



Local Governance Statement

2019 – 2022 Triennium

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;
- 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 info@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
twitter.com/NRCexpress
- Follow us on LinkedIn:
www.linkedin.com/companies/northland-regional-council



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 promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (Section 10 of the Local Government Act 2002).

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

- 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; and
- Harbour navigation and safety, oil spills and other marine pollution.

We also have a role in economic development and our council controlled organisation, Northland Inc Limited, delivers 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 –

- 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*
- To give the Far North District Council certain authorities and powers in respect of mooring charges; and*
- 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:

- The outer boundary being 12 nautical miles from the shore; and
- 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 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. For the avoidance of doubt, Whangarei District Council and Far North Council also use the first past the post electoral system.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used by the Kaipara District Council and 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 2022 triennial election (at its meeting on 17 March 2020).

5. Māori constituencies

The Local Electoral Act 2001 gives council the ability to establish separate constituencies for Māori electors. The council may resolve to create separate Māori constituencies 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.

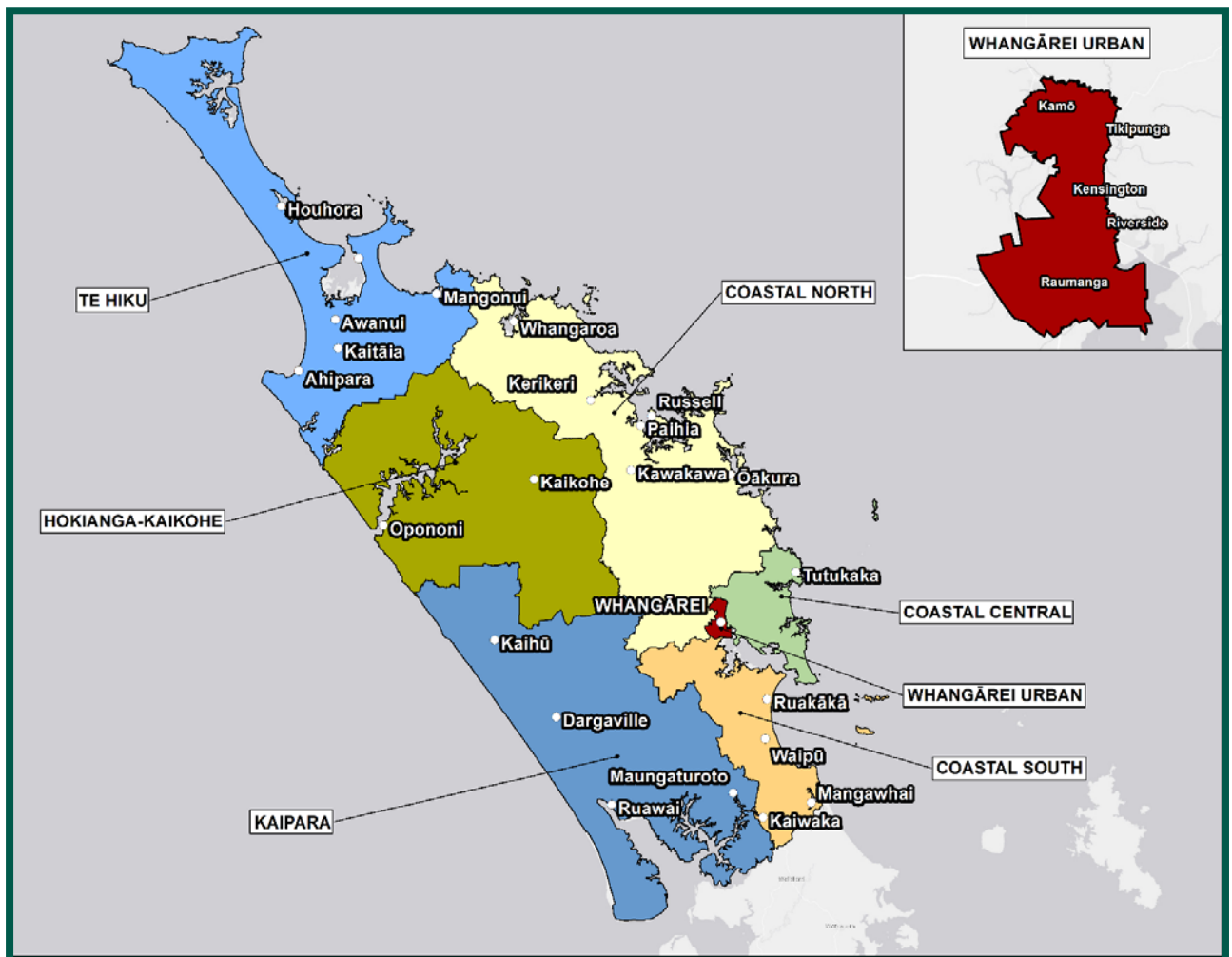
The council considered whether or not to have separate Māori constituencies in 2017. On 24 October 2017, the council resolved not to introduce Māori representation.

Council has the ability to consider the establishment of Maori constituencies at any time. However, if not before, council is required to re-consider whether it wants to establish Māori constituencies 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 the 2017/18 representation review there are nine regional councillors elected from seven constituencies - Te Hiku, Hokianga-Kaikohe, Coast North (two councillors), Coastal Central, Whangārei Urban (two councillors), Coastal South and Kaipara - as illustrated below. Each of the nine councillors represents an average of 19,496 people.

Council adopted its representation review final proposal in August 2018.



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 (inaugural) 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
- Provided 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/subcommittees of council. A committee/subcommittee chairperson is usually appointed by the council but is otherwise appointed by the committee/subcommittee and is responsible for presiding over meetings of the committee/subcommittee, ensuring that the committee/subcommittee acts within the powers delegated by council. A committee/subcommittee 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 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 and 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 council's resource library via its website www.nrc.govt.nz

9. Governance structures

The council reviews its governance structure after each triennial election. The current council confirmed its governance structure at the 19 November 2019 council meeting as follows:

Investment and Property subcommittee

Chair:	Cr R Stolwerk
Members:	Crs J Blaikie, J Bain, C Kitchen
Independent member:	G Copstick (non-voting)
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Craw
Independent Advisor:	J Erickson (non-voting)

- Authority to move investment funds between managed funds within SIPO limits.
- CEO delegation to withdraw and invest short term fund within established delegations.
- Identify manager of new funds for approval by the full council.
- No withdrawal of new funds except from the short term fund
- Authority to authorise CEO to negotiate sale and purchase agreements for property within +/-5% of valuation and provide appropriate recommendations to council for final consideration.

Audit and Risk Subcommittee

Chair:	Cr C Kitchen
Members:	Crs J Bain, A Macdonald, J Yeoman
Independent members:	G Copstick and second independent member TBA (non-voting)
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Blaikie

- Make recommendation to council on risk management and Health and safety matters
- Monitor and review financial policies and financial performance.
- Recommend new borrowing to council
- Review corporate risk register and risk management plans

Water and Land Working Party

Chair:	Cr Blaikie
Members:	Crs J Craw, A Macdonald, M Robinson, J Yeoman
Māori Representation:	Five members of Te Taitokerau Māori and Council (TTMAC) Working Party
Ex officio:	Cr P Smart (full voting rights)

- Provide oversight on activities that contribute to or influence the quality & quantity of water including land management and environmental monitoring.

Climate Change Working Party

- Chair: Cr A Macdonald
- Members: Crs M Robinson, J Craw, J Yeoman
- Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party
- Ex officio: Cr P Smart (full voting rights)
- Provide oversight on the council's climate change activities and make recommendations on climate change matters.
 - Oversee council's climate change work programme, with key focuses being on, adaptation planning and the development & implementation of a regional adaptation strategy, improving resilience across Northland.

Te Taitokerau Māori and Council (TTMAC) Working Party

- Co-chairs: Cr M Robinson and 1 x member of TTMAC
- Members: All of Northland Regional Councillors
- Māori Representation: 20 Māori representatives TBA
- Monitor and advise on council's compliance with its legislative obligations to Māori including under the Local Government Act 2002 and the Resource Management Act 1991.
 - Provide advice to council on topics referred to it by council.
 - Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council.
 - Ensure the views of Māori are taken into account in the exercise of council functions.

Biosecurity and Biodiversity Working Party

- Chair: Cr J Craw
- Members: Crs J Blaikie, M Robinson, R Stolwerk
- Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party
- Ex officio: Cr P Smart (full voting rights)
- Provide oversight on council's biosecurity and biodiversity activities.
 - Oversee the implementation of the Regional Pest Management Plan (RPMP), Marine Pathway Plan (MPP) and regularly report progress to council.

WDC/NRC Whangārei Public Transport Working Party

- Chair: Cr J Bain
- NRC Members: Crs J Craw, R Stolwerk
- WDC Members: Three Whangārei District councillors (WDC) TBA
- Provide oversight on Whangārei public transport issues with the intention of increasing patronage.
 - Oversee the integration of city and district planning in relation to public transport issues.

Planning and Regulatory Working Party

Chair: Cr J Yeoman

Members: Crs J Blaikie, A Macdonald, C Kitchen

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart (full voting rights)

- Provide oversight on council's resource management planning and regulatory activities.
- Oversee the implementation of the Proposed Regional Plan.
- Be the governance entity for the policy implementation of the government's Essential Freshwater Package.
- Make recommendations to council on appeals and recommendations to accept, adopt or reject private plan change applications.

Te Oneroa-a-Tōhē-Board – Joint committee

Members: Crs C Kitchen and M Robinson

- Develop a Beach Management Plan for Te-Oneroa-a-Tōhē (Ninety Mile Beach).

Civil Defence Emergency Management Committee

Chair: Cr Stolwerk TBC at first meeting

Alternate: Cr C Kitchen

- Co-ordinate planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery;
- Encourage co-operation and joint action within the Northland region.

Regional Transport Committee

Chair: Cr J Bain

Member: Cr R Stolwerk

Alternate: Cr Blaikie

- Prepare Regional Land Transport Plan for council approval;
- Liaise with appropriate road safety bodies and advise council on new initiatives;
- Administer Total Mobility Scheme and report to council as appropriate; and
- Prepare a Regional Public Transport Plan for council approval.
- Recommend the required independent appointments for this committee.

Note:

- *The Civil Defence Emergency Management Committee, established under the Civil Defence and Emergency Management Act, was perpetuated by a resolution of council in September 2010 to allow normal business to continue in the event of a civil defence emergency and therefore does not require a resolution to be established now, nor to have delegations approved.*
- *It should be noted that the Civil Defence Emergency Management Group is not an NRC committee but a joint standing committee with equal membership across each of the four*

Northland councils. NRC acts as the administrative authority under the legislation for the CDEM Group.

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

Terms of Reference

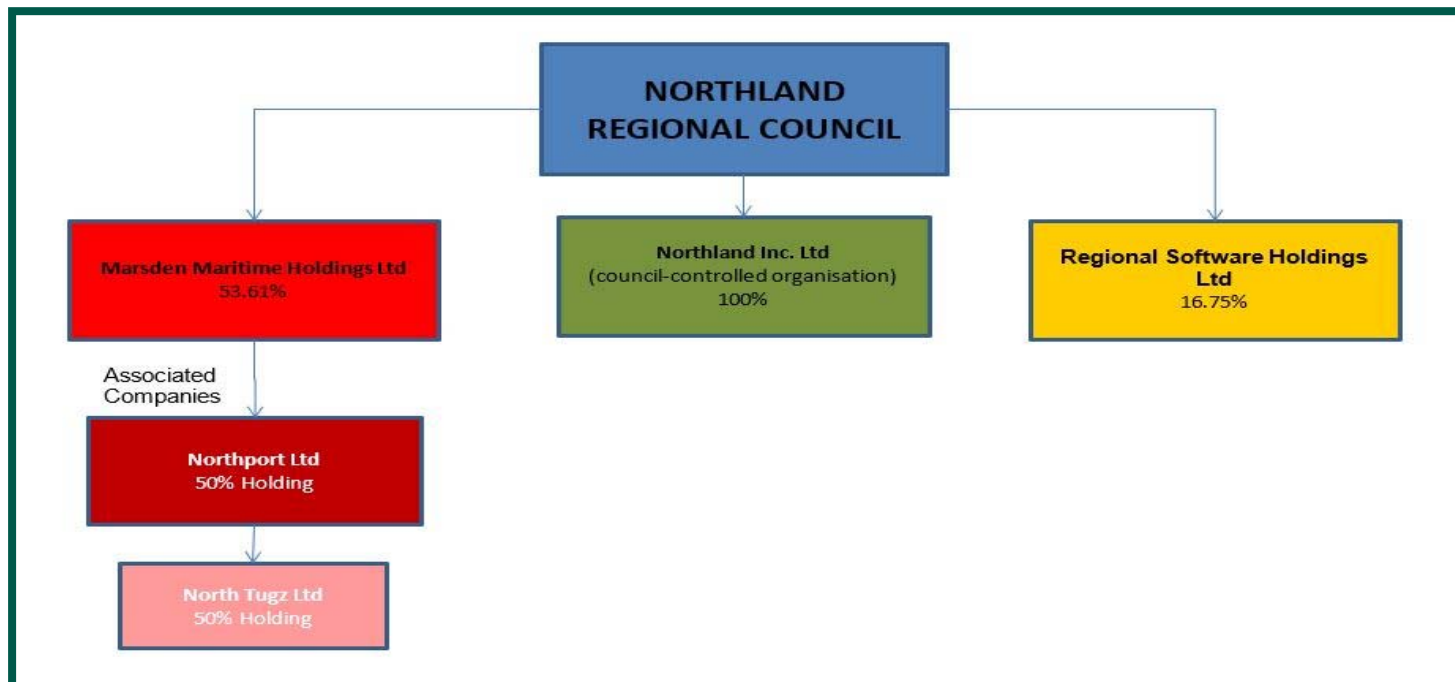
The Terms of Reference for each committee, subcommittee and working party are contained in **Appendix 2**.

Council Representation

There is also councillor representation on each of the NRC Collaborative Community (river and catchment) Working Groups. 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/portfolios are detailed in **Appendix 3**.

10. Council organisations



Marsden Maritime Holdings Limited

Port Ownership

Northland Regional Council owns 53.61% (22.1 million shares) of the issued capital of Marsden Maritime Holdings Limited. Ports of Auckland Ltd holds a further 19.90%, with the balance of shares (26.49%) held by the public. 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.

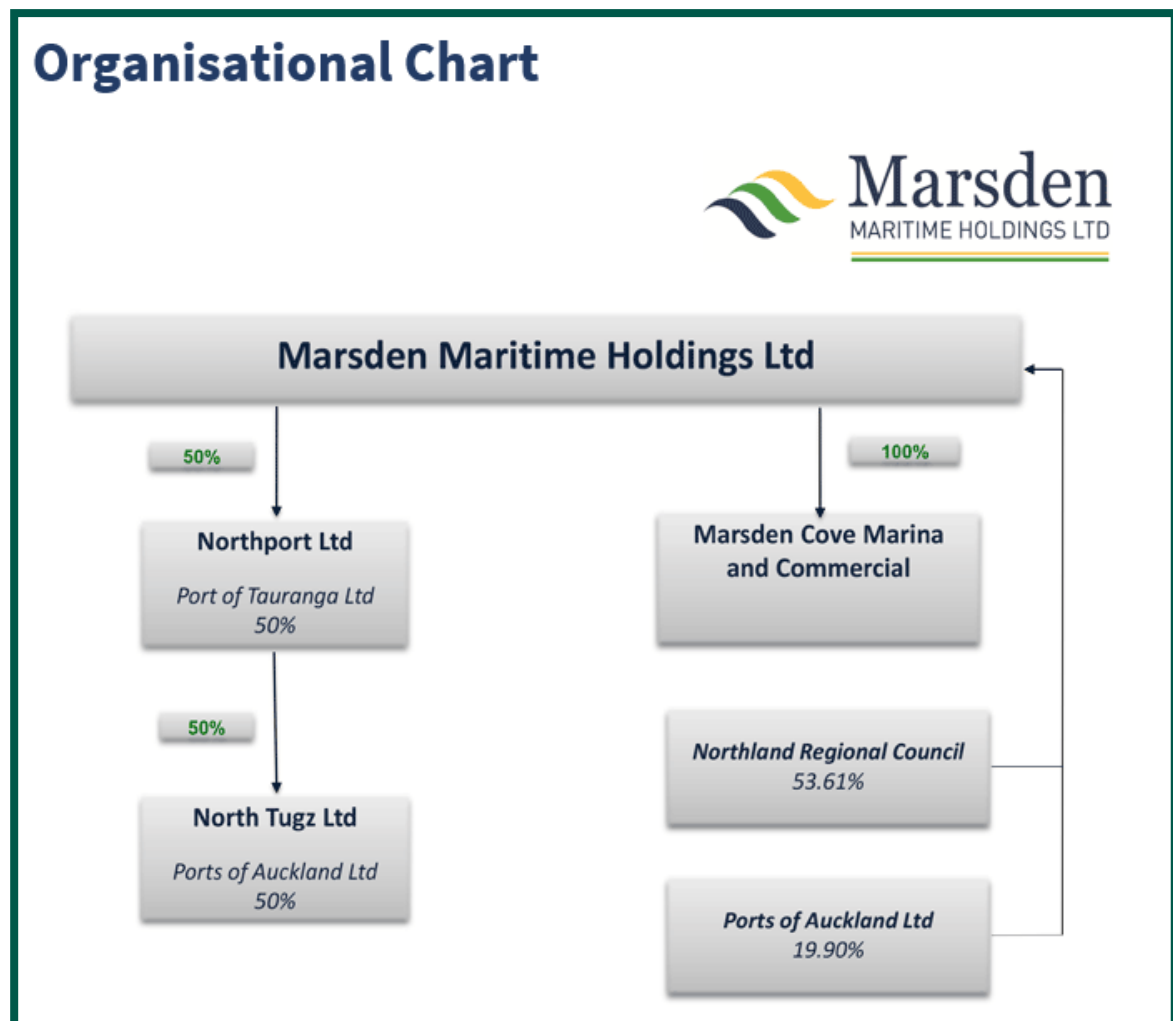
There are seven directors of Marsden Maritime Holdings Limited. Two directors retire by rotation each year. The following are the current directors:

- Mr Murray Jagger, Chairperson
- Mr Mark Bogle
- Mr Rabin Rabindran
- Mr Benoit Marcenac
- Mr Tony Gibson
- Mr Hamish Stevens
- Ms Elena Trout

Marsden Maritime Holdings Limited is a designated port company, formed under the Ports Companies Act 1988. As such, it is deemed a strategic asset of council as provided for in section 5 of the Local Government Act 2002. Section 6(4)(c) of the same Act, however, provides that Marsden Maritime Holdings Limited is not a council-controlled organisation.

Related companies

- **Northport Ltd** – jointly owned (50/50) by Marsden Maritime Holdings Ltd and Port of Tauranga Ltd. It was established to build a new port facility at Marsden Point which commenced operations in June 2002.
- **North Tugz Ltd** – jointly owned (50/50) by Northport Ltd and Ports of Auckland Ltd. It was established to operate various marine services previously undertaken by the respective shareholders.
- **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.



Principle Operating Segments

Marsden Maritime Holdings Limited owns approximately 190ha of land, including the Marsden Cove Marina. Some 185ha is available for development 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.

The Marsden Cove Marina complex consists of 230 vessel berths, an adjoining commercial complex and a vessel maintenance facility.

Northport is a natural deep water commercial port. In the year ended June 2019, bulk cargo throughput at Northport was 3.387 million tonnes (2018 – 3.563 million tonnes) including log exports of 2.651 million tonnes (2018 – 2.78 million tonnes). Annual container volumes increased by 61% over the previous financial year with 12,849 TEU (2018 – 7,975 TEU) being handled

Northland Inc. Limited

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

Northland Inc. is funded by an operational contribution from council, 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 seven professional directors each appointed by council 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.'s Statement of Intent 2019-2022 (SOI), at its meeting on 16 July 2019. Under the SOI Northland Inc.'s objectives are as follows:

1. Advocate and promote the establishment and development of infrastructure that underpins regional economic growth.
2. Attract, facilitate and support investment opportunities in regionally strategic sectors.
3. Promote Northland as a progressive and positive place to visit, do business and live.
4. Provide and facilitate business support services that enable Northland businesses to grow.
5. Increase innovation and entrepreneurship in Northland.
6. Partner with Māori to develop and implement economic development projects for the benefit of Northland.
7. Support and facilitate the implementation of the Tai Tokerau Northland Economic Action Plan.
8. Support tourism product development and infrastructure as enablers of Northland's tourism sector.

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

The SOI contains the following key performance targets:

Key performance indicators are:					
Work programme area	Proposed measures and targets				
	How we will measure	2018/19 Provisional results	2019/20	2020/21	2021/22
Investment and PGF	Percentage of IGR business case decisions (by the Board) made within 90 days of receiving application	100%	100%		
	Number of inward delegations hosted	4	4	4	4
	Investment recommendations are accompanied by a robust business case	100%	100%		
	Number and value of high impact projects that are implemented	3	3	3	3
Māori Economic Development	Number of unique Māori businesses assisted (by TA and industry)	32	50	55	60
	Number and value of high impact projects that are implemented	1	1	2	3
	Value of NZTE and Callaghan Innovation grant funding facilitated for Māori businesses	\$25,000	\$25,000		
	Client satisfaction (as measured by Net Promoter Score for Māori businesses)	Not Available	75% (NPS 50)		
Engagement Collaboration and Visibility	Number of unique businesses assisted (by TA and industry)	230	230		
	Value of NZTE and Callaghan Innovation grant funding facilitated	\$0.9M ¹	\$1.0M		
	Client satisfaction (as measured by Net Promoter Score)	93%	90% (NPS 50)		
	Orchard occupancy rate	80%	85%	85%	85%
Destination Management and Marketing	Visitor spend from target markets	\$1,124M	\$1,175M	\$1,228M	\$1,283M
	Value of industry investment in regional promotion activity	\$350,000	\$350,000		
	Equivalent Advertising Value achieved from destination marketing	\$25M ²	\$16.5M		
	RTO Net Promoter Score	45	45		

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, committee and subcommittee meetings must be open to the public unless there is reason to consider an 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 Chairperson. 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/Subcommittee Chairperson is responsible for maintaining order at meetings and may, at their 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, its committees and subcommittees to be publicly notified. This is done by notice in one or more daily newspapers 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 standing orders is available for inspection from the Governance Support Manager or from council's resource library via its website www.nrc.govt.nz.

12. Consultation policy

The purpose of the Northland Regional Council is:

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future
(*Local Government Act 2002, Section 10*)

Decisions of the Northland Regional Council are made by nine councillors, who are elected every three years based on the constituencies as detailed in Section 6. The councillors make themselves available to the public and also participate in formal consultation to assist them to make decisions that will benefit Northland.

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, organisations, 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 (Relationships with Māori– 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 2021-31 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 tāngata 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 Te Taitokerau

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.

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

- b. Established the Te Taitokerau Māori And Council Working Party to advise council on issues of significance to Māori.
- 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 And Council Working Party 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.

13.1 Policy on relationships with Maori

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 And Council Working Party, 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 engage with hapū and iwi governance representatives to understand the issues and opportunities for Māori;
- Welcome and take up invitations for marae visits or relevant hui that are led by Māori.

Elected representatives and staff will have an opportunity to gain an appreciation of Māori culture and tikanga and will attend education programmes relating to Te Ao Māori 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 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 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 must 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, Governance and Engagement - Jonathan Gibbard

Group Manager – Corporate Excellence – Dave Tams

Organisational Management Team

Resource Management Planning & Policy Manager - Justin Murfitt (Chair)

Information Services and Technology Manager – Carol Cottam (Deputy Chair)

Human Resources Manager - Beryl Steele

Land Manager – Duncan Kervell

Regional Harbourmaster – Jim Lyle

Water Resources/Hydrology Manager – Jason Donaghy

Biosecurity Manager – Partnerships & Strategy – Kane McElrea

Strategy Specialist – Kyla Carlier

Strategic Projects Manager – Phil Heatley

Finance Manager – Simon Crabb

Consents Manager – Stuart Savill

Customer Services Manager – Sue Brooks

Compliance Monitoring Manager – Tess Dacre

Māori Relationships Manager – Auriole Ruka

Strategy, Policy and Planning Manager – Ben Lee

Community Engagement Manager – Cathy Erstich

Civil Defence Emergency Management Manager – Graeme MacDonald

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 Manager

16. Key approved planning and policy documents

Northland's Long Term Plan

The Long Term Plan 2018-2028 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 the community seeking 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.

The 2018 – 2028 Long Term Plan was adopted by council at its meeting on 21 June 2018. A key focus for the current council will be developing the 2021 – 2031 Long Term Plan.

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.

NRC Local Governance Statement (2019 – 2022 triennium)

ID: A1235526

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); - Operative in full June 2018.
- The Proposed Regional Plan (which will replace/amalgamate Regional Air Quality Plan, the Regional Coastal Plan and Regional Water and Soil Plan) is currently in development.

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.

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* - The six year Regional Land Transport Plan for Northland 2015-2021 was implemented in July 2015. In accordance with Section 18CA of the Land Transport Management Act 2003, a 'three year review' has been undertaken and was finalised in April 2018.
- *Northland Regional Road Safety Action (Updated in 2012)* - This has now been replaced by the annual "Northland Road Safety Issues 2013 – 2017 Crash Data" which informs the decision making process for proposed road safety actions in Northland.
- *Northland Regional Public Transport Plan 2015-2021* – This was reviewed in conjunction with the Regional Land Transport Plan for Northland 2015 – 2021 and was finalised in April 2018.

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

- Northland Marine Oil Spill Contingency Plan (updated and approved by Maritime New Zealand in 2017).

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 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

Penny Smart - Chair

Constituency: Kaipara

Phone: 021 439 735

Email: pennys@nrc.govt.nz

Justin Blaikie – Deputy Chair

Constituency: Hokianga-Kaikōhe

Phone: 027 542 2992

Email: justinb@nrc.govt.nz

Amy Macdonald

Constituency: Coastal Central

Phone: 027 347 6359

Email: amym@nrc.govt.nz

Martin ‘Marty’ Robinson

Constituency: Coastal North

Phone: 027 347 8048

Email: martyr@nrc.govt.nz

Joce Yeoman

Constituency: Coastal North

Phone: 021 163 2836

Email: jocey@nrc.govt.nz

Rick Stolwerk

Constituency: Coastal South

Phone: 021 823 770

Email: ricks@nrc.govt.nz

John Bain

Constituency: Whangārei Urban

Phone: 021 961 894

Email: john.bain@nrc.govt.nz

Jack Crow

Constituency: Whangārei Urban

Phone: 021 222 9064

Email: jackc@nrc.govt.nz

Colin Kitchen

Constituency: Te Hiku

Phone: 027 476 2079

Email: colink@nrc.govt.nz

The Northland Regional Council

HEAD OFFICE

Street Address: 36 Water Street, Whangārei.
Postal Address: Private Bag 9021, Whangārei Mail Centre, Whangārei
0148.
Telephone No: 09 470 1200
Facsimile No: 09 470 1202
Email: info@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 (contact before
visiting).
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.

Any person can make a request:

- **Online** using our online official information request form
- **By email** through info@nrc.govt.nz
- **In person** at one of our regional council offices
- **By post to:**

Northland Regional Council
Private Bag 9021
Whangarei Mail Centre
Whangarei 0148

Appendix One: Core legislation fundamental to the council's operations

The following legislation has been identified by council's auditors and the Executive Leadership Team as 'core legislation' fundamental to the council's operations:

- The Local Government Act 2002
- The Local Government (Financial Reporting and Prudence) Regulations 2014
- The non-financial Performance Measures Rules 2013
- The local Government Borrowing Act 2011
- The Local Government (Rating) Act 2002
- The Local Government Official Information and Meetings Act 1987
- The Local Authorities (Member's Interests) Act 1968
- The Resource Management Act 1991
- The Health and Safety at Work Act 2015
- The Holidays Act 2003
- The Employment Relations Act 2000
- The Biosecurity Act 1993
- The Building Act 2004
- The Fire Security Act
- The Civil Defence and Emergency Management Act 2002
- The Land Transport Act 1998
- The Maritime Transport Act 1994
- The Fire and Emergency New Zealand Act 2017

There are a number of other pieces of legislation that also have relevance to council operations but are not considered to be 'core legislation'. These are generally managed via internet processes and procedures.

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Appendix Two: Committee, Sub Committee and Working Party Terms of Reference

Subcommittee Terms of Reference

Investment and Property Subcommittee

Membership

The Investment and Property Subcommittee shall be comprised of four (4) councillors and one (1) independent (non-voting) member as follows:

Chair:	Cr R Stolwerk
Members:	Cr J Blaikie Cr J Bain Cr C Kitchen
Independent Member:	G Copstick (non-voting)
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Crow
Independent Advisor:	J Eriksen Will provide independent financial advice to the Investment and Property Subcommittee.

Standing orders apply.

Quorum

The quorum for meetings of the subcommittee shall be four (4). Ex-officio and independent member count towards a quorum. In the absence of sufficient members to form a quorum, the alternate is able to deputise for one of the standing members in order that a quorum can be formed and has full voting rights on behalf of that standing member.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This subcommittee will contribute directly to the following areas of focus:

- A strong regional economy
- Continue to subsidise rates with investment income

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

- a. Make decisions in accordance with the Terms of Reference
- b. Move investment funds between various managed funds within approved limits provided for in the Statement of Investment Policy and Objectives (SIPO).
- c. CEO to withdraw and invest in the Short Term Fund within established delegations.
- d. Recommend manager(s) of new funds for approval by council.
- e. Ensure that there are no withdrawals from funds except the Short Term Fund without the approval of council.
- f. 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);
- g. Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);

- h. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- i. 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;
- j. Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;
- k. Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- l. 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;
- m. To regularly report progress on its functions to the council; and
- n. 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 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. 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 Investment Policy adopted within the current LTP. These functions include:
 - i. To review performance and compliance against council's Investment Policy 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 Investment 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. 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.

6. 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.

Audit and Risk Subcommittee

Membership

The Audit and Risk Subcommittee shall be comprised of four (4) councillors and two (2) independent (non-voting) members as follows:

Chair:	Cr C Kitchen
Members:	Cr J Bain Cr A Macdonald Cr J Yeoman
Independent members:	G Copstick (non-voting) and second independent member (non-voting) TBA
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Blaikie

Standing orders apply.

Quorum

The quorum for meetings of the sub-committee shall be four (4). Ex-officio and independent members count towards a quorum. In the absence of sufficient members to form a quorum, the alternate is able to deputise for one of the standing members in order that a quorum can be formed and has full voting rights on behalf of that standing member.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This subcommittee will contribute directly to the following areas of focus:

- Efficient and effective service delivery

Objectives

The objectives of the subcommittee 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;
- Make recommendations to council on audit matters; and
- Review financial performance.
- 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 subcommittee is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief verbal report of subcommittee activities to each council meeting.

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.

Role and functions

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

1. General

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- d. In discussion with the CEO and subject to operating within approved budget allocation – request the CEO to obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e. Recommend the co-opting of a person as a (non-voting) member of the sub-committee to assist with special projects;
- f. To review council finances on a quarterly basis;
- g. Recommend to council that additional members be appointed to the sub-committee should it consider wider representation would be of assistance in performing its functions;
- h. To regularly report progress on its functions to the council; and
- i. Undertake such other functions as may be delegated by council from time to time.

2. External Audit

The subcommittee responsibilities are to:

- a. Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors;
- b. Provide advice to the Chief Executive to negotiate fees with external auditors;
- c. Review Audit Management Letter;
- d. Review Audit Plan;
- e. Review Independent Audit Reports;
- f. 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;

- g. Review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations;
- h. Oversee the co-ordination of audit programmes conducted by the external auditors and other review functions; and
- i. Provide reports and advice to the council on action taken on significant issues raised in relevant external audit reports and good practice guides.

3. Finance

The subcommittee responsibilities are to:

- a. Monitor and review financial policies;
- b. Monitor and review financial performance; and
- c. Recommend new borrowing to council.

4. Reporting

The subcommittee responsibilities are to:

- a. Review and recommend to council the adoption of the Annual Report and Summary Annual Report, focusing particularly on:
 - i. Any changes in accounting policies and practices;
 - ii. Major judgemental areas;
 - iii. Significant adjustments resulting from audit;
 - iv. Compliance with financial reporting and other applicable standards;
 - v. Compliance with statutory requirements; and
 - vi. Other reports prepared by management for release to stakeholders, such as any summary financial reports.

5. Risk Management

The subcommittee 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 and policies for effective identification and management of the council's risks.
- c. Review the council's corporate risk register in line with the council's risk management framework and policies.
- 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.

6. Health and Safety

The subcommittee 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.

7. 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.

Working Party Terms of Reference

Water and Land Working Party

Membership

The Water and Land Working Party shall be comprised of five (5) councillors and five (5) non-elected members as follows:

Chair: Cr Blaikie

Members: Cr J Crow
Cr A Macdonald
Cr M Robinson
Cr J Yeoman

Māori Representation: Five members of Te Taitokerau Māori and Council (TTMAC)

Working Party as follows:

Victor Holloway, Ngāti Tara
Georgina Connelly, Te Uri o Hau Settlement Trust
Antony Thompson (proxy for Alan Riwaka), Te Rūnanga o Ngāti Whātua
Janelle Beazley, Te Rūnanga-Ā-Iwi-O-Ngāpuhi
Mira Norris, Te Parawhau Hapū Authority Charitable Trust.

Ex officio: Cr P Smart

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC members.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be five (5). Ex-officio and non-elected members count towards a quorum.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

The working party will contribute directly to the following areas of focus:

- Continuous improvement in water quality and security of supply
- Enhancement of indigenous biodiversity and biosecurity
- Safe and resilient communities
- Enduring relationships with tangata whenua

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's water and land management activities, including those activities that contribute to or influence the quality and quantity of water, including land management, environmental monitoring, and others, ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on water and land 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 verbal 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

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations;
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d. 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;
- e. Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f. 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;
- g. To regularly report progress on its functions to the council; and

- h. Undertake such other functions as may be delegated by council from time to time.
- i. To consult and seek input from other groups, as required, on specific resource management issues.

2. Water and land Management

For council's water and land 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.

3. No Delegated Authority – Power to Act

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

Climate Change Working Party

Membership

The Climate Change Working Party shall be comprised of four (4) councillors and four (4) non-elected members as follows:

Chair:	Cr A Macdonald
Members:	Cr J Crow Cr M Robinson Cr J Yeoman
Māori Representation:	Four members of Te Taitokerau Māori and Council (TTMAC) Working Party as follows: Toa Faneva, Te Rūnanga o Whāingaroa Hadyn Edmonds, Ngātiwai Trust Board Thomas Hohaia, Te Roroa Rowan Tautari, Te Whakapiko Hapū.
Ex officio:	Cr P Smart

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC elected members.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be four (4). Ex-officio counts towards a quorum.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Safe & resilient communities
- Enduring relationships with tangata whenua

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's climate change activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on climate change 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 verbal report of working party activities to each council meeting.

NRC Local Governance Statement (2019 – 2022 triennium)

ID: A1235526

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

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d. 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;
- e. Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f. 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;
- g. To regularly report progress on its functions to the council; and
- h. Undertake such other functions as may be delegated by council from time to time.
- i. To consult and seek input from other groups, as required, on specific resource management issues.

2. Climate Change Management

For council's climate change activities:

- a. Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
- b. Advise and make recommendations to council (and relevant working parties or working groups) on operational and implementation matters.
- c. 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.
- d. To coordinate with other agencies on matters concerning climate change in Northland.
- e. Oversee council's climate change work programme, with key focuses being on, adaptation planning and the development and implementation of a regional adaptation strategy, improving resilience across Northland and other related matter.

- f. 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.

Te Taitokerau Māori and Council Working Party

Membership

The Te Taitokerau Māori & Council (TTMAC) Working Party shall be comprised of nine (9) councillors and twenty-one (21) Māori representatives as follows:

Co-Chairperson:	Cr Robinson
Co-Chairperson:	Rudy Taylor, Te Whakaminenga O Te Hikutu Hapu-Whanau
Proxy Co-Chairperson:	Pita Tipene, Te Rūnanga o Ngāti Hine
NRC Members:	Cr Smart
	Cr Blaikie
	Cr Craw
	Cr Yeoman
	Cr Kitchen
	Cr McDonald
	Cr Stolwerk
	Cr Bain
	Cr Robinson

TTMAC members: TBA (20 Māori representatives)

TTMAC Working Party is to be Co-Chaired by a Māori representative appointed by TTMAC 20 Māori representatives at its first meeting.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be 3 elected NRC members and a third of the Māori representatives.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly all areas of focus:

- Enduring relationships with tangata whenua
- Continuous improvement in water quality and security of supply
- Enhancement of indigenous biodiversity and biosecurity

Objectives

The objectives of the working party are to:

- Monitor and advise on council's compliance to its legislative obligations to Māori including under the Local Government Act 2002 and the Resource Management Act 1991
- 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.

No Delegated Authority – Power to Act

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

(Further details of the TTMAC Working Party roles, functions and responsibilities will be discussed with the Māori representatives, at its first meeting, with recommendations brought back to council for endorsement.)

Biosecurity and Biodiversity Working Party

Membership

The Biosecurity and Biodiversity Working Party shall be comprised of four (4) councillors and four (4) non-elected members as follows:

Chair:	Cr J Crow
Members:	Cr J Blaikie Cr M Robinson Cr R Stolwerk
Māori Representation:	Four members of Te Taitokerau Māori and Council (TTMAC) Working Party as follows: Georgina Connelly, Te Uri o Hau Settlement Trust Juliane Chetham, Patuharakeke Te Iwi Trust Board Barb (Michelle) Elboz, Ngāti Kuta, Patukeha Nora Rameka, Te Rūnanga o Ngāti Rehia.
Ex officio:	Cr P Smart

The number of non-elected members from the TTMAC Working Party are to be the same as the NRC elected members.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be four (4). Ex-officio and non-elected members count towards a quorum.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Enhancement of indigenous biodiversity and biosecurity
- Enduring relationships with tangata whenua

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's biosecurity and biodiversity activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on biosecurity and biodiversity 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 verbal 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

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d. 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;
- e. Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f. 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;
- g. To regularly report progress on its functions to the council; and
- h. Undertake such other functions as may be delegated by council from time to time.

2. Biosecurity and Biodiversity

- a. For council's biosecurity and biodiversity activities:
 - i. Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
 - ii. Advise and make recommendations to council (and relevant working parties or working groups) on matters of policy and implementation.
 - iii. 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).
- b. To coordinate with other agencies on matters concerning biosecurity and biodiversity in Northland.
 - i. To oversee the 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.

- 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 and Regulatory Working Party

Membership

The Planning & Regulatory Working Party shall be comprised of four (4) councillors and four (4) non-elected member as follows:

Chair: Cr J Yeoman

Members: Cr J Blaikie
Cr A Macdonald
Cr C Kitchen

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC)

Working Party as follows:

Mira Norris, Te Parawhau Hapū Authority Charitable Trust
Pita Tipene, Te Rūnanga o Ngāti Hine
Juliane Chetham, Patuharakeke Te Iwi Trust Board
Rowan Tautari, Te Whakapiko Hapū.

Ex officio: Cr P Smart

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC elected members.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be four (4). Ex-officio and non-elected members count towards a quorum).

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Continuous improvement in water quality and security of supply (through the RPS and Regional Plan)
- Enhancement of indigenous biodiversity & biosecurity
- Safe and resilient communities
- Enduring relationships with tangata whenua

Objectives

The objectives of the working party are to:

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

- Make recommendations to council on planning and regulatory (excluding on specific enforcement action) matters.
- Make recommendations to council on district council RMA planning and regulatory initiatives, such as whether to formally lodge submissions on district council plan changes and bylaws.

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 verbal 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 its functions, the council will assume its 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

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d. 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;
- e. Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f. 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;
- g. Undertake such other functions as may be delegated by council from time to time.

2. Planning & Regulatory

For council's planning activities:

- a. To oversee the implementation of the Regional Policy Statement (RPS) for Northland.
- b. To oversee the implementation 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.

- c. To oversee the development and implementation of regulatory action plans, procedures/protocols and strategies. To identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration (if required) of plans, procedures/protocols and strategies.
- d. To recommend to council the release of draft plans and plan changes, including variations, for public consultation.
- e. To make recommendations to council on any appeals in accordance with council decisions on the proposed plan, plan change or variation.
- f. 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.
- g. To oversee the management of the private plan change process.
- h. To recommend to council positions and perspectives on proposed legislation (including amendments) and national policy initiatives for incorporation into council submissions as appropriate.
- i. To make recommendations to council on the processes to be used to develop and review planning proposals.
- j. To be the governance entity for the policy implementation of the government's Essential Freshwater Package.

3. No Delegated Authority – Power to Act

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

NRC/WDC Whangārei Public Transport Working Party

Membership

The NRC/WDC Whangārei Public Transport Working Party shall be comprised of three (3) Northland Regional Council members and three (3) Whangārei District Council members as follows:

Chairperson:	Cr Bain
NRC members	Cr J Crow Cr R Stolwerk
WDC member 1	TBA
WDC member 2	TBA
WDC member 3	TBA

The number of members from WDC and NRC are to be the same.

Standing orders do not apply.

Quorum

The quorum for meetings of the working party shall be three (3). All members count towards a quorum.

Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

The working party will contribute directly to the following areas of focus:

- Efficient and effective service delivery
- Safe and resilient communities
- A strong regional economy

Objectives

The objectives of the working party are to:

- To examine and discuss Whangārei public transport issues with the intention of increasing patronage across all modes of public transport; and advise and make recommendations to both Councils accordingly.

Responsibilities

- The working party is directly responsible and accountable to their respective councils 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 councils rests with the Chief Executives.
- For reasons of efficiency and/or expediency, should the working party not be able to perform its functions, the councils will assume its 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

- a. 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);
- b. Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d. 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;
- e. Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f. 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;
- g. Undertake such other functions as may be delegated by council from time to time.

2. Whangārei Public Transport

Issues to be considered include, but are not limited to;

- a. Bus route terminus location and infrastructure,
- b. Bus stops/shelters and signage,
- c. Potential new routes, services and trials,
- d. Park and ride options,
- e. Integration with city and district planning.

3. No Delegated Authority – Power to Act

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

Committee Terms of Reference

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:

Northland Regional Council members

Chairperson: Cr John Bain

Deputy Chairperson: Cr Rick Stolwerk

TLA Members

Member representing the Far North District Council Cr Ann Court

Member representing the Whangarei District Council Cr Greg Martin

Member representing the Kaipara District Council Cr David Wills

Representative of the NZ Transport Agency Steve Mutton, Director Regional Relationships (Upper North Island)

Any appointing authority may appoint an alternate (who shall have full voting rights) for the appointed member. These alternative members as follows:-

Northland Regional Council Cr Blaikie

Far North District Council To be advised

Whangarei District Council Cr Phil Halse

Kaipara District Council Cr Peter Wethey

New Zealand Transport Agency Jacqui Hori-Hoult, Manager – System Management

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.

Civil Defence Emergency Management Group joint committee

The Northland CDEM Group was constituted in March 2002 as a Joint Standing Committee of councils under the CDEM Act 2002 (section 12), and the Local Government Act 2002 (clause 30 (1)(b) of Schedule 7), comprising the mayor or chairperson (or their delegated representative) of Northland's four councils. The Northland Regional Council is the administering authority of the group.

Each member also appoints an alternate representative. All representatives have authority to vote and make decisions for their respective organisations without further approval.

The NZ Fire Service and NZ Police are represented by their respective District Commanders in an observer capacity.

The CDEM Group is responsible for the conduct of the CDEM business in the Group, setting the strategic direction via the CDEM Group plan, approving annual work programmes, and monitoring and reporting on progress.

Purpose includes:

- Co-ordinate planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery; and
- Encourage co-operation and joint action within the Northland region.

The appointment of a representative and an alternative are required from the Northland Regional Council as follows:

Chair: Cr Stolwerk

Alternate: Cr C Kitchen

Te Oneroa-a-Tohe Board (90 Mile Beach Board)

Te Oneroa-a-Tōhē Board was constituted through Treaty settlement legislation for four of the five Te Hiku Iwi; Ngāti Kuri, Te Aupōuri, NgaiTakoto and Te Rarawa, in September 2015.

While each iwi has individual settlements a number of 'collective' mechanisms were used to address areas of common interest. Through the collective redress the Board becomes a new permanent joint committee between iwi, Northland Regional Council and Far North District Council for the purposes of clause 30(1)(b).

The Board comprises eight members, one from each of the iwi and two from either council, with the Mayor of the Far North District Council having to be one of their representatives on the Board. Should the fifth iwi (Ngāti Kahu) decide to join, or when their settlement is complete, the membership will become five iwi members and five from council, with the addition of an appointment from the Te Hiku Community Board. The Board is chaired by an iwi member as prescribed in the settlement legislation.

The appointment of two members is required by the Regional Council as follows:

Cr Kitchen

Cr Robinson

Appendix Three – Councillor memberships/delegations

1. Collaborative Community Engagement Groups

Memberships / Delegation	Councillor
Doubtless Bay Catchment Working Group	Cr Kitchen Community member Chair
Mangere Catchment Working Group	Cr Yeoman Community Member Chair
Ngunguru Catchment Working Group	Cr Macdonald Community Member Chair
Poutō Catchment Working Group	Cr Smart Community Member Chair
Waitangi Catchment Working Group	Cr Robinson Community Member Chair
Whangārei Catchment Working Group	Cr Craw Community Member Chair
Whangārei Heads Pest Management Working Group	Cr Macdonald
Kāeo-Whangaroa River Working Group	Cr Robinson as Chair
Kaihū River Working Group	Cr Bain as Chair
Kerikeri River Working Group	Cr Yeoman as Chair
Ruakākā River Working Group	Cr Stolwerk as Chair
Taumāreere River Liaison Working Group	Cr Blaikie and Community Member as Co-Chairs
Urban Whangārei Working Group	Cr Craw as Chair
Awanui River Working Group	Cr Kitchen as Chair

2. Memberships/Delegations

Memberships / Delegation	Councillor
Appeals on Regional Plan	Cr Yeoman
Inter council working party on genetically modified organisms risk evaluation and management	No appointment until Regional Plan finalised.
Kaipara Moana Working Party	Cr Smart & Yeoman. Noting that this may become a formalised body post settlement in 2020.
Northland Conservation Board	Shared across council (constituent councillor to attend meeting based on location).
Northland Sports Facilities Plan (Sport Northland)	Cr Stolwerk
Shareholder representative for Northland Marsden Maritime Holdings Ltd <i>(delegating all necessary authority to represent the council's interest including but not limited to exercising council's vote at Annual General Meetings and giving effect to council's shareholder resolutions).</i>	Cr Smart
Shareholder representative for Northland Inc Ltd <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Bain
Shareholder representative on Regional Software Holdings Ltd. <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Smart
Upper North Island Strategic Alliance (UNISA)	Cr Smart
Zone one (LGNZ)	Cr Smart Alternate councillor – Cr Yeoman.

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