resolution.

This is similar to the schedules in the Parking Bylaw in that schedules are updated over time through resolution without the Bylaw needing to be reviewed at the same time.

Staff recommendation

Staff recommend that land drainage area maps will be updated in the schedules as the new maps become available. The current maps will remain until these maps have been reviewed and redrawn.

Staff recommend no changes to the wording of clause 3 in response to submissions.

Clause 4 - Purpose

Clause 4.1

The purpose of this Bylaw is to regulate land drainage assets within land drainage areas identified in schedules to this Bylaw

Submissions received

Submitter 31 supports the regulation of land drainage assets within designated land drainage areas.

They request that all drainage assets (including named drains) be listed and mapped to clearly show their positions within each drainage area.

They note that the defined boundary of the Kaitaia Land Drainage Area is incorrect, as errors arose following the transfer of some drains, floodgates, and stopbanks to Northland Regional Council (NRC) in 2005, and confirm that the Northern Drainage Areas remain unchanged and still reflect the original catchments. They emphasise that these assets and schemes have been in place since the early 1900s.

Staff analysis

As with clause 3, staff agree that the land drainage areas that are target-rated in the Bylaw Schedules need to be clearly defined.

The maps are currently being updated by the infrastructure steam and will take time to be completed. These maps will continue to be updated as necessary over time. As new maps become available that clearly and accurately define the boundaries of targeted rate areas for land drainage in the Te Hiku Area, the Bylaw schedules will be also updated by resolution.

Staff recommendation

Land drainage area maps will be updated in the schedules as the new maps become available. The current maps will remain until these maps have been reviewed and redrawn.

Staff suggest that Council designate Te Hiku Community Board authority to accept amendments to the Bylaw Schedules by resolution as all land drainage assets are currently within the Te Hiku ward area. The Bylaw would still be approved by Council for any review or amendment.

Clause 4.3

Note that this bylaw does not remove the need for any necessary resource consents (under the Resource Management Act 1991) from the Northland Regional Council.

Submissions Received

Submission 24 (Forest and Bird) has recommended that Council strengthen clause 4.3 of the Bylaw by updating clause 4.3 to explicitly reflect national environmental standards and local planning controls:

- Prohibit drainage of natural inland wetlands, aligning with Regulation 53 of the National Environmental Standards for Freshwater.
- Clarify that drainage within 100m of a wetland is a non-complying activity, per Regulation 52.
- Acknowledge FNDC's role in regulating earthworks and indigenous vegetation clearance under the Resource Management Act 1991.

Staff analysis

Staff advise that the recommendation to explicitly add the National Environmental Standards and Local Planning Controls is not required as any consent process for land drainage needs to comply with the Resource Management Act 1991, which takes National Environmental Standards and Local Planning Controls into consideration.

Staff recommendation

Staff recommend no changes to the wording of clause 4 in response to submissions.

Clause 5 Interpretation

Clause 5.1 Drainage Assets

In this Bylaw, unless the context otherwise requires –
***Drainage Assets** refers to land drainage works including drainage channels, stopbanks, flood storage areas, floodgates, overflow channels, channel throttling, and scour protection or riparian planting to throttle flows along waterways, which works are vested in the Council or acquired or constructed or operated under the control of the Council, as described in the attached Schedules and shown on the maps attached to this Bylaw and such other areas as may be included pursuant to the provisions of the Local Government Act 1974, Local Government Act 2002 and Land Drainage Act 1908.*

Submissions received

Clarity and scope of "drainage assets"
Submitter 31 questions the intention behind the term "drainage assets" and its practical implications. They suggest amending the phrase "land drainage works including" to "identified drainage channels" to ensure precision.

They argue that certain items currently included in the definition, such as, "flood storage areas, channel throttling, scour protection, and riparian planting to throttle flows," are not part of the historic or current responsibilities of land drainage schemes and should be removed.

Submission 32 also calls for changes to the interpretation of "drainage assets."

Submission 33 strongly supports limiting the definition of drainage assets to identified drains and channels within schemes, excluding functions like riparian planting or flood storage which fall outside drainage scheme mandates.

Funding and responsibility limitations
Submitter 31 states that the targeted land drainage rate cannot support activities outside the original scope of drainage schemes. They note that floodgates and stopbanks are no longer within land drainage responsibilities, as these were transferred to NRC in 2005.

Expansion of responsibilities (e.g., managing riparian planting or flood storage areas) would require a formal planning process and potentially a resource consent, not an amendment through the Bylaw alone.

Staff analysis

In the definition of 'Drainage assets', after listing the types of assets, it concludes with, "which works are vested in the Council or acquired or constructed or operated under the control of the Council." In the Bylaw, as per the definition in 5.1, the 'Council' means the Far North District Council wherever it occurs.

Council advise that the listing of assets should remain within the definition of drainage assets as any type of land drainage asset may be part of current or future infrastructure.

Staff recommendation

Staff recommend no changes to the wording of clause 5.1 in response to submissions.

Clause 5.1 Drainage Channel

In this Bylaw, unless the context otherwise requires –
***Drainage Channel** means every drain, passage or channel on or under the ground through which water flows, continuously or otherwise, and which -*
Immediately before the commencement of the Bylaw was a drainage channel under the control of the Council; or
Is constructed by the Council as a drainage channel after the commencement of this Bylaw; or
Is vested in the Council as a drainage channel; -
And includes the land occupied by the drain itself plus all that land abutting each side of the drain to a distance of 3.5 metres from the top of the banks of the drain, but does not include a water race.

Submissions received
Submission 31 asks whether we need both Drainage Assets and Drainage channel as the drainage channel is included in the drainage assets. They also think there should be reference to the lists of drains and their lengths.

Staff analysis
Drainage channels are the most significant aspect of the drainage assets as they are the primary asset that contains and moves water away to prevent flooding. Staff advise that due to this, it is important that the definition for Drainage channels remains within the Bylaw.

Submission 31 suggests that there should be reference to the lists of drains and their lengths. Staff agree and it should be within the Bylaw schedules with the land drainage mapping. The submitter has offered a possible way to record this to ensure clarity of the length of land drains within each drainage system. This will be discussed further in the Bylaw Schedules section later in this report.

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

Clause 5.1 Land Drainage Area
In this Bylaw, unless the context otherwise requires –
***Land Drainage Area** means a land drainage area identified in Schedule 1: Land Drainage Maps to this Bylaw, or any other land drainage area that the Council by resolution identifies and determines to regulate for land drainage purposes.*

Submissions Received
Submission 31 suggests adding the words “and is target rated for land Drainage” to the definition.

Staff analysis
Staff advise that the suggested addition is not necessary as stipulating a targeted rate is not required.

Staff recommendation
Council staff recommend no changes to clause 5.1 in response to these submissions.

Clause 6 - Access to and along Drains
Clause 6.1
Without the prior approval of Council and then only subject to such conditions as Council shall impose, no owner of any land on the banks of any drainage channel shall plant or permit to grow any tree, shrub or hedge, or erect or maintain any fence, building, bridge or other construction or make any excavation in such a position as to interfere with or obstruct the free access of Council’s workmen or agents, plant or machinery along such drain or to any part thereof, for a distance of 10 metres from the edge of the drain, or such other distance as Council may specify in respect to any drain or part thereof.

Submissions received
Submission 31 suggests that clause 6.1 contradicts the clause 5.1 interpretation of drainage assets.

Impracticality of blanket 10m setback
Submissions (30, 33) argue that a uniform 10m buffer from drains is excessive, removes significant areas of productive farmland, and is inconsistent with historic practice where a 3.5m access has functioned effectively for decades.

On smaller or constrained properties, this setback would disproportionately impact farming operations, fencing, planting, and stock access.

Safety, fire, and pest Concerns

Submitters (30, 33) note that ungrazed 10m grassed strips would create fire hazards during drought and provide habitat for pest waterfowl, which are major contributors to E. coli contamination.

FNDC has not clarified responsibility for managing vegetation, fire risk, and pest control in these buffer zones.

Contradictions with riparian planting policies
Submitters (31 and 33) highlight a contradiction: the Bylaw prohibits planting within 10m of drains to preserve maintenance access, yet Council strategies encourage riparian planting to improve water quality.

Submitters (30, 33) argue that riparian planting can reduce sunlight (which naturally limits E. coli) and encourage pest waterfowl, undermining water quality objectives.

Clear guidance is requested. Either exempt approved riparian planting schemes from the setback rule (with criteria and maintenance responsibilities) or remove references to riparian planting in drainage bylaw documents.

Requests for flexibility and refinement
Submissions (28, 30, 33) recommend that setbacks be flexible and site-specific, negotiated based on terrain, risk, and property constraints rather than applied uniformly. Suggested improvements include:

- Buffer zone exemptions for minor, non-obstructive structures (e.g., fences, plantings)
- Clear rules on vegetation management and responsibilities.

Protection from flooding and drain functionality
Submission 28 supports clear setback rules (e.g., 10m) to ensure Council can access and maintain drains efficiently, particularly during heavy rainfall or storm events.

Submission 4 emphasises that drainage planning should integrate a “slow the flow” approach to mitigate future climate-related rainfall intensity. This includes soil conservation, riparian planting (outside setback conflicts), and designing meandering waterways with pooling areas, rather than steep, straight drains.

Staff analysis
Submitters are divided. Some see the 10m setback as necessary for flood protection and maintenance access, while others view it as excessive, impractical, and contradictory to environmental and farming objectives. Most request flexibility, clearer responsibilities, and alignment between drainage access requirements and riparian planting policies.

Staff advise that a 10 metre buffer is required for maintenance and inspection purposes.

Riparian planting will be discussed further in clause 8.

Staff recommendation
Staff recommend that no changes to clause 6.1 are required in response to these submissions.

Clause 7 - Private Drain Connection
Clause 7.1
No landowner shall connect a private drain with a drainage channel or enlarge a connected private drain or branches thereof, or add new branch drains thereto without obtaining the prior written approval of Council.

Submissions received
Submitter 32 requests changes to the interpretation of Clause 7. They note that the clause lacks clarity and needs further explanation to avoid misinterpretation.

Submitter 31 finds the provisions confusing and unclear. They are concerned that the definition appears to cover any drain connecting to another drain within the land drainage area. They seek clarity on whether this

interpretation means that all drains within the Kaitaia urban area would require Council approval before any new drain is dug.

Staff analysis

Submission 31 is correct that any drain that ultimately connects to a drain within the land drainage area requires Council approval before being connected. This is due to the impact that further drainage may have on existing drainage assets. Both speed of flow and volume will be impacted downstream by changes in an existing drainage structure or the addition of further drains. Council will need to professionally assess this impact and whether the existing drains are able to cope with the increased load so as not to create flooding downstream.

Staff recommendation

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

Clause 7.2

Any owner applying for such approval shall submit to Council such plans and specifications as may be required by Council showing the exact location of the private drain and branches (if any) giving details of the length, size and construction and indicating the approximate area to be drained.

Submissions received

Submission 31 states that clause 7.2 can be interpreted to mean that all roading, planning, subdivisions, farm layouts and urban spawl within all land drainage areas must be submitted to Council with plans.

Staff analysis

As discussed above in clause 7.1, new land drainage may adversely impact on existing drainage assets. Council will need to professionally assess this impact and whether the existing drains are able to cope with the increased load so as not to create flooding downstream. This may include roading, planning, subdivisions, farm layouts and urban spawl within all land drainage areas, as all may impact on the existing drainage assets.

Staff recommendation

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

Clause 8 - Obstruction to Flow

Clause 8.2

No owner of the land on either side of any drainage channel shall allow, permit, or suffer to grow therein or on the banks thereof any plant growth that may be likely to impede the flow of any water in any drainage channel.

Submissions received

Submission 30 opposes riparian planting under Clause 8.2 (Obstruction to flow). They discuss research showing that sunlight is essential for reducing E. coli in water and state that Bylaw restrictions will result in ungrazed grass strips, which:

- Create fire hazards during drought
- Provide habitat for pest waterfowl, which are major E. coli contributors

They ask who will be responsible for managing vegetation growth, fire risks, and wildlife impacts in these areas.

Submission 4 advocates for a “slow the flow” approach to drainage management to address predicted increases in rainfall intensity and supports riparian planting as a means to:

- Conserve soils.
- Reduce sediment migration into waterways
- Enable natural watercourse design (meandering channels, pooling areas) rather than steep, straight drains that erode banks.

Submission 33 highlights a contradiction between the Bylaw and Council strategies. The Bylaw prohibits planting within 10m of drains for maintenance access, but Council strategies promote riparian planting for water quality. They note this creates uncertainty for landowners about whether planting is expected or prohibited.

They warn that dense riparian planting may:

- Reduce sunlight, increasing persistence of E. coli
- Provide habitat for pest waterfowl.

They recommend that Council must clarify its position by either exempting approved riparian planting schemes from the 10m restriction (with criteria and maintenance responsibilities), or removing references to riparian planting from drainage Bylaw documents and focusing solely on drainage access and function.

Staff analysis

Some submissions advocate for ecological and cultural approaches and others oppose planting due to practical, health, and maintenance risks. While environmental strategies encourage riparian planting, the Bylaw restricts it to preserve drainage access.

Staff recommendation

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

Staff recommend that local iwi and hapu be informed of any actions being taken in the implementation of the Bylaw to ensure an inclusive and collaborative approach.

Clause 8.7

No person shall allow animals, or machines or other vehicles to damage drainage assets. Grazing cattle are to be kept a minimum distance of 2 metres from any drain.

Submissions received

Submission 22 states that their creek fences were originally 2m from the top of the bank but due to excessive widening and deepening of the creek at every cleaning they are now slumping in.

Staff analysis

This concern is outside the scope of the Bylaw. The Bylaw aims to protect the integrity and functionality of the drainage channels.

It does present day-to-day operational concerns which are the responsibility of the infrastructure team who will address these issues through regular drainage channel maintenance and inspection.

Staff recommendation

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

Clause 8.8

Any damage so caused by animals or machines shall be reported immediately to Council and any costs associated with repairing such assets shall be the responsibility of the landowner concerned.

Submissions received

Submission 28 raises concerns that, under clauses 15.2 and 8.8, landowners are liable for potentially significant costs if damage occurs (even accidentally), and some may feel unfairly penalised for legacy infrastructure they have inherited.

Staff analysis

This concern is outside the scope of the Bylaw whose aim is to protect the integrity and functionality of the drainage channels. It does present day-to-day operational concerns which are the responsibility of the Infrastructure team who will address these issues through regular drainage channel maintenance and inspection.

Staff recommendation

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

Clause 8.9

Any permitted development affecting or likely to affect any drainage channel shall be designed and carried out so as to safely accommodate a 100 year storm flow, and without causing more than minor damage.

Submissions received

Submission 31 argues that the issue raised is not a land drainage matter but a planning issue, more appropriately dealt with under the Proposed District Plan. They emphasise the need to consider catchment-wide effects rather than focusing narrowly on drainage channels.

Submission 30 is concerned about upstream water shedding and erosion. They note that orchard contouring upstream is accelerating water runoff, leading to:

- Increased downstream flooding.
- Sediment buildup in drains, which contributes to reduced water quality and persistence of E. coli due to turbidity.

They request that upstream developments be required to manage water on-site and suggests that rating approaches should reflect actual runoff contributions rather than being based solely on geography, to ensure equity.

Submission 14 highlights that flood-prone areas elsewhere in Northland face similar issues with drainage and points out that residents often avoid reporting problems due to fears of:

- Incurring costs
- Having their property condemned.

They also raise the issue of responsibility for properties discharging onto lower-lying land, seeking clarity on how obligations and liabilities are applied.

Submission 22 suggests that there is more to safely accommodate than just a 100 year storm flow. They state the normal tides, spring tides impact on drainage channels, as does high pressure systems that produce reduced high tides, and low pressure systems that produce higher tides.

Staff analysis

The submissions collectively point to a gap between drainage Bylaw provisions and broader catchment management issues.

Landowners see that upstream land use (e.g., orchard contouring, land development) has direct downstream impacts (flooding, sediment, E. coli contamination), yet the current Bylaw appears focused only on managing drains rather than regulating catchment-scale effects.

Submissions also reflect equity concerns:

- Whether landowners should bear costs for inherited or externally caused drainage impacts
- Whether rating systems adequately reflect contribution to runoff and associated management needs.

Submission 14 further highlights a trust issue: residents may underreport drainage problems due to fear of financial or regulatory consequences, limiting Council's ability to proactively manage risks.

Submissions argue that the Bylaw's current drain-focused scope is too narrow, missing the wider catchment processes that drive flooding, sedimentation, and water quality issues. There is a clear need for better integration between drainage management, planning policy, and rating systems to ensure fairness and effective outcomes.

There is a strong call for integration with planning instruments (District Plan, resource consents) to ensure that land use changes manage water on-site and do not disproportionately burden downstream landowners or drainage schemes.

Staff identify that these issues are related to the RMA and the District Plan rather than the Bylaw. The RMA and District Plan could be used to:

- Explore mechanisms for addressing upstream–downstream effects, ensuring developments are responsible for on-site water management
- Consider whether rating systems should incorporate runoff contribution factors.

Through implementation of the Bylaw, Council will gain landowner engagement and trust by:

- Developing communication strategies to reassure residents that reporting issues will not automatically lead to punitive costs or property condemnation (e.g. using the VADE approach as discussed in section 3.5)
- Consider support pathways for affected landowners, particularly those impacted by runoff from higher properties
- Integration with Environmental Management and aligning land drainage management with broader flood management, erosion control, and water quality goals, ensuring policies are consistent across bylaws and planning instruments.

Staff recommendation

Council staff recommend no changes to clause 8.9 in response to these submissions.

Clause 9

Staff recommendation

Addition of note

As recommended in section 3.5: Staff recommends a note be added to explain the circumstances under which a resource or building consent is required.

Tracked change to the clause as recommended to be amended

Add the following note to clause 9.1:

> In addition to any consent required under this Bylaw, a resource consent under the Resource Management Act 1991 or a building consent under the Building Act 2004 may be necessary for any works undertaken under clauses 6 to 15 of this Bylaw. Further advice should be sought to any works involved any discharge to water, excavations or landfill or the construction of structures.

Clause 10 - Alterations to Drainage Channel

Clause 10.1

No person shall widen or deepen a drainage channel, or stop or obstruct the same or alter the course thereof or in any way interfere with any drainage channel or associated works or structures without the prior written approval of Council.

Submissions received

Change of clause title

Submission 31 states that clause 10 should change from “Clause 10 Alterations to Drainage Channel” to “Clause 10 Alterations to Drainage Channel or Drainage Assets.”

Oversight of contractors and maintenance planning

Submission 22 questions whether contractors are required to obtain approval each time drainage work is undertaken, and whether such work is overseen by a suitably qualified engineer. There is concern that planned maintenance may be directed solely by the relevant drainage committee, whose members may have a vested interest in protecting their own land, potentially compromising impartial oversight.

Submission 22 also highlights significant physical changes to Motutangi Creek:

- In approximately 2000, the creek measured 4.6 metres wide at the top of the banks.
- Currently, the creek has expanded to 14 metres at its narrowest point, with other sections reaching 15–17 metres in width.
- This expansion is attributed to contractors digging the creek wider and deeper in an attempt to remove oxygen weed. The submitter argues that this approach is ineffective, referencing practices from Rotorua and Taupo Councils as cautionary examples.

Submission 22 raises these key concerns:

- Lack of engineering oversight and potential conflicts of interest in decision-making.
- Unintended ecological consequences of widening and deepening waterways.
- Ineffectiveness of current weed management strategies, with calls for evidence-based approaches.

This submission underscores the need for transparent governance, qualified oversight, and environmentally sound practices in the implementation of drainage works.

Staff analysis

Change of clause title

Clause 10.1 stipulates "any drainage channel or associated works or structures." The addition of "or Drainage Assets" as suggested by Submission 31 does not add any further clarification to the Bylaw.

Oversight of contractors and maintenance planning

These concerns are outside the scope of the Bylaw whose aim is to protect the integrity and functionality of the drainage channels. It does represent day-to-day operational concerns which are the responsibility of the infrastructure team who will address these issues through regular drainage channel maintenance and inspection.

Staff recommendation

Council staff recommend no changes to clause 10 in response to these submissions.

Clause 11 – Pollution and Nuisances

Clause 11.2

No owner or occupier of the land on either side of a drainage channel or private drain connected therewith, shall permit or suffer any dead stock or animals or any part thereof, to be or remain in any drainage channel or private drain connected therewith.

Submissions received

Environmental safeguards

Submissions 30 and 33 identify waterfowl as major contaminant source. Pest birds like black swans and paradise ducks are impossible to control under current rules and add significantly more faecal E. coli than livestock.

They ask that FNDC formally acknowledge pest birds as a key contamination source and seek inter-agency solutions.

Submission 28 states that restrictions on pollution, dead stock, debris, or overgrowth in and around drains help maintain water quality, which is vital for both the ecosystem and downstream whānau who rely on clean water.

Staff analysis

Staff advise that environmental issues are out of scope of the Bylaw. Environmental issues are covered by Northern Regional Council.

Staff recommendation

Council staff recommend no changes to Clause 11 in response to these submissions.

Clause 14 - Watering Places

Clause 14.1

No owner shall construct in any drainage channel a watering place for stock or maintain or use the same without the prior approval of Council which may impose such conditions for mode of construction and for fencing and otherwise as it decides and such consent may be suspended or revoked at any time.

Clause 14.2

The owner or owners of land adjoining watering places shall use and maintain the same so that no damage to the drainage channel can result from their use. In the event of damage Council may call upon the owner or owners responsible to repair the same and in default thereof may do the work and recover the cost thereof from such owner or owners.

Submissions received

Submissions 31 and 32 suggest that clause 14 should be removed from the Bylaw as landowners are not allowed to have stock drink from any drains and all waterways should be fenced. They believe clause 14 contradicts 8.7 and 8.8.

Submission 23 states that there should be no watering holes as all livestock should be fenced off drains.

Staff analysis

Staff advise that clause 8.7 and 8.8 refer to accidental damage to animals, whereas clause 14 is referring to purposeful damage to drainage assets by landowners creating watering places for stock. To ensure that watering places are not created by landowners, clause 14 will remain within the Bylaw.

Staff recommendation

Council staff recommend no changes to Clause 14 in response to these submissions.

Clause 16 – Inspection

Clause 16.1

An enforcement officer or authorised person shall have the power, right, and authority to inspect any installation set up for the withdrawal or diversion of water from any drainage channel, whether authorised or not and the Council may direct any alteration or improvement to or replacement of such installation or request its removal or demolition at any time.

Submissions received

Submission 14 objects to the current wording of subclause 16.1, which allows Council enforcement officers or authorised persons to make alterations, describing it as draconian. They argue that Council should not have the power to send contractors to make changes without clear plans or consultation.

They are also concerned that homeowner upgrades (e.g. adding a safety grid to a drain) should not be treated as consent for Council to remove or alter drains. They would like to know the rights and obligations of property owners regarding drainage. They also ask whether all properties should have a right to connect to stormwater, and what happens to those who do not connect or who obstruct runoff. They believe that ratepayers deserve greater clarity, fairness, and respect in how drainage responsibilities are managed.

Staff analysis

As discussed above in clause 7, new land drainage assets may adversely impact on existing drainage assets. This is also true for the example of adding a safety grid to a drain. Council will need to professionally assess the impact of the change and whether the existing drains are able to cope with the increased load so as not to create flooding downstream.

Staff recommendation

Council staff recommend no changes to clause 16 in response to these submissions.

Clause 18 - Penalty

Clause 18.1

Any person who commits a breach of this Bylaw shall be liable to a fine not exceeding $20,000 and in addition to any penalty imposed for breach of this Bylaw, Council may sue any person for the amount of damage done by them to the drainage assets and for any penalty fine or fee which is prescribed by any statutory enactment whatsoever.

Submissions received

Submitters seek clarity on the statutory basis of the Bylaw, fairness in enforcement (education before penalties for minor breaches), protection for homeowners from new costs, and recognition that cost recovery from those who cause damage is justified.

Submission 31 questions the statutory basis for the Bylaw, asking for clarification of what specific enactment provides authority for land drainage regulation in this context.

Submission 28 suggests a more balanced enforcement approach for rural landowners by allowing education or warnings for first-time, minor non-compliance where no damage has occurred, rather than immediate fines.

Submission 20 expresses concern that current homeowners or renters could face increased fees because of enforcement provisions.

While submission 28 Supports Council's ability to recover costs, arguing that ratepayers should not bear the expense of cleaning up damage or obstructions caused by others and that shifting costs back to those responsible is fair and long overdue.

Staff analysis

Staff advise that this Bylaw is intended to address these issues. Council will call upon the monitoring team if and when they experience compliance issues that require enforcement. It is anticipated that the VADE approach will ensure that most enforcement activity by Council will involve voluntary and assisted behaviour. This will address the raised concerns raised by submitters.

See section 3.5 for further explanation of the VADE Approach used.

Staff recommendation

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

Bylaw Schedules

Submissions received

Mapping Accuracy and Completeness

Submissions 30 31, and 33 collectively raise significant concerns about the accuracy and completeness of both drainage asset maps and rating area maps.

Submission 31 reinforces this by noting that drainage asset maps have only minor updates, while rating area maps require more thorough review. It also points to inconsistencies in northern areas where land may be incorrectly rated or excluded.

Submission 33 echoes these concerns and adds that the maps are not only inaccurate but also incomplete, failing to reflect NRC's 2005 assumption of stopbank and floodgate assets.

Submission 30 highlights that some properties may be rated without receiving benefit, while others may benefit without being rated. This suggests a misalignment between mapped rating boundaries and actual service delivery.

Submission 33 recommends submissions support delaying Bylaw adoption until updated, A2-scale maps are released that clearly show accurate boundaries, property rating categories, and the respective responsibilities of FNDC and NRC.

Geographic and Catchment-Specific Issues
Submission 32 raises a specific concern about the Kaitaia map, stating that it does not accurately reflect the catchment area.

This submission recommends the Kaitaia map should be corrected to ensure it aligns with the actual catchment, which is essential for fair rating and effective asset management.

Submission 31 recommends a single map for Northern drainage areas displaying all rating categories.

Submission 24 states that the Schedule 1 maps do not include Ahipara area. In particular, the intensification of dwellings on Reef View Rd, where stormwater runoff from roads, or SW overflow drainage is directed to roads, which flows downhill in piped roading system which is directed to Paripari Stream, and then out to Te Oneroa a Tohe via culverts under Foreshore Rd.

Governance and Procedural Safeguards
Submissions 30 and 33 both call for the establishment of a clear appeals process for landowners affected by rating decisions. This reflects a broader concern about procedural fairness and the need for mechanisms to challenge or correct rating anomalies.

These submissions recommend that a formal appeals process should be embedded in the Bylaw framework to ensure transparency and accountability in rating decisions.

Map Content and Drainage Asset Representation
Submissions 9 and 31 focus on the lack of detail in the current maps:

Submission 9 calls for the inclusion of specific drains within drainage areas to ensure clarity when assessing whether Council approval is required.

Submission 31 notes that drain lengths and names are missing, and that urban sprawl connections into drainage assets are not addressed. It also points out that NRC's responsibility for some drains is not shown.

These submissions recommend the maps should be updated to include detailed drain information (names, lengths, and connections), and clearly indicate jurisdictional responsibilities to support operational clarity and regulatory compliance.

Submission 31 shared the following examples of mapping they would like to see in the Schedules section of the Bylaw, based on an extract from "the Land Drainage Bylaw 2009 for Puckeys Outfall:

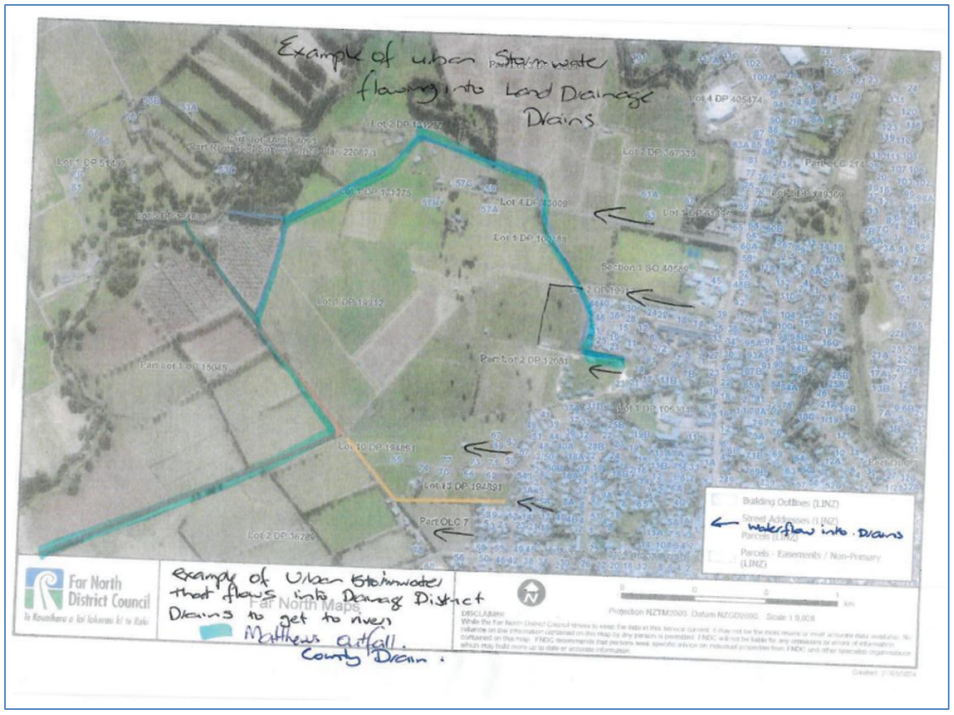
PUCKEYS OUTFALL COMPARTMENT
All drains associated/ connected to Puckeys Outfall

Puckeys Outfall	**2,940**
Foleys	**656**
Lisle	**1,710**
Wireless	**1,800**
Bells Rd	**1,743**
PUCKEYS OUTFALL TOTAL	**8,849**

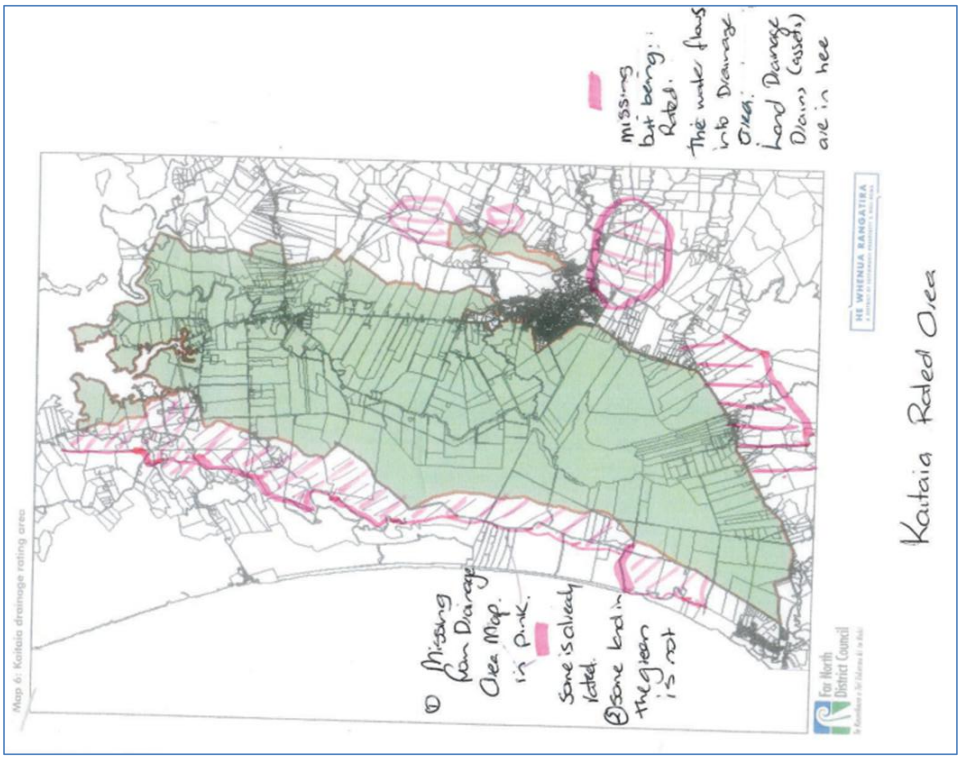
They also provide a map that shows that NRC also maintain a section as well. This is an extract from the "Awanui River Scheme Asset Management Plan 2015, NRC."



The following map is an example of Matthews Outfall County Drain which illustrates urban stormwater flowing into Land Drainage drains. It illustrates how urban stormwater flows into Drainage District Drains to get into rivers:

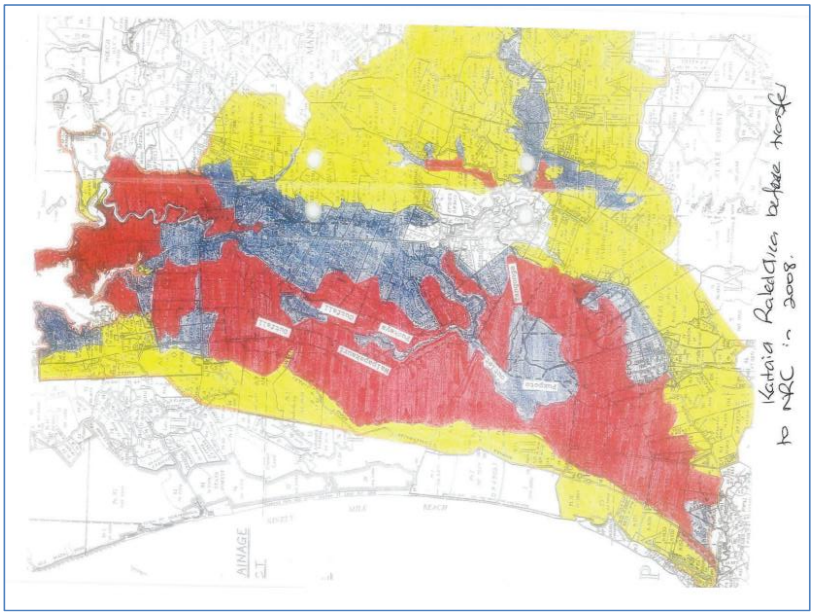


The next image shared by the submitter is of the Kaitaia Rated Area:



It highlights in pink the areas they suggest are missing from the map and that some of these are already being rated. They state that the water flows from these properties into the drainage area and that land drainage drains (assets) are in these highlighted areas. They also state that some of the areas in green are not being rated for Land Drainage despite being in the currently highlighted area.

Their third map they share is the Kaitaia Rated Area before the transfer to NRC in 2008:



The submitter states that these maps offer a better mapping of drains and requests that all compartments of the drainage assets are done like the maps above. They reason that it is easy to see and know where the drains start and stop as a drainage asset and show properties clearly.

Forest and Bird (Submission 34) have recommended the following mapping corrections:

- Remove the Kaimaumau Reserve / Outstanding Landscape area from the Motutangi Drainage District map.
- Remove the Kaimaumau Reserve / Outstanding Natural Landscape area from the Motutangi Drainage District map to prevent conflict with conservation objectives and DOC land management responsibilities.
- Ensure mapping aligns with the Operative and Proposed District Plans, which do not permit land drainage in Outstanding Natural Landscapes.

(The full submission from Forest and Bird has been added as Appendix 2 for the supplied maps and a more in depth understanding of their submission).

Staff analysis

The submissions collectively underscore the need for:

- Comprehensive and accurate mapping of drainage assets and rating areas
- Clear representation of jurisdictional responsibilities (FNDC/NRC)
- Procedural safeguards, including rating boundary reviews and appeals processes
- Delaying Bylaw adoption until these issues are resolved and communicated through updated, detailed maps.

Staff advise that under clause 20 of the Bylaw, Schedules can be updated through Council by resolution.

The infrastructure team is currently working with the Land Drainage Committees to review and create accurate and appropriate schedules. This work, although started, will take time to complete. The suggested examples of maps and information tables provided by Fiona King (submission 31) and Forest & Bird (submission 34), will be utilised by infrastructure to assist them with creating schedules for the Land Drainage Bylaw.

Staff recommendation

As new schedules are made available they will be approved by Council to be added to the Bylaw Schedules through Council resolution.

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

APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED

Number	Organisation
1	Te Wānanga o Te Rangi Aniwaniwa
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	Individual submission
16	Individual submission
17	FEROS FERIO
18	Individual submission
19	Carbon Neutral NZ Trust
20	Individual submission
21	Individual submission
22	Individual submission
23	Chairman of Motutangi Drainage Committee
24	Individual submission
25	Individual submission
26	Individual submission
27	Individual submission
28	Te Runanga o Te Rarawa
29	Carbon Neutral NZ Trust
30	On behalf of concerned landowners in Okohine Stream catchment
31	Kaitaia land Drainage Committee (Chairperson); Kakino/Waiharara Land Drainage committee (Chairperson); F G King Elbury Holdings Ltd; LJ King Ltd
32	Individual submission
33	Director, Orotere Farm Ltd
34	Royal Forest & Bird Protection Society Inc (Forest & Bird)

1-27	Online survey submissions
28-34	Written submissions

APPENDIX 2

Forest & Bird
TE REO O TE TAIAO | *Giving Nature a Voice*

2 September 2025

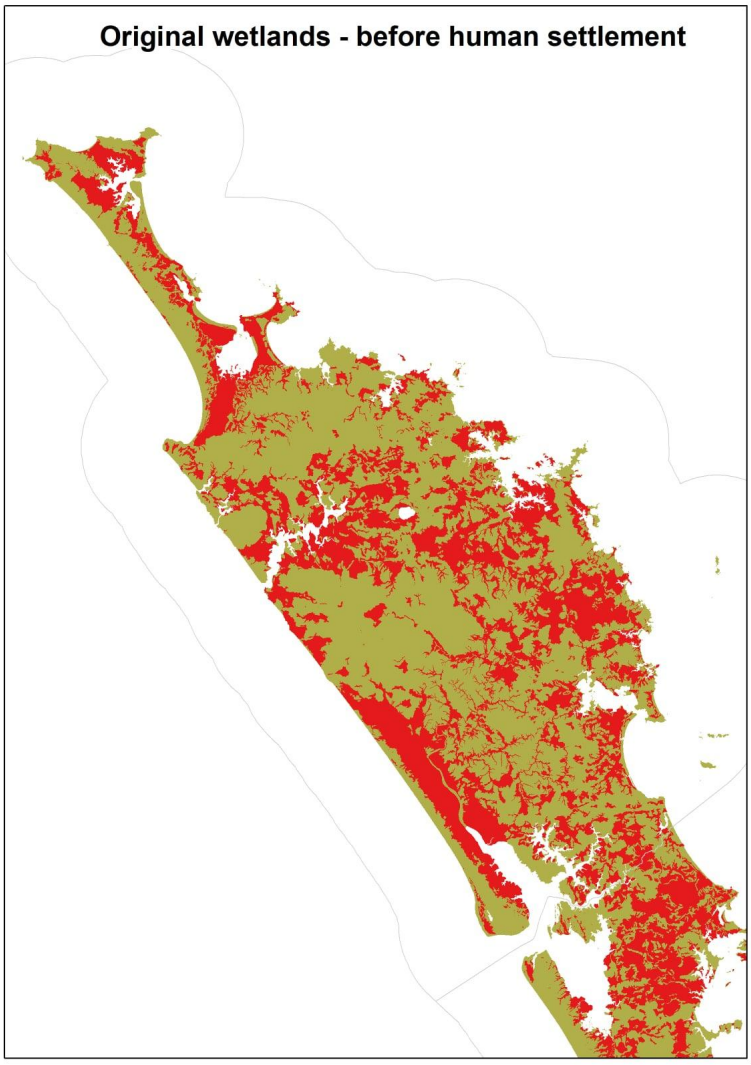
Submission on Far North District Council Land Drainage Bylaw 2019

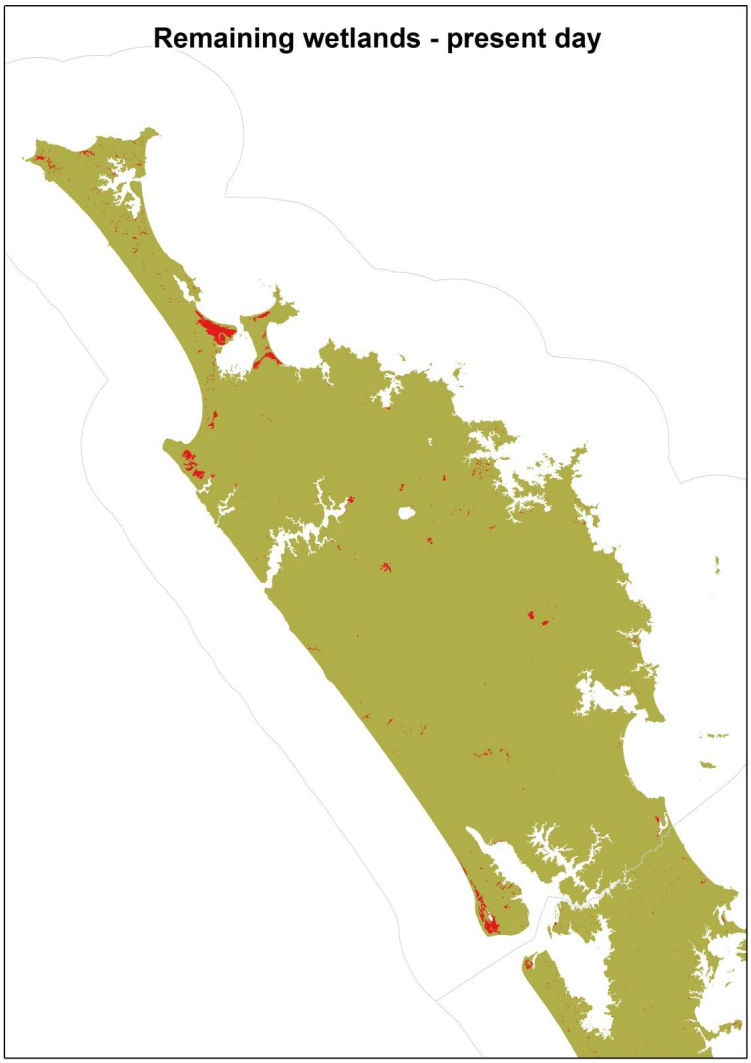
Introduction

1. Forest & Bird is New Zealand's largest independent conservation organisation. Our mission for over 100 years has been to protect Aotearoa New Zealand's unique flora and fauna and its habitat.
2. In 1993 Forest & Bird was granted Heritage Protection Authority status over the Kaimaumau wetland by the Ministry for the Environment under Section 188 of the Resource Management Act.
3. Our submission relates to the effect of land drainage on wetlands and, in particular, the intrusion of the Motutangi Drainage District into the Kaimaumau wetland.
4. Please make contact if you have any questions about our submission.

Context:

5. Over 90% of wetlands have been drained and destroyed nationally. Wetlands are the kidneys of the land, filtering and cleaning water in times of floods and the sinking carbon through the slow laying down of peat. Wetlands were an essential and common habitat across te Taitokerau and Te Hiku at the time of human arrival. But much has been lost to the fervour of continued agricultural development along with the native species and carbon that had been sequestered.


Original wetlands - before human settlement



6. The Land Drainage Bylaw correctly identifies that land drainage may require resource consents under the Resource Management Act 1991 from the Northland Regional Council and the bylaw does not remove this requirement. The National Freshwater Regulations1 are particularly relevant to land drainage. Regulation 52 makes earthworks and drainage outside, but within a 100 m setback from, a natural inland wetland a non-complying activity if it results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland. Regulation 53 makes earthworks and drainage outside, but within a natural inland wetland a **prohibited activity** if it results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland. A prohibited activity means that a resource consent cannot be applied for; the activity is prohibited.

[1] Resource Management (National Standards for Freshwater Management) Regulations 2020

7. Earthworks and vegetation clearance is also controlled by the Far North District Council under the Operative and Proposed Far North District Plans[2].

8. In addition to identifying that resource consents may be required from the Northland Regional Council, Clause 4.3 of the Bylaw should identify that drainage of a natural inland wetland is prohibited and that earthworks and clearance of indigenous vegetation is also controlled by the Far North District Council under the Resource Management Act 1991.

Mapping

9. The maps provided in Schedule 1 show the Motutangi Drainage District extending into the Kaimaumau wetland reserve which is managed by the Department of Conservation (refer maps attached in Appendix 2). As such DOC consent is required for any work in this area. Land drainage in the Kaimaumau reserve is contrary to the purpose of the reserve and any application for landowner consent is likely to be declined.

10. The Kaimaumau wetland is also identified as an Outstanding Landscape in the Operative District Plan. Permitted Activity Rule 12.1.6.1.2 provides for some vegetation clearance and earthworks, but not for land drainage. The area is also identified as Outstanding Natural Landscape in the Proposed District Plan with similar rules which currently do not have effect.

11. The Kaimaumau wetland is an internationally important habitat with 13 threatened plants, bittern, rails, fernbird, Northland endemic green gecko and black mudfish (refer Appendix 1 for conservation values).

12. The Kaimaumau wetland has significant conservation values that need to be protected from vegetation clearance and drainage. In summary these are:

    - the third largest freshwater wetland in the North Island
    - a nationally unique wetland habitat type
    - habitat for nine fauna species of threatened status or limited distribution including a taxon of black mudfish possibly restricted to this site
    - habitat for at least 14 threatened species of plant
    - contains a unique assemblage of native orchids

    Therefore the Kaumaumau Reserve / Outstanding Landscape area should be excluded from the Motutangi Drainage District.

SUBMISSION:

Forest & Bird requests the following amendments to the Far North District Council Land Drainage Bylaw 2019:

1. In addition to identifying that resource consents may be required from the Northland Regional Council, add to Clause 4.3 of the Bylaw:

    - drainage of a natural inland wetland is prohibited
    - earthworks and drainage outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland.

[2] Operative Far North District Plan Chapter 12, and Proposed Far North District Plan Ecosystems and indigenous biodiversity and Natural features and landscapes chapters.

- earthworks and clearance of indigenous vegetation is also controlled by the Far North District Council under the Resource Management Act 1991.

2. Remove the Kaumaumau Reserve / Outstanding Landscape area from the Motutangi Drainage District map.

Submission ends.

Appendix 1: Kaimaumau Significant Natural Area Description

SITE NAME	**Kaimaumau - Motutangi Wetlands**
SURVEY DATE	9 August 1995
GRID REFERENCE	O03/O04/N03 300 000
AREA	4183.7 ha
ECOLOGICAL UNIT	(a) Kanuka-manuka shrubland on raised sand ridges (b) Manuka shrubland on raised sand ridges and flats (c) Manuka shrubland on low peaty depressions and flats (d) *Schoenus*-manuka sedgeland on damp peaty flats (e) *Schoenus-Gleichenia* sedgeland on peaty sand flats (f) *Acacia* associations on dry sand ridges and flats (exotic) (g) *Baumea*-manuka sedgeland in peat bog (h) Raupo-flax reedland in swamp (i) *Baumea-Gleichenia* association in peat bog

LANDFORM/GEOLOGY Holocene coastal foredune belt backed by Pleistocene consolidated foredunes and overlying swamp deposits.

VEGETATION A large, highly acid oligotrophic bog ecosystem with semi-mineralised areas near in-flowing streams and on the periphery of farmland…….

FAUNA Forty species of birds have been recorded including fernbird, banded dotterel, Caspian tern, white-fronted tern, NZ dotterel, SI pied oystercatcher, variable oystercatcher, Australasian bittern, banded rail, and spotless crake.

Black mudfish, banded kokopu, freshwater shrimp, giant bully (limited distribution), Northland green gecko (limited distribution), copper skink.

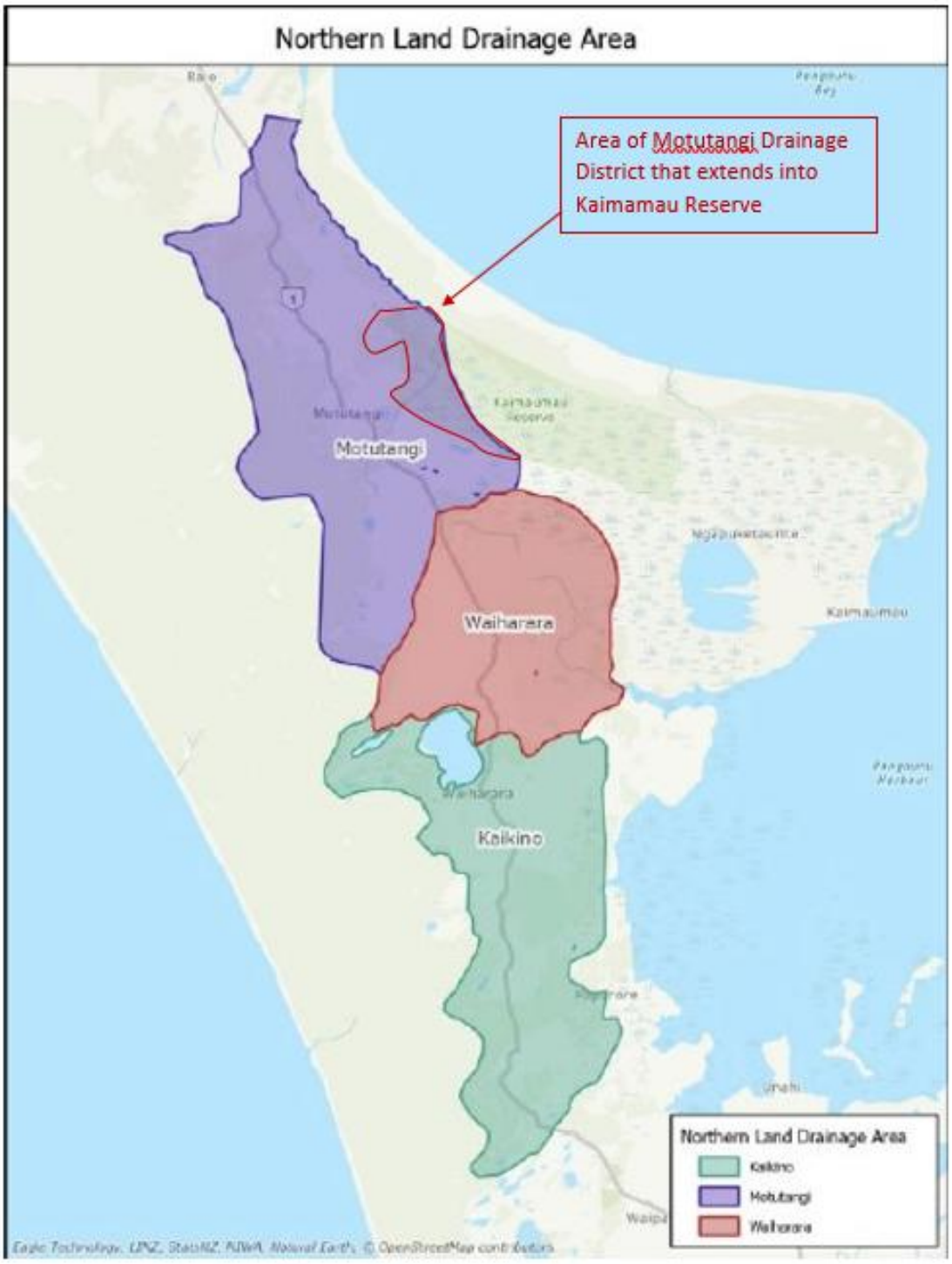
SIGNIFICANCE A large wetland complex system which has an unbroken zonation of wetland sequences from seawater to freshwater and contains diverse habitats including sandy beach, small dunes, estuarine peat bogs, semi fertile swamp and stabilised dunes with native shrublands. Old kauri logs remain in some areas. Peat bogs and semi-mineralised wetlands are a much depleted vegetation type.

The outstanding natural values include a large number of threatened species including the Vulnerable *Lycopodium serpintinum, Ophioglossum petiolatum, Todea barbara*, the Rare *Cyclosorus interruptus, Myriophyllum robustum, Phylloglossum drummondii, Pterostylis tasmanica, Thelypteris confluens*, the Insufficiently Known *Calochilus herbaceous, Korthalsella salicornioides*, the Taxonomically Indeterminate (Insufficiently Known) *Spiranthes* "Motutangi" and Local *Thelymitra malvina* and *Cryptostylus subulata*. Other uncommon plant species or species with restricted distribution are *Utricularia delicatula* (largest NZ population 1983 Clunie & Ogle) and *Corybas rotundifolius.*

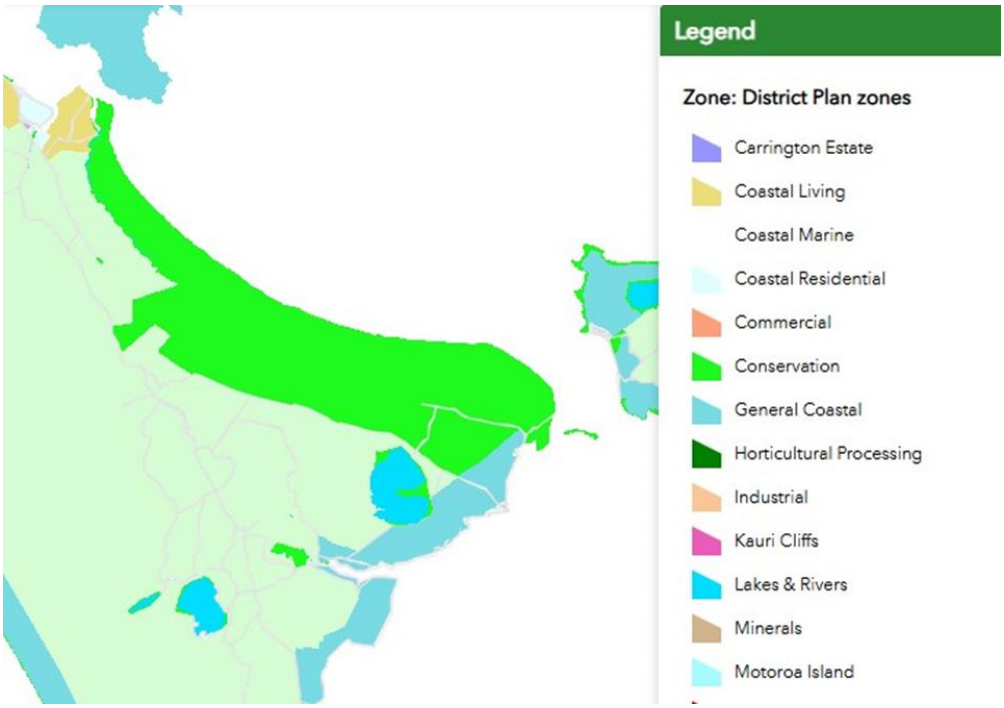
This area is contiguous with Houhora Harbour, East Beach and Raungaunu Harbour-Lake Ohia, and along with the three northern harbours of Rangaunu, Houhora and Parengarenga is being investigated for RAMSAR status as a wetland of international significance.

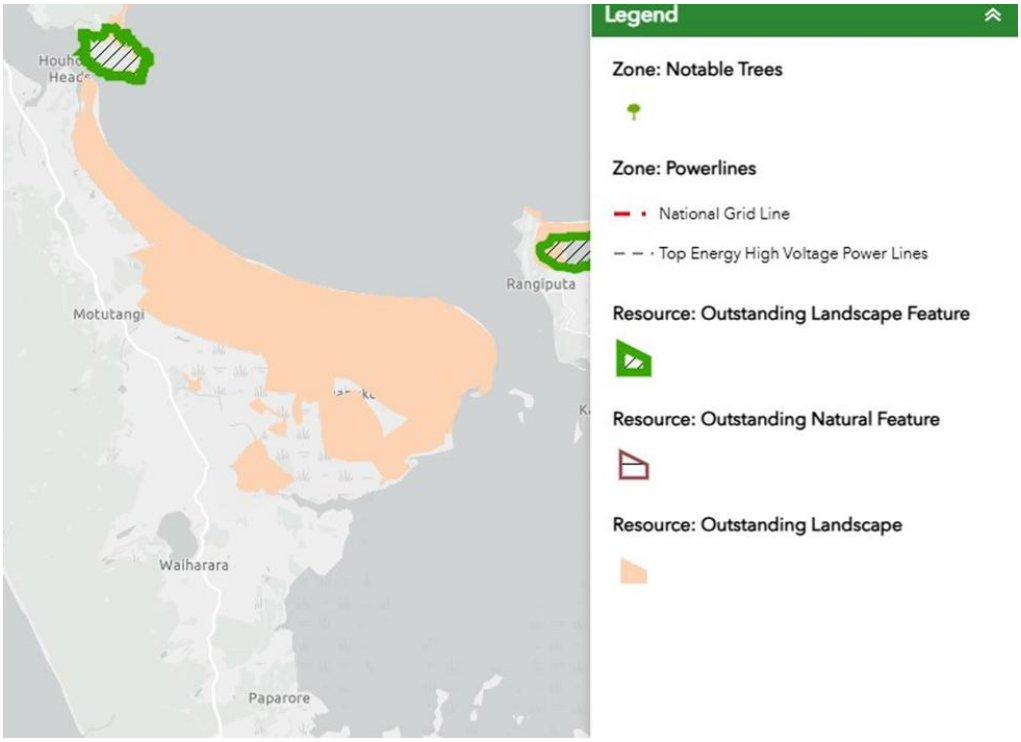
Appendix 2: Maps

Aupouri Land Drainage Maps

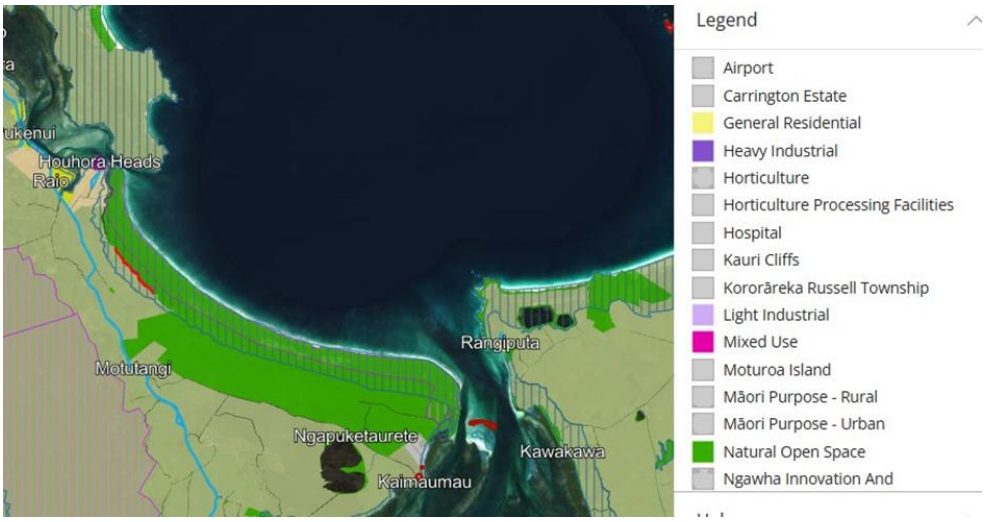


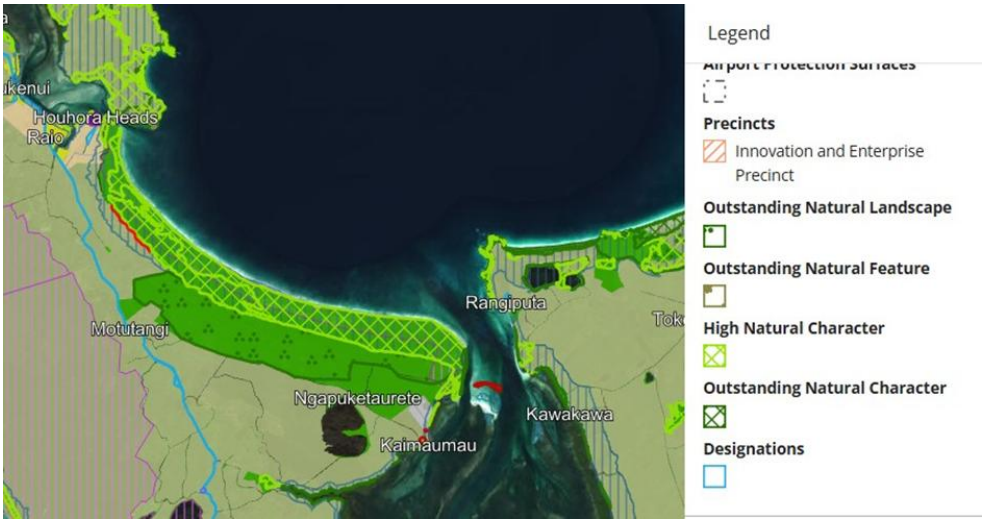
Operative District Plan Maps





Proposed District Plan Maps





Te Kaunihera o Te Hiku o te Ika
Far North District Council

LAND DRAINAGE BYLAW

2019

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2. Commencement

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3. Application

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4. Purpose

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4.2 This Bylaw is made by the Far North District Council pursuant to section 145 and section 146(b)(iv) of the Local Government Act 2002, Part 29 of the Local Government Act 1974, the Land Drainage Act 1908, and every other enabling power and authority.

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a) Immediately before the commencement of the Bylaw was a drainage channel under the control of the Council; or

b) Is constructed by the Council as a drainage channel after the commencement of this Bylaw; or

c) Is vested in the Council as a drainage channel; -

And includes the land occupied by the drain itself plus all that land abutting each side of the drain to a distance of 3.5 metres from the top of the banks of the drain, but does not include a water race.

Land Drainage Area means a land drainage area identified in Schedule 1: Land Drainage Maps to this Bylaw, or any other land drainage area that the Council by resolution identifies and determines to regulate for land drainage purposes.

Landowner means the owner of any property, or as applied to any land, building, or premises means any person for the time being entitled to receive the rack rent of such land, building, or premises, and where the content so requires or admits the expression shall include the habitant occupier of any such land, building or premises, and where such owner is absent from New Zealand the expression shall include his attorney or agent or any other person acting for him or on his behalf.

Obstruction includes earth, stone, timber and material of all kinds and trees, plants, rubbish, weeds and growths of all kinds.

Person includes a corporation sole, a body corporate, and an unincorporated body.

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5.2 Any explanatory notes and attachments are for information purposes only and do not form part of this Bylaw.

5.3 The Legislation Act 2019 applies to this Bylaw.

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6.2 No person shall construct or maintain any road or accessway for the passage of stock, machines or other vehicles along the bank of any drain under the control of Council, within 3.5 metres of the edge of the drain, without having first obtained the prior written approval of Council, which may impose any conditions it thinks fit if such consent is granted.

7. Private Drain Connection

7.1 No landowner shall connect a private drain with a drainage channel or enlarge a connected private drain or branches thereof, or add new branch drains thereto without obtaining the prior written approval of Council.

7.2 Any owner applying for such approval shall submit to Council such plans and specifications as may be required by Council showing the exact location of the private drain and branches (if any) giving details of the length, size and construction and indicating the approximate area to be drained.

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8. Obstruction to Flow

8.1 No person shall stop, obstruct, increase or interfere with or divert the flow of water in any drainage channel, without the prior written approval of Council.

8.2 No owner of the land on either side of any drainage channel shall allow, permit, or suffer to grow therein or on the banks thereof any plant growth that may be likely to impede the flow of any water in any drainage channel.

8.3 No owner of the land on either side of any drainage channel shall throw into the drain, or cause, permit or suffer to be thrown or to fall therein any material that may be likely to impede the flow of water in any drainage channel.

8.4 No person shall deposit any debris or rubbish, in or on land in the drainage channel on which, if no such impediment was created, flood water might encroach and cause a nuisance.

8.5 No person shall stop or obstruct any drainage channel or erect any barrier (other than required by law), buildings, structures or alter level or grades of landscapes (e.g. filling), or defence against water in or near any drainage channel; (e.g. fencing not to cause a barrier).

8.6 No person shall allow any private channel or watercourse to become blocked in a way which may endanger or become a hazard or impede the water flow of any drainage channel or watercourse under the control of Council.

8.7 No person shall allow animals, or machines or other vehicles to damage drainage assets. Grazing cattle are to be kept a minimum distance of 2 metres from any drain.

8.8 Any damage so caused by animals or machines shall be reported immediately to Council and any costs associated with repairing such assets shall be the responsibility of the landowner concerned.

8.9 Any permitted development affecting or likely to affect any drainage channel shall be designed and carried out so as to safely accommodate a 100 year storm flow, and without causing more than minor damage.

9. Removal of Obstructions

9.1 The Council may require the removal of any growth or other obstruction that is, or is likely to obstruct the free flow of any water in any watercourse - and in default thereof Council may do the work required and recover the cost thereof from such owner or owners.

In addition to any consent required under this Bylaw, a resource consent under the Resource Management Act 1991 or a building consent under the Building Act 2004 may be necessary for any works undertaken under clauses 6 to 15 of this Bylaw. Further advice should be sought regarding any works involved any discharge to water, excavations or landfill or the construction of structures.

10. Alterations to Drainage Channel

10.1 No person shall widen or deepen a drainage channel, or stop or obstruct the same or alter the course thereof or in any way interfere with any drainage channel or associated works or structures without the prior written approval of Council.

11. Pollution and Nuisances

11.1 No person may –

(a) Widen or deepen; or
(b) Stop or obstruct; or
(c) Alter the course of; or
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Any drainage channel or associated works with the prior written approval of Council.

11.2 No owner or occupier of the land on either side of a drainage channel or private drain connected therewith, shall permit or suffer any dead stock or animals or any part thereof, to be or remain in any drainage channel or private drain connected therewith.

12. Stopbanks

12.1 No person shall erect or cause or permit to be erected any stopbank, on or along any drainage channel, without the prior written approval of Council and in accordance with such terms and conditions as Council may impose.

12.2 Every owner upon whose land a stopbank adjoining a drainage channel is located, whether for the protection of the land or not, shall not remove it or suffer or permit it to be removed, lowered or breached without the prior written approval of Council.

13. Crossings

13.1 No person shall cross or pass over a drainage channel with any vehicle, or drive any stock or convey any implement or machinery or goods or materials thereover except at crossings appointed by Council.

13.2 No person shall remove, change or construct any culvert, bridge or crossing in upon or over any drainage channel without the prior approval of Council.

13.3 Council may require the owner or owners of properties on which there is a drainage channel, to construct, maintain or renew crossings at places and in such manner approved by Council and in default thereof Council may do the work required and recover the cost thereof from such owner or owners.

14. Watering Places

14.1 No owner shall construct in any drainage channel a watering place for stock or maintain or use the same without the prior approval of Council which may impose such conditions for mode of construction and for fencing and otherwise as it decides and such consent may be suspended or revoked at any time.

14.2 The owner or owners of land adjoining watering places shall use and maintain the same so that no damage to the drainage channel can result from their use. In the event of damage Council may call upon the owner or owners responsible to repair the same and in default thereof may do the work and recover the cost thereof from such owner or owners.

15. Damage, Maintenance and Repair

15.1 No person shall injure, destroy, cause damage to or interfere with any dam, reservoir, stopbank, headworks, building or any installation connected with drainage assets, or allow, permit or suffer any stock to damage or destroy the same.

15.2 Where any drainage channel is damaged by stock, or otherwise, Council may require the owner responsible for such damage to repair such drainage channel to the satisfaction of Council and on default thereof may have the necessary repairs executed and recover the costs thereof from the said owner.

16. Inspection

16.1 An enforcement officer or authorised person shall have the power, right, and authority to inspect any installation set up for the withdrawal or diversion of water from any drainage channel, whether authorised or not and the Council may direct any alteration or improvement to or replacement of such installation or request its removal or demolition at any time.

17. Obstruction to Officers

17.1 No person, whether on private land or not, shall obstruct any enforcement officer or authorised person, with or without drain cleaning machinery or plant, in the performance of anything which such member, appointee, employee or agent is or may be required to do in the discharge of their duties.

18. Penalty

18.1 Any person who commits a breach of this Bylaw shall be liable to a fine not exceeding $20,000 and in addition to any penalty imposed for breach of this Bylaw, Council may sue any person for the amount of damage done by them to the drainage assets and for any penalty fine or fee which is prescribed by any statutory enactment whatsoever.

19. Other Requirements

19.1 The provisions of this Bylaw do not remove the need for any resource or other consents required under the Resource Management Act 1991, Building Act 2004. Where consents are required under this chapter of this Bylaw and other acts or regulations, all shall be lodged with the Council at the same time.

20. Land Drainage Areas

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Additional information

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Te Kaunihera o Te Hiku o te Ika
Far North District Council

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Schedule 1 - Land Drainage Maps

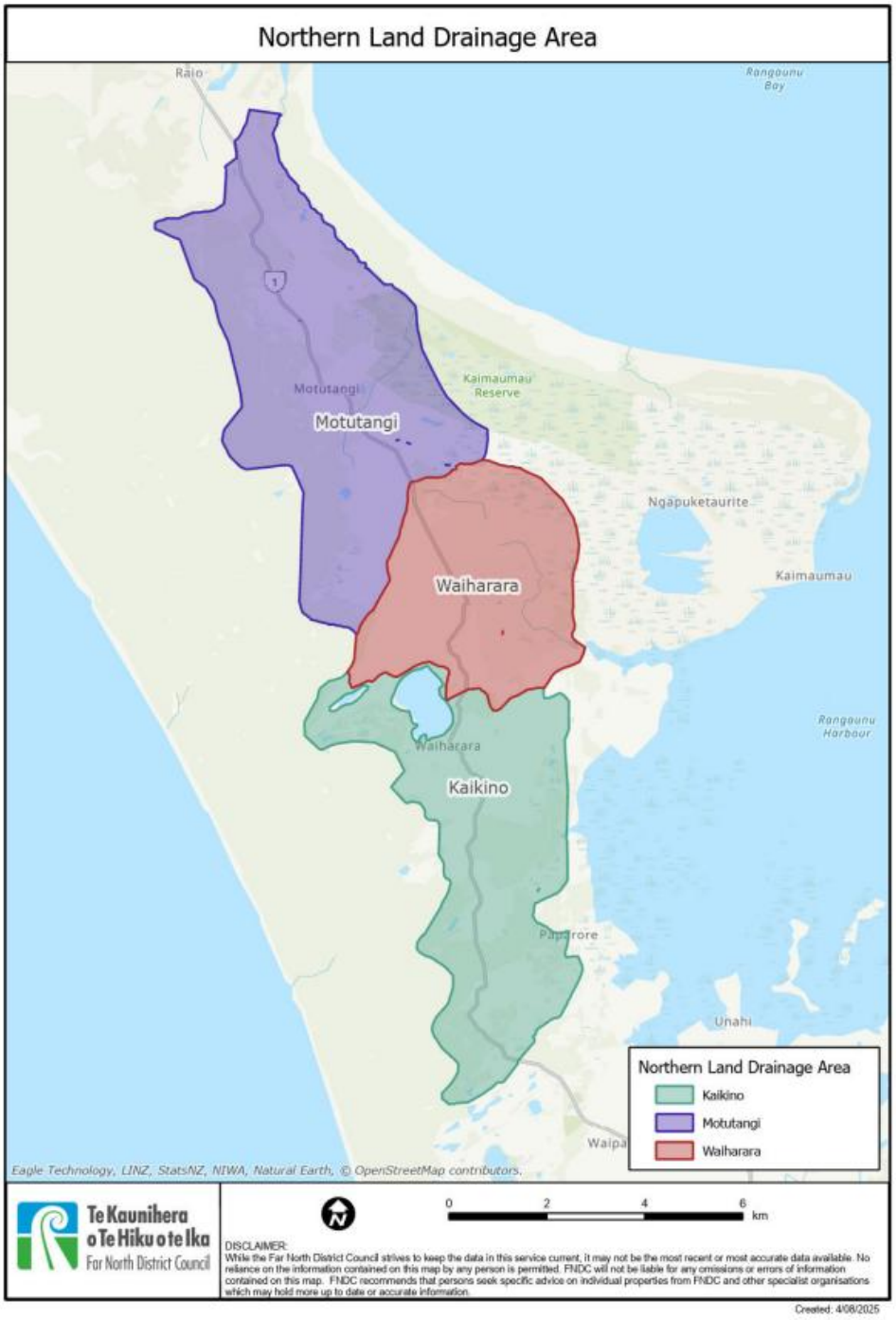
Land Drainage Bylaw 2019

September 2025

List of Maps

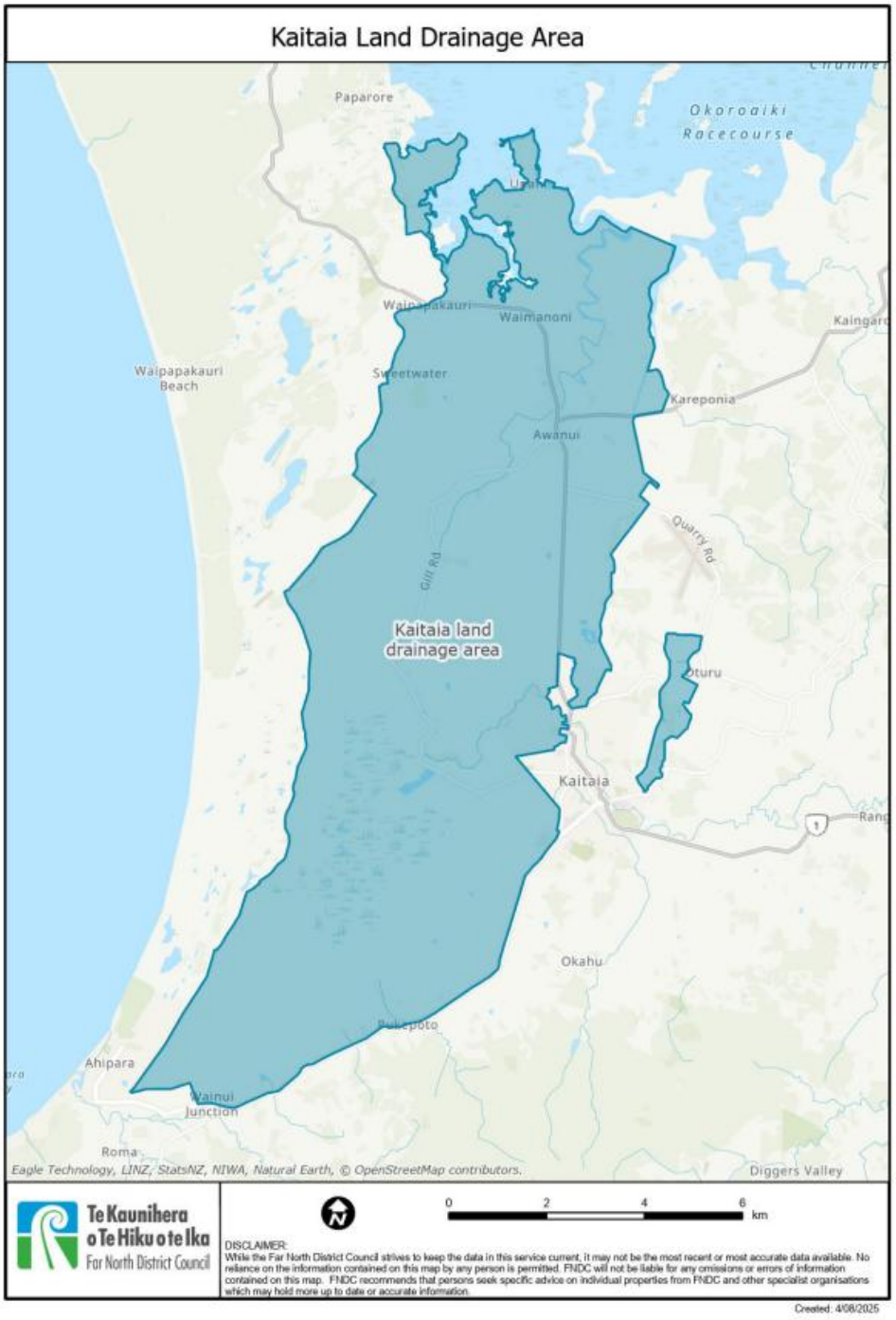
1. Drainage Areas
1.1 Northern Drainage Areas
1.2 Kaitaia Drainage Area

1.1 Northern Drainage Area



2

1.2 Kaitaia Drainage Area



6.2 UTU WHAKAWHANAKE DEVELOPMENT CONTRIBUTIONS POLICY - ANALYSIS OF SUBMISSIONS - ADOPTION OF POLICY

File Number: **A5347004**

Author: **Virginia Smith, Policy Advisor**

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

To adopt the Utu Whakawhanake Development Contributions Policy 2025.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council must have a policy on development contributions under section 102 of the Local Government Act 2002.
- On 16 December 2021 Council resolved to develop a new Development Contributions Policy.[2]
- On 31 July 2025 Council adopted the draft Utu Whakawhanake Development Contributions Policy 2025 for public consultation.[3]
- Public consultation was completed between 1 August 2025 and 31 August 2025.
- Staff have completed an analysis of the 257 submissions received and are recommending three changes to the draft Utu Whakawhanake Development Contributions Policy 2025, and a recommendation for public understanding consideration.
- This report provides an overview of the Submission Analysis Report and recommendations found in Attachment 1.
- Council has now fulfilled its statutory consultation requirements and may proceed to decide whether to adopt the Utu Whakawhanake Development Contributions Policy 2025 (Attachment 2).

TŪTOHUNGA / RECOMMENDATION

That Council:

a) Approves the recommendations in the Utu Whakawhanake Development Contributions Policy 2025 Submissions Analysis Report in Attachment 1 that recommends:

i) Replace the text in Part F, Clause 32.3 to clearly articulate that the exemption for Māori land is land status based.

ii) Amend Part G, Clause 34.4 to clarify that exemptions for housing developments on Māori land support the principals of Te Ture Whenua Maori Act 1993.

iii) Include wording to Part H, Clause 40.3.c to provide certainty and increase transparency about collected development contributions.

[2] Far North District Council. (24 February 2022). Confirmation of Previous Meeting Minutes held on 16 December 2021. *Resolution 2021/76 on the Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan.* [Council Meeting minutes]. Far North District Council. Infocouncil

[3] Far North District Council. (28 August 2025). Confirmation of Previous Meeting Minutes held on 31 July 2025. *Resolution 2025/94 on the Development Contributions Policy Statement of Proposal.* [Council Meeting minutes]. Far North District Council. Infocouncil

iv) Delaying the commencement of the Utu Whakawhanake Development Contributions Policy 2025 to 1 July 2026 in response to submissions and this analysis.

b) Adopts the Utu Whakawhanake Development Contributions Policy 2025 in Attachment 2 to this report.

c) Resolves to delay the commencement date of the Utu Whakawhanake Development Contributions Policy 2025 to 1 July 2026.

d) Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Utu Whakawhanake Development Contributions Policy 2025 to correct errors or omissions, or to reflect the decisions made by the Council prior to final publication and public release.

1) TĀHUHU KŌRERO / BACKGROUND

Under section 102 of the Local Government Act 2002 (LGA), Council must have a policy on development or financial contributions.

On 31 July 2025, Council was presented with the draft Utu Whakawhanake Development Contributions Policy 2025 (Policy) for public consultation consideration. The agenda report[4] detailed the timeline and events that delayed the development of the Policy between now and when Council resolved to make a new Policy at its meeting held on 16 December 2021[5].

On 31 July 2025, Council adopted the Statement of Proposal for the draft Policy with public consultation completed between 1 August 2025 and 31 August 2025.

This report presents an overview of the Utu Whakawhanake Development Contributions Policy 2025 submission analysis, found in Attachment 1 and corresponding amendments and recommendations for Council to adopt the amended Utu Whakawhanake Development Contributions Policy 2025 with delayed commencement date of 1 July 2025.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Council received 257 written submissions on the draft Policy during the public consultation period between 1 August 2025 and 31 August 2025. A summary of submissions is provided below. The full analysis of submissions is in Attachment 1.

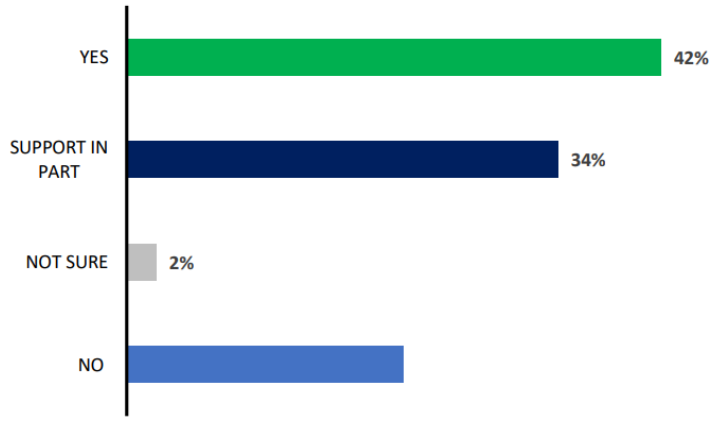
Summary of submissions received

- 108 submitters answered “Yes” that they supported the draft Policy,
- 87 respondents supporting “In part” and
- 56 submitters replied “No” they did not support the draft Policy, with
- 6 submitters selecting the “Not sure” option.

[4] Far North District Council. (31 July 2025). *Agenda report item 6.6 on Development Contributions Policy Statement of Proposal.* [Council Meeting minutes]. Far North District Council. Infocouncil

[5] Far North District Council. (24 February 2022). Confirmation of Previous Meeting Minutes held on 16 December 2021. *Resolution 2021/76 on the Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan.* [Council Meeting minutes]. Far North District Council. Infocouncil

Figure 1: Support for the proposed Utu Whakawhanake Development Contributions Policy



Base: 257 submissions

Trend 1: Support for development contributions as Fair

Support for development contributions as a fair mechanism is strongly reflected across submissions, with 142 submitters emphasising that developers should bear the primary responsibility for funding the growth-related infrastructure their projects necessitate, rather than existing ratepayers.

The report recommends that no changes be made to the draft Policy in response to submissions made on this theme.

Trend 2: Opposition due to increased costs and development deterrent

66 submitters highlight concerns that DCs will increase housing, business, and development costs, with fears that this will further dampen an already 'soft' building growth market in the Far North.

Specifics include potential reductions in overall supply, cost burdens for first-home or family developers, regional competitiveness, and equity impacts for rural dwellers receiving limited services.

52 of the 66 submitters recommended a range of mitigations to address the concerns raised about increased costs and development deterrent.

Analysis of the submitter recommendations found that they were either already addressed in the draft Policy, out of the Policy's scope, or not compliant with the requirements of the LGA at this time.

The report recommends that no changes be made to the draft Policy in response to submissions made on this theme.

Trend 3: Exemptions for Māori land and papakāinga developments

21 submitters explicitly support the exemption, with 31 strongly opposing the exemptions for Māori land.

Supporters of the exemption view it as essential for advancing Māori housing aspirations, with emphasis that the exemption is based on land status and how it supports intergenerational wellbeing.

Those opposed to the exemption argue that it is unfair and with some claiming it to be discrimination. Others believed that it risks community division and could be challenged legally if not clearly justified by the land's legal status. Three submitters provided a recommendation to reduce DCs for housing on Māori land to 50% through remissions, as they were concerned with the potential revenue loss that could occur from accumulative developments and overall demand on infrastructure.

The report recommended two changes to Part F, Clause 32.2 and Part G, Clause 34.4 as a result of the feedback. The changes aim to enhance public understanding and mitigate risk of legal and reputational challenge, by more clearly articulating that the exemption is land status based, and reflective of statutory principles.

Trend 4: Geographic Equity – spending and catchment ring-fencing

15 submissions request confirmation that DC funds are spent in the area they are collected.

Although the Policy does in fact do this, through its Schedule of Assets, the report concurs that there is no specific provision to provide the public with certainty.

The report recommends amending clause 40.3.c of the Policy to include a provision that guarantees funds collected in the catchment area will only be spent on infrastructure capital projects for the corresponding service and catchment.

Trend 5: Transitional and 'grandfathering' assurances requested

31 submitters spoke about previously paying for development contributions prior to the 2015 Development Contributions Policy and sought assurances that they would not be charged again under the Development Contributions Policy.

7 of the 31 submitters specifically requesting delayed implementation or protection for projects planned before the adoption and commencement of the Policy.

The Policy includes 'credits' to prevent double charging for those who have already paid. Delaying the Policy's start date is suggested as a simple way to give developers advance notice and encourage them to submit applications before new fees apply.

A delayed commencement date was assessed as part of the analysis (Attachment 1) for its impact on Council's Financial Strategy, Revenue and Financing Policy and by default the Long Term Plan (as these documents form part of it). It was found that:

- the Revenue and Financing Policy and Financial Strategy must explicitly provide for DCs under section 101A and 103 of the LGA; and
- section 104(4) determines that an amendment to the Revenue and Financing Policy will require a section 83 LGA special consultation process.

Staff then considered Policy effectiveness and efficiency within this scope and found that delaying the commencement of the Policy until 1 July 2026 to align with the Annual Plan (AP) review is the most cost effective and efficient option.

Commencing the Policy on 1 July 2026 aligns the Policy with the AP review cycle, allows time for more information and planning in response to central government's development levy regime, the Waters CCO, helps address concerns such as 'cost shock' and provides time to educate the public about DCs.

The report recommends delaying commencement of the proposed Policy to **1 July 2026** in response to submissions and this analysis.

Trend 6: Clarity of Policy wording and calculations

19 submitters directly referenced policy wording, ease of understanding, need for examples and or an online calculator to improve Policy clarity, and public comprehension.

The report acknowledges the concerns raised by submitters who found the Policy overly lengthy and difficult to interpret. While the statutory requirements necessitate a high level of detail and technical content, introducing an online calculator, as suggested by submitters and in use by other councils, along with practical scenario examples would address most of the accessibility and comprehension challenges identified in the feedback.

The report recommends no changes to the proposed Policy in response to submissions made on this theme. The report does recommend Council invest in an online calculator to assist developers to understand their DC obligation under the Policy in response to these submissions

Trend 7: Exemption or remission for non-profit and charitable organisations

1 submitter has requested exemptions or remissions for these organisations. Unfortunately, exemptions must be consulted on before they can be included into the Policy. Where Council wishes to advance strategic community objectives, such as supporting non-profit or charitable initiatives, these can and should be achieved through distinct, transparent mechanisms (e.g., offsetting or direct grants or partnership agreements) rather than through difficult to measure remissions of DCs. (Part D, Clause 25.1.b) Staff recommendation Council staff recommend no changes to the draft Policy.

The report recommends that no changes be made to the draft Policy in response to submissions made on this theme.

Options

Option	Advantages	Disadvantages
1. Status quo (Keep the Development Contributions Policy 2015)	• No additional resource commitment or change.	• Does not align with Councils previous decisions • Growth infrastructure will continue to be paid by ratepayers • Will not be seen as a good use of Council resources.
2. Adopt the amended Policy in Attachment 2 (Recommended option)	• Is supported by most of the submissions received during consultation • Is more equitable that considers intergenerational fairness • Provides the District with a more sustainable funding mechanism • Aligns with Council's strategic documents, objectives and directions • Provides DC revenue certainty for Council's future financial forecasting • Provides strong indicators to developers and ratepayers • Aligns with Councils previous decisions.	• Does not remedy all of submitters concerns raised during consultation • Could result in a loss of DC revenue.
3. Make further amendments to the Policy	• Provides an opportunity to further consider and engage with various submitters to investigate and check achievability of their suggestions.	• Will delay collection of DCs • Potential confusion and uncertainty for staff, public, and stakeholders • Risk of misaligning related programmes and funding across Council's decisions.

Staff recommend Option 2 – Adopt the amended Policy in Attachment 2.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The recommendation is option 2 because it reflects clear support from submitters, demonstrating public confidence in the Policy's fairness and its capacity to distribute growth infrastructure costs more appropriately between developers and ratepayers.

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

Adopting the Utu Whakawhanake Development Contributions Policy 2025 will create a new revenue for the Far North District Council through development contribution fees, with minimal additional costs due to existing operational capacity and budget provisions. Initial and ongoing costs are already covered, due to current systems and operational capacity.

Any future resource needs, such as an online calculator or increased staffing, will be considered through the Annual Plan process.

Overall, the Policy is fiscally responsible, operationally feasible, and will align with Council's strategic financial plans, policies and direction.

ĀPITIHANGA / ATTACHMENTS

1. **Attachment 1 Utu Whakawhanake Development Contributions Policy 2025 Analysis of Submissions - A5351484**
2. **Attachment 2 Utu Whakawhanake - Development Contributions Policy 2025 FINAL - A5351488**
3. **Attachment 3 tracked changes Draft Utu Whakawhanake - Development Contributions Policy 2025 - A5351486**

Hōtaka Take Ōkawa / Compliance Schedule:

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

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

He Take Ōkawa / Compliance Requirement	**Aromatawai Kaimahi / Staff Assessment**
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The Policy has been assessed under the Significance and Engagement Policy as Medium significance. Public consultation is considered appropriate to inform Council's decision making. It has been through a section 83 public consultation process.
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 FN 2100 Te Pae Tata – Three Year Long Term Plan 2024-2027 Infrastructure Strategy Te Pātukurea – Kerikeri Waipapa Spatial Plan Financial policies of Council.
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, so the views of 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.	Seeking the views and input of Hapū/Iwi in the development of policy is integral, and Māori have been given an opportunity to contribute during the consultation stage of the draft Utu Whakawhanake – Development Contributions Policy 2025 proposal.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Interested and affected parties include but are not limited to developers and ratepayers.
State the financial implications and where budgetary provisions have been made to support this decision.	From relevant Policy implementation team budgets. LTP.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Te Kaunihera o Te Hiku o te Ika
Far North District Council

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Analysis of Submissions

Utu Whakawhanke Development Contributions Policy 2025

August 2025

1 Background

Under section 102 of the Local Government Act 2002 (LGA02) Council must have and adopt a policy on development contributions.

On 14 November 2024 (resolution 2024/158 refers), following a review of the Development Contributions Policy 2015, the governing body of Council resolved that the Development Contributions Policy had been reviewed and that a new policy be made.

On 31 July 2025 (resolution 2025/94 refers), Council approved the Statement of Proposal for the draft Utu Whakawhanake Development Contributions Policy (Policy) for public consultation. Adoption of the new Policy must be made in accordance with the consultation procedure set out under section 82 of the LGA, however, due to the significance of the decision, Council decided to follow the section 83 LGA consultation process.

The period during which people could make submissions was 1 August to 31 August 2025. A total of 257 written submissions were received, 231 online and 26 via email. 2 verbal submissions were requested; however, they were later cancelled due to availability.

This report analyses the submissions and makes recommendations for amendments to the draft Policy, if necessary. 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

The online consultation asked submitters the following question: "Do you support the draft Development Contributions – Utu Whakawhanake Policy?
Submitters were provided with the following options, and the ability to tell Council why they chose that option:

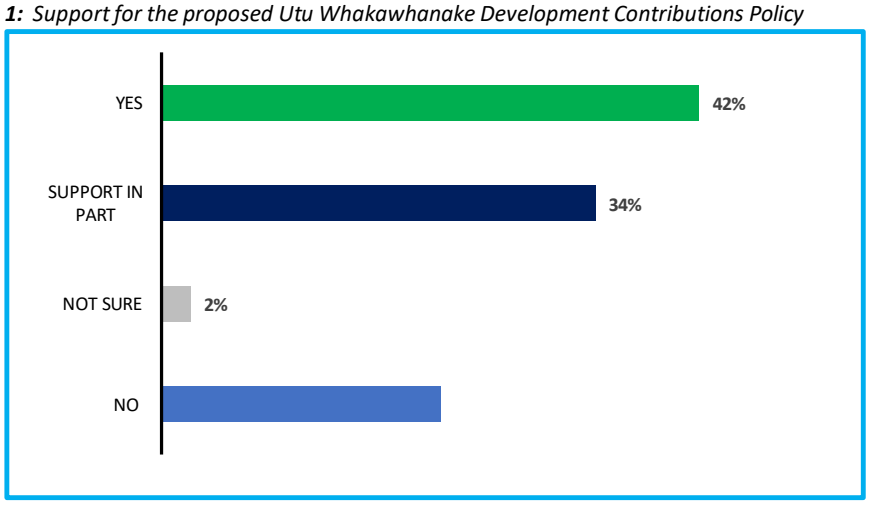
- Yes
- In part (you support some, but not all of the clauses)
- No; and
- Not sure

Submissions received by Council from the submissions@fndc email provided submitters the ability to attach their submissions and discuss their feedback in detail.

257 written submissions were received, with 231 received online and 26 via email.

108 responses answered "Yes" that they supported the draft Policy, 56 replied No they did not support the draft Policy, with 87 respondents supporting "In part" and 6 submitters selecting the "Not sure" option.

Figure 1: *Support for the proposed Utu Whakawhanake Development Contributions Policy*



Base: 257 submissions

3 General feedback

The consultation on the draft Utu Whakawhanake Development Contributions Policy 2025 drew a high calibre of written submissions with respondents split across themes of support, opposition, requests for more targeted application, concerns about affordability, legal questions, and calls for improved transparency and process.

This report presents the major themes, the analysis of each, and makes recommendations identifying where the draft Policy amendments occur if necessary.

3.1 Support for development contributions as Fair

Submissions received

Support for development contributions as a fair mechanism is strongly reflected across submissions, with 142 respondents emphasising that developers should bear the primary responsibility for funding the growth-related infrastructure their projects necessitate, rather than existing ratepayers.

Staff analysis

Submitters argue that charging development contributions alleviates pressure on general rates, fairly apportions the costs to those generating additional demand, and supports sustainable infrastructure planning for current and future generations.

"Because rates are already spiralling and existing infrastructure is already at full capacity." – Submitter 46

"I believe that the council has been burdening rate payers for the past 11 years by effectively subsidising developers/ developments in the Far North. " – **Submitter 217**

"As a builder myself, I wholeheartedly believe that contributions for new projects, subdivisions, and any development that will add strain on the current infrastructure should be required to pay a contribution." - **Submitter 8**

"The intention to ensure inter generational fairness in the cost of these assets is a worthy endeavour." – **Submitter 51**

They frequently reference practice across other councils as evidence that such an approach is both normal and effective, noting that failure to collect DCs can undermine the long-term resilience and quality of essential services within the district.

"It is general practise throughout other NZ councils to collect contributions from developers" - **Submitter 228**

"There is also an acceptance of development levy being normal practice for funding infrastructure from around the country." – **Submitter 172**

"Council should be seeking the maximum available contributions for all infrastructure requirements… Auckland Council has struggled to finance new infrastructure associated with population growth even with the large rating base they enjoy" – **Submitter 194**

However, some submissions also caution that if DCs are too high, the costs may be passed through to homebuyers, thereby risking affordability and potentially discouraging small-scale or community-led housing developments.

"Development contributions could make such projects unaffordable, especially where housing shortages exist." – **Submitter 99**

"The challenge is to ensure the contribution isn't sufficiently honorous to stifle investment" – **Submitter 23**

"Some councils, including Kapiti Coast, offer remissions to recognize CHPs [Community Housing Providers] to promote affordable and social housing" - **Submitter 256**

While the fundamental principle of 'growth pays for growth' has widespread support from submitters, they highlight the need for the Policy to be balanced with practical considerations for housing supply and equity.

Clause 17.9 of the Policy contains the mechanism for development projects that fall outside of the 'typical developments' such as Community-led housing and 'granny flat' projects.

Clause 30 of the Policy allows for developers or Council to initiate entering into a developer agreement if Council considers it to be "in the best interests of all parties". (clause 30.3)

Staff recommendation
Council staff recommend no changes to the draft Policy in response to these submissions.

3.2 Opposition due to increased costs and development deterrent

Submissions received
66 submitters highlight concerns that DCs will increase housing, business, and development costs, with fears that this will further dampen an already 'soft' building growth market in the Far North. Specifics include potential reductions in overall supply, cost burdens for first-home or family developers, regional competitiveness, and equity impacts for rural dwellers receiving limited services.

"this levy risks halting growth entirely… this added cost will instead push development away" – **Submitter 229**

They assert that while the Policy intends to shift infrastructure costs away from existing ratepayers, it risks increasing the costs for new homes, businesses, and small-scale developments at a time when growth in the District is already decreasing.

"Growth has currently slowed, implementing this policy at this time will likely result in suppressing growth, driving developers to other areas…" – **Submitter 221**

"Introducing a contributions Levy for developments in Far North communities that are already facing a struggling economy, and near halted local development, would exacerbate existing challenges and hinder recovery." – **Submitter 112**

With DCs layered on top of high building costs, rates, and other regulatory fees, there is a real concern that housing supply (particularly affordable options or family led projects) will contract further, potentially pricing out first-home builders and suppressing private investment.

"Making development contributions just make housing less affordable in the Far North more expense means less options and strain on our existing housing market." – **Submitter 112**

52 of the 66 submitters recommended a range of mitigations to address the concerns raised about increased costs and development deterrent including:

- **exemptions or reductions -** for small-scale developments, family / affordable / social / papakāinga housing developments, and community housing providers , minor renovations, granny flats, or single homes built for family occupation (26 submitters),
- **transitional or staged implementation of charges** – to avoid sudden financial shocks to projects already underway. (2 submitters),
- **targeted charges for commercial and higher impact vs. residential** – restrict DCs to profit-driven or large commercial developments whilst exempting community-led or owner occupied housing (12 submitters),
- **reductions/offsets for developers who have already built infrastructure** (1 submitter),
- **removal or reduction of other council charges** - such as consents, engineering reports, inspector fees (1 submitter).
- **Delay commencement of the Policy** – would like Council to consider the current economic conditions before commencing the Policy. (7 Submitters)
- **Council efficiency and budget discipline** - reduce Council spending on non-infrastructure or 'vanity' projects and improve management to minimise the need for further revenue collection. (3 Submitters)

Staff analysis
Council staff have analysed the submitter recommendations.
The following are outside the scope of this Policy:

- **Removal or reduction of other Council charges** – these matters are dealt with through the Nga Utu Fees and Charges Policy of Council.
- **Council efficiency and budget discipline –** Annual Plan and Long Term Plan auditing
- **Transitional or staged implementation of charges** – would not meet the requirements of the LGA and would not be equitable for future developers.
- **targeted charges for commercial and higher impact vs. residential** – cannot be dealt with at this time. Exemptions must be consulted on before they can be included into the Policy.

Exemptions or reductions: Clause 17.8.b.ii. considers the lower impact that granny flats, or minor renovations by enabling up to 60% reduction in the DC charge. Clause 17.9 of the Policy provides the special assessment which can be used to provide for community housing providers. Minor renovations such as adding another toilet to an existing home will not require a development contribution, however, if the renovation is part of a broader development that creates a new standalone or attached residential unit for separate occupation it may.

Reductions/offsets for developers who have already built infrastructure: The Policy is not retrospective, meaning that DCs cannot be backdated. The Policy at the time of your development is the Policy that will apply. If Council has entered into a Development Agreement prior to this Policy coming into effect, then it will be honoured on the terms of that agreement.

Delay commencement of the Policy: Council can delay the commencement date of the Policy at the time of adoption. This matter is further dealt with at 3.5 of this report.

Staff recommendation
Staff recommend no changes to the proposed Policy in response to these submissions.

3.3 Exemptions for Māori land and papakāinga developments

Submissions received
21 submitters explicitly support, with 31 strongly opposing the exemptions for Māori land.

> *"The enabling of enhanced use of Māori land for residential housing is to be encouraged" – Submitter 51*

> *"Agree with development contributions for ALL NZers, dont agree that Maori land owners should be able to access all the facilities yet not have to pay any fees. How is this not RACIST…" – Submitter 90*

The proposed exemptions for Māori land and papakāinga developments in the Policy has generated a divided response from the submitters.

Supporters see the exemption as vital for advancing Māori housing aspirations, arguing that it corrects historic injustices and acknowledges the extra barriers Māori face to build houses on Māori Land. The exemption is viewed as a pragmatic mechanism, focusing exclusively on the legal status of Māori land rather than ethnicity, and is seen as a crucial enabler of housing and papakāinga solutions, that directly support intergenerational wellbeing.

Opposition is just as strong and largely grounded in a perception among submitters that the exemption is inherently inequitable or introduces "race-based" discrimination. Three submitters argued that exempting Māori land but no other land from DCs could undermine principles of fairness and risk sowing community division. Other submitters warn that unless the Policy's rationale is clearly stated and strictly anchored in the legal status of land, rather than ethnicity, it may be vulnerable to public challenge or claims of inconsistency with the New Zealand Bill of Rights Act 1990.

There is further concern that such exemptions shift greater costs onto remaining developers and could reduce public confidence in the Policy's fairness, by the exemption not considering the accumulative effects of multiple housing and papakāinga developments. Three submitters (250, 251 and 256) recommended that residential and papakāinga developments receive a 50% remission to ensure that the Policy is more fairly applied to all developments and reflects "growth pays for growth".

> *"While it is laudable that the draft policy supports Māori land development, a 0% DC charge may disproportionately shift infrastructure costs onto other developers… Replace the full exemption with a 50% remission…"* **Submitters 250, 251 and 256**

The Council has exercised its discretionary decision-making powers to exempt residential housing and papakāinga developments exclusively on Māori land from development contributions. In reaching this decision, Council has taken into consideration its broader statutory obligations and its key strategic documents, including Te Pae Tata – Three Year Long Term Plan, the Infrastructure Strategy, Far North 2100, and Te Pātukurea – Kerikeri Waipapa Spatial Plan. Council is satisfied that the exemption is consistent with sections 4, 10, 14, 101 and 102 of the LGA (see table in clause 33), and that this decision aligns with its strategic direction and supports the principles of the Preamble to Te Ture Whenua Maori Act 1993. This approach acknowledges and responds to the historic and ongoing legal, regulatory, and practical barriers to development of Māori land titles—barriers that do not exist for general land.

This exemption applies solely to residential development on Māori land as defined by the Te Ture Whenua Maori Act 1993 and is based on the legal status of the land. Commercial or industrial activities or developments on Māori land are not exempt and will be assessed for development contributions in accordance

with the general provisions of this Policy. This ensures that the exemption is legally robust (aligned with s102(3A) LGA) and maintains fairness by not extending to developments for commercial profit, regardless of landowner ethnicity or entity.

The exemption provides certainty, transparency, and equity by clearly delimiting its scope to support Māori housing aspirations as outlined in central and local government priorities. It also explicitly excludes non-residential activities, providing assurance to all landowners and the wider community that the policy is consistent with statutory principles.

Staff analysis
Legally, the exemption is supported if it explicitly applies to Māori land as defined under the Te Ture Whenua Maori Act 1993 and is grounded in the unique legal and regulatory characteristics of that land, (land under the jurisdiction of Te Kooti Whenua Māori / Māori Land Court. This distinction is already acknowledged in the Policy. Commercial and industrial developments on Māori land remain subject to contributions, and the exemption is strictly for residential activity.

To enhance public understanding and mitigate risk of legal and reputational challenge, it is recommended to more clearly articulate in **Part F, Clause 32.2** and **Part G, Clause 34.4** that the exemption is land-status-based, a legal requirement, and reflective of statutory principles. This clarification should reassure the community that the policy is both fair and robust, serving legislative intent and local priorities.

Staff recommendation
Council staff recommend the following changes to the proposed Policy in response to these submissions.

Rewrite Part F, Clause 32.3
~~Section 102(3A) of the LGA requires this Policy to support the Preamble of the Te Ture Whenua Maori Act 1993. To give that support Council has determined that Papakāinga developments and housing developments on Māori land, are exempt from development contributions. Commercial or Industrial developments on Māori land are not. Council's rationale for this decision is explained in clause 33.3.~~

This exemption applies exclusively to residential development on Māori land, as defined by the Te Ture Whenua Maori Act and is based the legal status of land, in line with statutory requirements and Council's strategic principles. Commercial and industrial activities are not exempt.

Amend Part G, Clause 34.4.
The Council has exercised its discretionary decision-making powers to exempt residential housing and papakāinga developments exclusively on Māori land from development contributions. In reaching this decision, Council has taken into consideration its broader statutory obligations and its key strategic documents, including Te Pae Tata – Three Year Long Term Plan, the Infrastructure Strategy, Far North 2100, and Te Pātukurea – Kerikeri Waipapa Spatial Plan. Council is satisfied that the exemption is consistent with sections 4, 10, 14, 101 and 102 of the LGA (see table in clause 33), and that this decision aligns with its strategic direction and supports the principles of the Preamble to Te Ture Whenua Maori Act 1993. This approach acknowledges and responds to the historic and ongoing legal, regulatory, and practical barriers of development on Māori land titles – barriers that do not exist for general land. ~~and provides this Policy with certainty, predictability, and transparency.~~

This exemption applies solely to residential development on Māori land as defined by the ~~It is important to emphasise that this exemption is not based on the ethnicity of landowners. Rather, it arises from the distinct legal status and tenure of Māori land as established under~~ Te Ture Whenua Maori Act 1993, and is based on the legal status of the land. ~~The exemption acknowledges the historical and ongoing legal and procedural barriers to the development of Māori land titles, challenges that are not encountered by general land titles which are not administered by Te Kooti Whenua Māori - Māori Land Court.Furthermore, the exemption provides certainty,~~

~~transparency, and equity by limiting its application exclusively to housing developments on Māori land.~~
Commercial or ~~and~~ industrial activities or non-housing developments on Māori land are not exempt and will be assessed ~~subject to a~~ for development contributions ~~assessment~~, in accordance with the provisions of this Policy. This ensures that the exemption is legally robust (aligned with s102(3A) LGA) and maintains fairness by not extending to developments for profit.

The exemption provides certainty, transparency, and equity by clearly limiting its scope to support Māori housing aspirations as outlined in central and local government priorities. It also explicitly excludes non-residential activities, providing assurance to all landowners and the wider community that the policy is consistent with statutory principles.

3.4 Geographic Equity – spending and catchment ring-fencing

Submissions received

15 submissions request confirmation that DC funds are spent in the area they are collected.

"Nothing in this draft says which area's the money will be spent, will the DC fee's be kept in the areas that they are paid in?" – **Submitter 1**

Staff analysis

Staff acknowledge that submitters are correct and that there is no provision in the Policy that provides certainty. It is recommended that a new provision be included under Part H, under Clause 40.3.c (Catchments) be amended to provide certainty, and build further transparency into the Policy

Staff recommendation

Council staff recommend amending Part H, Clause 40.3.c to the proposed Policy in response to these submissions.

Council has determined to use those catchments detailed in Section 2 of this Policy, having regard to ss101(3) and 197AB, and taking into account a range of considerations, including:

i. the predicted growth within the catchments
ii. the Projects planned within the catchments and who creates the need for, and will benefit from, those Projects
iii. the administrative efficiency of managing assets at a practical level
iv. geographical and technical aspects of Projects
v. Levels of Service
vi. matters of consistency
vii. balancing of practical and administrative efficiencies with fairness and equity
viii. the avoidance of district-wide catchments where practical.

Council will ring-fence development contribution revenues to the catchment in which they are generated, ensuring funds are only spent on infrastructure capital projects for the corresponding service and catchment.

3.5 Transitional and 'grandfathering' assurances and delayed Policy commencement requested

Submissions received

31 submitters spoke about previously paying for development contributions prior to the 2015 Development Contributions Policy and sought assurances that they would not be charged again under the current Development Contributions policy.

7 of the 31 submitters specifically requesting delayed implementation or protection for projects planned before the adoption and commencement of the Policy.

"There needs to be a staged or 'lead in' to implementation as those who have chosen to develop/subdivide a property have done so on the basis that there are no development contributions required." **- Submitter 130**

"…therefore, we request that the date of effect is deferred for six months from the date that a policy is adopted to allow for the completion of existing consent processes." **– Submitter 242**

Staff analysis
Section 198(2A) LGA states that:

"a development contribution must be consistent with the content of the policy adopted under section 102(1) [LGA] that was in force at the time that the application for resource consent, building consent or service connection was submitted, accompanied by all required information."

The Policy as currently written, provides 'credits' under Part B, Clause 18.1 that ensures that persons who have paid in the past are not charged again, unless they have used their credits up or their demand exceeds the capacity of the HUE.

While 'grandfathering' provisions help prevent sudden cost shocks and support project viability for developers and landowners who have relied on the current Development Contributions Policy 2025, they also create potential risks. These include possible revenue loss, increased administrative complexity, and a greater chance for developers to circumvent the system and undermine the Policy's intent. Adopting a simple commencement date avoids these challenges while maintaining fairness and transparency.

Delaying the start date of the Policy has benefits. It not only gives the community clear notice about when the Policy will take effect and offers current developers the opportunity and motivation to submit their applications before the new development contributions fees begin, it also allows Council the opportunity to educate the public create tools that will assist in the Policy's comprehension.

Further analysis of a delayed commencement date considered the broader impact on Council's financial policies under the LGA and the Long Term Plan (LTP).

It was identified that the Revenue and Financing Policy and Financial Strategy (both part of the LTP) must explicitly support the collection of development contributions (DCs) under sections 101A and 103 of the LGA. These amendments can be made but will require Council to consult on the changes to these documents using a special consultation process under section 83 of the LGA.

Staff then considered Policy effectiveness and efficiency within this scope and found that delaying the commencement of the Policy until 1 July 2026 to align with the Annual Plan (AP) review is the most cost effective and efficient option. While a delay may result in some lost revenue, commencing the Policy on 1 July 2026 aligns the Policy with the AP review cycle, allows time for more information and planning in response to central government's development levy regime, the Waters CCO, helps address the concerns such as 'cost shock' and provides time to educate the public about DCs.

Staff Recommendation:
Council staff recommend delaying commencement of the proposed Policy to **1 July 2026** in response to submissions and this analysis.

3.6 Clarity of Policy Wording and Calculations

Submissions received
19 submitters directly referenced policy wording, ease of understanding, need for examples and or an online calculator to improve Policy clarity, and public comprehension.

"include clear, real-world examples to help the general public understand how Development Contributions work — including scenarios for properties created before and after the policy introduction, when credits apply, and when additional DCs will be charged." - **Submitter 193**

"Still reading and trying to understand it and what it could mean to future projects and land development." - **Submitter 222**

"the documents appear too wordy and open to differences of opinion and discretionary interpretation, making them costly and time consuming to deal with. You should have a calculator for fees. Creating this calculator will help to clarify the priorities." – **Submitter 43**

Some feedback revealed limited understanding of the Policy, with respondents referring to Council functions outside of the Policy scope, such as Resource Management Act 1991 matters (Submitter 254 asked that SNAs be considered in lieu of cash DCs) and other Council Policies (Submitter 256 suggested a separate remissions policy for Māori land).

Staff analysis
Council staff acknowledge the concerns raised by submitters who found the Policy overly lengthy and difficult to interpret. While the statutory requirements necessitate a high level of detail and technical content, introducing an online calculator, as suggested by submitters and in use by other councils, along with practical scenario examples would address most of the accessibility and comprehension challenges identified in the feedback.

Staff recommendation
Council staff recommend no changes to the proposed Policy but does recommend Council investing in an online calculator to assist developers to understand their DC obligation under the Policy in response to these submissions.

3.7 Exemption or remission for non-profit and charitable organisations

1 submitter has requested that Council consider developments by non-profit and charitable organisations for exemptions or remission, due to the level of community benefit they provide.

Staff analysis
Council staff acknowledge the benefits that non-profit and charitable organisations provide to their communities and the District as a whole. Unfortunately, exemptions must be consulted on before they can be included into the Policy.

Where Council wishes to advance strategic community objectives, such as supporting non-profit or charitable initiatives, these can and should be achieved through distinct, transparent mechanisms (e.g., offsetting or direct grants or partnership agreements) rather than through difficult to measure remissions of DCs. (Part D, Clause 25.1.b)

Staff recommendation
Council staff recommend no changes to the proposed Policy in response to this submission.

APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED

Submitter ID	Organisation
1	Individual submission
2	Individual submission
3	Individual submission
4	Individual submission
5	Individual submission
6	Individual submission
7	Tātou Tātou
8	Individual submission
9	Individual submission
10	Individual submission
11	Individual submission
12	Individual submission
13	Individual submission
14	Individual submission
15	Doubtless Bay Business Association
16	Individual submission
17	Individual submission
18	Key Conveyancing
19	Individual submission
20	Palmer Macauley
21	Individual submission
22	Individual submission
23	FN Hospice, Te Hiku Education Trust, Friends of Rangikapiti
24	Site Scope Limited
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
34	Glenrob Farms
35	Individual submission
36	Individual submission
37	Individual submission
38	Individual submission
39	Individual submission
40	Individual submission

41	Individual submission
42	Individual submission
43	Individual submission
44	Individual submission
45	Individual submission
46	Te Wānanga o Te Rangi Aniwaniwa
47	Individual submission
48	Individual submission
49	Individual submission
50	Individual submission
51	Individual submission
52	Individual submission
53	Individual submission
54	Individual submission
55	Lifeco-psychology
56	Individual submission
57	Individual submission
58	Individual submission
59	Individual submission
60	Individual submission
61	Individual submission
62	Individual submission
63	Individual submission
64	Individual submission
65	Individual submission
66	Individual submission
67	Individual submission
68	Individual submission
69	Individual submission
70	Mark Cavanagh
71	Individual submission
72	Individual submission
73	Individual submission
74	Individual submission
75	Individual submission
76	Offshore Cruising Tenders
77	Individual submission
78	Barfoot & Thompson
79	Individual submission
80	Individual submission
81	Individual submission
82	Individual submission
83	Individual submission
84	Individual submission
85	Individual submission

86	Individual submission
87	Individual submission
88	Individual submission
89	Individual submission
90	Dikela Holdings Ltd
91	Hihi Beach TOP 10 Holiday Park
92	Individual submission
93	Individual submission
94	Individual submission
95	Individual submission
96	Individual submission
97	Individual submission
98	Individual submission
99	Sylvia Nugent
100	Individual submission
101	Individual submission
102	Individual submission
103	Farmer
104	Individual submission
105	Individual submission
106	Top Energy
107	Individual submission
108	Individual submission
109	Individual submission
110	Scrumptious Fruit
111	Individual submission
112	Individual submission
113	Individual submission
114	Individual submission
115	Individual submission
116	Individual submission
117	Individual submission
118	Individual submission
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120	Individual submission
121	Individual submission
122	Individual submission
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124	Individual submission
125	Individual submission
126	Individual submission
127	Individual submission
128	Individual submission
129	Barfoot & Thompson
130	Individual submission

131	Individual submission
132	Individual submission
133	Individual submission
134	Individual submission
135	Individual submission
136	Individual submission
137	Individual submission
138	Tiaora Hakaraia Ahu Whenua Trust (Rawhiti rohe Ipipiri jewel of the Crown)
139	Russell Protection Society
140	Individual submission
141	Individual submission
142	Individual submission
143	Individual submission
145	Individual submission
146	Individual submission
147	Individual submission
148	Individual submission
149	Individual submission
150	Individual submission
151	Individual submission
152	Quantum Electrical and Automation
153	Individual submission
154	Individual submission
155	Individual submission
156	Individual submission
157	Lifeco-psychology
158	Individual submission
159	Individual submission
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162	Individual submission
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165	Individual submission
166	Individual submission
167	Lucklaw Farms Ltd
168	Individual submission
169	Individual submission
170	Individual submission
171	Individual submission
172	Northland Experiences
173	Friends of Russell Customhouse FoRC
174	IDE 2016 Ltd
175	Individual submission

176	Individual submission
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195	Te Kōtiu
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201	Individual submission
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203	Individual submission
204	The Planning Collective
205	Individual submission
206	Individual submission
207	Individual submission
208	Individual submission
209	Individual submission
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218	Individual submission
219	Individual submission
220	Individual submission

221	Individual submission
222	Henare Whanau Trust
223	Henare Whanau Trust
224	Individual submission
225	Individual submission
226	Ngati Korokoro Hapu: Ngati Korokoro Hapu Trust
227	Individual submission
228	Individual submission
229	Individual submission
230	Individual submission
231	Individual submission
232	Individual submission
233	Individual submission
234	Kericrest Properties Ltd, Site Managers Ltd
235	Kiwi Fresh Co Ltd
236	Individual submission
237	Individual submission
238	Individual submission
239	Individual submission
240	Thomson Survey Ltd
241	Thomson Survey Ltd
242	Survey & Planning Solutions (2010) Ltd, T/A Williams & King
243	Individual submission
244	Individual submission
245	Individual submission
246	Individual submission
247	Survey & Planning Solutions (2010) Ltd, T/A Williams & King
248	Individual submission
249	Individual submission
250	Vision Kerikeri
251	Carbon Neutral NZ Trust
252	Individual submission
253	Individual submission
254	Bay of Islands Maritime Park Inc.
255	Eastern Bay of Islands Preservation Society
256	Kerikeri Community Charitable Trust
257	Pou Herenga Tai Twin Coast Cycle Trail

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Utu Whakawhanake- Development Contributions Policy (Draft)

The Far North District Council
Resolution in Council 25 September 2025
Under section 102(1) of the Local Government Act 2002 the Far North District Council adopted the following policy about Development Contributions.

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Introduction to the Policy

How to read this Policy

This Development Contributions Policy document contains the following key elements:

- The 'operational' part of the Development Contributions Policy (Policy) – the 'what', 'when', and 'how much' for assessing and calculating development contributions.
- Related information, relevant provisions of the Local Government Act 2002 (LGA), or examples that assist the reader or user of the Policy to understand how it is applied and used on a day-to-day basis.
- Council's chosen policy direction. These are the elements of the Policy that Council can determine, but which must be aligned with the legislative requirements.

About this policy

The LGA requires Territorial Authorities to have a policy on development contributions or financial contributions. A territorial authority may only charge and collect development contributions from developers as provided for in a development contributions policy.

Development contributions are charges levied by councils on developments that create additional demand for infrastructure within their districts. These contributions help fund the provision of new or expanded infrastructure – such as reserves, roads, water supply, wastewater, stormwater drainage, and community facilities – required to service growth. This includes the demand generated by new subdivisions, buildings, or changes in land use that require resource consent, or building consent (e.g., converting a residential property into a commercial one).

Development contributions ensure the cost of growth-related infrastructure is shared fairly by those who create the need for, or benefit from, that infrastructure – rather than falling disproportionately on existing ratepayers.

In 2003, Council introduced a Development Contributions Policy to assist with the funding needed to support the growth of the District. In 2014 this policy was amended to stop charging development contributions, due a period of slowed growth, partly influenced by the global financial crisis.

The Far North District is experiencing sustained growth. In response, Council must plan and invest in infrastructure in a prudent, effective, and timely manner to meet current and future needs.

To support this, Council has adopted a new Development Contributions Policy as a tool to recover a portion of the capital costs associated with growth. Development contributions represent a critical funding source to help ensure that key infrastructure can be delivered as the District continues to grow.

This Policy sets out the framework for how and when development contributions will be required.

Related Information
The LGA provides the statutory framework and policy content requirements for a development contributions policy and Council has developed the Council Policy in accordance with these requirements.
This document is detailed in nature so that it meets all the legal requirements set out in the LGA. It provides clear, transparent information for people undertaking development (as per the LGA definition) to understand how development contribution fees are calculated and invoiced as well as what their development contribution payments are being used for.

The Policy

Part A: Preliminary Provisions

1. Title

1.1. This policy is the Far North District Council Utu Whakawhanake – Development Contributions Policy.

1.2. This Policy is made pursuant to ss 102(1) and 102(2)(d) of the LGA.

2. Commencement

2.1. This policy comes into force on 1 July 2026.

3. Application

3.1. This policy applies to the district of the Far North District Council.

4. Purpose s197AA

4.1. The purpose of the Policy is to enable Council to recover from persons undertaking development a fair, equitable and proportionate portion of the costs of capital expenditure necessary to service growth within the Far North District.

5. Policy objectives s197AB

The objectives of this Policy are to:

5.1. Clearly state what development contributions fees will be charged by Council, and in what circumstances, to provide certainty for developers and the community.

5.2. Ensure that those undertaking development contribute fairly to the funding of infrastructure and facilities to service growth.

5.3. Provide development contributions revenue as part of the overall funding mix for infrastructure and facilities to support new development, while ensuring that only a fair and equitable portion of capital expenditure is recovered.

5.4. Provide transparency about how development contribution fees are calculated, including the underlying methodology and assumptions.

5.5. Promote fairness, transparency and sustainability in the application of development contributions, and support Council's broader responsibility to promote the social, economic, environmental and cultural well-being of its communities now and into the future.

6. Date of effect s198(2A)

6.1. This Policy applies to any building consent or resource consent application or request for authorisation for a service connection submitted, with all required information, on or after 1 July 2026.

6.2. Applications or requests submitted (accompanied by all required information) before 1 July 2026 even if **granted** on or after that date, will not be subject to this Policy.

7. Statutory Context

This Policy has been prepared and adopted in accordance with the relevant provisions of the LGA in particular:

7.1. Section 102(2)(d), which is the requirement for Council to have a policy on development contributions or financial contributions;

7.2. Section 106, which sets out the matters that must be included in a development contributions policy;

7.3. Section 102(4)(b), which allows Council to adopt and amend the Policy at any time after consulting in a manner that gives effect to s82;

7.4. Section 201A(5), which allows Council to make changes to the Schedule of Assets for which development contributions will be used at any time without consultation subject to those changes meeting the necessary legislative requirements;

7.5. Sections 197-199, which provide for a territorial authority to require development contributions;

7.6. Section 201, which sets out the required content of a Development Contributions Policy;

7.7. Sections 197AA and 197AB, which outline the purpose and principles for development contributions;

7.8. Section 201A(1) sets out the matters that must be included in the required Schedule of Assets contained in the development contributions policy.

7.9. Schedule 13, which sets out the methodology for calculating contributions

7.10. Under the LGA, development contributions are a funding tool that allows territorial authorities to recover a fair and proportionate share of capital expenditure necessary to service growth. They are intended to ensure that those who create demand for infrastructure contribute to the cost of providing it.

7.11. This Policy must be adopted in accordance with the special consultative procedure under s83 of the LGA. Once adopted, the Policy forms part of Council's broader financial and infrastructure planning framework, including the LTP and any infrastructure strategy.

8. Policy Review

ss82m 106, 201A(5)

8.1. The Policy must be reviewed at least every three years. A review of the Policy must include consultation that gives effect to the requirements of s82 of the LGA (LTP). Usually, Council undertakes a review of the Policy in conjunction with the review of the Long -Term Plan (LTP), however amendments to the Policy between LTP cycles can also occur if required. These amendments must also be consulted on.

8.2. Council may make changes to the Schedules of Assets in Section 1 of this Policy without consultation, subject to those changes meeting the necessary legislative requirements.

8.3. There is also provision in s106(2B) and (2C) of the LGA for Council to increase the development contributions payable in relation to changes in the Producer Price Index (PPI). No consultation is required but the details of the increase must be made publicly available before it takes effect.

9. Supporting documentation s106(3)

9.1. Council is required under s106(3) of the LGA to make available for public inspection the full methodology that demonstrates how the calculations for development contributions charges are made.

9.2. The Cost Allocation Methodology summarised in clause 45 of the Policy is available for public inspection at all Council offices.

9.3. A viewing of the full methodology as stipulated in s106(3) of the LGA can be arranged on request.

10. Financial Contributions s106(2)

10.1. Council's ability to collect financial contributions is enabled by the RMA 1991 and supported by the LGA. While financial contributions are imposed through conditions on resource consents under the RMA (s108), the LGA (s102(2)(d)) requires that any Council intending to use financial contributions must adopt a Financial Contributions policy as part of its wider suite of funding and financial policies.

10.2. The District Plan sets out the specific purposes and circumstances under which financial contributions may be imposed as a condition of a resource consent. These typically relate to avoiding, remedying, or mitigating the adverse effect of development on the environment and existing infrastructure. Financial contributions may be required in the form of money or land and are generally applied where the impacts of a development cannot be appropriately addressed through other regulatory or funding mechanisms.

10.3. Examples of where financial contributions may apply include upgrades to roads, water supply, stormwater infrastructure, or the provision of reserves. Where explicitly provided for in the District Plan, they may also apply to the provision or enhancement of community facilities such as libraries, community halls, where those assets are directly impacted by new development.

Interpretation

11. Abbreviations

11.1. The following abbreviations mean the following:

CAM	Cost Allocation Methodology
GAC	Growth Attributable Cost
GFA	Gross Floor Area Gross Floor Area
GST	Goods and Services Tax
HUE	Household Unit Equivalent
IS	Infrastructure Strategy
LGA	Local Government Act 2002.
LOT	Allotment
LTP	Te Pae Tata – Three Year Long Term Plan.
RMA	Resource Management Act 1991.
's' or 'ss'	means the relevant section(s) of the LGA, unless otherwise stated. (i.e., section 106 or s106; sections 199A-199P or ss199A-199P).
'sch'	Means the relevant schedule of the LGA.
VMPD	Vehicle movements per day

12. Glossary of terms

12.1. The definitions below apply for the purposes of this Policy.

Accommodation units	Has the same meaning as defined in s197 of the LGA and means units, apartments, rooms in 1 or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation.
Activity	For the purposes of this Policy means a grouping of the Council services, facilities and amenities as listed in Part B, clause 14 of this Policy.
Aged care room	Means any dwelling unit in a 'rest home' or 'hospital care institution' as defined in s58(4) of the Health and Disability Services (Safety) Act 2001

Allotment	Has the same meaning as defined in s218(2) of the RMA as: (a) any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not - (i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or (ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or (b) any parcel of land or building or part of a building that is shown or identified separately (i) on a survey plan; or (ii) on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or (c) any unit on a unit plan; or (d) any parcel of land not subject to the Land Transfer Act 2017.
Ancillary activity	Means an activity that supports and is subsidiary to a primary activity
Average	For the purposes of this Policy refers to a calculated mean value used to distribute the total cost of growth-related infrastructure across units of demand (e.g., per dwelling, per lot, per Household Unit Equivalent), to ensure a fair and consistent basis for development contributions.
Average household	An Average Household represents the average demand for Council services generated by a typical detached Dwelling Unity occupied by a single household. For this Policy means the occupancy rate of 2.6 people.
Base units	The demand of an average dwelling unit for each Activity
Capital expenditure	Has the same meaning as defined in s197 of the LGA and includes any funding provided by the responsible levy authority to contribute to the constriction costs of eligible infrastructure that has been, or intended to be, transferred to the authority under s90 of the Infrastructure Funding and Financing Act 2020.
Catchment	A separately defined area of the District, defined by Activity and location for funding purposes
Commercial activity	Any activity trading in goods, equipment or services. It includes any ancillary activity to commercial activity (for example administrative or head offices).
Commercial accommodation	Units, apartments, rooms in 1 or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation
Community activities	Land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. This is used in Tables 1 to 4.
Community facilities	Has the same meaning as defined in s197(2) of the LGA and means reserves, network infrastructure, or community infrastructure for which

	development contributions may be required in accordance with s199 of the LGA.
Community infrastructure	Has the same meaning as defined in s197(2) of the LGA as: (a) means land, or development assets on land, owned or controlled by the territorial authority for the purpose of providing public amenities; and (b) includes land that the territorial authority will acquire for that purpose
Cost allocation	The allocation of the capital costs of a project to the various drivers for the project, such as renewal, level of service and additional capacity to meet growth.
Cost allocation methodology	Means the framework that determines how the costs of projects are split between existing and new users, based on the causes of demand and distribution of benefits. It ensures that contributions are calculated in a fair, transparent, and legally compliant matter.
Council	Means the Far North District Council and includes staff acting in accordance with delegated authority.
Credits	Means a credit to be applied to a development contribution assessment under clause 18 of this Policy.
Crown	Includes all government departments, Ministries, and Crown entities (e.g., Kāinga Ora) undertaking development for public purposes to which s8 of the LGA applies.
Developer	A person, who is an applicant for a resource consent or certificate under the RMA or building consent or certificate under the Building Act 2004, or a request for service connection authorisation.
Development	Has the same meaning defined in s197(1) of the LGA: a) any subdivision, building (as defined in s8 of the Building Act 2004), land use, or work that generates a demand for reserves, network infrastructure, or community infrastructure; but b) does not include the pipes or lines of a network utility operator
Development agreement	Has the same meaning as defined in s197(2) of the LGA: a voluntary contractual agreement made under ss207A to 207F of the LGA between 1 or more developers and 1 or more territorial authorities for the provision, supply, or exchange of infrastructure, land, or money to provide network infrastructure, community infrastructure, or reserves in 1 or more districts or a part of a district
Development contribution	Has the same meaning as defined in s197(2) of the LGA and means a contribution- (1) provided for in a development contribution policy of a territorial authority; and (2) calculated in accordance with the methodology; and (3) comprising— (i) money; or (ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Māori land

	within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or (iii) both
Development contributions objection	Has the same meaning as defined in s197(2) of the LGA: an objection lodged under sch13A, clause 1, LGA against a requirement to make a development contribution
Development contributions commissioner	Has the same meaning as defined in s197(2) of the LGA: A person appointed under s199F LGA.
Development contributions policy	Is a formal policy adopted by Council's under the LGA. It sets out how and when the Council will require payments, known as development contributions, from developers or those undertaking new developments.
Depreciation	The wearing out, consumption or other loss of value of an asset whether arising from use, passing of time or obsolescence through technological and market changes. It is accounted for by the allocation of the cost (or re-valued amount) of the asset less its residual value over its useful life.
District plan	Far North District Council Operative District Plan
Dwelling unit	For the purposes of this Policy, a Dwelling Unit means any building, group of buildings, or part of a building that is used or designed to be used as a self-contained residential space. A Dwelling Unit must include, within its exclusive occupancy, facilities for sleeping, cooking, bathing, and toilet use. A Dwelling Unity may be part of a larger building (such as an apartment or granny flat) or stand-alone building (such as a detached house). (Non-exclusive self-contained residential space for one household.)
Financial contributions	Has the same meaning as defined in s108(9) of the RMA and is a contribution of money, land, works, services or combination of these. Financial contributions are used to offset or mitigate the adverse impacts on the natural and physical environment including utility services, of a new development.
First principle basis	The basis on which non-residential development contribution assessments can be made when the Tables 1 to 4 within the Policy are not sufficiently accurate. Where possible the actual (potential) demand a commercial development will place on infrastructure will be established using reports from suitably qualified persons.
Freight and distribution	Land use and the associated infrastructure which enables the movement of goods.
Funding model	The model used to ensure an equitable development contributions assessment based on the funding requirements needed to support growth. The primary output of the funding model is a set of development contribution fees, land or both.
Gross floor area	The sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, lift wells or stairwells);

	(a) where there are exterior walls, measured from the exterior faces of those exterior walls (b) where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings (c) where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, measured from the edge of the floor. GFA is measured from the exterior of walls and the centre line of a wall adjoining two or more buildings.
Growth	Means the increase in demand for infrastructure and facilities that arises as a direct result of new development activity, identified for the purpose of determining the share of infrastructure costs to be recovered from new developments through development contributions.
Growth attributable cost	Means the portion of the total capital cost of an infrastructure project that is directly attributable to, and allocated for, meeting the demand generated by growth, as determined using the Council cost allocation methodology. GAC forms the basis for calculating development contributions and excludes costs for renewal or existing service shortfalls.
Growth model	Means the framework or set of projections used by the Council to estimate the scale, timing, location, and type of future development within the district or defined catchments, providing the basis for infrastructure planning and the calculation of development contributions. This information is used to assist in determining 'Household Unit Equivalents' (HUEs).
Goods and services tax	Has the same meaning found in the Goods and Services Tax Act 1985
Health and educational facilities	Buildings or places used for the delivery of education or health services.
Hospitality	Bars, restaurants, cafes and food outlets (including takeaway).
Household unit equivalent	A Household Unit Equivalent (HUE) is a measured unit of demand for Council services, representing the demand generated by a development, expressed as an equivalent to that produced by an average Household Unit. (Demand from any unit, expressed as a fraction/multiple of a Household Unit.)
Infrastructure Strategy	Is the Infrastructure Strategy adopted by Council as part of the LTP.
Industrial activity	An activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity (excludes however retails, commercial and residential Activities).
Large mass buildings	A Large Mass Building is any non-residential building, or part of a building, that has a significant floor area and/or height relative to typical residential or commercial structures. This includes, but is not limited to, warehouses, showrooms, bulk retail outlets, and similar premises

	designed primarily for storage, display, or distribution of goods, rather than residential occupancy. (Large Mass Buildings are differentiated from Dwelling Units and Residential Units by their scale, use and nature of the demand they place on Council infrastructure and services.)
Level of service	The standard of services that Council provides or will provide for each Activity undertaken, as described in applicable measurable terms in the LTP.
Māori land	Māori land is comprised of the following: 1. Freehold Māori land, as determined in Te Ture Whenua Maori Act 1993 2. Crown land reserved for Māori as defined in Te Ture Whenua Maori Act 1993 3. General land owned by Māori that is beneficially owned by more than 5 Māori owners either individually or through a Māori incorporation, Māori Trust Board, Settlement Trust, subsidiary or other similar legally incorporated Māori entity, 4. General land that ceased to be Māori freehold land under Part 1 of the Maori Affairs Amendment Act 1967; and where the land is still beneficially owned by the persons, or by the descendants of the persons, who beneficially owned the land immediately before the land ceased to be Māori land.
Methodology	For the purposes of this Policy refers to the methodology for calculating development contributions set out in clauses 44 to 45 of this Policy.
Network infrastructure	Has the same meaning as defined in s197(2) of the LGA and means: the provision of roads and other transport, water, wastewater, and stormwater collection and management
Network utility operator	Has the same meaning as in s166 of the RMA
New growth / New expenditure	The anticipated growth demand and planned capital costs for the ten-year period covered in the current LTP document.
Non-residential	Any development or part of a development including land and/or buildings that do not fall under the definition of residential.
Objector	Has the same meaning given to it under s197 LGA and means: a person who lodges a development contribution objection.
Papakāinga developments	Means Residential activity undertaken to support traditional Māori cultural living for tangata whenua residing in the Far North District on: a. Māori land; b. Treaty Settlement Land. For clarification Treaty Settlement Land does not include commercial redress land identified in a Treaty Settlement Act.
Part	Means a reference to a part of this Policy.
Person	An individual or a representative of an organisation or group who has applied to the Council for a resource consent or certificate under the

	RMA or building consent or certificate under the Building Act 2004, or a requested for service connection authorisation.
Policy	The Far North District Council Utu Whakawhanake – Development Contributions Policy unless otherwise stated.
Project	Includes planned or completed programmes and projects of capital expenditure intended to deliver defined Levels of Service for that programme or project.
Public storage	Facilities where individuals or business can store belongings.
Resource consent	Has the same meaning given to it under s2(1) of the RMA and includes a change to a condition of a resource consent under s127 of the RMA.
Remissions	For the purposes of this Policy means: a discretionary percentage reduction or waiver of all or part of a development contributions otherwise payable, granted in accordance with the criteria and conditions set out in this Policy.
Renewal	The replacement of an existing asset at the end of its design life with an equivalent asset of the same nature, function and capacity.
Rental accommodation	Means short-term rental for no longer than 90 consecutive days. Rental accommodation for more than 90 consecutive days is considered long term rental accommodation and will be treated as a dwelling unit in alignment with the Residential Tenancy Act 1986.
Reserves/Parks	Land acquired or purchased for a reserve or park, including the cost of providing any improvement/s necessary to enable that land to function for its intended purpose including its purpose under the Reserves Act 1977.
Residential activity	The use of land and building(s) for people's living accommodation, including residential units, serviced apartments and unit/strata title developments.
Residential unit	A Residential Unit is a building used for residential activity exclusively by one household. It must include sleeping, cooking, bathing and toilet facilities. (Exclusive self-contained residential building for one household.)
Retail activity	This means activities selling, exposing, displaying or offering: of goods, merchandise or equipment for sale or direct hire to the public. It includes any ancillary activity to the retain activity (for example administrative or head offices)
Retirement unit or village	Any property, building, or premises with two or more residential units that provide, or are intended to provide, residential accommodation together with services or facilities (or both), predominantly for people in their retirement (and their spouses or partners), where residents pay a capital sum for the right to occupy the unit.

	This applies regardless of the legal form of occupation (such as freehold, lease, licence to occupy, or tenancy) and includes common areas and facilities accessible under occupation right agreements.
Rural	Means the area of the District comprising the Rural Zones in the District Plan.
Rural activities	Means activities, industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.
Service connection	A physical connection to a service provided by or on behalf of Council
Site	Has the same meaning as in the District Plan: (a) An area of land which is: (i) composed of one allotment in one certificate of title or two or more contiguous allotments held together in one or more certificates of title in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or (ii) contained in a single allotment on an approved survey plan of subdivision for which approvals under s223 and/or s224 of the RMA have been obtained and for which a separate certificate of title could be issued without further consent of the Council. (b) Except that in the case of: (i) land subdivided under the Unit Titles Act 2010, or stratum subdivision, "site" shall be deemed to be the whole of the land subject to the unit development or stratum subdivision; and (ii) land subdivided under the cross lease or company lease systems (other than strata titles), "site" shall be defined as an area of land containing: • any building, accessory buildings, plus any land exclusively restricted to the users of those buildings; or • a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes. (c) In the case of Māori land within the meaning of Te Ture Whenua Maori Act 1993: (i) includes a parcel of land created by a partition under s289, provided that its area complies with the Residential Intensity rule for the zone in which the land is located; or (ii) parcels of land partitioned and given effect to, by approval of Te Kooti Whenua Māori - Māori Land Court, before 28 April 2000.
Subdivision	Has the same meaning as 'subdivision of land' in s218 of the RMA and means: (a) the division of an allotment: (i) by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or

	(iv) by the grant of a company lease or cross lease in respect to any part of the allotment; or (v) by (the deposit of a unit plan or) an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or (b) an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by s226 RMA.
Visitor accommodation	Accommodation that intended for periods not exceeding 50 days in continuous term of occupancy for the purpose of providing overnight, temporary, or rental accommodation.
Unallocated (Cost allocated to)	In any analysis process, there is the need to recognise that some cost share outcomes may not readily be allocated to a funding source.

12.2. The Legislation Act 2019 applies to this Policy.

12.3. Where a word in this Policy has the same meaning as defined in legislation or other regulatory documents, any changes to the meaning of that word in the legislation or regulatory document will apply to this Policy as well

12.4. Any explanatory notes and attachments are for information purposes, and do not form part of this Policy. They may be inserted, amended, or revoked without formality. Explanatory notes are provided within the 'Related Information' boxes throughout this Policy

Related Information

Compliance with the Policy does not remove the need to comply with all other applicable Acts, regulations, bylaws, the Far North Operative District Plan and the Regional Plan for Northland. Where there is any conflict between this Policy and any Act or Regulation, the Act or Regulation will take precedence.

Part B: Development contributions assessments

13. Determining development contributions

13.1. When assessing development contributions, Council will confirm that the proposed development generates demand for the Activities specified under clause 14 in this Policy. Development contributions will be required where this demand results in the need for new assets or increased capacity, and where Council has incurred, or will incur, capital expenditure either in anticipation of, or to service, the development.

14. Activities for which a development contribution fees are charged ss199, 106(2)(d)

14.1. Council can require development contributions for the following Activities:

- **a.** Reserves
- **b.** Network infrastructure
- **c.** Community infrastructure

14.2. Within these Activities Council has, in accordance with s106(2)(d) of the LGA, identified the following sub-Activities for which development contributions can be charged:

- **a.** Reserves
  - i. Parks and reserves
- **b.** Network infrastructure
  - i. Water supply
  - ii. Wastewater
  - iii. Transport and roading
  - iv. Stormwater
- **c.** Community infrastructure
  - i. Libraries including the land on which the library is situated
  - ii. Sports fields
  - iii. Public toilets

Related Information

Any reference to Activity or Activities in this Policy includes the sub-Activities listed in clause 14.2. The use of the term activity or activities should be inferred from the context.

The Parks and Reserves, Libraries, Sports fields and Public toilets Activities are included in clause 14.2 above to ensure policy completeness and flexibility. At present, no development contributions are required for these Activities. Their inclusion in the table does not commit Council to charging development contributions for these Activities. For further clarification:

- the presence of these Activities in clause 14.2 above is intended to maintain policy robustness and provide a framework should Council wish to consider development contributions for these Activities in the future.
- Council has not made a decision to introduce or charge development contributions for Parks and Reserves, Libraries, Sports fields and Public toilets Activities at this time.

15. Test for development ss. 197, 198, 199, 200

15.1. Council may require a development contribution only if all of the following apply:

- **a.** the activity constitutes a 'development' as defined in s197 LGA, including subdivision, building work, or other development that creates additional demand for or on Council infrastructure.
- **b.** the individual or cumulative effect of the development generates demand that causes Council to incur, or to have incurred, capital expenditure either in anticipation of, or to service, the development for:
  - i. new or additional assets; or
  - ii. assets of increased capacity,
  - iii. reserves, network infrastructure, or community infrastructure.
- **c.** as a consequence of the development, the Council incurs, has incurred, or will incur, capital expenditure to appropriately provide for those assets.
- **d.** this Policy provides for the requirement of a development contribution in such circumstances;
- **e.** the development contribution is not prohibited by s200 LGA.

15.2. If the development meets the provisions under clause 15.1 in the affirmative, Council may require a development contribution when:

- **a.** a resource consent is granted under the RMA, for subdivision or land use;
- **b.** a building consent or certificate of acceptance is granted under the Building Act 2004
- **c.** a Project Information Memorandum is issued
- **d.** an authorisation for a service connection is granted

15.3. On receiving an application or authorisation for any of the consents, certificates, or authorisations listed in clause 15.2, Council will:

- **a.** confirm whether the application relates to a 'development' as defined in s197 of the LGA;
- **b.** check that Council is not prohibited by s200 of the LGA from requiring a contribution in relation to the development.
- **c.** determine whether alone or in combination with other developments the effect of the development under consideration is to require new or additional assets or assets of increased capacity and, as a consequence, Council will incur (or has already incurred) capital expenditure to provide appropriately for this; and
- **d.** establish whether this Policy requires a development contribution in the circumstances.

15.4. If Council is satisfied that a development contribution is required, it will assess the application in accordance with clause 16 below.

16. Assessment

16.1. Council will assess the development contributions payable in relation to an application as follows:

- **a.** Identify the Catchments in which the proposed development is located.

b. For each relevant Catchment and Activity, calculate the number of HUEs generated by the development (see clause 17).

c. Identify in HUEs any credits, that apply for each Activity.

d. Deduct credit HUEs from the total demand HUEs to determine the net increase in demand (additional HUEs) for each Activity.

e. Calculate the development contribution for each Activity by multiplying the net additional HUEs by the applicable fee for that Activity and Catchment, as set out in the Development Contribution Fee Schedule (see clause 19).

f. Sum the amounts calculated for each Activity to determine the total development contribution payable.

g. Add GST to the total amount.

16.2. Assessments will generally be made at the time of the earliest application for consent or authorisation for service connection relating to a development.

16.3. If Council does not require development contributions on the first consent or service connection authorisation, this does not prevent Council from assessing contributions on a subsequent consent or authorisation for the development. Council may also require an additional development contribution for the same purpose if there is an increase in the scale or intensity of the development since the earlier contribution was required.

16.4. Applicants may request an indicative calculation of development contributions when applying for a Project Information Memorandum or Certificate of Acceptance under the Building Act 2004, or at a pre-application meeting under the RMA. This indicative calculation provides an early estimate of potential liability but is not binding. A development contribution will only be required at the time specified in clause 15.2 and will be invoiced in accordance with Part C of this Policy.

16.5. All growth-related community facilities and infrastructure within the identified catchment are considered to be available to service any allotment within that catchment, up to a uniform service level, at any time. For assessment purposes, the availability of a network connection now or in the future, is the basis of evaluation, regardless of whether a connection to the services currently exist.

17. Determining Household Unit Equivalents (HUEs)

Schedule 13 cl 2

17.1. A HUE is the unit of demand that equates to the typical demand on infrastructure by an average household for the Activities that development contributions are collected for.

17.2. A second independent accommodation or residential unit will be treated as a household unit for the purposes of calculating development contributions. To avoid any doubt, visitor accommodation units that are separate unit-titles shall be considered as separate household units.

17.3. Using HUEs to assess development contributions provides an efficient method to meet the requirement to attribute units of demand to particular development Activities or types of development on a consistent and equitable basis.

17.4. HUEs are determined:

a. as per the categories of development in this Part of the Policy under clause 17.8; and

b. depending on what type of consent, certificate or service connection application has led to an assessment in accordance with clause 15 of this Policy.

17.5. Charges based on the number of HUEs are calculated in accordance with the Development Contribution Charges Schedule in clause 19.

17.6. Depending on the specific Activity or service, Tables 1- 4 in clause 20 provide additional data to support HUE calculations, as they describe HUEs in appropriate unit demands for the specific Activities.

17.7. In some cases, the circumstance of a development means an assessment in accordance with the typical development Activities in clause 17.8 below is not appropriate, and in these cases a special assessment calculation will be made (clause 17.9).

17.8. This clause of the Policy identifies typical developments and assessment considerations.

a. Residential subdivision

i. Council has determined that it is appropriate to assess in accordance with clause 16 and require development contributions for residential subdivision.

ii. Each new residential lot created by subdivision attracts development contributions at the rate of one HUE per relevant Activity.

iii. Where two or more vacant lots held in one certificate of title are divided into separate titles and no previous development contributions or financial contributions under the RMA have been paid, development contributions will be required.

iv. The first single dwelling unit built on a vacant lot with a registered title in existence prior to 1 July 2025 will be assessed as having a credit of one HUE.

v. Notwithstanding 17.8.a.iv if an existing lot does not have connections to Council's water or wastewater services, then on application for a connection, development contributions will be required for those Activities.

b. Second/subsequent dwellings and multi-unit developments

i. Additional dwellings after the first dwelling on a lot will attract development contributions at the rate of one HUE per dwelling. Dwellings for the purposes of this Part in the Policy include but are not limited to integrated, attached, and detached units, sleep outs and minor dwellings.

ii. If an additional dwelling is 70 m² of gross floor area (GFA) or less and in, the Council's opinion, is likely to generate less demand than an average dwelling, Council may apply a pro-rata m² rate reduction in development contributions.

iii. Any pro-rata reduction applied as per clause 17.8.b.ii17.8.b.ii above will not be less than 40% of a HUE. This is to reflect that smaller than average dwellings will still be occupied, and it is occupancy rather than floor space alone that generates demand.

iv. Where a pro-rata reduction has been applied in accordance with clause 17.8.b.ii above and a subsequent application is then made to expand that dwelling, the development contribution required will be assessed accordingly.

v. For multi-unit developments, Council may apply a pro-rata m² reduction in a development contribution, where it can be demonstrated that one or more units will generate lower demand than an average dwelling.

c. Home - based commercial activities

i. Home-based businesses, and residential dwellings converted to commercial use will be assessed for additional demand greater than the existing residential use. If development contributions are required, these will be required in accordance with the charges for non-residential land use (clause 17.8.d.i18.8.b).

d. Non-residential subdivision

i. Non-residential subdivision will attract development contributions for each new lot created at the rate of one non-residential HUE per new lot.

ii. Any development contributions paid as per clause 17.8.d.i above will be applied as a credit (clause 18) when assessing development contributions for a subsequent building consent or land use resource consent on the same lot.

e. Non-residential land use

i. Non-residential land use will attract development contributions based on the demand a proposed development will place on Council's network infrastructure using the demand factors outlined in factors in Tables 1- 4 in clause 20.

f. Rural subdivision and land use

i. For clarity, residential subdivision in the rural area is covered by residential subdivision in clause 17.8.a of this Policy and will be assessed accordingly. Non-residential subdivision in the rural area is covered by clause 17.8.d.

ii. Non-residential developments other than subdivision in the rural area, including, but not limited to milking sheds, packing houses, and growing houses, etc. (i.e., any development that has a proposed activity that will impact on infrastructure and services), will be assessed for development contributions in accordance with clause 17.8.e apart from commercial accommodation which will be assessed in accordance with clause 17.8.g.

iii. For clarity, non-residential sheds, and other farm buildings (including, but not limited to, hay sheds and minor storage sheds) will not attract development contributions if they are assessed to have no additional impact on infrastructure.

g. Commercial accommodation

i. Commercial accommodation is assessed on the number of transitory accommodation rooms. A transitory accommodation room is for a maximum of 2.6 people. The calculation of HUE equivalents for commercial accommodation is based on each transitory accommodation room being the equivalent to 40% of an average dwelling.

ii. Managers units will be assessed as a residential land use activity as they are a permanent dwelling.

h. Tangata Whenua Development – Residential Activity

i. To support traditional Māori cultural living for Tangata Whenua residing in the Far North District residential activity development undertaken on the follow land titles will not be required to pay any development contributions:

- Māori freehold land;
- Treaty Settlement Land - excluding commercial redress land identified in a Treaty Settlement Act;
- general title land if converted from Māori freehold land title under the Maori Affairs Amendment Act 1967.

i. Retirement Villages

i. The impact of retirement villages including care facilities is assessed on the following basis:

Activity	HUEs per Retirement Village (maximum 3br)	HUEs per Aged Care Bed
Transport	0.3	0.1

Water	0.44	0.4
Wastewater	0.44	0.4
Parks and Reserves	0.0	0.0
Libraries	0.0	0.0
Sports fields	0.0	0.0
Public toilets	0.0	0.0

Related Information

Example only of commercial accommodation assessment
The total development contributions arising from a commercial accommodation development with 20 rooms and
1 managers' unit would be:

- Transport and Roading Activity = 9 HUES (20 rooms x 40% of a HUE=8 HUEs + 1 HUE (Managers unit)
- Parks and Reserves = 1 HUE (Managers unit)
- Libraries = 1 HUE (Managers unit)

17.9. Special assessment calculations

a. Council may consider that a specific development will generate impact on infrastructure which materially differs from that used for typical assessments under clause 17.8.

b. Generally, a special assessment will be done when the demand for an Activity is expected to be either greater or lesser than double the identified average value for that type of Activity, or where a land use is not adequately described within the Land Use Activity Tables (clause 20) of the Policy.

c. It is solely a matter for Council, in its discretion, whether to carry out a special assessment.

d. A special assessment uses a 'first principles assessment' approach. This means that the development will be assessed on its actual (proposed) demand, as opposed to the average demand identified in the Land Use Activity Tables in clause 20.

e. A special assessment may require the applicant to provide detailed calculations of the expected demand of the development. These calculations will need to be provided by a suitably qualified person.

f. The information supplied in clause 17.9.e above will be converted to HUEs to undertake an assessment in accordance with clause 17.

g. Council may consider a development agreement an appropriate mechanism to document the outcome of a special assessment should the development fall within the criteria and circumstances under clause 30 of this Policy.

Related Information

Examples of land use types that may require a special assessment

- sports or convention centres that may generate large volumes of traffic at specific peak times
- trucking and courier activities that may have a consistent above average road use,
- concrete plants that use significant amounts of water as part of their manufacturing process
- a quarry or quarry extension because it can generate significant vehicle movements but at the same time may not have a building associated with the activity.

Council encourages developers to provide information (required in clause 17.9.e) at the feasibility stage of their project prior to lodging an application.

18. Credits

18.1. Credits may be recognised by Council, for previously paid development contributions, financial contributions under the RMA, or historical impact. Credits are calculated in HUEs and reflect the existing or historical (i.e., pre-development) level of demand associated with a site, including but not limited to:

a. existing residential dwelling units on site;

b. historical credits of one HUE per Activity on vacant land with a registered title at 1 July 2025;

c. GFA of existing non-residential buildings on the site;

d. previous lawfully established activities or consented buildings on a site.

18.2. The number of credits (in HUEs) for a site will be determined using the same methodology as for calculating additional demand under clause 17.

18.3. Credits are only available for lawfully established activities.

18.4. Credits are site specific and may not be transferred to another site.

18.5. Credits are not transferable between Activities (e.g., credits for Transport and Roading apply only to those Activities; credits for Reserves apply only to Reserves etc.).

18.6. Surplus development contribution credits are not redeemable for land or money.

18.7. Council established a base line demand as at 1 July 2025. All credits are benchmarked against the level of demand generated by lawfully established activities or consented buildings on the site at that date.

18.8. The following clauses detail the specific approaches for determining credits for residential and non- residential developments.

a. Residential

i. Any undeveloped existing lot with a registered title as at 1 July 2025 is deemed to have one HUE credit per Activity for which a development contribution would otherwise be required, except for:
- small road severances; or
- titles that are unable to be built on.

ii. Where a cross lease or unit title is converted into ‘Fee Simple’ title, no additional development contributions will be required if the conversion does not increase demand for Council infrastructure.

b. Non-residential

i. Any undeveloped lot with a registered title as at 1 July 2025 is deemed to have one HUE credit per Activity for which a development contribution would otherwise have been required, except for:
- small road severances; or
- titles that are unable to be built on.

ii. For developments involving extensions or demolition and rebuilding at the same or higher intensity, credits will be assessed based on the pre-existing development

iii. Sites where buildings were demolished or destroyed prior to 1 July 2025 will be treated as vacant lots for the purpose of credit allocation.

Related Information:
Clarification:
Clause 18.8.a.i: An undeveloped lot is considered to have a potential demand for services and is therefore allocated one HUI credit per Activity, even if no services are currently being used.
Clause 18.8.b.ii: As with residential, the allocation of one HUE credit per Activity reflects the potential for future demand, not current service use.
Rationale: This ensures that credits are only allocated where there was a recognised and assessed demand at the time, aligning with the principle of fairness and consistency.

19. Development Contribution Fees Schedule ss201(2), 202

19.1. This Schedule is provided in accordance with ss201(2) and 202 of the LGA, and details the fees charged per HUE by Activity and Catchment.

19.2. All fees below are GST exclusive.

2024 - 2027 Development Contributions Charges

Roading and Transport	Catchment	District Wide	Total Charges
Bay of Islands - Whangaroa	3,320	-	3,320
Stormwater			
Kaikohe	409	-	409
Kawakawa	-	-	-
Kerikeri/Waipapa	-	-	-
Wastewater			
Kaikohe	37,136	-	37,136
Kawakawa	25,571	-	25,571
Kerikeri/Waipapa	11,376	-	11,376
Water supply			
Kaikohe	6,222	-	6,222
Kawakawa	1,980	-	1,980
Kawakawa/Moerewa	6,719		6,719
Kerikeri/Waipapa	7,901	-	7,901
Parks and Reserves			
District	-	-	-
Libraries			
District	-	-	-

Sports fields			
District	-	-	-
Public toilets			
District	-	-	-

Related Information

For the table above - Council may require full payment of a development contributions in accordance with this when approving:

- a building consent, including a certificate of acceptance
- a resource consent
- an authorisation for a service connection
- a certificate of acceptance

The Parks and Reserves, Libraries, Sports fields and Public toilets Activities are included in the Table above to ensure policy completeness and flexibility. At present, no development contributions are required for these Activities. Their inclusion in the table does not commit Council to charging development contributions for these Activities. For further clarification:

- the presence of these Activities in the Table above is intended to maintain policy robustness and provide a framework should Council wish to consider development contributions for these Activities in the future.
- Council has not made a decision to introduce or charge development contributions for Parks and Reserves, Libraries, Sports fields and Public toilets Activities at this time.
- the inclusion signals that Council may, at its discretion and following appropriate processes (under the applicable provisions of the Local Government Act 2002) consider whether to introduce development contributions for these Activities in the future.

20. Land Use Activity Tables

20.1. Table 1 – base demand units for residential HUE

a. This table assumes an average household occupancy rate of 2.6 people per dwelling, based on 2023 Census information. See significant assumptions for further explanation of the occupancy rate.

Activity	Base Unit per HUE	Demand per HUE	Comment
Transportation and Roading	10 vehicle movements per day	-	Vehicle movements are 1 in 1 out
Water Supply	m^3 per day	0.75 m^3 or 750 litres	Based on average flow (design average)
Wastewater	m^3 per day	0.8 m^3 or 800 litres	Based on peak flow and providing sufficient capacity to discharge

			wastewater safely and effectively.
Community	per capita basis		Based on assumed average occupancy
Libraries	per capita basis		Based on assumed average occupancy

Related Information:
The Community and Libraries Activities are included in Table 1 for completeness. Like the Related Information box above, no development contributions are currently required for these activities. Their inclusion into Table 1 does not commit the Council to charging development contributions but allows for the option to consider this in the future, subject to a separate Council decision and in accordance with applicable provisions in the Local Government Act 2002.

20.2. Table 2 – base demand units for commercial HUE

Activity	Base Unit per HUE	Demand per HUE	Comment
Transportation and Roading	10 vehicle movements per day	See Table 3 & 3 A Demand calculated per 100m² GFA	Based on average trip generation tables per land use type
Water	m³ per day	0.75 m³ or 750 litres	Based on average flow by land use type see table 4
Wastewater	m³ per day	See Table 4 Note that wastewater is based on peak flow of 0.8 m³ or 800 litres Council must provide adequate capacity to safely and effectively discharge wastewater	See Table 4 Based on average usage by land use type

20.3. Table 3 – Transport and roading

a. To establish transport and roading contributions, Council uses Table 3 below, which shows average Vehicle Movements per Day (VMPD) per 100m² of Gross Floor Area converted to HUEs.

b. However, some Land Use activities do not rely on GFA, these are separately identified in Table 3A below.

c. If an Activity is not covered by the categories within Tables 3 and 3A, or has identified demand significantly different from the tables, Council may request an assessment be provided by a qualified Traffic Engineer and reserves the right to have any such assessments peer reviewed at the applicant's expense.

Land Use Activity	HUEs Per 100m2 of GFA
Rural activities	0.31
Commercial activity	1.5
Community activity	1.16
Freight and distribution	4.92
Health and educational facilities	0.83
Industrial activity	0.6
Visitor accommodation	0.41
Public storage	0.08

20.4. Table 3A – The following Activities use the indicated factors (instead of GFA) to convert to HUEs

Activity	Factor	HUEs
Independent Dwelling Unit	per dwelling unit over 70m²	1.00
Child Care Facilities	per child	1.2
Petrol Stations	per pump	7.9
Rest Homes	per bed	2.3

Related information

Transport and roading contributions are calculated on trips generated by a development activity. The unit of measure is based on the average annual daily trips for a weekday. The traffic activity used for this Policy is established from the New Zealand Trips and Parking Surveys database and locally established traffic activity by location and land use. The trips data has been adjusted to reflect that the trips observed at the gate are influenced by the start and end destinations.

For example, a car driven from home to a place of work has activity equally allocated to both the residential and the work elements of the trip. It is further recognised that some level of traffic activity has multiple causes, and this is reflected in these calculations.

20.5. Table 4 – Water and wastewater HUEs is based on the "average" usage per household in the district divided by the average occupancy per household. The design average for residential household water usage is 0.75m³ or 750 litres per day and 800m³.

a. Calculation of water and wastewater use for a commercial land-use activity is based on the district-wide average water used by an industry type and then converted to a HUE value per 100m² of GFA.

Commercial HUEs for water and wastewater per 100m² GFA	
Health and educational facilities	0.28
Office and commercial premises	2.11
Retail activity	0.24
High water use activity (car washes, garden centres, food processing, etc)	3.88

Commercial HUEs for water and wastewater per 100m² GFA	
Industrial activity	0.29
Large mass buildings	0.03
Hospitality	1.05
Community activity	0.28
Freight and distribution	0.24

21. Goods and Services Tax (GST)

21.1. The total end-to-end process for calculation of development contributions is exclusive of GST. Once all the calculations are complete, GST is added to the final amount to be invoiced (see clause16).

Part C: Invoices, timing of payments and enforcement

22. Invoices s198

22.1. The applicant may request an invoice to be issued for development contributions payable on any occasion that contributions are assessed. Except where: the developer has requested, and the Council has already issued an invoice.

22.2. The Council will invoice for a development contribution at the following times:

Type of consent/certificate/authorisation	Timing of invoice
A resource consent for subdivision	• At the time of application for a certificate under section 224(c) of the RMA • An invoice will be issued for each stage of the development for which a separate certificate under 224(c) of the RMA is applied for, even where separate stages are part of the same consent.
A resource consent for land use for: a. Any non-residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or b. Any residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or c. Any development for which an invoice cannot be issued on a building consent or subdivision consent.	• At the time of request for an invoice; or • immediately upon unauthorised commencement of the land use consent; whichever is the earlier.
A building consent for residential use	• At the time a request is made for a code of compliance certificate; or • certificate of public use; or • six (6) months after the time of granting the building consent – whichever is the earlier
A building consent for non-residential use	• At the time a request is made for a code of compliance certificate or • certificate of public use, or • 24 months after granting, whichever is the earlier.
Certificate of acceptance	At the time of granting of the certificate of acceptance
Authorisation for service connection	At the time of approval for connection

23. Timing of payment s198

23.1. Invoices become due for payment immediately upon issue.

23.2. Invoicing and payments including any payment arrangements will be processes in accordance with the Council's financial and debt recovery practices.

23.3. This Policy makes no provisions for a payment of a development contribution invoice to be postponed. However, Council may, at its sole discretion, agree to a payment arrangement in the context of debt recovery where contributions have not been paid by the due date. This will be administered by Councils Debt recovery team.

24. Enforcement s208

24.1. Where an invoice remains unpaid beyond ten (10) working days after the invoice is issued, the Council may invoke normal debt collection practices to recover outstanding debt including the costs associated with the debt collection; and take additional enforcement measures in the table below.

Type of consent/ certificate/ authorisation	Enforcement option
A resource consent for subdivision	Withhold a certificate under s224(c) of the RMA and may register the development contributions under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
A resource consent for land use for: Any non-residential development for which a subdivision consent of building consent will not be necessary for the development to proceed; or Any residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or Any development for which an invoice cannot be issued on a building consent or subdivision consent.	Prevent the commencement of the land use consent under the RMA and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
A building consent / certificate of acceptance	Withhold a code of compliance certificate under s95 of the Building Act 2004, withhold a certificate of acceptance under s99 of the Building Act 2004 and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
Authorisation for service connection	Withhold service connection to the development and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land

Part D: Remissions, postponements and refunds

25. Remissions s201(1)(c)

25.1. In general, the policy does not provide for remissions or reductions to development contributions for the following reasons:

a. the greater the number and range of remissions, the less transparent the administration of development contributions becomes.

b. where Council decides to advance particular strategic objectives, it is important that it does so transparently and effectively via a separate means, rather than through remitting or reducing development contributions.

26. Postponements s201(1)(c)

26.1. This Policy does not provide for postponements on payment of development contribution invoices.

26.2. Council reserves sole discretion to enter into agreements to delay payments in extraordinary circumstances on written application.

27. Refunds ss201(1)(c), 209, 210(1)

27.1. The Council will refund to the consent holder any development contribution monies or return land as it is required to do under ss209 and 210 of the LGA.

27.2. If a development contribution has been paid for a specified reserve purpose, Council will refund the money received for that purpose if the money is not applied to that purpose within 20 years of receiving the money

27.3. If land was acquired in lieu of a cash development contribution for a specified reserve purpose and has not been used for that purpose, Council will return that land in accordance with s210(1)(b) LGA.

27.4. Except in relation to development contributions or land taken for a specified reserve purpose as provided in this Policy, Council will not refund a contribution where a specific Capital project does not proceed but instead will apply the contribution to assets or projects of the same general function and purpose.

27.5. The amount of any refund will be the contribution paid, less any costs incurred by Council in relation to the development and its discontinuation, but may include any interest earned, depending on the circumstances of the case.

Related Information

S209 outlines the circumstances in which Council is required to refund money paid or return land, including who the refund must be paid to, or the land must be returned to.

S210 prescribes the circumstances for refunds of money or return of land where this was required for a specified reserve purpose.

Part E: Reconsiderations, and objections

28. Reconsiderations ss199A, 202A(2)

28.1. Section 199A(1) of the LGA allows a person who has been charged development contributions to request a reconsideration of the charges where they believe:

- **a.** the amount was incorrectly calculated or assessed under the Policy
- **b.** the Council incorrectly applied the Policy; or
- **c.** the information used to assess the development contributions payable by the person seeking reconsideration was incorrect, has been recorded or used incorrectly, or was incomplete or contained errors.

28.2. To seek a reconsideration, the developer must:

- **a.** lodge a written request for reconsideration to Council within 10 working days after the date on which a person has received a development contributions notice from Council; and
- **b.** state the ground/s under clause 28.1 for which the applicant requests the Council to reconsider their development contribution charges; and
- **c.** provide any additional information that supports the request for reconsideration

28.3. Council will take the following steps:

- **a.** Council will review the original assessment and prepare a report that will include, but is not limited to, consideration of the following matters:
  - i. the grounds on which the request for reconsideration was made, including any new information provided;
  - ii. the purpose and principles of development contributions under ss197AA and 197AB LGA;
  - iii. the provisions of the Policy;
  - iv. any other relevant matters.
- **b.** the reconsideration request and report will be provided as part of an agenda report for a public meeting of the Council with the relevant delegations and Terms of Reference to consider the request.
- **c.** Council will consider the information provided and will make a decision.
- **d.** the Council will, in accordance with s199B LGA, notify the person of the outcome of the reconsideration within 15 working days after the day it receives all required information in relation to the request.

29. Objections ss199C-199K, Schedule 13A

29.1. Section 199C of the LGA allows a person to object to the assessed amount of development contribution that Council requires from them in:

- **a.** a notice issued to the person from Council; or
- **b.** if a notice has not been issued to the person from Council, then any other formal advice of the requirement that Council has given to the person.

29.2. Council will acknowledge any objection made on one of the grounds contained under s199D of the LGA

29.3. In accordance with s199E and Schedule 13A Part 1(1) the person making the objection must:

a. Serve notice of the objection on Council within either:

i. 15 working days after the date on which the person received the requirement of development contributions notice from Council; or

ii. 16 working days from the date at which the person received Councils decision from a reconsideration review (under clause 28).

29.4. The notice of objection to be served to Council must:

a. be in writing; and

b. set out the ground/s under s199D and reasons for the objection; and

c. state the relief sought; and

d. state whether the person making the objection wishes to be heard on the objection.

29.5. The decision on any development contribution objection is to be made by a development contribution commissioner or commissioners named in the approved register and selected by the Council.

29.6. In accordance with s150A of the LGA, if a person objects to a development contribution the Council will recover from the person its actual and reasonable costs in respect of the objection.

Part F: Other matters

30. Development Agreements ss207A-207F

30.1. Development agreements allow Council and developers to agree on an alternative way of providing or contributing to the cost of infrastructure outside of the Policy.

30.2. Where a request is made by a developer to enter into a development agreement, Council must consider that request without unnecessary delay.

30.3. Council may, at its sole discretion, enter into a development agreement where Council considers that such an agreement will be in the best interests of all parties; and

30.4. The development agreement complies with the statutory framework provided under ss 207A – 207F of the LGA.

30.5. Section 207D determines that no development agreement obliges the Council or any other consent authority to:

a. grant a resource consent under the RMA 1991; or

b. issue a building consent under the Building Act 2004; or

c. issue a code of compliance certificate under the Building Act 2004; or

d. grant a certificate under s224 of the RMA 1991; or

e. grant authorisation for a service connection.

Related Information
A Development Agreement is defined in the LGA. Sections 207A-207C provide the framework within which Council can consider a request to enter into a Development Agreement, or by which Council can request a person to consider entering into a Development Agreement with Council. This also includes that Council must consider any request without unnecessary delay.

31. Acceptance of land or works in place of development contributions

31.1. Council requires development contributions to be paid in cash rather than land. In exceptional circumstances, and at the sole discretion of Council, an offer of land instead of cash may be considered, as part of a Development Agreement (clause 30).

31.2. Council will only accept land in lieu of a cash development contribution if the following criteria are met:

a. Council considers a piece of land offered would adequately meet the purposes for which the contribution is sought and;

b. the land in question will be vested as a recreational, scenic or historic reserve under the Reserves Act 1977; and

c. all other matters relating to the acceptance of land in lieu of a cash are satisfactorily agreed in a Development Agreement.

31.3. For clarity, Council will not accept land in lieu of a cash development contribution for esplanade reserves for the purpose set out in s229(a) of the RMA or for a local purpose reserve (drainage reserve) under the Reserves Act 1977.

31.4. For clarity, undertaking works in compliance with Council's Engineering Standards and/or specific conditions of consent imposed under the RMA may not be offset against the requirement to pay development contributions.

32. Exemptions

32.1. Council is exempt from paying any development contributions on any development that is funded by Council if the project itself is a capital project for which development contributions would otherwise be required.

32.2. The LGA does not bind the Crown (s8 LGA) and therefore the Crown is exempt from paying development contributions.

32.3. This exemption applies exclusively to residential development on Māori land, as defined by the Te Ture Whenua Maori Act and is based on the legal status of land, in line with statutory requirements and Council's strategic principles. Commercial and industrial activities are not exempt.

Part G: Legislative Framework and Policy Approaches

33. Legislative framework

ss101, 102, 106, 197AA-211, Schedules 13 and 13A

LGA Policy requirement	Policy Part / Clause / Section	Meets statutory compliance
Adoption of a Development Contributions Policy (**s102(1)**)	Clause 1 (Title) Clause 2 (Commencement) Clause 7 (Statutory Context)	Yes
Consultation (**s82, s83**)	Clause 8 (Policy Review) Clause 7.11 (Consultation requirement)	Yes
Review at least every 3 years (**s82, s106(5)**)	Clause 8.1	Yes
Clear methodology for calculating DCs (**s106(2)(d), s197AB**)	Clause 44 (Cost Allocation) Clause 45 (Summary) Part J (Clauses 17-20)	Yes
Schedule of Assets for which DCs are required (**s201A(1), s106(2)(d)**)	Section 1 (Clause 56 - Schedule of Assets)	Yes
Calculation based on growth capital expenditure only (**s199, s197AB(g)**)	Clauses 42 (Capital Expenditure), 44, 45 (Cost Allocation)	Yes
Fair, equitable, and transparent cost allocation (**s197AB, Schedule 13**)	Clauses 44, 45, 46 (Funding Model)	Yes
Use of Household Unit Equivalents or other demand unit (**Schedule 13**)	Clause 17, Clause 20 (HUE calculation and Table)	Yes
Provisions for reconsideration and objection (**ss199A-199K**)	Clause 28 (Reconsideration), 29 (Objections)	Yes
Clearly state activities and catchments where DCs apply (**s106(2)(d), s201A(1)**)	Clause 14 (Activities), Section 2 (Catchment Areas)	Yes
Public availability of methodology and charges (**s106(3)**)	Clause 9 (Supporting Documentation), Clause 19 (Fees Schedule)	Yes

Exemptions per legislation (Council discretionary decision to align with **s102(3A)** for Māori land)	Clause 32 (Exemptions) Clause 32.3 (Councils use of discretionary decision-making powers to exempt housing development on Māori land)	Yes
Integration with LTP and Infrastructure Strategies (**s101, s102(4)(b)**)	Clause 7.11, Clauses 42, 48, references throughout	Yes
No duplication with Financial Contributions under the RMA (**s200**)	Clause 10 (Financial Contributions)	Yes
Enforcement Provisions (**s208**)	Clause 24 (Enforcement)	Yes
Treaty of Waitangi (**s 4**)	Clauses 4, 5.5, 32.3, 33.3 Māori land exemptions and consultation commitment	Yes
Purpose of Local Government (**s10**)	Clause 5.5, 39-41(Community Well-being), Policy Objectives, Key strategic documents and LTP linkage	Yes
Principles: Transparency, Stewardship (**s14**)	Clauses 8, 9, 14, 19, 36, 39-42 (Transparency, accountability, prudent stewardship, sustainable development)	Yes

33.1. Council's development contributions framework is required and guided by the Local Government Act 2002 (LGA), particularly sections 101, 102, 106, 197AA-211, and Schedules 13 and 13A. The LGA mandates that territorial authorities adopt a policy governing how and when development contributions are to be assessed and levied and specifies both process and policy content.

33.2. In developing this Policy, Council has:

- **a.** Ensured compliance with section 102(2)(d) (requirement for a DC policy),
- **b.** Addressed procedural matters under section 106, including consultation and public availability of methodologies,
- **c.** Followed the requirements for calculation, content, and schedule of fees and assets, as per sections 197-211 and Schedule 13,
- **d.** Referenced section 201A(1) in separating Schedules of Assets into catchments, clearly articulating the allocation between growth and non-growth.

33.3. All processes under this Policy, including reviews, amendments, and collection, are subject to public consultation (special consultative procedure, s83 LGA), and integration into Council's core financial planning documents, namely Te Pae Tata Three Year Long Term (LTP), the

Infrastructure Strategy, and guiding documents such as FN2100 and the Te Pātukurea–Kerikeri Waipapa Spatial Plan (Spatial Plan).

33.4. Per section 204(1) LGA, contributions collected must only be spent on the intended activity, promoting transparency and reinforcing Council's stewardship role.

34. Policy approaches and drivers

197AA, Schedule 13

The Council has determined, through the adoption of this Policy, that development contributions are a preferred funding mechanism for growth-related capital expenditure. Council's approach to development contributions is shaped by policy rationale, best practice, and statutory requirements, all tailored to Far North's growth context:

34.1. Use of Development Contributions as a Core Funding Tool:
Development contributions are a preferred funding mechanism for growth-driven capital expenditure. This aligns with the purpose and principles in ss197AA-197AB LGA, ensuring that those creating demand (developers) pay a fair, equitable, and proportionate share of costs, protecting existing ratepayers from disproportionate burdens. The purpose of the development contributions provisions in the LGA is to enable territorial authorities to recover from those persons undertaking development a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.

34.2. Integration with Council's Strategic Planning:
The Policy is grounded in, and helps, implement the vision and directions of the Te Pae Tata – Three Year Long Term Plan (LTP), Infrastructure Strategy, Far North 2100 (FN2100), and Te Pātukurea– Kerikeri Waipapa Spatial Plan (Spatial Plan). This ensures that funding for infrastructure keeps pace with growth, enabling sustainable development and achieving key Council outcomes such as resilient communities, Māori partnership, and prosperity. Growth within the District drives a significant portion of Councils capital works. Council considers it equitable that those undertaking a development should contribute to the costs that Council has or will incur to service such growth.

34.3. Transparency and Equity:
Transparent cost allocation is achieved using Household Unit Equivalents (HUEs) being used to determine Council's units of demand, as directed by Schedule 13 LGA. Using demand modelling and robust data to apportion costs fairly between renewal, growth, and backlog, the methodology and results are made available as required by s106(3) LGA.

34.4. Targeted Exemptions and Equitable Outcomes:
Exemptions for the Crown, and Council are statutorily established under the LGA, but these statutory exemptions do not extend to Crown Entities and State-Owned Enterprises. Accordingly, developments undertaken by these entities within the District will be subject to a development contribution assessment to determine their liability.

The Council has exercised its discretionary decision-making powers to exempt residential housing and papakāinga developments exclusively on Māori land from development contributions. In reaching this decision, Council has taken into consideration its broader statutory obligations and its key strategic documents, including Te Pae Tata – Three Year Long Term Plan, the Infrastructure Strategy, Far North 2100, and Te Pātukurea – Kerikeri Waipapa Spatial Plan. Council is satisfied that the exemption is consistent with sections 4, 10, 14, 101 and 102 of the LGA (see table in clause 33), and that this decision aligns with its strategic direction and supports the principles of the Preamble to Te Ture Whenua Maori Act 1993This approach

acknowledges and responds to the historic and ongoing legal, regulatory, and practical barriers of development on Māori land titles - barriers that do not exist for general land.

This exemption applies solely to residential development on Māori land as defined by the Te Ture Whenua Maori Act 1993 and is based on the legal status of the land.

Commercial or industrial activities or non-housing developments on Māori land are not exempt and will be assessed for development contributions in accordance with the provisions of this Policy. This ensures that the exemption is legally robust (aligned with s102(3A) LGA) and maintains fairness by not extending to developments for profit.

The exemption provides certainty, transparency, and equity by clearly limiting its scope to support Māori housing aspirations as outlined in central and local government priorities. It also explicitly excludes non-residential activities, providing assurances to all landowners and the wider community that the Policy is consistent with statutory principles.

34.5. No Remissions or Postponements:
This Policy does not provide for remissions or postponements of DCs, prioritising the integrity of growth-related funding. However, payments plans may be considered as part of Council's internal debt recovery processes, ensuring fiscal prudence in alignment with section 201(1)(c) LGA.

34.6. Comparative Benchmarking and Review:
Council has benchmarked this Policy's charges against peer councils (e.g., Kaipara, Whangārei, Queenstown Lakes, etc.), ensuring that the final charge levels are proportional, justified, and defensible.

Council's evidence-driven, transparent and statutorily compliant approach ensures the Utu Whakawhanake - Development Contributions Policy 2025 is fair, enables sustainable community growth, and aligns with the objectives of the district's most significant planning documents.

Part H: Rationale for funding growth with development contributions

35. Introduction ss106(2)(c), 101(3)

Council's rationale for using development contributions is underpinned by statutory requirements and best practice:

35.1. Growth communities should bear a proportionate share of capital costs for infrastructure needed due to development, protecting existing ratepayers from unsustainable increases and supporting fair, sustainable growth (s101(3) and s106(2)(c) LGA).

36. Community outcomes s101(3)(a)(i)

36.1. Funding growth through development contributions supports the community outcomes stated in the LTP, including social and economic well-being, resilience, and cultural vitality. By directly linking infrastructure to new demand, Council can better deliver strategic priorities and enable thriving, inclusive communities.

37. Distribution of Benefits

37.1. Council analyses the distribution of benefits for each infrastructure activity, as required under s101(3)(a)(ii) LGA:

- **a.** growth-generated assets benefit both the new (growth) and existing communities
- **b.** the apportionment of costs is based on identified benefits; and
- **c.** modelling tools ensure robust cost and benefit allocation, integrating best practice and sector norms.

37.2. The process of cost and benefit allocation uses a modelling tool, which calculates and records:

- **a.** the decisions made about the drivers of a Project, i.e., the reasons Council has undertaken the Project and who will benefit from the Project
- **b.** the allocation of costs between the beneficiaries
- **c.** the share of infrastructure cost that can be attributed to the existing and growth communities, through rates and development contributions respectively.

37.3. In summary, how the capital expenditure and benefit allocation is identified for analysis can be seen in the table below:

Capital Expenditure	Explanation
Renewal expenditure	Benefits the existing community only and replaces the existing asset base.
Increased Levels of Service	Capital expenditure that benefits all the community including the growth community.
New service expenditure	Capital expenditure to provide benefits to both the existing and the growth community on a pro-rata basis.

Growth expenditure	That which benefits, and is needed to meet projected growth in the community, estimated over the next 10 years. Asset capacity which provides benefits beyond that period will be allocated to future growth communities and may form part of future development contributions.

37.4. The Level of Service supplied for most Activities generates a benefit that is enjoyed by the whole community, both existing and growth. There is no mechanism to exclude one group from the higher service level at which the Activity is provided.

37.5. The existing community and the expanding existing community will fund any excess until future demand beyond 10 years occurs and the development contributions include recovery of that excess.

37.6. There is recognition of transitional benefits to the existing community and the incoming growth community that may occur in some circumstances because of excess capacity provided in anticipation of growth. This is often perceived as an improvement in Level of Service, but if there has been no change in the planned Level of Service this is an 'improvement' that will be eroded over time as growth takes up that additional capacity.

37.7. It is recognised that there are components built into the existing network with excess capacity which will benefit the growth community. These components are not included in the development contributions calculations. Therefore, the growth community benefits from some significant past capital expenditure without incurring any additional charges.

38. Benefits period

s103(3)(a)(iii)

38.1. Council determines:

a. within individual Asset/Activity Management Plans, the length of time over which an asset created will provide a benefit to the community; and

b. the capacity of that asset; and

c. the amount of capacity that will be utilised by the growth community.

38.2. The benefit period used aligns with asset lifespans and capacity plans within Activity/Asset Management Plans and the LTP. Both existing and growth communities share asset benefits across time, and both are charged according to the periods during which they enjoy those benefits, maintaining intergenerational fairness (s101(3)(a)(iii) LGA).

39. Contributions to the need for the Activity

s101(3)(a)(iv), Schedule 13

39.1. Modelling undertaken by Council (Schedule 13 LGA) demonstrates that the need for new/expanded infrastructure arises predominantly from growth (measured in HUEs), justifying the use of DCs as the primary funding source for the growth portion of projects.

39.2. Where infrastructure addresses backlog or lifts levels of service, these elements are funded from rates and other sources, not DCs.

40. Transparency of funding

ss101(3)(a)(v), 197AB, 101(3)

40.1. Council has structured the policy and catchment definitions for maximal transparency-as required by ss101(3)(a)(v), 197AB, 106(3) LGA, enabling all stakeholders to see:

a. how projects are funded (growth vs. renewal vs. backlog)

b. what catchments are affected and why; and

c. how and why rates and DCs are allocated.

40.2. Activities

a. Funding at an Activity level allows:

i. for improved transparency and efficiency, and assists in defining the appropriate share of actual costs to be paid by the growth community

ii. the decision making to be more transparent and accountable by providing reasoning as to why a Project is being undertaken

iii. consideration of whether ratepayers are being asked to contribute to infrastructure capacity that they do not require. This contributes substantially to intergenerational equity.

b. Council has however, for the reasons of administrative and economic efficiency, allocated some potential-growth related expenditure over all Activities to the existing community. This is because the cost of determining the proportionate growth component would be greater than the costs likely to be recovered through development contributions.

40.3. Catchments

a. In determining catchments, Council has endeavored to balance service delivery considerations, growth patterns, administrative efficiency, benefits, costs and wider considerations of public good and fairness.

b. The use of catchments assists in transparency and efficiency by identifying the variations in the cost of providing infrastructure according to the characteristics of a particular locality and the nature of the works required.

c. Council has determined to use those catchments detailed in Section 2 of this Policy, having regard to ss101(3) and 197AB, and taking into account a range of considerations, including:

i. the predicted growth within the catchments

ii. the Projects planned within the catchments and who creates the need for, and will benefit from, those Projects

iii. the administrative efficiency of managing assets at a practical level

iv. geographical and technical aspects of Projects

v. Levels of Service

vi. matters of consistency

vii. balancing of practical and administrative efficiencies with fairness and equity

viii. the avoidance of district-wide catchments where practical.

Council will ring-fence development contribution revenues to the catchment in which they are generated, ensuring funds are only spent on infrastructure capital projects for the corresponding service and catchment.

d. In seeking to apportion development contribution charges in a fair and equitable manner Council has identified some specific capital Projects as being unique to certain areas of the district, and the growth in these areas as the primary driver behind Projects. Council has

separated out these areas and the associated Projects as individual catchments (see Section 2 of this Policy). Capital Projects within the catchments will attract defined, catchment related development contribution charges.

e. After considering the distribution of benefits and impact on and from the local and district-wide community on these Projects, Council has decided that the development growth within the catchments should contribute proportionately towards funding the Catchment Projects, and in some cases the District-Wide Projects also.

f. However, the use of particularly small catchments, together with varying market conditions and the decisions of individual developers and purchasers has the potential to create anomalies within the development contributions, and the funding of infrastructure. Council balances administrative efficiency and transparency in determining Catchment size and locality.

g. Should a development straddle more than one Catchment, the HUEs will be allocated on a pro-rata basis.

41. Impact on community wellbeing s101(3)(b)

41.1. This funding rationale supports well-being across all dimensions:

a. DCs will help fund growth infrastructure in a way that manages affordability for the existing community.

b. The Policy enables infrastructure needed for new housing, communities and economic development, as identified in Council's LTP, Infrastructure Strategy, FN2100 and Spatial Plan;

c. the Policy responds to Māori aspirations and barriers, via targeted exemptions and consultation; and

d. ensures growth pays its way, supporting prudent stewardship, resilience, and prosperity for the District (ss10, 14 LGA).

Part I: Capital Expenditure

42. Expected expenditure and incurred expenditure s199(2), 201A(1)

42.1. Section 199 of the LGA allows for Council to require a development contribution from a development for capital expenditure:

a. expected to be incurred as a result of or in anticipation of growth; or

b. already incurred in anticipation of growth.

42.2. The total estimated capital expenditure Council expects to incur, as a result of growth, to meet increased demand for community facilities, is summarised in the Schedules of Assets in Section 1 of this Policy.

42.3. The growth element of the Projects selected by Council will be funded or part-funded by development contributions. This amount is arrived at after funding from other sources has been deducted. Level of Service enhancement and renewal portions of capital expenditure will be

funded from sources other than development contributions (e.g. depreciation funding, rates, user charges, etc.).

42.4. Where Council anticipates funding from a third party for any part of the growth component of the capital expenditure budget, then this proportion is excluded from the total estimated growth component to be funded by development contributions.

Part J: Determination of development contribution charges

43. Calculation Summary ss202, 201(a)

43.1. This section of the Policy sets out in summary form an explanation and justification of how the development contributions have been calculated for the Development Contributions Charges Schedule (Section 1 of this Policy).

43.2. From Council's capital expenditure Projects identified in the LTP, Council has:

- **a.** determined the Activities for which development contributions will be required
- **b.** determined the Levels of Service for each Activity
- **c.** recorded the Catchment where the project provides capacity to meet demand (Section 2 of this Policy)
- **d.** summarised the capital Projects (with growth component identified) that are included in determining the development contributions charges.
- **e.** deducted from the project costs all reasonably anticipated funding from third parties and allocated the costs between growth and non-growth
- **f.** recorded the capacity and life of the Projects, the growth cost share that will be assigned to the demand reported in the Growth Model
- **g.** allocated costs to each Household Unit Equivalent; and
- **h.** assessed each Activity, (and Project where appropriate) that is to be funded wholly or in part by development contributions against the considerations in s101(3) of the LGA.

43.3. To undertake a cost allocation analysis using the Cost Allocation Methodology (clause 44) to determine the share of cost to growth, Council has considered:

- **a.** the capacity and demand requirements of the current levels of service identified in the LTP, to determine the growth share of the Project cost as well as the renewal, and level of service investment portions to be funded by rates
- **b.** the outcomes of the Cost Allocation Methodology are summarised in this Policy stating the proportion of capital expenditure to be funded by development contributions and other sources of funding (Section 1 of this Policy).

43.4. The Growth Model (clause 48.1) shows the changes in household numbers, and a similar level of growth is assumed for business floor areas. Based on this, Council has determined for each Activity and Activity Catchment:

- **a.** the changes in demand for service from the existing and growth communities over the capacity life of the Project
- **b.** the measures of household and business demand.

43.5. In undertaking a funding analysis of each Project to determine the total cost of growth for each unit of demand, Council has:

- **a.** determined the growth cost share of individual projects funded by development contributions from each of the projects incoming growth demand units in the Catchments serviced by the Project over the capacity life of the Project; and
- **b.** aggregated the outcomes of the funding analysis for each project by Activity and Catchment to determine the development contributions charge for the Activity and Activity Catchment.

43.6. This process includes internal and external reviews of the Projects, cost allocation analysis and funding analysis to test and verify the assumptions and accuracy of the Project data.

44. Cost Allocation Methodology introduction

s106(3), Schedule 13

44.1. The Cost Allocation Methodology (the CAM) used in this Policy is based on an assessment of the underlying drivers of expenditure. The CAM is applied to the programmes of capital expenditure delivering the levels of services defined in the LTP at an Activity level for capital expenditure set out in the LTP.

44.2. For the purpose of the above, 'programmes' are planned capital expenditure designed to deliver defined Levels of Service, and 'projects' are planned or completed projects delivering the programme. These are described as Projects throughout this Policy. The analysis to determine the cost of growth has been undertaken at both programme and project level as appropriate for that Level of Service and Activity.

44.3. The CAM takes the planned costs of a proposed project and, where applicable, identifies and assigns a growth component. Only the growth component or part of the growth component of a Project is recovered through development contributions.

45. Summary of Cost Allocation Methodology

ss197AB(g), 201(1)(a)

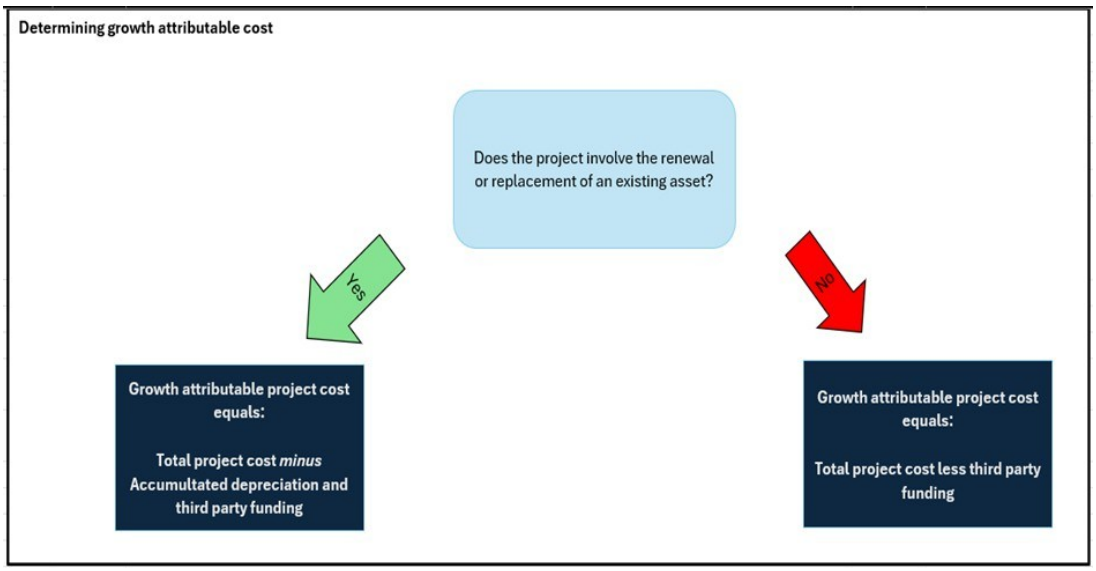
45.1. This section of the Policy provides a summary of the CAM, and a high-level description of the process used to determine the Development Contribution Charges Schedule (Clause 19).

- **a.** The scope and gross cost of a qualifying Project is reviewed, and any non-capital (operations and maintenance costs) are excluded.
- **b.** Catchments are established after taking into account the principles in s197AB (clause 40).

45.2. To determine the growth component of projects, a two-stage process is followed:

- **a.** first is to identify any renewals component of investment to reach "Growth Attributable Cost" (GAC).
- **b.** secondly, is to determine the underlying drivers for investment to identify which proportion of the GAC is recovered from development contributions.

45.3. The following flow chart is used to identify the renewal component, and GAC of projects which include replacement of existing assets:

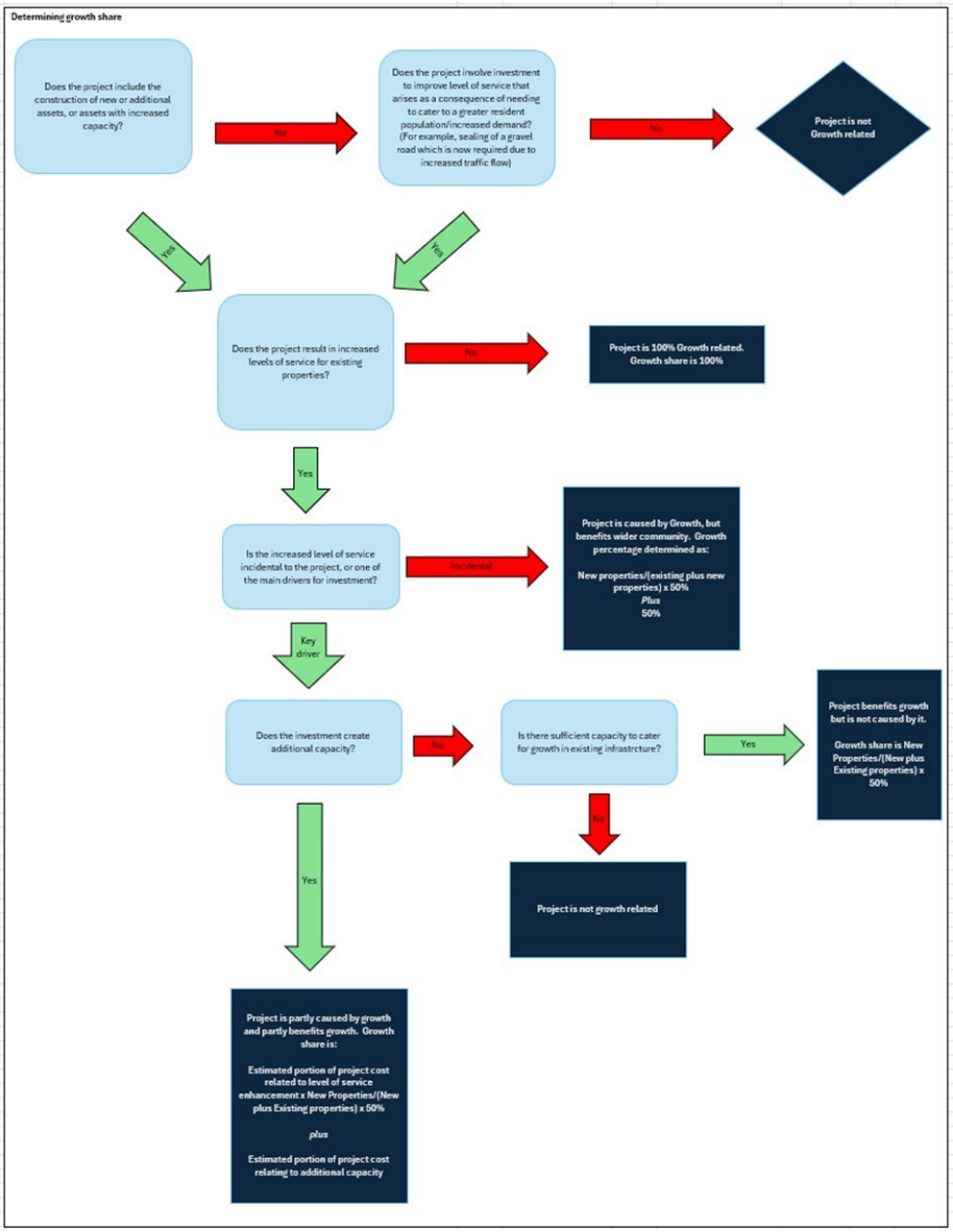


45.4. Once the GAC has been determined, an assessment is completed to determine the growth share of costs.

45.5. The growth share of costs is determined based on the extent to which growth causes the need for infrastructure ('exacerbator pays') and the extent to which the growth community benefits from the infrastructure ('beneficiary pays').

45.6. The exacerbator pays and the beneficiary pays principles have been assumed to be equally applicable for all infrastructure.

45.7. The following flow chart is used to identify the proportion of a project's GAC that is able to be recovered from the growth community:



45.8. Any remaining share is defined as 'unallocated' and is not funded by development contributions. This share is ultimately funded from rates (though debt may be used to finance this investment).

45.9. Capacity, useful life information and funding periods are used to determine the period over which contributions are identified to be collected.

45.10. The Funding Model (clause 46) is then used to identify the appropriate portion of the cost of growth (that which is allocated to the growth community) after considering all the factors outlined in Part J.

46. The Funding Model Schedule 13

46.1. The purpose of the Funding Model is to ensure an equitable assessment of the funding requirements to support development contributions calculations and to provide a consistent and legislatively compliant methodology in accordance with Schedule 13 of the LGA.

46.2. The Funding Model determines the development contribution charge necessary to fund the total cost of the capital expenditure supporting growth.

46.3. The Funding Model takes that portion of gross costs allocated to the growth community by Project and calculates costs in relationship to the Growth Model projections (clause 48) by Household Unit Equivalents.

46.4. The resulting development contribution charges are calculated in accordance with the Methodology for calculating development contributions and are found in the Development Contributions Fees Schedule at clause19.

46.5. The Funding Model takes into account:

- **a.** the funding requirements to support the cost of growth infrastructure
- **b.** equitable application of those funding requirements to the incoming growth community
- **c.** interest on borrowing to implement growth infrastructure
- **d.** interest on contributions received in advance of provision of growth infrastructure.

Part K: Significant assumptions

47. Introduction s201(1)(b)

47.1. Section 201(1)(b) LGA requires the Policy to state significant assumptions underlying the calculation of the schedule of development contributions. Throughout the process of determining the development contributions schedules of this Policy, Council has used the best available information at the time.

47.2. All relevant components of the assumptions provided in this section of the Policy are reviewed and updated as part of each statutory review. Any significant change to these assumptions may trigger an out of cycle review.

48. Growth

48.1. The Growth Model for the Far North District has been developed using:

- **a.** projections provided by Infometrics and Market Economics, for areas other than Kawakawa and Kaikohe, with adjustments made where necessary to reflect known areas of higher growth within the Far North District and was last reviewed in June 2022;
- **b.** estimated housing capacity to be unlocked in Kawakawa and Kaikohe through the associated funded capital works, as identified in funding application produced to secure funding from the Infrastructure Acceleration Fund.

48.2. The Growth Model assumes:

a. growth in the Far North is continuing to occur at a fast pace. Growth is particularly focussed in the Kerikeri and Waipapa areas. By 2054 FNDC's population is expected to grow from 73,500 to 83,187. The total business floor area will increase at a similar rate to population growth.

48.3. Growth projections are subject to uncertainties as to the quantum, timing and location of growth. Regular reviews will be undertaken as a key component of planning future network and community infrastructure requirements.

48.4. Te Pātukurea - Kerikeri Waipapa Spatial Plan provides substantial long-term analysis of the anticipated growth in those areas and guides Council's infrastructure planning and strategic activities.

48.5. Council's growth assumptions for the LTP inform the Asset/Activity Management Plans and capital expenditure budgets in the LTP. These have been made based on the best information available at the time of Policy development.

48.6. Additionally, Council's Infrastructure Strategy informs Council decision making in the short and long term and includes scenarios for the LTP and for an additional 2 years (for a total of 5 years).

48.7. The LTP details capital Projects to be undertaken over a 3-year timeframe. Development contributions include capital Projects (with a growth element) included within the LTP. In additions, projects beyond the LTP period where it has been identified that these are necessary to support growth scenarios in Te Pātukurea - Kerikeri Waipapa spatial plan, or where these were previously included in Council's LTP are also included in Policy. A long- term horizon has been used to develop the Growth Model, and various timeframes have been used for the development of Asset/Activity Management Plans in line with the expected life of the asset. Therefore, any single Project has a number of different variables that must be taken into account when calculating a development contribution.

48.8. The predicted rates of growth have been used to calculate growth in terms of HUEs. Predicted HUEs are shown per Activity and per Activity Catchment within the Funding Model. A HUE is defined as being equivalent to the demand generated by an average dwelling. It is recognised that household units vary throughout the District and the demands they generate have a broad range. Given the size of the Catchments used in calculating development contributions an implied averaging is used, this approach is considered appropriate in terms of the principles of development contributions and in accordance with Schedule 13 of the LGA.

49. Risks and growth-related assumptions

49.1. There is a risk that the Growth Model assumptions will not eventuate, resulting in a change to the assumed rate of development. The impact of any such changes on the total development contribution charge for each HUE will depend on the extent of any differences between projected and actual growth. To minimise this risk, Council will review growth assumptions regularly as part of this Policy's review. While these assumptions are reviewed every three years due to statutory review requirements, Council can also choose to undertake a review earlier if circumstances require.

49.2. That the lag between expenditure incurred by Council and contributions received is different from that assumed in the Funding Model and that the costs of capital Projects are greater than expected. This would result in an increased debt servicing cost. Conversely growth at a faster rate would reduce debt servicing and thus incurring lower charges in future policies.

50. Capital Projects – assumptions

50.1. To support anticipated growth, Council has assumed the budgeted capital Projects programme of the LTP and Infrastructure Strategy will be necessary. If the anticipated growth does not occur, it is most likely that the Capital Projects programme will be re-sequenced or subtly accelerated or slowed rather than substantially changed.

50.2. Capital Projects may be substituted within an Activity group or programme of projects that will not necessarily have an effect on the development contributions calculated for that Activity.

51. Estimated cost of capital expenditure

51.1. It is likely that actual expenditure will differ from estimated expenditure due to factors beyond Council's control, including, but not limited to:

- **a.** changes in the price of raw materials and labour; and
- **b.** the timing of capital Projects occurring

51.2. Council makes every effort to incorporate these variables into cost calculations and updates all relevant information to inform future reviews.

52. Interest rates

52.1. The interest rates used within the Funding Model are set in the LTP and are found in the Significant Forecasting Assumptions source documentation for interest received or paid to account for the borrowing Council has undertaken to complete capital projects in anticipation of growth requirements.

53. Level of Service

53.1. A Level of Service is the standard of a service that Council provides for each Activity.

53.2. The Activity/Asset Management Plans and their defined 'Level of Service' statements form the basis of identifying capital Projects required to meet projected growth.

53.3. Any requirement to increase the Level of Service for existing users will be funded by rates and other funding mechanisms and will not be funded by way of development contributions.

53.4. Where a project results in increased level of service for the future growth community, a portion of the project costs relating to that benefit may be recovered through development contributions.

54. Financial assumptions ss106(2B)(2C), 197

54.1. The following financial assumptions have been applied:

- **a.** all future Project costs are based on current known infrastructure prices at present value
- **b.** income generated from rates and user charges will be sufficient to meet the operating costs of growth-related capital expenditure into the future
- **c.** all New Zealand Transport Agency (Waka Kotahi) subsidies will continue at present levels and that eligibility criteria will remain unchanged; and
- **d.** the methods of service delivery will remain substantially unchanged.

54.2. All figures in the Development Contribution Charges Schedule (clause19) are expressed in 2025 dollars and these will be amended as appropriate in accordance with the Producer Price Index Outputs for Construction (PPI) on an annual basis.

54.3. For clarity, and as stated in clause 7.4, Council may vary the Schedules of Assets from time to time in accordance with s201A(5) of the LGA.

Section 1: Schedule of Assets

55. Introduction

55.1. All projects included in the schedules of assets for future capital expenditure are included in either Council's LTP or its Infrastructure Strategy.

55.2. This part contains the Schedules of Assets for which development contributions will be used.

55.3. The calculations and documentation supporting the capital expenditure are available for examination at the offices of Council.

56. Schedule of Assets – Growth related expenditure for current and future Projects included in the LTP

ss201A(3), 106(2)(d)

Planned expenditure covers current and future expenditure on Projects in the LTP (including those costs beyond the LTP period).

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Water supply					
Kerikeri/ Waipapa	Waipapa Water Storage Upgrade	$300,000	$191,982 (64%)	$108,018	KKWSP
Kerikeri/ Waipapa	Kerikeri Water Source Connection Improvements to Lake Waingaro	$2,771,000	$1,773,272 (64%)	$997,728	LTP
Kerikeri/ Waipapa	Kerikeri Water Network Upgrade to Heritage Bypass	$11,757,000	$7,523,769 (64%)	$4,233,231	LTP
Kerikeri/ Waipapa	Kerikeri Water Treatment Plant Upgrade	$7,717,000	$2,469,207 (32%)	$5,247,793	LTP
Kerikeri/ Waipapa	Waipapa Water Treatment Plant Development	$10,000,000	$6,399,395 (64%)	$3,600,605	IS/LTP

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Kaikohe	IAF Water supply reticulation upgrades	$4,085,036	$495,898 (12%)	$3,589,138	LTP
Kaikohe	IAF Water supply treatment upgrades	$10,696,278	$1,070,509 (10%)	$9,625,769	LTP
Kawakawa	IAF Water supply reticulation upgrades	$1,873,192	$416,547 (22%)	$1,456,645	LTP
Kawakawa/ Moerewa	IAF Water supply treatment upgrades	$9,899,612	$1,347,729 (14%)	$8,551,883	LTP
Water supply	**Subtotal**	**$59,099,118**	**$21,688,307**	**$37,410,811**	
Stormwater					
Kerikeri/ Waipapa	Kerikeri Stormwater Network 61 Cobham Road Extension Upgrades	$125,000	- (0%)	$125,000	LTP
Kaikohe	IAF Stormwater Controls and Stop Banks	$1,367,753	$101,508 (7%)	$1,266,245	LTP
Stormwater	**Subtotal**	**$1,492,753**	**$101,508**	**$1,391,245**	
Wastewater Services					
Kerikeri/ Waipapa	Kerikeri Wastewater Treatment Plant Upgrade - Stage 2 and 3 (KK/Waipapa))	$16,000,000	$10,239,032 (64%)	$5,760,968	IS/LTP
Kerikeri/ Waipapa	Kerikeri Wastewater Storage Pump	$600,000	$383,964 (64%)	$216,036	LTP

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
	Capacity Improvements				
Kerikeri/ Waipapa	Kerikeri Wastewater Network Upgrades	$28,000,000	$17,918,306 (64%)	$10,081,694	IS/LTP
Kaikohe	IAF Wastewater reticulation upgrades	$15,710,875	$6,582,618 (42%)	$9,128,257	LTP
Kaikohe	IAF Wastewater treatment upgrades	$6,549,031	$2,684,206 (41%)	$3,864,825	LTP
Kawakawa	Kawakawa WWTP Stream Diversion	$399,000	$139,410 (35%)	$307,536	LTP
Kawakawa	Kawakawa Wastewater Network Gravity System Redesign	$225,000	$15,723 (7%)	$259,590	IS/LTP
Kawakawa	IAF Wastewater reticulation upgrades	$11,655,719	$3,249,941 (28%)	$8,405,778	LTP
Kawakawa	IAF Wastewater treatment upgrades	$7,961,937	$1,880,839 (24%)	$6,081,098	LTP
Wastewater Services	**Sub-Total**	**$87,101,562**	**$43,094,038**	**$44,007,524**	
Roading and Transport					
Bay of Islands - Whangaroa	Standalone Kerikeri CBD Bypass	$20,000,00	$10,893,666 (54%)	$9,106,334	IS/LTP
Bay of Islands - Whangaroa	Opua to Paihia (Northland Integrated Cycling Implementation Plan) - Extension of the Twin Coast Cycle trail	$769,542	$138,848 (18%)	$630,694	LTP

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Bay of Islands - Whangaroa	Pou Herenga Tai (Twin Coast Cycle trail) Opua to Taumarere replacement	$8,874,247	$1,590,354 (18%)	$7,283,893	LTP
Bay of Islands - Whangaroa	Waitangi to Kerikeri (Northland Integrated Cycling Implementation Plan)	$1,022,978	$184,576 (18%)	$838,402	LTP
Roading and Transport	**Sub-Total**	**$30,666,767**	**$12,807,444**	**$17,859,323**	
GRAND TOTAL		**$178,360,200**	**$77,691,297**	**$100,668,903**	

Section 2: Catchment Areas

56.1. Catchment areas used for the assessment of development contributions are shown in the maps presented in this section of the Policy. Developments on properties located within these catchment areas, are liable for development contributions:

a. for Roading and Stormwater services

b. for Water and Wastewater services if a council provided water or wastewater scheme that is predominantly located within these areas is available.

56.2. For avoidance of doubt, development occurring outside of the Catchment areas, but which is able to connect to a water or wastewater network that is predominantly located within the mapped Catchment areas, will also be liable for development contributions for the relevant Activity.

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Utu Whakawhanake- Development Contributions Policy (Draft)

The Far North District Council
Resolution in Council ~~[insert date of resolution]~~25 September 2025
Under section 102(1) of the Local Government Act 2002 the Far North District Council adopted the following policy about Development Contributions.

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Introduction to the Policy

How to read this Policy

This Development Contributions Policy document contains the following key elements:

- The 'operational' part of the Development Contributions Policy (Policy) – the 'what', 'when', and 'how much' for assessing and calculating development contributions.
- Related information, relevant provisions of the Local Government Act 2002 (LGA), or examples that assist the reader or user of the Policy to understand how it is applied and used on a day-to-day basis.
- Council's chosen policy direction. These are the elements of the Policy that Council can determine, but which must be aligned with the legislative requirements.

About this policy

The LGA requires Territorial Authorities to have a policy on development contributions or financial contributions. A territorial authority may only charge and collect development contributions from developers as provided for in a development contributions policy.

Development contributions are charges levied by councils on developments that create additional demand for infrastructure within their districts. These contributions help fund the provision of new or expanded infrastructure – such as reserves, roads, water supply, wastewater, stormwater drainage, and community facilities – required to service growth. This includes the demand generated by new subdivisions, buildings, or changes in land use that require resource consent, or building consent (e.g., converting a residential property into a commercial one).

Development contributions ensure the cost of growth-related infrastructure is shared fairly by those who create the need for, or benefit from, that infrastructure – rather than falling disproportionately on existing ratepayers.

In 2003, Council introduced a Development Contributions Policy to assist with the funding needed to support the growth of the District. In 2014 this policy was amended to stop charging development contributions, due a period of slowed growth, partly influenced by the global financial crisis.

The Far North District is experiencing sustained growth. In response, Council must plan and invest in infrastructure in a prudent, effective, and timely manner to meet current and future needs.

To support this, Council has adopted a new Development Contributions Policy as a tool to recover a portion of the capital costs associated with growth. Development contributions represent a critical funding source to help ensure that key infrastructure can be delivered as the District continues to grow.

This Policy sets out the framework for how and when development contributions will be required.

Related Information
The LGA provides the statutory framework and policy content requirements for a development contributions policy and Council has developed the Council Policy in accordance with these requirements.
This document is detailed in nature so that it meets all the legal requirements set out in the LGA. It provides clear, transparent information for people undertaking development (as per the LGA definition) to understand how development contribution fees are calculated and invoiced as well as what their development contribution payments are being used for.

The Policy

Part A: Preliminary Provisions

1. Title

1.1. This policy is the Far North District Council Utu Whakawhanake – Development Contributions Policy.

1.2. This Policy is made pursuant to ss 102(1) and 102(2)(d) of the LGA.

2. Commencement

2.1. This policy comes into force on ~~[insert date]~~1 July 2026.

3. Application

3.1. This policy applies to the district of the Far North District Council.

4. Purpose s197AA

4.1. The purpose of the Policy is to enable Council to recover from persons undertaking development a fair, equitable and proportionate portion of the costs of capital expenditure necessary to service growth within the Far North District.

5. Policy objectives s197AB

The objectives of this Policy are to:

5.1. Clearly state what development contributions fees will be charged by Council, and in what circumstances, to provide certainty for developers and the community.

5.2. Ensure that those undertaking development contribute fairly to the funding of infrastructure and facilities to service growth.

5.3. Provide development contributions revenue as part of the overall funding mix for infrastructure and facilities to support new development, while ensuring that only a fair and equitable portion of capital expenditure is recovered.

5.4. Provide transparency about how development contribution fees are calculated, including the underlying methodology and assumptions.

5.5. Promote fairness, transparency and sustainability in the application of development contributions, and support Council's broader responsibility to promote the social, economic, environmental and cultural well-being of its communities now and into the future.

6. Date of effect s198(2A)

6.1. This Policy applies to any building consent or resource consent application or request for authorisation for a service connection submitted, with all required information, on or after ~~[Commencement Date]~~1 July 2026.

6.2. Applications or requests submitted (accompanied by all required information) before 1 July 2026[~~Commencement Date~~] even if granted on or after that date, will not be subject to this Policy.

7. Statutory Context

This Policy has been prepared and adopted in accordance with the relevant provisions of the LGA in particular:

7.1. Section 102(2)(d), which is the requirement for Council to have a policy on development contributions or financial contributions;

7.2. Section 106, which sets out the matters that must be included in a development contributions policy;

7.3. Section 102(4)(b), which allows Council to adopt and amend the Policy at any time after consulting in a manner that gives effect to s82;

7.4. Section 201A(5), which allows Council to make changes to the Schedule of Assets for which development contributions will be used at any time without consultation subject to those changes meeting the necessary legislative requirements;

7.5. Sections 197-199, which provide for a territorial authority to require development contributions;

7.6. Section 201, which sets out the required content of a Development Contributions Policy;

7.7. Sections 197AA and 197AB, which outline the purpose and principles for development contributions;

7.8. Section 201A(1) sets out the matters that must be included in the required Schedule of Assets contained in the development contributions policy.

7.9. Schedule 13, which sets out the methodology for calculating contributions

7.10. Under the LGA, development contributions are a funding tool that allows territorial authorities to recover a fair and proportionate share of capital expenditure necessary to service growth. They are intended to ensure that those who create demand for infrastructure contribute to the cost of providing it.

7.11. This Policy must be adopted in accordance with the special consultative procedure under s83 of the LGA. Once adopted, the Policy forms part of Council's broader financial and infrastructure planning framework, including the LTP and any infrastructure strategy.

8. Policy Review

ss82m 106, 201A(5)

8.1. The Policy must be reviewed at least every three years. A review of the Policy must include consultation that gives effect to the requirements of s82 of the LGA (LTP). Usually, Council undertakes a review of the Policy in conjunction with the review of the Long -Term Plan (LTP), however amendments to the Policy between LTP cycles can also occur if required. These amendments must also be consulted on.

8.2. Council may make changes to the Schedules of Assets in Section 1 of this Policy without consultation, subject to those changes meeting the necessary legislative requirements.

8.3. There is also provision in s106(2B) and (2C) of the LGA for Council to increase the development contributions payable in relation to changes in the Producer Price Index (PPI). No consultation is required but the details of the increase must be made publicly available before it takes effect.

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9. Supporting documentation s106(3)

9.1. Council is required under s106(3) of the LGA to make available for public inspection the full methodology that demonstrates how the calculations for development contributions charges are made.

9.2. The Cost Allocation Methodology summarised in clause 45 of the Policy is available for public inspection at all Council offices.

9.3. A viewing of the full methodology as stipulated in s106(3) of the LGA can be arranged on request. [EMAIL CONTACT SIGNALED HERE].

10. Financial Contributions s106(2)

10.1. Council's ability to collect financial contributions is enabled by the RMA 1991 and supported by the LGA. While financial contributions are imposed through conditions on resource consents under the RMA (s108), the LGA (s102(2)(d)) requires that any Council intending to use financial contributions must adopt a Financial Contributions policy as part of its wider suite of funding and financial policies.

10.2. The District Plan sets out the specific purposes and circumstances under which financial contributions may be imposed as a condition of a resource consent. These typically relate to avoiding, remedying, or mitigating the adverse effect of development on the environment and existing infrastructure. Financial contributions may be required in the form of money or land and are generally applied where the impacts of a development cannot be appropriately addressed through other regulatory or funding mechanisms.

10.3. Examples of where financial contributions may apply include upgrades to roads, water supply, stormwater infrastructure, or the provision of reserves. Where explicitly provided for in the District Plan, they may also apply to the provision or enhancement of community facilities such as libraries, community halls, where those assets are directly impacted by new development.

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Interpretation

11. Abbreviations

11.1. The following abbreviations mean the following:

CAM	Cost Allocation Methodology
GAC	Growth Attributable Cost
GFA	Gross Floor Area Gross Floor Area
GST	Goods and Services Tax
HUE	Household Unit Equivalent
IS	Infrastructure Strategy
LGA	Local Government Act 2002.
LOT	Allotment
LTP	Te Pae Tata – Three Year Long Term Plan.
RMA	Resource Management Act 1991.
's' or 'ss'	means the relevant section(s) of the LGA, unless otherwise stated. (i.e., section 106 or s106; sections 199A-199P or ss199A-199P).
'sch'	Means the relevant schedule of the LGA.
VMPD	Vehicle movements per day

12. Glossary of terms

12.1. The definitions below apply for the purposes of this Policy.

Accommodation units	Has the same meaning as defined in s197 of the LGA and means units, apartments, rooms in 1 or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation.
Activity	For the purposes of this Policy means a grouping of the Council services, facilities and amenities as listed in Part B, clause 14 of this Policy.
Aged care room	Means any dwelling unit in a 'rest home' or 'hospital care institution' as defined in s58(4) of the Health and Disability Services (Safety) Act 2001

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Allotment	Has the same meaning as defined in s218(2) of the RMA as: (a) any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not - (i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or (ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or (b) any parcel of land or building or part of a building that is shown or identified separately (i) on a survey plan; or (ii) on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or (c) any unit on a unit plan; or (d) any parcel of land not subject to the Land Transfer Act 2017.
Ancillary activity	Means an activity that supports and is subsidiary to a primary activity
Average	For the purposes of this Policy refers to a calculated mean value used to distribute the total cost of growth-related infrastructure across units of demand (e.g., per dwelling, per lot, per Household Unit Equivalent), to ensure a fair and consistent basis for development contributions.
Average household	An Average Household represents the average demand for Council services generated by a typical detached Dwelling Unity occupied by a single household. For this Policy means the occupancy rate of 2.6 people.
Base units	The demand of an average dwelling unit for each Activity
Capital expenditure	Has the same meaning as defined in s197 of the LGA and includes any funding provided by the responsible levy authority to contribute to the constriction costs of eligible infrastructure that has been, or intended to be, transferred to the authority under s90 of the Infrastructure Funding and Financing Act 2020.
Catchment	A separately defined area of the District, defined by Activity and location for funding purposes
Commercial activity	Any activity trading in goods, equipment or services. It includes any ancillary activity to commercial activity (for example administrative or head offices).
Commercial accommodation	Units, apartments, rooms in 1 or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation
Community activities	Land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. This is used in Tables 1 to 4.
Community facilities	Has the same meaning as defined in s197(2) of the LGA and means reserves, network infrastructure, or community infrastructure for which

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	development contributions may be required in accordance with s199 of the LGA.
Community infrastructure	Has the same meaning as defined in s197(2) of the LGA as: (a) means land, or development assets on land, owned or controlled by the territorial authority for the purpose of providing public amenities; and (b) includes land that the territorial authority will acquire for that purpose
Cost allocation	The allocation of the capital costs of a project to the various drivers for the project, such as renewal, level of service and additional capacity to meet growth.
Cost allocation methodology	Means the framework that determines how the costs of projects are split between existing and new users, based on the causes of demand and distribution of benefits. It ensures that contributions are calculated in a fair, transparent, and legally compliant matter.
Council	Means the Far North District Council and includes staff acting in accordance with delegated authority.
Credits	Means a credit to be applied to a development contribution assessment under clause 18 of this Policy.
Crown	Includes all government departments, Ministries, and Crown entities (e.g., Kāinga Ora) undertaking development for public purposes to which s8 of the LGA applies.
Developer	A person, who is an applicant for a resource consent or certificate under the RMA or building consent or certificate under the Building Act 2004, or a request for service connection authorisation.
Development	Has the same meaning defined in s197(1) of the LGA: a) any subdivision, building (as defined in s8 of the Building Act 2004), land use, or work that generates a demand for reserves, network infrastructure, or community infrastructure; but b) does not include the pipes or lines of a network utility operator
Development agreement	Has the same meaning as defined in s197(2) of the LGA: a voluntary contractual agreement made under ss207A to 207F of the LGA between 1 or more developers and 1 or more territorial authorities for the provision, supply, or exchange of infrastructure, land, or money to provide network infrastructure, community infrastructure, or reserves in 1 or more districts or a part of a district
Development contribution	Has the same meaning as defined in s197(2) of the LGA and means a contribution- (1) provided for in a development contribution policy of a territorial authority; and (2) calculated in accordance with the methodology; and (3) comprising— (i) money; or (ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Māori land

	within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or (iii) both
Development contributions objection	Has the same meaning as defined in s197(2) of the LGA: an objection lodged under sch13A, clause 1, LGA against a requirement to make a development contribution
Development contributions commissioner	Has the same meaning as defined in s197(2) of the LGA: A person appointed under s199F LGA.
Development contributions policy	Is a formal policy adopted by Council's under the LGA. It sets out how and when the Council will require payments, known as development contributions, from developers or those undertaking new developments.
Depreciation	The wearing out, consumption or other loss of value of an asset whether arising from use, passing of time or obsolescence through technological and market changes. It is accounted for by the allocation of the cost (or re-valued amount) of the asset less its residual value over its useful life.
District plan	Far North District Council Operative District Plan
Dwelling unit	For the purposes of this Policy, a Dwelling Unit means any building, group of buildings, or part of a building that is used or designed to be used as a self-contained residential space. A Dwelling Unit must include, within its exclusive occupancy, facilities for sleeping, cooking, bathing, and toilet use. A Dwelling Unity may be part of a larger building (such as an apartment or granny flat) or stand-alone building (such as a detached house). (Non-exclusive self-contained residential space for one household.)
Financial contributions	Has the same meaning as defined in s108(9) of the RMA and is a contribution of money, land, works, services or combination of these. Financial contributions are used to offset or mitigate the adverse impacts on the natural and physical environment including utility services, of a new development.
First principle basis	The basis on which non-residential development contribution assessments can be made when the Tables 1 to 4 within the Policy are not sufficiently accurate. Where possible the actual (potential) demand a commercial development will place on infrastructure will be established using reports from suitably qualified persons.
Freight and distribution	Land use and the associated infrastructure which enables the movement of goods.
Funding model	The model used to ensure an equitable development contributions assessment based on the funding requirements needed to support growth. The primary output of the funding model is a set of development contribution fees, land or both.
Gross floor area	The sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, lift wells or stairwells);

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	(a) where there are exterior walls, measured from the exterior faces of those exterior walls (b) where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings (c) where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, measured from the edge of the floor. GFA is measured from the exterior of walls and the centre line of a wall adjoining two or more buildings.
Growth	Means the increase in demand for infrastructure and facilities that arises as a direct result of new development activity, identified for the purpose of determining the share of infrastructure costs to be recovered from new developments through development contributions.
Growth attributable cost	Means the portion of the total capital cost of an infrastructure project that is directly attributable to, and allocated for, meeting the demand generated by growth, as determined using the Council cost allocation methodology. GAC forms the basis for calculating development contributions and excludes costs for renewal or existing service shortfalls.
Growth model	Means the framework or set of projections used by the Council to estimate the scale, timing, location, and type of future development within the district or defined catchments, providing the basis for infrastructure planning and the calculation of development contributions. This information is used to assist in determining 'Household Unit Equivalents' (HUEs).
Goods and services tax	Has the same meaning found in the Goods and Services Tax Act 1985
Health and educational facilities	Buildings or places used for the delivery of education or health services.
Hospitality	Bars, restaurants, cafes and food outlets (including takeaway).
Household unit equivalent	A Household Unit Equivalent (HUE) is a measured unit of demand for Council services, representing the demand generated by a development, expressed as an equivalent to that produced by an average Household Unit. (Demand from any unit, expressed as a fraction/multiple of a Household Unit.)
Infrastructure Strategy	Is the Infrastructure Strategy adopted by Council as part of the LTP.
Industrial activity	An activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity (excludes however retails, commercial and residential Activities).
Large mass buildings	A Large Mass Building is any non-residential building, or part of a building, that has a significant floor area and/or height relative to typical residential or commercial structures. This includes, but is not limited to, warehouses, showrooms, bulk retail outlets, and similar premises

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	designed primarily for storage, display, or distribution of goods, rather than residential occupancy. (Large Mass Buildings are differentiated from Dwelling Units and Residential Units by their scale, use and nature of the demand they place on Council infrastructure and services.)
Level of service	The standard of services that Council provides or will provide for each Activity undertaken, as described in applicable measurable terms in the LTP.
Māori land	Māori land is comprised of the following: 1. Freehold Māori land, as determined in Te Ture Whenua Maori Act 1993 2. Crown land reserved for Māori as defined in Te Ture Whenua Maori Act 1993 3. General land owned by Māori that is beneficially owned by more than 5 Māori owners either individually or through a Māori incorporation, Māori Trust Board, Settlement Trust, subsidiary or other similar legally incorporated Māori entity, 4. General land that ceased to be Māori freehold land under Part 1 of the Maori Affairs Amendment Act 1967; and where the land is still beneficially owned by the persons, or by the descendants of the persons, who beneficially owned the land immediately before the land ceased to be Māori land.
Methodology	For the purposes of this Policy refers to the methodology for calculating development contributions set out in clauses 44 to 45 of this Policy.
Network infrastructure	Has the same meaning as defined in s197(2) of the LGA and means: the provision of roads and other transport, water, wastewater, and stormwater collection and management
Network utility operator	Has the same meaning as in s166 of the RMA
New growth / New expenditure	The anticipated growth demand and planned capital costs for the ten-year period covered in the current LTP document.
Non-residential	Any development or part of a development including land and/or buildings that do not fall under the definition of residential.
Objector	Has the same meaning given to it under s197 LGA and means: a person who lodges a development contribution objection.
Papakāinga developments	Means Residential activity undertaken to support traditional Māori cultural living for tangata whenua residing in the Far North District on: a. Māori land; b. Treaty Settlement Land. For clarification Treaty Settlement Land does not include commercial redress land identified in a Treaty Settlement Act.
Part	Means a reference to a part of this Policy.
Person	An individual or a representative of an organisation or group who has applied to the Council for a resource consent or certificate under the

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	RMA or building consent or certificate under the Building Act 2004, or a requested for service connection authorisation.
Policy	The Far North District Council Utu Whakawhanake – Development Contributions Policy unless otherwise stated.
Project	Includes planned or completed programmes and projects of capital expenditure intended to deliver defined Levels of Service for that programme or project.
Public storage	Facilities where individuals or business can store belongings.
Resource consent	Has the same meaning given to it under s2(1) of the RMA and includes a change to a condition of a resource consent under s127 of the RMA.
Remissions	For the purposes of this Policy means: a discretionary percentage reduction or waiver of all or part of a development contributions otherwise payable, granted in accordance with the criteria and conditions set out in this Policy.
Renewal	The replacement of an existing asset at the end of its design life with an equivalent asset of the same nature, function and capacity.
Rental accommodation	Means short-term rental for no longer than 90 consecutive days. Rental accommodation for more than 90 consecutive days is considered long term rental accommodation and will be treated as a dwelling unit in alignment with the Residential Tenancy Act 1986.
Reserves/Parks	Land acquired or purchased for a reserve or park, including the cost of providing any improvement/s necessary to enable that land to function for its intended purpose including its purpose under the Reserves Act 1977.
Residential activity	The use of land and building(s) for people's living accommodation, including residential units, serviced apartments and unit/strata title developments.
Residential unit	A Residential Unit is a building used for residential activity exclusively by one household. It must include sleeping, cooking, bathing and toilet facilities. (Exclusive self-contained residential building for one household.)
Retail activity	This means activities selling, exposing, displaying or offering: of goods, merchandise or equipment for sale or direct hire to the public. It includes any ancillary activity to the retain activity (for example administrative or head offices)
Retirement unit or village	Any property, building, or premises with two or more residential units that provide, or are intended to provide, residential accommodation together with services or facilities (or both), predominantly for people in their retirement (and their spouses or partners), where residents pay a capital sum for the right to occupy the unit.

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	This applies regardless of the legal form of occupation (such as freehold, lease, licence to occupy, or tenancy) and includes common areas and facilities accessible under occupation right agreements.
Rural	Means the area of the District comprising the Rural Zones in the District Plan.
Rural activities	Means activities, industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.
Service connection	A physical connection to a service provided by or on behalf of Council
Site	Has the same meaning as in the District Plan: (a) An area of land which is: (i) composed of one allotment in one certificate of title or two or more contiguous allotments held together in one or more certificates of title in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or (ii) contained in a single allotment on an approved survey plan of subdivision for which approvals under s223 and/or s224 of the RMA have been obtained and for which a separate certificate of title could be issued without further consent of the Council. (b) Except that in the case of: (i) land subdivided under the Unit Titles Act 2010, or stratum subdivision, "site" shall be deemed to be the whole of the land subject to the unit development or stratum subdivision; and (ii) land subdivided under the cross lease or company lease systems (other than strata titles), "site" shall be defined as an area of land containing: • any building, accessory buildings, plus any land exclusively restricted to the users of those buildings; or • a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes. (c) In the case of Māori land within the meaning of Te Ture Whenua Maori Act 1993: (i) includes a parcel of land created by a partition under s289, provided that its area complies with the Residential Intensity rule for the zone in which the land is located; or (ii) parcels of land partitioned and given effect to, by approval of Te Kooti Whenua Māori - Māori Land Court, before 28 April 2000.
Subdivision	Has the same meaning as 'subdivision of land' in s218 of the RMA and means: (a) the division of an allotment: (i) by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or

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	(iv) by the grant of a company lease or cross lease in respect to any part of the allotment; or (v) by (the deposit of a unit plan or) an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or (b) an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by s226 RMA.
Visitor accommodation	Accommodation that intended for periods not exceeding 50 days in continuous term of occupancy for the purpose of providing overnight, temporary, or rental accommodation.
Unallocated (Cost allocated to)	In any analysis process, there is the need to recognise that some cost share outcomes may not readily be allocated to a funding source.

12.2. The Legislation Act 2019 applies to this Policy.

12.3. Where a word in this Policy has the same meaning as defined in legislation or other regulatory documents, any changes to the meaning of that word in the legislation or regulatory document will apply to this Policy as well

12.4. Any explanatory notes and attachments are for information purposes, and do not form part of this Policy. They may be inserted, amended, or revoked without formality. Explanatory notes are provided within the 'Related Information' boxes throughout this Policy

Related Information

Compliance with the Policy does not remove the need to comply with all other applicable Acts, regulations, bylaws, the Far North Operative District Plan and the Regional Plan for Northland. Where there is any conflict between this Policy and any Act or Regulation, the Act or Regulation will take precedence.

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Part B: Development contributions assessments

13. Determining development contributions

13.1. When assessing development contributions, Council will confirm that the proposed development generates demand for the Activities specified under clause 14 in this Policy. Development contributions will be required where this demand results in the need for new assets or increased capacity, and where Council has incurred, or will incur, capital expenditure either in anticipation of, or to service, the development.

14. Activities for which a development contribution fees are charged ss199, 106(2)(d)

14.1. Council can require development contributions for the following Activities:

- **a.** Reserves
- **b.** Network infrastructure
- **c.** Community infrastructure

14.2. Within these Activities Council has, in accordance with s106(2)(d) of the LGA, identified the following sub-Activities for which development contributions can be charged:

- **a.** Reserves
  - i. Parks and reserves
- **b.** Network infrastructure
  - i. Water supply
  - ii. Wastewater
  - iii. Transport and roading
  - iv. Stormwater
- **c.** Community infrastructure
  - i. Libraries including the land on which the library is situated
  - ii. Sports fields
  - iii. Public toilets

Related Information

Any reference to Activity or Activities in this Policy includes the sub-Activities listed in clause 14.2. The use of the term activity or activities should be inferred from the context.

The Parks and Reserves, Libraries, Sports fields and Public toilets Activities are included in clause 14.2 above to ensure policy completeness and flexibility. At present, no development contributions are required for these Activities. Their inclusion in the table does not commit Council to charging development contributions for these Activities. For further clarification:

- the presence of these Activities in clause 14.2 above is intended to maintain policy robustness and provide a framework should Council wish to consider development contributions for these Activities in the future.
- Council has not made a decision to introduce or charge development contributions for Parks and Reserves, Libraries, Sports fields and Public toilets Activities at this time.

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15. Test for development ss. 197, 198, 199, 200

15.1. Council may require a development contribution only if all of the following apply:

a. the activity constitutes a 'development' as defined in s197 LGA, including subdivision, building work, or other development that creates additional demand for or on Council infrastructure.

b. the individual or cumulative effect of the development generates demand that causes Council to incur, or to have incurred, capital expenditure either in anticipation of, or to service, the development for:

i. new or additional assets; or
ii. assets of increased capacity,
iii. reserves, network infrastructure, or community infrastructure.

c. as a consequence of the development, the Council incurs, has incurred, or will incur, capital expenditure to appropriately provide for those assets.

d. this Policy provides for the requirement of a development contribution in such circumstances;

e. the development contribution is not prohibited by s200 LGA.

15.2. If the development meets the provisions under clause 15.1 in the affirmative, Council may require a development contribution when:

a. a resource consent is granted under the RMA, for subdivision or land use;
b. a building consent or certificate of acceptance is granted under the Building Act 2004
c. a Project Information Memorandum is issued
d. an authorisation for a service connection is granted

15.3. On receiving an application or authorisation for any of the consents, certificates, or authorisations listed in clause 15.2, Council will:

a. confirm whether the application relates to a 'development' as defined in s197 of the LGA;
b. check that Council is not prohibited by s200 of the LGA from requiring a contribution in relation to the development.
c. determine whether alone or in combination with other developments the effect of the development under consideration is to require new or additional assets or assets of increased capacity and, as a consequence, Council will incur (or has already incurred) capital expenditure to provide appropriately for this; and
d. establish whether this Policy requires a development contribution in the circumstances.

15.4. If Council is satisfied that a development contribution is required, it will assess the application in accordance with clause 16 below.

16. Assessment

16.1. Council will assess the development contributions payable in relation to an application as follows:

a. Identify the Catchments in which the proposed development is located.

b. For each relevant Catchment and Activity, calculate the number of HUEs generated by the development (see clause 17).

c. Identify in HUEs any credits, that apply for each Activity.

d. Deduct credit HUEs from the total demand HUEs to determine the net increase in demand (additional HUEs) for each Activity.

e. Calculate the development contribution for each Activity by multiplying the net additional HUEs by the applicable fee for that Activity and Catchment, as set out in the Development Contribution Fee Schedule (see clause 19).

f. Sum the amounts calculated for each Activity to determine the total development contribution payable.

g. Add GST to the total amount.

16.2. Assessments will generally be made at the time of the earliest application for consent or authorisation for service connection relating to a development.

16.3. If Council does not require development contributions on the first consent or service connection authorisation, this does not prevent Council from assessing contributions on a subsequent consent or authorisation for the development. Council may also require an additional development contribution for the same purpose if there is an increase in the scale or intensity of the development since the earlier contribution was required.

16.4. Applicants may request an indicative calculation of development contributions when applying for a Project Information Memorandum or Certificate of Acceptance under the Building Act 2004, or at a pre-application meeting under the RMA. This indicative calculation provides an early estimate of potential liability but is not binding. A development contribution will only be required at the time specified in clause 15.2 and will be invoiced in accordance with Part C of this Policy.

16.5. All growth-related community facilities and infrastructure within the identified catchment are considered to be available to service any allotment within that catchment, up to a uniform service level, at any time. For assessment purposes, the availability of a network connection now or in the future, is the basis of evaluation, regardless of whether a connection to the services currently exist.

17. Determining Household Unit Equivalents (HUEs)

Schedule 13 cl 2

17.1. A HUE is the unit of demand that equates to the typical demand on infrastructure by an average household for the Activities that development contributions are collected for.

17.2. A second independent accommodation or residential unit will be treated as a household unit for the purposes of calculating development contributions. To avoid any doubt, visitor accommodation units that are separate unit-titles shall be considered as separate household units.

17.3. Using HUEs to assess development contributions provides an efficient method to meet the requirement to attribute units of demand to particular development Activities or types of development on a consistent and equitable basis.

17.4. HUEs are determined:

a. as per the categories of development in this Part of the Policy under clause 17.8; and

b. depending on what type of consent, certificate or service connection application has led to an assessment in accordance with clause 15 of this Policy.

17.5. Charges based on the number of HUEs are calculated in accordance with the Development Contribution Charges Schedule in clause 19.

17.6. Depending on the specific Activity or service, Tables 1- 4 in clause 20 provide additional data to support HUE calculations, as they describe HUEs in appropriate unit demands for the specific Activities.

17.7. In some cases, the circumstance of a development means an assessment in accordance with the typical development Activities in clause 17.8 below is not appropriate, and in these cases a special assessment calculation will be made (clause 17.9).

17.8. This clause of the Policy identifies typical developments and assessment considerations.

a. Residential subdivision

i. Council has determined that it is appropriate to assess in accordance with clause 16 and require development contributions for residential subdivision.

ii. Each new residential lot created by subdivision attracts development contributions at the rate of one HUE per relevant Activity.

iii. Where two or more vacant lots held in one certificate of title are divided into separate titles and no previous development contributions or financial contributions under the RMA have been paid, development contributions will be required.

iv. The first single dwelling unit built on a vacant lot with a registered title in existence prior to 1 July 2026,~~[date of policy adoption],~~ will be assessed as having a credit of one HUE.

v. Notwithstanding 17.8.a.iv if an existing lot does not have connections to Council's water or wastewater services, then on application for a connection, development contributions will be required for those Activities.

b. Second/subsequent dwellings and multi-unit developments

i. Additional dwellings after the first dwelling on a lot will attract development contributions at the rate of one HUE per dwelling. Dwellings for the purposes of this Part in the Policy include but are not limited to integrated, attached, and detached units, sleep outs and minor dwellings.

ii. If an additional dwelling is 70 m² of gross floor area (GFA) or less and in, the Council's opinion, is likely to generate less demand than an average dwelling, Council may apply a pro-rata m² rate reduction in development contributions.

iii. Any pro-rata reduction applied as per clause 17.8.b.ii17.8.b.ii above will not be less than 40% of a HUE. This is to reflect that smaller than average dwellings will still be occupied, and it is occupancy rather than floor space alone that generates demand.

iv. Where a pro-rata reduction has been applied in accordance with clause 17.8.b.ii above and a subsequent application is then made to expand that dwelling, the development contribution required will be assessed accordingly.

v. For multi-unit developments, Council may apply a pro-rata m² reduction in a development contribution, where it can be demonstrated that one or more units will generate lower demand than an average dwelling.

c. Home - based commercial activities

i. Home-based businesses, and residential dwellings converted to commercial use will be assessed for additional demand greater than the existing residential use. If development contributions are required, these will be required in accordance with the charges for non-residential land use (clause 17.8.d.i18.8.b).

d. Non-residential subdivision

i. Non-residential subdivision will attract development contributions for each new lot created at the rate of one non-residential HUE per new lot.

ii. Any development contributions paid as per clause 17.8.d.i above will be applied as a credit (clause 18) when assessing development contributions for a subsequent building consent or land use resource consent on the same lot.

e. Non-residential land use

i. Non-residential land use will attract development contributions based on the demand a proposed development will place on Council's network infrastructure using the demand factors outlined in factors in Tables 1- 4 in clause 20.

f. Rural subdivision and land use

i. For clarity, residential subdivision in the rural area is covered by residential subdivision in clause 17.8.a of this Policy and will be assessed accordingly. Non-residential subdivision in the rural area is covered by clause 17.8.d.

ii. Non-residential developments other than subdivision in the rural area, including, but not limited to milking sheds, packing houses, and growing houses, etc. (i.e., any development that has a proposed activity that will impact on infrastructure and services), will be assessed for development contributions in accordance with clause 17.8.e apart from commercial accommodation which will be assessed in accordance with clause 17.8.g.

iii. For clarity, non-residential sheds, and other farm buildings (including, but not limited to, hay sheds and minor storage sheds) will not attract development contributions if they are assessed to have no additional impact on infrastructure.

g. Commercial accommodation

i. Commercial accommodation is assessed on the number of transitory accommodation rooms. A transitory accommodation room is for a maximum of 2.6 people. The calculation of HUE equivalents for commercial accommodation is based on each transitory accommodation room being the equivalent to 40% of an average dwelling.

ii. Managers units will be assessed as a residential land use activity as they are a permanent dwelling.

h. Tangata Whenua Development – Residential Activity

i. To support traditional Māori cultural living for Tangata Whenua residing in the Far North District residential activity development undertaken on the follow land titles will not be required to pay any development contributions:

- Māori freehold land;
- Treaty Settlement Land - excluding commercial redress land identified in a Treaty Settlement Act;
- general title land if converted from Māori freehold land title under the Maori Affairs Amendment Act 1967.

i. Retirement Villages

i. The impact of retirement villages including care facilities is assessed on the following basis:

Activity	HUEs per Retirement Village (maximum 3br)	HUEs per Aged Care Bed
Transport	0.3	0.1

Water	0.44	0.4
Wastewater	0.44	0.4
Parks and Reserves	0.0	0.0
Libraries	0.0	0.0
Sports fields	0.0	0.0
Public toilets	0.0	0.0

Related Information

Example only of commercial accommodation assessment
The total development contributions arising from a commercial accommodation development with 20 rooms and
1 managers' unit would be:

- Transport and Roading Activity = 9 HUES (20 rooms x 40% of a HUE=8 HUEs + 1 HUE (Managers unit)
- Parks and Reserves = 1 HUE (Managers unit)
- Libraries = 1 HUE (Managers unit)

17.9. Special assessment calculations

a. Council may consider that a specific development will generate impact on infrastructure which materially differs from that used for typical assessments under clause 17.8.

b. Generally, a special assessment will be done when the demand for an Activity is expected to be either greater or lesser than double the identified average value for that type of Activity, or where a land use is not adequately described within the Land Use Activity Tables (clause 20) of the Policy.

c. It is solely a matter for Council, in its discretion, whether to carry out a special assessment.

d. A special assessment uses a 'first principles assessment' approach. This means that the development will be assessed on its actual (proposed) demand, as opposed to the average demand identified in the Land Use Activity Tables in clause 20.

e. A special assessment may require the applicant to provide detailed calculations of the expected demand of the development. These calculations will need to be provided by a suitably qualified person.

f. The information supplied in clause 17.9.e above will be converted to HUEs to undertake an assessment in accordance with clause 17.

g. Council may consider a development agreement an appropriate mechanism to document the outcome of a special assessment should the development fall within the criteria and circumstances under clause 30 of this Policy.

Related Information

Examples of land use types that may require a special assessment

- sports or convention centres that may generate large volumes of traffic at specific peak times
- trucking and courier activities that may have a consistent above average road use,
- concrete plants that use significant amounts of water as part of their manufacturing process
- a quarry or quarry extension because it can generate significant vehicle movements but at the same time may not have a building associated with the activity.

Council encourages developers to provide information (required in clause 17.9.e) at the feasibility stage of their project prior to lodging an application.

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18. Credits

18.1. Credits may be recognised by Council, for previously paid development contributions, financial contributions under the RMA, or historical impact. Credits are calculated in HUEs and reflect the existing or historical (i.e., pre-development) level of demand associated with a site, including but not limited to:

a. existing residential dwelling units on site;

b. historical credits of one HUE per Activity on vacant land with a registered title at 1 July 2026;~~[Policy commencement date];~~

c. GFA of existing non-residential buildings on the site;

d. previous lawfully established activities or consented buildings on a site.

18.2. The number of credits (in HUEs) for a site will be determined using the same methodology as for calculating additional demand under clause 17.

18.3. Credits are only available for lawfully established activities.

18.4. Credits are site specific and may not be transferred to another site.

18.5. Credits are not transferable between Activities (e.g., credits for Transport and Roading apply only to those Activities; credits for Reserves apply only to Reserves etc.).

18.6. Surplus development contribution credits are not redeemable for land or money.

18.7. Council established a base line demand as at 1 July 2026~~[Policy Commencement date]~~. All credits are benchmarked against the level of demand generated by lawfully established activities or consented buildings on the site at that date.

18.8. The following clauses detail the specific approaches for determining credits for residential and non- residential developments.

a. Residential

i. Any undeveloped existing lot with a registered title as at 1 July 2026~~[Policy commencement date]~~ is deemed to have one HUE credit per Activity for which a development contribution would otherwise be required, except for:

- small road severances; or
- titles that are unable to be built on.

ii. Where a cross lease or unit title is converted into 'Fee Simple' title, no additional development contributions will be required if the conversion does not increase demand for Council infrastructure.

b. Non-residential

i. Any undeveloped lot with a registered title as at 1 July 2026~~[Policy commencement date]~~ is deemed to have one HUE credit per Activity for which a development contribution would otherwise have been required, except for:

- small road severances; or
- titles that are unable to be built on.

ii. For developments involving extensions or demolition and rebuilding at the same or higher intensity, credits will be assessed based on the pre-existing development

iii. Sites where buildings were demolished or destroyed prior to 1 July 2026~~[Policy commencement date]~~ will be treated as vacant lots for the purpose of credit allocation.

Related Information:
Clarification:
Clause 18.8.a.i: An undeveloped lot is considered to have a potential demand for services and is therefore allocated one HUI credit per Activity, even if no services are currently being used.
Clause 18.8.b.ii: As with residential, the allocation of one HUE credit per Activity reflects the potential for future demand, not current service use.
Rationale: This ensures that credits are only allocated where there was a recognised and assessed demand at the time, aligning with the principle of fairness and consistency.

19. Development Contribution Fees Schedule ss201(2), 202

19.1. This Schedule is provided in accordance with ss201(2) and 202 of the LGA, and details the fees charged per HUE by Activity and Catchment.

19.2. All fees below are GST exclusive.

2024 - 2027 Development Contributions Charges

Roading and Transport	Catchment	District Wide	Total Charges
Bay of Islands - Whangaroa	3,320	-	3,320
Stormwater			
Kaikohe	409	-	409
Kawakawa	-	-	-
Kerikeri/Waipapa	-	-	-
Wastewater			
Kaikohe	37,136	-	37,136
Kawakawa	25,571	-	25,571
Kerikeri/Waipapa	11,376	-	11,376
Water supply			
Kaikohe	6,222	-	6,222
Kawakawa	1,980	-	1,980
Kawakawa/Moerewa	6,719		6,719
Kerikeri/Waipapa	7,901	-	7,901
Parks and Reserves			
District	-	-	-
Libraries			
District	-	-	-

Sports fields			
District	-	-	-
Public toilets			
District	-	-	-

Related Information

For the table above - Council may require full payment of a development contributions in accordance with this when approving:

- a building consent, including a certificate of acceptance
- a resource consent
- an authorisation for a service connection
- a certificate of acceptance

The Parks and Reserves, Libraries, Sports fields and Public toilets Activities are included in the Table above to ensure policy completeness and flexibility. At present, no development contributions are required for these Activities. Their inclusion in the table does not commit Council to charging development contributions for these Activities. For further clarification:

- the presence of these Activities in the Table above is intended to maintain policy robustness and provide a framework should Council wish to consider development contributions for these Activities in the future.
- Council has not made a decision to introduce or charge development contributions for Parks and Reserves, Libraries, Sports fields and Public toilets Activities at this time.
- the inclusion signals that Council may, at its discretion and following appropriate processes (under the applicable provisions of the Local Government Act 2002) consider whether to introduce development contributions for these Activities in the future.

20. Land Use Activity Tables

20.1. Table 1 – base demand units for residential HUE

a. This table assumes an average household occupancy rate of 2.6 people per dwelling, based on 2023 Census information. See significant assumptions for further explanation of the occupancy rate.

Activity	Base Unit per HUE	Demand per HUE	Comment
Transportation and Roading	10 vehicle movements per day	-	Vehicle movements are 1 in 1 out
Water Supply	m^3 per day	0.75 m^3 or 750 litres	Based on average flow (design average)
Wastewater	m^3 per day	0.8 m^3 or 800 litres	Based on peak flow and providing sufficient capacity to ~~safely and effectively discharge~~

			~~wastewater~~discharge wastewater safely and effectively.
Community	per capita basis		Based on assumed average occupancy
Libraries	per capita basis		Based on assumed average occupancy

Related Information:
The Community and Libraries Activities are included in Table 1 for completeness. Like the Related Information box above, no development contributions are currently required for these activities. Their inclusion into Table 1 does not commit the Council to charging development contributions but allows for the option to consider this in the future, subject to a separate Council decision and in accordance with applicable provisions in the Local Government Act 2002.

20.2. Table 2 – base demand units for commercial HUE

Activity	Base Unit per HUE	Demand per HUE	Comment
Transportation and Roading	10 vehicle movements per day	See Table 3 & 3 A Demand calculated per 100m² GFA	Based on average trip generation tables per land use type
Water	m³ per day	0.75 m³ or 750 litres	Based on average flow by land use type see table 4
Wastewater	m³ per day	See Table 4 Note that wastewater is based on peak flow of 0.8 m³ or 800 litres Council must provide adequate capacity to safely and effectively discharge wastewater	See Table 4 Based on average usage by land use type

20.3. Table 3 – Transport and roading

a. To establish transport and roading contributions, Council uses Table 3 below, which shows average Vehicle Movements per Day (VMPD) per 100m² of Gross Floor Area converted to HUEs.

b. However, some Land Use activities do not rely on GFA, these are separately identified in Table 3A below.

c. If an Activity is not covered by the categories within Tables 3 and 3A, or has identified demand significantly different from the tables, Council may request an assessment be provided by a qualified Traffic Engineer and reserves the right to have any such assessments peer reviewed at the applicant's expense.

Land Use Activity	HUEs Per 100m2 of GFA
Rural activities	0.31
Commercial activity	1.5
Community activity	1.16
Freight and distribution	4.92
Health and educational facilities	0.83
Industrial activity	0.6
Visitor accommodation	0.41
Public storage	0.08

20.4. Table 3A – The following Activities use the indicated factors (instead of GFA) to convert to HUEs

Activity	Factor	HUEs
Independent Dwelling Unit	per dwelling unit over 70m²	1.00
Child Care Facilities	per child	1.2
Petrol Stations	per pump	7.9
Rest Homes	per bed	2.3

Related information

Transport and roading contributions are calculated on trips generated by a development activity. The unit of measure is based on the average annual daily trips for a weekday. The traffic activity used for this Policy is established from the New Zealand Trips and Parking Surveys database and locally established traffic activity by location and land use. The trips data has been adjusted to reflect that the trips observed at the gate are influenced by the start and end destinations.

For example, a car driven from home to a place of work has activity equally allocated to both the residential and the work elements of the trip. It is further recognised that some level of traffic activity has multiple causes, and this is reflected in these calculations.

20.5. Table 4 – Water and wastewater HUEs is based on the "average" usage per household in the district divided by the average occupancy per household. The design average for residential household water usage is 0.75m³ or 750 litres per day and 800m³.

a. Calculation of water and wastewater use for a commercial land-use activity is based on the district-wide average water used by an industry type and then converted to a HUE value per 100m² of GFA.

Commercial HUEs for water and wastewater per 100m² GFA	
Health and educational facilities	0.28
Office and commercial premises	2.11
Retail activity	0.24
High water use activity (car washes, garden centres, food processing, etc)	3.88

Commercial HUEs for water and wastewater per 100m² GFA	
Industrial activity	0.29
Large mass buildings	0.03
Hospitality	1.05
Community activity	0.28
Freight and distribution	0.24

21. Goods and Services Tax (GST)

21.1. The total end-to-end process for calculation of development contributions is exclusive of GST. Once all the calculations are complete, GST is added to the final amount to be invoiced (see clause16).

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Part C: Invoices, timing of payments and enforcement

22. Invoices s198

22.1. The applicant may request an invoice to be issued for development contributions payable on any occasion that contributions are assessed. Except where: the developer has requested, and the Council has already issued an invoice.

22.2. The Council will invoice for a development contribution at the following times:

Type of consent/certificate/authorisation	Timing of invoice
A resource consent for subdivision	• At the time of application for a certificate under section 224(c) of the RMA • An invoice will be issued for each stage of the development for which a separate certificate under 224(c) of the RMA is applied for, even where separate stages are part of the same consent.
A resource consent for land use for: a. Any non-residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or b. Any residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or c. Any development for which an invoice cannot be issued on a building consent or subdivision consent.	• At the time of request for an invoice; or • immediately upon unauthorised commencement of the land use consent; whichever is the earlier.
A building consent for residential use	• At the time a request is made for a code of compliance certificate; or • certificate of public use; or • six (6) months after the time of granting the building consent – whichever is the earlier
A building consent for non-residential use	• At the time a request is made for a code of compliance certificate or • certificate of public use, or • 24 months after granting, whichever is the earlier.
Certificate of acceptance	At the time of granting of the certificate of acceptance
Authorisation for service connection	At the time of approval for connection

23. Timing of payment s198

23.1. Invoices become due for payment immediately upon issue.

23.2. Invoicing and payments including any payment arrangements will be processes in accordance with the Council's financial and debt recovery practices.

23.3. This Policy makes no provisions for a payment of a development contribution invoice to be postponed. However, Council may, at its sole discretion, agree to a payment arrangement in the context of debt recovery where contributions have not been paid by the due date. This will be administered by Councils Debt recovery team.

24. Enforcement s208

24.1. Where an invoice remains unpaid beyond ten (10) working days after the invoice is issued, the Council may invoke normal debt collection practices to recover outstanding debt including the costs associated with the debt collection; and take additional enforcement measures in the table below.

Type of consent/ certificate/ authorisation	Enforcement option
A resource consent for subdivision	Withhold a certificate under s224(c) of the RMA and may register the development contributions under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
A resource consent for land use for: Any non-residential development for which a subdivision consent of building consent will not be necessary for the development to proceed; or Any residential development for which a subdivision consent or building consent will not be necessary for the development to proceed; or Any development for which an invoice cannot be issued on a building consent or subdivision consent.	Prevent the commencement of the land use consent under the RMA and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
A building consent / certificate of acceptance	Withhold a code of compliance certificate under s95 of the Building Act 2004, withhold a certificate of acceptance under s99 of the Building Act 2004 and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land
Authorisation for service connection	Withhold service connection to the development and may register the development contribution under Subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land

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Part D: Remissions, postponements and refunds

25. Remissions s201(1)(c)

25.1. In general, the policy does not provide for remissions or reductions to development contributions for the following reasons:

a. the greater the number and range of remissions, the less transparent the administration of development contributions becomes.

b. where Council decides to advance particular strategic objectives, it is important that it does so transparently and effectively via a separate means, rather than through remitting or reducing development contributions.

26. Postponements s201(1)(c)

26.1. This Policy does not provide for postponements on payment of development contribution invoices.

26.2. Council reserves sole discretion to enter into agreements to delay payments in extraordinary circumstances on written application.

27. Refunds ss201(1)(c), 209, 210(1)

27.1. The Council will refund to the consent holder any development contribution monies or return land as it is required to do under ss209 and 210 of the LGA.

27.2. If a development contribution has been paid for a specified reserve purpose, Council will refund the money received for that purpose if the money is not applied to that purpose within 20 years of receiving the money

27.3. If land was acquired in lieu of a cash development contribution for a specified reserve purpose and has not been used for that purpose, Council will return that land in accordance with s210(1)(b) LGA.

27.4. Except in relation to development contributions or land taken for a specified reserve purpose as provided in this Policy, Council will not refund a contribution where a specific Capital project does not proceed but instead will apply the contribution to assets or projects of the same general function and purpose.

27.5. The amount of any refund will be the contribution paid, less any costs incurred by Council in relation to the development and its discontinuation, but may include any interest earned, depending on the circumstances of the case.

Related Information

S209 outlines the circumstances in which Council is required to refund money paid or return land, including who the refund must be paid to, or the land must be returned to.

S210 prescribes the circumstances for refunds of money or return of land where this was required for a specified reserve purpose.

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Part E: Reconsiderations, and objections

28. Reconsiderations

ss199A, 202A(2)

28.1. Section 199A(1) of the LGA allows a person who has been charged development contributions to request a reconsideration of the charges where they believe:

- **a.** the amount was incorrectly calculated or assessed under the Policy
- **b.** the Council incorrectly applied the Policy; or
- **c.** the information used to assess the development contributions payable by the person seeking reconsideration was incorrect, has been recorded or used incorrectly, or was incomplete or contained errors.

28.2. To seek a reconsideration, the developer must:

- **a.** lodge a written request for reconsideration to Council within 10 working days after the date on which a person has received a development contributions notice from Council; and
- **b.** state the ground/s under clause 28.1 for which the applicant requests the Council to reconsider their development contribution charges; and
- **c.** provide any additional information that supports the request for reconsideration

28.3. Council will take the following steps:

- **a.** Council will review the original assessment and prepare a report that will include, but is not limited to, consideration of the following matters:
  - i. the grounds on which the request for reconsideration was made, including any new information provided;
  - ii. the purpose and principles of development contributions under ss197AA and 197AB LGA;
  - iii. the provisions of the Policy;
  - iv. any other relevant matters.
- **b.** the reconsideration request and report will be provided as part of an agenda report for a public meeting of the Council with the relevant delegations and Terms of Reference to consider the request.
- **c.** Council will consider the information provided and will make a decision.
- **d.** the Council will, in accordance with s199B LGA, notify the person of the outcome of the reconsideration within 15 working days after the day it receives all required information in relation to the request.

29. Objections

ss199C-199K, Schedule 13A

29.1. Section 199C of the LGA allows a person to object to the assessed amount of development contribution that Council requires from them in:

- **a.** a notice issued to the person from Council; or
- **b.** if a notice has not been issued to the person from Council, then any other formal advice of the requirement that Council has given to the person.

29.2. Council will acknowledge any objection made on one of the grounds contained under s199D of the LGA

29.3. In accordance with s199E and Schedule 13A Part 1(1) the person making the objection must:

a. Serve notice of the objection on Council within either:

i. 15 working days after the date on which the person received the requirement of development contributions notice from Council; or

ii. 16 working days from the date at which the person received Councils decision from a reconsideration review (under clause 28).

29.4. The notice of objection to be served to Council must:

a. be in writing; and

b. set out the ground/s under s199D and reasons for the objection; and

c. state the relief sought; and

d. state whether the person making the objection wishes to be heard on the objection.

29.5. The decision on any development contribution objection is to be made by a development contribution commissioner or commissioners named in the approved register and selected by the Council.

29.6. In accordance with s150A of the LGA, if a person objects to a development contribution the Council will recover from the person its actual and reasonable costs in respect of the objection.

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Part F: Other matters

30. Development Agreements ss207A-207F

30.1. Development agreements allow Council and developers to agree on an alternative way of providing or contributing to the cost of infrastructure outside of the Policy.

30.2. Where a request is made by a developer to enter into a development agreement, Council must consider that request without unnecessary delay.

30.3. Council may, at its sole discretion, enter into a development agreement where Council considers that such an agreement will be in the best interests of all parties; and

30.4. The~~r~~ development agreement complies with the statutory framework provided under ss 207A – 207F of the LGA.

30.5. Section 207D determines that no development agreement obliges the Council or any other consent authority to:

- **a.** grant a resource consent under the RMA 1991; or
- **b.** issue a building consent under the Building Act 2004; or
- **c.** issue a code of compliance certificate under the Building Act 2004; or
- **d.** grant a certificate under s224 of the RMA 1991; or
- **e.** grant authorisation for a service connection.

Related Information
A Development Agreement is defined in the LGA. Sections 207A-207C provide the framework within which Council can consider a request to enter into a Development Agreement, or by which Council can request a person to consider entering into a Development Agreement with Council. This also includes that Council must consider any request without unnecessary delay.

31. Acceptance of land or works in place of development contributions

31.1. Council requires development contributions to be paid in cash rather than land. In exceptional circumstances, and at the sole discretion of Council, an offer of land instead of cash may be considered, as part of a Development Agreement (clause 30).

31.2. Council will only accept land in lieu of a cash development contribution if the following criteria are met:

- **a.** Council considers a piece of land offered would adequately meet the purposes for which the contribution is sought and;
- **b.** the land in question will be vested as a recreational, scenic or historic reserve under the Reserves Act 1977; and
- **c.** all other matters relating to the acceptance of land in lieu of a cash are satisfactorily agreed in a Development Agreement.

31.3. For clarity, Council will not accept land in lieu of a cash development contribution for esplanade reserves for the purpose set out in s229(a) of the RMA or for a local purpose reserve (drainage reserve) under the Reserves Act 1977.

31.4. For clarity, undertaking works in compliance with Council's Engineering Standards and/or specific conditions of consent imposed under the RMA may not be offset against the requirement to pay development contributions.

32. Exemptions

32.1. Council is exempt from paying any development contributions on any development that is funded by Council if the project itself is a capital project for which development contributions would otherwise be required.

32.2. The LGA does not bind the Crown (s8 LGA) and therefore the Crown is exempt from paying development contributions.

32.3. ~~Section 102(3A) of the LGA requires this Policy to support the Preamble of the Te Ture Whenua Maori Act 1993. To give that support Council has determined that papakāinga developments and housing developments on Māori land, are exempt from development contributions. Commercial or Industrial developments on Māori land are not. Council's rationale for this decision is explained in clause 33.3.~~ This exemption applies exclusively to residential development on Māori land, as defined by the Te Ture Whenua Maori Act. It is based on the legal status of land, in line with statutory requirements and Council's strategic principles. Commercial and industrial activities are not exempt.

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Part G: Legislative Framework and Policy Approaches

33. Legislative framework

ss101, 102, 106, 197AA-211, Schedules 13 and 13A

LGA Policy requirement	Policy Part / Clause / Section	Meets statutory compliance
Adoption of a Development Contributions Policy (**s102(1)**)	Clause 1 (Title) Clause 2 (Commencement) Clause 7 (Statutory Context)	Yes
Consultation (**s82, s83**)	Clause 8 (Policy Review) Clause 7.11 (Consultation requirement)	Yes
Review at least every 3 years (**s82, s106(5)**)	Clause 8.1	Yes
Clear methodology for calculating DCs (**s106(2)(d), s197AB**)	Clause 44 (Cost Allocation) Clause 45 (Summary) Part J (Clauses 17-20)	Yes
Schedule of Assets for which DCs are required (**s201A(1), s106(2)(d)**)	Section 1 (Clause 56 - Schedule of Assets)	Yes
Calculation based on growth capital expenditure only (**s199, s197AB(g)**)	Clauses 42 (Capital Expenditure), 44, 45 (Cost Allocation)	Yes
Fair, equitable, and transparent cost allocation (**s197AB, Schedule 13**)	Clauses 44, 45, 46 (Funding Model)	Yes
Use of Household Unit Equivalents or other demand unit (**Schedule 13**)	Clause 17, Clause 20 (HUE calculation and Table)	Yes
Provisions for reconsideration and objection (**ss199A-199K**)	Clause 28 (Reconsideration), 29 (Objections)	Yes
Clearly state activities and catchments where DCs apply (**s106(2)(d), s201A(1)**)	Clause 14 (Activities), Section 2 (Catchment Areas)	Yes
Public availability of methodology and charges (**s106(3)**)	Clause 9 (Supporting Documentation), Clause 19 (Fees Schedule)	Yes

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Exemptions per legislation (Council discretionary decision to align with **s102(3A)** for Māori land)	Clause 32 (Exemptions) Clause 32.3 (Councils use of discretionary decision-making powers to exempt housing development on Māori land)	Yes
Integration with LTP and Infrastructure Strategies (**s101, s102(4)(b)**)	Clause 7.11, Clauses 42, 48, references throughout	Yes
No duplication with Financial Contributions under the RMA (**s200**)	Clause 10 (Financial Contributions)	Yes
Enforcement Provisions (**s208**)	Clause 24 (Enforcement)	Yes
Treaty of Waitangi (**s 4**)	Clauses 4, 5.5, 32.3, 33.3 Māori land exemptions and consultation commitment	Yes
Purpose of Local Government (**s10**)	Clause 5.5, 39-41(Community Well-being), Policy Objectives, Key strategic documents and LTP linkage	Yes
Principles: Transparency, Stewardship (**s14**)	Clauses 8, 9, 14, 19, 36, 39-42 (Transparency, accountability, prudent stewardship, sustainable development)	Yes

33.1. Council's development contributions framework is required and guided by the Local Government Act 2002 (LGA), particularly sections 101, 102, 106, 197AA-211, and Schedules 13 and 13A. The LGA mandates that territorial authorities adopt a policy governing how and when development contributions are to be assessed and levied and specifies both process and policy content.

33.2. In developing this Policy, Council has:

- **a.** Ensured compliance with section 102(2)(d) (requirement for a DC policy),
- **b.** Addressed procedural matters under section 106, including consultation and public availability of methodologies,
- **c.** Followed the requirements for calculation, content, and schedule of fees and assets, as per sections 197-211 and Schedule 13,
- **d.** Referenced section 201A(1) in separating Schedules of Assets into catchments, clearly articulating the allocation between growth and non-growth.

33.3. All processes under this Policy, including reviews, amendments, and collection, are subject to public consultation (special consultative procedure, s83 LGA), and integration into Council's core financial planning documents, namely Te Pae Tata Three Year Long Term (LTP), the

Infrastructure Strategy, and guiding documents such as FN2100 and the Te Pātukurea–Kerikeri Waipapa Spatial Plan (Spatial Plan).

33.4. Per section 204(1) LGA, contributions collected must only be spent on the intended activity, promoting transparency and reinforcing Council's stewardship role.

34. Policy approaches and drivers 197AA, Schedule 13

The Council has determined, through the adoption of this Policy, that development contributions are a preferred funding mechanism for growth-related capital expenditure. Council's approach to development contributions is shaped by policy rationale, best practice, and statutory requirements, all tailored to Far North's growth context:

34.1. Use of Development Contributions as a Core Funding Tool:
Development contributions are a preferred funding mechanism for growth-driven capital expenditure. This aligns with the purpose and principles in ss197AA-197AB LGA, ensuring that those creating demand (developers) pay a fair, equitable, and proportionate share of costs, protecting existing ratepayers from disproportionate burdens. The purpose of the development contributions provisions in the LGA is to enable territorial authorities to recover from those persons undertaking development a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.

34.2. Integration with Council's Strategic Planning:
The Policy is grounded in, and helps, implement the vision and directions of the Te Pae Tata – Three Year Long Term Plan (LTP), Infrastructure Strategy, Far North 2100 (FN2100), and Te Pātukurea– Kerikeri Waipapa Spatial Plan (Spatial Plan). This ensures that funding for infrastructure keeps pace with growth, enabling sustainable development and achieving key Council outcomes such as resilient communities, Māori partnership, and prosperity. Growth within the District drives a significant portion of Councils capital works. Council considers it equitable that those undertaking a development should contribute to the costs that Council has or will incur to service such growth.

34.3. Transparency and Equity:
Transparent cost allocation is achieved using Household Unit Equivalents (HUEs) being used to determine Council's units of demand, as directed by Schedule 13 LGA. Using demand modelling and robust data to apportion costs fairly between renewal, growth, and backlog, the methodology and results are made available as required by s106(3) LGA.

34.4. Targeted Exemptions and Equitable Outcomes:
Exemptions for the Crown, and Council are statutorily established under the LGA, but these statutory exemptions do not extend to Crown Entities and State-Owned Enterprises. Accordingly, developments undertaken by these entities within the District will be subject to a development contribution assessment to determine their liability.

The Council has exercised its discretionary decision-making powers to exempt residential housing and papakāinga developments exclusively on Māori land from development contributions. In reaching this decision, Council has taken into consideration its broader statutory obligations and its key strategic documents, including Te Pae Tata – Three Year Long Term Plan, the Infrastructure Strategy, Far North 2100, and Te Pātukurea – Kerikeri Waipapa Spatial Plan. Council is satisfied that the exemption is consistent with sections 4, 10, 14, 101 and 102 of the LGA (see table in clause 33), and that this decision aligns with its strategic direction and, supports the principles of the Preamble to Te Ture Whenua Maori Act 1993. This approach

acknowledges and responds to the historic and ongoing legal, regulatory, and practical barriers of development on Māori land titles – barriers that do not exist for general land. ~~and provides this Policy with certainty, predictability, and transparency.~~

~~It is important to emphasise that this exemption is not based on the ethnicity of landowners. Rather, it arises from the distinct legal status and tenure of Māori land as established under~~ This exemption applies solely to residential development on Māori land as defined by the Te Ture Whenua Maori Act 1993 and is based on the legal status of the land. ~~The exemption acknowledges the historical and ongoing legal and procedural barriers to the development of Māori land titles, challenges that are not encountered by general land titles which are not administered by Te Kooti Whenua Māori - Māori Land Court.~~

~~Furthermore, the exemption provides certainty, transparency, and equity by limiting its application exclusively to housing developments on Māori land.~~ Commercial or ~~and~~ industrial activities or non-housing developments on Māori land are not exempt and will be assessed ~~subject to a~~ for development contributions ~~assessment,~~ in accordance with the provisions of this Policy. This ensures that the exemption is legally robust (aligned with s102(3A) LGA) and maintains fairness by not extending to developments for profit.

The exemption provides certainty, transparency, and equity by clearly delimiting its scope to support Māori housing aspirations as outlined in central and local government priorities. It also explicitly excludes non-residential activities, providing assurances to all landowners and the wider community that the Policy is consistent with statutory principles.

34.5. No Remissions or Postponements:
This Policy does not provide for remissions or postponements of DCs, prioritising the integrity of growth-related funding. However, payments plans may be considered as part of Council's internal debt recovery processes, ensuring fiscal prudence in alignment with section 201(1)(c) LGA.

34.6. Comparative Benchmarking and Review:
Council has benchmarked this Policy's charges against peer councils (e.g., Kaipara, Whangārei, Queenstown Lakes, etc.), ensuring that the final charge levels are proportional, justified, and defensible.

Council's evidence-driven, transparent and statutorily compliant approach ensures the Utu Whakawhanake - Development Contributions Policy 2025 is fair, enables sustainable community growth, and aligns with the objectives of the district's most significant planning documents.

Part H: Rationale for funding growth with development contributions

35. Introduction ss106(2)(c), 101(3)

Council's rationale for using development contributions is underpinned by statutory requirements and best practice:

35.1. Growth communities should bear a proportionate share of capital costs for infrastructure needed due to development, protecting existing ratepayers from unsustainable increases and supporting fair, sustainable growth (s101(3) and s106(2)(c) LGA).

36. Community outcomes s101(3)(a)(i)

36.1. Funding growth through development contributions supports the community outcomes stated in the LTP, including social and economic well-being, resilience, and cultural vitality. By directly linking infrastructure to new demand, Council can better deliver strategic priorities and enable thriving, inclusive communities.

37. Distribution of Benefits

37.1. Council analyses the distribution of benefits for each infrastructure activity, as required under s101(3)(a)(ii) LGA:

- **a.** growth-generated assets benefit both the new (growth) and existing communities
- **b.** the apportionment of costs is based on identified benefits; and
- **c.** modelling tools ensure robust cost and benefit allocation, integrating best practice and sector norms.

37.2. The process of cost and benefit allocation uses a modelling tool, which calculates and records:

- **a.** the decisions made about the drivers of a Project, i.e., the reasons Council has undertaken the Project and who will benefit from the Project
- **b.** the allocation of costs between the beneficiaries
- **c.** the share of infrastructure cost that can be attributed to the existing and growth communities, through rates and development contributions respectively.

37.3. In summary, how the capital expenditure and benefit allocation is identified for analysis can be seen in the table below:

Capital Expenditure	Explanation
Renewal expenditure	Benefits the existing community only and replaces the existing asset base.
Increased Levels of Service	Capital expenditure that benefits all the community including the growth community.
New service expenditure	Capital expenditure to provide benefits to both the existing and the growth community on a pro-rata basis.

Growth expenditure	That which benefits, and is needed to meet projected growth in the community, estimated over the next 10 years. Asset capacity which provides benefits beyond that period will be allocated to future growth communities and may form part of future development contributions.

37.4. The Level of Service supplied for most Activities generates a benefit that is enjoyed by the whole community, both existing and growth. There is no mechanism to exclude one group from the higher service level at which the Activity is provided.

37.5. The existing community and the expanding existing community will fund any excess until future demand beyond 10 years occurs and the development contributions include recovery of that excess.

37.6. There is recognition of transitional benefits to the existing community and the incoming growth community that may occur in some circumstances because of excess capacity provided in anticipation of growth. This is often perceived as an improvement in Level of Service, but if there has been no change in the planned Level of Service this is an 'improvement' that will be eroded over time as growth takes up that additional capacity.

37.7. It is recognised that there are components built into the existing network with excess capacity which will benefit the growth community. These components are not included in the development contributions calculations. Therefore, the growth community benefits from some significant past capital expenditure without incurring any additional charges.

38. Benefits period

s103(3)(a)(iii)

38.1. Council determines:

- **a.** within individual Asset/Activity Management Plans, the length of time over which an asset created will provide a benefit to the community; and
- **b.** the capacity of that asset; and
- **c.** the amount of capacity that will be utilised by the growth community.

38.2. The benefit period used aligns with asset lifespans and capacity plans within Activity/Asset Management Plans and the LTP. Both existing and growth communities share asset benefits across time, and both are charged according to the periods during which they enjoy those benefits, maintaining intergenerational fairness (s101(3)(a)(iii) LGA).

39. Contributions to the need for the Activity

s101(3)(a)(iv), Schedule 13

39.1. Modelling undertaken by Council (Schedule 13 LGA) demonstrates that the need for new/expanded infrastructure arises predominantly from growth (measured in HUEs), justifying the use of DCs as the primary funding source for the growth portion of projects.

39.2. Where infrastructure addresses backlog or lifts levels of service, these elements are funded from rates and other sources, not DCs.

40. Transparency of funding

ss101(3)(a)(v), 197AB, 101(3)

40.1. Council has structured the policy and catchment definitions for maximal transparency-as required by ss101(3)(a)(v), 197AB, 106(3) LGA, enabling all stakeholders to see:

a. how projects are funded (growth vs. renewal vs. backlog)

b. what catchments are affected and why; and

c. how and why rates and DCs are allocated.

40.2. Activities

a. Funding at an Activity level allows:

i. for improved transparency and efficiency, and assists in defining the appropriate share of actual costs to be paid by the growth community

ii. the decision making to be more transparent and accountable by providing reasoning as to why a Project is being undertaken

iii. consideration of whether ratepayers are being asked to contribute to infrastructure capacity that they do not require. This contributes substantially to intergenerational equity.

b. Council has however, for the reasons of administrative and economic efficiency, allocated some potential-growth related expenditure over all Activities to the existing community. This is because the cost of determining the proportionate growth component would be greater than the costs likely to be recovered through development contributions.

40.3. Catchments

a. In determining catchments, Council has endeavored to balance service delivery considerations, growth patterns, administrative efficiency, benefits, costs and wider considerations of public good and fairness.

b. The use of catchments assists in transparency and efficiency by identifying the variations in the cost of providing infrastructure according to the characteristics of a particular locality and the nature of the works required.

c. Council has determined to use those catchments detailed in Section 2 of this Policy, having regard to ss101(3) and 197AB, and taking into account a range of considerations, including:

i. the predicted growth within the catchments

ii. the Projects planned within the catchments and who creates the need for, and will benefit from, those Projects

iii. the administrative efficiency of managing assets at a practical level

iv. geographical and technical aspects of Projects

v. Levels of Service

vi. matters of consistency

vii. balancing of practical and administrative efficiencies with fairness and equity

viii. the avoidance of district-wide catchments where practical.

Council will ring-fence development contribution revenues to the catchment in which they are generated, ensuring funds are only spent on infrastructure capital projects for the corresponding service and catchment.

d. In seeking to apportion development contribution charges in a fair and equitable manner Council has identified some specific capital Projects as being unique to certain areas of the district, and the growth in these areas as the primary driver behind Projects. Council has

separated out these areas and the associated Projects as individual catchments (see Section 2 of this Policy). Capital Projects within the catchments will attract defined, catchment related development contribution charges.

e. After considering the distribution of benefits and impact on and from the local and district-wide community on these Projects, Council has decided that the development growth within the catchments should contribute proportionately towards funding the Catchment Projects, and in some cases the District-Wide Projects also.

f. However, the use of particularly small catchments, together with varying market conditions and the decisions of individual developers and purchasers has the potential to create anomalies within the development contributions, and the funding of infrastructure. Council balances administrative efficiency and transparency in determining Catchment size and locality.

g. Should a development straddle more than one Catchment, the HUEs will be allocated on a pro-rata basis.

41. Impact on community wellbeing s101(3)(b)

41.1. This funding rationale supports well-being across all dimensions:

a. DCs will help fund growth infrastructure in a way that manages affordability for the existing community.

b. The Policy enables infrastructure needed for new housing, communities and economic development, as identified in Council's LTP, Infrastructure Strategy, FN2100 and Spatial Plan;

c. the Policy responds to Māori aspirations and barriers, via targeted exemptions and consultation; and

d. ensures growth pays its way, supporting prudent stewardship, resilience, and prosperity for the District (ss10, 14 LGA).

Part I: Capital Expenditure

42. Expected expenditure and incurred expenditure s199(2), 201A(1)

42.1. Section 199 of the LGA allows for Council to require a development contribution from a development for capital expenditure:

a. expected to be incurred as a result of or in anticipation of growth; or

b. already incurred in anticipation of growth.

42.2. The total estimated capital expenditure Council expects to incur, as a result of growth, to meet increased demand for community facilities, is summarised in the Schedules of Assets in Section 1 of this Policy.

42.3. The growth element of the Projects selected by Council will be funded or part-funded by development contributions. This amount is arrived at after funding from other sources has been deducted. Level of Service enhancement and renewal portions of capital expenditure will be

funded from sources other than development contributions (e.g. depreciation funding, rates, user charges, etc.).

42.4. Where Council anticipates funding from a third party for any part of the growth component of the capital expenditure budget, then this proportion is excluded from the total estimated growth component to be funded by development contributions.

Part J: Determination of development contribution charges

43. Calculation Summary ss202, 201(a)

43.1. This section of the Policy sets out in summary form an explanation and justification of how the development contributions have been calculated for the Development Contributions Charges Schedule (Section 1 of this Policy).

43.2. From Council's capital expenditure Projects identified in the LTP, Council has:

- **a.** determined the Activities for which development contributions will be required
- **b.** determined the Levels of Service for each Activity
- **c.** recorded the Catchment where the project provides capacity to meet demand (Section 2 of this Policy)
- **d.** summarised the capital Projects (with growth component identified) that are included in determining the development contributions charges.
- **e.** deducted from the project costs all reasonably anticipated funding from third parties and allocated the costs between growth and non-growth
- **f.** recorded the capacity and life of the Projects, the growth cost share that will be assigned to the demand reported in the Growth Model
- **g.** allocated costs to each Household Unit Equivalent; and
- **h.** assessed each Activity, (and Project where appropriate) that is to be funded wholly or in part by development contributions against the considerations in s101(3) of the LGA.

43.3. To undertake a cost allocation analysis using the Cost Allocation Methodology (clause 44) to determine the share of cost to growth, Council has considered:

- **a.** the capacity and demand requirements of the current levels of service identified in the LTP, to determine the growth share of the Project cost as well as the renewal, and level of service investment portions to be funded by rates
- **b.** the outcomes of the Cost Allocation Methodology are summarised in this Policy stating the proportion of capital expenditure to be funded by development contributions and other sources of funding (Section 1 of this Policy).

43.4. The Growth Model (clause 48.1) shows the changes in household numbers, and a similar level of growth is assumed for business floor areas. Based on this, Council has determined for each Activity and Activity Catchment:

- **a.** the changes in demand for service from the existing and growth communities over the capacity life of the Project
- **b.** the measures of household and business demand.

43.5. In undertaking a funding analysis of each Project to determine the total cost of growth for each unit of demand, Council has:

- **a.** determined the growth cost share of individual projects funded by development contributions from each of the projects incoming growth demand units in the Catchments serviced by the Project over the capacity life of the Project; and
- **b.** aggregated the outcomes of the funding analysis for each project by Activity and Catchment to determine the development contributions charge for the Activity and Activity Catchment.

43.6. This process includes internal and external reviews of the Projects, cost allocation analysis and funding analysis to test and verify the assumptions and accuracy of the Project data.

44. Cost Allocation Methodology introduction

s106(3), Schedule 13

44.1. The Cost Allocation Methodology (the CAM) used in this Policy is based on an assessment of the underlying drivers of expenditure. The CAM is applied to the programmes of capital expenditure delivering the levels of services defined in the LTP at an Activity level for capital expenditure set out in the LTP.

44.2. For the purpose of the above, 'programmes' are planned capital expenditure designed to deliver defined Levels of Service, and 'projects' are planned or completed projects delivering the programme. These are described as Projects throughout this Policy. The analysis to determine the cost of growth has been undertaken at both programme and project level as appropriate for that Level of Service and Activity.

44.3. The CAM takes the planned costs of a proposed project and, where applicable, identifies and assigns a growth component. Only the growth component or part of the growth component of a Project is recovered through development contributions.

45. Summary of Cost Allocation Methodology

ss197AB(g), 201(1)(a)

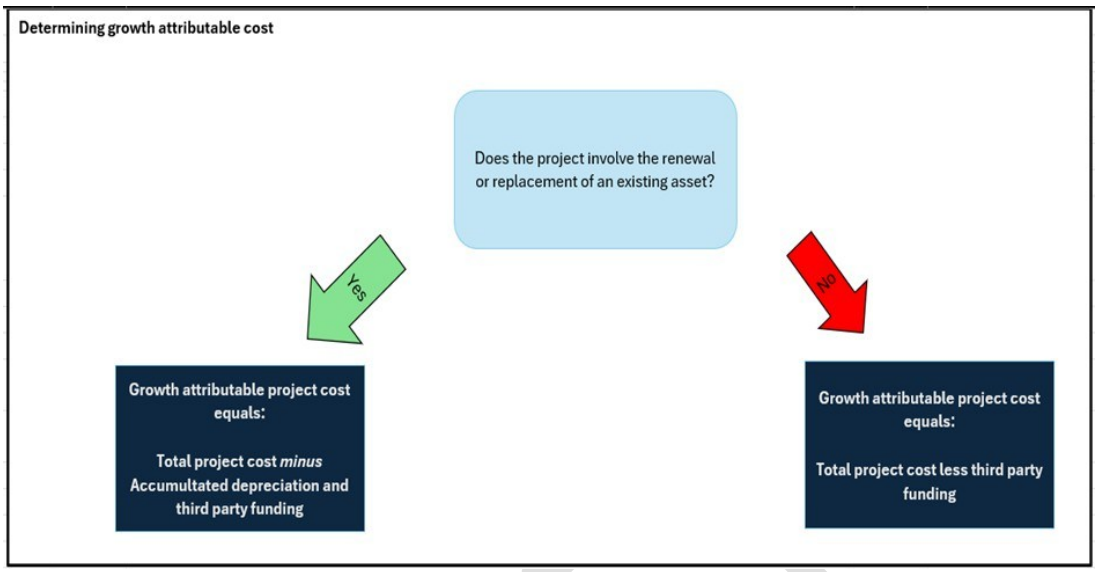
45.1. This section of the Policy provides a summary of the CAM, and a high-level description of the process used to determine the Development Contribution Charges Schedule (Clause 19).

- **a.** The scope and gross cost of a qualifying Project is reviewed, and any non-capital (operations and maintenance costs) are excluded.
- **b.** Catchments are established after taking into account the principles in s197AB (clause 40).

45.2. To determine the growth component of projects, a two-stage process is followed:

- **a.** first is to identify any renewals component of investment to reach "Growth Attributable Cost" (GAC).
- **b.** secondly, is to determine the underlying drivers for investment to identify which proportion of the GAC is recovered from development contributions.

45.3. The following flow chart is used to identify the renewal component, and GAC of projects which include replacement of existing assets:



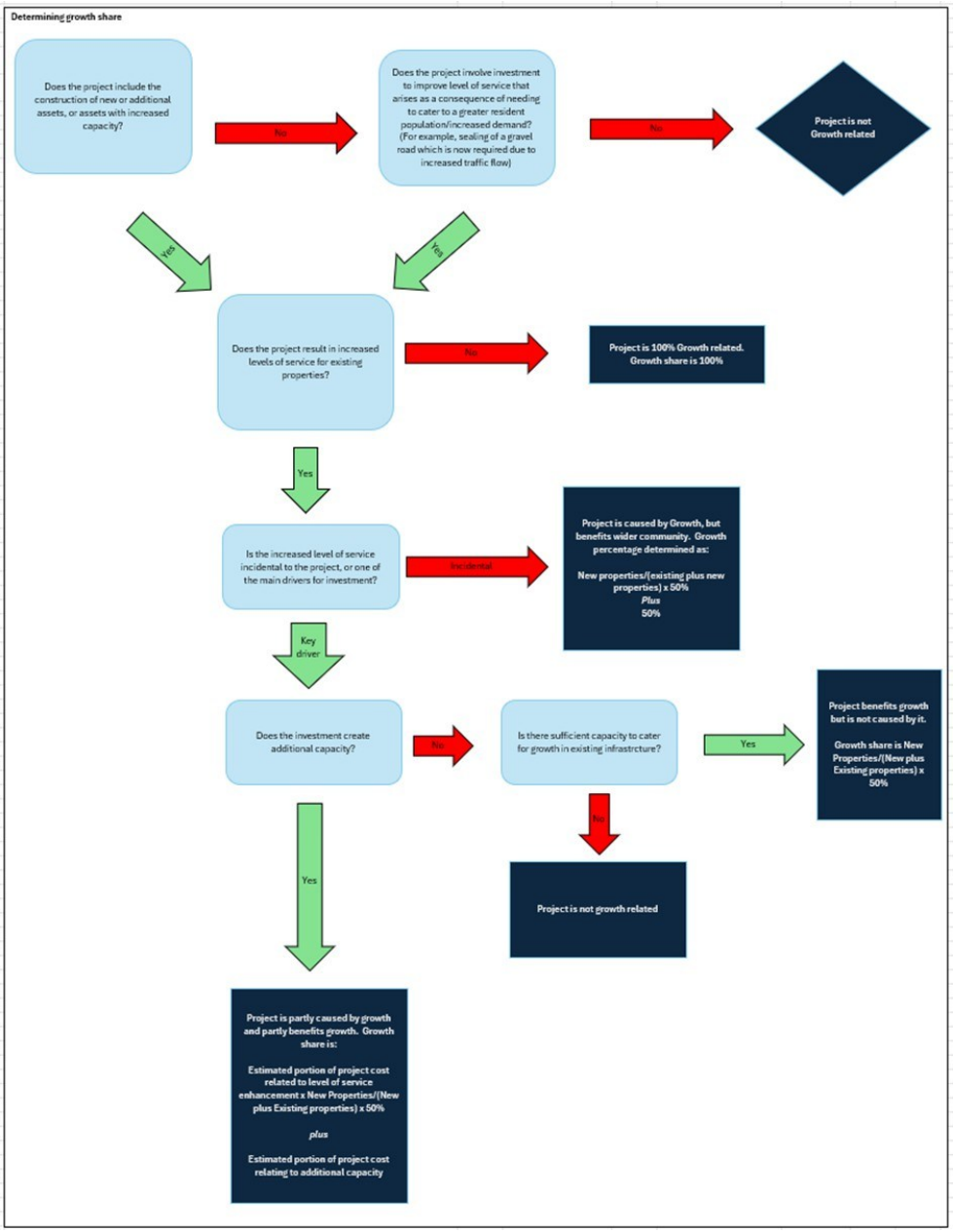
45.4. Once the GAC has been determined, an assessment is completed to determine the growth share of costs.

45.5. The growth share of costs is determined based on the extent to which growth causes the need for infrastructure ('exacerbator pays') and the extent to which the growth community benefits from the infrastructure ('beneficiary pays').

45.6. The exacerbator pays and the beneficiary pays principles have been assumed to be equally applicable for all infrastructure.

45.7. The following flow chart is used to identify the proportion of a project's GAC that is able to be recovered from the growth community:

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45.8. Any remaining share is defined as 'unallocated' and is not funded by development contributions. This share is ultimately funded from rates (though debt may be used to finance this investment).

45.9. Capacity, useful life information and funding periods are used to determine the period over which contributions are identified to be collected.

45.10. The Funding Model (clause 46) is then used to identify the appropriate portion of the cost of growth (that which is allocated to the growth community) after considering all the factors outlined in Part J.

46. The Funding Model Schedule 13

46.1. The purpose of the Funding Model is to ensure an equitable assessment of the funding requirements to support development contributions calculations and to provide a consistent and legislatively compliant methodology in accordance with Schedule 13 of the LGA.

46.2. The Funding Model determines the development contribution charge necessary to fund the total cost of the capital expenditure supporting growth.

46.3. The Funding Model takes that portion of gross costs allocated to the growth community by Project and calculates costs in relationship to the Growth Model projections (clause 48) by Household Unit Equivalents.

46.4. The resulting development contribution charges are calculated in accordance with the Methodology for calculating development contributions and are found in the Development Contributions Fees Schedule at clause19.

46.5. The Funding Model takes into account:

- **a.** the funding requirements to support the cost of growth infrastructure
- **b.** equitable application of those funding requirements to the incoming growth community
- **c.** interest on borrowing to implement growth infrastructure
- **d.** interest on contributions received in advance of provision of growth infrastructure.

Part K: Significant assumptions

47. Introduction s201(1)(b)

47.1. Section 201(1)(b) LGA requires the Policy to state significant assumptions underlying the calculation of the schedule of development contributions. Throughout the process of determining the development contributions schedules of this Policy, Council has used the best available information at the time.

47.2. All relevant components of the assumptions provided in this section of the Policy are reviewed and updated as part of each statutory review. Any significant change to these assumptions may trigger an out of cycle review.

48. Growth

48.1. The Growth Model for the Far North District has been developed using:

- **a.** projections provided by Infometrics and Market Economics, for areas other than Kawakawa and Kaikohe, with adjustments made where necessary to reflect known areas of higher growth within the Far North District and was last reviewed in June 2022;
- **b.** estimated housing capacity to be unlocked in Kawakawa and Kaikohe through the associated funded capital works, as identified in funding application produced to secure funding from the Infrastructure Acceleration Fund.

48.2. The Growth Model assumes:

a. growth in the Far North is continuing to occur at a fast pace. Growth is particularly focussed in the Kerikeri and Waipapa areas. By 2054 FNDC's population is expected to grow from 73,500 to 83,187. The total business floor area will increase at a similar rate to population growth.

48.3. Growth projections are subject to uncertainties as to the quantum, timing and location of growth. Regular reviews will be undertaken as a key component of planning future network and community infrastructure requirements.

48.4. Te Pātukurea - Kerikeri Waipapa Spatial Plan provides substantial long-term analysis of the anticipated growth in those areas and guides Council's infrastructure planning and strategic activities.

48.5. Council's growth assumptions for the LTP inform the Asset/Activity Management Plans and capital expenditure budgets in the LTP. These have been made based on the best information available at the time of Policy development.

48.6. Additionally, Council's Infrastructure Strategy informs Council decision making in the short and long term and includes scenarios for the LTP and for an additional 2 years (for a total of 5 years).

48.7. The LTP details capital Projects to be undertaken over a 3-year timeframe. Development contributions include capital Projects (with a growth element) included within the LTP. In additions, projects beyond the LTP period where it has been identified that these are necessary to support growth scenarios in Te Pātukurea - Kerikeri Waipapa spatial plan, or where these were previously included in Council's LTP are also included in Policy. A long- term horizon has been used to develop the Growth Model, and various timeframes have been used for the development of Asset/Activity Management Plans in line with the expected life of the asset. Therefore, any single Project has a number of different variables that must be taken into account when calculating a development contribution.

48.8. The predicted rates of growth have been used to calculate growth in terms of HUEs. Predicted HUEs are shown per Activity and per Activity Catchment within the Funding Model. A HUE is defined as being equivalent to the demand generated by an average dwelling. It is recognised that household units vary throughout the District and the demands they generate have a broad range. Given the size of the Catchments used in calculating development contributions an implied averaging is used, this approach is considered appropriate in terms of the principles of development contributions and in accordance with Schedule 13 of the LGA.

49. Risks and growth-related assumptions

49.1. There is a risk that the Growth Model assumptions will not eventuate, resulting in a change to the assumed rate of development. The impact of any such changes on the total development contribution charge for each HUE will depend on the extent of any differences between projected and actual growth. To minimise this risk, Council will review growth assumptions regularly as part of this Policy's review. While these assumptions are reviewed every three years due to statutory review requirements, Council can also choose to undertake a review earlier if circumstances require.

49.2. That the lag between expenditure incurred by Council and contributions received is different from that assumed in the Funding Model and that the costs of capital Projects are greater than expected. This would result in an increased debt servicing cost. Conversely growth at a faster rate would reduce debt servicing and thus incurring lower charges in future policies.

50. Capital Projects – assumptions

50.1. To support anticipated growth, Council has assumed the budgeted capital Projects programme of the LTP and Infrastructure Strategy will be necessary. If the anticipated growth does not occur, it is most likely that the Capital Projects programme will be re-sequenced or subtly accelerated or slowed rather than substantially changed.

50.2. Capital Projects may be substituted within an Activity group or programme of projects that will not necessarily have an effect on the development contributions calculated for that Activity.

51. Estimated cost of capital expenditure

51.1. It is likely that actual expenditure will differ from estimated expenditure due to factors beyond Council's control, including, but not limited to:

- **a.** changes in the price of raw materials and labour; and
- **b.** the timing of capital Projects occurring

51.2. Council makes every effort to incorporate these variables into cost calculations and updates all relevant information to inform future reviews.

52. Interest rates

52.1. The interest rates used within the Funding Model are set in the LTP and are found in the Significant Forecasting Assumptions source documentation for interest received or paid to account for the borrowing Council has undertaken to complete capital projects in anticipation of growth requirements.

53. Level of Service

53.1. A Level of Service is the standard of a service that Council provides for each Activity.

53.2. The Activity/Asset Management Plans and their defined 'Level of Service' statements form the basis of identifying capital Projects required to meet projected growth.

53.3. Any requirement to increase the Level of Service for existing users will be funded by rates and other funding mechanisms and will not be funded by way of development contributions.

53.4. Where a project results in increased level of service for the future growth community, a portion of the project costs relating to that benefit may be recovered through development contributions.

54. Financial assumptions ss106(2B)(2C), 197

54.1. The following financial assumptions have been applied:

- **a.** all future Project costs are based on current known infrastructure prices at present value
- **b.** income generated from rates and user charges will be sufficient to meet the operating costs of growth-related capital expenditure into the future
- **c.** all New Zealand Transport Agency (Waka Kotahi) subsidies will continue at present levels and that eligibility criteria will remain unchanged; and
- **d.** the methods of service delivery will remain substantially unchanged.

54.2. All figures in the Development Contribution Charges Schedule (clause19) are expressed in 2025 dollars and these will be amended as appropriate in accordance with the Producer Price Index Outputs for Construction (PPI) on an annual basis.

54.3. For clarity, and as stated in clause 7.4, Council may vary the Schedules of Assets from time to time in accordance with s201A(5) of the LGA.

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Section 1: Schedule of Assets

55. Introduction

55.1. All projects included in the schedules of assets for future capital expenditure are included in either Council's LTP or its Infrastructure Strategy.

55.2. This part contains the Schedules of Assets for which development contributions will be used.

55.3. The calculations and documentation supporting the capital expenditure are available for examination at the offices of Council.

56. Schedule of Assets – Growth related expenditure for current and future Projects included in the LTP

ss201A(3), 106(2)(d)

Planned expenditure covers current and future expenditure on Projects in the LTP (including those costs beyond the LTP period).

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Water supply					
Kerikeri/ Waipapa	Waipapa Water Storage Upgrade	$300,000	$191,982 (64%)	$108,018	KKWSP
Kerikeri/ Waipapa	Kerikeri Water Source Connection Improvements to Lake Waingaro	$2,771,000	$1,773,272 (64%)	$997,728	LTP
Kerikeri/ Waipapa	Kerikeri Water Network Upgrade to Heritage Bypass	$11,757,000	$7,523,769 (64%)	$4,233,231	LTP
Kerikeri/ Waipapa	Kerikeri Water Treatment Plant Upgrade	$7,717,000	$2,469,207 (32%)	$5,247,793	LTP
Kerikeri/ Waipapa	Waipapa Water Treatment Plant Development	$10,000,000	$6,399,395 (64%)	$3,600,605	IS/LTP

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Kaikohe	IAF Water supply reticulation upgrades	$4,085,036	$495,898 (12%)	$3,589,138	LTP
Kaikohe	IAF Water supply treatment upgrades	$10,696,278	$1,070,509 (10%)	$9,625,769	LTP
Kawakawa	IAF Water supply reticulation upgrades	$1,873,192	$416,547 (22%)	$1,456,645	LTP
Kawakawa/ Moerewa	IAF Water supply treatment upgrades	$9,899,612	$1,347,729 (14%)	$8,551,883	LTP
Water supply	**Subtotal**	**$59,099,118**	**$21,688,307**	**$37,410,811**	
Stormwater					
Kerikeri/ Waipapa	Kerikeri Stormwater Network 61 Cobham Road Extension Upgrades	$125,000	- (0%)	$125,000	LTP
Kaikohe	IAF Stormwater Controls and Stop Banks	$1,367,753	$101,508 (7%)	$1,266,245	LTP
Stormwater	**Subtotal**	**$1,492,753**	**$101,508**	**$1,391,245**	
Wastewater Services					
Kerikeri/ Waipapa	Kerikeri Wastewater Treatment Plant Upgrade - Stage 2 and 3 (KK/Waipapa))	$16,000,000	$10,239,032 (64%)	$5,760,968	IS/LTP
Kerikeri/ Waipapa	Kerikeri Wastewater Storage Pump	$600,000	$383,964 (64%)	$216,036	LTP

Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
	Capacity Improvements				
Kerikeri/ Waipapa	Kerikeri Wastewater Network Upgrades	$28,000,000	$17,918,306 (64%)	$10,081,694	IS/LTP
Kaikohe	IAF Wastewater reticulation upgrades	$15,710,875	$6,582,618 (42%)	$9,128,257	LTP
Kaikohe	IAF Wastewater treatment upgrades	$6,549,031	$2,684,206 (41%)	$3,864,825	LTP
Kawakawa	Kawakawa WWTP Stream Diversion	$399,000	$139,410 (35%)	$307,536	LTP
Kawakawa	Kawakawa Wastewater Network Gravity System Redesign	$225,000	$15,723 (7%)	$259,590	IS/LTP
Kawakawa	IAF Wastewater reticulation upgrades	$11,655,719	$3,249,941 (28%)	$8,405,778	LTP
Kawakawa	IAF Wastewater treatment upgrades	$7,961,937	$1,880,839 (24%)	$6,081,098	LTP
Wastewater Services	**Sub-Total**	**$87,101,562**	**$43,094,038**	**$44,007,524**	
Roading and Transport					
Bay of Islands - Whangaroa	Standalone Kerikeri CBD Bypass	$20,000,00	$10,893,666 (54%)	$9,106,334	IS/LTP
Bay of Islands - Whangaroa	Opua to Paihia (Northland Integrated Cycling Implementation Plan) - Extension of the Twin Coast Cycle trail	$769,542	$138,848 (18%)	$630,694	LTP

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Catchment	Programme/ Project name	Planned capital expenditure	Planned capital expenditure funded from development contributions (% attributed to growth model)	Planned capital expenditure funded by other Sources (Project balance after DC)	Project Source
Bay of Islands - Whangaroa	Pou Herenga Tai (Twin Coast Cycle trail) Opua to Taumarere replacement	$8,874,247	$1,590,354 (18%)	$7,283,893	LTP
Bay of Islands - Whangaroa	Waitangi to Kerikeri (Northland Integrated Cycling Implementation Plan)	$1,022,978	$184,576 (18%)	$838,402	LTP
Roading and Transport	**Sub-Total**	**$30,666,767**	**$12,807,444**	**$17,859,323**	
GRAND TOTAL		**$178,360,200**	**$77,691,297**	**$100,668,903**	

Section 2: Catchment Areas

56.1. Catchment areas used for the assessment of development contributions are shown in the maps presented in this section of the Policy. Developments on properties located within these catchment areas, are liable for development contributions:

a. for Roading and Stormwater services

b. for Water and Wastewater services if a council provided water or wastewater scheme that is predominantly located within these areas is available.

56.2. For avoidance of doubt, development occurring outside of the Catchment areas, but which is able to connect to a water or wastewater network that is predominantly located within the mapped Catchment areas, will also be liable for development contributions for the relevant Activity.

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 TE PAE O UTA - ANNUAL REVIEW

File Number: **A5389582**

Author: **Jacine Warmington, Group Manager - Strategic Relationships**

Authoriser: **Guy Holroyd, Chief Executive Officer**

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this report is to provide Council with an overview of the year's performance against the Te Pae o Uta - Te Ao Māori Framework. It evaluates progress made since adoption and implementation, measures outcomes achieved, and highlights areas where further development is required.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Te Pae o Uta was formally adopted by Council in September 2023, alongside the adoption of the Te Reo and Tikanga Policy. This signalled a clear commitment towards embedding Te Ao Māori into the Council's operations, governance, and service delivery.
- The implementation phase commenced on **1 July 2024**, with the framework becoming the guiding mechanism for advancing Māori outcomes across the organisation. This report provides the first comprehensive assessment of progress, outlining achievements, challenges, and future priorities in strengthening cultural responsiveness and delivering on the aspirations of Te Pae o Uta.
- To further strengthen the relationship with FNDC, Pou Herenga Tai Twin Coast Cycle Trail Trust have embraced the opportunity to use the Te Pae o Uta framework and set their six goals to be achieved in this financial year 2025-2026.

TŪTOHUNGA / RECOMMENDATION

That Council:

a) receive the report "Te Kaunihera o Te Hiku o te Ika – Key Performance Report: Ka tae ki Te Pae o Uta"

b) receive the Pou Herenga Tai Twin Coast Cycle Trail Trust six Te Pae o Uta goals.

TĀHUHU KŌRERO / BACKGROUND

The Far North District Council (FNDC) adopted the Te Pae o Uta Framework in the Council hui (resolution 2023/8 dated 7 September 2023). The overall principles for council in respect of the Te Pae o Uta are to:

- **Recognise** He Whakaputanga o te Rangatiratanga o Nu Tireni (Declaration of Independence) and Te Tiriti o Waitangi (Te Tiriti o Waitangi) as the founding covenants of Te Tai Tokerau and Aotearoa respectively;
- **Acknowledge** the importance of relationships both tangible and intangible e.g. Ngā Atua, Whenua, Mauri ō Te Wai, Taiao (Oranga Taiao, Oranga Tangata);
- **Focus** on the pursuit of excellence in the Te Ao Māori space;
- **Ensure** that valuing Te Ao Māori requires staff to understand key Māori concepts and practices;
- **Uphold** kōrero tuku iho at FNDC by recognising Iwi and Hapū kōrero.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

1. Key Performance Report

This Key Performance Report provides a comprehensive overview of how Te Pae o Uta is being embedded across Council. The report demonstrates performance against 161 goals, highlights significant achievements, outlines partnerships with iwi and hapū, and shows how Te Pae o Uta aligns with the Long-Term Plan and Council's strategic priorities. The report also identifies challenges and areas for improvement, reports on resourcing and investment, and sets the direction for 2026 and beyond. The report covers the following:

- Progress and impact achieved through Te Pae o Uta
- Building cultural capability and strengthening partnerships
- Departmental performance and organisational highlights
- Resources invested and priorities for the next phase

2. Pou Herenga Tai Trust

Pou Herenga Tai (Twin Coast Cycle Trail) has a service level agreement with Far North District Council. The Twin Coast Cycle Trail, one of New Zealand's 22 Ngā Haerenga Great Rides, is a key contributor to regional development in the Far North. Pou Herenga Tai is committed to ensuring Māori participation in the development and future management of the trail. Kaimahi from Pou Herenga Tai have successfully completed Te Pae o Waho Level 1 to improve their cultural capability within their organisation. The trust has developed their Te Pae o Uta goals for the period 1 July 2025-30 June 2026. Please see below:

This financial year 2026 Statement of Performance outlines the strategic goals and measurable actions for the Pou Herenga Tai - Twin Coast Cycle Trail Charitable Trust (PHTTCCT) in alignment with Te Pae o Uta and the Far North District Council (FNDC).

The purpose of this paper is to provide the FNDC Māori Te Pae o Uta team with a clear view of the Trust's intended outcomes and performance metrics for the upcoming financial year.

The strategic intent of PHTTCCT is to uphold the trail's bicultural, historic, and scenic identity as the one Great Ride in Northland/Te Tai Tokerau, while strengthening its relationship with FNDC through visible action and partnership with tangata whenua.

Goals	Actions	Metrics
Tū Kotahi – Strengthen Hapū and Iwi Participation	- Recognise the mana whenua representation of the trust. - Formalise Hapū and Iwi engagement protocols for trail development and maintenance. - Investigate integration of Iwi Hapū Environmental Management Plans into trail planning, with engagement of mana whenua	- Allow them to lead engagement in their rohe, or support trail trust and other trustees. - Number of formal hapū/iwi signed. - Inclusion of environmental plans in trail development documents.

	representatives on the Trust as first priority. - Review engagement policies to include mana whenua, marae, and hapū resourcing and consultation.	- Annual review of engagement policy completed.
Whanake Tahi – Build Cultural Capability	- Deliver Te Ao Māori orientation for all trail staff and contractors. - Install bilingual signage and cultural interpretation panels. - Promote Te Reo Māori – o te kāinga in trail communications and events.	- Number of mana whenua marae partnerships formed. - % of contracts awarded to Māori providers. - % of Māori owned business in the official partner's programme. - Number of rangatahi engaged in trail-related roles.
Kōkiri Tahi – Empower Māori Communities	- Partner with whānau, mana whenua, marae for tourism, events and trail activations. - Support and develop Māori tourism business and development. - Prioritise Māori businesses in procurement and service delivery. - Support rangatahi employment and leadership through the trail initiatives.	- Number of mana whenua and marae partnerships formed. - % of contracts awarded to Māori providers. - % of Māori owned business in the official partner's programme. - Number of rangatahi engaged in trail-related roles.

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

Activities are undertaken within existing group budgets, a full overview will be provided in the Key Performance Report.

ĀPITIHANGA / ATTACHMENTS

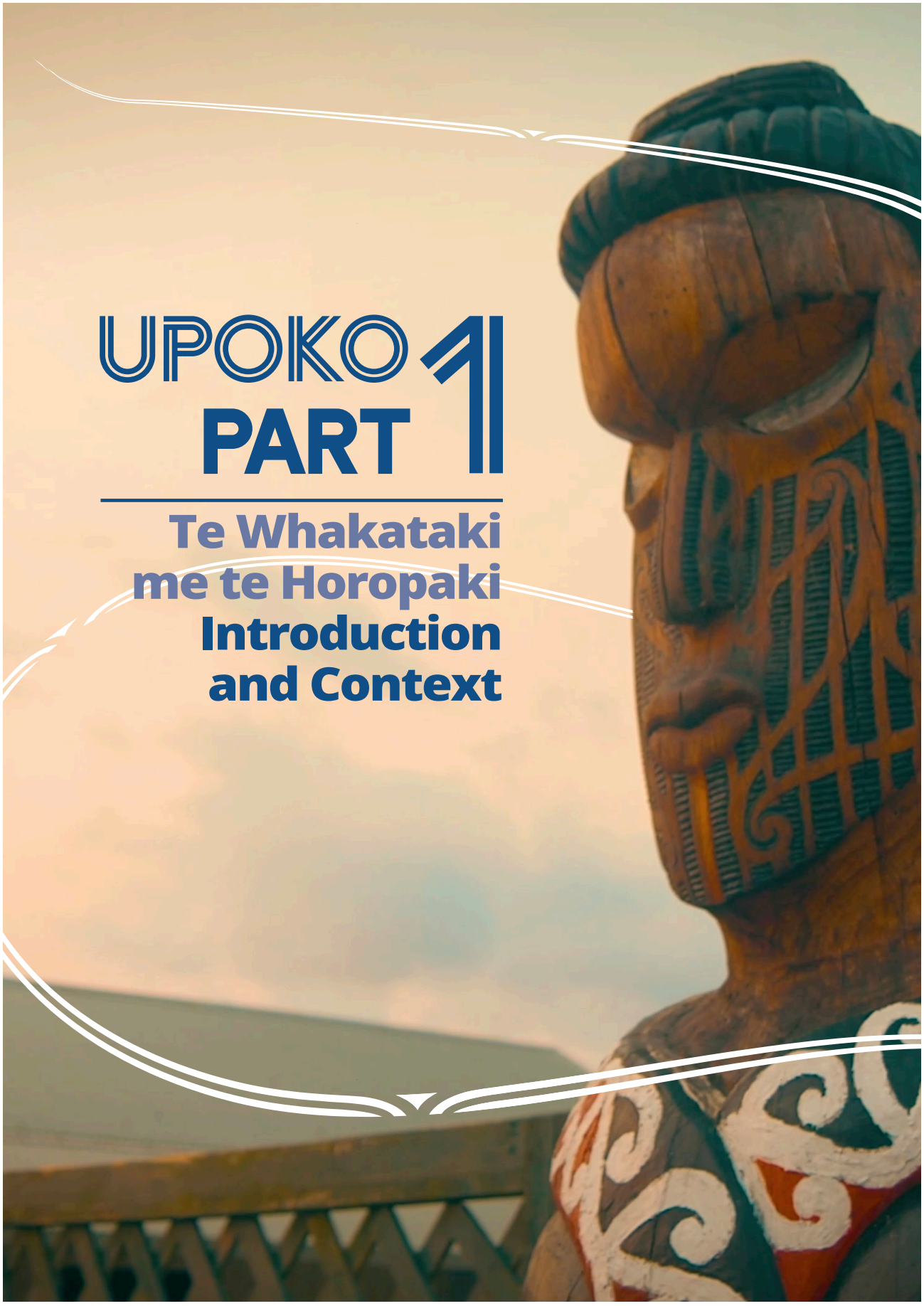
1. Te Pae o Uta Annual Review - 2025

Te Kaunihera o Te Hiku o te Ika
Far North District Council

KA TAE KI TE PAE O UTA

Key Performance Report




UPOKO
PART 1
Te Whakataki
me te Horopaki
Introduction
and Context



RĀRANGI UPOKO
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KAUPAPA O TE PŪRONGO
PURPOSE OF THE REPORT

This report provides a comprehensive performance snapshot of the Far North District Council's commitment to Māori outcomes for the 2024–2025 financial year, viewed through the lens of Te Pae o Uta, the Council's Te Ao Māori framework.

The report investigates how the principles, values, and objectives of Te Pae o Uta have been embedded across Council governance, partnerships, strategies and operations.

The report serves as a formal accountability mechanism to tāngata whenua and elected members, by demonstrating measurable progress towards equitable outcomes for Māori. It also acts as an internal reflection tool, helping teams across the organisation assess how effectively Te Ao Māori values are informing service delivery, decision-making, staff capability, and community engagement.

The purpose of this report aligns the three strategic pou of Te Pae o Uta, Tū Kotahi (Māori representation and governance), Whanake Tahi (internal cultural capability), and Kōkiri Tahi (partnerships with Māori) and presents a clear narrative of how Council is giving effect to its obligations under Te Tiriti o Waitangi and responding to the priorities of Māori communities across Te Tai Tokerau.

This annual performance report highlights the achievements of the Council.

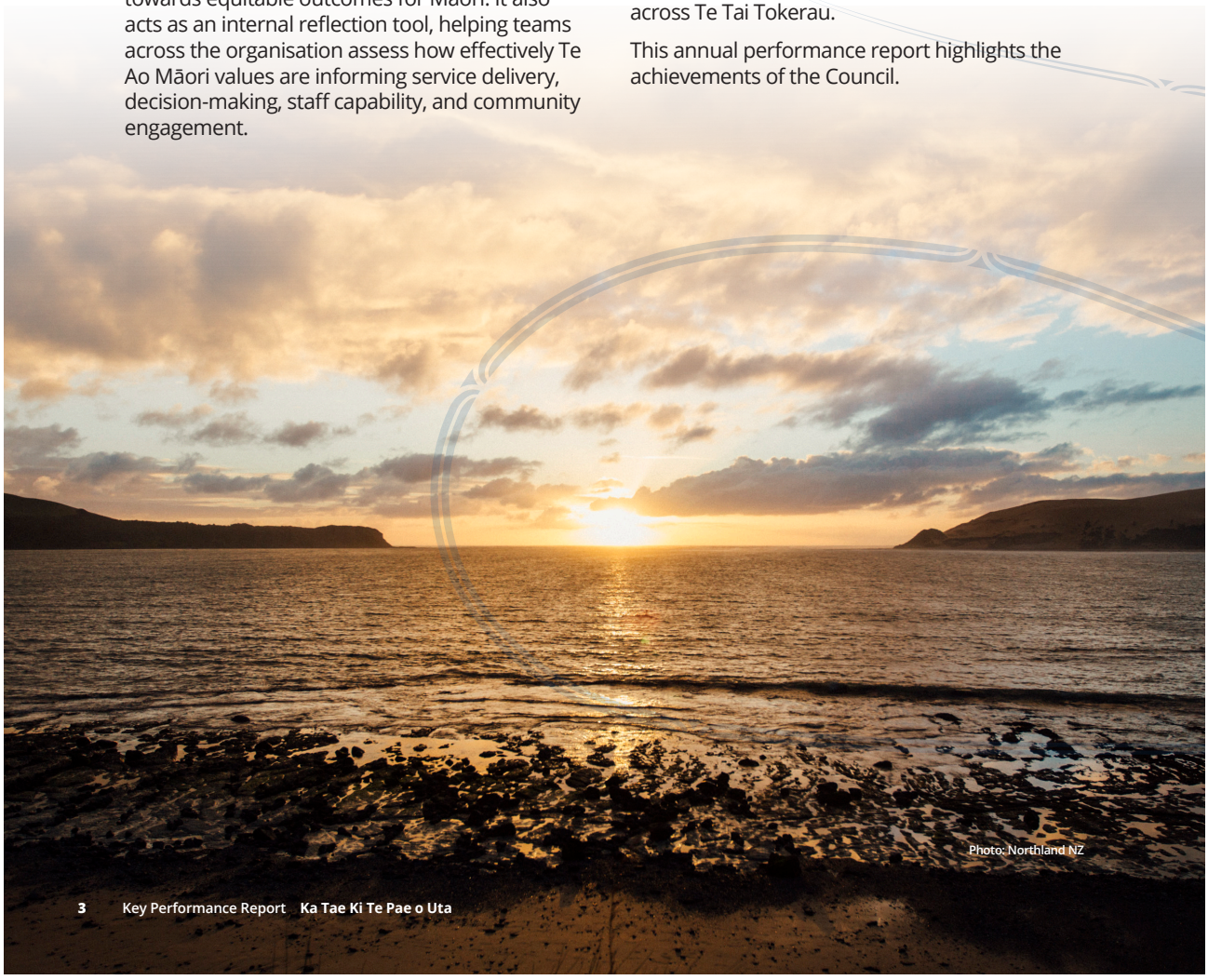


Photo: Northland NZ

HE WHĀINGA MO TE PAE O UTA BACKGROUND TO TE PAE O UTA

Te Pae o Uta was developed in 2022 as an internal initiative led by Te Hono staff, in collaboration with Whānau, Hapū and Iwi in the district.

The purpose was to create a comprehensive Te Ao Māori framework that would unify Council's approach to engaging with Māori and delivering equitable services in a way that reflects the cultural identity and priorities of Te Tai Tokerau.

The development process ensured the context and foundation of the framework was centred Te Ao Māori, specifically Te Tai Tokerau pūrākau, Te Reo o te kāinga and tikanga, while being supported by a practical, strategic structure that could be implemented in local government and across all departments. The intent was to create a living framework that could guide Council towards more equitable, inclusive, and mana-enhancing outcomes for Māori.

In August 2023, Te Pae o Uta received formal endorsement from Te Kuaka Te Ao Māori Committee, alongside the adoption of the Te Reo and Tikanga Policy. The framework was then taken to full Council, where it was officially adopted in September 2023, thus the only Council adopted framework. This marked a significant milestone, demonstrating a collective commitment from governance and operations to embed Te Tiriti o Waitangi principles into Council's systems, policies, and practices.

The implementation commenced on 1 July 2024, with all Council teams required to set and achieve goals aligned to Te Pae o Uta's three goals — Tū Kotahi, Whanake Tahi, and Kōkiri Tahi. In addition, the progress of Te Pae o Uta is monitored through quarterly reporting to the Chief Executive and Te Kuaka, ensuring accountability, transparency, and continuous improvement in delivering Māori outcomes.

HE WHAKAPUTANGA O TE RANGATIRATANGA O NU TIRENI TE TIRITI O WAITANGI FOUNDATIONAL DOCUMENTS

This section outlines the significance of He Whakaputanga o te Rangatiratanga o Nu Tireni and Te Tiriti o Waitangi. Highlighting their relevance to Aotearoa, Tāngata Whenua, and the district as a whole, and explaining how these foundational documents shape governance, relationships, and decision-making within the rohe.

He Whakaputanga o te Rangatiratanga o Nu Tireni (1835) and Te Tiriti o Waitangi (1840) are the foundations upon which Te Pae o Uta has been developed. These documents represent the enduring assertion of Māori sovereignty and the Te Tiriti represents the formal commitment by the Crown to recognise and uphold Māori authority, rights, and self-determination.

He Whakaputanga, the Declaration of Independence, was signed by 52 rangatira from Te Tai Tokerau between 1835 and 1839. The Declaration asserted the sovereign independence of the hapū of Aotearoa and established a collective declaration of tino rangatiratanga by Māori over their lands, resources, and political affairs. This declaration remains a critical assertion of hapū leadership, mana whenua, and the principle that Māori are the rightful governors of their own affairs.

Te Tiriti o Waitangi, signed in 1840, established a relationship between Māori and the Crown based on partnership, protection, and participation.

In the Māori text of Te Tiriti, the Crown was granted kāwanatanga (authority to govern their own people) while Māori retained tino rangatiratanga, their absolute authority, over lands, people, and taonga. The promises made in Te Tiriti form the legal and moral basis for Māori-Crown relationships today.

For Far North District Council, both He Whakaputanga and Te Tiriti are not historical artefacts but living documents that continue to shape governance, policy, and service delivery. These documents guide Council's responsibilities to hapū and iwi, and provide the ethical foundation for embedding Te Ao Māori into local government systems.

The Far North District Council has legislative obligations under the Local Government Act 2002 and various other statutes to recognise and respect the Crown's responsibility to take account of the principles of the Treaty of Waitangi. To support this, Parts 2 and 6 of the Act set out requirements for councils to maintain and improve opportunities for Māori to contribute to local decision-making.

Te Pae o Uta reflects the intent of both documents by enabling Māori-led frameworks, recognising mana motuhake, and embedding tikanga, te reo, and Māori values into Council operations. The approach ensures that Council is not only responsive to Māori needs, but also accountable to the constitutional commitments that define our shared future.

NGĀ TAUPORI MĀORI I TE TAI TOKERAU
MĀORI DEMOGRAPHICS IN TE TAI TOKERAU

Te Tai Tokerau is home to one of the highest proportions of Māori population in Aotearoa New Zealand.

According to the 2023 Census, the total population of the Far North District is 71,430 (see pie chart on following page). The population highlights 51.9% of the total population identify as being of Māori descent, this is well above the national average.

This demographic context reinforces the importance of a Te Ao Māori approach to local government and legislative obligations to the Treaty of Waitangi and Te Tiriti o Waitangi. The results population also shows a practical necessity for ensuring that council services, strategies, and investments reflect the aspirations and realities of half of the region's population.

The significant growth in the Māori population, an increase of 13.3%[1] (see bar graph on following page) since 2018, further underscores the need for responsive planning, culturally appropriate service delivery, and strong relationships with hapū and iwi.

Te Pae o Uta was developed in direct response to these demographic trends, to ensure Council meets its responsibilities in a way that upholds mana motuhake, supports community wellbeing, and affirms Māori leadership and participation across all levels of local government.

TE TIROHANGA WHĀNUI A TE KAUNIHERA O TE HIKU O TE IKA FAR NORTH DISTRICT COUNCIL OVERVIEW

The Far North District Council (FNDC) was formally established on 1 November 1989 as part of the nationwide local government reform process in Aotearoa New Zealand.

This reform amalgamated these former local authorities into a single territorial authority, responsible for the Far North District:

- Bay of Islands County Council
- Hokianga County Council
- Whangaroa County Council
- Mangōnui County Council
- Kaikohe Borough Council
- Kaitāia Borough Council

The governance structure of FNDC consists of the Mayor and 10 Councillors who represent four electoral wards: Te Hiku, Kaikohe-Hokianga, Bay of Islands-Whangaroa, and Ngā Tai o Tokerau (Māori Ward). These elected representatives set the strategic direction of the Council, make policy decisions, and approve budgets to ensure the long-term wellbeing of communities across the district. Supporting the elected members are 19 Community Board members who advocate for local needs and provide a crucial link between Council and communities at the grassroots level.

FNDC's operations are led by the Chief Executive, who is responsible for delivering on the decisions of the Council and managing the day-to-day functions of the organisation. The Chief Executive is supported by a tiered leadership structure comprising seven General Managers, approximately 40 functional Managers, and a workforce of over 400 staff across various departments.

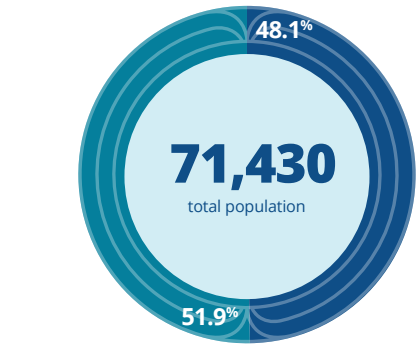
The Council is responsible for delivering a broad range of essential services, including infrastructure maintenance, regulatory services, community facilities, environmental management, economic development, planning and consents, and democratic engagement. FNDC also oversees several council-controlled organisations (CCOs) and works in partnership with central government, hapū, iwi, and community stakeholders to achieve long-term social, cultural, economic, and environmental goals.

As a district with one of the highest proportions of Māori population in the country, FNDC's structure and operations are increasingly shaped by a commitment to Te Tiriti o Waitangi and the aspirations of tāngata whenua. This commitment is reflected in the adoption of Te Pae o Uta, the establishment of the Māori Ward, and the strategic partnerships developed through governance forums such as Te Kuaka and Te Kahu o Taonui.

Far North District population

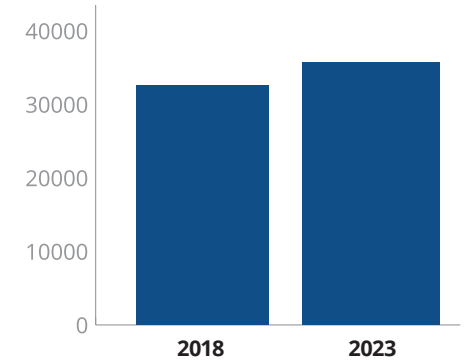
(2023 Census)

Total Population



- **51.9%** Māori descent, **48.1%** other
- **37,038** Māori population
- **71,430** Total population of Far North District[1].

A growing population



- **32,580** Māori population in 2018
- **37,038** Māori population in 2023

The Māori population is growing in the Far North District and has increased by **9.5%**

Towns in the Far North with the highest percentage of Māori

• In the Far North District specifically, Māori communities are central to the district's cultural, economic, and social structure of the district. The towns with the highest percentage of Māori residents[1] include:

Town	Māori population (%)	Māori population (total)	Total population
Kaikohe	81.5%	3,720	4,563
Kaitāia	70.4%	4,194	5,955
Kerikeri	18.3%	1,479	8,070

1 Source: Stats NZ, 2023 Census.

TE ANGA KAUNIHERA
COUNCIL STRUCTURE

1

Kahika | Mayor

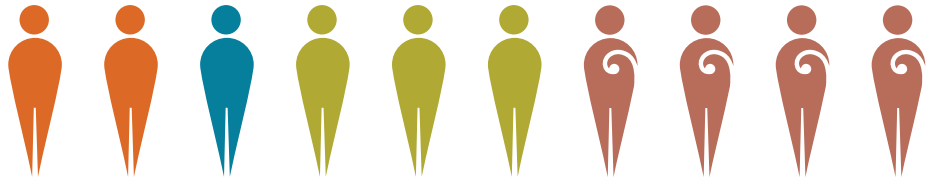
Elected 'at large' (district wide)



10

Kaikaunihera| Councillors

2	1	3	4
Te Hiku Ward	Kaikohe-Hokianga Ward	Bay of Islands-Whangaroa Ward	Ngā Tai o Tokerau Māori Ward



19

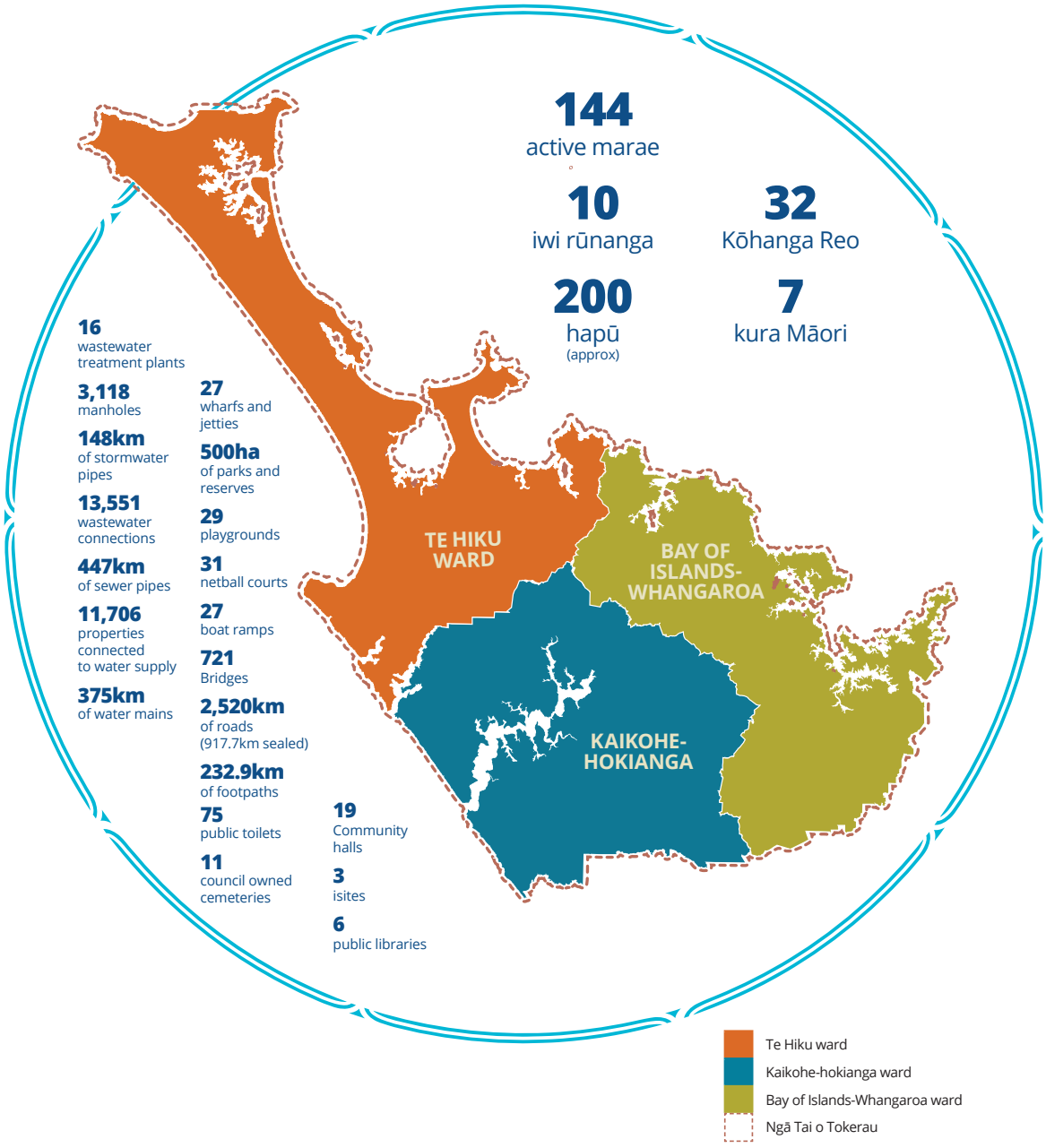
He mema poari hāpori
Community Board Members

Community boards elected based on subdivisions of the general ward



KO TŌ TĀTOU ROHE
OUR DISTRICT





HONONGA RAUTAKI
STRATEGIC LINKAGES

Ngā wāhanga e whā o te hauora
The four aspects of wellbeing



Tirohanga
Our vision

HE WHENUA RANGATIRA
A DISTRICT OF SUSTAINABLE PROSPERITY & WELL-BEING

He rautaki whakaarotau
Our mission

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

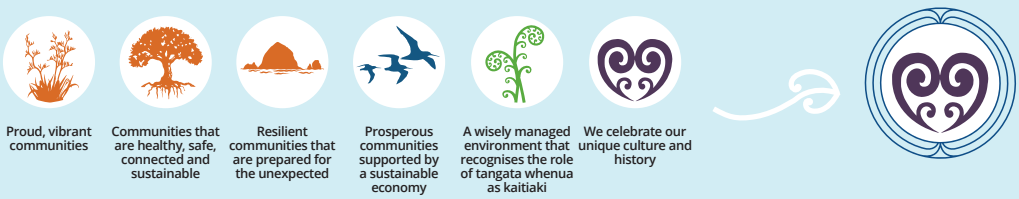
He Rautaki Whakaarotau
Our Strategic Priorities

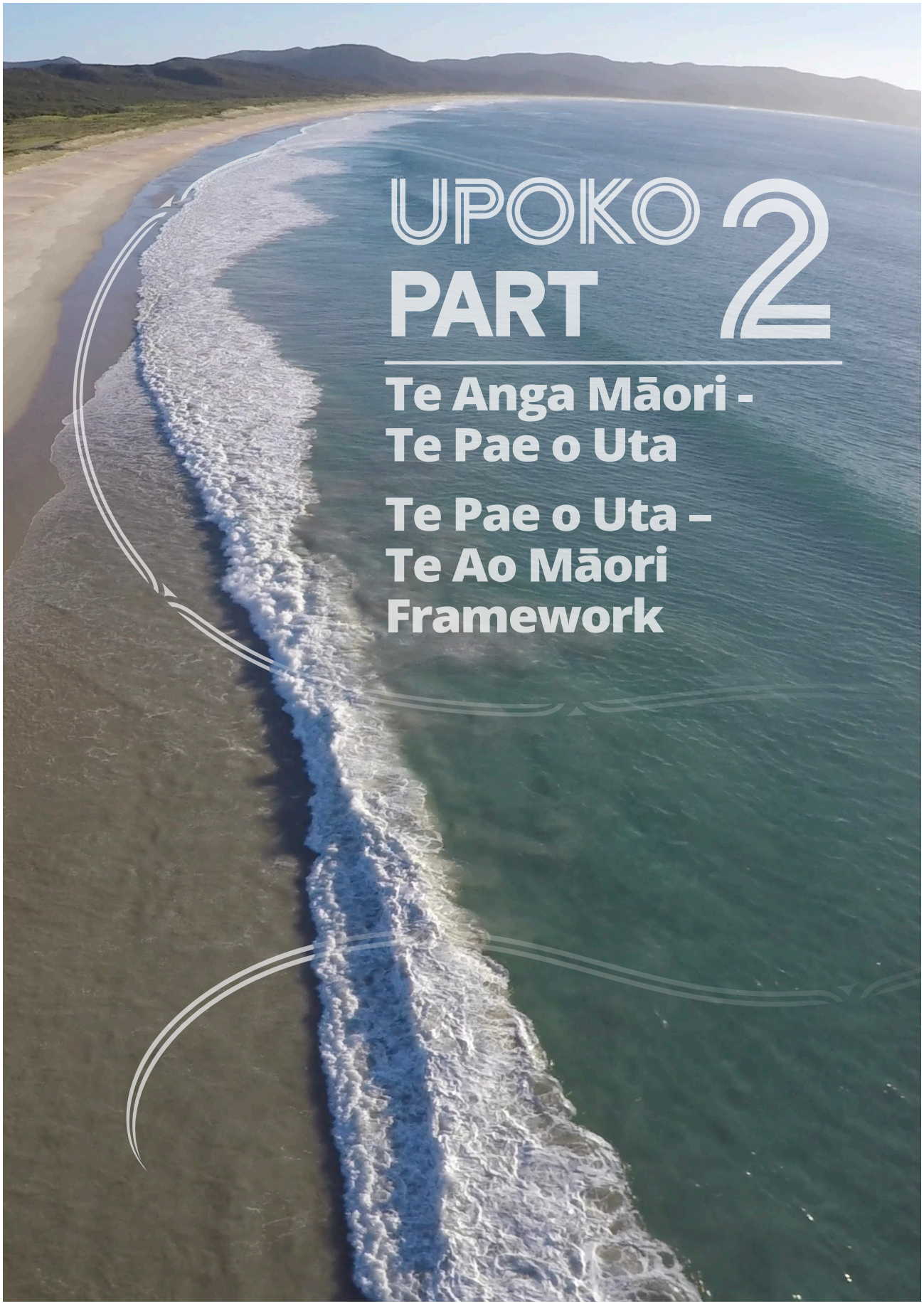


Ngā wāhanga e whā o te hauora
The four aspects of wellbeing



Ngā wāhanga e whā o te hauora
The four aspects of wellbeing



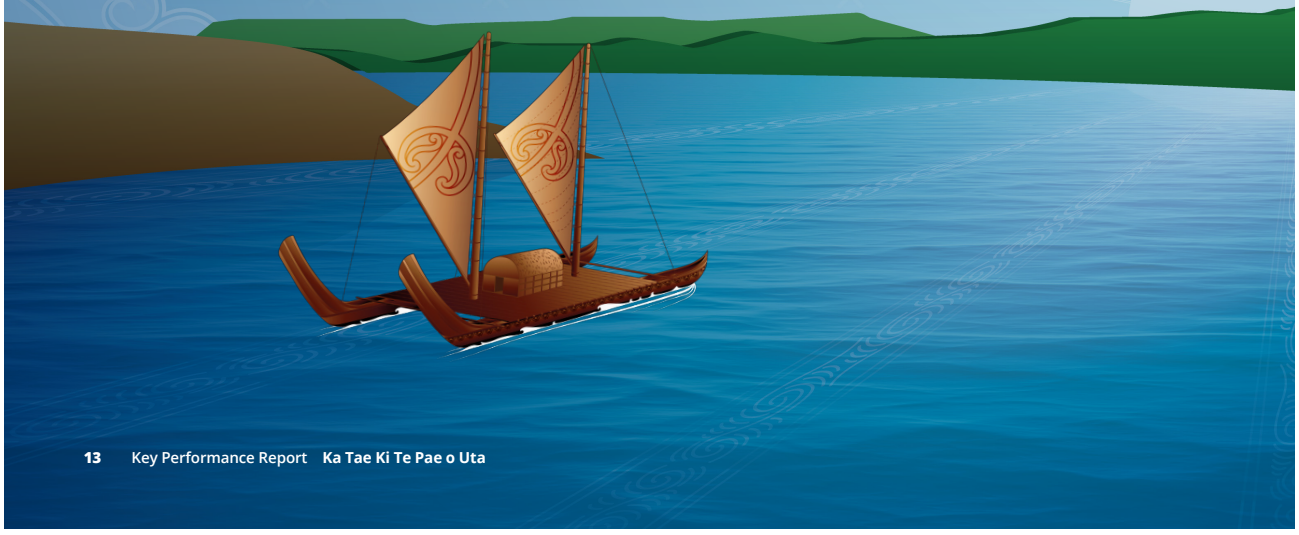

UPOKO
PART 2
Te Anga Māori -
Te Pae o Uta
Te Pae o Uta –
Te Ao Māori
Framework

HE TIROHANGA WHĀNUI ME TE KAUPAPA

OVERVIEW AND PURPOSE

This section introduces Te Pae o Uta, the Council's Te Ao Māori framework by outlining its purpose, scope and role in embedding the framework across all areas of Council activity. Te Pae o Uta serves as a strategic framework designed to embed Te Ao Māori values, principles, and practices across all functions of the Far North District Council. Māori worldviews are actively applied in decision-making, operations, and community engagement to reflect the diverse communities the Council serves. The framework provides the structural foundation required to uphold mana motuhake, meet Te Tiriti o Waitangi obligations, and drive equitable outcomes for Māori in Te Tai Tokerau.

The section will be discussed as follows: firstly, the meaning of the framework name; secondly, the background to the framework; thirdly, the principles of the framework; and finally, the goals.



HE KŌRERO WHĀINGA
BACKGROUND NARRATIVE

Te Pae o Uta is taken directly from the karakia, E Kau ki te Tai e. Written by Rangatira Himiona Kāmira following the Te Tai Tokerau Wānanga in 1936. Nukutawhiti when he first entered the Hokianga Harbour around 950AD.

Nukutawhiti navigated the double-hulled waka Ngātokimatawhaorua across the huge oceanic continent of Te Moananui a Kiwa.

This kōrero tuku iho has been handed down through generations that reach back to Kupe and his rediscovery of Te Ikanui a Māui around the year 750 AD.

Kupe left Hawaiki, aboard his waka Matawhao. in pursuit of Te Wheke o Muturangi that had been interfering and meddling with the fishing practices in our ancestral home. This is a metaphor which has Hawaiki as the central part of the octopus and its tentacles representing ocean currents radiating out from the homeland and reaching out to the numerous island destinations now populated by Māori and our Polynesian cousins.

During this voyage of reclamation and rediscovery, Kuramarotini, or Hine-te-Aparangi (both wives of Kupe) renamed Te Ikanui a Māui, Aotearoa, depending on which version of the pūrākau you adhere to.

After spending several decades circumnavigating Aotearoa, Kupe returned to Hawaiki, departing Aotearoa with his final utterance "*Hei konei rā e Te Puna I te Ao Mārama, ka hoki nei ahau, e kore ahau e hoki anga nui mai*" "*Farewell The Spring of the World of Light, for I now return home from whence I shall never return again*." , from which The Hokianga Harbour takes it name.

On his return to Hawaiki, Kupe regaled his whānau with stories of the land he had returned from and his grandson Nukutawhiti was infatuated with the idea of seeking wider horizons to settle as a new home.

On the advice of Kupe, he took the waka Matawhao and had in reshaped making it lighter, faster and more manoeuvrable after which it was renamed Ngātokimatawhaorua, Matawhao-Readzed.

Follow instruction from Kupe, Nukutawhiti departed on the renewed vessel and soon arrived at the entrance of Te Hokianganui a Kupe and found his way obstructed by the treacherous bar across the harbour entrance. He rose and offered his karakia, E kau ki te Tai e, to calm the waters and provide safe passage to the calmer waters inside the harbour.

The karakia follows with different strategies including Te Pae o Uta adopted by Far North District Council.

TE KARAKIA O NUKUTAWHITI

E kau ki te tai e

E kau ki te tai e, e kau ki te tai e, e kau rā, e Tāne.

Wāhia atu rā te ngaru hukahuka o Marerei-ao,
pikitia atu te aurere kura o Taotao-rangi.

Tapatapa ruru ana te kakau o te hoe, e auheke ana,
e tara tutu ana te huka o Tangaroa, i te puhi whatukura,
i te puhi marei kura o taku waka.

Ka titiro iho au ki te pae o uta, ki te pae o waho.

Piki tū rangi ana te kakau o te hoe;

Kūmea te uru o taku waka ki runga ki te kiri waiwai
o Papatūānuku e takoto mai nei;

Ki runga ki te uru tapu nui o Tāne e tū mai nei.

Whatiwhati rua ana te hoe a Pou-poto, tau ake
ki te hoe nā Kura, he ariki whatu manawa.

Tō manawa, e Kura, ki taku manawa;

Ka irihia, ka irihia ki Wai-o-nuku, ka irihia, ka irihia
ki Wai-o-rangi, ka whiti au ki te whei ao, ki te ao
mārama.

Tupu kerekere, tupu wanawana, ka hara mai te toki,
e Haumi e Hui e **Taiki e!**



NGĀ PAPARAHI WHĀNUI

Overall principles of the goals

Recognise the significance of He Whakaputanga o te Rangatiratanga Nu Tireni (Declaration of Independence) and Te Tiriti o Waitangi within Te Tai Tokerau and Aotearoa respectively

Acknowledge the importance of relationships both tangible and intangible e.g., ngā atua, whenua, mauri o te wai, taiao (oranga taiao, oranga tangata)

Valuing Te Ao Māori requires staff to understand key Māori concepts and practices

Acknowledge kōrero tuku iho at FNDC by recognising hapū and iwi kōrero.

The goals of the framework are as follows:

WHĀINGA 1
GOAL

TŪ KOTAHI

Increased Participation in Council Structures and Decision-Making Processes



Relationships – strengthening relationships with Mātauranga and Te Ao Māori.

Participation – by giving Māori agency in matters of interest to them.

Outcome

- Prosperous Māori communities as evidenced by strong partnership arrangements – Māori communities are strong, resilient and realising opportunities
- Advance the Rangatiratanga of mana whenua in leadership and decision making and provide for customary rights.

Implementation

- Far North District Council staff are equipped to provide Te Ao Māori governance with the direction and advice to better inform elected members.
- Active Māori participation
- Far North District Council is committed to developing systems to engage at hapū level
- Formalising the implementation of Iwi Hapū Environmental Management Plans
- Develop a hapū engagement framework
- Review Council's Significance and Engagement Policy 2021to include hapū engagement and resourcing.

2 WHĀINGA GOAL

WHANAKE TAHI

Create Enablers Across Staff to Respond More Effectively to Māori



People – building organisational capability, capacity, and cultural competency.

Policy – effective consideration and understanding of Māori needs and issues in policy thinking and development.

Process – improvement of processes and systems to maintain and enhance capability to give effect to roles in relation to Māori and to promote a responsive culture and working environment.

Outcome

Tāngata whenua report that Far North District Council has the capability, capacity, confidence and are partnering and engaging successfully with Māori. Applying this lens can provide for more robust, diverse, and long-term solutions and outcomes for Māori.

- Far North District Council leaders are capable of making informed decisions based on Te Pae o Uta goals, principles and values
- In-house training is developed and available so staff can develop the confidence and basic capability to identify and apply a Te Ao Māori lens across internal workstreams.
- People, policies and strategies are reflective of Te Pae o Uta goals, principles, and values
- Value and recognise staff cultural competency
- Review training competency measures
- Increased use of Te Reo across all of our services.

WHĀINGA GOAL 3

KŌKIRI TAHI

Empowered Communities, Working Collaboratively



Engagement – effective communication and engagement with Māori.

Wellbeing – council's role in contributing to Māori wellbeing.

Capacity – building Māori capability and capacity.

- Meet the needs and support the aspirations of tamariki and their whānau
- Invest in marae to be self-sustaining and prosperous
- Strengthen rangatahi participation in leadership, education and employment outcomes
- Grow Māori intergenerational wealth
- Celebrate Māori culture and support Te Reo Māori to flourish.

Implementation

Far North District Council will work in the following areas to achieve the outcomes noted above:

- Papakāinga and Māori housing
- Whānau and tamariki wellbeing
- Marae development
- Te Reo Māori
- Māori identity and culture
- Māori business, tourism and employment
- Realising rangatahi potential
- Kaitiakitanga/te taiao.

HE TAUIRA URUPARE WHAKAPAKARI RESPONSIVENESS MATURITY MODEL

The successful implementation of Te Pae o Uta across Far North District Council has been supported by the development and use of a Māori Responsiveness Maturity Model.

This model provides a structured, staged approach to embedding Te Ao Māori principles into all areas of Council activity, guiding teams from awareness through to transformational change.

Each stage of the maturity model reflects a progression in cultural capability and organisational responsiveness, enabling departments to identify where they currently sit and what actions are required to advance. The framework supports self-assessment and collective reflection, with a focus on aligning operational delivery to Te Tiriti o Waitangi, tikanga Māori, and the aspirations of hapū and iwi.

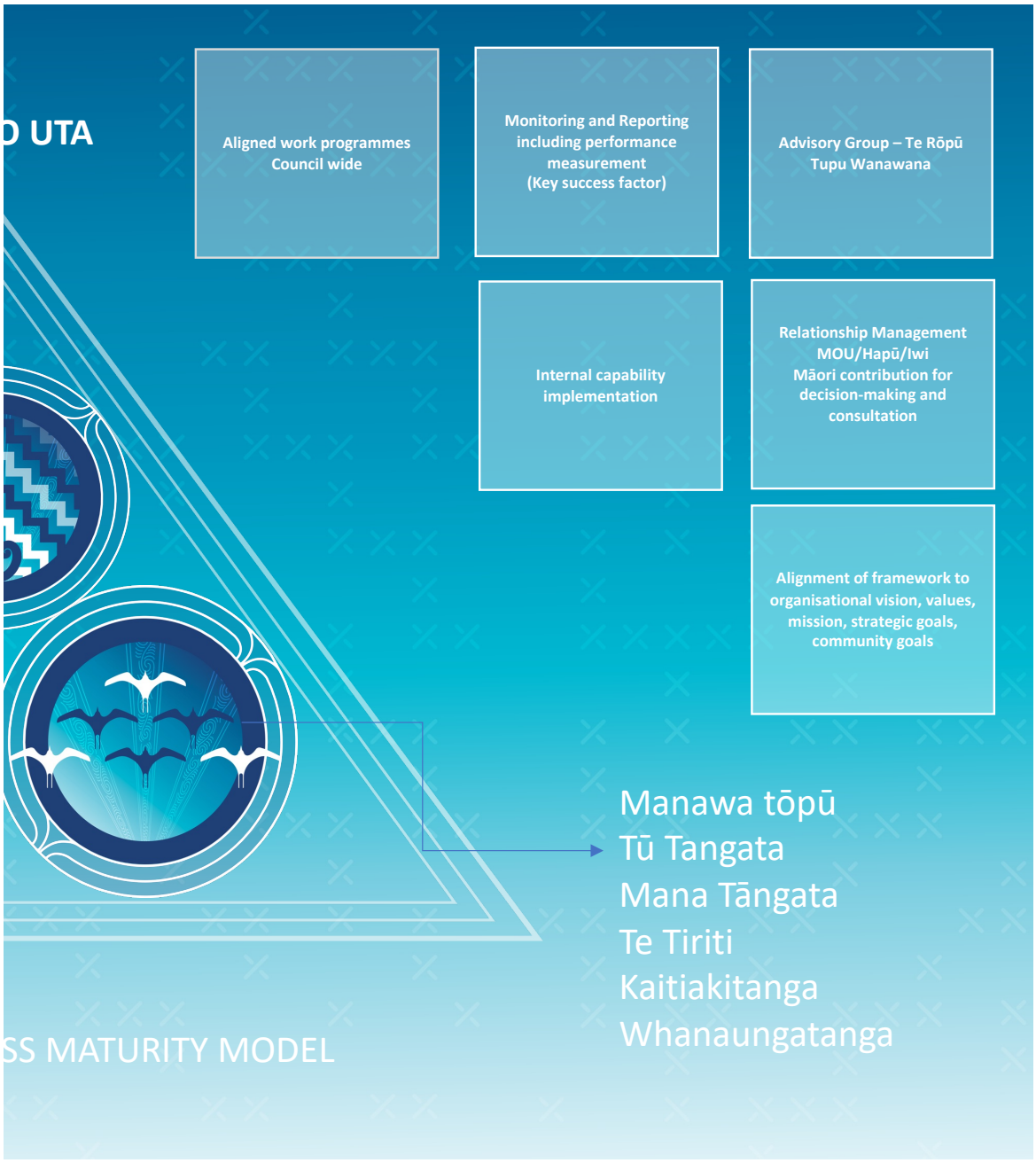
The stages of the model are designed to:

- Build internal confidence in applying Te Ao Māori values
- Encourage collaborative engagement with Māori communities
- Embed kaupapa Māori approaches in planning, policy, and service delivery
- Ensure consistency and accountability across all teams

The maturity model has ensured that the rollout of Te Pae o Uta is not tokenistic or superficial, but instead supports systemic transformation. The model also allows for monitoring of progress over time and enables Council to identify areas requiring additional support, training, or realignment.

Operationally, the maturity model has served as a roadmap for departments to set realistic and meaningful goals aligned to the three goals of Te Pae o Uta. It has also empowered leadership to provide the necessary resourcing, oversight, and guidance to embed the framework across Council.


Te Pae o Uta framework
External measurement capability
Legislative framework
TE PAE
Internal measurement capability
Te Pae o Waho Training and development
He Whenua Rangatira
Organisational measurement capability
He Ara Tāmata
MĀORI RESPONSIVENE


O UTA
Aligned work programmes Council wide
Monitoring and Reporting including performance measurement (Key success factor)
Advisory Group – Te Rōpū Tupu Wanawana
Internal capability implementation
Relationship Management MOU/Hapū/Iwi Māori contribution for decision-making and consultation
Alignment of framework to organisational vision, values, mission, strategic goals, community goals
Manawa tōpū
Tū Tangata
Mana Tāngata
Te Tiriti
Kaitiakitanga
Whanaungatanga
SS MATURITY MODEL

TUPU WANAWANA

Tupu Wanawana is the internal steering group established to lead and support the implementation of Te Pae o Uta across Far North District Council.

The name Tupu Wanawana is drawn from the karakia "E Kau ki te Tai e", offered by Nukutawhiti as he navigated Ngātokimatawhaorua across the bar of Te Hokianga-nui-a-Kupe. Within this karakia, tupu wanawana refers to the rising strength and momentum required to reach safe passage. This concept symbolises the growth, resilience, and collective movement within Council to realise a Te Ao Māori way of working.

Tupu Wanawana represents a cross-tier leadership group made up of staff from all levels of the organisation from the Chief Executive, General Managers, and Team Leaders to kaimahi across Council departments. This group reflects a whole-of-organisation commitment to Te Pae o Uta, reinforcing that the framework is owned by the entire Council, not solely by Te Hono or any single team.

The role of Tupu Wanawana is to:

- Guide the implementation of Te Pae o Uta across all areas of Council
- Support business units to develop and progress their framework-aligned goals
- Champion the visibility and normalisation of Te Ao Māori across Council operations
- Promote consistent engagement with the framework across all levels of leadership
- Maintain momentum and shared accountability for Māori outcomes.

Tupu Wanawana signals that this is not a compliance exercise but a cultural and organisational shift. The group ensures that Te Pae o Uta is understood, embraced, and applied in a way that reflects the values of the district and the aspirations of the community. Tupu Wanawana are responsible for resolving any issues regarding the implementation, deployment, or reporting of the framework.

By referencing Tupu Wanawana from the karakia of Nukutawhiti, the Council acknowledges its role as a modern-day waka navigating towards a more inclusive and equitable future. This connection to pūrākau reinforces the local identity of the framework while demonstrating that transformative change must be led collectively, from the top down and the inside out.

TE AROTURUKI ME TE INE MONITORING AND MEASUREMENT

To ensure the implementation of Te Pae o Uta is measurable, transparent, and aligned with strategic priorities, Far North District Council uses Power BI as its primary performance monitoring tool.

This platform enables the collection, analysis, and visualisation of data relating to the framework's implementation across the organisation.

Each department sets three active goals aligned to one of the framework's three goals, Tū Kotahi, Whanake Tahi, or Kōkiri Tahi. As these goals are achieved, teams are supported to propose additional goals, encouraging continuous engagement with the framework. All goal data is captured and updated regularly within Power BI, providing a real-time snapshot of organisational performance.

The Power BI dashboard offers clear visual insights into:

- Total number of goals set and achieved across the organisation
- Goal alignment by, (Goal 1, 2, or 3)
- Frequency and quality of team check-ins
- Departmental contributions and trends over time
- Strategic alignment with key Council documents (e.g., LTP, FN2100, Toi Mana).

These visual dashboards are accessible to managers, leadership, and steering groups to support reflection, planning, and reporting. The tool allows the organisation to monitor uptake, identify gaps, and allocate resources more effectively to advance Māori outcomes.

Power BI ensures that Te Pae o Uta is not a static document but a living framework that can be measured, reported on, and improved over time. It strengthens accountability at all levels and promotes a culture of data-informed decision-making aligned with Te Ao Māori values.

Visual boards and graphs generated from Power BI are regularly presented to Te Kuaka, the Chief Executive, and departmental leadership, ensuring alignment between operational delivery and strategic intent. These insights also form the basis of quarterly reporting and contribute to ongoing performance improvement across the Council.


UPOKO
PART 3
He Ine kawekawe
me te Paearu mahi
Measuring Impact
and Performance



This section outlines how the Council measures progress and evaluates the impact of Te Pae o Uta in delivering Māori outcomes. It details the tools, indicators, and reporting mechanisms used to track implementation, assess cultural responsiveness, and demonstrate value for investment.

The section will cover the results from 1 July 2024 to 30 June 2025, using both quantitative insights and qualitative observations, including: the total number of goals set across the organisation; the number of team check-ins held to provide support; the number of additional goals achieved; the alignment of goals to each of the framework's goal; and the alignment of goals to all Council-adopted strategies, including the priorities of the internal Organisational Strategy.

Together, these measures provide a clear picture of performance, highlight areas for improvement, and ensure accountability to Māori communities, tāngata whenua, and the wider district.

TE PAE O UTA
RESULTS

TEAM GOALS 1/7/24 – 30/06/25

161
total goals

140
standard goals

21
extra goals

352
check ins

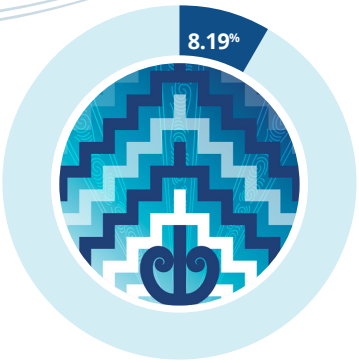


Percentage of how many of our 161 goals give effect to which TPOU goal:

Goal 1

TŪ KOTAHI

Increased Māori Participation in Council Structures and Decision-Making



Goal 2

WHANAKE TAHI

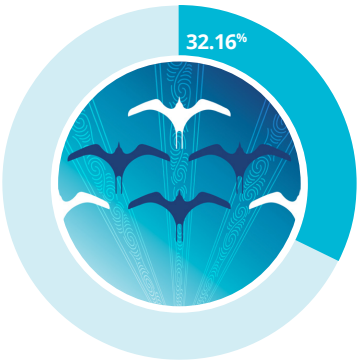
Create Enablers Across Staff to Respond Effectively to Māori



Goal 3

KŌKIRI TAHI

Empowered Communities, Working Collaboratively



All Council teams proposed three goals that were aligned to either Goal 1, 2, or 3 of the framework. Once these goals were achieved, teams proposed additional goals. As a result, each team maintained a set of three active goals throughout the year.

NGĀ RAUTAKI TAURIMA
COUNCIL ADOPTED STRATEGIES

Te Pae o Uta is embedded across all Council adopted strategies, including Council's key strategic document the Long-term plan, Far North 2100, the Regional Accessibility Strategy, the Toi Mana Strategy, the Finance Strategy, and the Transport and Infrastructure Strategy. The strategic integration reflects a whole-of-Council commitment to upholding Te Tiriti o Waitangi and embedding Te Ao Māori values in all aspects of Council planning, policy, and service delivery.

The approach means that Māori perspectives and aspirations are considered across every area of council activity, not in isolation. As a result, all departments share responsibility for building capability, engaging with tāngata whenua, and contributing to equitable outcomes for Māori. This alignment also requires ongoing monitoring to ensure that strategies are delivering on Māori outcomes in a measurable and effective way.



TE TAI TOKERAU 2100 FN 2100

Far North 2100 is the Far North District Council's long-term strategic vision, developed to guide growth and development across the district through to the year 2100.

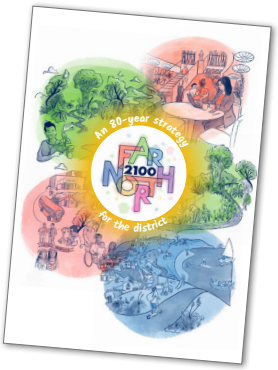
FN 2100 known as He Whenua Rangatira, this framework outlines a future-focused direction that reflects the district's collective priorities for environmental protection, cultural wellbeing, social cohesion, and economic resilience.

The strategy was informed by extensive engagement with local communities, hapū and iwi, and is intended to align Council decision-making with intergenerational priorities. It provides a foundation for proactive, place-based planning that is responsive to the unique identity and values of Te Tai Tokerau.

Far North 2100 is integrated with the Council's Long-Term Plan and other strategic documents, supporting consistent decision-making, resource allocation, and long-term wellbeing outcomes across the district.

Te Pae o Uta gives practical effect to the direction set by Far North 2100 by embedding Te Tiriti o Waitangi, and Te Ao Māori across Council systems and practices.





Progress Snapshot:

As of the reporting period, 64% of all Council team goals (103 out of 161) directly align with the strategic direction set by Far North 2100.

TOI MANA

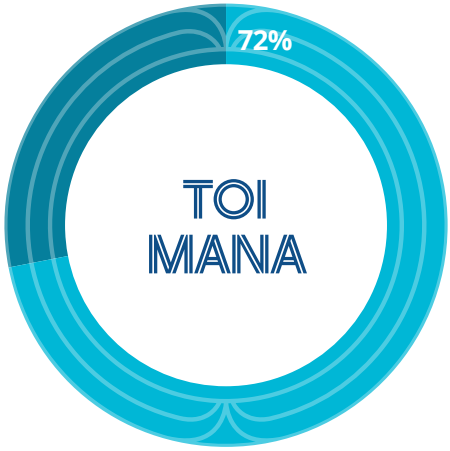
Toi Mana (2024–2034) outlines the strategic direction for arts, culture, and heritage in the Far North District.

The strategy outlines a coordinated approach to enhancing wellbeing, strengthen cultural infrastructure, and expand opportunities for creative expression across communities. Cultural identity, participation, and access are recognised as foundational to the development of a thriving and connected district.

Te Pae o Uta contributes to this strategic direction by embedding Te Ao Māori principles into the planning and delivery of cultural outcomes. The framework enables Council to work in partnership with hapū and iwi to support Māori-led artistic and cultural initiatives, including the elevation of Māori expression, investment in place-based heritage projects, and the integration of tikanga and te reo Māori within public cultural spaces.

The alignment between Toi Mana and Te Pae o Uta supports Council's ability to deliver Te Tiriti centric, culturally responsive and inclusive outcomes for the rohe.





Progress Snapshot:

As of the reporting period, 72% of all Council team goals (117 out of 161) align with the objectives of the Toi Mana strategy. This reflects a strong organisational focus on advancing arts, culture, identity, and expression across the Far North.

NGĀ RAUTAKI WHAKARITE
INTERNAL STRATEGY – ORGANISATIONAL STRATEGY

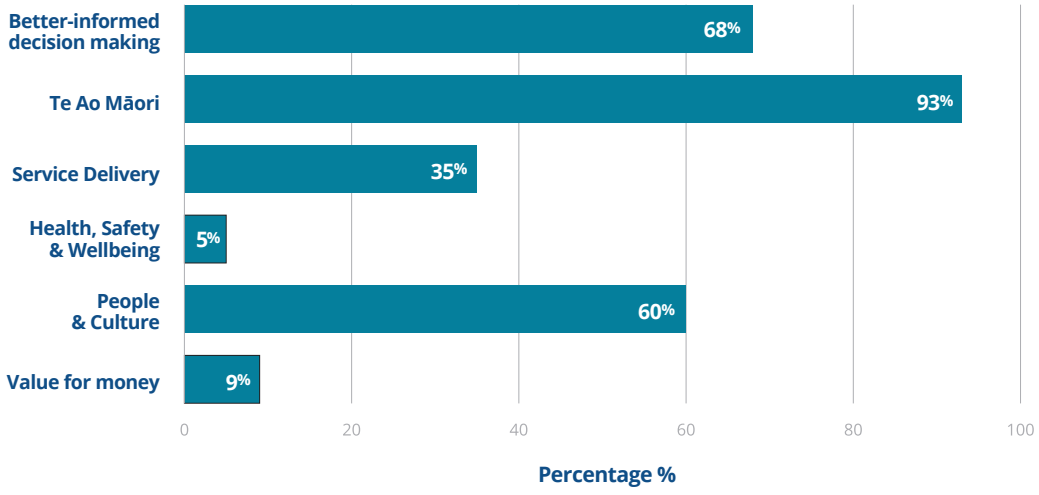
The Far North District Council's Organisational Strategy is an internal-only framework that defines six strategic priorities guiding how the organisation operates: Better-informed Decision Making, Health, Safety & Wellbeing, Te Ao Māori, People and Culture, Service Delivery, and Value for Money.

This strategy ensures that the Council's internal systems, processes, and people are aligned to deliver effectively on the long-term goals. Te Pae o Uta organisational goals have been aligned to the priorities of the Organisational Strategy and the results are below.

Progress Snapshot

The analysis of the team goals collated from the Power BI and dashboard indicates that 93% of activity incorporates Te Ao Māori, reflecting a strong organisational shift toward culturally informed practice. Other areas of focus include People and Culture (37%), Service Delivery (35%), and Health, Safety and Wellbeing (5%). Lower alignment is noted in Better-Informed Decision-Making (68%) and Value for Money (9%). This snapshot highlights where current effort is concentrated and identifies opportunities for strengthening strategic alignment across all organisational priorities.

ORGANISATIONAL FOCUS AREAS




UPOKO
4
PART
Ngā Hononga Rautaki
Partnerships and Strategic Relationships
8284

This section examines how governance-level partnerships and strategic relationships strengthen the delivery of Māori outcomes across the Far North District. In addition, the section highlights the role of formal governance structures such as Te Kuaka – Te Ao Māori Committee, the representation of iwi through Te Kahu o Taonui, and the Māori Ward representation in decision-making. It also outlines key partnership instruments and mechanisms, including Memoranda of Understanding (MOU) agreements, iwi and hapū environmental management plans, service level agreements, governance links with Council-controlled organisations, and collaborative initiatives such as the North Hokianga Transport Working Group. These relationships and agreements shape policy direction, guide strategic planning, and integrate Māori worldviews into Council's governance framework. The section recognises that strong, trust-based partnerships at this level are essential for equitable, inclusive, and future-focused decision-making across the district.

MANA WHAKAHAERE GOVERNANCE

Te Kaunihera o Te Hiku o te Ika have Council committees that are named after prominent manu in the district. This ensures a rohe specific approach including cultural narratives are included in the application of leadership within the Council. In addition, the governance model gives practical effect to the Goal One of Te Pae o Uta framework.

Governance

The Far North District lies within the rohe of Te Tai Tokerau and acknowledges the inherent rangatiratanga of hapū. Approximately 200 hapū are located within the district. While not all actively engage with Council, mana whenua are recognised as hapū, iwi, and/or mandated entities that exercise kaitiakitanga and customary authority within their respective takiwā.

Far North District Council maintains numerous formal relationships with Māori entities. At the governance level, Te Kuaka – Te Ao Māori Committee plays a critical role in embedding Te Ao Māori values into Council operations and ensuring Māori voices are present at the decision-making table. The committee comprises elected members and representatives appointed by Te Kahu o Taonui, the collective of iwi in Te Tai Tokerau.

These committees include the following:

- **Te Huia:** Executive Review Committee - A Huia is a bird of the highest esteem in Te Ao Māori and greatly revered. It is synonymous with great leaders and leadership.
- **Te Miromiro –** Assurance, Risk and Finance Committee – A Miromiro bird has a keen eye for detail.
- **Te Koukou –** Transport and Infrastructure Committee – A koukou (owl) is associated with travellers as well as carrying messages.
- **Te Kuaka –** Māori Standing Committee – The narrative of the Kuaka (Godwit) being a harbinger of resilience due to its ability to travel long distances to reach its final destination (me manawa Kuaka - have the heart of a Godwit). Kuaka also travel in huge flocks - strength in unity to achieve purpose.
- **Te Pīpīwharauroa –** External Members Appointment Committee - Pīpīwharauroa (Shining Cuckoo) is recognised as the "bearer of news". Furthermore, as is the nature of the Cuckoo, it lays its egg in the nests of other birds to be raised and nurtured, a metaphor for our Council's Committees.
- **Te Koekoeā –** Appointment to Council Organisations Committee - Koekoeā (long tailed cuckoo) is another bird that lays its eggs in the nests of others. Our committee is made to appoint members to council organisations, and a Koekoeā is incredibly selective in this task, another metaphor for the function of this committee.

TE KAHU O TAONUI
TE TAI TOKERAU IWI CHAIRS COLLECTIVE

Me mahi tahi tātou mō te iwi te take

Te Kahu o Taonui is the collective of Te Tai Tokerau Iwi Chairs which includes Te Rarawa, Ngātiwai, Ngāti Kuri, Te Aupōuri, Ngāti Kahu, Ngāi Takoto, Te Roroa, Ngāpuhi, Kahukuraariki Trust, Te Rūnanga o Whaingaroa, Ngāti Hine and Ngāti Whātua. Te Kahu o Taonui have formed a strong relationship with the Council. This partnership governs the Te Tiriti centric Te Kuaka Māori Standing Committee.

This collaboration provides hapū and iwi with a direct platform to influence local government decision-making and ensures that the priorities and interests of Māori communities are consistently reflected in the development and implementation of Council services.

Through Te Kuaka, the Council works in partnership with mana whenua to support strategic planning, strengthen Māori participation in local government, and uphold its obligations under Te Tiriti o Waitangi. Beyond governance, the Council continues to engage with iwi authorities and hapū on matters relating to resource management, spatial planning, and community development to support shared aspirations and uphold tino rangatiratanga across the district.

Te Kahu o Taonui representatives include:

- **Te Aupōuri**
- **Ngāti Kuri**
- **Ngāi Takoto**
- **Ngāti Kahu**
- **Ngātiwai**
- **Te Rarawa**
- **Te Rūnanga o Whāingaroa**
- **Ngāpuhi**
- **Kahukuraariki Trust**
- **Ngāti Hine**

HE KAWENATA
MEMORANDUM OF UNDERSTANDING

Memoranda of Understanding (MOUs) are formal agreements that outline the roles, responsibilities, and shared intentions of parties entering collaborative arrangements.

Although, not legally binding, MOUs are valuable tools for council to provide structure to partnerships and support delivery of joint initiatives in areas such as economic development, infrastructure, and community wellbeing. These agreements promote transparency, build trust, and enable alignment between council, hapū, iwi, government agencies, and private organisations.

Following the launch of Te Pae o Uta, the Chief Executive led a district-wide series of hui to refresh Council's Memoranda of Understanding with hapū and iwi. The programme focused on reaffirming Te Tiriti o Waitangi commitments, clarifying partnership expectations, and setting work plans.

The engagement deepened relationships, improved transparency, and established a regular cadence for kanohi-ki-te-kanohi collaboration. The refreshed agreements included clear goal alignment, practical milestones, and shared measures of progress. The roadshow also surfaced opportunities for capability building, and shared governance on major projects.

Far North District Council currently holds two MOU, Ngāti Rēhia and Te Rūnanga o Te Rarawa. These MOU relationships reflect Goal One of Te Pae o Uta, which prioritises partnerships with Māori and active participation in council decisions and processes.

HE MAHERE TAIAO
IWI HAPŪ ENVIRONMENTAL MANAGEMENT PLANS

Iwi and hapū Environmental Management Plans (IHEMPs) are documents developed by Māori, hapū and iwi to outline their environmental values, goals, and management practices, integrating mātauranga Māori into resource management.

These plans provide guidance on land use, water quality, biodiversity, and the protection of taonga. IHEMPs are important to the council, council meet Te Tiriti of Waitangi obligations by enabling partnership and participation. These plans help support sustainable environmental management by weaving in Māori ecological knowledge and promoting the protection and careful use of our natural resources. In addition, by acknowledging hapū and iwi as kaitiaki, the plans build Māori capacity to be actively involved in looking after the taiao. FNDC have the following IHEMP agreements:

- Patukeha **Updated**
- Ngāti Hine Environmental Management Plan **Updated**
- Ahipara Takiwā Management Plan **Updated**
- Ngāti Kuri Environmental Management Plan
- Ngāi Takoto, Ngāti Rēhia, Te Paatu Environmental Management Plan
- Te Aupōuri Iwi Management Plan
- Haititaimarangai Marae Hapū Management Plan
- Te Rūnanga o Whāingaroa Environmental Management Plan
- Ngāti Rēhia Environmental Management Plan
- Kororāreka Marae Society Environmental Management Plan
- Ngāti Rangi Environmental Management Plan
- Te Iwi o Ngātiwai Iwi Environmental Management Plan
- Ngāti Kuta ki te Rāwhiti Environmental Management Plan
- Te Kahakura o Ngāti Korokoro, Ngāti Wharara me Pouka Environmental Management Plan
- Te Paatu ki Kauhanga
- Te Roroa Iwi Environmental Management Plan

Legal and regulatory compliance is addressed through Iwi and Hapū Environmental Management Plans (IHEMPs), which assist in fulfilling obligations under the Resource Management Act 1991 and other relevant environmental statutes. Furthermore, IHEMPs provide a formal mechanism for hapū and iwi to set out their environmental values, priorities, and expectations within planning processes. Although these plans currently align with existing legislative frameworks, the regulatory landscape is undergoing significant reform, which may affect how such plans are incorporated by local authorities. IHEMPs encourage a long-term view of environmental responsibilities, ensuring that intergenerational wellbeing, particularly the needs of mokopuna, are embedded in resource management approaches.

Photo: Northland NZ

NGĀ TŌPŪTANGA WHAKAHAERE O TE KAUNIHERA COUNCIL CONTROLLED ORGANISATIONS

FAR NORTH HOLDINGS LIMITED

Far North Holdings Limited (FNHL) is the commercial and economic development arm of Far North District Council. As a council-controlled organisation (CCO), FNHL manages and develops key strategic assets on behalf of the district, including airports, commercial property, and marine infrastructure.

FNHL plays a central role in enabling regional economic growth, facilitating investment, and delivering infrastructure that supports long-term community wellbeing. In the last financial year, FNHL returned a $5 million dividend to Council, which was used to reduce rates for residents across the district. Its operations are guided by a Statement of Intent and aligned with Council's strategic direction.

Te Pae o Uta will be integrated into FNHL's operations in the near future, beginning with its inclusion in the organisation's Statement of Intent. This integration reflects Council's commitment to aligning commercial activity with Te Tiriti o Waitangi, ensuring culturally responsive and equitable outcomes are embedded across all council-controlled entities, in line with Council.

NorthlandInc
Growing Northland's Economy
Kia tupu ai te ōhanga o Te Tai Tokerau

Northland Inc Limited, established in 2012, is Te Tai Tokerau's regional economic development agency and regional tourism organisation. It is jointly owned by Northland Regional Council, Far North District Council, Kaipara District Council, and Whangārei District Council.

Northland Inc exists to drive regional economic development and tourism while contributing to the social, cultural, environmental, and economic wellbeing of communities across the region. Its approach is aligned with the principles of Te Pae o Uta, with a particular focus on enabling Māori participation in decision-making, reflecting Te Ao Māori in its operations, and strengthening partnerships with hapū and iwi.

There is currently some operational alignment with Te Pae o Uta, particularly in how Northland Inc engages with Māori in the Far North. However, a formalised agreement is being developed to ensure Te Pae o Uta is explicitly embedded within the organisation's Statement of Intent. This will confirm that any work undertaken with, or within, the Far North District will be guided by the principles and expectations of Te Pae o Uta.

NGĀ WHAKAETANGA RATONGA SERVICE-LEVEL AGREEMENT

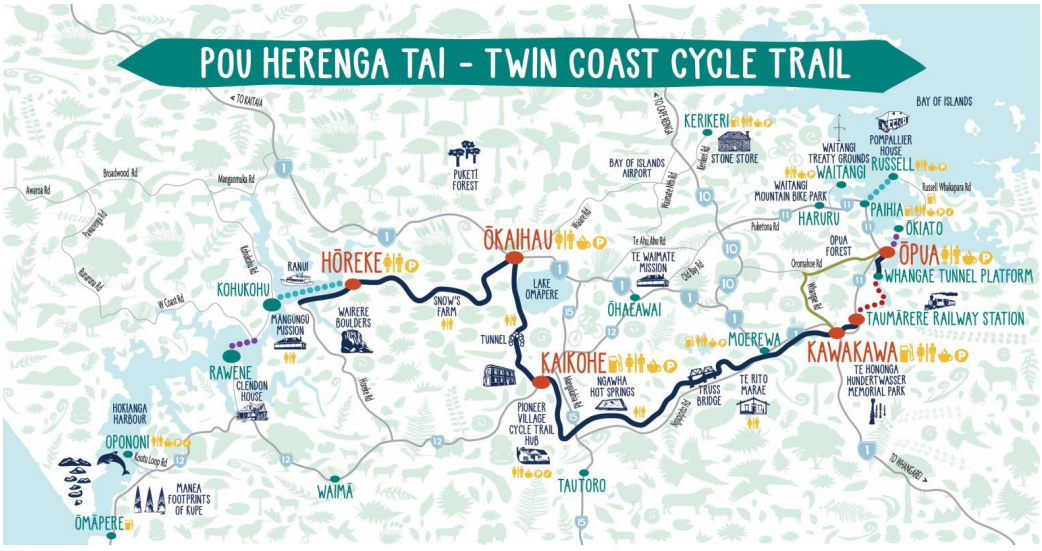
Pou Herenga Tai Overview

The Twin Coast Cycle Trail, one of New Zealand's 22 Ngā Haerenga Great Rides, is a key contributor to regional development in the Far North.

The initiative, stemming from a Central Government project to stimulate regional growth, economic development, tourism, and employment, led the Far North District Council to submit a successful business case for government funding to construct the trail.

The trail spans approximately 84 km, with an additional 3 km shared between the road between Hōreke and Māngungu Mission Station, and it continues to create significant economic, social, and cultural benefits. This includes job creation, new business ventures, and recreational opportunities that showcase and celebrate the Far North's unique identity and culture. In line with Te Pae o Uta's principles, the Cycle Trail Trust is committed to ensuring Māori participation in the development and future management of the trail.

In addition, kaimahi from Pou Herenga Tai participated in Te Pae o Waho, supporting the development of their cultural capability to engage more effectively with Māori. Twin Coast Cycle Trail Trust is currently progressing the completion of its Te Pae o Uta goals for the 2025–2026 year.



NORTH HOKIANGA TRANSPORT WORKING GROUP

The North Hokianga Transport Working Group gives practical effect to He Whakaputanga, exemplifying a Māori governance approach supported by Far North District Council. It brings together mana whenua representatives and Council to set shared priorities for roading resilience, safety, and access across North Hokianga, consistent with Te Tiriti o Waitangi and Goal One of Te Pae o Uta (partnerships with Māori and active participation).

The working group have regular hui and site visits, the group has progressed critical works including Motuti slip remediation, targeted improvements in and around Panguru and Waihou, and upgrades on West Coast Road, resulting in the most improved roads in North Hokianga since the network's original construction in 1932–33. The forum provides a transparent channel for issues tracking, timeframes, and reporting, enabling faster mobilisation of contractors and better coordination with regional partners. This model is now informing place-based approaches in other parts of the district.

The aim of this strength-based partnership between FNDC and whānau and hapū is to improve roading conditions in the North Hokianga.





The Working Group commits to the following principles in their ongoing work together:

- **Te Tiriti o Waitangi:** the founding document of our ongoing relationship as partners to this agreement. Affirms that the existing provenance of Māori occupation of the Hokianga extends back over 1,000 years. Confirms the relationship of hapū and whānau with the Crown as treaty partners and the constitutional place of hapū and whānau in Aotearoa.
- **The Local Government Act (2002) Items:** 197 Interpretation, 17A Delivery of Services and 101B(6)(a)(v) Infrastructure Strategy.
- **Rangatiratanga:** Recognising the rights and interests of whānau and hapū in respect of the condition of the roading network and the impacts on safety and health for residents. Acknowledging the authority and responsibility whānau and hapū have in exercising their rights and interests.
- **Tohungatanga:** Recognising the historical and cultural provenance held by tāngata whenua as expertise in its own right.
- **Whānaungatanga:** Acknowledging that all things are connected and impact on each other and therefore the importance of understanding and maintaining these relationships. • Ūkaipō: Acknowledging the nurturing relationship hapū and whānau have with their papakāinga and whānau, and their responsibility to sustain and maintain and enhance these relationships.
- **Kaitiakitanga:** An expression of kaitiaki roles and responsibilities inherited from ancestors in order to provide for the safety, good health and wellbeing of the whānau that live in the North Hokianga.
- **Te Mātauranga o Ngā Tangata:** recognising the knowledge and understanding that Mana Whenua hold in regard to their whenua, their people and the roads in the takiwā.

WHENUA MĀORI

Whenua Māori plays a central role in upholding identity autonomy, and wellbeing for whānau, hapū, and iwi across the Far North. Council acknowledges that whenua is not only a physical asset but a living taonga that sustains whakapapa, cultural practice, and collective futures.

Whenua Māori engagement also aligns directly with Goal 3 of Te Pae o Uta – Kōkiri Tahi, which emphasises the importance of building meaningful partnerships and collaborating with Māori to support long-term, intergenerational aspirations. Council recognises that unlocking the potential of whenua Māori is fundamental to enabling whānau and hapū wellbeing, strengthening economic development, and restoring the connection between people and place.

In the FY 2024-2025, Council reviewed processes and systems to enable Māori to realise their whenua. Therefore, Council's approach recognised the importance of reducing barriers that have historically hindered Māori land use and development.

To support this kaupapa, the Council has dedicated staff involved in whenua Māori engagement, including cultural advisors, planners, and community development specialists. Engagement is coordinated in partnership with Te Puni Kōkiri, the Māori Land Court, and other Crown agencies where appropriate, ensuring a joined-up and holistic response.

Far North District Council continues to work alongside Māori landowners, trust boards, whānau, and mandated entities to support whenua Māori development. This engagement spans multiple areas, including:

- Infrastructure planning on multiply-owned Māori land
- Housing initiatives led by Māori trusts and incorporations
- Support with rates relief, zoning, and access to Council services
- Whenua Māori project coordination, including site visits and hui
- Advice on land utilisation, title fragmentation, and long-term development planning

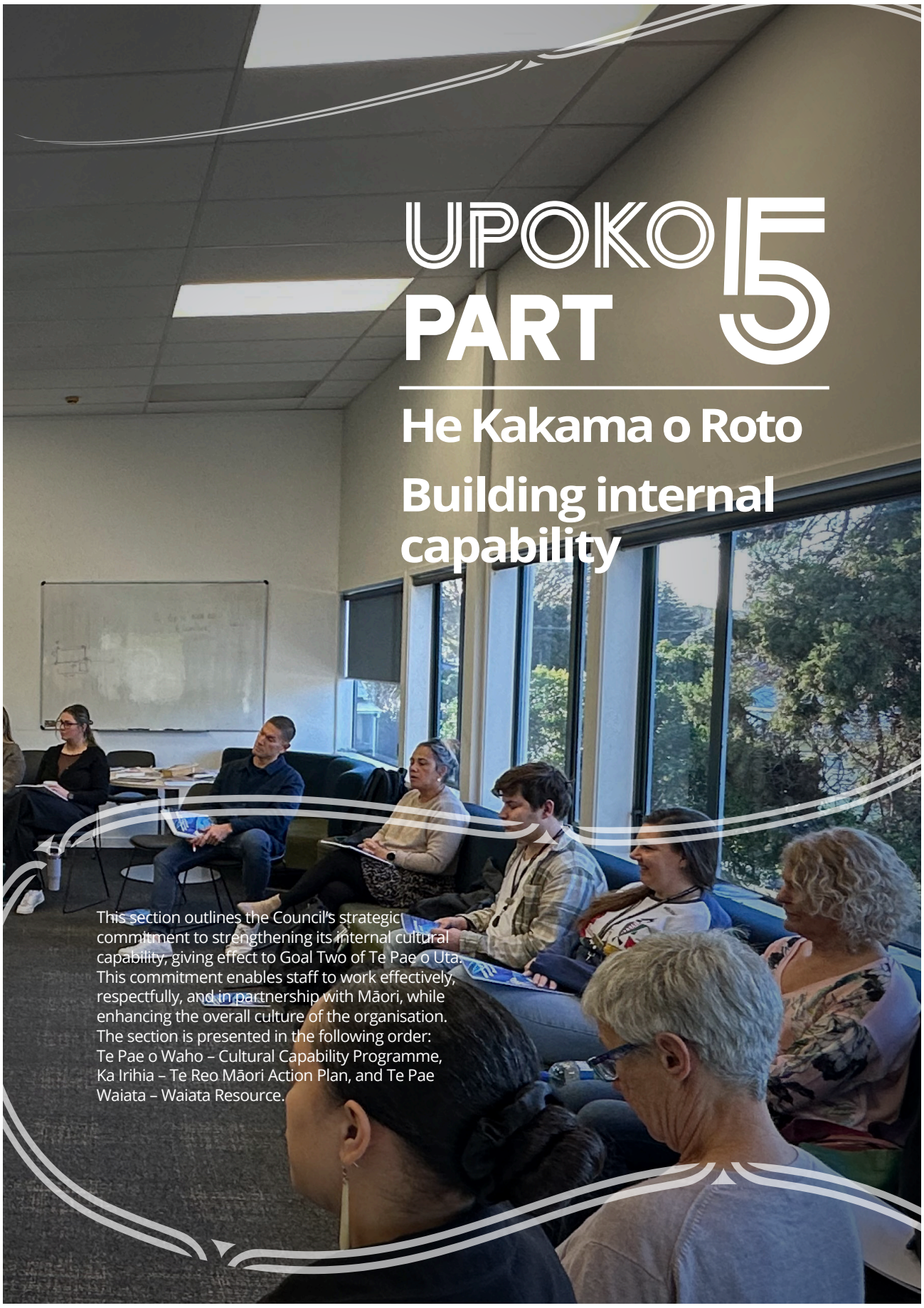
This mahi is underpinned by the principles of mana motuhake, kaitiakitanga, and whanaungatanga, with the aim of enabling Māori to make decisions about their whenua, in their own time, and on their own terms.

Key Achievements 2024/2025

- Debt Relief: Since establishment, $1.03 million in arrears for 239 properties has been written off, including $437,894 processed under the Chief Executive's delegated authority. Payments received towards Whenua Māori total $2.39 million as at 30 June 2025.
- Remissions: 509 Māori Freehold Land properties received rates remissions in 2025, an increase from 482 in the previous year. These included papakāinga, common-use properties, contiguous property charges, and land under QEII covenant.
- Engagement: Delivered five marae hui across the Far North with over 115 attendees, supported by Te Kooti Whenua Māori, to gather feedback and strengthen relationships. Held a targeted focus group in Kaikohe with 17 participants to identify practical barriers to development.
- Learning and Development: Implemented Whenua Māori training and Promapp resources for customer-facing staff, with presentations delivered across the organisation to strengthen internal knowledge.
- Cultural and Community Presence: Participated in cultural festivals and events, promoting hui attendance and providing information on rating relief processes. Developed targeted online engagement content, achieving reach in the tens of thousands for marae hui coverage.
- Geospatial Mapping: Despite delays from vendor data issues, baseline mapping is operational and manual reviews of 2,306 rateable Whenua Māori accounts have commenced, with 763 accounts reviewed to date.

Next Steps

- Complete geospatial mapping layers for improved data analysis by December 2025.
- Finalise review of rating relief policies and alignment with best practice.
- Continue marae engagement and strengthen online platforms for information sharing.
- Integrate Whenua Māori priorities into broader Council strategies and operational planning.



UPOKO 5 PART

He Kakama o Roto

Building internal capability

This section outlines the Council's strategic commitment to strengthening its internal cultural capability, giving effect to Goal Two of Te Pae o Uta. This commitment enables staff to work effectively, respectfully, and in partnership with Māori, while enhancing the overall culture of the organisation. The section is presented in the following order: Te Pae o Waho – Cultural Capability Programme, Ka Irihia – Te Reo Māori Action Plan, and Te Pae Waiata – Waiata Resource.

TE PAE O WAHO

Te Pae o Waho is the Council's cultural capability programme, established in 2024 to support Goal Two of Te Pae o Uta developing internal capacity to respond more effectively to Māori. Building cultural capability within the organisation is essential to ensure that staff can work appropriately with Māori communities. The programme equips staff to navigate cultural contexts with increased awareness, including appropriate engagement with tāngata whenua. In addition, the programme supports the development of policies, practices, and projects that are culturally informed. Through this programme, the Council is better positioned to build constructive relationships with Māori and implement governance practices that are more equitable. This contributes to improved outcomes for Māori and supports the Council's responsibilities under Te Tiriti o Waitangi.

2024 intake

70 staff
Enrolled

37 staff
Completion Rate

52.9%
Completion rate

2025 intake

109 staff
Enrolled

62 staff
Completed

56.9%
Completion rate

Total to date

179 staff
Enrolments (2024–2025):

99 staff
Completions

55.3%
Overall completion rate

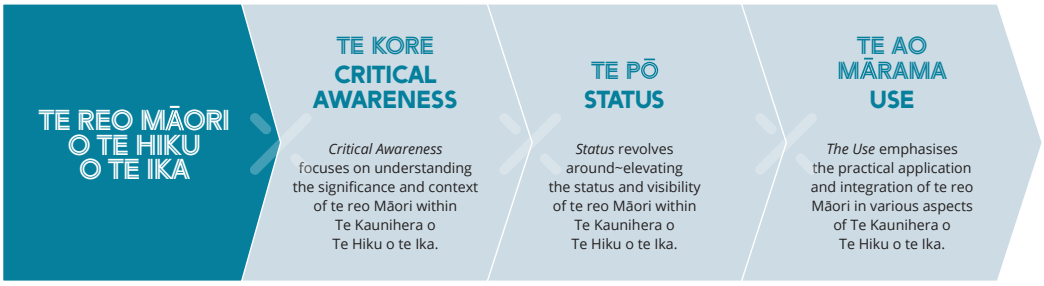
Progression across levels:

16 staff
have moved consecutively across multiple levels of the programme

KA IRIHIA

Ka Irihia is the Te Reo Māori Action Plan for Te Kaunihera o Te Hiku o Te Ika, developed to demonstrate the Council's commitment to tāngata whenua, give effect to Te Pae o Uta and support the revitalisation of te reo Māori. The plan affirms the Council's role in contributing to the restoration and visibility of te reo Māori across its operations and the rohe.

Ka Irihia outlines a series of strategic goals for the period 2025–2027, providing a clear direction for embedding te reo Māori into Council environments, communications, and public services. This action plan also plays a practical role in supporting the delivery of events such as pōwhiri, whakatau, and citizenship ceremonies, where te reo Māori is essential. Although concise in format, Ka Irihia delivers significant cultural impact and enhances the visibility and reputation of the Council as a contributor to language revitalisation.



TE KORE CRITICAL AWARENESS

SUCCESS FACTOR	ACTION PLAN STEPS	By 30 June 2025	By 30 June 2026	By 30 June 2027
Annual plans and the Long-Term Plan will reflect our commitment to be a bilingual district by 2040.	Incorporate activities supporting bilingualism into work programs and success metrics within annual and long-term planning cycles.	✓		
An updated Naming Policy and Working Group that incorporates processes to adopt more te reo Māori place and space naming.	Develop a policy and working group to facilitate the adoption of te reo Māori names for locations, promoting cultural awareness and revitalisation.	✓		
Dual language welcome signs for the whole District.	Install dual-language welcome signs across the district to promote inclusivity and bilingualism.		●	
A procurement process that aligns with our commitment to be a r eo rua Māori district by 2040.	Align procurement practices with bilingual objectives, favouring activities contributing to strong te reo Māori community outcomes.		●	

SUCCESS FACTOR	ACTION PLAN STEPS	By 30 June 2025	By 30 June 2026	By 30 June 2027
An Arts and Culture Strategy emphasising the importance of Māori performance/ events and encouraging te reo Māori me ōna tikanga across the district.	Develop and implement an Arts and Culture Strategy promoting Māori events and traditions while encouraging the use and understanding of te reo Māori across art and culture domains.	✓		
Dual Council signage.	Implement dual-language signage across Council facilities to promote te reo Māori use and visibility.	●		
Change Council parks and reserves to reflect the traditional Māori names.	Update Park and reserve names to incorporate traditional Māori names, enhancing cultural recognition and respect.			●
All Council external communications reflect the Tikanga and Te Reo Policy with dialect from Te Tai Tokerau.	Ensure that all external communications adhere to the Tikanga and Te Reo Policy, incorporating dialect from Te Tai Tokerau to promote language accuracy and cultural sensitivity.		●	
The mayor and elected members will be supported in te reo revitalisation to lead our district to becoming bilingual by 2040.	Provide support, training, and resources for elected officials to lead the district toward bilingual status, including cultural inductions, language lessons, and policy overviews.	●		
The Chief Executive and Senior Leadership team will support the organisation in the journey of te reo revitalisation by 2040.	Provide top-level support and guidance for te reo revitalisation efforts within the organisation, aligning leadership strategies and initiatives with bilingual objectives.	✓		
Identify opportunities to sponsor community awards that help recognise and celebrate te reo Māori and Māori champions and leaders.	Establish awards and recognition programs within the community to celebrate achievements and contributions in promoting te reo Māori and Māori leadership.	✓		
Facilitate a te reo Māori expo to provide a platform for businesses and organisations to share ideas and best practice.	Organise an expo to promote te reo Māori use, encourage innovation, and facilitate collaboration among businesses and organisations.			●
Work with Te Taura Whiri i te reo Māori, Te Mātāwai, and other central government agencies for a local and regional approach to revitalising te reo Māori.	Collaborate with central agencies for a coordinated approach to te reo Māori initiatives, ensuring effective use of resources and support for a te reo district by 2040.		●	
Develop a Reorua strategy for Te Tai Tokerau.	Create a comprehensive strategy to promote te reo Māori within the district, fostering a bilingual environment in alignment with goals.	✓		
Incorporate te reo Māori in the triennial election vote campaign.	Include te reo Māori elements in election campaigns to promote language use and visibility among voters.	✓		
Translation and interpretation services for Council and Committee meetings, including a tikanga-based process for deputations.	Provide translation services for te reo Māori presentations and interpretations during Council meetings, ensuring inclusivity and understanding in decision-making processes.	✓	●	
Ensure all job descriptions for Māori-specific roles are translated into te reo Māori.	Translate job descriptions for Māori-specific roles into te reo Māori to promote language use and cultural inclusivity within the organisation.	✓		

TE PŌ STATUS

SUCCESS FACTOR	ACTION PLAN STEPS	By 30 June 2025	By 30 June 2026	By 30 June 2027
Our public committee and Council chambers reflect our bilingual aspirations, including mahi toi, signage, naming, and tikanga practices.	Establish bilingual practices and cultural elements in public spaces and council environments, showcasing and valuing te reo Māori in official settings and decision-making processes.	✓		
Collaborate with mana whenua and other Māori organisations to create partnership models that maintain a strong mana whenua presence.	Develop partnership models with mana whenua and Māori organisations to promote cultural presence and values within the district, fostering investment and economic development.	✓		
Playgrounds will support site storytelling in design, technology, and bilingual signage.	Incorporate storytelling elements and bilingual signage in playground designs to promote cultural narratives and language use among tamariki and whānau.		,	
Bilingual areas at our Council Libraries with te reo Māori resources, books, signage to increase the use of te reo Māori, e.g. at our Council Libraries and Community Centres.	Enhance te reo Māori resources and signage in Council libraries and community centers to promote language learning and cultural engagement among visitors.	✓	,	
Develop a guideline with mana whenua entities that assist Council naming of internal and external working groups.	Create guidelines with mana whenua entities for naming working groups, promoting cultural alignment and sensitivity in organisational practices.	✓		
We will ensure that we prioritise karakia, kōrero tuku iho, whakatauāki, kiwaha and whakapapa of Te Tai Tokerau.	Promote and prioritise traditional Māori practices, narratives, and genealogy of Te Tai Tokerau in organisational activities and engagements.	✓		
Level one headings for all reports.	Standardise report headings in te reo Māori to promote language visibility and consistency across Council documentation and communications.	✓		
We will upgrade our Council technology to include macronised technology in our systems e.g Info Council.	Integrate macronised te reo Māori technology into Council systems to support accurate language representation and use across digital platforms.	✓	,	

TE AO MĀRAMA USE

SUCCESS FACTOR	ACTION PLAN STEPS	By 30 June 2025	By 30 June 2026	By 30 June 2027
Increase the use of te reo Māori on social media and other Council platforms.	Enhance te reo Māori presence on digital platforms to reach broader audiences and promote language use in modern communication channels.	✓		
Council website with full bilingual function.	Council website will have full bilingual function and all te reo Māori headings in English function.		●	
We will use technology in central spaces to tell local Māori history and kōrero tukuiho.	Utilise technology to showcase local Māori history and narratives, promoting cultural understanding and appreciation within the community.		●	
All external Council signage will have correct macrons.	Ensure that Council signs have correct macrons.	✓		
All Council strategies and policies that have a narrative must be reflective of pūrākau from Te Tai Tokerau.	Ensure that Council narratives and policies reflect Te Tai Tokerau narratives and pūrākau, promoting cultural authenticity and relevance.	✓		
Correcting te reo Māori internal signs and ensure all job descriptions for Māori specific roles are translated into te reo Māori.	Address language errors in internal signage and job descriptions, promoting accurate use of te reo Māori and cultural sensitivity within the organisation.	✓		
All Council reports will be peer reviewed for correct te reo Māori grammar, if written in te reo.	Ensure all Council reports are peer reviewed to check te reo Māori grammar, including marcons, correct names, kupu etc.	✓		
We will refresh a list of job titles, department names, team names and meeting room names with dialect from Te Tai Tokerau.	Ensure all job titles, department names, team names and meeting room names in te reo Māori have correct dialect from Te Tai Tokerau.	✓		

TE PAE WAIATA

Te Kaunihera o Te Hiku o te ika reinforces Te Tai Tokerau specific dialect. Te Pae Waiata is a publication that highlights this approach and presents a collection of waiata from Te Tai Tokerau, developed as a cultural resource for Council staff. The collection includes both traditional and contemporary waiata. This resource is particularly valuable when the Council is involved in pōwhiri, whakatau, and major events such as welcoming new staff, hosting dignitaries, and conducting citizenship ceremonies. Although modest in scale, it delivers significant cultural impact and contributes to raising the profile and public perception of the Council.

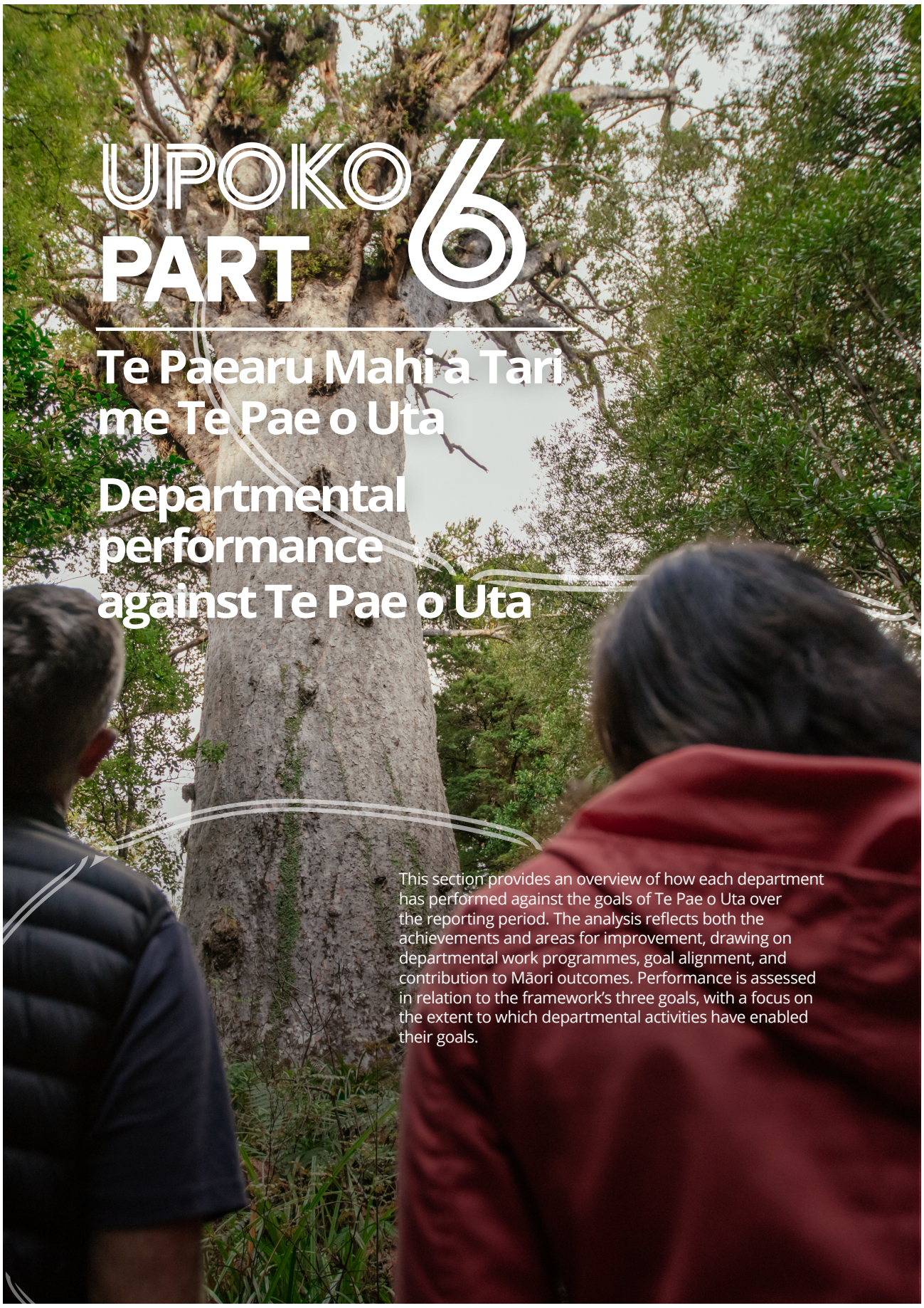
In addition to the resource, the Council benefits from the expertise of staff with experience performing at Te Matatini, including national finalists group, who lead waiata sessions and contribute to strengthening cultural capability across the organisation. The weekly Te Pae Waiata sessions are held in lunchbreaks in Kaikohe and are also accessible online, providing regular opportunities for staff to participate in cultural learning. The participation in these sessions supports the development of cultural knowledge, has a positive impact on staff morale within the organisation, and contributes to relationship-building with Māori communities.



TE KAPA HAKA O TE KAUNIHERA O TE HIKU O TE IKA

Te Kapa Haka o te Kaunihera, entered and placed in the top 10 at the Te Tai Tokerau Maranga Mai e te Iwi kapa haka regional competition, the first time a council in the district has ever participated. This achievement highlights the capability and dedication of the Council to support cultural revitalisation events and strengthen relationships with Māori communities. The competition was held at McKay Stadium in Whangārei and featured 18 teams from across Te Tai Tokerau, showcasing Māori cultural excellence.

The team's participation demonstrated a visible commitment to te reo Māori and tikanga within the workplace, modelling council leadership that celebrates leadership that celebrates Council staff and members of the community. The milestone sets a strong precedent for future involvement, informing workforce capability initiatives and community partnerships aligned with Te Pae o Uta and Council's ongoing support for equitable outcomes for Māori. This illustrates Te Pae o Uta in action.



UPOKO 6 PART

Te Paearu Mahi a Tari me Te Pae o Uta

Departmental performance against Te Pae o Uta

This section provides an overview of how each department has performed against the goals of Te Pae o Uta over the reporting period. The analysis reflects both the achievements and areas for improvement, drawing on departmental work programmes, goal alignment, and contribution to Māori outcomes. Performance is assessed in relation to the framework's three goals, with a focus on the extent to which departmental activities have enabled their goals.

The information is presented by department in the following order: Strategic Relationships, Communication and Engagement, Corporate Services, Delivery and Operations, Infrastructure and Transport, and People and Culture and, Policy and Planning.

STRATEGIC RELATIONSHIPS



The Strategic Relationships Group plays a key role in strengthening Council's connections with communities, partners, and stakeholders across the Far North. The group leads work in civic engagement, governance support, Māori partnerships, and health and wellbeing within the organisation.

Within the group, Democracy Services supports transparent decision-making and local governance, working closely with elected members, committees, and community boards.

Te Hono leads the Council's Māori engagement, supporting authentic partnerships with hapū, iwi, and Māori organisations, and providing cultural advice and guidance across Council.

Civic Engagement and Education builds community awareness of democratic processes and encourages public participation.

The Health, Safety and Wellbeing team ensures our workplace is safe, supportive, and aligned with our organisational values.

Executive support for the Chief Executive, Mayor, and Group Leadership is also part of this group, enabling seamless coordination and strategic alignment across Council.

Together, these teams ensure Council's engagement is effective, and inclusive aligned with the goals and principles of Te Pae o Uta and Te Tiriti o Waitangi.

Wins

- Te Pae o Uta implementation – ALL teams now have goals and per the BI dashboard we are sitting at 155 organisational goals and 124 goal check-ins already completed – and next year we'll be doing even more – kia kaha koutou!
- Our kapa rōpū competing at regionals
- Te Pae o Waho – First cohort of Levels 1-3 of our own in-house Te Reo me ona Tikanga course
- Increased budget allocation to support Kaupapa Māori pathways and programmes alongside Iwi and Hapū
- Iwi Hapū Environmental Mangement Plans
- Better reporting to Elected Members than we had 12 months ago – whilst there is some way to go we've made great improvements, including improved elected member homepage Te Huinga that collates important information in one space and improved triage of elected member requests
- Role profiles and roles JSA's – significant piece of work got underway to capture the HSW role requirements for each team
- Appointment of Civic Engagement and Education Manager and supporting roles to enable a district wide programme around Elections is delivered

Team	% acheived	Highlight
Democracy Services	100%	• Increased Māori engagement and participation in election processes • Tikanga-led process for Te Kuaka Māori standing committee
Te Hono	100%	• Ka Irihia Te Reo Māori action plan • Implementation of Te Reo and Tikanga policy • Increase Māori leadership across Council
Health and Safety	100%	• Inclusion of Te Whare Tapa Whā Health model for staff model • An integration of maramataka for staff wellbeing • An assigned kaimahi in Health and Safety Committee
Civic Engagement	100%	• Attendance at significant cultural events across the district • Cross-agency collaboration to increase education on local government elections • Communication plan to promote local elections

COMMUNICATIONS AND ENGAGEMENT



Community and Engagement is responsible for key frontline services, including Libraries, Customer Services (Service Centres and Contact Centre), Te Ahu Museum and Archives, i-SITE Information Centres, and the Communications and Engagement teams.

These services form a vital connection between Council and the community. As the first point of contact for many, our teams provide essential support—delivering information, assisting with enquiries, progressing service requests, processing payments, and helping residents navigate Council processes.

Through this work, Community and Engagement strengthens relationships and ensures accessible, responsive service to the people of the Far North.

Wins

- Kaikohe Library & Civic Hub progress – working alongside hapū and iwi - developed design approved.
- Call centre going 24/7 – faster, more efficient internal service that reduced external services costs and unlocked a new stream for revenue generation, an important step in diversifying and reducing reliance on the rating cost stream.
- State of the Far North – first of its kind event, the Road to Recovery address at the Turner Centre in Kerikeri let community stakeholder hear first-hand the council's plans to get the Far North moving forward in the wake of a series of weather-related and economic challenges that have impacted the district in recent years. The event was a smash hit, gained national press and positive praise from those who attended regarding understanding of Council decision making processes; we look forward to continuing to build on this success.
- Kerikeri Service Centre to relocate back to Procter library by May 1 2025.

Team	% acheived	Highlight
Libraries	100%	• Increased opportunities for Māori-led services design • Libraries-wide Puanga and Matariki events • Normalising Te Reo usage and correct macronisation for the Libraries and Customer Service
Communication and Engagement	33%	• Increased engagement on four key events on the Māori calendar
Museums and I-sites	100%	• Bilingual signage in all i-sites • All staff have completed Waitangi Grounds or Mānea Footprints of Kupe educational tours • Developed confirmed list of Te Reo terms
Customer Service	66%	• All income calls are greeted with Kia ora and closed with Ka kite

CORPORATE SERVICES



Corporate Services is a specialist group within Council that delivers essential support services to ensure the organisation runs smoothly and efficiently.

The group plays a critical role in supporting Council's operational performance, compliance, and risk management by overseeing a range of key functions. These include Business Compliance (PMO), Digital Information Services and Management, Financial Services, Legal Services, Property Information, Risk and Assurance, and Data Analytics. Corporate Services enables informed decision-making, upholds regulatory standards, and contributes to the effective delivery of Council services.

Wins

- Better connectivity, Aruba, SD-WAN for inter-office connectivity, 15,748 tickets in Freshservice handled by the team during 2024, Starlink installed on the mobile library, continued rollout of Nothing but Net including free wifi hotspots at Rāwene and Ōpononi.
- Significantly reduced LTP rates rise (4.5% total down from a precited 5.1, which was further slashed from an initial 16.5% starting point), and successful adopton of LTP 2-24-27.
- Streamlining and improving systems and services for better value and operation – 1 pic are for all! Azure Visual Desktop migration, PathwayUX upgrade, Patch Management, Tech1 SaaS migration, satellite imagery and 3D base mapping mahi that supported various workstreams including climate adaptation, resource consents, and civil defence roading.
- Whenua Māori sessions held across several marae, culmination of a cross-org working group.
- Inclusion of Māori Business statistics in Procurement process.

Team	% acheived	Highlight
Accounting Services	100%	• 100% participation in Te Pae o waho • Māori engagement in LTP and AP • Tikanga process in formal team meetings
Transactional and Publication Services	100%	• 100% participation in Te Pae o waho • Tikanga process in formal team meetings • Led Whenua Māori working group • Increased use of Te Reo in Council operations
Rating Services	100%	• Whenua Māori Roadshow • Training on whenua Māori • Increased education on Te Ture Whenua Māori Act and attend trustee training held by Māori land court
Chief Digital Officer	100% **plus completion of addition goals**	• 100% participation in Te Pae o waho • Tikanga process in formal team meetings • Incorporate Te Reo Māori in the TK3 redesign • Objective connect has bilingual application • Fact Sheet on information significant to Māori for Council for induction purposes
Property Information	66%	• 100% staff attendance at Te Pae o Waho • Tikanga process in formal team meetings • Bilingual headings in LIM and Property Reports
Property Management	100%	• 100% staff attendance at Te Pae o Waho • Tikanga process in formal team meetings
Legal Services	100%	• Mana Whakahono agreement with Ngāpuhi • Cultural Audit • Key legislation review for legislative framework
Data Analytics	100%	• 100% staff attendance for Te Pae o Waho • Te Pae o Uta Power Bi dashboard • Data Governance framework
Risk and Assurance	66%	• 100% attendance for Te Pae o Waho • Mitigation of risks that threaten Māori
ICT Operations	100%	• Application of design principles in ICT operations • Increased use of Te Reo Māori in ICT Operations • ICT technology and tools to enable the use of Te Reo Māori for staff and elected members

DELIVERY AND OPERATIONS



The Delivery and Operations group is responsible for delivering a wide range of essential services that directly impact the daily lives of people across our district. The group plays a central role in maintaining the quality, safety, and functionality of our built environment, making the Far North a better place to live, work, and visit.

It includes the Building Services team, which ensures safe and compliant construction; Compliance, which enforces bylaws and regulations; Property and Facilities Management, which oversees the maintenance and use of Council-owned assets; and Resource Consents, which manage development applications and land use in line with environmental and planning standards. Together, these teams ensure that growth and development across the district is well-managed, sustainable, and aligned with community needs.

Wins

- Phase 1 of Te Puawaitanga Sports Hub completed.
- Reduction in Resource Consent processing timeframes and costs including reduction in debt of 700K (900K down to 200K).
- Kaitāia Airport – securing long term future of the service with the signing of a Crown transfer of land to iwi and hapū, confirmation of a 35-year lease of the airport and the release a multi-million-dollar funding package for vital maintenance and upgrades.
- Installation of 42 new tsunami sirens around our coastal communities.
- Unahi Wharf carpark upgrade completion and unveiling of new Kaitāia town square in the old Pak n Save carpark.
- Housing for the Elderly progress toward divestment - significant steps made in working with prospective portfolio owners/operators to divest these assets.
- Completion of the 'shadesails' project that saw 12 playgrounds across the rohe have sun protection installed.

Team	% acheived	Highlight
Building Compliance	33%	• Increased relationship with hapū in the district
Building Consent	66%	• Brochure in Te Reo Māori • *100% achieved – Extra goals • Brochure for hapū and iwi about building consent process • *Increased use of Te Reo Māori in emails/ correspondence
Building Inspection	33%	• Increased relationship with hapū in the district
Building Services	33%	• Increased administrative assistance to teams to implement Te Pae o Uta
Compliance – Environmental Health	100%	• 100% attendance for Te Pae o Waho • Bilingual application forms • Inspectors engaged with hapū and iwi regarding alcohol applications
Animal Management	100%	• 100% attendance for Te Pae o Waho • Bilingual application forms • Bilingual signage rollout – dog registration etc

Monitoring	66%	• 100% attendance for Te Pae o Waho • Increased engagement with Māori including Marae visits
Resource Consent	100% *extra goals completed	• 100% attendance for Te Pae o Waho • Hapū/Iwi Engagement Plan • Hapū/Iwi Practice Note – Guide for Planner • Collaboration with Te Hono on Resource Management Act • *Assistance with the development of the Taiao portal for Te Kahu o Taonui
Consent Engineering	* extra goals completed	• Hapū/Iwi Engagement Plan • Hapū/Iwi Practice Note – Guide for engineers processing consents • Increased Mātauranga Māori in Planning team • *Increased use of Te Reo Māori
Consents Admin	66% *100% of extra goals completed	• Te Reo Māori translation of Sharepoint • Increased use of Te Reo Māori • *Increased use of Te Reo Māori
Technical Operations	66% *100% of extra goals completed	• 100% attendance for Te Pae o Waho • Replacement plan – bilingual signage • Increased engagement with hapū/iwi to improve collaborative work • *Increased use of Te Reo Māori
Property Management	66% *100% of extra goals completed	• Replacement plan – bilingual signage • Increased engagement with hapū/iwi to improve collaborative work • *Increased use of Te Reo Māori
Solid Waste	66% *100% of extra goals completed	• *100% of extra goals completed • Bilingual signage • *Increased use of Te Reo Māori

INFRASTRUCTURE/ TRANSPORT



The Infrastructure department is responsible for planning, delivering, and maintaining the core services and physical assets that support the wellbeing of communities across the Far North.

It plays a central role in ensuring the district's infrastructure is safe, reliable, and prepared for future growth. The department includes Asset Management, which oversees long-term planning of Council assets; Infrastructure Engineering, which provides technical expertise and design; Infrastructure Delivery, which manages capital works projects; Infrastructure Services, responsible for day-to-day operations and maintenance; Waters, which looks after drinking water, wastewater, and stormwater systems; and Transportation, which maintains and improves roads, footpaths, and transport networks. Together, these teams enable the efficient delivery of vital services, support economic development, and ensure the resilience of infrastructure for current and future generations.

Wins

- Development of the Northland slips repair map - Northland's local road network suffered $89 million worth of damage following 10 significant weather events to hit the region after July 2022. The repair bill for the Far North Road network was estimated at $41 million. This map provides at-a-glance repair details for slips impacting roads maintained by FNDC and caused by those weather events.
- Kauri dam decommissioning – major project, the local approach to delivering this project also saved significant sums of money in the decommissioning process as opposed to initial cost estimates.
- Housing for the Elderly progress toward divestment - significant steps made in working with prospective portfolio owners/operators to divest these assets.
- Major wastewater upgrade project underway in Kaitāia (Donald Rd).
- Hihi Bridge repairs.
- Parnell Rd, Rawene, footpath. But also, lots of other new or improvement/upgrade - A new 590m-long footpath linking pedestrians to State Highway 10 at Cable Bay was completed along with works in Ahipara, Haruru, and Russell and many a repair and maintenance.

Team	% acheived	Highlight
Assets and Project	100%	• Hapū engagement with Opononi wāhi tapu • Hapū engagement with Kororāreka wāhi tapu • 100% staff attendance for Te Pae o Waho
Infrastructure Consenting	100%	• 100% staff attendance for Te Pae o Waho • Engagement with hapū and iwi prior to lodgement • Implementation of Iwi Hapū Environmental Management Plans in business function
Transport Team	100%	• 100% goals completed prior to restructure in September 2024. No further goals supplied for transport team. • 100% staff attendance for Te Pae o Waho • Establishment of North Hokianga Transport Working Group • Consultation plan for hapū and iwi
Waters Team	100%	• 100% goals completed prior to restructure, no further goals supplied. • 100% staff attendance for Te Pae o Waho • Communication plan for environmentally impacted events • Reformed process to include data and insight by hapū and iwi for decision making

PEOPLE AND CULTURE



The People and Capability group is dedicated to supporting our people— from the Chief Executive to every employee and potential employee. This team plays a crucial role in building a strong, inclusive, and high-performing organisation by leading recruitment, learning and development, wellbeing, organisational culture, and employment relations. People and Capability ensures that our workforce is supported, valued, and equipped to deliver the best outcomes for our communities. Through strategic workforce planning, policy development, and a focus on employee experience, the group helps create a positive environment where staff can thrive and contribute meaningfully to the work of Council.

Team	% acheived	Highlight
People and Capability	66%	• 100% of staff attendance for Te Pae o Waho • Translated Job Descriptions for Māori-specific roles
Mayors Task Force for Jobs	100%	• Te Ao Māori mentoring approach for taitamariki including pastoral care • Supporting taitamariki and their whānau in the process • Whānau-led approach to local employment
Project and Transformation	66%	• Leadership framework gives effect to Te Pae o Uta • Organisational strategy gives effect to Te Pae o Uta
Project and Facilities	66%	• Pōwhiri for new starters and quarterly awards • Internal signage for Council offices in Te reo Māori • 100% staff attendance of Te Pae o Waho

POLICY AND PLANNING



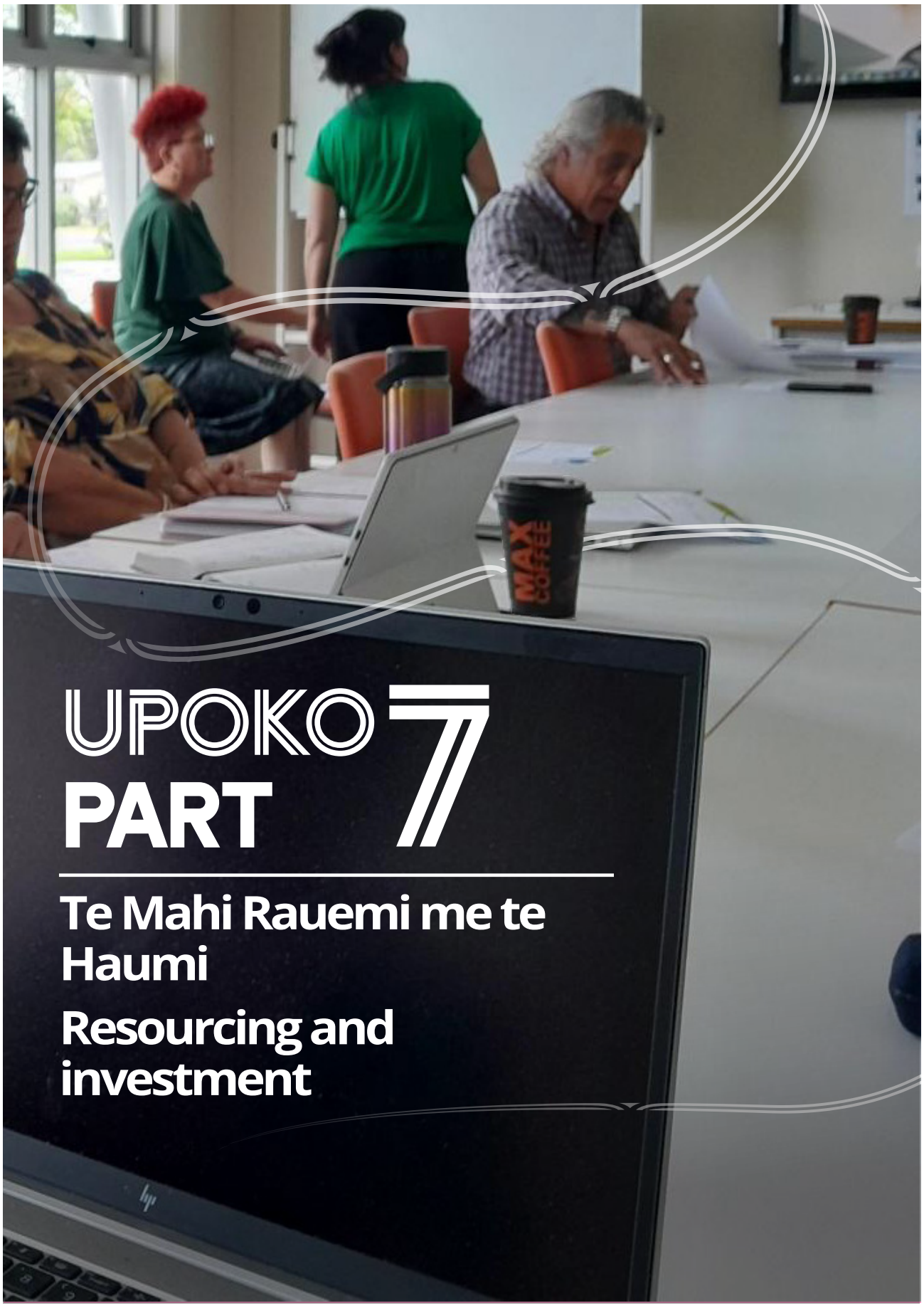
The Planning and Policy Group leads the strategic direction of the Far North District through forward-thinking planning, policy development, and climate resilience. The group is made up of three key departments: Strategy and Policy, which develops strategies, policies, and bylaws that shape how Council serves the district; Integrated Planning, responsible for managing the District Plan, guiding future growth and development, placemaking initiatives, and reserve management plans; Climate Action and Resilience, which focuses on mitigating and adapting to the impacts of climate change on both Council operations and the wider community. Together, these teams ensure that Council's decision-making is well-informed, future-focused, and aligned with the long-term needs of the Far North.

Wins

- Tikanga-led process for the Proposed District Plan
- Te Pātukurea Kerikeri Waipapa Spatial Plan (30 years)
- Adoption of Toi Mana/Arts, Culture and Heritage Strategy 2024-2034.
- Adoption of Te Tai Tokerau The Regional Accessibility Strategy (worked on collaboratively by all four Northland Councils).

Team	% acheived	Highlight
Strategy and Policy	33%	• Housing strategy with objective of improved outcomes for Māori
Integrated Planning	66%	• Tikanga-led process for the Proposed District Plan
Climate Action and Resilience	100%	• Climate Action & Resilience Kaupapa Māori Lead is a delegate on the Climate Action Reference Group to advocate for tāngata whenua • 100% of staff attendance for Te Pae o Waho • The Communication and Engagement Plans include Te Ao Māori priorities • All forms and media are bilingual

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UPOKO 7 PART

Te Mahi Rauemi me te Haumi

Resourcing and investment

RAUEMI

The delivery of Council's day-to-day activities that support the Māori engagement budget is guided by Te Pae o Uta and is underpinned by the Long Term Plan (LTP) 2024–2027.

The current LTP adopts a shortened three-year format due to severe weather events that impacted the district. This approach allows Council to prioritise cyclone recovery, particularly through the repair of the transport network.
The LTP was prepared in accordance with the Severe Weather Emergency Recovery Legislation Act 2023 and the Severe Weather Emergency Recovery Order 2023 issued in October 2023.

Looking ahead to 2025/2026, the Annual Plan sets the Council's total operating budget. The current budget allocation will support engagement across hapū and iwi, and the delivery of initiatives that advance Māori aspirations within the organisation. The aspiration is for all departments to embed Te Pae o Uta in their core business and reflect this through their own dedicated Māori engagement budgets.
This signals a shift from centralised support to shared responsibility across the organisation.

Council continues to advocate for Māori-led approaches and remains committed to building organisational capability to embed Te Ao Māori across all functions.


UPOKO
PART 8
Te Tirohanga Whakamua
Looking forward
65 Key Performance Report Ka Tae Ki Te Pae o Uta

HE ANGA WHAKAMUA ME NGĀ TAUNAKI
FUTURE FOCUS AND RECOMMENDATIONS

Council recognises that cultural competency is not a one-time achievement but an ongoing process of learning, unlearning, and reflecting A culturally acknowledging and skilled workforce is foundational to the successful implementation of Te Pae o Uta.

FNDC is investing in tailored capability development for staff at all levels, ensuring teams are not only aware of Te Ao Māori principles but are equipped to apply them meaningfully in their work.

Embedding cultural fluency into recruitment, induction, training, and performance review processes will be critical in cultivating an environment where Māori perspectives are embedded as part of business-as-usual.

As Te Pae o Uta matures, the strategic intent is to deepen its reach across all areas of Council and continue to strengthen the cultural responsiveness of the organisation. Looking forward, the framework will expand from three to six goals, each aligned to wider community aspirations, Te Tiriti obligations, and the drive for transformational public service delivery that benefits Māori communities.

This shift will result in each department identifying six Te Pae o Uta goals that align to their specific functions and priorities. With over 40 teams across Council, this equates to more than 300 organisational goals directly giving effect to Te Pae o Uta. This signals a significant commitment to embedding Māori advancement across the entire organisation and holding all departments accountable for their contribution.

The vision is for Te Pae o Uta to serve not only as a framework, but as a cultural compass for Council – informing decisions, resourcing, engagement, and strategic direction. Strengthening internal systems and external partnerships will ensure Te Pae o Uta remains responsive, inclusive, and aligned with the aspirations of mana whenua, hapū, and iwi across Te Tai Tokerau.

The next phase of implementation also includes the development of a dedicated Te Tiriti o Waitangi Framework to further guide Council's obligations and actions in line with the Treaty partnership. Council also intends to give effect to the implementation plan of the recent cultural audit, and prioritise the embedding of the Reorua Strategy to support the normalisation and visibility of te reo Māori across all areas of work. These will be supported by a refreshed tranche of organisational goals aligned to Te Pae o Uta, driving continuous improvement and cultural integrity throughout the organisation.

Strategic Priorities for 2025–2026

- **Expansion of Framework Goals:** Increasing from three to six strategic goals to broaden organisational reach and enhance Māori outcomes
- **Future Strategic Focus Areas:** Includes continued development of culturally responsive systems, workforce capability, and partnership structures.


ĀPITIHANGA
APPENDICES


CAUTION
SLIPPERY
WHEN WET

A Āpitihanga
Appendix

Te Pae o Uta

Click or scan the QR code
to follow the link
to *Appendix A*

Ka Irihia

Āpitihanga Appendix **B**

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to *Appendix B*

C Āpitihanga
Appendix

Te Pae o Waiata

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Funding document

Āpitihanga Appendix D

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to *Appendix D*

E Āpitihanga
Appendix

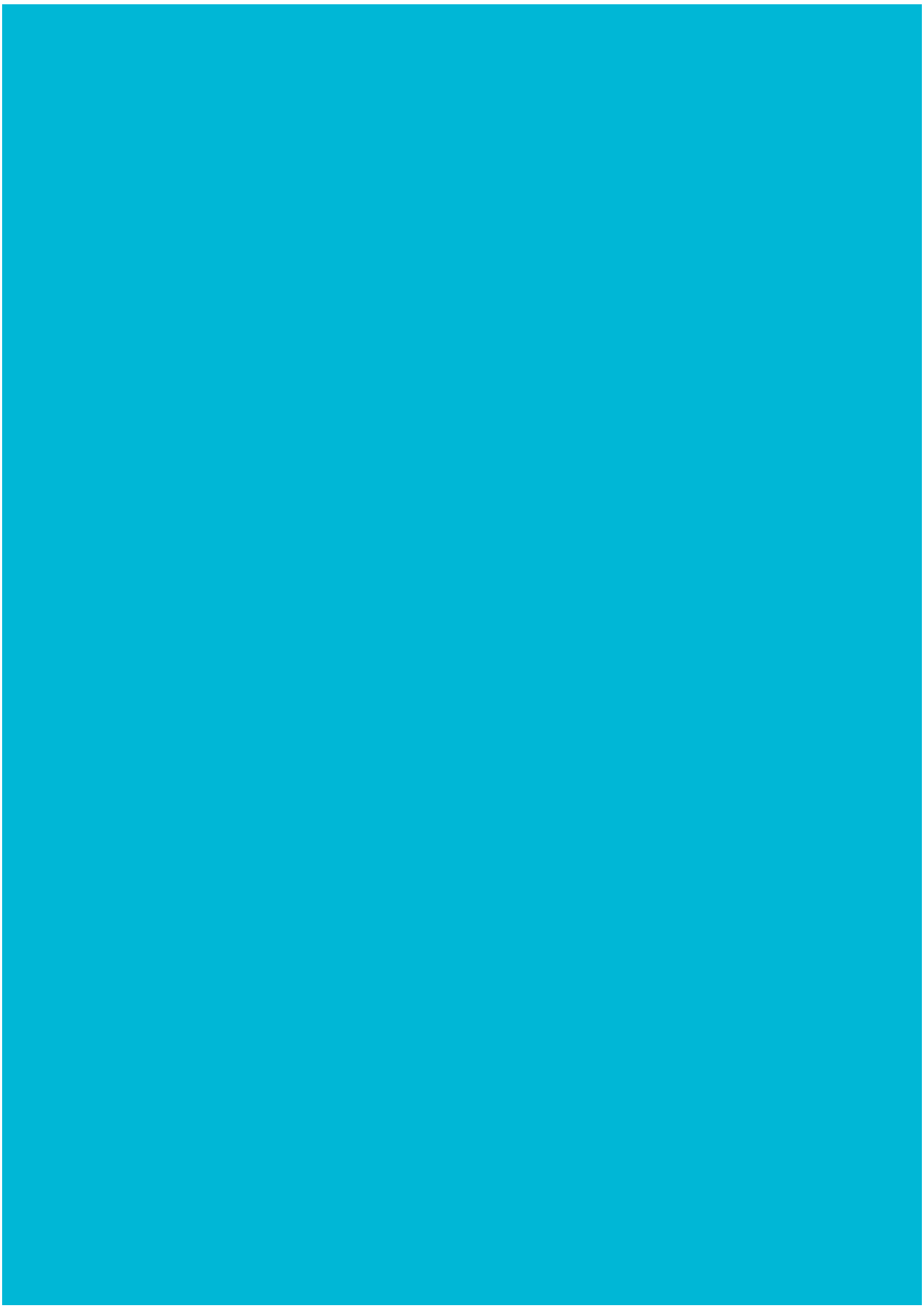
FN2100

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to *Appendix A*

Toi Mana

Āpitihanga
Appendix F

Click or scan the QR code
to follow the link
to *Appendix B*



8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

9 TE KAPINGA HUI / MEETING CLOSE