



Local Governance Statement

2019 – 2022 Triennium

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

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Author: Governance Support Manager

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16 September 2021	Update for restructure and general updates.	Governance Specialist
10 January 2021	General review an update (representation review, local government reform, MMH etc)	Governance Specialist

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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 resolved to introduce separate Māori constituencies at its meeting on 20 October 2020. As a result, the council was required to undertake a representation review in 2021 to determine how this will impact on the size of council and constituency names/boundaries.

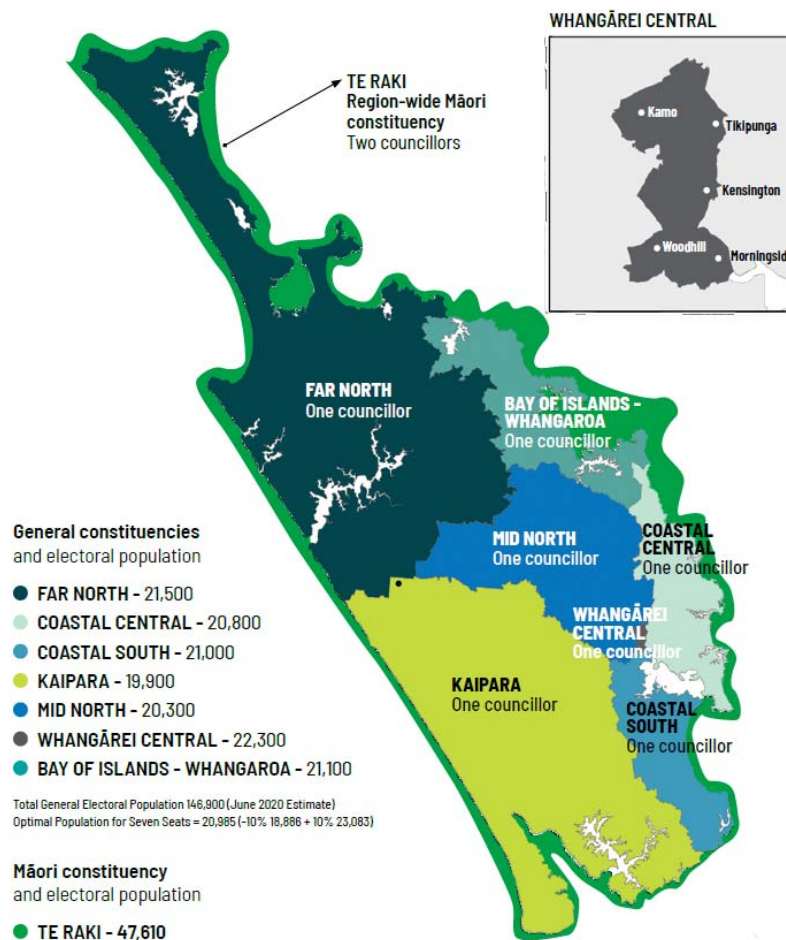
6. Representation arrangements

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.

However, following council's decision to establish Māori constituencies it was required to undertake a representation review in 2021 in order to have new arrangements in place for the next local government elections in 2022.

On 19 October 2021 council adopted its final proposal that the Northland Regional Council comprise a total of nine (9) councillors, being seven (7) general councillors elected from seven (7) general constituencies and two (2) Māori councillors elected from one (1) region-wide Māori constituency. This is depicted in the graphic below.

Council received three appeals on its final proposal which have been forwarded to the Local Government Commission to make the final decision. The final determination is required by 10 April 2022 and the decision is final (other than an appeal to the High Court on a point of law).

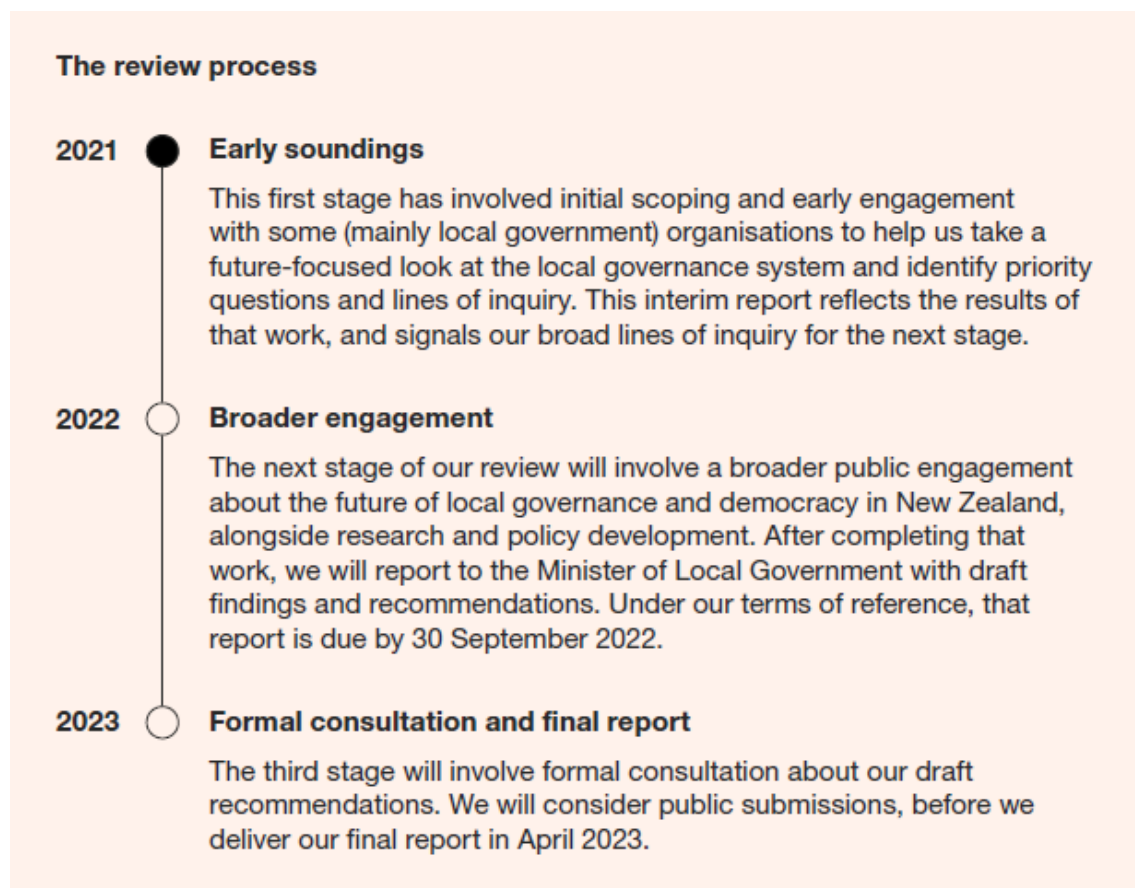


7. Local government reform

The Future for Local Government Review is an independent Ministerial review established in April 2021 to consider how New Zealand’s system of local democracy and governance will need to evolve over the next 30 years, in order to improve the wellbeing of New Zealanders, and actively embody the Treaty partnership.

This review is taking a broad look at New Zealand’s system of local democracy and governance. In that context, consideration is being given to the functions, roles, and structures of local government; relationships between local government, central government, iwi, Māori, businesses, communities, and other organisations that contribute to local wellbeing; how the local governance system might authentically embody the Treaty partnership; whether current funding arrangements are sustainable, equitable, and maximise wellbeing; and what might need to change so that local government and its leaders most effectively reflect and respond to the communities they serve.

There are three stages to the review as follows:



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, favours or inducement which could be seen to sway them to perform their duties in a particular way; and
- The Crimes Act 1961 regarding the acceptance or trying to obtain a bribe in a councillor's official capacity.
- Financial Markets Conduct Act 2013, which prohibits trading in listed securities (broadly shares or bonds) by an information insider.

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 Specialist 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 governance structure is as follows:

Northland Regional Council (NRC)

The full council is the ultimate decision making body for all council operations and is comprised of all nine (9) councillors.

Chair: Cr P Smart

Deputy Chair: Cr J Blaikie

Members: T Archer, J Craw, C Kitchen, A Macdonald, M Robinson, R Stolwerk, J Yeoman.

Except for the subcommittee delegations detailed below, all other decisions are made by the full council via a recommendation or series of recommendations from the relevant subcommittee, joint committee or working party.

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

The Council Chair is ex-Officio on all subcommittees and working parties and carries full voting rights where appropriate.

Subcommittees

Investment and Property Subcommittee

Chair: Cr R Stolwerk

Members: Crs T Archer, J Blaikie, J Craw, C Kitchen

Independents: J Erickson (Investment Consultant), D Tuato'o (Independent Risk Advisor) and S Henderson (Independent Financial Advisor)

Ex officio: Cr P Smart

- 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.

Audit and Risk Subcommittee

Chair: Cr C Kitchen

Members: Crs R Stolwerk, A Macdonald, J Yeoman

Independents: S Henderson (independent Financial Advisor) and D Tuato'o (Independent Risk Advisor)

Ex officio: Cr P Smart

Alternate: Cr J Blaikie

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ID: [DMHUB-1834428678-38](#)

- 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

Working parties

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

- 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 J Craw, M Robinson, J Yeoman

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

Ex officio: Cr P Smart

- 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 Council Councillors

Māori Representation: 20 Māori representatives

- 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

NRC Local Governance Statement (2019 – 2022 triennium)

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

Ex officio: Cr P Smart

- Provide oversight on council's biosecurity and biodiversity activities.
- Oversee the implementation of the Regional Pest Management Plan (RPMP), Marine Pathway Plan (MPP) & regularly report progress to council.

WDC/NRC Whangārei Public Transport Working Party

Chair: Cr T Archer

NRC Members: Crs J Craw, R Stolwerk

WDC Members Three Whangārei District councillors (WDC)

- 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

- 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 Essential Freshwater.
- Make recommendations to council on appeals and recommendations to accept, adopt or reject private plan change applications.

Joint Committees

Te Oneroa-a-Tōhē-Board – Joint committee

Members: Crs C Kitchen and M Robinson

- Oversee the implementation of the Beach Management Plan for Te-Oneroa-a-Tōhē (Ninety Mile Beach).

Civil Defence Emergency Management Committee

Chair: Cr Stolwerk

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.

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Regional Transport Committee

Chair: Cr R Stolwerk

Deputy Chair: Cr T Archer

- 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.

Joint Climate Change Committee

The Joint Climate Change Adaptation Committee is a standing committee made up of elected members from all the Northland councils and representatives from Northland hapū and iwi.

Member: Cr A Macdonald (Alternate Cr J Craw)

NRC iwi/hapu representative: Rihari Dargaville (Alternate Thomas Hohaia)

- Provide direction and oversight of the development and implementation of climate change adaptation activities by local government in Te Taitokerau
- Receive advice and provide direction and support to Climate Adaptation Te Taitokerau
- Make recommendations to member councils to ensure a consistent regional approach is adopted to climate change adaptation activities

Kaipara Moana Remediation Joint Committee

The Kaipara Moana Remediation Joint Committee consists of 6 appointed Kaipara Uri entities, three elected members appointed by Auckland Council and three elected members appointed by NRC.

Members: Crs P Smart, J Yeoman and A Macdonald

- Provide stewardship and governance over the expenditure of the Crown Grant and council funding, as well as contributions from land-owners
- Commissioning and approving remediation budgets and work-plans for the Kaipara Moana Remediation programme

Joint Regional Economic Development Committee

Chair: Cr J Blaikie

Member: Cr T Archer

District Council Representation: Two members from the Far North and Kaipara District Councils

- Appointment of Northland Inc. Limited directors;
- Provide shareholder comment and agree to Northland Inc. Limited's Statement of Intent; and
- Other matters relating to the regional economic development service delivery such as the Economic Development Strategy.

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

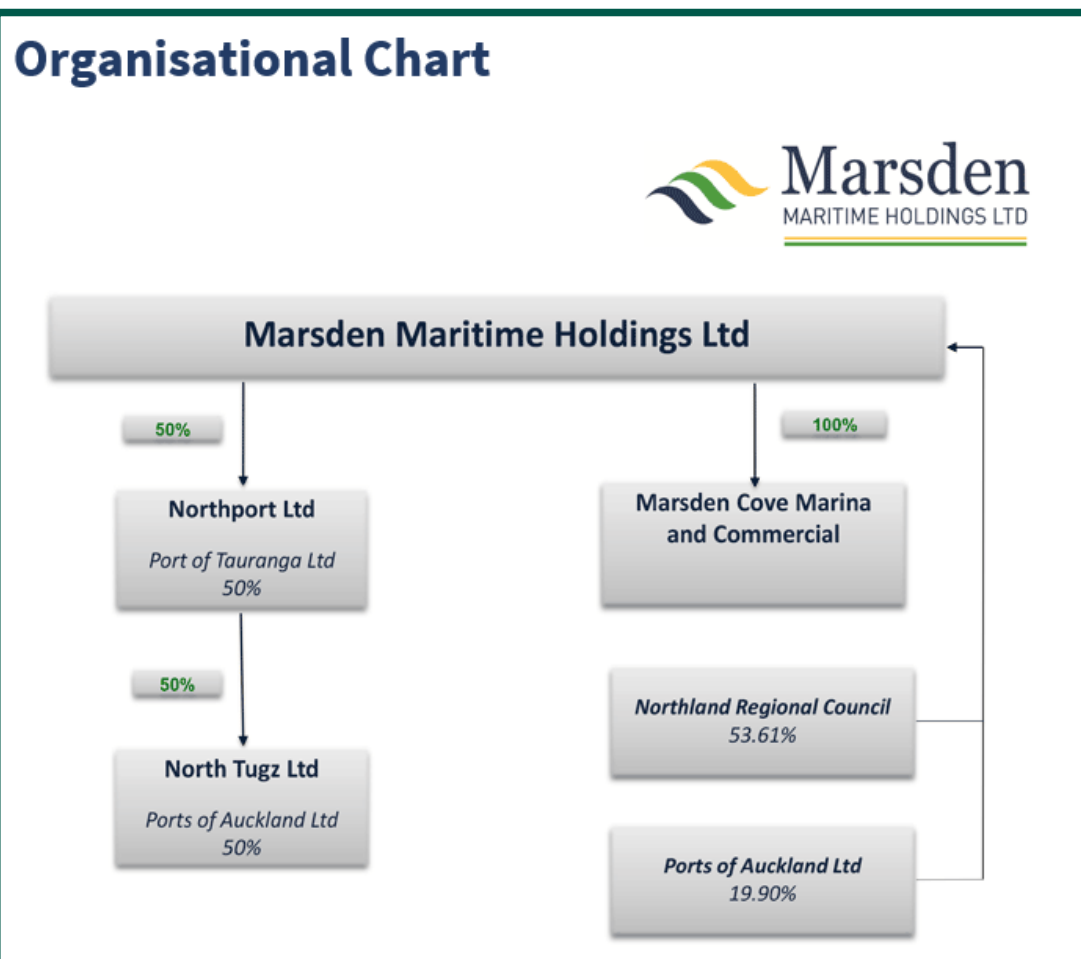
Northland Regional Council owns 53.61% (22.1 million shares) of the issued capital of Marsden Maritime Holdings Limited. Ports of Auckland Ltd holds a further 19.90%, with the balance of shares (26.49%) held by the public. All shares are listed on the New Zealand Stock Exchange. The council reviews its 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 Kirsten Andrews

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 2021, bulk cargo throughput at Northport was 3.546 million tonnes (2.998 million tonnes the previous financial year) including log exports of 2.836 million tonnes (2.651 million tonnes the previous year). Annual container volumes increased by 9% over the previous financial year with 13,451 TEU (12,314 TEU in the previous year) being handled.

Northland Inc. Limited

The council delivers its economic development objectives through Northland Inc. Limited, a council-controlled organisation jointly and equally owned with Kaipara and Far North district councils. Northland Inc 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 the shareholder councils, 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 six professional directors each appointed by the shareholder councils. 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 <https://www.northlandnz.com/northland-inc/about-northland-inc/>

Council, through its membership of the Joint Regional Economic Development Committee, agreed to Northland Inc.'s Statement of Intent 2021-2024 (SOI), at its meeting on 30 July 2021. Under the SOI Northland Inc's objectives are as follows:

- Māori economic development – to respect and implement the principals of Te Tiriti O Waitangi, which support meaningful partnership with Māori.
- Environmental sustainability – help prepare for Tai Tokerau Northland's transition to a zero carbon and low emission economy by partnering to provide support and embedding environmental sustainability criteria within all active projects.
- Regional investment – grow investment and business support services such that regional economic activity improves consistently year on year.
- Destination management – lead the implementation of a regional Destination Management Plan in partnership with relevant stakeholders, industry, iwi and hapū.
- Profile and advocacy of economic development – to develop and improve the profile of economic development and Northland Inc to ensure that Te Taitokerau Northland understands and values the efforts of Northland Inc and advocate for Te Taitokerau Northland to improve the economic well-being of the region to help support strong communities and environmental sustainability.
- Organisational culture - actively upholds a culture where team are respectful and supportive of one another; our histories, our whānau, and our aspirations.

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.

Currently due to the restrictions faced by Covid, it should be noted that in the event a formal meeting must be held remotely then it will be made open to the public through online access (as per the Epidemic Preparedness (COVID19) Notice 2020).

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. Significance and Engagement Policy

Council makes decisions every day, ranging from day-to-day matters to those with a very high level of importance, impact or public interest. This policy ¹set out when and how our communities can expect to be engaged in our decision-making processes. The policy:

- tells our community when and how we will engage with them on an issue or proposal; and
- provides us with a tool for defining what is significant,² helping to determine where a greater level of community engagement will result in better decision making.

Our approach to community engagement

Community engagement means connecting with other people in a decision-making process, to share ideas and build understanding. It involves a range of different approaches.

We are elected to make decisions on your behalf, however, when we are engaging communities, or deciding the extent of engagement, we will be guided by the following principles:

We will:

- seek community views on significant issues, to ensure we have enough information to make our decisions;
- give you the information you need to be involved;
- listen to your views and consider them with an open mind;
- continue to improve how we engage with Maori and enable input into our decisions;
- target our engagement to those directly affected or interested in the decision;
- do our best to provide opportunities for you to present your views in a way that suits you;
- let you know what decisions we make and why;
- continue to improve how we engage with you.

When and how we will engage

Different levels of community engagement will be used in different situation. Sometimes we already have a good understanding of community views and preferences, but at other times we may need more information. Wherever possible we will endeavour to engage with communities on their turf, and at a time that best meets their needs, to make it as simple as we can for you to have your say.

Consulting

We will consult when we are required to by law, when a proposal is considered significant (as defined later in this policy) and when we need more information on options for responding to an issue.

When we consult we will make information about the issue or proposal available to the relevant communities, present options where relevant, tell them how our process works, and how they can

¹ This policy is intended to meet the requirements of the Local Government Act 2002 (Section 76AA) for a Significance and Engagement Policy.

² Significance (as defined by the Local Government Act 2002) means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for: (a) The district or region; (b) Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision or matter; (c) The capacity of the local authority to perform its role and the financial and other costs of doing so.

provide feedback. We will offer an opportunity to talk to councillors, or independent commissioners, face-to-face. We will collect information and feedback on the proposal or issue from our communities and use this to guide decision-making. This will often follow a formal process set out in legislation.

Involving and collaborating

We will involve or collaborate with our communities in decision-making when we need more information on community views to fully understand an issue and develop a proposal for dealing with that issue; or where we can be more effective and efficient in achieving our priorities through working with others.

When we involve or collaborate we will approach those that are likely to be affected by the proposal and invite them to share their thoughts and ideas. This will guide our decision-making, and in some cases help us decide if we need to consult. We will also work with already established groups to achieve shared goals.

Informing

We will inform our communities about decisions made when we believe there is some interest in the decision and/or people may be affected by the decision, but further engagement is not warranted.

When we inform we will let you know what we have decided to do, where you can find out more and who to talk to if you have questions and advise you of any timeframes that might be relevant.

No engagement

When there is a need for confidentiality or the matters concern internal operational issues, we won't engage. In this case we will follow all procedures required by law to ensure that decisions are made in a lawful way.

We will always consider:

- The likely impact on, and consequences for, the environmental, social, cultural and economic well-being of the region.
- Who is affected by or likely to have an interest in or want to be involved in decision making on the issue and what we know about their preferences for engagement.
- The importance of the matter to both us as the council, and those affected.
- The impact on Māori and their relationship with ancestral land, water, sites, wāhi tapu, valued flora and fauna and other taonga.
- How to engage Māori in a way that is meaningful to them.
- What we already know about community views.
- The circumstances in which the issue has arisen.
- Options, benefits and costs (current and future).
- The extent to which options will achieve or promote council objectives.
- The extent to which any costs outweigh the benefits of engagement methods.
- The impact on council's capability to fulfil its statutory responsibilities.
- The likely impact on service delivery, levels of service or any of council's strategic assets.
- The degree of information/research required to inform decision-making.
- How we will inform you of the final outcome of the decision or issue.

Defining which issues and decisions are significant

Distinguishing which decisions are significant and which are not, is not always black and white. The significance of an issue, proposal, asset, decision or activity (referred to in this document as a 'matter') lies somewhere on a continuum from low to high, and its significance will influence the level of engagement that council undertakes.

We will consider the significance of each matter on a case-by-case basis. When considering whether any matter is significant, we will consider a combination of factors as detailed in the following table.

Does the matter being considered involve:		Degree of significance	What this means
Rates Setting a new rate; or Increasing an existing specific targeted rate; or Increasing an existing region-wide targeted rate by more than 2% (annually) above that previously approved in the most recent Long Term Plan?		SIGNIFICANT	We will consult with our communities
Assets The transfer, replacement or abandonment of a strategic asset?		SIGNIFICANT	We will consult with our communities
Level of Service A proposal to begin a new activity or cease an existing activity? ⁽¹⁾		SIGNIFICANT	We will consult with our communities
Legislation A legislative requirement to consult?		SIGNIFICANT	We will consult with our communities
Thresholds The matter triggers two or more of the following thresholds:	Is substantially inconsistent with existing policies, strategies or decisions.	LIKELY TO BE SIGNIFICANT	We will determine the best approach, which may be to: <ul style="list-style-type: none">consultinvolve/collaborateinform
	Incurs high capital or operational expenditure, or a financial transaction, with a value greater than \$750,000. ⁽²⁾		
	Large divisions in community interest or high levels of prior public interest.		
	The decision is irreversible, has a high degree of risk, or significance of the decision is largely unknown.		
	The decision has a large impact on a moderate number of people or a moderate impact on a large number of people. ⁽³⁾		
Everyday operations The matter is part of normal day-to-day operations of council or is provided for in the Long Term Plan or Annual Plan.		NOT SIGNIFICANT	We will follow usual decision-making procedures

1. Activities as set out in the 'Groups of activities' section of the Long Term Plan 2018-2028

2. This limit covers a single issue, asset or matter as well as a package of the same aligned to deliver a single outcome or objective. This limit does not apply to expenditure funded from the Investment and Growth Reserve, regional projects reserve, or changes to the council's investment portfolio. Note that these investments will need to meet the criteria of council's Investment Policy, pursuant to section 102 of the Local Government Act.

3. As a guide: a moderate number of people is considered to be 4000-8000, and a large number of people is considered to be greater than 8000.

Every report to the council or decision-making body will include an assessment of the significance of the matter, the degree of engagement proposed, the engagement plan proposed and a clear recommendation.

Strategic Assets

A strategic asset (as defined by the Local Government Act 2002) means an asset or group of assets that the local authority needs to retain if it is to maintain its capacity to achieve or promote any outcome that it determines to be important to the current or future well-being of the community.

The Northland Regional Council's strategic assets as defined in this policy are:

- its interests in Marsden Maritime Holdings Ltd;
- the Awanui river scheme
- Hopua te Nihotetea (the Kotuku Street Dam in the Whangarei urban rivers scheme) and the land which the dam structure occupies;
- the Kāeo stopbank scheme; and
- other river scheme assets as they are constructed.

A decision to transfer the ownership or control of a strategic asset to or from the regional council can only be taken if it has been provided for in its Long Term Plan and, therefore, will be the subject of the Local Government special consultative procedure.

Reviewing this policy

Council intends to review this policy every three years after the local body elections. Any consultation required would likely occur concurrently with a future Annual or Long Term Plan.

13. Policy on fostering Māori participation in council processes

Legislative context

The Local Government Act 2002 (LGA) recognises the relationship between Māori and the Crown under the Treaty of Waitangi. Section 4 of the LGA states:

‘In order to recognise and respect the Crown’s responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.’

Councils must provide for the principles and requirements of the LGA to facilitate participation by Māori in local authority decision-making processes.

Section 81 of the LGA provides for Māori participation in decision-making by requiring local authorities to:

1. establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
2. consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
3. provide relevant information to Māori for the purposes of paragraphs 1 and 2.

Councils are required to outline in their Long Term Plan, any steps that they intend to take to foster the development of Māori capacity in order to contribute to council decision-making.

The Resource Management Act 1991 (RMA) promotes the sustainable management of natural and physical resources. The RMA also recognises the relationship between Māori and the Crown and requires councils to take into account the principles of the Treaty of Waitangi (section 8) when undertaking its functions.

Council’s values

Council’s mission says ‘Working together to create a healthy environment, strong economy and resilient communities’.

Council’s vision articulates a region working together for a sustainable and thriving future. With statutory obligations to Māori, to empower them to participate in local government processes, a key focus area for council is through fostering ‘Meaningful partnerships with tangata whenua’

This commitment needs to be reflected across all aspects of council business. To help guide council and staff, and be effective, council will work towards ensuring Māori (past, present and future), and their culture and traditions, are valued and reflected in our work.

Treaty of Waitangi

Te Taitokerau has the second-largest Māori population of regional councils across New Zealand, with approximately a third of the region’s population identifying as Māori.

Council supports the intention of the Crown to uphold the principles of the Treaty of Waitangi as prescribed in local government and Treaty settlement legislation.

These relationships and their recognition require council to work with Māori to encourage and enable the participation of Māori in council processes in ways that meet their needs and aspirations as well as regional outcomes.

Relationships

Council will continue to develop genuine relationships with Māori that will underpin and facilitate the inclusion of Māori in its decision-making processes. Council will remain committed to maintaining and strengthening these relationships.

The Tai Tokerau Māori and Council (TTMAC) Working Party is a key relationship mechanism that is facilitating the inclusion of Māori in Council's decision-making processes. The 30 strong working party consists of iwi and hapū members (appointed members) and councillors (elected members). The working parties key purpose is 'to advance a model of Māori engagement that supports environmental, economic, social, cultural and spiritual priorities across the region'.

Council is also in the early stages of establishing a regional level relationship with Iwi Chairs which will further strengthen existing relationship with the regions Iwi Chief Executives.

Liaison and information

For Māori to have effective input into council's decision-making processes, relevant information must be communicated accurately, in a timely manner, and in a form that is appropriate to the decision making process and audience.

Council staff will continue to develop it's processes and mechanisms to enable effective communication and positive interactions with Māori.

Fostering Māori participation

Specific steps council will take to foster capacity and provide opportunities for Māori to contribute to council's decisions are:

- *Continue to support continuation and operation of the TTMAC Working Party as an avenue for input into council's decision-making processes; and as an avenue to build the capacity of the wider Māori community to contribute to the decisions of council.*
- *Continue to support the ongoing operation of the Māori Technical Advisory Group (a sub-group of the TTMAC Working Party), to provide early technical input into council's plans and processes.*
- *Undertake early pre-consultation with Māori on all RMA planning processes.*
- *Encourage and support the developing governance relationship with the region's Iwi Chairs.*
- *Maintain and grow the relationship between the chief executives of the region's iwi authorities and councils, encouraging all of the region's councils to participate.*
- *Implement a programme to enhance the cultural competency of council.*
- *Continue to provide funding support for writing or reviewing iwi and hapū environmental management plans (recognised by an iwi authority).*
- *Continue to manage a centralised Māori contact database to facilitate and enable contact between council and Māori.*
- *Distribute copies of resource consents to relevant marae (hapū and iwi) lodged with council.*
- *Ensure an appropriate level of specialist technical and cultural support is provided for staff and councillors.*

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 – Regulatory Services - Colin Dall

Group Manager – Corporate Services - Bruce Howse

Group Manager – Governance and Engagement – Auriole Ruka

Group Manager – Environmental Services – Jonathan Gibbard

Group Manager – Biosecurity, Don McKenzie

Group Manager – Community Resilience, Victoria Harwood

Deputy Leadership Team

Deputy Group Manager – Regulatory Services – Tess Dacre

Deputy Group Manager – Governance and Engagement, Cathy Erstich

Deputy Group Manager – Environmental Services, Ben Lee

Deputy Group Manager – Biosecurity, Kathryn Lister

Deputy Group Manager – Community Resilience, Jim Lyle

Organisational Management Team (currently under review)

Strategic Policy Specialist - Justin Murfitt (Chair)

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

Human Resources Manager - Beryl Steele

Regional Harbourmaster – Jim Lyle

Natural Resources Monitoring Manager – Jason Donaghy

Corporate Strategy Manager – Kyla Carlier

Strategic Projects and Facilities Manager – Phil Heatley

Finance Manager – Simon Crabb

Consents Manager – Stuart Savill

Compliance Monitoring Manager – Tess Dacre

GM – Governance and Engagement – Auriole Ruka

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 2021-2031 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.

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.

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

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- 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 partly operative.

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:

- If the Minister or regional council has reason to believe that the strategy is failing to achieve its purposes; or
- If the Minister or regional council has reason to believe that relevant circumstances have changed to a significant extent since the strategy commenced; or
- If the strategy is due to expire in less than 12 months and –
 - Any person requests the Minister or regional council to notify a proposal to extend the duration of the strategy; or
 - 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 2021-2027 was implemented on 1 September 2021.
- *Northland Regional Public Transport Plan 2021-2031* – The ten year Northland Regional Public Transport Plan is scheduled for release in December 2021.
- *Northland Road Safety Issues 2017-2021 Crash Data* – This document informs the decision making process for proposed road safety actions in Northland. It is normally released in April of each year but has been delayed for 2021.

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:

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- Northland Civil Defence Emergency Management Group Plan December 2021 - 2026.

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-Kaikohe

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

Terry Archer

Constituency: Whangārei Urban

Phone: 0274972355

Email: terrya@nrc.govt.nz

Jack Craw

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

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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 two-(2) independent (non-voting) members as follows:

Chair:	Cr R Stolwerk
Members:	Cr T Archer
	Cr J Blaikie
	Cr C Kitchen
	Cr J Craw
Independent Member:	S Henderson (non-voting) and D Tuato'o (non-voting)
Ex officio:	Cr P Smart (full voting rights)
Independent Consultant:	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 Five-(5). Ex-officio and independent 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 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;

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- 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. Withdrawal of gains from the Long-Term Fund, subject to;
 - I. the withdrawals being in accordance with the advice of council's Independent Investment Advisor;
 - II. the withdrawals being reinvested to the Short-Term Fund and;
 - III. the withdrawals and reinvestment being reported back to the next council meeting.
- d. CEO to withdraw and invest in the Short Term Fund within established delegations.
- e. CEO to withdraw and invest funds held in term deposits being self-managed cash reserves.
- f. Recommend manager(s) of new funds for approval by council.
- g. Ensure that there are no withdrawals from funds except the Short Term Fund without the approval of council.
- h. 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);
- i. Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- j. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;

- k. 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;
- l. Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;
- m. Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- n. 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;
- o. To regularly report progress on its functions to the council; and
- p. 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. Ensure there are no withdrawals from the Long Term Fund without the approval of council, other than for operational funding from gains made in the fund and as budgeted in accordance with the current Long Term Plan or Annual Plan.
- c. 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 A Macdonald Cr J Yeoman Cr R Stolwerk
Independent members:	S Henderson (non-voting) and D Tuato'o (non- voting)
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 Five (5). 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 Craw
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 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.

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:

NRC Local Governance Statement (2019 – 2022 triennium)

ID: [DMHUB-1834428678-38](#)

- Provide oversight and assistance to the Chief Executive Officer (CEO) 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 CEO.

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 CEO'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;
- 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:

- In conjunction with the Planning and Regulatory Working Party, monitor and review council's implementation of the National Policy Statement for Freshwater Management 2020.
- 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 water and land 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 Craw
Cr M Robinson
Cr J Yeoman

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

Working Party as follows:

Rihari Dargaville, Te Rūnanga o Whāingaroa
Nora Rameka, Ngāti Rehia
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.

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.

NRC Local Governance Statement (2019 – 2022 triennium)

ID: [DMHUB-1834428678-38](#)

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 strategic 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) 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:	Pita Tipene, Te Rūnanga o Ngāti Hine
Proxy Co-Chairperson:	Georgina Connelly, Te Uri o Hau Settlement Trust
NRC Members:	Cr Smart
	Cr Archer
	Cr Blaikie
	Cr Craw
	Cr Yeoman
	Cr Kitchen
	Cr McDonald
	Cr Stolwerk
	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 Craw

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 strategic nature.
 - 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 strategic matters concerning biosecurity and biodiversity in Northland.
- c) 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.
- d) 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

Planning and Regulatory Working Party

Membership

The Planning & Regulatory Working Party shall be comprised of four (4) councillors and four (4) non-elected members 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
William Sullivan, Ngatiwai
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
- Efficient and effective service delivery

Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive Officer (CEO) 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 resource applications and 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 CEO.

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 CEO'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 and regulatory activities:

- a) To monitor and review the implementation of the Regional Policy Statement, the Proposed Regional Plan for Northland and Resource Management Act regulations in conjunction with the Water and Land Working Party.
- b) 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.

- c) To recommend to council the release of draft plans and plan changes, including variations, for public consultation.
- d) To make recommendations to council on any appeals in accordance with council decisions on the proposed plan, plan change or variation.
- e) To recommend to council positions and perspectives on proposed legislation (including amendments) and national policy initiatives for incorporation into council submissions as appropriate.
- f) To make recommendations to council on the processes to be used to develop and review planning proposals.
- g) 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 Whangarei 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 T Archer
NRC members	Cr J Craw Cr R Stolwerk
WDC member 1	Cr G Martin
WDC member 2	Cr T Cutforth
WDC member 3	Cr A Murphy

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 Rick Stolwerk

Deputy Chairperson: Cr Terry Archer

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 Terry Archer

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

Joint climate change adaptation committee

Terms of Reference

10 August 2020

Background

Climate change poses significant risks to the environment and people of Te Taitokerau - local government has responsibilities in reducing the impact of climate change (adaptation). It is essential that councils, communities and iwi / hapū work collaboratively to ensure an effective, efficient and equitable response to the impacts of climate change. Work on adaptation has already started between council staff with the formation of the joint staff working group Climate Adaptation Te Taitokerau and the development of a Climate Change Adaptation Strategy for Taitokerau. The formation of a joint standing committee of the Far North, Kaipara and Whangarei district councils and Northland Regional Council elected council members and iwi / hapū is fundamental to ensuring these outcomes are achieved in a coordinated and collaborative way across Te Taitokerau.

Role and Responsibilities

- 1) Provide direction and oversight of the development and implementation of climate change adaptation activities by local government in Te Taitokerau
- 2) Receive advice and provide direction and support to Climate Adaptation Te Taitokerau
- 3) Make recommendations to member councils to ensure a consistent regional approach is adopted to climate change adaptation activities
- 4) Act collectively as an advocate for climate change adaptation generally and within the individual bodies represented on the Committee
- 5) Ensure the bodies represented on the Committee are adequately informed of adaptation activity in Te Taitokerau and the rationale for these activities
- 6) Ensure the importance of and the rationale for climate change adaptation is communicated consistently within Te Taitokerau
- 7) Receive progress reports from Climate Adaptation Te Taitokerau

Membership

The Joint Climate Change Adaptation Committee (the committee) is a standing committee made up of elected members from the Far North, Kaipara and Whangarei district councils, the Northland Regional Council and representatives from Northland hapū and iwi.

The committee shall have eight members as follows:

One elected member from:

Kaipara District Council
Far North District Council
Whangarei District Council
Northland Regional Council³

Iwi / hapū members:

One representative from iwi / hapū nominated by each council from within their jurisdiction. Where possible, this nomination should follow recommendations from council Māori advisory groups or committees.

³ NRC confirmed its membership as Councillor Macdonald (and Councillor Craw as alternate) and its iwi member being Toa Faneva (and Thomas Hohaia as alternate).

Each council shall also nominate one alternative elected member and one alternative iwi / hapū member who will have full speaking and voting rights when formally acting as the alternate.

Status

The Committee is a joint standing committee of council as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 and shall operate in accordance with the provisions of Clause 30A of that Act. The committee is an advisory body only and has no powers under the Local Government Act 2002 (or any other Act) other than those delegated by decision of all member councils. The joint standing committee shall operate under Northland Regional Council Standing Orders.

Committee Chair and deputy Chair:

The Chair and Deputy Chair is to be elected from members at the first meeting of the committee.

Quorum

At least 50% of members shall be present to form a quorum.

Meetings

The Committee shall meet a minimum of two times per annum.

Service of meetings:

The Northland Regional Council will provide secretarial and administrative support to the joint committee.

Draft agendas are to be prepared by Climate Adaptation Te Taitokerau and approved by the Chair of the Committee prior to the Committee meeting.

Remuneration

Remuneration and / or reimbursement for costs incurred by council members is the responsibility of each council.

Respective iwi / hapū representatives will be remunerated and reimbursed by the nominating council in accordance with the non-elected members remuneration policy of that council..

Amendments

Any amendment to the Terms of Reference or other arrangements of the Committee shall be subject to approval by all member councils.

Kaipara Moana Remediation Joint Committee

Terms of Reference

Background

The Kaipara Harbour (Kaipara Moana) is New Zealand's largest harbour and is suffering from decreased and degraded water quality issues. In July 2020 the New Zealand government confirmed funds would be allocated to address freshwater management matters, particularly sediment runoff, with the aim of achieving environmental and associated outcomes for Kaipara Moana and its catchment.

The Kaipara Moana Remediation Joint Committee is set up as a joint committee by the Governing Body of Auckland Council and the Northland Regional Council, and Kaipara Uri, to coordinate decisions relating to funding allocated to provide environmental and associated outcomes for Kaipara Moana.

The key principles by which the Joint Committee must conduct itself are set out in the Memorandum of Understanding dated xx 2020.

'Kaipara Uri' is the term taken by Ngā Maunga Whakahī o Kaipara, Te Roroa, Te Uri o Hau Settlement Trust, Ngāti Whātua Ōrākei and Te Rūnanga o Ngāti Whātua, when engaging collectively on matters relating to Kaipara Moana and its catchment. Together with Auckland Council and the Northland Regional Council, these are the member parties to the Joint Committee.

Purpose and Responsibilities

The purpose of the Joint Committee is to carry out the decision-making responsibility in relation to the allocation of funds for the Kaipara Moana Remediation programme, including funding from the Crown and councils, and contributions (e.g. from landowners or others) needed to access funding from Crown and councils for remediation works. This includes (but is not necessarily limited) to:

- (a) providing stewardship and governance over the expenditure of the Crown Grant and council funding, as well as contributions from land-owners;
- (b) commissioning and approving remediation budgets and work-plans for the Kaipara Moana Remediation programme;
- (c) assisting councils and Kaipara Uri in any consideration of funding arrangements with the Crown and other parties as may be required;
- (d) formulating and recommending to councils and Kaipara Uri the preferred Kaipara Moana Remediation operations vehicle to undertake operational works as directed by an approved long-term annual remediation budget and work-plan;
- (e) guiding the work of councils and Kaipara Uri on any monitoring and reporting obligations;
- (f) assisting councils and Kaipara Uri in its review and consideration of the Funding Agreement; and
- (g) assisting and supporting signatory entities to the Funding Agreement with any audit and reporting obligations required in respect of the Crown Grant and council contributions.

For the avoidance of doubt the Joint Committee:

- (i) is not authorised to exercise any regulatory or enforcement function of either council under the Local Government Act 2002, the Resource Management Act 1991, or any other Act;

- (ii) must not act contrary to the current long-term plan or annual plan of either council, or any NPS or other document binding on or adopted by either Council under the Local Government Act 2002, the Resource Management Act 1991, or other Act; and
- (iii) is not authorised to commit funds or resources of either council beyond the funding and resources already agreed to by them.

Powers (Delegations)

The Joint Committee has all powers of the Governing Body of the Auckland Council and the Northland Regional Council necessary to perform the Joint Committee's responsibilities.

Except the powers that neither Auckland Council nor the Northland Regional Council can lawfully delegate, including those under schedule 7, clause 32(1) of the Local Government Act 2002, being the power to:

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

Frequency of meetings: Quarterly or as determined by the Joint Committee.

Membership: The membership of the Joint Committee will be as follows:

- (a) six (6) appointed by Kaipara Uri entities;
- (b) three (3) elected members appointed by Auckland Council; and
- (c) three (3) elected members appointed by Northland Regional Council.

The members of the Joint Committee shall appoint, by majority decision of the members:

- (a) A Chair (from one (1) of the representatives appointed by Kaipara Uri entities); and
- (b) A Deputy Chair (from one (1) of the representatives appointed by either Auckland Council or Northland Regional Council).

Members can be reappointed.

Resignation is by written notice to the relevant appointer. As a matter of courtesy, each appointer will then inform the Joint Committee of discharges, resignations and reappointments.

Ex officio: Whereas the Mayor of Auckland is a member of all committees by virtue of section 9(6) of the Local Government (Auckland Council) Act 2009, the Mayor has agreed not to exercise this right of membership.

Joint Committee discharged on establishment of new entity

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This Joint Committee is deemed to be discharged on the establishment of a future Kaipara Moana Body, anticipated to be created by statute with representation from Kaipara Uri, Auckland Council, Northland Regional Council, Kaipara District Council and Whangarei District Council.

Joint Committee not discharged at triennial elections

Pursuant to the Local Government Act 2002, schedule 7, clause 30(7) the councils have resolved that this Joint Committee is not discharged at the triennial elections (if not already discharged due to the establishment of a future Kaipara Moana Body). However, on coming into office following an election, a council may choose to review its appointments to the Joint Committee.

Quorum: The quorum for a meeting of a Joint Committee is:

- (a) half of the members if the number of members of the Joint Committee (including vacancies) are even
 - (b) a majority if the number of members of the Joint Committee (including vacancies) are odd
- and provided that at least one (1) Joint Committee member is present from each of Auckland Council and Northland Regional Council, and two (2) members from the Kaipara Uri.

Voting rights: Decisions will be made by majority. However, the Joint Committee will seek to operate on the principle of consensus decision-making. When decisions are required and put to a vote, the chair or other person presiding at a meeting:

- (a) has a deliberative vote; and
- (b) does not have a casting vote (and therefore in the case of an equality of votes, the act or question is defeated and the status quo is preserved).

Support and attendance: The Joint Committee shall be entitled to invite guests or experts to attend any meeting and, at the request of the Joint Committee, participate in discussions on, and assist the Joint Committee in its considerations.

Any Chair or other member of any of the governing bodies of Kaipara Uri, and any member of the Auckland Council and the Northland Regional Council or of a committee of the Auckland Council and the Northland Regional Council, has, unless lawfully excluded, the right to attend any meeting of the Joint Committee.

Every meeting of the Joint Committee is open to the public, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987.

Senior staff of member entities may attend Joint Committee meetings to provide administrative and other associated support to the appointed members.

Review of these Terms of Reference: These terms of reference are to be reviewed at least annually by the Joint Committee. The Terms of Reference may be amended by agreement between the Joint Committee members subject to any other necessary approvals from the member parties.

Standing orders: The Joint Committee will refer to and apply the standing orders of the Council members providing administrative assistance to the Joint Committee. In the event of any inconsistencies between the standing orders and these terms of reference, the terms of reference will prevail.

Joint Regional Economic Development Committee

Terms of Reference⁴

Background

Economic development is listed as one of the five policy priorities of Local Government New Zealand. Globalisation and the relaxation of border controls have been radically changing the way in which local and regional economies work. Cities, districts and regions in New Zealand are now competing against their peers in other parts of the world for the same capital and same skilled workers. The COVID-19 pandemic and associated policy responses are disrupting this long-term trend and bringing additional challenges to the economy. To succeed, local authorities need to ensure that they not only offer a good life and effective infrastructure and services they must also promote these attributes. Economic development agencies such as Northland Inc Limited play an important role in bridging the gaps in local economies, leveraging local advantage, and promoting the region both nationally and internationally.

Economic growth is vital for generating the resources needed to address some of the pressing problems affecting Northland, such as poor housing, health and education. Councils wish to improve Northland's economic performance to support strong communities and environmental sustainability.

The formation of a joint committee of the Northland Regional Council and the Far North and Kaipara district councils elected council members is fundamental to ensuring these outcomes are achieved in a coordinated and collaborative way across Te Taitokerau.

Membership

The Joint Regional Economic Development Committee (the **committee**) is a joint committee made up of elected members from the Northland Regional Council, the Far North District Council and the Kaipara District Council.

The committee shall have six members as follows:

Two elected members from:	Kaipara District Council
	Far North District Council
	Northland Regional Council ⁵

Each council shall also appoint one alternative elected member who will have full speaking and voting rights when formally acting as the alternate.

Whangarei District Council may join the committee at some point in the future. WDC will have the right to appoint two elected members to the committee, increasing the number of committee members from six to eight.

Ex officio: Whereas the Mayors of Far North and Kaipara district councils are a member of all committees by virtue of section 41A(5) of the Local Government 2002, the Mayors have agreed not to exercise this right of membership.

⁴ Approved by NRC at its meeting on 22 June 2021, FNDC on 24 June 2021 and KDC on 30 June 2021.

⁵ NRC's representatives to the joint committee are Councillor Blaikie (as Chair) and Councillor Archer.

NRC Local Governance Statement (2019 – 2022 triennium)

ID: [DMHUB-1834428678-38](#)

Role and Responsibilities

- 8) All responsibilities, duties and powers of a local authority as a shareholder in Northland Inc. Limited are, as far as legally possible, delegated to the committee. For avoidance of doubt, a meeting of the committee is not a meeting of shareholders under the Companies Act 1993.
- 9) Make funding allocations from the Investment and Growth Reserve (IGR) administered by Northland Regional Council.
- 10) Receive advice and provide direction and support to economic development in Te Taitokerau.
- 11) Make recommendations to member councils to ensure a consistent regional approach is applied and adopted to economic development activities.
- 12) Act collectively as an advocate for regional economic development generally and within the individual bodies represented on the committee.
- 13) Ensure the bodies represented on the committee are informed of economic development activities in Te Taitokerau.

Status

The committee is a joint committee of council as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 and shall operate in accordance with the provisions of Clause 30A of Schedule 7 that Act.

The committee has no powers under the Local Government Act 2002 (or any other Act) other than those delegated by decision of all member councils.

The committee shall operate under Northland Regional Council Standing Orders.

Joint Committee not discharged at triennial elections

Pursuant to Clause 30(7) of Schedule 7 of the Local Government Act 2002, the councils have resolved that this joint committee is not discharged at the triennial elections. However, on coming into office following an election, a council may choose to review its appointments to the committee.

Committee Chair and Deputy Chair:

The Chair and Deputy Chair are to be elected by members at the first meeting of the committee according to System A of clause 25 of Schedule 7 of the Local Government Act 2002.

The inaugural Chair must be an elected member from the Northland Regional Council. This will be reviewed by the committee following the triennial elections in 2022.

Meetings

The committee shall meet a minimum of four times per annum.

Quorum

At least 50% of members shall be present to form a quorum with at least one member from each council present.

Decision making

The committee will endeavour to make all decisions by consensus, i.e. 100%. However, if consensus cannot be reached, matters will be decided by a simple majority of the votes cast by the members present. For the avoidance of doubt the Chair shall not have a casting vote at committee meetings.

Service of meetings

The Northland Regional Council will provide secretarial and administrative support to the committee.

Draft agendas are to be prepared by Northland Regional Council and approved by the Chair of the Committee prior to the committee meeting.

Northland Inc Limited can request the committee hold a confidential committee meeting for discussion about commercially sensitive matters, subject to this request meeting the requirements of section 7(2) of the Local Government Official Information and Meetings Act. Any report submitted by Northland Inc needs to be accompanied by council management advice to the committee.

Remuneration

Remuneration and / or reimbursement for costs incurred by committee members is the responsibility of each council.

Amendments

Any amendment to the Terms of Reference or other arrangements of the committee shall be subject to approval by all member councils.

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 Smart as Chair
Kerikeri River Working Group	Cr Yeoman as Chair
Ruakākā River Working Group	Cr Stolwerk as Chair
Taumārere 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	Crs 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 as Chair
Shareholder representative for Northland Inc Ltd <i>(Delegating authority to exercise council's shareholder vote at any shareholder meeting of Northland Inc. Limited)</i>	Cr Blaikie
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 as Chair
Upper North Island Strategic Alliance (UNISA)	Cr Smart as Chair
Zone one (LGNZ)	Cr Smart as Chair Alternate councillor – Cr Yeoman.

Northland Regional Council

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