



Far North District Council



AGENDA

Ordinary Council Meeting

Thursday, 19 December 2019

Time: 10:00 am

Location: Main Hall - Te Ahu

Cnr Matthews Ave and South Road
Kaitia

Membership:

Mayor John Carter - Chairperson
Deputy Mayor Ann Court
Cr David Clendon
Cr Dave Collard
Cr Felicity Foy
Cr Mate Radich
Cr Rachel Smith
Cr Kelly Stratford
Cr Moko Tepania
Cr John Vujcich

COUNCIL MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Programme		
	Carter Family Trust			
Felicity Foy	Director - Northland Planning & Development	I am the director of a planning and development consultancy that is based in the Far North and have two employees.		I will abstain from any debate and voting on proposed plan change items for the Far North District Plan.
		Property owner of Commerce Street, Kaitia		I will declare a conflict of interest with any planning matters that relate to resource consent processing, and the management of the resource consents planning team.
				I will not enter into any contracts with Council for over \$25,000 per year. I have previously contracted to Council to process resource consents as consultant planner.
	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties on Weber Place, Seaview Road and Allen Bell Drive.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/ Puckey Road/Bell Road, the Awanui Straight, Allen Bell Drive.	
	Foy Farms partnership	Owner and partner in Foy Farms - a farm in		

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
		three titles on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 6 dwellings on Church Road, Kaingaroa and 2 dwelling on Allen Bell Drive, Kaitaia, and 1 property on North Road, Kaitaia		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	
	M and F Foy properties	1 property at Panorama Lane, Ahipara, and 1 property Church Road, Kaingaroa		
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
Partner Felicity Foy	Employed by Justaplumber Taipa			
	Friends with some FNDC employees			
Mate Radich	No form received			
Ann Court	Waipapa Business Association	Member		
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	No FNDC Controls
	Kerikeri Irrigation	Supplies my water		No EM intervention in disputes
	Top Energy	Supplies my power		No other interest greater than the publics
	District Licensing	N/A	N/A	N/A
	Top Energy Consumer Trust	Trustee	crossover in regulatory functions, consenting economic development and contracts such as street lighting.	Declare interest and abstain from voting.
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest		
	Flowers (I get flowers occasionally)	Ratepayer 'Thankyou'	Bias/ determination? Pre-	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Consider all staff my friends	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
		My husband is a builder and may do work for Council staff		
Warren Pattinson (Husband)	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Kurbside Rod and Custom Club (unlikely)	President NZ Hot Rod Association	Potential to be linked to a funding applicant and my wife is on the decision making committee.	unlikely to materialise but would absent myself from any process as would Ann.
	Property on Onekura Road, Waipapa	Owner	any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
	Worked with or for Mike Colebrook and Kelvin Goode	Paid employment	N/A	N/A
John Vujcich	Board Member	Ngati Hine Health Trust	Matters pertaining to property or decisions that may impact of their health services	Declare interest and abstain
	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
	Member	Kaikohe Business Association	Possible funding provider	Declare a Conflict of Interest
Cr Kelly Stratford	Office manager at Kinghans.			
	Denture assistant at Kawakawa denture Services self-employed as book keeper Kelly@ksbookkeeing.net	None	None	
	KS Bookkeeping and Administration	Business owner, bookkeeping and development of environment management plans for clients.	None perceived	I'd step aside from decisions that arise, that may have conflicts.
	Kinghans Accounting	Office Administration	None perceived	I'd step aside from decisions that arise, that may have conflicts.
	Waikare Marae Trustees	Trustee	May be perceived conflicts	Case by case basis
	Kawakawa Business & Community Association	Committee member/newsletter editor and printer	None perceived	If there was a perceived conflict, I will step aside from decision making
	Bay of Islands College	Parent elected trustee	None perceived	If there was a perceived conflict, I will step aside from

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
				decision making
	Karetu School Bay Cosmos Soccer	Parent elected trustee. Committee member and coach	None perceived	If there was a perceived conflict, I will step aside from decision making
	Property in Waikare and Moerewa			If there was a perceived conflict, I will step aside from decision making
	Sister is currently employed by the Far North District Council.			Will not discuss any matters regarding her role or my role as Councillor that are confidential.
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
Kelly Stratford (Husband)	Property in Moerewa		N/A	N/A
Cr David Clendon	No form received			
Cr Dave Collard	No form received			
Cr Rachel Smith	No form received			
Cr Moko Tepania	No form received			

**Far North District Council
Ordinary Council Meeting**

**will be held in the Main Hall - Te Ahu, Cnr Matthews Ave and South Road,
Kaitiaki on:**

Thursday 19 December 2019 at 10:00 am

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1 PRAYER**2 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 Team Leader Democracy Services (preferably before the meeting).

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

3 MAYORAL ANNOUNCEMENTS**4 DEPUTATION**

10:15 am Far North Sea Change

10:20 am Northland Inc – Regional Economic Development

3 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A2703171

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

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

RECOMMENDATION

That Council:

- a) confirms the minutes of the Council meeting held 19 November 2019 as a true and correct record.

1) BACKGROUND

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

2) DISCUSSION AND OPTIONS

The minutes of the meetings are attached.

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

Reason for the recommendation

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

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

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

ATTACHMENTS

1. 2019-11-19 Council Minutes - A2762639  

Compliance schedule:

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

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

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

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 19 NOVEMBER 2019 AT 10.03 AM**

PRESENT: Mayor John Carter (HWTM), Cr Ann Court, Cr Felicity Foy, Cr Rachel Smith, Cr Mate Radich, Cr John Vujcich, Cr Kelly Stratford, Cr Dave Collard, Cr David Clendon, Cr Moko Tepania

IN ATTENDANCE: Mike Edmonds - Kaikohe-Hokianga Community Board Chairperson, Adele Gardner - Te Hiku Community Board Chairperson, Belinda Ward - Bay of Islands-Whangaroa Community Board Chairperson

1 PRAYER

Deputy Mayor Ann Court commenced the meeting with a prayer.

2 APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies or declarations of interest.

3 DEPUTATION

Ron Cooke delivered a petition to the Council on the development of Opua Head Land.

Attachments tabled at meeting

- 1 Tabled Document - Speaking notes for Petition - Opua Community regarding RC2180514
- 2 Tabled Document - Petition Opua Community regarding RC2180514

4 MAYORAL ANNOUNCEMENTS

- His Worship the Mayor, Cr Court and Cr Stratford have been working with Ngāti Rēhia and Ngāti Hine on MOU's.
- Cr Smith will be in Wellington in December for Young Elected Members and Mayors Taskforce for Jobs.
- Kaka Street, Ahipara – beach access has been removed due to the river washing away the riverbank. Will complete a temporary fix, without the need of resource consent from Northland Regional Council. The permanent fix will require resource consent from Northland Regional Council regarding the river. Unbudgeted funds have been allocated for the temporary fix.
- Susan Botting – Local Democracy Reporter, employed by New Zealand Media and Entertainment (NZME) will report on the Council meetings beginning December 2019.
- Welcomed Belinda Ward the Chair of the Bay of Islands-Whangaroa Community Board to her first Council meeting.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A2756172, pages 12 - 18 refers

RESOLUTION 2019/45

Moved: Cr John Vujcich
 Seconded: Cr Kelly Stratford

That Council confirm that the minutes of the inaugural meeting of the Far North District Council held 31 October 2019 are a true and correct record.

CARRIED

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2019/46

Moved: Mayor John Carter
 Seconded: Cr Felicity Foy

RECOMENDATION

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Supplier Recommendation Report - Server and Network Infrastructure Renewal	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
6.2 - Property File Digitisation Project Update	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority s7(2)(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

CARRIED

The meeting resumed in public meeting to receive the following presentations:

1. Thomas Ujdur and Ashton Gibbard – Quotable Value on the Far North District 2019 Revaluation
2. Janice Smith – Chief Financial Officer on 2019 Property revaluation impacts on rating.

At 11:45 am, Cr Rachel Smith left the meeting. At 11:47 am, Cr Rachel Smith returned to the meeting.

RESOLUTION 2019/47

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

RECOMENDATION

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:

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CARRIED

7 CONFIRMATION OF INFORMATION OF DECISION IN OPEN MEETINGS

RESOLUTION 2019/48

Moved: Cr Ann Court
Seconded: Cr Felicity Foy

That Council

- a) confirms the information regarding the Property File Digitisation Project held with the public excluded be restated in public.
- b) confirms the decisions below contained in part of the meeting held with the public excluded be restated in public.

7.1 SUPPLIER RECOMMENDATION REPORT - SERVER AND NETWORK INFRASTRUCTURE RENEWAL

RESOLUTION 2019/49

Moved: Cr Kelly Stratford
Seconded: Cr John Vujcich

That Council:

- a) award the server and network renewal contract to *REDACTED* based on the tendered price of *\$REDACTED*.
- b) authorise the Chief Executive Officer to sign the server and network renewal contract including any subsequent non-material amendments.
- c) approve that future funding from 20/21 and 21/22 capital budgets in the LTP be brought forward to 2019/20 to fund this contract.

7.2 PROPERTY FILE DIGITISATION PROJECT UPDATE

RESOLUTION 2019/50

Moved: Mayor John Carter
Seconded: Cr Rachel Smith

That the Council:

- a) accept a delayed break-even point of mid-2024.
- b) approve the interim payments for August and September 2019.
- c) approves the total additional funding of \$650,000 bringing the total project value up to \$2,462,500.00.

CARRIED

8 MEETING CLOSE

The meeting closed at 12.25 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting to be held on 19 December 2019.

.....
CHAIRPERSON

4 CORPORATE SERVICES GROUP

6.1 2019 FAR NORTH DISTRICT COUNCIL GOVERNANCE STRUCTURE

File Number: A2756223

Author: Aisha Huriwai, Team Leader Democracy Services

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

This report is to provide the Council with a Governance Structure for adoption and the additional responsibilities to support additional remuneration.

EXECUTIVE SUMMARY

- Council discussed their priorities and interests during a workshop held in November.
- This report seeks the:
 - adoption of five (5) Committees of Council.
 - appointments of six (6) portfolio leaders.
- The membership of each Committee including the appointment of an independent member to the Assurance Risk and Finance Committee.
- That the Procurement Board be re-established with slight changes.

RECOMMENDATION

1. That Council establish the following committees as per the attached terms of reference:
 - a) Executive Review Committee
 - b) Strategy and Policy Committee
 - c) Assurance, Risk and Finance Committee
 - d) Infrastructure Committee
 - e) Regulatory Compliance Committee
2. That Council appoints:
 - a) His Worship the Mayor, Committee Chairperson's (Councillors Smith, Foy, Vujcich and Stratford) to the Executive Review Committee.
 - b) His Worship the Mayor, Councillors Smith (Chairperson), Clendon (Deputy Chairperson), Tepania, Court, Foy, Collard and Vujcich to the Strategy and Policy Committee.
 - c) His Worship the Mayor, Councillor Vujcich (Chairperson), Independent Member Bruce Robertson (Deputy Chairperson), Councillors Court, Tepania, Radich and Stratford to the Assurance, Risk and Finance Committee.
 - d) His Worship the Mayor, Councillors Foy (Chairperson), Court (Deputy Chairperson), Collard, Radich, Stratford and Vujcich to the Infrastructure Committee.
 - e) His Worship the Mayor, Councillors Stratford (Chairperson), Collard (Deputy Chairperson), Clendon, Court, Smith and Vujcich to the Regulatory Compliance Committee.
3. That Councillors be appointed as the following portfolio holders:
 - a) Climate

- b) **Te Ao Māori**
- c) **Waters**
- d) **Transport**
- e) **Economic Development / Council Controlled Organisations**
- f) **Communications**

4. **That Council re-establish a Procurement Board, as per the attached terms of reference, and appoint Councillor _____ as a Procurement Board Member.**

1) BACKGROUND

Under section 41A(3) of the Local Government Act 2002, the Mayor has the power to establish committees and appoint membership including the chairperson of each committee.

The Mayor has opted not to exercise this power so this report is provided to Council to establish the committees, confirm the membership and chairpersons.

The Far North District Council recognises that committees are not the only method of enabling good governance. Far North District Council encourages governance oversight by the following means:

Committees

A local authority may establish a committee and provide that committee with delegations to make decisions on its behalf on matters. Terms of reference should be adopted for each committee to clarify its roles, responsibilities and membership.

Portfolio Leaders

Portfolios are a method that provides a mechanism for an elected member to be a governance champion of a territorial activity. Committee chairs have previously acted as portfolio holders for the scope of their committees and while some of these overlap with Committee interests the portfolio holder will champion a subject and report to other members through the relevant committee. Terms of reference will be established for portfolios in the new year, but in essence a Portfolio Leader will:

- Ensure progress is made towards the Council's strategic priorities and projects within their portfolio responsibility.
- Play a strategic and policy leadership role in their area of responsibility assisting the Council to meet its strategic objectives.
- Enhance relationships with key stakeholders.
- Act as the Council's spokesperson and point of contact for those activities within their portfolio responsibility.
- Work effectively with Council officers.
- Attend any advisory groups or external appointments made and ensure an alternate is available if they cannot attend projects and activities.
- As far as possible, attend Council launches of new activities and projects in their area of responsibility.
- Ensure Council's advisory groups have effective input into their portfolio area of responsibility.
- Meet regularly with the Mayor, Deputy Mayor, Chief Executive, Chair and senior staff.
- Keep the Mayor informed of emerging issues.
- Maintain a "no surprises" approach for elected members and staff.

Working parties

A local authority may from time to time set up a group or working party to achieve a specific objective. A working party can be established by resolution of Council or Committee. Each working

party when established, should be guided by adopted terms of reference to provide a clear purpose. There were approximately 52 working groups established over the 2016-19 triennium. Many of these did not have terms of reference or a clear objective. All working groups previously established are considered disestablished at the start of the new triennium.

Procurement Board

In 2015 Council first established a Procurement Board to assist the Chief Executive to undertake the responsibility of ensuring sound probity procedures have been followed in relation to procurement of goods and services necessary to deliver on the work programme and operations outlined in Council's adopted Annual Plan. The Procurement Board membership has consisted of 3 elected members, 3 staff, and chaired by the General Manager of Corporate Services.

2) DISCUSSION AND OPTIONS

This report seeks the establishment of five (5) standing committees of Council:

1. Executive Review Committee
2. Strategy and Policy Committee
3. Assurance, Risk and Finance Committee
4. Infrastructure Committee
5. Regulatory Compliance Committee

The previous triennium committee structure terms of reference were used as the foundation. A Regulatory Compliance Committee terms of reference was developed from discussions during the Governance Diagnostics exercise. Staff developed the attached terms of reference and presented them to Mayor and Councillors for discussion at a workshop held 20 November 2019.

During discussions at the workshop there were concerns raised regarding the overlaps between committees. Particularly around the District Plan between the Strategy and Policy, and Regulatory Compliance Committees. District Plan has been removed from the Regulatory Compliance Committee to recognise that the District Plan is an overarching land use strategy. However, there is still reference that the Regulatory Compliance Committee will monitor compliance under the District Plan.

The membership has been drafted based on the interests and strengths of members.

A formal review of the effectiveness of the structure is intended in 2020 with an understanding that amendments can be made earlier by decision of Council.

The Mayor is an ex-officio member of every committee. All elected members will be welcome to attend any meeting whether they are appointed or not.

As part of workshop discussions Councillors have discussed who may hold portfolios. This report seeks appointments for six Portfolio Leaders:

- | | |
|--|--|
| 1. Climate | Councillor David Clendon |
| 2. Te Ao Māori | Councillor Moko Tepania |
| 3. Waters | Councillor Kelly Stratford |
| 4. Transport | Deputy Mayor Ann Court |
| 5. Communications | His Worship the Mayor and Councillor Smith |
| 6. Economic Development
/Council Controlled Organisations | Councillor Vujcich |

Portfolio Leaders will need to report to elected members on their activities through the relevant committees. Therefore, portfolio leaders need to ensure they also sit on the appropriate committee.

An attached term of reference for the Procurement Board proposes some changes to expedite the procurement process, shortening timeframes, reducing paperwork, reducing potential roadblocks,

and recognising that the procurement of goods and services is an operational matter conducted following the Procurement Policy set by Council.

The proposed changes are:

- a) That the supplier recommendations be submitted directly to Council or Committee (depending on the delegation levels)
- b) That the elected membership appointed to the Procurement Board be reduced from two or three, to one.








Reason for the recommendation

To enable effective political decision making at the Far North District Council.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications and budgetary provisions needed as a result of this report.

ATTACHMENTS


1. Register of Delegations for Council - A2780939 [↓](#) 
2. Register of Delegations for Executive Review Committee - A2780940 [↓](#) 
3. Register of Delegations for Strategy and Policy Committee - A2780941 [↓](#) 
4. Register of Delegations for Assurance, Risk and Finance Committee - A2780942 [↓](#) 
5. Register of Delegations for Infrastructure Committee - A2780944 [↓](#) 
6. Register of Delegations for Regulatory Compliance Committee - A2780945 [↓](#) 
7. Register of Delegations for Procurement Board - A2787646 [↓](#) 

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This report is 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.	The Local Government Act is the relevant legislation regarding provision for committees.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Community Board views have not been sought as this is a matter for Councillors to discuss how they would like to conduct meetings.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no specific implications of a committee structure on Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	There are no particular implications on any group or identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

 Far North District Council <i>Te Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Local Government Act 2002
	Status	Council
COUNCIL	Title	Council Terms of Reference
	Approval Date	19 December 2019

Role of Council

Council sets its vision and values to underpin its strategic direction. This guides the organisation as it works to make the Far North District an attractive place to live, work, and play. Council is forward looking, acting strategically to prepare for the district's future.

Councillors are elected to represent the views of residents and ratepayers and continue to build positive relationships with constituents.

Council will meet every six weeks from late January to December to make decisions on all matters that it has not, or cannot be, delegated.

Extraordinary Council meetings may be called when required for specific purposes.

As part of setting the District's strategic direction, Council's responsibilities are:

- Development and adoption of key strategic documents, including:
 - Annual Plan
 - Long Term Plan
 - District Plan
 - Spatial Plan
 - Infrastructure Plan
 - FN2100
- Establishing and monitoring consultation processes relating to strategic documents
- Development and adoption of policies and strategies, with contribution from committees as appropriate
- Exercise those decision making and regulatory functions reserved to Council by law
- Submissions to other agencies on issues of interest to Council.

Council monitors the performance of the organisation in regards to meeting the objectives of the Long Term Plan, as well as monitoring the performance of the CEO in regards to their agreed key performance indicators.

To support effective decision making, the Council has established the following committees:

- Strategy and Policy
- Regulatory Compliance
- Assurance Risk and Finance
- Infrastructure
- Executive Review

Council has delegated certain decision making and advisory powers to the committees, as outlined in each Committees Terms of Reference.

Council's Responsibilities

The Council's responsibilities are described below:


Matters under the Local Government Act 2002

Matters that cannot be delegated, under the Local Government Act 2002 Sch7, clause 32, are:

- a. the power to make a rate; or
- b. the power to make a bylaw; or
- c. the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- d. the power to adopt a long-term plan, annual plan, or annual report; or
- e. the power to appoint a chief executive; or
- f. the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
- g. the power to adopt a remuneration and employment policy.

Governance

- Approve governance documents (including triennial agreements)
- Approve delegations to committees
- Approve changes to Standing Orders and Code of Conduct
- Monitor effectiveness of meeting structures, including Standing Orders
- Consider issues relating to member behaviour, including Code of Conduct
- Manage Council's relationships with the community boards of the Far North District, including reviewing effectiveness and adequacy of delegations, and approving changes
- Triennially review Council's committee structure
- Annual review of Councillors' key performance indicators
- Approve Councillor portfolio assignments and appointments to external organisations and advisory groups

 Far North District Council <i>Te Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Local Government Act 2002
	Status	Council
COUNCIL COMMITTEE	Title	Executive Review Committee Terms of Reference
	Approval Date	19 December 2019

Role of the Executive Review Committee

Council sets its vision and values to underpin its strategic direction. This guides the organisation as it works to make the Far North District an attractive place to live, work, and play. Council is forward looking, acting strategically to prepare for the district's future.

Council employs the Chief Executive, who in turn employs and manages Council staff. Council therefore has a responsibility to set and monitor the performance of the Chief Executive.

Membership

The Executive Review Committee will comprise of at least five elected members (one of which will be the chairperson).

Mayor Carter - Chairperson
 Kelly Stratford
 Rachel Smith
 John Vujcich
 Felicity Foy

Quorum - Committee

The quorum at a meeting of the Executive Review Committee is 3 members.

Frequency of Meetings


The Executive Review Committee shall meet at least twice per year, but may convene more frequently as required.

Committees Responsibilities

The Committees responsibilities are described below:

Performance of the Chief Executive

- Review the chief executive's performance as required in the employment agreement between the Council and chief executive.
- Annually consider the CE remuneration.
- Supervise any recruitment and selection process for a chief executive.
- Consider any issues regarding the employment of the chief executive.

 Far North District Council <i>Te Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Strategy and Policy Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Strategy and Policy Committee (the Committee) is to set direction for the district, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies, policies and work programmes to achieve those goals.

In determining and shaping the strategies, policies and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the strategic outcomes of Council, being:

- Better data and information
- Affordable core infrastructure
- Improved Council capabilities and performance
- Address affordability
- Civic leadership and advocacy
- Empowering communities

The Committee will review the effectiveness of the following aspects:

- Trust and confidence in decision-making by keeping our communities informed and involved in decision-making;
- Operational performance including strategy and policy development, monitoring and reporting on significant projects, including, but not limited to:
 - FN2100
 - District wide strategies (Infrastructure/ Reserves/Climate Change/Transport)
 - District Plan
 - Significant projects (not infrastructure)
 - Financial Strategy
 - Data Governance
 - Affordability
- Consultation and engagement including submissions to external bodies / organisations

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities, and of the Council's business, operations and risks.

Power to Delegate

The Strategy and Policy Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Council will determine the membership of the Strategy and Policy Committee.

The Strategy and Policy Committee will comprise of at least seven elected members (one of which will be the chairperson).

Mayor Carter
Rachel Smith – Chairperson
David Clendon – Deputy Chairperson
Moko Tepania
Ann Court
Felicity Foy
Dave Collard
John Vujcich

Non-appointed councillors may attend meetings with speaking rights, but not voting rights.

Quorum

The quorum at a meeting of the Strategy and Policy Committee is 5 members.

Frequency of Meetings

The Strategy and Policy Committee shall meet every 6 weeks, but may be cancelled if there is no business.

Committees Responsibilities

The Committees responsibilities are described below:

Strategy and Policy Development

- Oversee the Strategic Planning and Policy work programme
- Develop and agree strategy and policy for consultation / engagement;
- Recommend to Council strategy and policy for adoption;
- Monitor and review strategy and policy.

Service levels (non regulatory)

- Recommend service level changes and new initiatives to the Long Term and Annual Plan processes.

Policies and Bylaws

- Leading the development and review of Council's policies and district bylaws when and as directed by Council
- Recommend to Council new or amended bylaws for adoption

Consultation and Engagement

- Conduct any consultation processes required on issues before the Committee;
- Act as a community interface (with, as required, the relevant Community Board(s) for consultation on policies and as a forum for engaging effectively;
- Receive reports from Council's Portfolio and Working Parties and monitor engagement;
- Review as necessary and agree the model for Portfolios and Working Parties.

Strategic Relationships

- Oversee Council's strategic relationships, including with Māori, the Crown and foreign investors, particularly China
- Oversee, develop and approve engagement opportunities triggered by the provisions of Mana Whakahono-ā-Rohe under the Resource Management Act 1991
- Recommend to Council the adoption of new Memoranda of Understanding (MOU)
- Meet annually with local MOU partners
- Quarterly reviewing operation of all Memoranda of Understanding
- Quarterly reviewing Council's relationships with iwi, hapū, and post-settlement governance entities in the Far North District
- Monitor Sister City relationships
- Special projects (such as Te Pū o Te Wheke or water storage projects)

Submissions and Remits

- Approve submissions to, and endorse remits for, external bodies / organisations and on legislation and regulatory proposals, provided that:
 - If there is insufficient time for the matter to be determined by the Committee before the submission "close date" the submission can be agreed by the relevant Portfolio Leaders, Chair of the Strategy and Policy Committee, Mayor and Chief Executive (all Councillors must be advised of the submission and provided copies if requested).
 - If the submission is of a technical and operational nature, the submission can be approved by the Chief Executive (in consultation with the relevant Portfolio Leader prior to lodging the submission).

- Oversee, develop and approve any relevant remits triggered by governance or management commencing in January of each calendar year.
- Recommend to Council those remits that meet Council's legislative, strategic and operational objectives to enable voting at the LGNZ AGM. All endorsements will take into account the views of our communities (where possible) and consider the unique attributes of the district.

Fees

- Set fees in accordance with legislative requirements unless the fees are set under a bylaw (in which case the decision is retained by Council and the committee has the power of recommendation) or set as part of the Long Term Plan or Annual Plan (in which case the decision will be considered by the Long Term Plan and Annual Plan and approved by Council).

District Plan


- Review and approve for notification a proposed District Plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), First Schedule of the Resource Management Act 1991);
- Withdraw a proposed plan or plan change under clause 8D, First Schedule of the Resource Management Act 1991;
- Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
 - To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the Portfolio Leader District Plan and the Chair of the Regulatory committee.
 - To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by council and authorise the resolution of any such appeal.
 - To consider and approve council submissions on a proposed plan, plan changes, and variations.
 - To manage the private plan change process.
 - To accept, adopt or reject private plan change applications under clause 25 First Schedule Resource Management Act (RMA).

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

 Far North District Council <i>Te Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Assurance, Risk and Finance Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Assurance, Risk and Finance Committee (the Committee) is to assist and advise the Governing Body in discharging its responsibility and ownership of finance, risk and internal control.

The Committee will review the effectiveness of the following aspects:

- The robustness of financial management practices;
- The integrity and appropriateness of internal and external reports and accountability arrangements;
- The robustness of the risk management framework;
- The robustness of internal controls and the internal audit framework;
- Compliance with applicable laws, regulations, standards and best practice guidelines;
- The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets;
- Data governance framework

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities, and of the Council's business, operations and risks.

Membership

The Council will determine the membership of the Assurance, Risk and Finance Committee including at least one independent appointment with suitable financial and risk management knowledge and experience.

The Assurance, Risk and Finance Committee will comprise of at least five elected members (one of which will be the chairperson), and one independent appointed member.

Mayor Carter
 John Vujcich – Chairperson
 Bruce Robertson – Deputy Chairperson and Independent Member of the Committee
 Moko Tepania
 Mate Radich
 Kelly Stratford
 Ann Court

Non-appointed councillors may attend meetings with speaking rights, but not voting rights.

Quorum

The quorum at a meeting of the Assurance, Risk and Finance Committee is 4 members.

Frequency of Meetings

The Assurance, Risk and Finance Committee shall meet every 6 weeks, but may be cancelled if there is no business.

Power to Delegate

The Assurance, Risk and Finance Committee may not delegate any of its responsibilities, duties or powers.

Committees Responsibilities

The Committees responsibilities are described below:

Financial systems and performance of the Council

- Review the Council's financial and non-financial performance against the Long Term Plan and Annual Plan
- Review Council quarterly financial statements and draft Annual Report

Far North Holdings Limited (FNHL)

- Recommend to Council the approval of statement of intent and Annual Report (s67 LGA)
- Receive 6 monthly report on operations (s66 LGA)
- Receive quarterly financial statements
- Recommend appointment of directors of FNHL

Risk Management

- Review appropriateness of Council's risk management framework and associated procedures for effective risk identification, evaluation and treatment
- Receive and review risk management dashboard reports
- Provide input, annually, into the setting of the risk management programme of work
- Receive updates on current litigation and legal liabilities

Internal Audit and Controls

- Review whether management has in place a current and comprehensive internal audit framework
- Receive and review the internal audit dashboard reports
- Provide input, annually, into the setting of the internal audit programme of work
- Review whether there are appropriate processes and systems in place to identify and investigate fraudulent behaviour

The Committee will manage Council's relationship with external auditor.

The Committee will approve applications to declare land abandoned and any other such matters under the Rating Act.


Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the

Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

 Far North District Council <i>Te Kauhitera o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Infrastructure Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Infrastructure Committee (the Committee) is to ensure cost effective, quality and sustainable infrastructure decisions are made to meet the current and future needs of Far North communities and that Councils infrastructure assets are effectively maintained and operated.

The Committee will review the effectiveness of the following aspects:

- Affordable core infrastructure to support healthy and sustainable living;
- Operational performance including monitoring and reporting on significant infrastructure projects
- Delivery of quality infrastructure and district facilities
- Financial spend and reprogramming of capital works
- Property and other assets

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities, Councils' infrastructure assets such as roading, three waters and district facilities.

Membership

The Council will determine the membership of the Infrastructure Committee.

The Infrastructure Committee will comprise of at least six elected members (one of which will be the chairperson).

.
 Mayor Carter
 Felicity Foy – Chairperson
 Ann Court – Deputy Chairperson
 Dave Collard
 Kelly Stratford
 John Vujcich
 Mate Radich

Non-appointed councillors may attend meetings with speaking rights, but not voting rights.

Quorum

The quorum at a meeting of the Infrastructure Committee is 5 members.

Frequency of Meetings

The Infrastructure Committee shall meet every 6 weeks, but may be cancelled if there is no business.

Power to Delegate

The Infrastructure Committee may not delegate any of its responsibilities, duties or powers.

Committees Responsibilities

The Committees responsibilities are described below:

Quality infrastructure and Facilities

- Assess and provide advice to Council on strategic issues relating to the provision of Council's infrastructural activities and district facilities
- Review, and recommend to Council, policy and strategies for the delivery of infrastructural asset services
- Monitor achievement of outcomes included in the Infrastructure Strategy and other infrastructure strategies eg District Transport Strategy
- Ensure that Council protects its investment in its infrastructural assets in accordance with accepted professional standards
- Monitor the risks, financial and operational performance of the Council's infrastructural activities and facilities
- Monitor major contract performance measures/key result areas (KRAs)

Significant Projects – spend, monitoring and reporting

- Monitor significant projects
- Approve budget overspend (above tolerance levels in the CE delegations) and any reprogramming of capex for a project or programme provided that:
 - The overall budget is met from savings
 - The overall budget for capex is not exceeded. Where this is not the case, the Committee must either:
 - Recommend to Council that additional funding is approved (outside the Annual Plan or Long Term Plan process), or
 - Recommend as part of the next round of Long Term Plan or Annual Plan process that the funding is considered for inclusion.
- Approve tenders and contracts provided they are:
 - Between \$500,001 and \$3 million,
 - in accordance with the current year's plan, whether that be Annual Plan or Long Term Plan, and
 - deemed low by the Significance and Engagement Policy

Compliance

- Ensure that operational functions comply with legislative requirements and Council policy
- Ensure that consents associated with Council's infrastructure are being met and renewals are planned for

Service levels (non regulatory)

- Recommend service level changes and new initiatives to the Long Term and Annual Plan processes.

Relationships

- Monitoring Council's relationship with the Northland Transportation Alliance
 - Receive quarterly performance reports
- Monitoring Council's relationship with the Far North Waters Alliance Partner

Property

- Recommend to Council the acquisition or disposal of assets.
- Approve new leases and lease renewals (of non-reserve land), in accordance with the current years' plan, whether that be Annual Plan or Long Term Plan.


Receive updates on changes to national and regional policies that impact on Council provision of infrastructure and where appropriate make recommendation to Council.

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

 Far North District Council <small>Te Kaitiaki o Tai Tokerau ki te Raki</small>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Regulatory Compliance Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Regulatory Compliance Committee (the Committee) is to implement and monitor regulatory compliance and statutory matters on behalf of the Governing Body. The Committee will conduct hearings (except those under the *Resource Management Act 1991*) and undertake any functions as requested or delegated by Council from time to time provided the functions conform to the *Local Government Act 2002*.

The Committee will have functional responsibility for the following aspects:

- Hearings (excluding RMA and DLC)
- Regulatory activities
- Regulatory policies and bylaws
- Regulatory compliance
- Mana Whakahono

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities and key legislation.

Delegations

The Regulatory Compliance Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Regulatory Compliance Committee will operate within:

- policies, plans, standards or guidelines that have been established and approved by Council;
- the overall priorities of Council;
- the needs of the local communities; and
- the approved budgets for the activity.

Power to Delegate

The Regulatory Compliance Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Council will determine the membership of the Regulatory Compliance Committee.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson and a majority of the Committee members must be accredited commissioners under the relevant Act.

When the Regulatory Compliance Committee is meeting as a Hearing Committee, the Chairperson shall hold the 'chair certification' as per the Act.

The Committee membership for each hearing shall be appointed by the Chairperson of the Regulatory Compliance Committee together with the Chief Executive and will normally comprise the core Regulatory Compliance Committee members.

The Regulatory Compliance Committee will comprise of at least six elected members (one of which will be the chairperson).

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Mayor Carter
Kelly Stratford – Chairperson
Dave Collard – Deputy Chairperson
John Vujcich
Rachel Smith
David Clendon
Ann Court

Non-appointed councillors may attend Regulatory Compliance Committee (but not Hearings) with speaking rights, but not voting rights.

Quorum - Committee

The quorum at a meeting of the Regulatory Compliance Committee is 4 members.

Frequency of Meetings

The Regulatory Compliance Committee shall meet every 6 weeks, but may be cancelled if there is no business.

Committees Responsibilities

The Committees responsibilities are described below:

Hearings, Objections and Appeals

- Conduct hearings, as delegated by Council, in accordance with the relevant legislative and policy requirements (excluding Resource Management Act and District Licensing)
- Approve and monitor Council's list of hearing Commissioners for Resource Management Act and District Licensing hearings.

Regulatory Activities

- Assess and provide advice to Council on level of service and policy issues relating to:
 - regulatory matters; and
 - provision of services
- Reviewing and making recommendations to the Chief Executive in respect to functions and activities within the purpose of the Committee regarding codes of practice.

Policies and Bylaws

- Recommend the development and review of Council's regulatory policies and district bylaws
- Make a recommendation where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution (eg dog areas under the dog control bylaw, speed limits)

Compliance

- Ensure that Council's planning and regulatory functions comply with legislative requirements and Council policy and processes
- Monitor operational functions comply with legislative requirements and Council policy
 - BCA (building consents)
 - RMA (resource consents)
- Ensure that consents associated with Council's infrastructure are being met and renewals are planned for
- Receive traffic light reports on regulatory compliance (policy, plans, functions and bylaws) such as:
 - District Plan (when proposed)
 - Building Act
 - Resource Management Act
 - Licences (various acts)
 - Animal management

Mana Whakahono-ā-Rohe (Mana Whakahono)

- Monitor regulatory matters arising from Mana Whakahono under the Resource Management Act 1991.

The committee seeks to foster and encourage participation and engagement with constituents.

HEARINGS, OBJECTIONS AND APPEALS**Regulatory Compliance Committee, meeting as a Hearing Committee**

The Regulatory Committee, when meeting as a Hearing Committee, shall be delegated authority to hear and determine matters as follows:

Public Works Act 1981

Public work requirements.

Local Government Act 2002

Objections against the construction of public works on private land.

Local Government Act 1974

Objections and appeals to road stopping proposals.

Fencing of Swimming Pools Act 1987

Applications for exemption, waiver or compliance.

Delegated decisions

- ☐ Requests for review or objections to delegated decisions by the Committee and/or delegated officers.
- ☐ Appeals against decisions made by officials acting under delegated authority in accordance with approved Council Policy.

Dog Control Act 1996

Objections.

Gambling Act 2003, Health Act 1956 and Building Act 2004

Hearings, objections and related matters.


And any other such matters as required under the legislation (but not Resource Management Act or the Supply and Sale of Alcohol Act for matters outside the district licensing committee).

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

 Far North District Council <i>Te Kaitiaki o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Board
BOARD	Title	Procurement Board Terms of Reference
	Approval Date	19 December 2019

Purpose

The Procurement Board is established to assist the Chief Executive to undertake the management responsibility of ensuring sound probity procedures are followed in relation to procurement of goods and services necessary to deliver on the work programme and operations outlined in Council's adopted Annual Plan.

The Board will have a functional role for the following aspects:

- Ensuring that reasonable purchasing procedures have been followed in awarding contracts under Council's Procurement Policy and delegations.

To perform his or her role effectively, the Board member must develop and maintain his or her skills and knowledge, including an understanding of the Boards responsibilities.

Membership

The Board shall consist of one elected member appointed using due process and three staff members appointed by the Chief Executive Officer.

The Chair of the Procurement Board will be the General Manager, Corporate Services.

The Mayor will not sit on the Procurement Board as they review and make recommendations on all procurements delegated to them for approval by Council.

Quorum

The quorum required for a Procurement Board Meeting will consist of a minimum of three voting members, and must include the elected member representative.

Frequency of Meetings

The Procurement Board shall meet as required. Meetings will be scheduled on a monthly basis and cancelled if necessary.

Boards Responsibilities

The Boards responsibilities are described below:

- Reviewing the Procurement Plan for any proposed contract with a value greater than \$500,000 or those that may impact on the reputation of the Council where the Chief Executive or any other Officer refers the matter to the Board.

Limitations

It is not the role of the Procurement Board to question the need for the work; this decision should be taken prior to the calling for tenders.

Rules and Procedures

Council's Standing Orders (except quorum) and Code of Conduct apply to all the Boards meetings.

6.2 APPOINTMENTS OF ELECTED MEMBERS ON BEHALF OF FAR NORTH DISTRICT COUNCIL

File Number: A2781175

Author: Aisha Huriwai, Team Leader Democracy Services

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

To appoint elected members to other roles to represent the interests of the Far North District Council.

EXECUTIVE SUMMARY

- Various organisations appreciate the oversight of a Council elected member.
- Appointments vary between roles that council have been invited to, and others that are required by legislation or formal agreement.
- Alternates allow representation where the primary delegate may not be able to attend.

RECOMMENDATION

That Council confirm the following appointments:

<i>Appointment to</i>	<i>Delegate</i>	<i>Alternate</i>
Civil Defence Emergency Management Group	Councillor Collard	Councillor Court
Regional Transport Committee	Deputy Mayor Court	
Te Oneroa a Tohe	His Worship the Mayor and Councillor Radich	
LGNZ Zone 1	Councillor Smith	Councillor Stratford
Mayoral Taskforce for Jobs	Councillor Smith	Councillor Tepania
Young Elected Members	Councillor Smith	
Rural and Provincial Sector	Councillor Clendon	Councillor Vujcich
Creative Communities Funding Assessment Committee	Councillor Tepania	Councillor Smith
Te Pu o te Wheke Governance Group	Councillor Tepania and Councillor Vujcich	
Te Hononga	Councillor Stratford	
Baysport	Councillor Smith	
Sport Northland	Councillor Stratford	Councillor Collard
Turner Centre	Councillor Smith	
Awanui River Working Group		
Taumarere River Liaison Committee	Councillor Stratford	
Kaeo/Whangaroa River Liaison Committee	Councillor Stratford	
Te Ahu Charitable Trust	Councillor Collard	
Volunteering Northland	Councillor Smith	

1) BACKGROUND

Over the years Council have developed relationships with various groups. The appointments vary from groups that Council are legislatively obligated to be part of, or groups that have invited Council governance to their table. Appointing members to each of these provides a mechanism of engagement between Council and the organisation/group.

2) DISCUSSION AND OPTIONS

The names against each role in the recommendation are based on discussions from the 20 November workshop, where members signalled an interest to be involved. Members need to be mindful to manage their time and ensure that they are not committing to too much.

The table below indicates whether the appointment is requested by ^(a)legislation, ^(b)formal agreement or ^(c)invitation.

Appointment to	Lead organisation	Meets
Civil Defence Emergency Management Group ^(a)	Northland Regional Council	Monthly
Regional Transport Committee ^(a)	Northland Regional Council	Monthly
Te Oneroa a Tohe ^(a)	Far North District Council and Northland Regional Council	Monthly
LGNZ Zone 1 ^(b)	Local Government New Zealand	Quarterly
Mayoral Taskforce for Jobs ^(b)	Local Government New Zealand	Quarterly
Young Elected Members ^(b)	Local Government New Zealand	Quarterly
Rural and Provincial Sector ^(b)	Local Government New Zealand	Quarterly
Creative Communities Funding Assessment Committee ^(b)	Far North District Council	Quarterly
Te Pu o te Wheke Governance Group ^(b)	Far North District Council and Te Runanga a Iwi o Ngapuhi	Fortnightly
Te Hononga ^(b)	Hundertwasser Park Charitable Trust	Fortnightly
Baysport ^(b)	Baysport	Bi monthly
Sport Northland ^(c)	Sport Northland	Monthly
Turner Centre ^(c)	Turner Centre Trust	Monthly
Awanui River Working Group ^(c)	Northland Regional Council	1-2 times per year
Taumarere River Liaison Working Group ^(c)	Northland Regional Council	3 times per year
Kaeo/Whangaroa River Working Group ^(c)	Northland Regional Council	1-2 times per year
Te Ahu Charitable Trust ^(c)	Te Ahu Charitable Trust	Monthly
Volunteering Northland ^(c)	Volunteering Northland	Bi monthly

Reason for the recommendation

To formalise arrangements for elected members to have oversight of community activities.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Elected members are entitled to claim travel mileage to attend these meetings. Financial implications are minimal and covered by operational budgets.

ATTACHMENTS

Nil

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Some of the appointments are required in alignment with the following legislation. Land Transport Act 2003, Local Government Act 2002, Civil Defence Emergency Management Act 2002.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The Community Boards views have not been sought.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications specific to Māori in making appointments. Some of the appointments are to groups that often make decisions that have implications on Māori, for which most also have iwi representatives appointed.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	There are no implications on any identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

6.3 SETTING OF 2020 FORMAL MEETING SCHEDULE

File Number: A2781134

Author: Aisha Huriwai, Team Leader Democracy Services

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

To provide a draft 2020 calendar of Council and Committee meetings to Council for adoption.

EXECUTIVE SUMMARY

- The attached draft calendar proposes the adoption of meeting dates for Council, Committee and Procurement Board meetings, Workshops and meetings for Annual Plan consultation.
- The draft calendar proposes Council and Committee meetings be scheduled every six weeks.
- The frequency of meetings has been discussed at a workshop of Council held 20 November 2019.

RECOMMENDATION

That the Council adopt the calendar as attached for the following meetings.

1) BACKGROUND

The Local Government Act (LGA) requires a local authority to hold meetings that are necessary for the good governance of its region or district. The Local Government Official Information and Meetings Act (LGOIMA) promotes the open and public transaction of business at meetings. Neither the LGA or the LGOIMA requires a local authority to schedule meetings a year in advance, however it is considered good practise throughout New Zealand.

At the start of the 2016-19 triennium Council and Committee meetings were held on six weekly rotation. In October 2018 the frequency of meetings changed to eight weekly however this was considered counter-productive to efficient decision making. As part of a Council workshop held 20 November 2019, there was a discussion around the ideal frequency. While monthly Council meetings was signalled, six weekly Council and Committee meetings were discussed as an option that could be supported by both governance and management.

Previously, Council meetings have been held on a Thursday. This has presented conflicts for members with attendance at other national and regional meetings and events. This report proposes that Council meetings be held on a Tuesday, and that committee meetings be split between Tuesday and Wednesday.

The adoption of the Council's Committee structure forms part of this agenda therefore the proposed dates for Committees is subject to the adoption of the committee structure.

A calendar is attached to provide a visual aid of the schedule. The calendar includes dates for Council, Committee, Workshops, Procurement Board and Annual Plan consultation. While decisions are not made at workshops and are informal information or briefing sessions, they have been included in this calendar. Attendance at workshops is considered mandatory. Including them in the calendar provides a full summary of meetings requiring elected member attendance and provides members the opportunity to plan their other commitments.

Additional time of members may be required from time to time for unexpected or unanticipated matters. This should however be minimal. Staff are committed to providing as much notice as possible and making sure that business where possible, is restricted to the days adopted as part of this schedule.

This report is based on the recommendation contained in the Far North District Council Governance Structure report which is also contained on this agenda for adoption.

2) DISCUSSION AND OPTIONS

This report suggests that all meetings and workshops be held at Far North District Council headquarters in Kaikohe (except an annual plan hearing). The Far North District Council does not own any suitable buildings elsewhere. While it is and has been possible, hosting meetings elsewhere comes with an increase in cost and cannot be supported to the same level that is possible at the Kaikohe headquarters. If there is a desire to hold meetings elsewhere consideration needs to be given to what value this would add to the decision-making process.

Statutory documents require adoption at the end of February, June and October. To achieve this the October Council meeting is a week earlier, and a special meeting has been scheduled in June.

Reports have been submitted to the December Community Board meetings to hold their meetings two weeks before Committee and two weeks after Council. The dates are not included on the attachment as they are subject to their approval. An updated calendar, with Community Board dates can be circulated at the Council meeting for consideration.

Each six-week cycle includes four Committee meetings, two workshops and a Council meeting. Procurement Board meetings have been scheduled each month, on the second to last Thursday of each month.

As discussed at the 20 November workshop, having monthly meetings requires a higher level of commitment from members, higher levels of resourcing from the organisation which can adversely impact delivery of services. Having meetings less frequent than six weekly causes inefficient decision making.

The proposed dates following a six weekly cycle are as follows:

Council from 10am	Strategy & Policy from 9:30am	Regulatory Compliance From 1pm	Infrastructure From 9:30am	Assurance, Risk & Finance from 1pm	Procurement from 10am
26 February	11 February	11 February	12 February	12 February	20 February
8 April	24 March	24 March	25 March	25 March	19 March
20 May	5 May	5 May	6 May	6 May	23 April
24 June	16 June	16 June	17 June	17 June	21 May
1 July	27 July	27 July	28 July	28 July	18 June
12 August	8 September	8 September	9 September	9 September	23 July
23 September	20 October	20 October	21 October	21 October	20 August
28 October	1 December	1 December	2 December	2 December	17 September
9 December					22 October
					19 November

Workshop dates are proposed for:

18 February 2020	19 February 2020	17 March 2020
18 March 2020	15 April 2020	13 May 2020
9 June 2020	10 June 2020	21 July 2020
22 July 2020	1 September 2020	2 September 2020

13 October 2020

14 October 2020

24 November 2020

25 November 2020

Reason for the recommendation

To adopt a schedule of meetings and workshops for the 2020 calendar year.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There is a cost in supporting meetings, and these are covered within operational budgets.

ATTACHMENTS

1. **2020 Proposed Formal Meeting Calendar - A2788931** [↓](#) 

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This matter is 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.	The relevant legislation as referenced in the report is the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Community Boards are responsible for setting their own meeting schedule. Staff have written similar reports for their December meetings suggesting they meet six weekly, to align with Council and Committee meetings.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no particular implications for Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report does not have any implications on persons identified in legislation.
State the financial implications and where budgetary provisions have been made to support this decision.	Financial implications are covered within operational budgets.
Chief Financial Officer review.	

2020 Formal Meetings																																					
2020																																					
	January			February			March			April			May			June			July			August			September			October			November			December			
Sat																																	Sat				
Sun						1																									1			Sun			
Mon						2									1	QUEENS BIRTHDAY															2			Mon			
Tue						3									2											1	WORKSHOP					3		1	STRAT REG	Tue	
Wed	1	NEW YEARS				4			1						3			1	COUNCIL							2	WORKSHOP					4		2	INF ARF	Wed	
Thu	2	NEW YEARS				5			2						4			2								3			1			5		3		Thu	
Fri	3					6			3				1		5			3								4			2			6		4		Fri	
Sat	4		1			7			4			2			6			4								5			3			7		5		Sat	
Sun	5		2			8			5			3			7			5								6			4			8		6		Sun	
Mon	6		3			9			6			4			8			6								7			5			9		7		Mon	
Tue	7		4			10			7			5	STRAT REG		9	WORKSHOP		7								8	STRAT REG					10		8		Tue	
Wed	8		5			11			8	COUNCIL		6	INF ARF		10	WORKSHOP		8								9	INF ARF					11		9	COUNCIL	Wed	
Thu	9		6	WAITANGI		12			9			7	RES. HEARING		11			9								10			8			12		10		Thu	
Fri	10		7			13			10	GOOD FRIDAY		8			12			10								11			9			13		11		Fri	
Sat	11		8			14			11			9			13			11								12			10			14		12		Sat	
Sun	12		9			15			12			10			14			12								13			11			15		13		Sun	
Mon	13		10			16			13	EASTER MONDAY		11			15			13								14			12			16		14		Mon	
Tue	14		11	STRAT REG		17	WORKSHOP		14			12	AP DELIBERATION		16	STRAT REG		14								15			13	WORKSHOP			17		15		Tue
Wed	15		12	INF ARF		18	WORKSHOP		15	WORKSHOP		13	WORKSHOP		17	INF ARF		15								16			14	WORKSHOP			18		16		Wed
Thu	16		13			19	PROCUREMENT		16			14			18	PROCUREMENT		16								17	PROCUREMENT			15			19	PROCUREMENT	17		Thu
Fri	17		14			20			17			15			19			17								18			16			20		18		Fri	
Sat	18		15			21			18			16			20			18								19			17			21		19		Sat	
Sun	19		16			22			19			17			21			19								20			18			22		20		Sun	
Mon	20		17			23			20			18			22			20								21			19			23		21		Mon	
Tue	21		18	WORKSHOP		24	STRAT REG		21			19			23			21	WORKSHOP							22			20	STRAT REG			24	WORKSHOP	22		Tue
Wed	22		19	WORKSHOP		25	INF ARF		22			20	COUNCIL		24	SPECIAL COUNCIL		22	WORKSHOP							23	COUNCIL		21	INF ARF			25	WORKSHOP	23		Wed
Thu	23		20	PROCUREMENT		26			23	PROCUREMENT		21	PROCUREMENT		25			23	PROCUREMENT							24			22	PROCUREMENT			26		24		Thu
Fri	24		21			27			24			22			26			24								25			23			27		25	CHRISTMAS	Fri	
Sat	25		22			28			25			23			27			25								26			24			28		26		Sat	
Sun	26		23			29			26			24			28			26								27			25			29		27		Sun	
Mon	27	ANNIVERSARY	24			30			27	ANZAC		25			29			27	STRAT REG							28			26	LABOUR DAY			30		28	BOXING DAY	Mon
Tue	28		25			31			28	AP HEARINGS		26			30			28	INF ARF							29			27			31		29		Tue	
Wed	29		26	COUNCIL					29	AP HEARINGS		27						29								30			28	COUNCIL			30		30		Wed
Thu	30		27						30	AP HEARINGS		28						30											29					31			Thu
Fri	31		28									29						31											30							Fri	
Sat			29									30																	31							Sat	
Sun						31						31																								Sun	
	January			February			March			April			May			June			July			August			September			October			November			December			

6.4 SETTING OF REMUNERATION FOR COUNCILLORS FOR THE TRIENNIUM**File Number: A2781154****Author: Aisha Huriwai, Team Leader Democracy Services****Authoriser: William J Taylor MBE, General Manager - Corporate Services****PURPOSE OF THE REPORT**

Confirm the allocation of the remuneration pool for the Remuneration Authority's approval.

EXECUTIVE SUMMARY

- The Remuneration Authority (the Authority) set the levels of remuneration for elected officials throughout New Zealand.
- The Authority's determination sets the remuneration for Mayor, Community Board Chairpersons and Community Board members.
- As part of the determination, the Authority set the base salary for Councillors, and a pool to allocate the remuneration for Councillors from.
- The pool is set at \$707,201 to allocate the remuneration for Councillors of the Far North District Council.
- The Council needs to decide how the pool is allocated.
- The pool must be fully allocated.

RECOMMENDATION

That the Council submit the following levels of remuneration to the Remuneration Authority for approval:

Deputy Mayor (1)	\$105,000
Chairs of Committee (4)	\$ 85,000
Increase to councillor base salary (4)	\$ 65,550.25

1) BACKGROUND

In New Zealand the remuneration for elected officials is determined by the Remuneration Authority on behalf of Central Government and is based on population. The Authority releases an annual determination which prescribes the amount elected officials will receive for their public service. The 2019/20 determination suggests the following remuneration levels for the Far North District Council (*excluding community board members*) until the 2019 election:

Mayor	\$150,000
Deputy Mayor	\$ 87,756
Committee Chairperson	\$ 66,979

As outlined in the Authority's 2019/20 determination the Mayor will be remunerated at \$155,000 per annum. This remuneration is in addition to the pool.

From the election, the Council must fully distribute a pool of \$707,201 between Councillors.

The base remuneration (minimum remuneration) for a Councillor would be \$51,370 so the \$707,201 must be distributed between the 9 Councillors, unless the Council delegates significant responsibility to Community Boards.

Council is not considering increases to Community Board delegations.

2) DISCUSSION AND OPTIONS

Once the minimum remuneration is allocated to the nine Councillor positions a further \$244,871 will require distribution between Councillors. If the remuneration is not evenly distributed between the positions, justification must be provided by way of additional responsibilities.

Council was required to submit position descriptions to support the remuneration levels for the 2019/20 period prior to the election. Position descriptions were for 1 Deputy Mayor, and 4 Committee Chairpersons in recognition of their increased workloads.

At a workshop held 20 November 2019 Councillors discussed a preference for a simple option to allocate additional remuneration between Councillors, but also recognise some additional responsibilities.

Subject to the approval of the proposed Governance Structure on this agenda the proposed remuneration allocation is:

Deputy Mayor (1)	\$105,000
Chairs of Committee (4)	\$ 85,000
Increase to councillor base salary (4)	\$ 65,550.25

Once approvals have been made, by Council and the Authority, back payments will be finalised to all Councillors, for the base salary, and for the Deputy Mayor and Chairpersons, from the time at which the additional responsibilities were formally confirmed.

Reason for the recommendation

To allocate the pool of remuneration for elected members.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

While the Authority set the remuneration levels, they do not provide the budgets. Remuneration is paid from existing operational budgets.

ATTACHMENTS

Nil

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Remuneration Authority act in accordance with the Local Government Act 2002 and the Remuneration Authority Act 1977.
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 is a matter of district relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report does not impact any persons identified by legislation.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

6.5 DRAFT TRIENNIAL AGREEMENT (2019-2022)**File Number: A2790955****Author: Aisha Huriwai, Team Leader Democracy Services****Authoriser: William J Taylor MBE, General Manager - Corporate Services****PURPOSE OF THE REPORT**

To seek Council's approval of the attached draft triennial agreement.

EXECUTIVE SUMMARY

- Local authorities within the region must enter in a triennial agreement no later than 01 March after each triennial general election.
- The draft triennial agreement was tabled and discussed at the Mayoral Forum on 18th November 2019.

RECOMMENDATION**That Council:**

- a) **Approve the draft triennial agreement to proceed to the Mayoral Forum for signature of the Mayors of the four authorities on the 24th February 2020.**

1) BACKGROUND

The Local Government Act 2002 requires all local authorities within a region to enter into a triennial agreement no later than 01 March after each triennial general election.

The LGA 2002 s 15 follows provides the guidelines for triennial agreements:

“15 Triennial agreements

- (1) Not later than 01 March after each triennial general election of members, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election of members.
- (2) Each agreement must include a statement of the process for consultation on proposals for new regional council activities.
- (3) After the date specified in subsection (1), but before the next triennial general election of members, all local authorities within each region may meet and agree to amendments to the protocols.
- (4) An agreement remains in force until replaced by another agreement.”

Far North District Council, Kaipara District Council, Whangarei District Council and the Northland Regional Council through the Northland Mayoral Forum have drafted the attached Triennial Agreement for Council approval. This agreement meets the provisions set out in Part 2 s 15 of the LGA 2002. Therefore, it is recommended that Council approve the attached triennial agreement to meet its obligations under the Local Government Act 2002.

2) DISCUSSION AND OPTIONS

Council is required to approve the triennial agreement in order to meet its obligations under the Local Government Act 2002.

This agreement is based on that of the previous triennium, with the additions of the NRC Regional Transport Committee and Te Kahu o Taonui (Iwi Chairs). While these are new to the triennial agreement, the agreement simply formalises what has already been in operation.

Reason for the recommendation

It is recommended that Council approve the attached Triennial Agreement in order to meet its obligations under the Local Government Act 2002.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

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

ATTACHMENTS

1. Draft Triennial Agreement (2019-22) - A2790907 [↓](#) 

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	A triennial agreement is a requirement under the Local Government Act.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This is a regional agreement to comply with the Local Government Act.
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 is a matter of district relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	This is not a decision that has direct impact on Māori however the agreement includes relationship building with iwi throughout the region.
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 does not impact any identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or need for budgetary provision as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report



TRIENNIAL AGREEMENT

Far North District Council, Kaipara District Council, Whangarei District Council, and Northland Regional Council

1. Purpose of the Triennial Agreement

The parties to this agreement commit to working for the good governance of their district or region by acting collaboratively to ensure that issues in common occurring within or impacting on the region are discussed openly and unnecessary duplication avoided. A Triennial Agreement is required by, and is made pursuant to, Section 15 of the Local Government Act 2002.

2. Commitment to a Consensus Approach

The parties:

- Acknowledge the benefits to the communities of Northland of the four councils working together in a consistent manner and wherever possible, with a united voice.
- Respect that at times our different roles and responsibilities may cause the parties to have different positions.
- Agree to endeavor to reach a consensus position on matters of common interest.
- Agree that our remaining differences will not detract from our commitment to work together cooperatively and maintain constructive relationships.

3. Communication and Co-ordination

Parties agree to communicate and co-ordinate their activities and be responsible for¹:

- Notification of major policy discussions which may have implications beyond the boundaries of the decision-making authority;
- Application of a "no surprises" policy whereby early notification is given between local authorities concerning significant policy or programmes before public announcements are made;
- Progressing issues agreed to by the Mayoral Forum;
- Sharing resources wherever possible to gain improved efficiency, effectiveness and increased levels of customer service;
- Abiding by group decisions, subject to the relevant authority's decision making processes; and
- Working together in the best interests of the people of Northland. Emphasis is to be placed on building credible and enduring relationships with all Northland local authorities, the neighboring authority of Auckland and central government.

4. Framework for Regional Leadership

The parties acknowledge the progress made towards greater local authority collaboration in Northland and the benefits this provides for the region. Parties agree to continue their commitment to the collaborative working relationship through the following joint local authority forums, committee's and regional representation².

4.1 Regional Leadership

a) Northland | Forward Together Strategic Planning Workshop

The Northland | Forward Together Strategic Planning Workshops are a collaborative forum of all elected members from the four councils. The purpose of these workshops is to provide an opportunity for elected members to meet, discuss and seek agreement on high level strategic governance priorities and direction for the region.

¹ Pursuant to Section 15(2)(a) of the Local Government Act 2002

² Pursuant to Section 15(2)(c) of the Local Government Act 2002

In 2015 the document called: **Northland | Forward Together** (Tai Tokerau | Kokiri Ngatahi) was developed. This document sets out a vision, goals and objectives for greater local authority collaboration and identifies priorities to investigate the potential for improved shared services, centers of excellence and joint procurement. This document sets the platform for the councils' ongoing collaborative relationship and further regional leadership (the document was ratified by all four councils).

The Northland | Forward Together Strategic Planning Workshops enable the Northland councils to monitor, review and update the vision, goals and objectives of Northland | Forward Together. The Northland Mayoral Forum, Chief Executives Forum and working parties established on a case-by-case basis to support the implementation of the Northland | Forward Together work programme.

b) Northland Mayoral Forum

The purpose of the Northland Mayoral Forum is to provide a forum for the Chair and Mayors of the four councils of Northland to provide regional leadership and seek local authority alignment on key strategic governance priorities for the region and its communities and address any governance issues of the day.

A core role of the Northland Mayoral Forum is to provide governance leadership, oversight and direction to drive the Northland | Forward Together work programme and priorities. Each party is responsible for reporting progress back to their respective governance bodies and seeking council approval where decisions are outside existing council decisions or management delegations.

For the avoidance of doubt, while the Mayoral Forum provides an opportunity for the Chair and Mayors to provide regional leadership and seek strategic alignment, the forum has no delegated authority to make decisions or commit council resources. Any agreements which fall outside previous council decisions or management delegations, are made on the understanding that these agreements need to be approved by respective council resolutions before any agreements can be confirmed.

c) Northland Chief Executive Forum

The purpose of the Northland CEO Forum is to provide a vehicle through which the four councils of Northland can support the work of the Northland Mayoral Forum, progress implementation and monitoring of the Northland | Forward Together programme, work on operational projects of common interest and benefit, share knowledge and consider any shared services arrangements.

d) Te Kahu O Taonui (Iwi Chairs)

The Relationship Agreement entered into between the Northland Mayoral Forum and Te Kahu O Taonui (Iwi Chairs) outlines the commitment to work together and invest in an intergenerational relationship that is based on mutual respect, is enduring and provides continuity through a shared vision, purpose and goals for mutually beneficial outcomes.

The parties acknowledge that the Relationship Agreement does not require the parties to perform any particular action or bind them to a specific outcome, but rather to work together in mutual good faith and reasonableness. The Agreement also acknowledges that, in signing the Agreement, it does not undermine or minimize any existing or future relationships and agreements between local authorities and iwi / hapu but rather seeks to strengthen and support those relationships.

It is acknowledged that Whangarei District Council has not signed the Relationship Agreement and is therefore not a party to the Agreement.

e) Iwi Local Government Agencies Chief Executives Forum

The purpose of the ILGACE Forum is to provide a forum where local government Chief Executives and iwi Chief Executives can seek opportunities to work collaboratively to address issues and progress projects for the betterment of Tai Tokerau / Northland.

4.2 Joint Committees

f) NRC Regional Transport Committee³

The purpose of the Regional Transport Committee is prescribed in the Land Transport Management Act 2003 and includes the preparations, for Northland Regional Council approval, of a Regional Land Transport Plan and Regional Public Transport Plan for Northland, to monitor and review progress towards the adoption and implementation of these plans and to provide the regional council with any advice and assistance, as requested, in relations to regional council's transport responsibilities.

Membership of this committee includes one representative nominated by each district council and two members from the regional council appointed as Chair and Deputy Chair (and their alternates).

g) Northland CDEM Group⁴

The Northland Civil Defence Emergency Management Group (CDEM) is established as a joint standing committee of Northland councils and is responsible for the conduct of the CDEM functions of the Group, setting the strategic direction via the CDEM Group plan, approving annual work programmes, conducting joint management of civil defence events and monitoring and reporting on progress.

Membership of this committee includes one representative (and their alternates) nominated by each of the local authorities.

4.3 Representation and Communication

h) LGNZ Zone 1 Representation

Zone meetings provide an opportunity for councils to provide information and advice and highlight issues and concerns affecting Northland with the National Council. It also provides an opportunity to receive sector information and advise the National Council in dealing with national issues. In making appointments to LGNZ National Council, parties will consider the need to provide for rotational representation.

i) UNISA

The Upper North Island Strategic Alliance (UNISA) comprises Auckland Council, Bay of Plenty Regional Council, Northland Regional Council, Waikato Regional Council, Hamilton City Council, Tauranga City Council and Whangarei District Council. These seven parties have committed to a long-term collaboration for responding to and managing a range of inter- regional and inter-metropolitan issues.

UNISA has agreed to regularly update all the territorial authorities from the Upper North Island following each Governance Group meeting, with each of the Regional Councils taking responsibility for communicating with the territorial authorities in their Region. The Northland Regional Council will provide regular updates and reports through the Mayoral Forum and CEO Forum with each territorial authority responsible for updating their own governance bodies.

5. One Voice Advocacy Programme

The One Voice Advocacy Programme was established as part of the Northland | Forward Together initiative, with the aim of coordinating and aligning local authorities voice both to inform our local community and through communication with Wellington and at a national level on key regional issues.

6. Regional Policy Statement⁵ and Regional/ District Plans (RMA)

This part of the Agreement applies to the regional council when reviewing or changing the regional policy statement or regional plans and also applies to district councils when reviewing or changing district plans, under the Resource Management Act (RMA)⁶.

³ Established pursuant to Part 2, Section 105(2) and (6) of the Land Transport Management Act 2003.

⁴ Pursuant to Section 12 of the Civil Defence Emergency Management Act 2002 and Schedule 7, Clause 30 of the Local Government Act 2002.

When reviewing or changing their plans, all councils will operate on the principle of 'no surprises' -whereby early and meaningful consultation across all stages of plan development will occur. The party promoting the plan shall initiate and manage the agreement actions, and four stages of interaction and consultation, as outlined in Appendix 1. Early notice will be given over any disagreements between councils concerning policy or programmes, and prior to any critical public announcements being made.

The parties agree that respective staff who represent the region / district on any national working groups will report directly or indirectly to the Chief Executive Forum on the activities and decisions of those groups.

7. New Regional Council Activities

Under Section 15(2)(b) of the Local Government Act, a Triennial Agreement must include a statement of the process for consultation on proposals for new regional council activities. The Northland Regional Council will follow the process outlined in Section 16 of the Local Government Act 2002.

8. Meeting Times and Servicing the Triennial Agreement

- The Northland|Forward Together Strategic Planning Workshops will occur quarterly, with the location and hosting to be rotated between the parties (hosting council sets the agenda and chairs the forum).
- The Northland Mayoral Forum and CEO Forum will meet quarterly, with the location and hosting to rotate between the parties.
- The Chair for the Mayoral Forum and CEO Forum will be selected at their respective inaugural meetings and remain in place for the triennium unless otherwise agreed. When appointing a Chair consideration will be given to the need to rotate the chair role between parties.
- The Northland Regional Council will provide secretarial services and media support to the Northland Mayoral Forum and CEO Forum.
- In the event of a disagreement over the terms of this Triennial Agreement, the parties agree to refer the issue of disagreement to mediation for non-binding resolution. If no agreement on a mediator is forthcoming a mediator will be appointed by the President of the Auckland District Law Society.

AUTHORITY

This agreement is signed on _____, by the following on behalf of their respective authorities.

Mayor

Mayor

Mayor

Chair



⁵ Under Section 3A of the First Schedule of the Resource Management Act, a Triennial Agreement must include agreement on the consultation process to review or change a policy statement.

⁶ Where this Agreement refers to 'Plan', read also plan or policy statement change and variation.

Appendix 1: RMA Regional Policy Statement and Regional/ District Plans

The Agreement, and this appendix for RMA RPS and plans, aims to:

- ensure good practice and early consultation between councils during plan preparation, changes and review;
- avoid possible misunderstandings of respective roles and statutory obligations;
- clearly define when comments and/or submissions by either party are appropriate; and
- establish an agreed process to be followed, including expectations and timeframes.

There are four stages of interaction and consultation:

- pre-plan
- draft plan (a matter of best practice rather than legally required)
- notified plan
- appeal to Environment Court.

1. Pre Plan

In this stage, all parties will take full advantage of the opportunity to fully understand each other's position, provide initial assessments of issues or matters likely to be of concern and explore techniques and methods to achieve the desired outcomes.

This phase will focus on significant points of difference. Effort will be spent on resolving these differences. Minor points of difference will not get in the way of the parties dealing with the significant ones.

Once the reasons for the plan are understood and the areas of difference are established then the parties will decide if further progress can be made to resolve these differences and a process and timeframe to move forward will be established and these matters will be recorded.

2. Draft Plan

When a plan reaches **a draft stage** and **before it has been approved for notification by council** for formal statutory consultation, it shall be forwarded to councils in the region for their comment (i.e. this phase occurs before public notification of a proposed Plan). This stage may be formal or informal. (It can occur alongside consultation with the wider community.)

A presentation to affected councils on the draft plan will, where possible, occur. Council

comments on a draft plan will usually be:

- discussed with or reported to the council, and
- represent the organisational view.

To avoid confusion, and for transparency, comment should include a summary of any positions reached in pre-consultation. Comments should relate to policy implications (and assuming the above process has been followed) they should highlight the points of difference already identified. Comments should clearly distinguish between significant and more general matters.

Comments by the regional council or district councils on other council's plans should be clearly referenced to the council's LTP and/or any relevant policy or operational document (including existing or emerging growth strategies and models). All comments made should explain the impacts on the council in terms of cost, practicality, necessity and reasonableness in sufficient detail to be credible and stand scrutiny, i.e. in such a way that can be used in a section 32 RMA analysis. In making comments councils should also highlight how the plan can meet the relevant council's statutory functions and responsibilities while addressing or taking on board the submitting councils comment.

Matters not resolved at this stage are likely to be the subject of formal submissions. Unless the draft plan changes significantly, no new issues would be expected to arise once the plan is notified.

Senior managers of the councils involved will review the position reached and satisfy themselves that the procedural requirements have been followed and all reasonable steps have been taken to resolve matters still in dispute. If a senior manager, in consultation with their Chief Executive Officer, is not satisfied then the matter may be escalated to the council's respective governance level.

Stage 3 Notification

Submissions in opposition from a party should not be a surprise and should relate only to significant matters already commented on, unless the plan has been materially changed between draft and notification.

A second tier manager will carefully review any submission prior to its approval to ensure:

- it is well founded in terms of policy or other relevant criteria
- it is a significant matter on its own or gives rise to significant implications for the council in carrying out its responsibilities and/or implementing its policy
- it specifies a means of relief that is appropriate.

All district council submissions (except further submissions) on a change to the RPS, of submissions to the new regional plan will be approved by the relevant council.

All regional council submissions (except further submissions) on proposed (new) district plans will be approved by the regional council (time permitting).

Given that significant matters are involved to justify a submission; relevant staff are expected to appear at the hearing.

Stage 4 – Environment Court

By this stage every effort will have been made to resolve significant differences efficiently and cost effectively.

Mediation will be used where parties genuinely wish to find common ground. At times a Court decision will be preferred or will be necessary, for example where a point of law or a difference of professional opinion is at issue.

5 INFRASTRUCTURE AND ASSET MANAGEMENT GROUP**7.1 POU HERENGA TAI TWIN COAST CYCLE TRAIL TRUST 2018/2019 ANNUAL REPORT**

File Number: A2781363

Author: Glenn Rainham, Manager - Infrastructure Operations

Authoriser: Andy Finch, General Manager - Infrastructure and Asset Management

PURPOSE OF THE REPORT

To provide a copy to Council of the 2018/19 Annual Report for the Pou Herenga Tai Twin Coast Cycle Trail Trust (Cycle Trail Trust) as required under the Trust Deed.

EXECUTIVE SUMMARY

Attached is a copy of the 2018/19 Annual Report for the Cycle Trail Trust.

This report is required under the 2018 Trust Deed between the Far North District Council and the Cycle Trail Trust. It is provided for information only.

RECOMMENDATION

That the Council receive the report Pou Herenga Tai Twin Coast Cycle Trail Trust 2018/2019 Annual Report.

BACKGROUND

The Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust was established with the purpose of providing benefits to the communities within the Far North District by operating, maintaining, repairing, developing and facilitating the use and enjoyment of the Cycle Trail as a recreational facility for cyclists and walkers.

The Pou Herenga Tai Twin Coast Cycle Trail is one of 23 great bike rides in New Zealand.

Usage continues to grow with just short of 112,000 trail users across all sections of the cycle trail for the 12-months ending May 2019.

DISCUSSION AND NEXT STEPS

Attached is a copy of the 2018/19 Annual Report for the Pou Herenga Tai Twin Coast Cycle Trail Trust

This report is provided for information only.

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

N/A

ATTACHMENTS

1. Pou Herenga Tai Twin Cost Cycle Trail Annual Report 18-19 - A2786273 [↓](#) 

Annual Report 1 July 2018 – 30 June 2019

Pou Herenga Tai Twin Coast Cycle Trail Trust



Cover photograph: Opua section
Photo credit: Ruth Lawson Photography

Published by:
Pou Herenga Tai Twin Coast Cycle Trail Trust
68 Broadway, Kaikohe

Pou Herenga Tai Twin Coast Cycle Trail Annual Report 2018-2019

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Foreword from the Chair

E ngā mana, e ngā reo, e ngā kai kōkiri o
ngā tini kaupapa o te Tai Tokerau whānui.
Tēnei ka mihi.

E rere ana ngā mihi ki ngā tini mate kua
ngaro atu i te tirohanga kanohi, haere,
haere, okioki atu rā ki te pūtahitanga o
Rehua.

Tātou te hunga ora, e korikori tonu ana.
Tēnā ko koutou, tēnā tātou.



Nicole Anderson
Chair
Pou Herenga Tai Twin Coast Cycle Trail
Trust

We face so many challenges in our busy lives here in Tai Tokerau finding a balance between things like, community and work, this can sometimes seem a little out of reach. I acknowledge the trustees and the communities you represent who take part in the work associated with the Pou Herenga Tai Twin Coast Cycle Trail (Pou Herenga Tai).

Pou Herenga Tai is one of the 23 great bike rides in New Zealand. The Central Government initiative to stimulate regional growth, economic development, tourism and employment gave rise to Council to submit a business case for central government funding to construct the cycle trail. The total length of Pou Herenga Tai construction is approximately 84km (with an additional 3km sharing the road between Horeke and Mangungu Mission Station).

Pou Herenga Tai is – and will continue to have a significant impact on the local economy, create employment in the district, business and recreation opportunities and showcase the Far North culture across the district.

The primary objectives of the Trust are:

- To create jobs through the design, construction and maintenance of the cycle trail network;
- To create a high-quality tourism destination and provide on-going employment and economic development opportunities for the regional economies; and
- To maximise the range of complementary benefits that the cycle trail provides to a wide range of New Zealanders. This includes events, recreation, health and other benefits.

This year, I am proud to note that we are seeing an increasing number of trail users and this is evident from the trail counter data. Trail users are here to walk and ride our trail, visit our sights, and sample our hospitality.

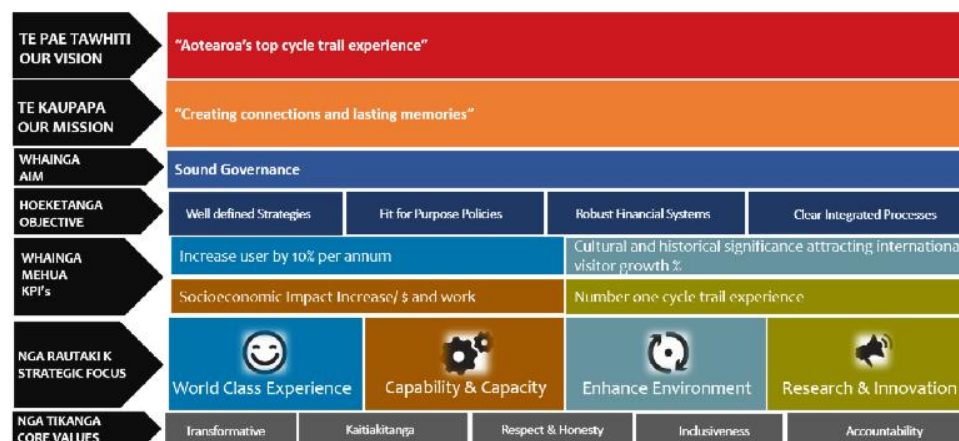


Back row: Murray Armstrong, Hirini Tau, John Law, Blue Newport, Nicole Anderson, Snow Harrison, Dawson Joyce, Kim Wares (Trustees)

Front row: Adrienne Tari (GM), Hon John Carter (Mayor), Vicki Begbie (FNDC), Frank Leadley, Raemon Parkinson (Trustees)

The Board has developed a purpose, vision, values and overarching goals for the Trust. These are detailed below:

Pou Herenga Tai: STRATEGIC FRAMEWORK 2019/2020



The Trust established an office on Broadway, Kaikohe in 2018, creating an opportunity to employ staff and build internal capacity for the Trust.

I look forward to working with our Board of Trustees and developing future opportunities for Pou Herenga Tai and the adjacent communities and the Far North. As the Chair, I support the trail and building empathy toward its preservation and sustainability for future generations to enjoy.

This month (June 2019) is the end of the first financial year for the Trust. It's been an exciting and busy time. A highlight has been working with other Trustees who share the same vision for the trail and work tirelessly to improve, promote and sustain Pou Herenga Tai – in a voluntary capacity. As Trustees we are committed to talking about the challenges and finding solutions.

It has been a pleasure working alongside Official Partners, hapū, community and all of our key stakeholders.

Lastly, I'm sure I speak on behalf of our trustees in acknowledging our operational staff who have gone 'over and above' to ensure we continue to improve Pou Herenga Tai Twin Coast Cycle Trail for all to enjoy. We have been blessed with the high calibre of staff who have been attracted to work for Pou Herenga Tai.

Nga Mihi

Nicole Anderson

Chair

Pou Herenga Tai Twin Coast Cycle Trail Trust

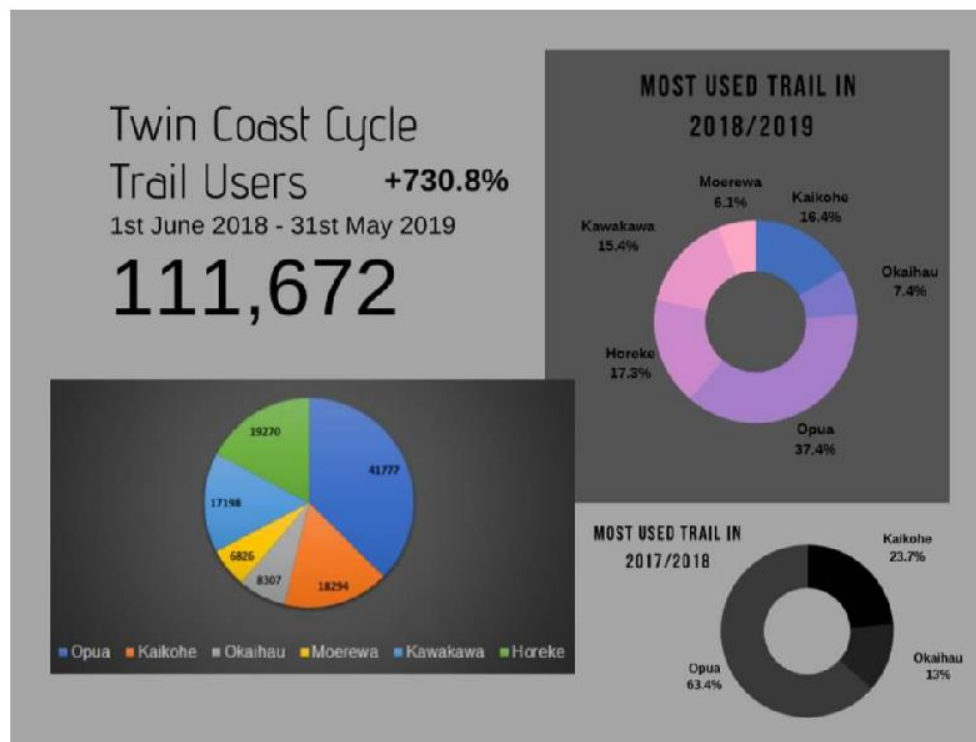
Official Partners:

39 Gillies St Cafe
Admirals View Lodge & Motel
Adventure Puketi
Awesome Adventures Hokianga Limited
Bay of Islands Vintage Railway Trust
Bunky On The Ridge
Charlottes Kitchen
Cophthorne Hotel & Resort Hokianga
Duke Motel
Duke of Marlborough Business Limited
Flying Kiwi Parasail
Heritage New Zealand Clendon House Rarere
Heritage New Zealand Mangungu Mission Station
Heritage New Zealand Te Waimate Mission House
Heritage New Zealand Kerikeri Mission Station
Heritage New Zealand Pompallier Mission
Hokianga Shuttles Ltd
Horeke Hotel
Horeke Tavern
Left Bank Ltd
Macadamia Plantation of New Zealand (Lykho & Co Ltd)
Mapworks (Great Rides App)
Marina Cove Limited
Mulga Bill's Stopover
Northland Experiences Ltd
Northland Firehouse Museum
Okaihau Rail Stay
Paheke Boutique Lodge
Paihia Mountain Bikes
Parahirahi Ngawha Waiariki Trust (Official Partner Account)
Passion8
Pigeon's Rest
Pioneer Village

Ranui on Hokianga
 Riverhead Guesthouse
 Stone Store Lodge
 Swiss Chalet Lodge Motel
 Tangatapu Trails
 Tauhara Luxury Apartment
 Te Rito Marae
 The Heads Omapere
 Twin Coast Adventures Ltd
 Twin Coast Cycle Transport
 Wairere Boulders
 Waitangi Mountain Bike Park
 Waitangi Treaty Grounds
 Kings Theatre
 Top Trail
 All Seasons Bike Hire
 Bayswater

1. Year in review

2018/19 was a busy year for the newly formed Pou Herenga Tai Twin Coast Cycle Trail Trust. Opportunities were taken to increase the profile of the Trust becoming more visible to local communities, regional tourism agencies, NZTA, NZ Cycle Trails and organisations and groups developing opportunities associated with the cycle trail.

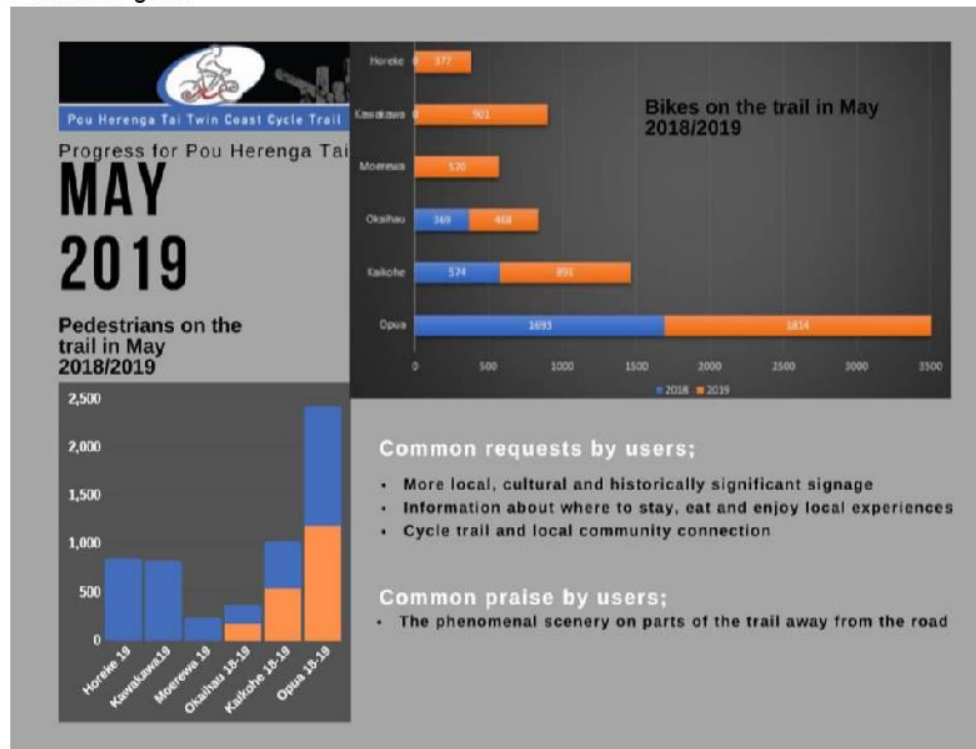


The annual trail stats for Pou Herenga Tai are recorded on eco counters located at Opua, Kawakawa, Ngapipito, Kaikohe, Okaihau and Horeke. Growth for the period 1 June 2018 to 31 May 2019 shows an increase in annual user numbers made up of cyclists and pedestrians using the cycle trail. A total of 111,672 trail users across all sections of the cycle trail have been recorded using eco counters.

The Opua - Kawakawa section is a popular section impacted by the large cruise ship market. Statistics show the Opua to Kawakawa makes up 37.4% of total numbers using the cycle trail network. The annual user numbers for all sections are noted below:

Opua: 41,777
Kawakawa: 17,198
Moerewa: 6,826
Kaikohe: 18,294
Okaihau: 8,307
Horeke: 19,270

Comparing Pou Herenga Tai to other Great Rides there is potential for trail user numbers to continue to grow.



When comparing pedestrian and cyclist user numbers over the last year, the cycle trail has shown an increase in pedestrian numbers in Okaihau, Kaikohe and Opua. In regard to cyclists, there has been an increase in cyclist numbers across all sections of the cycle trail.

The Trust is focused on making trail improvements which aim to enhance the overall cycle trail experience from “good” to “great”. These have included 2.2m wide concrete pathways across the whole of trail network allowing cyclists to ride steeper slopes or provide flood resilience to sections of the cycle trail ie. Taumarere to Kawakawa. Other enhancements have included updating welcome signs, seating, interpretation panels, squeeze bars etc.

Relationship building is seen as a priority for the Pou Herenga Tai Twin Coast Cycle Trail Trust, without this, any efforts to develop, extend, enhance and improve the overall experience across the cycle trail would be extremely difficult.

None of the above interactions would have taken place without the Trustees in each section connecting with stakeholders to further engage and progress opportunities.

All the work undertaken in 2018/19 has laid a sound foundation to build on the future.

The Trustees include:

The cycle trail has 7 sections represented by two trustees each and an additional two Council Appointed trustees. The trustees and geographic areas are listed below:

Opua – Taumarere

Brian Hepburn/Frank Leadley

Taumarere - Waipuna

Pita Tipene / Walton Davis

Waipuna - Rakautao

Murray Armstrong / Raemon Parkinson

Rakautao - Lake Omapere

Hirini Tau / Nicole Anderson (Chair)

Lake Omapere - Okaihau

Blue Newport (Deputy Chair) / Hone Mihaka

Okaihau – Utakura

Snow Harrison / Neville Lewis

Utakura – Horeke

Dawson Joyce / Kim Wares

Council Appointed Trustees

Anton Haagh / John Law (Treasurer)

Trustees are appointed by their communities/Council for a period of two years. When cycle trail extensions occur at both ends of the trail, new trustees will be appointed to represent any additional sections.

The Trust would like to acknowledge the work of Rubina Tautari particularly with her work on health and safety. Rubina resigned on 26 February 2019 due to work commitments and has been replaced by Pita Tipene.

2. 2018/19 Service Level Agreement with Council

In developing its Annual Work Plan for the 2018/19 FY the Trust weighed up its obligations carefully and accepted that it could not achieve everything in 2018/19 but was committed to prioritising its programme within the allocated budget.

The Trust confirms its obligations under the Service Level Agreement with Far North District Council and has reports annually on key performance indicators.

Singularly and collectively, the Trustees continue to increase the profile of the Board by proactively engaging with Iwi/Hapu/Communities adjacent to the cycle trail with the guidance and counsel of its Trustees.

3. Part A: ANNUAL WORK PLAN

3.1 Leadership, Strategy and Policy

3.1.1 Trust objective

Develop Leadership, Strategy and Policy to support organization structure and budget

3.1.2 2018-19 Update

- Review and develop 3 to 10 Year Strategic Vision and Plan, Annual Business Plan with supporting organization structure and budget;
- Review of Marketing Plan and Development of prioritized marketing and communications actions – web presence, official partnership programme

3.1.3 Planned activities for 2019-20

- Review 3 to 10 Year Strategic Vision and Plan (January 2020);
- Review Marketing Plan and Development of prioritised marketing and communications actions – web presence, official partnership programme (October 2019);
- Local Governance advocacy and relationship (ongoing);
- Develop Takiwa and community relationships (ongoing);
- Foundation process development (ongoing);
- Draft and implement fit for purpose policies (x2 policies each month);
- Develop a Permitted Activity Status Corridor for the cycle trail (June 2019-21).

3.2 Management

3.2.1 Trust objective

Set up management and administration of the Trust including tax, Charities Commission compliance and all other statutory compliance and reporting

3.2.2 2018-19 Update

- Set up legal and administration structure for a commercial enterprise whilst retaining a charitable status, IRD and Charities Commission compliance
- Policy – procurement, health and safety – users of the trail, contractors and staff, volunteers.
- Establish banking and insurance requirements.

3.2.3 Planned activities 2019-20

- Review Trust Deed. Forward to FNDC for sign off (August 2019);
- Audited Accounts completed for the 2018-19 FY end. (September 2019);
- Drawdown Operation Grant for 19/20 FY.

3.3 Maintenance / Asset Management

3.3.1 Trust objective

*PHTTCCTT to manage the Cycle Trail –
Input into the Asset Management, Maintenance Programme, and Renewal Programme;
Assist with the implementation of major capital works projects including construction of new sections of the trail.
Operational oversight to implement repairs and maintenance and construction of minor capital works in line with the Asset Management, Programme, Maintenance Programme and Renewal Programme (as applicable).*

3.3.2 2018-19 Update

- Review maintenance across trail network. (August 2018);
- Schedule re-surfacing and water tabling (May-June 2018);
- Warrant of Fitness Inspection scheduled (July 2019);
- Audit and Safety Plan completed (May 2019);
- Funding proposal for pump track submitted to FNDC “Unbudgeted Expenditure” (June 2019);
- Apply to DOC Community fund (March 2019).

3.3.3 Planned activities 2019-20

- Review and update Maintenance Plan (August 2019);
- Develop with FNDC 3, 10- and 30-year asset management plan for maintenance, renewals and further development of the trail that aligns to 10 Year Cycle Trail Strategic Plan; (January 2020);
- Schedule annual routine inspections for structures across trail network. (September 2019);
- Schedule audit inspections (August, October December 2019 and February, April, June 2020);
- Schedule re-surfacing and water tabling (October, November 2019);
- Schedule weed management (August, November 2019 and January, April 2020);
- Make application to the Nga Haerenga NZCT - MGR Round 11 for trail improvements (August 2019);
- Meet with FNDC - Recommend inclusion of Opua to Paihia, Waitangi to Kerikeri and Waoku Coach Road (Hokianga Connection) links into the LTP as identified in the Northland Integrated Cycling Implementation Plan (September 2019).

3.4 Marketing and Promotion of the Cycle Trail

3.4.1 Trust objective

Manage marketing and promotion of the Trust and Cycle Trail

3.4.2 2018-19 Update

- Implement Official Partner Programme (August 2018)

- Marketing Plan signed off by Trustees;
- Marketing and Promotion contract awarded to BBM for 1 year (October 2018).

3.4.3 Planned activities 2019-20

- Undertake review of Marketing Plan - develop prioritised marketing and communications actions – web presence, official partnership programme (December 2019);
- Align Trust lead initiatives and enhancements with marketing campaigns (ongoing);
- Implement strong avenues to develop partner/customer relationships (ongoing);
- Renegotiate Marketing & Promotion contract (October 2019).

3.5 Transparency

3.5.1 Trust objective

Bi-annual reporting to Council

3.5.2 2018-19 Update

- Trust meets with Council staff on a regular basis (as and when required);
- Trust provides copies of Trust meeting minutes to FNDC.

3.5.3 Planned activities 2019-20

- Copy of audited accounts provided to Council (September 2019);
- Trust presenting to Council on financials, performance and progress (November 2019).

3.6 Commercial Growth

3.6.1 Trust objective

PHTTCCTT to attract one event per quarter where a concession / commission is earned

3.6.2 2018-19 Update

- Te Rima Multisport Event secured. (October 2018)
- Annual Okaihau-Kaikohe Traverse (community event) – no concession charged. (September 2018)

3.6.3 Planned activities 2019-20

- Te Rima Multisport Event secured. (November 2019);
- NZ Defence Force Event secured. (September 2019);
- Annual Okaihau-Kaikohe Traverse (community event) – no concession charged. (September 2019).

3.7 Compliance, Business and Finance

3.7.1 Trust objective

Appoint independent legal advisors and independent auditors

Appoint Technology (ICT) to support Trust operations and review procurement of services, software and hardware

Develop Risk Management Policy and Framework, and implement

Procure systems to manage payment of goods and services and salaries

Develop business case framework for replacement/further development and funding applications to support operational and capital expenditure

Develop Health and Safety policy, reporting systems and compliance

3.7.2 2018-19 Update

- Appoint McLeod's Lawyers to provide independent legal advice (February 2018);
- Appoint EQ8 to prepare Annual Audited Accounts (January 2019);
- Appoint BOI Computers (ICT support software and hardware) (August 2018);
- Set up Xero financial systems to manage payment of goods and services (August 2018);
- Set up Smart Payroll to manage payroll for staff (August 2018);
- Council RFS ("request for service") requests forwarded onto Trust via email.

3.7.3 Planned activities 2019-20

- Funding application submitted to Foundation North/Tindall Foundation (August 2019);
- Funding application submitted to MBIE re: MGR improvements (August 2019);
- Develop Health & Safety Policy and systems (January 2020);
- Develop Risk Management Policy and Framework and implement (January 2020);
- Development of business case framework for replacement/further development and funding applications to support operational and capital expenditure. (ongoing)

3.8 Customer Services / Operations

3.8.1 Trust objective

Transition of request for service ("RFS") responsibilities to the Trust with documentation to support processes

Provision of quality visitor experience and attraction for trail users

Establish building, planning and small business set up information and advice links

Transition of the management of maintenance contracts from FNDC

Link with Building, Planning, Economic and Community Development and Asset Management Departments at FNDC

3.8.2 2018-19 Update

- Develop Experience Development Plan for Cycle Trail (December 2018).

3.8.3 Planned activities 2019-20

- Develop plan to transition RFS responsibilities across to Trust with documentation to support process (December 2019);
- Develop 3 year Operational Plan;
- Review Experience Development Plan (January 2020);
- Develop small business set up info. and advice links (ongoing).

3.9 Community and Strategic Relationships

3.9.1 Trust objective

Work with community, business and iwi to attract business and product development to compliment the Trail experience

Te Tiriti O Waitangi recognised

Effective relationships with Funders, NZTA, Council, (NRC), Lotteries and other Council's in the NZCT network

Effective relationships with central government (MBIE)

3.9.2 2018-19 Update

- Develop Marae Stay opportunities (December 2018);
- Support business development for new ventures;
- Construction of Ngapipito Road gap – (ongoing discussions).

3.9.3 Planned activities 2019-20

- Partner with Ministry of Primary Industries ("MPI") and QRC Taitokerau Resort College to deliver Food Safety and Kiwi Host Training for marae and community groups (October 2019 and November 2019);
- Secure funding from TPK to support delivery of Kiwi Host Training (September 2019).

3.10 Financial Performance and Position

The Trust appointed EQ8 Accounting Ltd to prepare its audited accounts for the year ended 30 June 2019.

The financial statements of the Trust on pages 16 to 19 comprise the entity information, statement of service performance, statement of financial position, statement of financial performance and statement of cash flows for the year.

In EQ8's opinion:

The financial statements of the Trust present fairly, in all material respects:

- Its financial position as at 30 June 2019;
- Its financial performance and cash flows for the year ended on that date; and
- Comply with generally accepted accounting practice in New Zealand in accordance with Accounting Reporting Standards.

3.10.1 Entity Information

Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust Entity Information For the Year Ended 30 June 2019

Legal information

Legal name of entity:	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust
Other name of entity:	Pou Herenga Tai Twin Coast Cycle Trail Trust
Type of entity:	Charity
Legal basis of entity:	Registered Charity
Charities registration number:	CC55663

Entity's purpose or mission

Creating connections and lasting memories and to become Aotearoa's top cycle trail experience.

Entity structure

There are 14 trustees elected by communities adjacent to the trail and two appointed by the Far North District Council, and three paid staff.

Main sources of the entity's cash and resources

Our main source of funding comes through an annual operational grant from the Far North District Council. Official Partner Programme.
Events run by community & youth programs held on the cycle trail pay a concession per participant.

Main methods used to raise funds

Third party events held on the Cycle Trail pay a concession per participant.

Reliance on volunteers and donated goods or services

Our governing body is made up of volunteers.

Contact type

Physical Address
Postal Address
Phone
Website
Facebook

Details

68 Broadway, Kaikohe 0405
PO Box 487, Kaikohe 0440
09 2835520
<https://www.twincoastcycletrail.kiwi.nz/>
facebook.com/Twincoast/

Trustees

Nicole Anderson
Raemon Parkinson
Dawson Joyce
Neville Lewis
Sidney Tau (Hirini)

Robert Newport (Blue)
Murray Armstrong
Brian Hepburn
Anton Haagh
Walton Davis

John Law
John Wares (Kim)
Frank Leadley
Harry Harrison (Snow)
Rubina Tautari

Date of formation

7th August 2018

Auditors

Adele M Maraki
Kaikohe

Bankers

ASB Bank
Kerikeri

3.10.2 Statement of Service Performance

Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust Statement of Service Performance For the Year Ended 30 June 2019

Outcomes

Primary objectives are to create jobs through the design, construction and maintenance of the cycle trail network. To create a high-quality tourism destination and provide on-going employment and economic development opportunities for the regional economies; and to maximise the range of complementary benefits that the cycle trail provides to a wide range of New Zealanders. This includes events, recreation, health and other benefits.

Outputs and measures

Market and promotion of the Trail,
Increase the number of official partners
by a minimum of 10% year on year
Positive feedback from trail users
measured through survey
Increase overall usage of the trail by
10per cent year on year

Actual this year

49

Actual last year

0

3.10.3 Statement of Financial Performance

**Pou Herenga Tai Twin Coast Cycle Trail
Charitable Trust
Statement of Financial Performance
For the Year Ended 30 June 2019**

	<i>Note</i>	2019 \$
Revenue		
Fundraising, grants and donations	1.1	1,000
Fees, subscriptions and other revenue from members	1.2	13,834
Revenue from providing goods or services	1.3	480,000
Interest, dividends and other investment revenue	1.4	35
Total revenue		494,869
Expenses		
Volunteer and employee related costs	2.1	103,893
Administration and overhead costs	2.2	211,705
Other expenses	2.3	7,969
Total expenses		323,567
Surplus		171,302

3.10.4 Statement of Financial Position

**Pou Herenga Tai Twin Coast Cycle Trail
Charitable Trust
Statement of Financial Position
As at 30 June 2019**

	<i>Note</i>	2019 \$
ASSETS		
Current Assets		
Bank accounts and cash	3.1	175,068
Debtors and prepayments	3.2	8,075
Total current assets		183,143
Non-Current Assets		
Property, plant and equipment	4.	3,916
Total non-current assets		3,916
Total assets		187,059
LIABILITIES		
Current Liabilities		
Creditors and accrued expenses	3.3	15,757
Total liabilities		15,757
Net Assets		171,302
ACCUMULATED FUNDS		
Accumulated surplus/(deficit)		171,302
Total Accumulated Funds	5.	171,302

3.10.5 Statement of Cash Flows

**Pou Herenga Tai Twin Coast Cycle Trail
Charitable Trust
Statement of Cash Flows
For the Year Ended 30 June 2019**

	2019
	\$
Cash flows from operating activities	
Cash Was Received From:	
Donations, grants, fundraising and other similar receipts	294
Fees, subscriptions and other receipts from members	13,834
Receipts from providing goods or services	480,000
Interest, dividends and other investment receipts	35
	494,163
Cash Was Applied To:	
Payments to suppliers and employees	306,662
Net G.S.T. paid	6,169
	312,831
Net cash flows from operating activities	181,332
Cash flows from investing and financing activities	
Cash Was Applied To:	
Payments to acquire property, plant and equipment	6,264
Net cash flows from investing and financing activities	(6,264)
Net increase in cash	175,068
Reconciliation	
Opening cash	-
Increase in bank accounts and cash	175,068
Closing Cash	175,068
<i>This is represented by:</i>	
Bank Accounts And Cash At 30 June 2019	175,068

4. Part B: EXPLANATORY NOTES

4.1 Permitted Activity Status Corridor

The Trust have engaged Barker & Associates to develop a special zoning overlay for the cycle trail. It is envisaged the overlay will have special exemptions and rules which align to the National Planning Standards and will make it less inhibitive for small business enterprise wishing to establish services for cyclists along the cycle trail.

The Trust (through its Planner) is working with FNDC policy staff to work jointly on this piece of work to ensure there is a collaborative approach to address issues.

If successful, this zoning overlay has the potential to roll out to other cycle trail trusts who also have local government as a key stakeholder.

4.2 Maintaining the Great Rides Fund

Safety enhancements funded through the Maintaining the Great Rides ("MGR") Fund in the 2018-19 year included:

Concrete pathways, squeeze bars, interpretation panels, seats, pou installation and signage.

4.3 Experience Development Plan

The Experience Development Plan has been a collaboration of the Trust, FNDC, Blah Blah Marketing, Northland Inc, Quality Tourism and New Zealand Cycle Trails. A busy couple of days in June 2018 was spent researching data which was used to create an Experience Development Plan for Pou Herenga Tai Twin Coast Cycle Trail.

The purpose of this plan is to outline and coordinate the development opportunities associated with Pou Herenga Tai Twin Coast Cycle Trail over the next 3-5 years. The implementation of the Visitor Experience Development Plan sits primarily with Pou Herenga Tai Twin Coast Cycle Trail Trust. The plan is designed to encourage businesses and communities to be proactive in creating unique and valuable experiences. The Trust will work with local communities as it implements the Visitor Experience Development Plan for the benefit of the area from the Bay of Islands to the Hokianga Harbour.

This plan will ultimately encourage continued growth in visitor numbers, overnight stays, time and spend, helping to extend the tourism season and spread business across all parts of the region.

The Plan was completed in December 2018 and will be reviewed in January 2020.

4.4 Maintenance

Maintenance across the cycle trail network is ongoing and includes:
Weed management, water tabling, re-surfacing, rubbish collection, culvert clearance and installation, sign and gate replacement, fence repairs, routine structure inspections, etc.

Maintenance photos (examples of maintenance completed):

		
<p>Eradication of prickly bush encroaching across cycle trail (2 Ponga Park, Okaihau)</p>		
<p><u>Resurfacing</u></p>		
		
<p>Maintenance and resurfacing works – zig zag near Utakura Valley</p>		
		
<p>Water tabling along the stop bank at Horeke</p>		

4.5 Official Partner Programme

NZCT's Official Partner Programme provide services relating to cycling and cycle tourism across the cycle trail network. To become an Official Partner, the business operator must meet and maintain cycle-friendly standards which are set by the NZCT.

The Official Partner Application Form is circulated to current and new operators.

The target no. for Official Partners in the FY 2018-19 was 45. This has been achieved.

4.6 Development of Marae Stay Opportunities for the Cycle Trail

The Trust are supporting the development of marae stay opportunities allowing hapu the ability to host cyclists (manuhiri) riding along the cycle trail and provide future sustainability for marae.

As the lead agency Ministry of Primary Industries (MPI) in conjunction with Far North District Council, QRC Taitokerau and Northland Inc. are developing a training programme to cover food safety, compliance, kiwi host and business mentoring. There is also a potential for the Northland DHB to support water testing for marae. Planning for this initiative started in March 2019 and the first wananga will be delivered in November 2019 at Te Rito Marae.

4.7 Permanent route – Taumarere to Opuia

Bay of Islands Vintage Railway Trust, FNDC, FNHL, local hapū and Pou Herenga Tai Twin Coast Cycle Trail Trust have established a Special Purpose Company – Northern Adventure Experience Ltd ("NAX") for the express purpose of:

- Approving and coordinating the application to the PGF; and
- Managing the construction of the permanent cycleway and the restoration of the railway line between Long Bridge and Opuia.

John Law and Pita Tipene have been appointed (as Directors to the NAX Board) to represent the interests of the cycle trail and iwi. Far North Holdings Ltd will manage the railway/cycleway construction.

4.9 Northland Integrated Cycling Implementation Plan

The Trust have prioritised and prepared scoping briefs for two projects from the many in the 10year extension and enhancement Plan for the Great Ride. Opuia to Paihia and Waitangi to Kerikeri. These have been provided to Far North District Council for LTP consideration.

Coastal Walking Track – The Trust have submitted a scoping brief to FNDC. There is no feasible safe SH11 roadside cycle path between Opuia and Paihia and Aucks road is preferred route.

Coastal track would be an upgrade but un-cycleable, requiring steps on many sections. Cyclists and walkers generally don't mix on narrow pathways.

Much of the land is in private ownership. Access agreements / easements need to be pursued to secure endearing public access, especially if ratepayers are being asked to fund 33% \$324K. Need to confirm NZTA subsidy. The grades dictate this will not

be a Great Ride and won't be eligible for National Cycling Enhancements and Extensions fund. Hapu and stakeholder consultation required.

Waitangi to Kerikeri – The Trust have submitted a scoping brief to FNDC. It would be an independent link between key destinations. A grade 2-3 cycling experience to connect residents and visitors. It will also traverse through a section of the Waitangi Mountain Bike Park. MBIE are unlikely to fund this link through the Great Ride Enhancement and Extension Fund as there is no existing connection to Opuia. However, if a water connection was established this would close the gap and extend the Great Ride.

The Trust will continue to review and update the 10 Year Plan (jointly with FNDC) to accommodate cycle trail extensions, to be included in the Long Term Plan.

4.10 Health & Safety

The Trust engaged Pete Litchfield (Tech NZISM) of Cube Health & Safety to undertake a full Audit Inspection, preparation of a Health & Safety Plan and Risk Register for the Trust.

NZ Cycle Trail's also completed a Warrant of Fitness of the cycle trail in July 2019.

5. Conclusion

The Pou Herenga Tai Twin Coast Cycle Trail Trustees have put in an enormous amount of time and effort to raise the profile of the Trust and raise key issues and concerns in 2018/19.

Individual Members in their respective sections have proactively sought out opportunities to engage with as wide a section of the community as possible.

Each Board Member can be proud of the work they have undertaken this year. A key factor in the success of the Pou Herenga Tai Twin Coast Cycle Trail Trust has been the leadership of the Chair, Nicole Anderson more than ably supported by the Deputy Chair, Blue Newport and Treasurer, John Law.

The role model that the Chair and Deputy Chair have provided has energised the individual Board Members and, as a result, the Board has been seen throughout New Zealand as a key player in the Great Rides.

There is still work to complete to ensure that the Trust's role and purpose is understood by our community. However, the Trust has come a long way from inception to a fully active cycle trail Trust.

The success of the Trust can also be attributed to the fellowship and camaraderie that has been developed in the current membership. This has had a significant impact on the ability of Members to work together effectively across the cycle trail. The obvious friendship between Trustees has been instrumental in drawing attention to the Trust and, in turn, to the issues advocated by the Trust.

It has been a privilege and a pleasure to serve and support the Trust over the last year.



Adrienne Tari
General Manager

6 DISTRICT SERVICES GROUP

8.1 DISTRICT LICENSING COMMITTEE

File Number: A2784865

Author: Darren Edwards, Manager Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

PURPOSE OF THE REPORT

To inform Council of its statutory requirement to have a District Licensing Committee (DLC).

EXECUTIVE SUMMARY

- The current DLC's contracts expired on 18 December 2019.
- Council approval is required to review and renew these contracts for a three-year term to December 2022 with a right of renewal for an additional three-year term to December 2025 if considered appropriate.
- The Council currently has a pool of DLC members, including two elected members, with Councillor Ann Court appointed as the DLC Chairperson.
- The current Council needs to confirm these appointments.

RECOMMENDATION

- a) **That Council appoint Cr Ann Court as Chair of the District Licensing Committee;**
and
- b) **The remaining Committee members become the pool from which the Chairperson allocates 2 members to attend District Licensing Committee hearings as required.**

1) BACKGROUND

While there are some discretionary activities allocated to District Councils under the Sale and Supply of Alcohol Act 2012 such as developing a Local Alcohol Policy, the requirement to have a District Licensing Committee (DLC) is mandatory.

Currently, Council has a District Licensing Committee (DLC) which considers all licence applications and all managers' certificate applications. This committee was established in 2013 to meet the requirements of the new Sale and Supply of Alcohol Act 2012.

The DLC's current contracts are due to expire on 18 December 2019.

2) DISCUSSION AND OPTIONS

Council is required to have a District Licensing Committee (DLC) to make decisions on all licences and managers certificates. The DLC is responsible for considering:

- all licence applications and renewals, regardless of whether they are contested or uncontested
- all managers certificate applications and renewals, regardless of whether they are contested or uncontested enforcement applications relating to licence suspensions for non-compliance with public health or fire precaution requirements.

A DLC must be made up of (Quorum of three):

- a chairperson who is an elected member of the territorial authority, or a commissioner appointed to the DLC by the territorial authority
- two committee members

The chair must be either an elected member or a commissioner. A commissioner is not defined but the Council may only appoint a person as a commissioner if that person is of good standing in the community and has the necessary knowledge, skill, and experience relating to matters that are likely to come before the committee. It is not to be confused with the role of commissioners under the RMA, but that is not to say that the appropriate expertise cannot reside with an existing RMA Commissioner.

Council's current Chair and committee members are:

- Ann Court – (Deputy Mayor) Chair
- Kelly Stratford (Councilor) – Deputy Chair
- Martin MacPherson - Member
- Stuart Wright - Member
- Kirsty Parsonson – Member

The following are new members to be added to the committee:

- Murray Clearwater – Member
- Michael David - Member

All the above with the exception of Michael David have attended a training workshop in Whangarei and/or subsequent training run by Local Government NZ (LGNZ) on roles and responsibilities.

Composition of the DLC

Option 1: (Preferred option)

The DLC is made up of a Chair and two members when conducting any hearings. The current Chair is an Elected Member, as much of the duty of the Chair is to make and write the decisions on uncontested applications for Licences, which does not require the full DLC to meet.

It is expedient that the Chair is an Elected Member as part of their normal commitments for Council/Committee meetings as they are much more accessible to the DLC Administrator.

Option 2:

As an alternative, Council can appoint a Commissioner as Chair. The Commissioner will be responsible for making decisions regarding uncontested applications for licences as well as chairing the hearings and writing the decisions.

This would require that Council advertise the role for expressions of interest in accordance with the Ministry of Justice guidelines. Council would then be required to confirm a Commissioner as Chair and select the committee members.

Based on expediency and accessibility it is recommended that Councillor Ann Court remain as the DLC Chair and that:

1. The remaining members become the pool from which the Chair can choose 2 members for a hearing based on the skills required; or
2. Council appoints the 2 Committee members (who would also be Reserve Chairs) and the remaining 2 are retained in the pool for contingencies.

Relevant Legislation

The legislation relevant to this discussion from the **Sale and Supply of Alcohol Act 2012** is listed below

Section 189 - Composition of licensing committees

- (1) Each licensing committee consists of 3 members appointed by the territorial authority for that territorial authority's district.
- (2) A territorial authority must appoint 1 member as the chairperson and that person must be a member of that territorial authority or a commissioner appointed to the licensing committee.
- (3) A territorial authority may appoint a member of that territorial authority to be deputy chairperson, and act in place of the chairperson if the chairperson is unable to act because of illness or absence from New Zealand, or for other sufficient reason.
- (4) While acting in place of the chairperson, the deputy chairperson is a member of the committee and has all the powers and duties of the chairperson.
- (5) No act done by the deputy chairperson serving as acting chairperson in the chairperson's absence, and no acts done by the committee while the deputy chairperson is so serving, can in any proceedings be questioned on the ground that the occasion for his or her so serving had not arisen or had ceased.
- (6) The other 2 members of each licensing committee must be appointed from the territorial authority's list maintained under section 192.
- (7) For the purposes of subsection (2), a member of a territorial authority means an elected member of a territorial authority and, in relation to the Auckland Council, includes a member of the governing body (as defined in section 4 of the Local Government (Auckland Council) Act 2009) or a member of a local board established under section 10 of that Act.

Section 192 - Establishing a List

Territorial authority to establish and maintain list of licensing committee's members

- (1) A territorial authority must either:
 - (a) establish, maintain, and publish its own list of persons approved to be members of the territorial authority's licensing committee or committees; or
 - (b) together with 1 or more other territorial authorities, establish, maintain, and publish a combined list of persons jointly approved by those authorities to be members of the territorial authorities' licensing committees.
- (2) A territorial authority must not approve a person to be included on the list unless that person has experience relevant to alcohol licensing matters.
- (3) A person may be approved for inclusion on the list for a period of up to 5 years and may be approved for any 1 or more further periods of up to 5 years.
- (4) The name of a person must be removed from the list:
 - (a) when 5 years have elapsed since the territorial authority approved the person's name on the list unless the approval is renewed under subsection (3); or
 - (b) if the person resigns or is removed under section 194.
- (5) A person must not be included on the list if:
 - (a) the territorial authority believes that person has, directly or by virtue of his or her relationship with another person, such an involvement or appearance of involvement with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias; or
 - (b) the person is a constable, a Medical Officer of Health, an inspector, or an employee of the territorial authority.

Section 193 - Appointment of commissioners

- (1) The chief executive of a territorial authority may, on the recommendation of the territorial authority, appoint a commissioner or commissioners to any of the territorial authority's

licensing committees and any person so appointed has all the functions, powers, and duties of the chairperson of the licensing committee.

- (2) The chief executive may only appoint a person as a commissioner if that person is of good standing in the community and has the necessary knowledge, skill, and experience relating to matters that are likely to come before the committee.
- (3) A person must not be appointed as a commissioner if—
 - (a) the territorial authority believes that person has, directly or by virtue of his or her relationship with another person, such an involvement or appearance of involvement with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias; or
 - (b) the person is a constable, a Medical Officer of Health, an inspector, or an employee of the territorial authority.
- (4) A commissioner appointed under this section holds office for a term, stated when the commissioner is appointed, of up to 5 years and may be reappointed for 1 or more further periods of up to 5 years.

Reason for the recommendation

Legislation requires that Council appoint a District Licensing Committee. This report recommends that the committee comprise a DLC Chairperson and two committee members to make up the quorum of the committee.

It is a statutory requirement to have a District Licensing Committee.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The remuneration for the Chair and Committee Members has been set by the Ministry of Justice and will be offset by fees & charges which have also been set by the Ministry with minimal cost to Council.

Remuneration of DLC members

As determined by the Minister of Justice in accordance with the Cabinet fees framework, DLC members will receive the following remuneration:

- Chair: \$624 per day (\$78 per hour for part days)
- Other members: \$408 per day (\$51 per hour for part days).

DLC members will also be reimbursed for reasonable expenses.

Fee structure for the alcohol licensing:

Licensing fees are set nationally by regulation and are the same across all licensed premises, regardless of the costs and risks that an operation might create.

The fees structure is designed to:

- recover the costs of the licensing system
- allocate costs more fairly across the sector, so that those operations creating higher costs pay a greater share of fees
- provide territorial authorities (TAs) with flexibility to respond to local conditions
- establish fair and pragmatic transitional arrangements, and
- minimise alcohol-related harm to the extent that is possible and reasonable through a cost-recovery fees regime.

Regulations set default licensing fees for on-, off-, and club licences. The default fees will vary depending on the "cost/risk rating" of each premises.

Territorial authorities are able to change the default fees by making their own bylaws, however they will not be allowed to change the way cost/risk ratings are calculated for each premises.

The default fees consist of:

- an **application fee**, which licensees will have to pay when they apply for a new, renewed, or variation to a licence, and
- an **annual fee**, which must be paid by licensees each year.

Fee amounts

Cost/risk fee category	Application fee*		Annual fee	
	Total amount payable by applicant	Amount of total fee transferred to ARLA by relevant TA	Total amount payable by licensee	Amount of total fee transferred to ARLA by relevant TA
Very low	\$320 + gst	\$15 + gst	\$140 + gst	\$15 + gst
Low	\$530 + gst	\$30 + gst	\$340 + gst	\$30 + gst
Medium	\$710 +gst	\$45 + gst	\$550 + gst	\$45 + gst
High	\$890 + gst	\$75 + gst	\$900 + gst	\$75 + gst
Very high	\$1,050 + gst	\$150 + gst	\$1,250 + gst	\$150 + gst

Fees payable for other applications

Application type	Total amount payable	Amount of total fee transferred/paid to ARLA
Manager's certificate application	\$275 + gst	\$25 + gst
Temporary authority	\$258 + gst	n/a + gst
Temporary licence	\$258 + gst	n/a + gst
Appeal to ARLA	\$450 + gst	n/a (paid directly to ARLA)
Extract of register (ARLA or DLC)	\$50 + gst	\$50 of an extract is sought from the ARLA register
Permanent Club Charter (annual fee due on 30 June of each year and paid to ARLA)	\$920 + gst	\$920 + gst

ATTACHMENTS

Nil

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The District Licensing Committee is legislative requirement requiring that Council appoint and establish a committee.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District Wide / legislative requirement
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.	Legislative Requirement
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	There is budgetary provision in the 18/28 Long Term Plan and the current Annual Plan.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

7 STRATEGIC PLANNING AND POLICY GROUP

9.1 COUNCIL APPOINTMENT TO DISABILITY ACTION GROUP

File Number: A2701359

Author: Aya Morris, Community Development Advisor

Authoriser: Sheryl Gavin, Manager Corporate Planning and Community Development

PURPOSE OF THE REPORT

The purpose of the report is to give the Council the opportunity to appoint a member to the Disability Action Group.

EXECUTIVE SUMMARY

- The Disability Action Group includes a representative from Council, each of the community boards and community representatives.
- The Council can appoint a member as their delegate to the group.
- Information about the 2018-2019 operation of the group is presented as an attachment to this report.

RECOMMENDATION

That Council appoint Councillor Stratford as representative on the Disability Action Group, and Councillor Vujcich as the alternate representative.

1) BACKGROUND

The Disability Action Group is a stakeholder engagement group which was established by the Council and consists of elected members, representatives of external groups involved with people of various abilities, and people with a lived experience of disability.

In June 2013 the Council adopted Policy 3211 – Equity and Access for People with Disabilities. The Disability Action Group meets quarterly to assist the Council to meet the objectives of the policy, including building the capacity of disabled groups to take responsibility for advocating on their own behalf.

The Disability Action Group Annual Report 2018-2019 is presented as an attachment to this report in order to provide information to the Council on the operations of the group.

2) DISCUSSION AND OPTIONS

The Council can appoint one of its members to the Disability Action Group. The appointee would enable communication between the group and the board and ensure the Far North community's views are represented on the group.

Reason for the recommendation

To allow for appointment of a Council member to the Disability Action Group.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications.

ATTACHMENTS

1. **Disability Action Group Annual Report 2018-2019 - A2701375**  

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This report is 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.	Policy 3211: Equity and Access for people with Disabilities.
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 Group's activities have a district-wide relevance. Community board's views have not been sought.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	No specific relevance.
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).	Disabled.
State the financial implications and where budgetary provisions have been made to support this decision.	No financial implications.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

Disability Action Group Annual Report 2019

The Disability Action Group (DAG) works with the Far North District Council (FNDC) to advocate for a more accessible environment for Far North residents and visitors with disabilities.

This report covers the period 30 June 2018-1 July 2019 and outlines key areas of advocacy and action for the DAG during this time.

DAG structure, strategy and operation

The DAG has held quarterly meetings and an annual strategic workshop as outlined in the recently developed Terms of Reference. A speaker with a wireless microphone has increased accessibility for those attending DAG meetings.

DAG engagement with Council and Community Boards

The DAG strategic goals developed through the annual strategic workshop have been presented to Council through a DAG deputation to a Council meeting.

The DAG annual report has been presented to each of the three community boards, gaining support for the DAG request to reinstate a community board agenda item about disabilities.

DAG engagement with FNDC staff

The DAG chairperson has met directly with the FNDC CEO to discuss the work of the DAG.

The DAG has given feedback on Reserve Management Plans for Lindvart Park and Kerikeri Domain.

The DAG has made a submission on the Draft District Plan to advocate for increased accessibility across all zones.

The DAG has engaged with the FNDC Transport Planner to provide feedback on the process to create new accessible car parking spaces, to recommend new spaces, and to recommend improvements for existing spaces. DAG has advocated for increased monitoring for accessible car parking spaces.

The DAG chairperson attended a workshop about the FNDC Integrated Transport Strategy.

The DAG has provided feedback to the Strategy & Policy team regarding the future review of the Equity and Access for People with Disabilities policy.

DAG promotion

The FNDC has issued a DAG media release which generated two articles in local newspapers, been featured in a social media post on the FNDC Facebook page, and recruited new members.

Accessible transport

The DAG has engaged with a range of agencies to advocate for improvements in accessible transport. These have included Northland DHB, Northland Regional Council, FNDC, and local Members of Parliament, Matt King and Kelvin Davis. The DAG has advocated for the allocation of FNDC funding to support accessible transport through schemes such as Total Mobility.

Disability Awareness Training

The DAG has successfully advocated to FNDC to provide disability awareness training for staff in line with the Equity and Access for People with Disabilities policy. The next round of training has been scheduled for 2019.

Equity and Access

The DAG has advocated for equity and access in matters other than accessibility for people with mobility or sensory impairments. For example the DAG has advocated for the needs of people with intellectual disabilities, mental health conditions and respiratory disabilities in their work.

9.2 REVENUE REVIEW - WAY FORWARD

File Number: A2778210

Author: Sheryl Gavin, Manager Corporate Planning and Community Development

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

- Formally records progress on the Revenue Review, incorporating rates, fees and charges, development contributions; and:
- Agrees the schedule of work required to complete the review with any proposal for change taken to public consultation alongside the 2021-31 Long Term Plan (LTP).

EXECUTIVE SUMMARY

- The previous Council began a comprehensive review of revenue in 2018. The scope of the review included rates, fees and charges and development contributions.
- While the review was incomplete at the end of the last triennium, the sitting Council's preference was for the new Council to amend the 2018-28 LTP so that changes could be implemented for the 2020-21 financial year.
- On 21 November 2019 the new Council participated in its first workshop to review progress and discuss next steps.
- Elected Members debated two potential timelines and agreed to withdraw from an LTP amendment in favour of aligning the remaining work with the next LTP so that the community could be fully engaged in the process, and Council could feel confident that the resulting revenue methodologies were fit for purpose, as affordable as possible and sustainable in the short, medium and long-term.
- Running parallel to the Revenue Review was a related initiative to examine long-term asset funding practices, to determine whether changes to accounting and funding policies could have a positive impact on the affordability of rates. This work concluded prior to the local body election, and at the workshop on 21 November 2019, Elected Members expressed a desire to consult the community on a change to accounting policies, to enable the availability of funding for asset condition monitoring.
- This report formalises the agreed direction taken at the 21 November 2019 workshop.

RECOMMENDATION

That Council:

- Approve the inclusion of the Revenue Review outcomes in the 2021-31 LTP process;**
- Develop a timeline for engagement with the Community in advance of formal LTP consultation; and:**
- Confirm that consultation on changes to accounting policies for depreciation, will be undertaken for the 2020-21 Annual Plan to enable introduction of the policies from 1 July 2020.**

1) BACKGROUND

In the 2015-25 LTP, Far North District Council ('FNDC') (the sitting Council at that time), committed to a comprehensive review of rates. However, before beginning, Elected Members wanted to better understand the costs that make up the rates requirement, in particular the long-term funding

of assets. This gave rise to the Long-Term Asset Funding (LTAF) project which was completed in early 2019 to a point where Elected Members felt comfortable to continue with a rating review.

As the review got underway, Elected Members agreed to extend the scope of the review to include fees and charges, and development contributions. The initiative was subsequently renamed as the Revenue Review.

The Council at that time wished to complete sufficient work to leave preferred options on the table for the new Council to consider and implement changes for the 2020-21 financial year if they wished.

Parallel to the Revenue Review, was a related initiative to examine long-term asset funding practices, to determine whether changes to accounting and funding policies could have a positive impact on the affordability of rates.

2) DISCUSSION AND OPTIONS

The first Revenue Review workshop for the new Council was held on 21 November 2019. Progress to date was presented and potential ways forward were discussed.

Progress to date:

Rates

To date a substantial amount of work has been done on assessing and discussing the effects of potential changes to rates. Workshop discussions identified the following scenarios as being potential alternatives to the current methodology. The results of modelling these scenarios were presented to Elected Members at the workshop on 21 November 2019. Note that each scenario was modelled for land value and capital value.

Scenario 1

- Reduced commercial differential from 2.75 to 1.75.
- No change to Uniform Annual General Charge ("UAGC") (\$450 per Separately Used or Inhabitable Part ("SUIP").
- Altered stormwater targeted rate to 90% (remaining 10% included in the General Rate).
- Removal of the ward rate.
- District-wide funding of sewerage (availability remains at 60% of connected rate).
- District-wide capital funding of water supply (availability remains at 60% of connected rate).
- No change to water cubic metre charge (\$2.94).
- Disestablishment of the roading differential and roading UAGC removed.

Scenario 2

- Reduced commercial differential from 2.75 to 1.75.
- Disestablished UAGC.
- Altered stormwater targeted rate to 90% (remaining 10% included in the General Rate).
- Removal of the ward rate.
- District-wide funding of sewerage (availability remains at 60% of connected rate).
- District-wide capital funding of water supply (availability remains at 60% of connected rate).
- No change to water cubic metre charge (\$2.94).
- Disestablishment of the roading differential and roading UAGC removed.

Scenario 3

- Reduced commercial differential from 2.75 to 1.75.
- Disestablished UAGC.
- Altered stormwater targeted rate to 90% (remaining 10% included in the General Rate).
- Ward rate remains as is per ward.

- District-wide funding of sewerage (availability remains at 60% of connected rate).
- District-wide capital funding of water supply (availability remains at 60% of connected rate).
- No change to water cubic metre charge (\$2.94).
- Disestablishment of the roading differential and roading UAGC removed.

Fees & charges

Taking a user pays approach, Council activities were assessed to establish the level of private benefit for which user charges should cover. The next step is to confirm the actual cost of each activity to establish the extent to which fees could recover the cost of the activity. This work is expected to be completed by mid-2020. The final strand of this work will relate to any new charges that may be required across the activities. These are yet to be considered.

Development Contributions

Council's current Development Contributions Policy is suspended, with no charges levied on developers at present. To adopt a new policy, Council must clearly understand the geographic areas in the District where growth is likely to occur, and the infrastructure impacts that growth could generate.

Because development contributions are tightly regulated by the Local Government Act, it is important that Council adopt a policy that can be legally defended. This means that input information (growth projections, infrastructure condition and capacity) must be sound. To date growth areas have been identified and confirmed against recent Census data, but at this point in time, while condition and capacity information in those areas is underway, work to determine what the policy should cover is not scheduled to be completed before June 2020.

Long term asset funding

A part of the Long-Term Asset Funding (LTAF) work was recognising the need to accelerate Council's current programme of asset condition assessments to achieve a better level of understanding of the long-term funding options for key assets. A proposal to consult the community on amending accounting policies, to enable funding to be made available for asset condition monitoring, was therefore received positively at the 21 November 2019 workshop. There was general agreement that this should be carried out as part of the 2020-21 Annual Plan.

Potential ways forward

Local Government funding is a topic of much discussion by Central Government, and as such there are factors on the horizon that Council would be wise to let play out before putting proposals in front of our communities. At this point, Council officers are aware of the following:

- The Productivity Commission's inquiry into local government funding recommends material changes to the Rating Act, including removing differentials and the UAGC. The next report from the Commission - is due with Parliament soon.
- Parliament is currently discussing rating options for Maori Freehold Land.
- The Department of Internal Affairs recently circulated a discussion document on one of the work-streams associated with the Infrastructure Funding and Financing Review, relating to development contributions and targeted rates. Although no proposal has yet been made, we anticipate any change would force a review of the operative Development Contribution Policy, and some rating elements (e.g. removal of the 30% cap on targeted rates and volumetric charging for wastewater).

Two options were discussed by Elected Members, with an assessment of advantages and disadvantages carried out for both.

Option 1:

Implement rating changes for the 2020/21 financial year by way of an amendment to the current LTP.

To meet statutory and audit deadlines the following timeline would be necessary:

- Council decides what it wants to propose **by 12 December**
- Consultation document and supporting information developed by end of **Jan '20**
- Audit activities 3 weeks **beginning Feb '20**
- Adopt consultation document **late February '20**
- Consultation **throughout March '20**
- Hearings **mid-April '20**
- Deliberations **mid-May '20**
- Adoption **before end of June '20**
- New rates operative **1 July '20**

Elected Members concluded, that while this option enables immediate action, a decision on proposed changes is required in less than four working weeks, and there has to date, been no engagement with the community to “take the temperature” of revenue possibilities.

Option 2 - recommended

Implement rating changes for the 2021/22 financial year, by way of the development process for the 2021-31 LTP.

To meet statutory and audit deadlines the following timeline would be necessary:

- Council decides what it wants to propose' - **date to be agreed with Council**
- Staff design a comprehensive engagement programme
- Pre-engagement with the community' – **dates yet to be determined**
- Staff write a consultation document and develop supporting information **by December '20**
- Audit activities 3 weeks starting **late January '21**
- Adopt consultation document at **end February '21**
- Consultation throughout **March '21**
- Hearings **mid-April '21**
- Deliberations **mid-May '21**
- Audit 2 weeks **May/June '21**
- Adoption of LTP & new rates **before end of June '21**
- New rates and LTP operative **1 July '21**

This option allows a slower and more thorough approach, which allows for engagement with the community in a full and meaningful way. It also allows for the delayed timelines for fees and charges and development contributions to be re-aligned so that all revenue streams can be considered at the same time. The outcomes of Government initiatives are also likely to become better understood during this timeframe.

Workshop outcome

Councillors decided that community engagement is a significant priority, and agreed that option 2 would likely deliver a better result. Elected Members expressed a preference to work through revenue possibilities with the community before forming a view on what changes, if any, should be proposed and taken to formal community consultation.

Officers will now revise all plans and develop a suitable engagement campaign for the 2020 calendar year.

Reason for the recommendation

Council indicated a desire to engage with the community, and affected groups before settling on the final structure of FNDC's rates methodology, fees and charges and a new Development Contributions Policy and charges.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Any costs associated with the Revenue Review and comprehensive programme of community engagement will be assessed as part of the development of plans and an engagement campaign. Every effort will be made to provide any required funds out of existing budgets.

ATTACHMENTS

Nil

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This report has a low level of significance with regard to the criteria set out in the policy. The topic, however, is of great significance to the community, and will therefore be subjected to the highest level of engagement.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The policy on significance and engagement is the only policy relevant to this report.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This report has district-wide relevance. Community Board chairs participated in the 21 November 2019 workshop and it is assumed that they represent the views of their respective Boards.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	This decision has no specific relevance to Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Engagement activities arising from this report will be inclusive of all stakeholders for a revenue review, including all members of the public and targeted engagement with special interest groups such as the disabled, youth and aged.
State the financial implications and where budgetary provisions have been made to support this decision.	No budget provisions have been made for an extended community engagement to support the Revenue Review. Every attempt will be made to fund activities out of current budgets.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

9.3 CLIMATE CHANGE UPDATE

File Number: A2773879

Author: Chris Sargent, Team Leader - Strategy

Authoriser: Darrell Sargent, General Manager - Strategic Planning and Policy

PURPOSE OF THE REPORT

To provide a report for Council's information about Administration's progress of climate change initiatives.

EXECUTIVE SUMMARY

- This report provides a brief overview of the current initiatives in the Climate Change space across all levels of government that influence the Far North District Council's response.
- This Report is a 'for information only'. It is a precursor to the presentation of a Climate Change Road Map, being brought to Council or the appropriate committee, in April 2020.

RECOMMENDATION

That Council receive the "Climate Change Update" report

1) BACKGROUND

Te Taitokerau Climate Change Adaptation Working Group (TTCCAWG)

Far North District Council became a signatory to the New Zealand Climate Change declaration in 2017. Following a SOLGM conference on climate change and with the endorsement of the Mayoral Forum, staff of the four Northland Councils formed the Te Taitokerau Climate Change Adaptation Working Group, which has been meeting since the winter of 2018.

The Kaipara District Council is the group's sponsor, and the group is chaired by the Northland Regional Council. Group decisions are being reported through the four Northland councils, Chief Executive's Forum.

The purpose of the TTCCAG ('the group') is to develop a regionally collaborative and consistent approach to climate change adaptation planning for local government in Northland. The outcome will be a regional strategic framework for the identification of high-risk areas for the development of priority adaptation projects.

Climate Change Response (Zero Carbon) Amendment Bill

In June 2019, following the release of the Climate Change Response (Zero Carbon) Amendment Bill, Administration provided an initial paper discussing Climate Change initiatives to Council. The purpose of that paper was to inform Council of the likely consequences of the Bill on the Far North District Council as a service provider and steward, as well as the impact on our communities. Far North District Council provided a submission in support of the Climate Change Bill, *however* voiced concerns regarding:

1. the implementation of emission reduction targets and budgets;
2. the lack of a framework for the development of a National Risk Assessment and National Adaptation Plan; and,
3. the requirement to report to the Climate Change Commission.

The FNDC submission raised these points as they were seen to affect district affordability, disregard geographic differences and were unclear on how central government envisioned funding

of local government responses to the effects of climate change. The Climate Change Bill passed into law on November 13, 2019.

Strategy and Policy Projects

The June 2019 paper to Council also provided an overview of current Administration strategy and policy projects, which will provide for the effects of climate change. These include the development of Far North 2100, the review of the District Plan and the development of topical strategies and plans (such as the Asset Management Strategy, District Transportation Strategy, Reserve Management Plans, Township Growth plans and the Climate Change Road map). However, while numerous projects are in progress, in June 2019, there was no organization-wide, collaborative approach to the managing the effects of climate change. Climate change will also require greater consideration in the upcoming LTP discussions.

Critical Success Factor

In August 2019, Council resolved the Chief Executive Critical Success Factors. This included the development of Road Map to respond to climate change, being:

“Critical Success Factors for the CE – Council Climate Change road map 2020 (notwithstanding any earlier requirement to prepare for a national resilience and adaptation deadline within 2020).”

2) DISCUSSION AND OPTIONS

Te Taitokerau Climate Change Adaption Working Group (TTCCAWG)

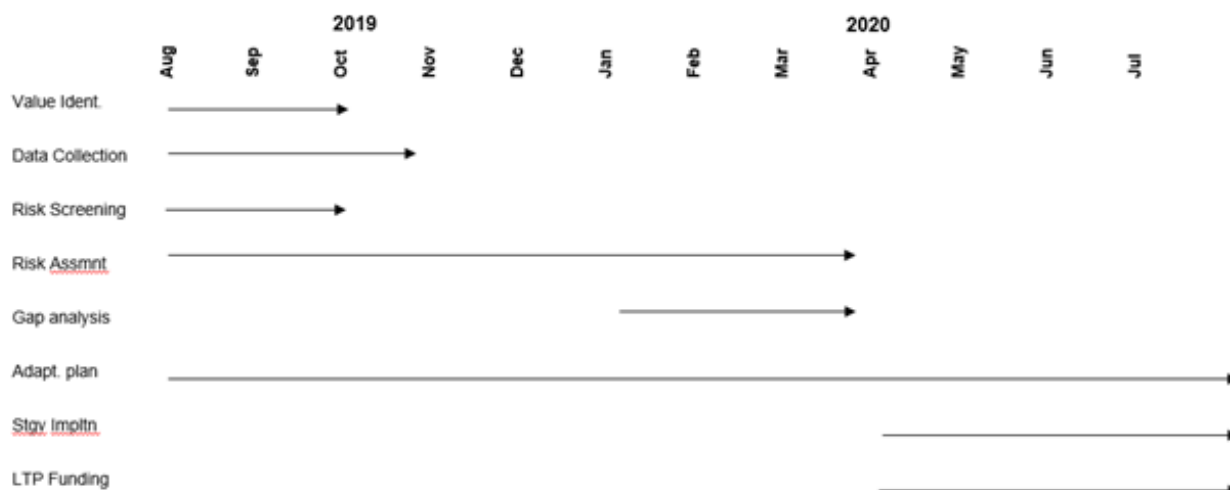
In progressing towards a regional strategic framework for the identification of high-risk areas, the group is largely following the Ministry of the Environment Guidelines on Coastal Hazard Management. A high-level work program is being developed, areas with a high susceptibility to climate change will be identified, and data sharing is occurring between the four councils.

Meetings of the TTCCAWG occur at quarterly intervals, with greater frequency suggested to enhance the flow and sharing of information. The August 2019 meeting, hosted by the Far North District Council explored the incorporation of Maori perspectives, while the November meeting was to focus on the development of a shared preliminary communication plan to provide consistent messaging as work evolves.

Creating a regionally collaborative and consistent approach, particularly as climate change effects do not respect boundaries, is considered by Administration to be beneficial to the long-term planning and development of the Far North District, with the TTCCAWG providing a beneficial opportunity for collaboration and the exchange and development of information.

Administration's involvement in the TTCCAWG allows an avenue for the Council to inform and frame the intent of the initiative, including a detailed and agreed work plan and project advisory body.

The Group's high-level work plan is presented below. This work plan focuses on value identification (what's at risk), data collection, risk screening and assessment. Data evaluation, a gap analysis and the preliminary development of a strategic framework will commence in 2020. It is anticipated that initial project priorities may be identified for inclusion into the next iteration of the Far North District Council Long Term Plan.



Climate Change Response (Zero Carbon) Amendment Act

The Climate Change Response (Zero Carbon) Amendment Bill passed its third reading on 7 November 2019 with almost unanimous support and passed into law by royal assent on 13 November 2019.

The Act establishes new greenhouse gas emissions reduction targets and budgets to reduce all greenhouse gases (except biogenic methane) to net zero by 2050. Emission targets may affect the way Local Governments use energy, manage waste, make land use decisions and, at the Council level, the way we operate (e.g. commuting). Despite this, it is expected that local authorities are most affected by the introduction of a National Climate Change Risk Assessment, the purpose of which is to assess the risks to New Zealand's economy, society, environment, and ecology from the current and future effects of climate change.

Associated with the National Risk Assessment is the development of a National Adaptation Plan. Such a plan will set out the Government's objectives for adapting to the effects of climate change; the Government's strategies, policies, and proposals for meeting those objectives; the time frames for implementation; and the measures and indicators that will enable regular monitoring of and reporting on the implementation of the strategies, policies, and proposals.

It is anticipated that regional and local adaption plans will be required to be consistent with central government objectives; while this may have an effect on the efforts of the TTCCAWG, regional and local plan may be developed in parallel based on our regionally and locally specific data and connection. The National Risk Assessment must be provided within one year of the Act coming into law, with the National Adaption Plan being available two years after that (2021).

The Climate Change Response (Zero Carbon) Amendment Act also requires progress reporting on the implementation on the National Adaption Plan. Such reporting will require an assessment of the progress made towards implementing the strategies, policies, and proposals included in the plan; an assessment of the degree to which the objectives of the plan have been achieved and how well the plan responds to the most significant risks posed by climate change; and an identification of any known barriers to the implementation and effectiveness of the current plan, including recommendations for how those barriers might be addressed or overcome in the future.

Reporting may be requested from certain organisations, including local authorities and council-controlled organizations. Such reporting requests may include:

(1)

- (a) *a description of the organisation's governance in relation to the risks of, and opportunities arising from, climate change:*

- (b) a description of the actual and potential effects of the risks and opportunities on the organisation's business, strategy, and financial planning:*
- (c) a description of the processes that the organisation uses to identify, assess, and manage the risks:*
 - (ca) a description of the metrics and targets used to assess and manage the risks and opportunities, including, if relevant, time frames and progress:*
- (d) any matters specified in regulations.*

(2)

The reporting organisation must comply with a request made under subsection (1).

As previously indicated, FNDC submitted, similarly to SOLGM and others, that funding to gather data, process and report may present a considerable barrier, particularly given the dispersion of our Far North communities and the effects on affordability and level of service.

The Ministry of the Environment ('MfE') have developed a framework for the development of the first national climate change risk assessment. MfE's website states:

"The purpose of the first national climate change risk assessment is to provide an overview of how New Zealand may be affected by climate change. The Government will use it to prioritise action to reduce risks or take advantage of opportunities through a national adaptation plan.

Work on the first risk assessment began in September 2019. It is expected to be complete by mid-2020.¹"

The risk assessment will be developed by a panel of experts. "It enables a range of risks to be compared according to their nature, severity and urgency. It combines scientific, technical and expert information with Mātauranga Māori, local knowledge and experience".

The framework is consistent with internationally applied risk assessment elements but seeks to place greater emphasis on engagement (including co-produced elicitation processes, e.g., 'risk workshops'). It will be important for the Far North District Council to monitor and be involved in any upcoming opportunities for consultation and engagement with MfE and the expert panel. At this point in time, the Risk Assessment Framework identified Local Government as a key stakeholder in the following value areas and "elements at risk":

- Society: Community wellbeing, social cohesion and social welfare with respect to urban, rural and coastal communities;
- Natural environment: Land use
- Built environment: Infrastructure and services, buildings and housing, urban spaces
- Governance: natural hazards.

Development of a Climate Change Road Map 2020

In response to the Far North District Councils risk prioritization and the agreement on Critical Success Factors/KPIs, Administration has developed a climate change work programme with the initial milestone being the development of a road map.

¹ Source: <https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/arotakenga-huringa-ahuarangi-framework-for-national-climate-change-risk-assessment-for-aotearoa-FINAL.pdf>

For this purpose, we are defining a “Road Map” as being a high-level strategic plan that defines a goal or desired outcome and includes outlining the major steps or milestones needed to reach it. It serves as a communication tool.

The road map will address two overarching issues:

1. Adaption to the effects of climate change within the district; and
2. The reduction of the operational carbon foot print of the Far North District Council as an organisation.

To address issue one, the road map will set out the building blocks towards adaptive planning in the local context, drawing on the information developed through the TTCCAWG and responsive to the National Risk Assessment, and when available, the National Adaption Plan. In addition, the road map will require consistency with other strategic documents developed by Council, including Far North 2100, the District Plan, the Asset Management Strategy, and reciprocally inform these documents or any implementation methods created underneath those. To address issue two, the road map will develop a high-level action plan to understand the main contributors to the organisations carbon footprint, rank them with regard to their cost and benefit and develop a implementation timeline for identified carbon reduction initiatives.

The work program for the road map includes the following components:

1. Best Practise Research

Throughout New Zealand, there is already a considerable inventory of climate change initiatives, adaption plans and strategies. Reviewing the initiatives of other local authorities, their experience and lessons learnt will assist FNDC in assessing possible strategies, initiatives or policies, which may be locally appropriate. This stage is already underway and has helped identify consistent compliments to existing climate change action plans, such as:

- Establishment of goals/principles
- Clear risk projections and prioritization
- Development of a Long-term Natural Hazards Management Strategy
- Alignment of initiatives (such as the LTP, RMA, LGA programs) with the objective to ensure sustainability, preparedness, and focus on adaptation
- Consideration of managed retreat.

2. Baseline study of current FNDC initiatives

A series of interviews were held with leaders in the organisation to identify their understanding of climate change for the Far North and our organisation. Administration will use this data to identify synergies and gaps in the current work program. The analysis of this study will be a key component to mapping how we respond to climate change.

3. Understanding the current cost of climate change to FNDC:

The baseline study also involves a review of currently funded projects and their relationship to climate change, i.e. identified erosion protection works required as a result of sea level rise. A summary of such works will help identify the physical impact of climate change on the capital works program and provide us with an idea of current costs of adapting to climate change.

Reason for the recommendation

This report is for informative purposes, a decision is not required.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Any financial implications will be identified at a later point during construction of FNDC's 2021-31 Long Term Plan.

ATTACHMENTS

Nil

Compliance schedule:

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

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

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable - report for information purposes only.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The topic of this report has district wide relevance. It is too early to seek Community Board input as the report is for information purposes only.
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 topic of this report has relevance to Māori and Māori perspectives have been discussed by the Te Taitokerau Climate Change Adaptation Working Group. It is too early to seek formal input from Māori as the report is for information purposes only.
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.	The topic of this report has relevance to Māori and Māori perspectives have been discussed by the Te Taitokerau Climate Change Adaptation Working Group. It is too early to seek formal input from Māori as the report is for information purposes only.
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).	Not applicable – report for information purposes only.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications that will result from the adoption of the recommendation on this report. Report is for information purposes only
Chief Financial Officer review.	Not applicable - report is for information purposes only

8 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - Confirmation of Previous Minutes - Public Excluded	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.2 - Further supporting information for consideration of options to build a southern animal shelter	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.3 - Extension of Hokianga Ferry Operations and Maintenance Contract to 30 April 2020	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out,</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	without prejudice or disadvantage, commercial activities	
10.4 - Award of the Hokianga Ferry Operations and Maintenance Contract	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.5 - Extension of Contract 07/14/600 - Education and Promotion of Waste Minimisation & Sustainability Practices in the Far North District	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
10.6 - Extension of Contract 07/15/601 Operation of Russell Landfill and Recycling Facility	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
10.7 - Waioataira Reserve - toilet water supply compensation / ex-gratia payment	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.8 - Supplier Recommendation Report for West Coast Road Bridge G01	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	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

	subject of the information	

9 MEETING CLOSE