

Northland Regional Council **LOCAL GOVERNANCE STATEMENT**

Prepared in accordance with section 40 of the Local Government Act 2002



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1 Overview

Our governance statement outlines how we engage with our communities and make decisions, and how you can be involved, so that you can effectively influence how we do things and have your say on important matters. It contains information about the following:

- The functions, responsibilities and activities of the Northland Regional Council;
- Local legislation that confers powers on the Northland Regional Council;
- Northland Regional Council Bylaws – Navigation Safety Bylaw;
- The electoral system employed by the council and the opportunity to change that system;
- Representation arrangements, including Māori representation and the opportunity to change them;
- Members' roles and conduct;
- Governance structures and processes;
- Council organisations;
- Meeting processes;
- Consultation policies;
- Policies for liaising with Māori and any memoranda or agreements with Māori;
- The management structure and the relationship between management and elected members;
- The equal employment opportunities policy;
- Key approved planning and policy documents and the process for their development and review;
- Systems for public access to the local authority and its elected members; and
- Processes for requests for official information.

1.1 Keeping in contact:

Keeping up to date with what we are doing and understanding our decision-making processes is important if you want to influence our decisions. In addition to this governance statement we provide information to our communities in a variety of ways including:

- Our website - www.nrc.govt.nz
- Email subscriptions – regular updates direct to your email account every time we update or add information – please register for this service at www.nrc.govt.nz/subscriptions
- Find out what we are consulting on at www.nrc.govt.nz/haveyoursay
- Read our public notices at www.nrc.govt.nz/publicnotices
- You can send us an email at mailroom@nrc.govt.nz
- You can call us toll-free from anywhere within the Northland region between the hours of 8am to 5pm, Monday to Friday (except public holidays), on 0800 002 004
- Our central mailing address is:

**Northland Regional Council
Private Bag 9021
Whangārei Mail Centre
Whangārei 0148**

Please note that all postal items should be sent to this address.

- Join us on Facebook
www.facebook.com/NorthlandRegionalCouncil



- You can follow our tweets on Twitter
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2 Functions, responsibilities and activities

The purpose of the Northland Regional Council is to enable democratic local decision-making and action by, and on behalf of, communities and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses (Section 10 of the Local Government Act 2002).

In meeting its purpose the Northland Regional Council has a variety of roles:

- Environmental resource management e.g. managing the effects of using freshwater, land, air and coastal waters
- Managing rivers, mitigating soil erosion and flood control
- Regional emergency management and civil defence preparedness
- Regional land transport planning and contracting passenger services
- Harbour navigation and safety, oil spills and other marine pollution.

We also have a role in economic development and our council controlled organization, Northland Inc Limited, delivers most of our economic development activities.

In fulfilling its purpose, Northland Regional Council exercises powers and fulfils responsibilities conferred on it by the legislation listed in **Appendix 1**.

3 Local legislation

In addition to the legislation that applies to all local authorities (**Appendix 1**), the Northland Regional Council is also bound by the following Local Act:

- **The Northland Regional Council and Far North District Council Vesting & Empowering Act 1992.**

The purpose of this Act is –

- (a) *To vest in the Far North District Council certain property, documents, rights and liabilities of the Northland Regional Council including land vested in the Northland Regional Council under the Local Government (Northland Region) Reorganisation Order 1989, certain harbour and maritime facilities, resource consents and approvals; and*
- (b) *To give the Far North District Council certain authorities and powers in respect of mooring charges; and*
- (c) *To repeal the Northland Harbour Board Act 1965.*

We also have Bylaws:

- **The Northland Regional Council Navigation Safety Bylaw 2017**

The Northland Regional Council's Navigation Safety Bylaw 2017 came into effect on 1 August 2017. This bylaw applies to the waters in estuaries, inlets, harbours and along the Northland coast between the following boundaries:

- a. The outer boundary being 12 nautical miles from the shore; and
- b. The inner boundary being the line of mean high water springs, except where the line crosses a river, in which case the inner boundary is deemed to be the landward boundary of the Coastal Marine Area as defined in the Regional Coastal Plan for Northland.

The bylaw covers: the safe use and operation of vessels, aids to navigation, flagged areas on beaches and areas where swimming is prohibited, mooring requirements, areas where anchoring is prohibited, reserved areas for special events, dive operations, requirements around carrying personal floatation devices on vessels and restrictions around hazardous cargoes, works and dangerous materials.

- **Kai Iwi Lakes Navigation Safety Bylaw 2017**

Council formally approved the Kai Iwi Lakes Navigation Safety Bylaw 2017 on 24 October 2017, with the bylaw taking effect from 1 November 2017.

4 Electoral system

Northland Regional Council currently operates its elections under the first past the post electoral system. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in district health board elections. Electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Council resolved to retain the First Past the Post electoral system for the 2019 triennial election (at its meeting on 20 March 2017) and will give public notice of the right to demand a poll on the electoral system to be used by the council.

5 Māori wards and constituencies

The Local Electoral Act 2001 gives council the ability to establish separate wards for Māori electors. The council may resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the region.

The council considered whether or not to have separate Māori wards in 2017. On 24 October 2017, the council resolved not to introduce Māori representation.

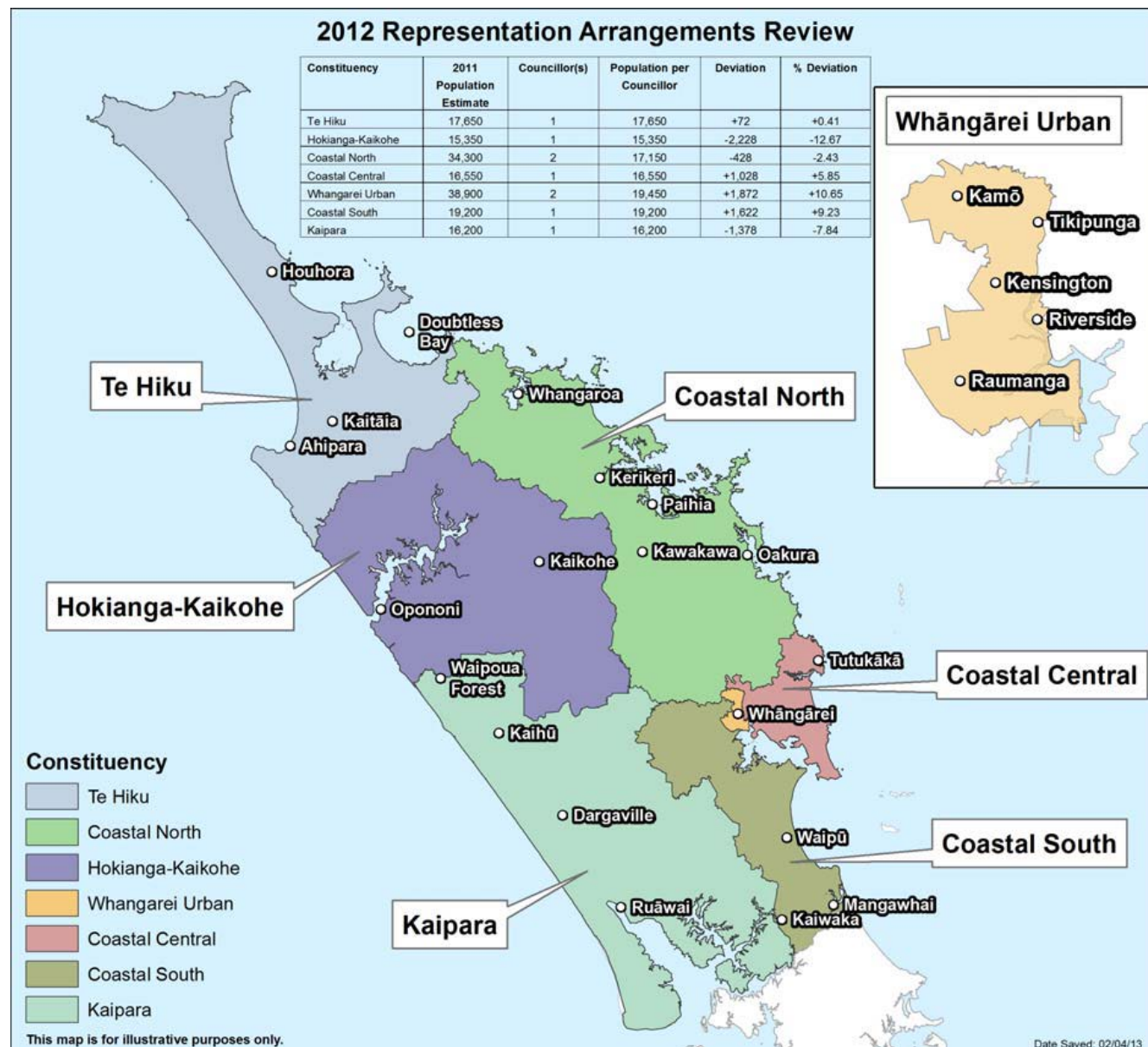
This decision applies to the 2019 and 2022 Local Government elections.

Council will re-consider whether it wants to establish Māori wards for the 2025 and 2028 elections during 2023.

6 Representation arrangements

Representation reviews occur at least every six years under the Local Electoral Act 2001. Following our 2012/13 representation review there are now nine regional councillors elected from seven constituencies - Te Hiku, Hokianga-Kaikohe, Coast North (two councillors), Coastal Central, Whangarei Urban (two councillors), Coastal South and Kaipara - as illustrated below. Each of the nine councillors represents an average of 17,578 people.

Council is currently reconsidering its representation arrangements.



7 The reorganisation process

The Local Government Act 2002 sets out procedures which must be followed during proposals to:

- Make changes to the boundaries of the region;
- Create a new region;
- Create a unitary authority, i.e. transfer all of the functions of the three district councils and the regional council to a new council; and
- Transfer a particular function or functions to another council.

Proposed Reorganisation of Local Government in Northland

The Local Government Commission (LGC) issued a draft proposal for the reorganisation of local government in Northland – a unitary authority for Northland with seven community boards - on 12 November 2013. Submissions to the LGC closed on Friday 21 February 2014. In June 2015, following investigations and consultation with councils, iwi and community groups and a subsequent submissions/hearings process, the LGC decided not to proceed with the proposal.

However, the LGC subsequently returned to Northland ‘to work with councils, iwi and the wider community with the aim of reaching sufficient consensus on any changes required and the best form of local government in Northland’.

In October 2017, the LGC confirmed it would ‘continue to work with the Northland councils to support their efforts to improve local governance and service delivery in the region and may in future issue further recommendations to councils on how they might improve outcomes for their communities through better collaboration’, however the reorganization process in Northland was formally closed.

8 Roles and conduct

The elected councillors of Northland Regional Council have the following roles:

- Setting the policy direction of the council;
- Monitoring the performance of the council;
- Representing the interests of the region (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the region); and
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Chairperson is elected by the members of the council at the first meeting. The Chairperson has the following roles:

- As presiding member at council meetings, the Chairperson is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council;
- Ceremonial head of council; and
- Provider of leadership and feedback to other elected members on teamwork and chairmanship of committees.

The Chairperson may only be removed from office by resolution of council after following the procedure set out in the Local Government Act 2002 (Schedule 7 – Section 18).

The Deputy Chairperson is elected by the members of the council at the first meeting of the council. The Deputy Chairperson exercises the same roles as other elected members. In addition, if the Chairperson is absent or incapacitated, or if the office of Chairperson is vacant, then the Deputy Chairperson must perform all of the responsibilities and duties, and may exercise the powers of the Chairperson (as summarised above). The Deputy Chairperson may be removed from office by resolution of council.

The council may create one or more committees of council. A committee chairperson is usually appointed by the council but is otherwise appointed by the committee and is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by council. A committee chairperson may be removed from office by resolution of the council.

The Chief Executive is appointed by the council in accordance with Section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the council policies and objectives within the budgetary constraints established by the council. Under Section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the council;
- Providing advice to the council;

- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;
- Managing the activities of the council effectively and efficiently;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the council;
- Providing leadership for the staff of the council; and
- Employing staff (including negotiation of the terms of employment for the staff).

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current code of conduct and standing orders;
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect);
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way; and
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted, such a code may only be amended by a 75% or more vote of the council. The code sets out the council's understanding and expectations of how the Chairperson and councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the council may impose if an individual breaches the code. Copies of the full code of conduct may be obtained from the Governance Support Manager or from the website www.nrc.govt.nz

9 Governance structures

The council reviews its committee structures after each triennial election. At the December 2016 meeting, council reaffirmed its statutory committees:

Regional Transport Committee (Chair: Cr J Bain)

- Regional land transport
- Road safety administration
- Total Mobility Scheme
- Regional public transport

Civil Defence Emergency Management Group Joint Committee

- Emergency Management
- Encourage co-operation within the Northland region

Te Oneroa-a Tōhē Board

- A joint committee with FNDC, Te Rūnanga o Te Rarawa, Te Manawa o Ngāti Kuri Trust, Te Runanga Nui o Te Aupoiuri Trust, Te Rūnanga o Ngāi Takoto
- Develop a Beach Management Plan for Te-Oneroa-a-Tohe (Ninety Mile Beach)

Council has the following subcommittees and working parties:

Investment Subcommittee (Chair Cr J Bain)

- Authority to move investment funds between managed funds within SIPO limits.
- Determine manager of new funds for approval by the full council
- No withdrawal from funds except from the Working Capital Fund.

Property Subcommittee (Chair Cr P Smart)

- Authority to authorise the CEO to negotiate sale and purchase agreements for property within +/- 5% of valuation

Audit Working Party (Chair Cr D Sinclair)

- Negotiate fees with auditors
- Review the audit management letter
- Review the audit plan
- Review independent audit reports

Risk and Health and Safety Working Party (Chair Cr P Dimery)

- Consider changes to risk management and health and safety plans

Natural Resources Working Party (Chair Cr J Blaikie)

- Consider operational matters relating to natural resource management

Pest Management Working Party (Chair Cr M Finlayson)

- Consider operational matters relating to pest management, including marine pests.

- Consider matters relating to the development and implementation of the Regional Pest Management Plan (RPMP) and Marine Pathway Plan.

Marine Management Working Party (Chair Cr R Stolwerk)

- Consider maritime operational matters including bylaws, marine protected areas, oil spill response and navigation and safety

Planning Working Party (Chair Cr J Yeoman)

- Consider feedback and details of the Regional Plan, and various policy approaches
- Consider national RMA policy and implementation initiatives

Te Taitokerau Māori And Council (TTMAC) Working Party (Co-Chair Cr P Dimery)

- Develop meaningful relationships between Māori and council
- Monitor council's compliance to its obligations to Māori
- Ensure Māori views are taken into account in council's functions

Property Working Party (Chair Cr P Smart)

- Work with the CEO to negotiate sale and purchase agreements for property within +/- 5% of valuation

A schedule of meeting dates can be found on the council website: www.nrc.govt.nz

Membership

The council reviewed the membership of the majority of its subordinate decision making bodies and councillor appointments at its meeting on 13 December 2016. The Terms of Reference for each committee, subcommittee and working party are contained in **Appendix 2**. Membership is as follows:

Regional Transport Committee

Councillors John Bain (Chairperson), Paul Dimery (Deputy Chairman) (alternate Councillor Joce Yeoman)

- Cr Ann Court representing FNDC (alternate Cr John Vujcich)
- Cr Greg Martin representing WDC (alternate Cr Phil Halse)
- Cr Julie Geange representing KDC (alternate Mayor Greg Gent)
- Mr Ernst Zollner from the New Zealand Transport Agency (alternate Mr Brett Gliddon)

Civil Defence Emergency Management Group Joint Committee

Councillor Rick Stolwerk (Councillor Paul Dimery the alternate member)

Te Oneroa-a Tōhē Board

Councillors Mike Finlayson and Paul Dimery

Investment Subcommittee

Councillors John Bain (Chairperson), Penny Smart and Bill Shepherd (ex officio) and independent financial advisor Mr Geoff Copstick.

Property Subcommittee

Councillors Penny Smart (Chairperson), David Sinclair, John Bain and Bill Shepherd (ex officio)

Audit Working Party

Councillors David Sinclair (Chairperson), Bill Shepherd and Joce Yeoman and independent financial advisor Mr Geoff Copstick.

Risk and Health and Safety Working Party

Councillors Paul Dimery (Chairperson), Rick Stolwerk, Bill Shepherd and Joce Yeoman.

Natural Resources Working Party

Councillors Justin Blaikie (Chairperson), Rick Stolwerk, Joce Yeoman and Bill Shepherd (ex officio) and a non-elected member from TTMAC Working Party.

Pest Management Working Party

Councillors Mike Finlayson (Chairperson), Justin Blaikie, Rick Stolwerk, Paul Dimery and Bill Shepherd (ex officio) and a non-elected member from TTMAC Working Party.

Marine Management Working Party

Councillors Rick Stolwerk (Chairperson), David Sinclair, Justin Blaikie and Bill Shepherd (ex officio) and a non-elected member from TTMAC Working Party.

Planning Working Party

Councillors Joce Yeoman (Chairperson), John Bain, Paul Dimery, Penny Smart and Bill Shepherd (ex officio) and a non-elected member from TTMAC Working Party.

TTMAC Working Party

Councillors Paul Dimery (Co-Chairperson), Mike Finlayson, Bill Shepherd, Penny Smart and Joce Yeoman. Non-elected membership yet to be confirmed.

Property Working Party

Councillors Penny Smart (Chairperson), David Sinclair, John Bain and Bill Shepherd (ex officio)

Council Representation

The council may also, from time to time, appoint a councillor to provide representation on external bodies. Typically these entities will have synergies with the key roles and functions of council.

Elected member memberships/delegations are detailed in **Appendix 3**.

10 Council organisations

Marsden Maritime Holdings Limited

Port Ownership

The Northland Regional Council owns 53.6% (22.1 million shares) of the issued capital of the Marsden Maritime Holdings Limited. The balance of shares are held by the public and all shares are listed on the New Zealand Stock Exchange. The council reviews its shareholding in the company during the triennial review of its strategic plans.

There are six directors of Marsden Maritime Holdings. Two directors retire by rotation each year. The following are the current directors:

- Sir John Goulter, Chairperson
- Mr Mark Bogle
- Mr Peter Griffiths
- Ms Susan Huria
- Mr Murray Jagger
- Ms Elena Trout

The Group's operations principally comprise of its 50% stakeholding in the deep water port facility at Marsden Point together with its substantial land holdings in the adjacent area. The Group also owns and operates the Marsden Cove marina complex which consists of a 223 berth marina and adjoining commercial complex.

Port Services

The following divisions are operated by the Group, and the major activities are highlighted below:

- Marine Activities: Towage, pilotage and berthage
- Marine Transport: Tug and barge operators

Associate companies

- **Northport Ltd** – which was established to build a new port facility at Marsden Point which commenced operations in June 2002. This company is jointly owned by Marsden Maritime Holdings Ltd and Port of Tauranga Ltd.
- **North Tugz Ltd** – jointly owned by the joint venture entity, Northport Ltd and Ports of Auckland Ltd. It was established to operate various marine services previously undertaken by the respective shareholders.

Also to note:

- **Marsden Cove Canals Management Ltd** – Marsden Maritime Holdings holds a 50% interest in this entity which effectively serves as a body corporate for the canal waterways at Marsden Cove.

Organisational Chart

(as at 11 May 2015)



Port Operations

Marsden Maritime Holdings has 185ha available on a leasehold basis. Of this some 25ha is zoned Business 2, suitable for light industrial uses, and the balance Business 4 and port zone which is suitable for heavy industrial use.

The land is being progressively developed for industry which utilises the port at Marsden Point.

Northland Inc. Ltd

The council largely delivers its economic development objectives via its 100%-owned council controlled organisation Northland Inc, which is the regional economic development agency for Northland encompassing the roles and functions of a Regional Tourism Organisation (RTO).

Northland Inc Ltd is funded by an operational contribution from the Northland Regional Council (NRC) and is project funded through other public and private agencies, with central government being the next largest contributor. The organisation has a governance board of five professional directors each appointed by the NRC and operational activity is led by a Chief Executive Officer.

Further information about Northland Inc and the region's economic development potential is available on its [website](#)¹.

Council agreed to Northland Inc. Limited's Statement of Intent 2017-2020 (SOI), at its meeting on 18 July 2017. Under the SOI Northland Inc.'s objectives are as follows:

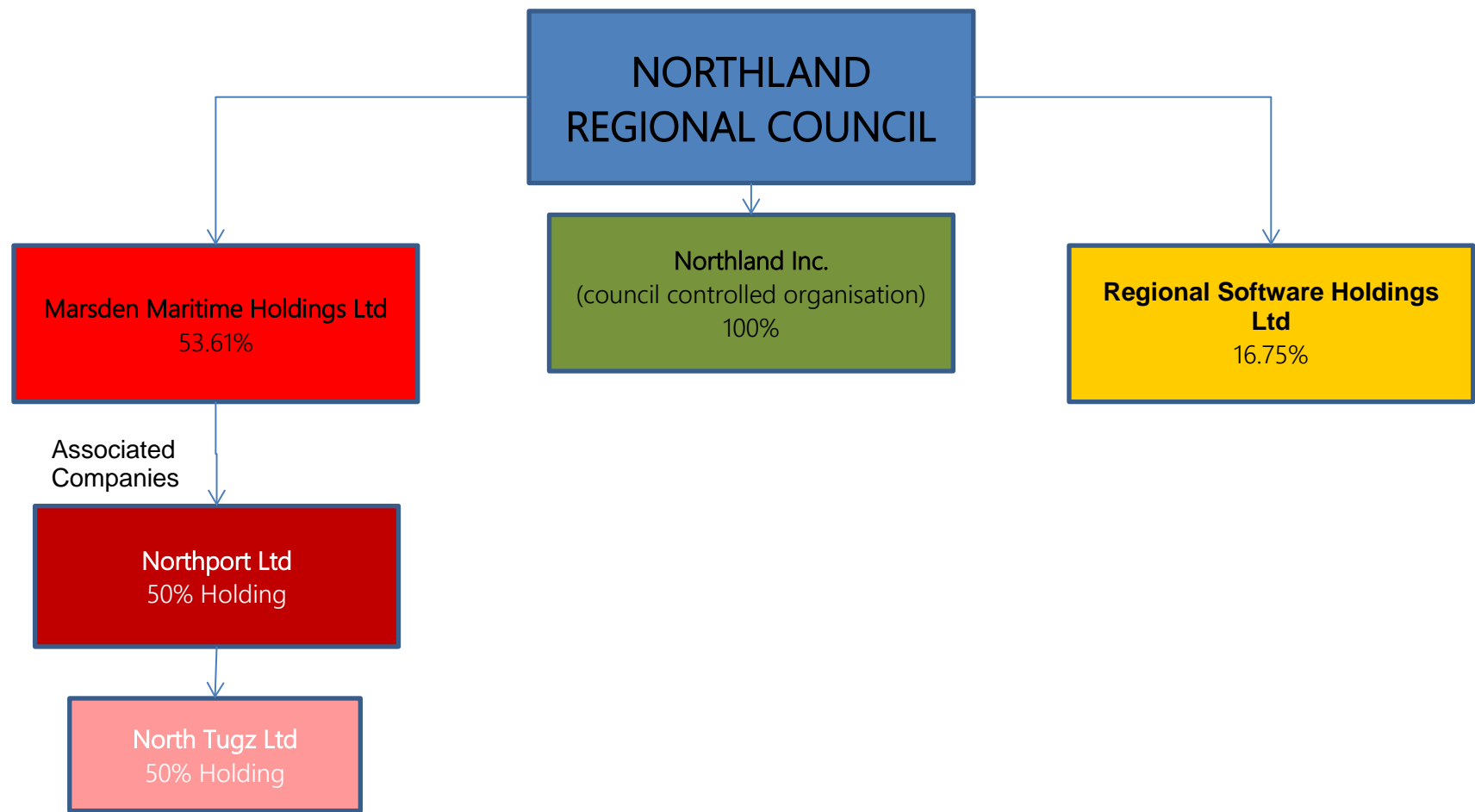
1. Lead, support and facilitate the implementation of the Tai Tokerau Northland Economic Action Plan.
2. Promote the establishment and development of infrastructure that underpins economic growth.
3. Attract and leverage investment in strategic sectors.
4. Use the NRC's Investment and Growth Reserve to catalyse and leverage regional economic development projects for Northland.
5. Promote Northland as a progressive and positive place to visit, do business and live.
6. Partner with Maori organisations to develop and implement economic development projects for the benefit of Northland.
7. Provide and facilitate business support services that enable Northland firms to grow.
8. Establish a high performing innovation ecosystem to increase innovation and entrepreneurship in Northland.

The SOI contains the following key performance targets:

- Growth in Northland businesses engaged with Northland Inc. measured by:
 - An increase in aggregate turnover by 5% per annum
 - 25% of RBP Active companies are research active
 - The Orchard achieves 30% occupancy rate
- Generic investment proposals:
 - Development of two investment ready proposals
- Northland Inc Board recommendation made to the NRC Investment and Growth Reserve
 - One project for debt or equity funding per annum
 - One project for impact investment funding per annum
- Promotion of Māori economic development measured by:
 - Two new projects partnering with Māori on economic development funded and underway
 - 30 active Māori businesses in CRM
- Promotion of the region measured by:
 - Partnership investment of \$300k per annum in regional promotion activity
 - An Equivalent Advertising Value of \$15M per annum is achieved from destination marketing and media coverage
 - 10% increase in traffic on our social media channels

¹ www.northlandnz.com/business/northland-inc

- Website traffic growth exceeds growth in visitor spend by 10%
- Implementation of the Action Plan measured by:
 - Total value of investment in Action Plan projects
 - Projects, actions, milestones successfully completed



11 Conduct of meetings

The legal requirements for council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All council and committee meetings must be open to the public unless there is reason to consider some item 'in committee'. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Chairman. The LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Chairperson or Committee Chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

The LGOIMA requires all meetings of the council and its committees to be publicly notified. This is done by notice in, but not limited to, the Northern Advocate and on the council's website (www.nrc.govt.nz) during the last week of each month.

During meetings the Chairperson and councillors must follow standing orders (a set of procedures for conducting meetings). The council may suspend standing orders by a vote of 75% of the members present. A copy of the code of conduct can be obtained from the Governance Support Manager or from the council website www.nrc.govt.nz.

A copy of the standing orders is available for inspection from the Governance Support Manager or can be purchased if required.

12 Consultation policy

Context

The purpose of the Northland Regional Council is:

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

(Local Government Act 2002, Section 10)

Decisions at meetings of the Northland Regional Council are made by nine councillors, who are elected every three years based on the constituencies as detailed in Section 7. The councillors make themselves available to the public and also participate in formal consultation to assist them to make decisions that will benefit the Northland regional community.

Consultation is ...

Meaningful consultation is a process with a clear purpose, by which the community contributes to council decisions before they are made.

Consultation Goals

This Consultation Policy aims to make the Northland Regional Council's consultation processes and outcomes effective, by helping the council to:

- Be community, citizen and customer focused;
- Build strong regional relationships;
- Encourage a consistent and integrated consultation approach that makes the best use of council resources;
- Make good, well-informed decisions; and
- Apply the principles of the Local Government Act 2002 (see following page "How we will Consult").

Who we will consult?

The Northland Regional Council has legal responsibility to act in the best interests of the region as a whole. When consulting on behalf of the people of the region, the council will:

- Focus on regional, community, or sector groupings depending on the nature and scope of the issues involved.
- Focus on those individuals, organizations, or communities whose stake in the decision is greatest.
- Recognise that Māori consultation processes are unique and that Māori are an important part of the regional community (see the Māori Liaison Policy attached – Section 13).

Who is our Community?

The regional 'community' includes customers, citizens and local communities. Customers are individuals who are involved in a transaction with the council for services. Citizens are people living or working within Northland society and therefore having rights to be involved in that society's decision-making. Communities are groups of citizens, usually living in the same geographic area, with common interests.

How we will consult?

When the council consults, it will be guided by the following eight principles:

- **Community involvement**
The council will encourage community input and involvement in the decision-making process, and aim for balance and representation.
- **Transparency**
The council will be open and clear about when, why, who, and how we are consulting; and what influence people can have.
- **Information**
The council will provide people with reasonable access to relevant information in a manner and format that is appropriate to their preferences and needs.
- **Accessibility**
The council will provide people with a reasonable and timely opportunity to have their say in a way that suits them.
- **Openness**
The council will give due consideration to the views presented, and make decisions with an open mind.
- **Communication**
The council will tell people what it has decided and why, and how the consultation influenced the decision.
- **Continuous improvement**
The council will periodically evaluate its consultation processes and learn from experience about what works best.
- **Consultation with Māori**
While following the above seven principles in all consultation, the council will also recognise its specific responsibilities in respect of consultation with all Māori (see the Relationships with Māori – Section 13).

Notes:

1. Under the Local Government Act 2002, the council must follow the special consultative procedure (see following page) when making certain decisions such as adopting or amending its Long Term Plan (LTP).
2. Where the council is required to follow specific consultation requirements set out in any Act or legislation other than the Local Government Act 2002, those specific consultation requirements will override this consultation policy.

Consultation and Decision-Making

Consultation is an ongoing process of engagement and participation, which relates to decision-making. Consultation has a strong, two-way relationship with decision-making in that:

- Consultation findings influence our decisions, and also
- Council decisions influence what we consult on, and when and how we consult.

The results of consultation are not the only matters the council considers when making decisions. The council will also consider other information, such as council policies, legislative requirements, and any relevant research or studies.

Evaluation and Review

This Policy will be evaluated and reviewed by council as part of the Long Term Plan 2018-28 process. As part of this process, the council will consider seeking feedback on the Policy's effectiveness from the regional community. This may be done through the Annual Plan process or separate survey.

Special Consultative Procedure

The Local Government Act sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process.

The council can and does consult outside of the special consultative procedure. When it is adopting its Long Term Plan, Annual Plan or Regional Plan it may hold meetings with community groups and other interested parties. At these meetings the council will seek views on the matters the council considers to be important and identifying issues of concern to the community.

The special consultative procedure consists of the following steps:

- **STEP ONE:** Preparation of a statement of proposal and a summary. The council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the council office and may be made available elsewhere. The council also has to prepare a full and fair summary of the proposal which must be distributed as widely as the council considers to be reasonably practicable. That statement must be included on an agenda for a council meeting.
- **STEP TWO:** Public notice. The council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.
- **STEP THREE:** Receive submissions. The council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The council must allow at least one month (from the date of the notice) for submissions.
- **STEP FIVE:** Deliberate in public. All meetings where the council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under LGOIMA.
- **STEP SIX:** Follow up. A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

By law, the council must follow the special consultative procedure before it:

- Adopts a Long Term Plan (LTP)
- Amends an LTP
- Adopts, revokes, reviews or amends a bylaw
- Changes the mode of delivery for a significant activity (for example from the council to a council-controlled organisation or from a council-controlled organisation to a private sector organisation) if that is not provided for in an LTP.

The council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

13 Relationships with Māori

(to be read in conjunction with the Consultation Policy)

Context

Māori make up 30% (approx.) of Tai Tokerau/Northland's population as at 2013. The Northland Regional Council acknowledges the special place of tangata whenua within the region and indeed across Aotearoa/New Zealand.

The two key pieces of legislation with specific requirements of local authorities are the Local Government Act 2002 and the Resource Management Act 1991. Both require councils to take into account the principles of Treaty of Waitangi when undertaking their duties. Further, that councils provide opportunities for Māori to contribute to its decision-making processes and that councils must recognise and provide for the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, and other taonga.

Over and above these legal obligations the Northland Regional Council recognises that goodwill and transparency is also required to enhance relationships and participation for Māori.

In carrying out these responsibilities the council will aim to:

- a) Recognise the special relationship between Māori and the Crown and duties conferred to councils through legislation that recognises this relationship.
- b) Recognises Māori as being a culturally distinct group with different perspectives, and at times needs, from the general community.
- c) Ensure staff and councillors are trained and knowledgeable about the rights of Māori under the Treaty of Waitangi, the Local Government Act and other legislation.
- d) In accordance with those cultural differences and statutory rights, will establish and maintain processes for liaising with Māori and involving them in council decision-making processes.

Māori of Tai Tokerau

There are approximately 55,000 Māori in Northland, most of whom affiliate to the nine iwi (tribes)² or more in Northland. There are also numerous hapu (subtribes) and whanau (family) groups.

The council will maintain a database of as many of these organisations as possible and utilise this for establishing specific liaison with Māori over significant issues. It will also operate an open door policy that provides opportunities for all Māori to contribute to significant decisions.

How will we engage?

To enable effective engagement, council will:

- a) Employ Māori cultural staff and aim to build cultural competency across the organisation.
- b) Established the Te Taitokerau Māori Advisory Committee (as a working party of council) to advise council on issues of significance to Māori.

² As defined via the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992

- c) Follow the eight principles of effective consultation (see Consultation Policy).
- d) Where applicable, ensure consultation will be undertaken in a process that is reflective of Tikanga Māori.
- e) Where required, ensure an interpreter will be provided at a cost to council.
- f) Where appropriate, provide financial assistance to ensure that consultation is thorough, effective and inclusive.
- g) Where necessary, employ/involve, trained facilitators, trainers, mediators or experts in Tikanga Māori to aid in the consultation process.

Opportunities for Māori to Contribute to Decision-Making

Opportunities will be available for Māori to be involved in decision-making including:

- Through the establishment of the Te Taitokerau Māori Advisory Committee (a working party of council) and provision of Māori representation on other council working parties.
- Where appropriate, contribution of funding for Māori to develop management plans/policies and undertake environmental monitoring projects.
- Establish effective relationships with iwi that are mutually beneficial, equitable and transparent.
- Consider iwi/Māori values and perspectives in council decisions and policy.
- Specific Māori consultation processes relating to resource management plans and resource consent applications.
- Formalised working relationships with settlement parties through memoranda of understanding.
- Appropriate compliance with Treaty Settlement Acts.
- Record and recognition of hapū/iwi planning / policy documents.
- Where appropriate the council will support applications by iwi for access to funding through government agencies.

Policy on relationships with Māori

The Local Government Act 2002 contains a range of provisions regarding the relationship of local government with Māori. The intention of these new provisions is the facilitation of participation by Māori in the decision-making processes of local authorities.

In addition to the obligations within the Local Government Act, the Resource Management Act 1991 outlines specific obligations for regional councils regarding:

- Kaitiakitanga;
- The principles of the Treaty of Waitangi;
- The relationship between Māori and their culture; and
- Traditions and their ancestral lands, water, sites, wāhi tapu and other taonga.

While there are legal obligations that the council must and will give effect to, the Northland Regional Council recognises that an approach that transcends the rules based approach of law is also required to enhance relationships and participation for Māori.

Set out below are the Northland Regional Council processes in place to give effect to these obligations and to develop Māori capacity to contribute to decision making.

Relationship

Northland Regional Council realises the need to form transparent and responsive relationships in order for them to be meaningful. The council will continue to work at all levels to establish and maintain relationships with Māori. Council acknowledges that to build Māori capacity it also needs to build its own capacity to engage.

Council will continue to work with Māori, particularly through the Te Taitokerau Māori Advisory Committee, to ensure that the governance and engagement models that we are committed to developing:

- Build our relationship and engagement with Māori;
- Build a solid platform for decision making;
- Mature and endure;
- Deliver services and activities that foster the ability and capacity of Māori to contribute to decision making;
- Deliver better outcomes for Māori and Northland.

Council accepts that any relationship takes time and commitment and that this will be organic and not driven by our own rule based framework. To underline our commitment council will:

- Attend training each triennium;
- When invited walk over their rohe with iwi governance representatives to understand the issues and opportunities for Māori;
- Welcome and take up invitations for marae visits.

Elected representatives and staff will have an opportunity to gain an appreciation of Māori culture and tikanga and will attend education programmes relating to Māoritanga and the Treaty of Waitangi.

Treaty settlement legislation

A special relationship exists between Māori and the Crown through the signing of the Treaty of Waitangi. This agreement formalises and cements the relationship is between the Crown and Māori as Treaty partners.

The council will continue to work with the Office of Treaty Settlements and iwi through the provision of information and, where relevant, contributing to investigations of various settlement instruments during the negotiation of claims.

Where Treaty settlements have been passed into legislation, the council will enact any legislative requirements of them or directions from the Minister, such as Memorandum of Understanding. The current settlement arrangements are:

- Te Uri o Hau Claims Settlement Act 2002.
- Memorandum of Understanding Te Uri o Hau and Northland Regional Council.
- Te Roroa Claims Settlement Act 2008.
- Ngati Manuhiri Claims Settlement Act 2012.
- Te Aupouri Claims Settlement Act 2015*.
- Ngati Kuri Claims Settlement Act 2015

Iwi liaison

The council views the process of iwi liaison as one of establishing and maintaining a close connection with Māori through clear processes for consultation and involvement in decision-

making. By doing so, the council recognises Māori as being a culturally distinct group with different perspectives from the wider community.

Provision of information

Northland Regional Council recognises that in order for Māori to effectively contribute to the decision-making process of council, it is essential that relevant information is provided to support this process.

By providing information, the council acknowledges it needs to be cognisant that it is relevant, clear and provided in a timely fashion in a manner that is appropriate.

Contribute to decision-making and capacity building

The Northland Regional Council will continue to provide opportunities for Māori to gain knowledge of council processes and to support avenues for Māori to participate in the decision-making processes. The council will also continue to recognise the special relationship Māori have with the natural and physical resources of the region.

Council hopes to build a strong governance relationship at all levels of māoridom that will see us broadening our relationship and engaging directly around major issues, proposals and consultations. We may develop understandings / codes of partnership and build upon existing fora for collective discussion, advice and decision making that then filter throughout the organisation and Northland.

We will continue to build on the operational and management arrangements we have such as continuing to attend and participate in the Iwi Local Government Authority Chief Executives Forum, engaging with the technical expertise within iwi authorities, and maintaining our open door policy of interaction and engagement of hapū and whānau in council projects and initiatives.

Council will explore options as to how council might formalise the process for secondment of iwi representatives into council and council staff working within iwi authority structure.

As we develop this policy and the elements within it, we will develop our evaluation model(s) to ensure our efforts are effective. We will do this and conduct our evaluations in ways that recognise and acknowledge that Māori, as individuals and collectives, have diverse interests and aspirations.

Evaluation and Review

This Policy will be evaluated and reviewed by council as part of the Long Term Plan 2018-28 process.

14 Management structures and relationships

The Local Government Act 2002 requires council to employ a Chief Executive Officer whose responsibilities are to employ other staff on behalf of the council, implement council decisions and provide advice to the council. Under the Local Government Act the Chief Executive Officer is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive Officer, rather than the Chairperson or councillors.

Chief Executive Officer – *Malcolm Nicolson*

Executive Leadership Team

Group Manager – Customer Services - Community Resilience – Tony Phipps

Group Manager – Regulatory Services - Colin Dall

Group Manager – Environmental Services - Bruce Howse

Group Manager – Strategy and Governance - Jonathan Gibbard

Group Manager – Corporate Excellence – Dave Tams

Executive Management Team

Group Manager – Environmental Services - Bruce Howse

Group Manager – Regulatory Services - Colin Dall

Group Manager – Corporate Excellence - Dave Tams

Group Manager – Governance and Strategy - Jonathan Gibbard

Group Manager – Customer Services - Community Resilience – Tony Phipps

Resource Management Planning & Policy Manager - Justin Murfitt

Communications Manager – Suzanne Takiwa

Special Projects Manager – Phil Heatley

Information Services and Technology Manager – Carol Cottam

Finance Manager – Simon Crabb

Customer Services Manager – Sue Brooks

Kaiarahi – Mātauranga Māori – Rachel Ropiha

Water Resources/Hydrology Manager – Jason Donaghy

Regional Harbourmaster – Jim Lyle

Land Manager – Duncan Kervell

Compliance Monitoring Manager – Tess Dacre

Civil Defence Emergency Manager – Graeme Macdonald

Consents Manager – Stuart Savill

15 Equal employment opportunity policy

The Northland Regional Council is firmly committed to the principle of Equal Employment Opportunity (EEO). The council will practice equal opportunities in all respects of employment, including recruitment, selection and appointment, education, training and development, career path planning and promotions. The council will ensure that all policies and practices comply with legislative requirements.

People policies shall apply equally to all staff, whether salary or wage employees. No employee, or potential employee, shall gain any advantage or suffer any disadvantage by reason of their race, colour, age, national or ethnic origin, sex, marital status, personal disability, sexual preference or religious or political beliefs.

All council staff have a responsibility to act in a non-discriminatory manner. Those that fail to do so may be liable to appropriate disciplinary procedures.

Further advice and information can be obtained from the Human Resources Advisor.

16 Key approved planning and policy documents

Northland's Long Term Plan

The Long Term Plan 2015-2025 reflects the council's future vision and direction for what it delivers on behalf of Northlanders. It reflects the council's current thinking and how we plan to deliver on it over the coming decade, based on various assumptions about our future environment.

We review this 10 year outlook every three years to reflect current policy, legislation requirements and take into consideration the current economic climate. In some cases future policy direction, legislation or a change in our economic circumstances may result in a change in direction and this may have different effects on the budgets rates and services described in this plan.

This plan includes budget projections for all of the council's groups of activities; the impact on the council's funding sources (including the impacts on rates) and the overall financial position for the council over the next 10 years. The plan describes the activities that we deliver; why we deliver them and how these activities contribute to community well-being and the council objectives. The information is related back to the current year's budget with explanations for any significant differences. The plan contains the council's major financial policies for borrowing, investing and the funding of its activities. It also contains the council's policy on significance, appointment of directors, partnerships with the private sector and developing Māori capacity for participation in the council's decision-making processes.

Each time we update the plan we consult with you the residents to seek your comment/feedback on any proposed changes to our activities, policies, funding, rates and council-controlled organisations. In the two years between long term plan updates the council develops an annual plan which highlights any differences to the projections contained in the Long Term Plan and contains any new proposals for public consultation. The annual plans also cater for differences in any of the financial assumptions made within the long term plan, for example, interest and inflation rates.

Preparations are underway for the next Long Term Plan; which will cover the period 2018 – 2028.

Other Regional Council Plans

The Northland Regional Council has also produced plans and policy documents under the following legislation:

- Resource Management Act 1991;
- Biosecurity Act 1993;
- Maritime Transport Act 1994;
- Civil Defence Emergency Management Act 2002; and
- Land Transport Management Act 2003.
- Soil Conservation and Rivers Control Act 1941.

Copies of all the plans and policy documents specified below can be obtained on request from offices of the Northland Regional Council as detailed in Section 17.

Approved plans and policy documents prepared under the **Resource Management Act** (RMA) are:

- Regional Policy Statement – Operative in part May 2016 (except GMO provisions which are still before the Courts);
- Regional Air Quality Plan –Operative in part March 2003 – Operative in full August 2005, plus Plan Changes 1 & 2, December 2008
- Regional Coastal Plan June 2004, plus Plan Changes 2 & 3, July 2010, Plan Change 1 August 2014 and Plan Change 4 May 2016.
- Regional Water and Soil Plan August 2004, plus Plan Change 1, August 2007 and Plan Change 2, October 2010.

The process for the preparation of (or changes to) these documents is set out in the First Schedule of the RMA. The preparation process includes:

- Consultation during preparation of the proposed plan;
- Public notification of the proposed plan;
- Submissions;
- Notification of a summary of submissions;
- Further submissions;
- Hearing of submissions;
- Notification of decisions on submissions;
- Rights to Appeal decisions to the Environment Court;
- Council adoption of plan and notification of operative date.

For regional coastal plans (and plan changes), the Minister of Conservation's approval must also be gained prior to the plan being made operative.

Under section 79 of the RMA, regional plans and regional policy statements must be fully reviewed not later than 10 years after the operative date. However, a review can be done at any time before then.

If the review identifies a need to change the plan or policy document then the change must be undertaken in accordance with the First Schedule process. All three regional plans have been reviewed (in 2014) and a new regional plan is currently in development.

Approved plans and policy documents prepared under the **Biosecurity Act** (BA) are:

- Regional Pest Management Strategies July 2010.

These strategies have been prepared as individual animal pest and pest plant strategies, each of which be amended or reviewed separately.

The process for the preparation of these documents is set out in Sections 71 to 79 of the BA. The preparation process includes:

- Consultation during preparation of the proposed strategy;
- Notification of the proposed strategy;

- Submissions;
- Notification of a summary of submissions;
- Hearing of submissions;
- Notification of decisions on submissions;
- Appeal of decisions to the Environment Court;
- Council adoption of strategy.

Under section 88 of the BA, regional pest management strategies must be reviewed after 5 years of being in force but may also be reviewed at any time:

- a) If the Minister or regional council has reason to believe that the strategy is failing to achieve its purposes; or
- b) If the Minister or regional council has reason to believe that relevant circumstances have changed to a significant extent since the strategy commenced; or
- c) If the strategy is due to expire in less than 12 months and –
 - i) Any person requests the Minister or regional council to notify a proposal to extend the duration of the strategy; or
 - ii) The Minister or regional council proposes to extend the duration of the strategy.

If the review identifies a need to change the plan or policy document then the change must also be done in accordance with the specified preparation process.

Approved plans and policy documents prepared under the **Land Transport Management Act 2003** are:

- Regional Land Transport Plan for Northland 2015-2018 (Review in 2018) – approved July 2015 (which includes the 30 year transport strategy for Northland)
- Northland Regional Road Safety Action (Updated in 2012). This has now been replaced by the annual “Northland Road Safety Issues Crash Data” which drives road safety projects in the region.
- Northland Regional Public Transport Plan 2015-2025 is current for a minimum of three years and a maximum of ten. It must be reviewed and if necessary renewed or varied at the same time (or as soon as possible after) the public transport component of the Regional Land Transport Plan is adopted or varied.

Approved plans and policy documents prepared under the **Maritime Transport Act (MTA)** are:

- Northland Marine Oil Spill Contingency Plan (approved by Maritime New Zealand in August 2014).

The process for the preparation of regional marine oil spill contingency plans is set out in Sections 289, 291 and 292 of the MTA. The preparation process includes:

- Consultation during preparation of the contingency plan; and
- Approval of the plan by the Director of Maritime Safety.

There is no statutory requirement or provision for notification of draft contingency plans, submissions, hearings, or appeals.

Under section 290 of the MTA, regional marine oil spill contingency plans must be reviewed at least once every 3 years.

Approved plans and policy documents prepared under the **Civil Defence Emergency Management Act 2002 (CDEMA)** are:

- Northland Civil Defence Emergency Management Group Plan December 2016 - 2021.

The plan was prepared by the Northland Civil Defence Emergency Management Group (made up of representatives of the regional council and each local authority in the region).

The process for the preparation of civil defence emergency management group plans is set out in Sections 49 and 52 of the CDEMA. The preparation process includes:

- Public notification of a proposal to prepare an emergency management plan;
- Submissions on proposed plan;
- Forwarding of proposed plan to the Minister responsible for emergency management for comment; and
- Approval of plan by the civil defence emergency management group.

Submissions were dealt with in accordance with the requirements of S.52(1) which provides for submissions to be heard.

Under section 56 of the CDEMA, civil defence emergency management group plans may be reviewed at any time but must be reviewed after five years of being in force.

Non-Statutory Council Plans

- Northland River Management Policy.

This is a non-statutory document, that is, the council is not required by statute to prepare a river management policy but has done so to clarify roles and responsibilities under the Soil Conservation and Rivers Control Act 1941.

It was ratified by the Northland Regional Council and all three district councils between January and June 2000.

- Mooring & Marinas Strategy.

The Moorings and Marinas Strategy (the strategy) was adopted by council in July 2014 and will inform council's decision making about the way in which moorings and marinas are provided for in Northland over the next 20 years. The strategy seeks to outline how the council will deal with anticipated demand for mooring and marina space in Northland in a way that's consistent, sustainable and fair. The strategy does this by setting out:

- A set of universal principles to ensure a regionally consistent approach to the allocation of marine space for boat storage;
- A 'decision making guide' to apply to determine the best the best way to manage future growth in discrete areas like the Bay of Islands;
- A policy to ensure fair allocation of marine space – including compensation – where intensification (for instance a new marina) is proposed in an existing mooring area; and
- A proposal to increase council-ownership of moorings to enable more effective management;
- Where and how moorings and marinas will be provided for in the Bay of Islands (where regional demand for mooring space is currently highest). Other areas will be added to the strategy as required.

The strategy will be implemented primarily in the Regional Coastal Plan but also in the council's Navigation Safety Bylaws and through the council's maritime operations.

17 Public access to council and its elected members

Your Regional Councillors

Bill Shepherd - Chairman**Constituency:** Coastal North**Phone:** 021 433 574**Email:** bills@nrc.govt.nz**David Sinclair – Deputy Chairman****Constituency:** Whangārei Urban**Phone:** 021 865 988**Email:** davids@nrc.govt.nz**Mike Finlayson****Constituency:** Te Hiku**Phone:** 027 542 2286**Email:** mikef@nrc.govt.nz**Justin Blaikie****Constituency:** Hokianga-Kaikōhe**Phone:** 027 542 2992**Email:** justinb@nrc.govt.nz**Joce Yeoman****Constituency:** Coastal North**Phone:** 027 542 2358**Email:** jocey@nrc.govt.nz**Paul Dimery****Constituency:** Coastal Central**Phone:** 027 542 2406**Email:** pauld@nrc.govt.nz**John Bain****Constituency:** Whangārei Urban**Phone:** 021 961 894**Email:** jbain@internet.co.nz**Rick Stolwerk****Constituency:** Coastal South**Phone:** 027 542 2708 or (09)4320741**Email:** ricks@nrc.govt.nz**Penny Smart****Constituency:** Kaipara**Phone:** 021 439 735 or (09)4397359**Email:** pennys@nrc.govt.nz

The Northland Regional Council

HEAD OFFICE

Street Address: 36 Water Street, Whangārei.
Postal Address: Private Bag 9021, Whangārei 0148.
Telephone No: 09 470 1200
Facsimile No: 09 470 1202
Email: mailroom@nrc.govt.nz
Freephone: 0800 002 004
24/7 Environmental Hotline: 0800 504 639
Website: www.nrc.govt.nz

ŌPUA OFFICE

Street Address: Unit 10, Ōpua Marine Park, Ōpua 0200.
Telephone No: 09 402 7516

DARGAVILLE OFFICE

Street Address: 42 Hokianga Road, Dargaville 0310.
Telephone No: 09 439 3300

KAITĀIA OFFICE

Street Address: 192 Commerce Street, Kaitāia 0410.
Telephone No: 09 408 6600

WAIPAPA OFFICE

Street Address: Shop 9, 12 Klinac Lane, Waipapa 0295.
Telephone No: 09 470 1200

18 Requests for official information

The Local Government Official Information and Meetings Act 1987 (LGOIMA) provides that any person may request the council to make available to them any specified official information held by the council.

The LGOIMA requires that any information so requested must be specified "with due particularity in the request", so that it does not for instance require the council to make its files on any subject available for perusal.

The Act says that information may be withheld if release of the information would:

- Endanger the safety of any person;
- Prejudice maintenance of the law;
- Compromise the privacy of any person;
- Reveal confidential or commercially sensitive information;
- Cause offence to tikanga māori or would disclose the location of waahi tapu;
- Prejudice public health or safety;
- Compromise legal professional privilege;
- Disadvantage the local authority while carrying out negotiations or commercial activities; or
- Allow information to be used for improper gain or advantage.

Applicants for official information, whose applications are refused, have the right to request a review of that decision by an Ombudsman.

The Act requires a decision on any information request to be given to the applicant within 20 working days. The council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to the council's mailroom (mailroom@nrc.govt.nz)

An information request form is included as **Appendix Four**.

Appendix One

Acts of Parliament conferring authority on the council and its predecessors

19 Appendix 1 - Acts of Parliament conferring authority on the Northland Regional Council and its predecessors

Acts of Parliament in force:

Aquaculture Reform (Repeals and Transitional Provisions) Act 2004
 Biosecurity Act 1993
 Building Act 2004
 Bylaws Act 1910
 Civil Defence and Emergency Management Act 2002
 Marine and Coastal Area (Takutai Moana) Act 2011
 Fees and Travelling Allowances Act 1951
 Harbour Boards Dry Land Endowment Revesting Act 1991
 Hazardous Substances and New Organisms Act 1996
 Health and Safety in Employment Amendment Act 2002
 Holidays Act 2003
 Human Rights Act 1993
 Land Act 1948
 Land Drainage Act 1908
 Land Transport Act 1998
 Local Authorities (Members' Interests) Act 1968
 Local Electoral Act 2001
 Local Electoral Amendment Act 2002
 Local Government (Rating) Act 2002
 Local Government Act 2002
 Local Government Official Information and Meetings Act 1987
 Maritime Transport Act 1994
 Northland Regional Council and Far North District Council Vesting & Empowering Act 1992
 Privacy Act 1993
 Public Bodies Contracts Act 1959
 Public Bodies Leases Act 1969
 Public Transport Management Act 2008
 Rating Valuations Act 1998
 Resource Management Act 1991
 River Boards Act 1908
 Soil Conservation and Rivers Control Act 1941
 Statutory Land Charges Registration Act 1928
 Trustee Act 1956
 Trustee Amendment Act 1988

Appendix Two

Committee, Sub Committee and Working Party Terms of Reference

20 Appendix 2 – Committee, Subcommittee and Working Party Terms of Reference 2016-2019 Triennium

Investment Subcommittee

Membership

The Investment Subcommittee shall be comprised of two (2) councillors and an independent member as follows:

Chairperson:	John Bain
Members:	Penny Smart
	Geoff Copstick (independent)
Ex-officio:	Bill Shepherd (full voting rights)

Standing orders apply.

Quorum

The quorum for meetings of the subcommittee shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the subcommittee are to:

- Provide oversight and assistance to the Chief Executive on council's investment activities within established limits, ensuring external accountabilities and responsibilities are fulfilled;
- Make recommendations to council on investment fund matters; and
- Manage investment returns that can influence operational budgets and public equity.

Role and responsibilities

The subcommittee is directly responsible and accountable to the council for the exercise of its responsibilities. In carrying out its responsibilities, the subcommittee must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the subcommittee not be able to perform their functions, the council will assume their role and responsibilities.

Working Groups

The subcommittee is further authorised to fulfil its role and responsibilities through the establishment or disestablishment of other working groups as the subcommittee sees fit. Working groups can include councillors, independent members, and advisors whose skills and experience are appropriate to the work being done. The staff member responsible to provide support to the working groups shall be the Chief Executive, who may delegate the role.

Delegated Authority and functions

The council authorises the subcommittee, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Move investment funds between various managed funds within approved limits provided for in the Statement of Investment Policy and Objectives (SIPO).
- CEO to withdraw and invest in the Working Capital Fund within established delegations.
- Recommend manager/s of new funds for approval by council.
- Ensure that there are no withdrawals from funds except the Working Capital Fund without the approval of council.
- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- Subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;
- Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- Appoint working groups to make recommendations to the subcommittee on any matters of responsibility within the subcommittee's Terms of Reference, and act in accordance with resolutions of the subcommittee (in line with specific limitations) where there is urgency or special circumstance;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Financial Management and Reporting

In relation to the purpose of this subcommittee:

- a. Monitor and report on the quarterly financial performance of all funds against budget.
- b. Make recommendations to council on any forecast variances against budget.
- c. Determine the means of financial reporting to council and the public.

3. Funding, Financial and Other Policies

In relation to the purpose of this subcommittee:

- a. Contribute to the review of any changes required to relevant sections of the council's funding and financial policies (including those required under Section 102 of the Local Government Act (LGA) 2002) specifically the:
 - i. Revenue and Financing Policy; and
 - ii. Treasury Management Policy (incorporating Liability Management Policy and Investment Policy) .

4. Investment Functions

In relation to the purpose of this subcommittee:

- a. To periodically review council's overall investment portfolio and provide recommendations to council as to adjustments to maintain an appropriate investment mix.
- b. Undertake the investment functions referred to in the Treasury Management Policy adopted within the current LTP. These functions include:

- i. To review performance and compliance against council's Treasury Management Policy (and its objectives) and reporting for all the council's investment funds (Statement of Investment Policy and Objectives).
- ii. To make investment decisions within the subcommittee's delegations;
- iii. To make recommendations to council on any changes that fall outside the subcommittee's delegations including changes to the construction of investment portfolios, the Investment Fund Statement of Investment Policies and Objectives, the objectives and policies in the Treasury Management Policy, and investment management appointees.
- iv. To recommend to the council targets, policies and strategies for undertaking its investment activities.
- v. To oversee the administration and review of the council's investment opportunities within the subcommittees delegated authority and make recommendations to council as appropriate.

5. No Delegated Authority – Power to Act

In Accordance Clause 32 (1) of Schedule 7 of the Local Government Act 2002, the subcommittee does not have the powers of council to borrow money or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan.

Property Subcommittee Terms of Reference

Membership

The Property Subcommittee shall be comprised of three (3) councillors as follows:

Chairperson:	Penny Smart
Members:	David Sinclair John Bain
Ex-officio:	Bill Shepherd (full voting rights)

Standing orders apply.

Quorum

The quorum for meetings of the subcommittee shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the subcommittee are to:

- Provide oversight and assistance to the council's Chief Executive to negotiate property sale and purchase agreements; and
- Make recommendations to council on property investment matters,

Role and responsibilities

The subcommittee is directly responsible and accountable to the council for the exercise of its responsibilities. In carrying out its responsibilities, the subcommittee must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the subcommittee not be able to perform their functions, the council will assume their role and responsibilities.

Working Groups

The subcommittee is further authorised to fulfil its role and responsibilities through the establishment or disestablishment of other working groups as the subcommittee sees fit. Working groups can include councillors, independent members, and advisors whose skills and experience are appropriate to the work being done. The staff member responsible to provide support to the working groups shall be the Chief Executive, who may delegate the role.

Delegated Authority and functions

The council authorises the subcommittee, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Make decisions in accordance with the Terms of Reference
- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- Subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;

- Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- Appoint working groups to make recommendations to the subcommittee on any matters of responsibility within the subcommittee's Terms of Reference, and act in accordance with resolutions of the subcommittee (in line with specific limitations) where there is urgency or special circumstance;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Funding, Financial and Other Policies

In relation to the purpose of this subcommittee:

- a. Contribute to the review of any changes required to council's funding and financial policies (including those required under Section 102 of the Local Government Act (LGA) 2002) specifically the:
 - i) Revenue and Financing Policy; and
 - ii) Treasury Management Policy (incorporating Liability Management Policy and Investment Policy)

3. Property Investment Functions

The subcommittee's responsibilities are to:

- a. To work with the CEO to negotiate sale and purchase agreements for properties (within +/- 5% of their valuation) and provide appropriate sale and purchase recommendations to council for consideration.
- b. Undertake the property investment functions referred to in the Treasury Management Policy adopted within the current LTP. These functions include:
 - i) To review performance and compliance against council's Treasury Management Policy (and its objectives);
 - ii) To make recommendations to council on any changes to the subcommittee's delegations, the objectives and policies in the Treasury Management Policy;
 - iii) To recommend to the council targets, policies and strategies for undertaking its property activities.
 - iv) To oversee the administration and review of the council's property investment opportunities within the subcommittees delegated authority and make recommendations to council as appropriate.

4. No Delegated Authority – Power to Act

In Accordance Clause 32 (1) (c) of Schedule 7 of the Local Government Act 2002, the subcommittee does not have the powers of council to borrow money or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan.

Audit Working Party

Membership

The Audit Working Party shall be comprised of two (2) councillors and one (1) independent member as follows:

Chairperson:	David Sinclair
Members:	Bill Shepherd
	Joce Yeoman
	Geoff Copstick (independent)

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's internal and external audit activities, ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on audit matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- In discussion with the CEO and subject to operating within approved budget allocation – obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;

- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. External audit

The working party's responsibilities are to:

- Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors.
- Provide advice to the Chief Executive to negotiate fees with external auditors
- Review Audit Management Letter
- Review Audit Plan
- Review Independent Audit Reports
- Provide input and feedback on the financial statements and the audit coverage proposed by the external auditor, and provide feedback on the audit services provided.
- Review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations.
- Oversee the co-ordination of audit programmes conducted by the external auditors and other review functions.
- Provide reports and advice to the council on action taken on significant issues raised in relevant external audit reports and good practice guides.

3. Reporting

The working party's responsibilities are to:

Review and recommend to council the adoption of the Annual Report and Summary Annual Report, focusing particularly on:

- Any changes in accounting policies and practices;
- Major judgemental areas;
- Significant adjustments resulting from audit;
- Compliance with financial reporting and other applicable standards;
- Compliance with statutory requirements; and
- Other reports prepared by management for release to stakeholders, such as any summary financial reports.

5. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Risk and Health & Safety Working Party - Terms of Reference

Membership

The Risk and Health & Safety Working Party shall be comprised of three (3) councillors as follows:

Chairperson:	Paul Dimery
Members:	Rick Stolwerk
	Joce Yeoman
	Bill Shepherd

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the council's risk and health & safety activities, ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on risk management and health and safety matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Risk management

The working party's responsibilities are to:

- a. Determine whether management has appropriately considered legal, operational and compliance risks as part of council's risk management arrangements;
- b. Review council's risk management framework, policy and associated procedures for effective identification and management of the council's financial and business risks, including fraud.
- c. Review the council's corporate risk register in line with the council's risk management framework, policy and associated procedures.
- d. Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- e. Review the effect of the council's risk management framework on its control environment and insurance arrangements.
- f. Review whether a sound and effective approach has been followed in establishing council's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically.
- g. Review council's fraud control plan and satisfy itself that the council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.
- h. Review and monitor the council's policies and practices relating to sensitive expenditure.
- i. Review the effectiveness of the system for monitoring council's compliance with relevant laws, regulations and associated policies and make recommendations to council on improvements to council's risk management framework.

3. Health and Safety

The working party's responsibilities are to:

- a. Consider and review the council's health and safety management system, including receiving reports from management on the system and organisational wellness.
- b. Make recommendations to council on improvements to the Health and Safety Management System.

4. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Natural Resources Working Party – Terms of Reference

Membership

The Natural Resources Working Party shall be comprised of three (3) councillors as follows:

Chairperson:	Justin Blaikie
Members:	Rick Stolwerk Joce Yeoman
Ex-officio:	A non-elected member from the TTMAC Working Party ³ Bill Shepherd (full voting rights)

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's natural resource management activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on natural resource management matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;

³ At the 22 August 2017 council meeting, council endorsed TTMAC Working Party members Chetham, Norris, (plus one further nomination yet to be confirmed) as being associated with the Natural Resources Working Party, noting that only one member would attend any given meeting as the official representative of the TTMAC Working Party:

- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.
- To consult and seek input from other groups, as required, on specific resource management issues.

2. Natural Resource Management

- 1) For council's monitoring, land, water, air, coastal marine area, biodiversity, river, natural hazards and flood management activities:
 - Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
 - Advise and make recommendations to council (and relevant working parties or working groups) on operational and implementation matters.
 - Monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Long Term Plan, Annual Plan and operational strategies.
 - To coordinate with other agencies on matters concerning environmental management in Northland.
- 2) To be the governance entity for Waiora Northland Water, river liaison and catchment group working groups.
- 3) To oversee the administration of the Environment Fund.
- 4) Identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration of plans.
- 5) To review and recommend to council on such other functions as may be delegated from time to time.

3. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Pest Management Working Party – Terms of Reference

Membership

The Pest Management Working Party shall be comprised of four (4) councillors as follows:

Chairperson:	Mike Finalyson
Members:	Justin Blaikie Rick Stolwerk Paul Dimery
Ex-officio:	A non-elected member from the TTMAC Working Party ⁴ Bill Shepherd (full voting rights)

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's pest management activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on pest management matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;

⁴ At the 22 August 2017 council meeting, council endorsed TTMAC Working Party members Elboz, Harawene, Rameka, (plus one further nomination yet to be confirmed) as being associated with the Pest Management Working Party, noting that only one member would attend any given meeting as the official representative of the TTMAC Working Party:

- In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Pest Management

- i) For council's pest management, biosecurity and marine pests activities:
 - advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
 - advise and make recommendations to council (and relevant working parties or working groups) on matters of policy and implementation .
 - monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Northland Long Term Plan. Annual Plan and operational strategies, such as the Regional Pest Management Plan (RPMP) and Marine Pathway Plan (MPP).
 - To coordinate with other agencies on matters concerning pest management in Northland.
- ii) To oversee the development and implementation of the Regional Pest Management Plan (RPMP) and Marine Pathway Plan (MPP) and regularly report progress on its functions to the council. Identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration of plans.
- iii) To review and recommend to council on such other functions as may be delegated from time to time.

3. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Marine Management Working Party – Terms of Reference

Membership

The Marine Management Working Party shall be comprised of four (4) councillors as follows:

Chairperson:	Rick Stolwerk
Members:	David Sinclair Justin Blaikie
Ex-officio:	A non-elected member from the TTMAC Working Party ⁵ Bill Shepherd (full voting rights)

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's marine management activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on marine management matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;

^{5 5} At the 22 August 2017 council meeting, council endorsed TTMAC Working Party members Hakaraia, Murphy and Norris as being associated with the Marine Management Working Party, noting that only one member would attend any given meeting as the official representative of the TTMAC Working Party:

- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Marine Management

- i) For council's marine management, Navigation, Water Transport and Maritime Safety Bylaw, harbour safety and navigation and oil spill response activities:
 - Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
 - Advise and make recommendations to council (and relevant working parties or working groups) on operational and implementation matters.
 - Monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Northland Long Term Plan. Annual Plan and operational strategies,
 - To coordinate with other agencies on matters concerning marine management in Northland.
- ii) To review and recommend to council on such other functions as may be delegated from time to time.

3. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Planning Working Party – Terms of Reference

Membership

The Planning Working Party shall be comprised of four (4) councillors as follows:

Chairperson:	Joce Yeoman
Members:	John Bain Paul Dimery Penny Smart A non-elected member from the TTMAC Working Party ⁶
Ex-officio:	Bill Shepherd (full voting rights)

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's resource management planning activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on planning matters.

Responsibilities

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

Role and functions

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;

⁶ At the 22 August 2017 council meeting, council endorsed TTMAC Working Party members Chetham, Mahanga, Murphy, Tautari as being associated with the Planning Working Party, noting that only one member would attend any given meeting as the official representative of the TTMAC Working Party:

- Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- Undertake such other functions as may be delegated by council from time to time.

2. Planning

For council's planning activities:

- i) To oversee the preparation of the Regional Policy Statement (RPS) for Northland, including the resolution of appeals.
- ii) To oversee the development of the proposed regional plan under the Resource Management Act 1991. To identify and workshop important and / or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration of plans.
- iii) To recommend to council the release of draft plans and plan changes, including variations, for public consultation.
- iv) To make recommendations to council on any appeals in accordance with council decisions on the proposed plan, plan change or variation.
- v) To make recommendations to council to accept, adopt or reject private plan change applications under clause 25 of the First Schedule of the Resource Management Act 1991.
- vi) To oversee the management of the private plan change process.
- vii) To recommend to council positions and perspectives on proposed legislation (including amendments) and national policy initiatives for incorporation into council submissions as appropriate.
- viii) To make recommendations to council on the processes to be used to develop and review planning proposals.

3. No Delegated Authority – Power to Act

The working party has no delegated authority or power to act.

Te Taitokerau Māori and Council Working Party – Terms of Reference

Background

There are specific legislative obligations for Local Government to:

- Take appropriate account of the principles of the Treaty of Waitangi and;
- To maintain and improve opportunities for Māori to contribute to local government decision making processes.

Recognising this, in the 2016 – 2019 triennium, council sought to establish a formal working party of council as one means to achieve this.

This Terms of Reference recognises that this agreement is not intended to be a legally binding document, but rather a document that encourages and supports a long-term relationship between Northland Regional Council and Māori of Taitokerau.

It also recognises that although two distinct partners, each bringing their own particular perspective to the table, that Māori and council may share some common aspirations in regard to the environmental, social, cultural and economic future of our shared region.

This agreement also appreciates that it will be through goodwill and cooperation that trust will develop and therefore a relationship based on mutual respect.

The Parties

This agreement is between Māori of Taitokerau and Northland Regional Council.

Taitokerau Māori

Northland Māori are extremely passionate about their heritage and give regard to Te Tiriti o Waitangi as the founding document of this country and recognises a partnership between Māori and the Crown, for Māori, further cementing the intent of He Whakaputanga o Te Rangatiratanga o Nū Tīreni (1835 Declaration of Independence).

The statement of intent in regards to these for Māori is:

He Whakaputanga o Te Rangatiratanga o Nū Tīreni (Declaration of Independence) and Te Tiriti o Waitangi provide the foundation doctrines of authority and partnership that are being sought by hapū in Government, including Local Government.

Northland Regional Council

The Northland Regional Council (council) is the regional authority with responsibilities defined in the Local Government Act 2002, which provide for its obligations to Māori under the Treaty of Waitangi.

Mission Statement

He tumu herenga waka | The anchorage of canoes

This whakatauki is a metaphor that represents a:

- Forum that emphasises and advocates the Māori world view
- Means by which to integrate the Māori perspective into processes and policy
- Stable platform for whānau, hapū and iwi to connect and communicate with

- Safe haven for open and forthright discussion
- Provides strong leadership in consultation with Māori communities

Vision Statement

He waka hourua, eke noa | A re-adzed voyaging canoe upon which everyone may embark

This whakatauki is a metaphor that represents:

- Partnership
- A challenging journey requiring determination and collaboration
- The application of Te Ao Māori in our journey eg. the wairua dimension
- Understanding, caring for and adapting to our natural environment
- Self-reliance and a sustainable economy.

Values

The following engagement principles will guide the committee in the pursuit of its purpose:

- He kanohi Māori – Application of the Māori World View.
- Mahi tahi – Increased collaboration.
- Me whakatau mā roto i te kōrero – a willingness to talk things through.
- Kaitiakitanga – Dedicated stewardship.
- Ngākau pono - Being true to the cause.

Purpose

To advance a model of Māori engagement that supports environmental and economic priorities across the region:

- Monitor and advise on council's compliance to its obligations to Māori under the Local Government Act 2002 and the Resource Management Act 1991 (assurance and compliance function)
- Provide advice to council on topics referred to it by council
- To develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council
- To ensure the views of Māori are taken into account in the exercise of council functions.

Membership

The working party will comprise up to 30 members in total consisting of:

Five elected members, and

Twenty-five non-elected members from Taitokerau Māori.

The twenty-four non-elected members, as a priority, are to be made up from:

- One member from each of the 9 Mandated Iwi Authorities¹,
- One member from each of the hapū Treaty settlement entities², and
- One member from each of the following Taitokerau tangata whenua groupings*:

Ngāti Hine
 Ngāti Manu
 Hokianga O Ngā Hapū
 Ngāti Rēhia
 Te Parawhau

Te Whakapiko,
 Te Waiariki, Ngāti Kororā, Ngāti Takapari
 Ngāti Kuta, Patukeha
 Te Roroa
 Te Hiku o Te Ika Marae

**(These tangata whenua groupings have shown a commitment to the kaupapa from the initial conception of the working party and represent a broad cross section of Northland Māori and will remain in place.)*

It is to be noted that these terms of reference, as they pertain to membership, are subject to change as the working party evolves.

Nominations received from iwi or hapū not currently represented on the working party will be presented to council for ratification following consultation with the working party co-chairs. Such nominations must be accompanied with documentation, to the satisfaction of the co-chairs, that the nominee has formally been mandated by iwi or hapū to represent them on the working party.

The following procedure will be followed once working party membership reaches 30 and a nomination is received from iwi or hapū not currently represented on the working party:

1. Priority will be provided for one member from each group as indicated above.
2. The working party will seek to achieve as wide and even representation as possible.
3. Those groups with two representatives on the working party will need to reduce their representation to one.
4. Once full representation is achieved from all priority groups listed above, then new membership is only available by attrition.

Tangata whenua can provide an alternate nomination to act on behalf of absent members.

Removal and replacement of members

Each respective entity (as noted in section 7) will undertake its own selection and mandating process to identify representatives for the working party.

When selecting its members, entities are encouraged to consider gender equality, and the range of skills and experience required for the group to adequately perform their role.

Changes to member representation needs to be formally notified to council. As the entity already has a position on the working party, a change in personal does not require endorsement as required in section 7. For clarity, section 7 relates to new entities seeking to join the working party.

Membership of the group shall cease if a member:

- Resigns, or
- Fails to attend at least three consecutive meetings over the period of one year³.

A member can be removed from the working party by council, following receipt of a recommendation passed by 75% of members of the working party present and voting, under exceptional circumstances where the behaviour of the member is considered detrimental to the effective operation of the group.

If a member resigns or is removed from the group, the working party will work to fill any vacancies as soon as possible.

Co-Chair's

Provision has been made for this working party to have a co-chair arrangement. The following process will be undertaken to fill the position of co-chairs:

Council will appointment one elected member (and proxy) as their representative to act as co-chair. The non-elected members of the working party will appoint a co-chair (and proxy), from the non-elected members. Both recommendations are to be endorsed by council.

At least one co-chair must be present at the formal meetings and marae based hui of the working party.

Besides chairing meetings, the co-chairs (or proxy) will be responsible for:

- Attending agenda preview meetings and reviewing working party actions prior to circulation
- Be available to vet prospective applications for membership onto the working party
- Assist in mediation if and when required, in the first instance.

Term of Appointment

The standard term of appointment will be three years – consistent with the term of local and territorial authorities – in this case, the 2016-2019 local body triennium. The term of appointment can be less than three years if a member:

- Resigns
- Misses three consecutive meetings, or
- The working party is disbanded.

A member can be appointed for a second term should their representative group re-endorse their selection and nomination.

Operation

Council's Chief Executive Officer (CEO) is the senior manager responsible for this working party and shall attend all meetings and hui in this capacity.

The CEO or such person as he may from time to time appoint and other council staff designated by him will be responsible for the maintenance and servicing (provision of venue, minute-taking, catering) of the group.

Support of the committee extends to council's controlled organisation, NorthlandInc through the CEO and staff.

Member Induction

All new members joining the working party will receive an induction pack which will include the Terms of Reference, relevant policies and procedures and information outlining the council's function and processes.

Conflict of interest

Members will be asked to complete a conflict of interest form at the beginning of each year they sit on the group. A conflict of interest log will be maintained by the officer responsible for liaising with the group.

Frequency of meetings

The working party will meet up to a maximum of 10 times a year. These will alternate between a formal meeting of the working party which will be held at the council's office in Whangārei and workshops at marae focusing on local issues (i.e. up to five formal meeting and five marae based workshops.)

While any working party member is welcome to attend the marae based workshops, these workshops will not constitute a formal working party meeting and therefore no working party actions can be agreed. Working party members hosting regional hui are eligible for meeting fee allowances.

When the full working party meets at the Whangārei office of the regional council a meeting room will be made available before or after the meeting of the working party in order for the Māori members of the working party to meet.

Quorum

The following quorum will apply:

- At least a third of the elected members (councillors), and
- At least a third of non-elected members.

This ratio will apply to those seats that are currently filled and not include vacant positions.

Payment

Payments for non-elected members of the working party (tangata whenua) for meeting attendance and mileage will be in accordance with the councils 'Appointed Members Allowance Policy' and in accordance with this Terms of Reference.

Payments include

- Meeting allowance for formal meetings of the Working Party
- Mileage (one claim for vehicle)
- Attendance at regional hui for those of the regional hui rohe, and
- Delegated sub-working parties endorsed by council.

Conflict resolution

Should conflict occur, the co-chairs and the group will be responsible for working together to resolve the conflict in the first instance. If the conflict persists, the council will only intervene at

the request of the majority of the working party members.

Reporting – accountability

The working party, through the co-chairs will provide a summary report to the council following each meeting.

Committee members are expected to report back to and liaise regularly with their respective communities – providing information to their constituents and seeking their feedback.

Officers of council will be responsible for promoting the working party and any initiatives developed (once considered and approved by council), to the wider public through a range of media including print and radio promotion, the council's website and social media.

Review

The Terms of Reference will subsequently be reviewed as required. All changes to the Terms of Reference will be subject to the approval of Northland Regional Council through a recommendation made by the working party.

Delegations

The working part has no delegated authority from council.

Regional Transport Committee

Membership

The Regional Transport Committee (the committee) comprises two (2) councillors (as Chairperson and Deputy Chairperson) plus a representative from each of the district councils and a representative from the New Zealand Transport Agency, as follows:

Chairperson
Cr John Bain

Deputy Chairperson
Cr Paul Dimery

Cr Ann Court representing FNDC (alternate Cr John Vujcich)
Cr Greg Martin representing WDC (alternate Cr Phil Halse)
Cr Julie Geange representing KDC (alternate Mayor Greg Gent)
Mr Ernst Zollner from the New Zealand Transport Agency (alternate Mr Brett Gliddon)

Quorum

The quorum for meetings of the committee shall be three members, being half of the members (including vacancies).

Terms of Membership

Should any member appointed to represent an outside organisation be absent without prior leave from two consecutive meetings of the committee, that person's appointment is automatically terminated.

Should a vacancy occur in the membership of the committee, the Committee Secretary (or person fulfilling that role) shall report this to the next meeting of the council and the nominating organisation will be invited to nominate a replacement.

Members of the committee representing outside organisations are expected to regularly report back to their nominating organisation on matters discussed at committee meetings.

Voting Rights

At any meeting of the committee, the Chair, or any other person presiding at the meeting, has a deliberate vote, and in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved). This is a requirement of the Land Transport Management Act 2003 (the Act) and therefore takes precedence over council's standing orders.

Functions

- 1) To prepare for approval by the Northland Regional Council:
 - (a) a Regional Land Transport Plan for the Northland region, or any variations to the plan or any reports on the plan prepared under the Act;
 - (b) a Regional Public Transport Plan, or any variations to the plan prepared under the Act; and

- (c) to provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.
- 2) To adopt a policy that determines significance in respect of variations made to the Regional Land Transport Plan.
- 3) To regularly monitor and review progress towards the adoption and implementation of the Regional Land Transport Plan.
- 4) To approve procedures and requirements for implementing the council's public passenger transport service registration functions under the Act.
- 5) To advise the council on any significant legislative changes, programmes, plans or reports relating to the region's land transport system.
- 6) To liaise with Ministry of Transport, New Zealand Transport Agency, the Commissioner of Police, district councils, Northland's Road Safety Forum and other interests on land transport matters, and advise the council on appropriate new initiatives.
- 7) To regularly monitor and review progress towards the performance targets and outcomes relative to land transport contained in the current Long Term Plan and Annual Plan.

Delegated Authority – Power to Act

- 1) Does not have the powers of council to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:
 - a) make a rate;
 - b) make a bylaw;
 - c) borrow money, or purchase or dispose of assets, other than that in accordance with the current Long Term Plan or Annual Plan;
 - d) adopt a Long Term Plan, or Annual Plan, or Annual Report;
 - e) appoint a Chief Executive; or
 - f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.
- 2) Does have the ability to appoint subcommittees to deal with any matters of responsibility within the committee's Terms of Reference and areas of responsibility, and to make recommendations to the committee on such matters. (Any subcommittee shall not have power to act other than by a resolution of the committee with specific limitations where there is urgency or special circumstance.)
- 3) Does have the ability to make decisions in accordance with the Terms of Reference.

Power to Act (for the information of council)

- 1) To prepare an annual report on the Regional Land Transport Plan-
- 2) To co-ordinate regional road safety activities.
- 3) To monitor transport activities of the regional council, territorial authorities and New Zealand Transport Agency in order to report on progress of the Regional Land Transport Plan.

Power to Recommend to Council

- 1) To prepare and recommend the Regional Land Transport Plan and Regional Public Transport Plan. To consider and recommend transportation planning studies and associated outcomes.
- 2) To provide recommendations to relevant government agencies on transport priorities and the allocation of national regional transport funds.

Appendix Three

Councillor memberships

21 Appendix 3 – Councillor memberships/delegations

1. Collaborative Community Engagement Groups

Collaborative Community Engagement Group (CG = Catchment Group, RLC = River Liaison Committee)	Recommended Councillor Appointment (role)
Ngunguru CG	Dimery (Chair)
Waitangi CG	Yeoman (member)
Taumarere RLC	Blaikie (Chair)
Waitangi RLC	Yeoman (Chair)
Kerikeri RLC	Yeoman (Chair)
Kaeo-Whangaroa RLC	Blaikie (Chair)
Mangere CG	Shepherd (member)
Ruakaka RLC	Stolwerk (Chair)
Poutō CG	Smart (Co-Chair)
Kaihū RLC	Bain (Chair)
Doubtless Bay CG	Finlayson (Chair)
Awanui RLC	Finlayson (Chair)
Whangārei CG	Dimery (member)
Urban Whangārei RLC	Sinclair (Chair)
Whangarei Heads Pest management Working Group	Dimery (Chair)

2. Memberships/Delegations

Memberships/Delegation	Councillor
Hearings Panel for Proposed Regional Plan	Councillor Yeoman
Inter council working party on genetically modified organisms risk evaluation and management	Councillors Finlayson and Dimery
Kaipara Moana Working Party	Councillors Smart and Blaikie
Kawakawa Hundertwasser Park Centre – Project Partnership Group	Councillor Blaikie
New Zealand Refinery Liaison Committee	Councillor Stolwerk
Northland Chamber of Commerce council representative	Councillor Dimery
Northland Conservation Board	Councillor Stolwerk
Northland Sports Facilities Plan (Sport Northland)	Councillor Dimery
Regional Pest Management Plan and Pathway Plan Hearings Committee	Councillors Blaikie, Stolwerk, Dimery and Finlayson. <i>Secretarial Note: Refer to A891899</i>

Shareholder representative for Northland Marsden Maritime Holdings Limited <i>(delegates all necessary authority to represent the council's interests including but not limited to exercising council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Chairman Shepherd
Shareholder representative for Northland Inc. Limited <i>(delegating all necessary authority to represent the council's interests including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Councillor Sinclair
Shareholder representative on Regional Software Holdings Limited <i>(delegates all necessary authority to represent the council's interests including but not limited to exercising council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Chairman Shepherd
Te Au Mārie 1769 Trust	Councillor Stolwerk
Upper North Island Strategic Alliance (UNISA)	Chairman Shepherd
Whangārei PublicTransport Working Party	Councillors Bain, Dimery and Sinclair
Zone One (LGNZ)	Councillor Bain (Councillors Smart and Yeoman as alternates)

Appendix Four

Information Request Form

22 Appendix 4 – Information request form

Request for Specified Official Information

Section 10 of the Local Government Official Information Act 1987 provides as follows:

10. Requests

- 1) Any person may request any local authority to make available to that person any specified official information.
- 2) The official information requested shall be specified with due particularity in the request.
- 3) If the person making the request asks that the request be treated as urgent, that person shall give that person's reasons for seeking the information urgently.

I _____
(full name)

of _____
(residential address)

request that the following information is made available to me:

(see 10(2) above)

I ask that this request be treated as urgent for the following reasons:

(complete if appropriate)

(signed)

(date)

Note: Section 13 of the Local Government Official Information and Meetings Act requires a decision on this request to be given to the applicant within 20 working days, including the cost of providing the information within the guidelines prescribed by the Ombudsman.