



Kaipara te Oranganui

**KAIPARA
DISTRICT**

Two Oceans Two Harbours

Kaipara District Council Agenda Long Term Plan Briefing

Date: Thursday 14 May 2020

Time: 9:30 am

Location: Broadcast live on Facebook

Elected Members: Mayor Dr Jason Smith (Chairperson)
Deputy Mayor Anna Curnow
Councillor Victoria del la Varis-Woodcock
Councillor Karen Joyce-Paki
Councillor Jonathan Larsen
Councillor Mark Vincent
Councillor Peter Wethey
Councillor David Wills
Councillor Eryn Wilson-Collins

*For any queries regarding this meeting please contact
the Kaipara District Council on (09) 439 7059*

1. Long Term Plan status update

A verbal update with presentation will be provided for this item.

2. Maori contribution to Council decision making

1

3. Strategic assets list

5

4. Revenue and Financing Policy

7

LTP: Māori Contribution to Council's Decision-Making Processes

Meeting: Council Briefing
 Date of meeting: 14 May 2020
 Reporting officer: Francis Toko, Iwi Relations Manager

Purpose/Ngā whāinga

To seek feedback from Elected Members on the draft Long-Term Plan (LTP) section relating to Māori opportunities to contribute to Council's decision-making processes.

Context/Horopaki

Local Authorities must set out any steps to foster the development of Māori capacity to contribute to the decision-making processes of the Local Authority (s8, schedule 10, LGA). Section 81 of the Local Government Act 2002 (LGA) is copied below:

81 Contributions to decision-making processes by Māori

- (1) A local authority must—
 - (a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
 - (b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
 - (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).
- (2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to—
 - (a) the role of the local authority, as set out in [section 11](#); and
 - (b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.

Discussion/Ngā kōrerorero

The LTP section

There are many ways in which Councils respond to the above requirement under the LGA and, more broadly, the Resource Management Act 1990 (RMA). **Attachment A** provides the wording from the relevant section of the current 2018-28 LTP. **Attachment B** provides an updated draft based on the work to date in this area. Staff are seeking feedback from elected members on this proposed wording.

Māori wards

For information, a separate piece of work will be done this year, investigating whether or not the Kaipara District should include a Māori ward. The decision on this is required to be made by Council prior to 23 November this year. If anything changes as a result of this work, the 2021-31 LTP will be updated to reflect this.

Next steps/E whaiake nei

The feedback received from Council will be considered and included in the next draft of this section, shared with Treaty Partners for comment and updated during the creation of the draft 2021-31 LTP.

Attachments/Ngā tapiritanga

	Title
A	Relevant section from current 2018-28 LTP

B	Proposed section for upcoming 2021-31 LTP
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Development of Maori Capacity to Contribute to Decision-Making Processes

Council recognises its obligations to Maori and continues to look for ways to facilitate Maori input into decision-making.

Council has a Memorandum of Understanding (MOU) with Te Uri o Hau which reflects the relationship between the two parties and formalises the way with the two parties work together on a wide range of issues. This document was renegotiated in 2016 and has the provision for annual reviews. Council has a Mana Enhancing Agreement (MEA) with Te Roroa. This agreement was negotiated over a number of years to reflect the joint aspirations between the two parties and signed in 2018.

Both the MOU and MEA provide for regular funding towards services provided by Te Uri o Hau and Te Roroa which allows for the ongoing development of capacity within these organisations.

CO- governance arrangements are in place for both Taharoa Domain Governance Committee and the Harding Park/Pou Tu Te Rangi Joint Committee

Kaipara Council is one of four Councils that have formed the Kaipara Moana Working Party to work closely with Ngati Whatua on the future governance arrangements for the Kaipara Harbour once the treaty settlement process has been completed.

Council has an agreed procedure in place to provide for iwi input into Resource Consent processing as well as ensuring that iwi have the opportunity for input into the Long Term Plan and Annual Plans during the draft Plan consultation process. These are covered in the MOU and MEA.

Council holds regular Tangata Whenua hui with staff and kuia/ kaumatua from local iwi and hapu attending.

Council remains open to considering further ways of supporting iwi to improve their ability to contribute to decision-making processes that is mutually beneficial to both parties. Internally Council has an Iwi liason officer and a staff Maori advisory group

Development of Māori Capacity to Contribute to Decision-Making Processes

In recognition of Te Tiriti o Waitangi/The Treaty of Waitangi, Council acknowledges the ongoing obligations that it has in conjunction with the provisions afforded to Māori in both the Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA). Council will be continuing to look for more meaningful ways to further build on existing relationships and raise Māori capacity to input into decision-making at a Local Government level.

Current status of Relationships and Partnerships:

- Council has a Memorandum of Understanding (MOU) with Te Uri o Hau which reflects the relationship between the two parties and formalises the way with the two parties work together on a wide range of issues. This document was reviewed in 2019 and has the provision for annual reviews.
- Council has a Mana Enhancing Agreement (MEA) with Te Roroa. This agreement was negotiated over several years to reflect the joint aspirations between the two parties and agreed on in 2019.

Both the MOU and MEA provide for regular funding towards services provided by Te Uri o Hau and Te Roroa which allows for the ongoing development of capacity within these entities.

- Co-governance arrangements are in place for both the Taharoa Domain Governance Committee and the Harding Park/Pou Tu O Te Rangi Joint Committee.
- Integrated Kaipara Harbour Management Group (IKHMG), Kaipara District Council has a seat on the sub-committee and plays a role in the newly formed Partners Forum.
- Kaipara Council is one of four Councils that have formed the Kaipara Moana Working Party to work closely with Ngāti Whātua and other iwi/hapū groups on the future governance arrangements for the Kaipara Harbour once the treaty settlement process has been completed.
- Council continues to review annually the Mana Whenua Forum alongside iwi/hapū and continue hui with iwi, hapū, marae and other Māori representatives as required.
- Kaipara Council is also signed on to the Whanaungatanga Ki Taurangi relationship agreement between the Northland Mayoral and Chair forum (Northland Mayors and Chair) and Te Kahu O Taonui (Northland iwi chairs forum).

RMA Consultation:

With respect to the Resource Management Act (RMA) council processes all resource consent applications accordingly then distributes to the appropriate mana whenua for information, comment or input. Council continues to ensure that iwi/hapū have the opportunity for input into the Long-Term Plan and Annual Plans during the draft Plan consultation process.

Iwi Relations Manager:

Council remains committed to enhancing its relationships with iwi/hapū and look for further opportunities and ways to support iwi/hapū contribution to decision-making processes that are of mutual benefit to both parties. This mahi is carried out by the Iwi Relations Manager and supported by the staff belonging to the Māori advisory group.

Significance and Engagement Policy – strategic assets review

Meeting: Council Briefing
Date of meeting: 14 May 2020
Reporting officer: Shireen Munday, Senior Policy Analyst

Purpose/Ngā whāinga

To discuss the list of strategic assets to be included in the proposed amended Significance and Engagement Policy.

Context/Horopaki

Council has requested a review of the Significance and Engagement Policy (SEP). An item on this matter was presented to Council at the April 7 Long Term Plan (LTP) Briefing. Elected members raised some questions about the list of strategic assets, which this item discusses.

Discussion/Ngā kōrerorero

Legislative background

Council's SEP is required to include a list of 'strategic assets' in accordance with section 76AA(3) of the Local Government Act 2002 (LGA). Section 5 of the LGA provides a definition of 'strategic assets':

***strategic asset**, in relation to the assets held by a local authority, means an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes—*

- (a) any asset or group of assets listed in accordance with [section 76AA\(3\)](#) by the local authority; and*
- (b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and*
- (c) any equity securities held by the local authority in—*
 - (i) a port company within the meaning of the Port Companies Act 1988;*
 - (ii) an airport company within the meaning of the Airport Authorities Act 1966*

Council does not have a social policy that provides for affordable housing, nor does it hold equities in a port or airport company. Therefore, the only strategic assets of Council are those assets that are listed in Council's SEP.

Kaipara District Council's strategic assets are Council-owned assets that Council considers need to be retained to contribute to any outcomes determined by Council to be important to the current or future well-being of the community.

Implications

The difference between a strategic asset and other assets of Council is provided in section 97 of the LGA. This section states that there are some decisions that Council can only make if the matter is provided for in an LTP.

In simple terms, by listing an asset as a strategic asset in its SEP, if Council wished to consider the transfer of ownership or control of such an asset, this would have to be first included as a matter in the LTP consultation document for community consultation. The proposed transfer of the asset would also have to be considered within the wider strategic and financial direction of the proposed LTP.

Should Council wish to consider the transfer of a strategic asset outside of the LTP review cycle, then an amendment to the LTP, with associated audit and community consultation requirements would have to be proposed.

Non-strategic assets

Assets of Council that are not strategic are regularly reviewed, usually in conjunction with the LTP review process. Any transfer of ownership or control of an asset of Council is through a decision at a Council meeting.

Any decision Council makes regarding the sale of assets still requires consideration of the SEP. As such, this includes a requirement for Council to decide whether community feedback is appropriate prior to making a final decision. Even if the matter is deemed to have a lower degree of significance, Council will still need to consider whether community input to the decision is appropriate before proceeding.

Current and proposed list of strategic assets

Council's list of strategic assets in the current SEP is:

Stormwater schemes	The roading network
Water supply schemes	Reserves
Wastewater schemes	Cemeteries
Pensioner housing	

Staff are proposing to amend the list based on the direction and decisions made during the 2018 LTP process, feedback from senior staff and also the discussion of Elected Members at the 7 April 2020 LTP Briefing. The proposed amendments to the list of strategic assets is as follows, together with explanatory comments.

Strategic Asset	Comments
Water supply schemes	No change proposed
Wastewater schemes	
Stormwater schemes	
The transportation network	This includes the existing roading network but expands the asset to clearly include important other parts of the network, such as footpaths and cycleways.
The open spaces network	This includes the existing reserves and cemeteries but is expanded to include all open spaces (e.g. parks, civic spaces etc) under the control of Council.
The stop bank network	Proposed new inclusion, based on EM feedback and the impact any change of ownership in the network may have on the affected communities.
Pensioner housing	Direction and decisions on Council's pensioner housing assets was provided during the development, consultation and adoption of the 2018 LTP. This proposed removal is consistent with those decisions.

A presentation will be provided at the Briefing to support the discussion.

Next steps/E whaiake nei

Based on the discussion and any further direction received at this meeting, staff will prepare a final draft amended SEP for discussion at the June LTP Briefing.

Revenue and Financing Policy

Meeting: Council Briefing
Date of meeting: 07 April 2020
Reporting officer: Sue Davidson, GM Sustainable Development and Investment

Purpose/Ngā whāinga

To discuss and review the content of a Revenue and Financing Policy which is required to be part of the Long Term Plan (LTP) for 2021/2031.

Context/Horopaki

Section 102(2) states that each local authority must adopt a number of funding policies, one of which is the Revenue and Financing Policy. Once adopted as a draft, this policy will be formally consulted on as part of the LTP. This policy being developed will provide predictability about sources and levels of funding.

The current policy is contained in the LTP Part 2 page 161. The current analysis of each activity is not online and relates back to 2014 when it was approved (74-page document).

Discussion/Ngā kōrerorero

The starting place is analysing the activities and there are four stages. This involves:

- Identifying the activities to be funded
- Determining whether the benefits are public or private for each activity
- Apply discretions around fairness and equity to modify the allocation of costs
- Agree on the best way of funding this to achieve the desired allocation of costs.

Key changes proposed from the current policy:

- Reduction in paperwork and clarity -90 pages to approximately 13 pages
- Categorisation which has previously been very broad
 - High 67% to 100%
 - Medium 34% to 66%
 - Low 0 to 33%
- Proposed change is to detail the targeted figure but realise the actual may be at variance up to 10%.

Next steps/E whaiake nei

Information needs to be up to date from asset management plans so that equalisation proposals can be properly considered. Also for your information at the end of June 2020, the Mangawhai General Wastewater loan balance will have reduced to around \$1,500,000.

A further meeting at a later date will discuss issues that have been brought to my attention and may further change the Revenue and Financing Policy. These have been brought to my attention and Councillors may wish to advise me of more

- Issue of water, wastewater, and stormwater equalisation
- Future funding of parks – MCP, Harding and Taharoa park
- SUIP (Definition only for wastewater).

Attachments/Ngā tapiritanga

	Title
A	Revenue and Financing Analysis of Activities
B	Current Analysis of Activities from LTP

Revenue & Financing Policy Analysis

Council Service	Community Outcomes	Period of Benefit	Function/Creates need	Exacerbator	Distribution of Benefits	Rationale	Funding split		Funding Sources
							Public	Private	
Reserves and Open Spaces Public open spaces, including streetscapes		Both short-term and long-term benefits	Network of open spaces	None Identified	Expenditure on parks & gardens is available to all and visitors to the district & has public benefits.		100%		Borrowing General rates Financial contributions Reserves
Reserves and Open Spaces Cemeteries		Both short-term and long-term benefits	Network of cemeteries	None Identified	The benefits from expenditure on cemeteries are a combination of public and mainly private benefits. Family members of the deceased benefit from the cemetery and Public health and sanitation is a public benefit.	Costs can't generally be met all from charges & a high proportion is funded from the general rate.	30%	70%	General rates Fees and charge Borrowing
Reserves and Open Spaces Sports parks		Both short-term and long-term benefits	Network of sports parks	None Identified	The benefits from expenditure on sports parks are a combination of public and private. The public derive benefit from having access to sports grounds for recreation other than organised sport. The availability of sports grounds and facilities for use by sporting groups, clubs and associations is a significant private benefit to those groups.	Costs can't generally be all met from charges & a high proportion is funded from the general rate.	95%	5%	Fees & Charges General rates Financial contributions Reserves
Reserves and Open Spaces Campgrounds		Both short-term and long-term benefits	Network of campgrounds	None Identified	Campgrounds provide private benefits for holiday makers who visit the district, or residents who use them for recreation.	Costs recovered through leases where possible. Kai Iwi Lakes income goes to general rate.		100%	General rates Fees and charges Reserves Borrowing
Community Assistance		Both short-term and long-term benefits	Supporting community organisations & volunteers. Consultation & planning re community facilities	None Identified	Benefits groups & individuals participating, eg Dargaville pool, great facilities can benefit all of particular communities & consultation is the first step. Community partnerships support community initiatives that have wide public benefits.	Costs difficult to calculate and collect so generally funded from general rate.	100%		General rates
NOTE: The percentages collected are not exact & may vary by 10%									

Council Service	Community Outcomes	Period of Benefit	Function/Creates need	Exacerbator	Distribution of Benefits	Rationale	Funding Split		Funding Sources
							Public	Private	
Civil Defence		Both short-term and long-term benefits	To enhance the districts's capability to manage & recover from emergencies	None Identified	The benefits are public, attributable to the whole community. In some cases, value added services mean individuals receive private benefit.		100%		General Rates Borrowing Grants & Subsidies
Community Libraries		Both short-term and long-term benefits	4 volunteer libraries in Paparoa, Maungaturoto, Kaiwaka, Mangawhai	None Identified	Libraries provide information and education services that cater for the community at large and build a collection of materials that are a community asset for the future. There are private benefits to individuals who borrow books or materials.	Individuals can't be fully charged for its services as the Council has to provide free membership to the District. Predominantly provided from general rate.	95%	5%	General rates Fees and charges Grants and subsidies Borrowing
Animal Control		Short term benefits	Dog licensing. Impounding facilities for stock & dogs. Responding to complaints. Education.	Owners of wandering, menacing or dangerous animals	The activities of animal control provide mainly private benefits, for which the user pays. There is also a degree of measurable public benefit from animal control services. For keeping dogs & stock under control & designation of walking areas.		50%	50%	Fees and charges General rates Reserves Borrowing
Building Control Building consents		Short term benefits	Building consenting for processing inspecting & certifying building work and building enforcement to ensure compliance with legislation.	None Identified	The benefits from building consents can be directly attributed to the individuals or organisations that apply for the building consent. Full cost recovery is not always possible because some fees are set by law or regulation and a high fee may result in people not obtaining the necessary consent(s). There is also some administration & answering of enquiries. Building enforcements provide public benefits		15%	85%	Fees and charges General rates
District Leadership District Planning/Policy		Long term benefits but incurred over a number of years	Review & consultation to adopt District Plan	None Identified	The benefits are attributable to the whole community and considered a public benefit. The community benefits from policies & bylaws developed.		100%		General rates
NOTE: The percentages collected are not exact & may vary by 10%									

Council Service	Community Outcomes	Period of Benefit	Function/Creates Need	Exacerbator	Distribution of Benefits	Rationale	Funding Split		Funding Sources
							Public	Private	
Resource consents and monitoring		Short term benefits	Processing of land use consents and a monitoring/enforcement function	Those that do not comply with resource consent obligations/district plan	The individual requiring the consent benefits. Parts of the community benefit from protection from the adverse effects that development can create . The whole community benefits from monitoring complaints. Free 15 minutes is given to RC applicants.*		35%	65%	Fees and Charges General rates
Environmental Health		Short term benefits	Controlling food safety, sale of liquor, registering premise where there is restricted use. Responding to complaints Liquor licensing	Those that do not comply with environmental health requirements	The benefits of expenditure on environmental health requirements The benefits of expenditure on environmental health services are a mixture of public and private. Enforcement of bylaws and statutory requirements has public benefits for community health and safety. There is a private benefit for individuals or owners who hold licenses or certifications for activities.		70%	30%	Fees and Charges General rates
Parking		Short term benefits	Parking area as individual benefits	Those that breach parking restrictions	The benefits are private, attributable to individuals			100%	Fees and Charges
Governance		Short term benefits	To ensure Council makes informed decisions, meetings following correct process	None Identified	The benefits of expenditure on governance services are public. This service allows the public an opportunity to be part of the democratic process and to be represented	The Council's role is provide leadership & make decisions on behalf of all residents or ratepayers & this is appropriate to be general rate funded.	100%		General Rates
Corporate Services		Both short term and long term benefits	Long term plans Annual plans Annual reports Internal Services Forestry Holdings Software Implementation	None Identified	All the district benefits from these activities. Target rate activities (Private funding) contribute to these costs by way of corporate allocation.		100%		Fees & Charges General rates Borrowing
Roading		Both short-term and long-term benefits		None identified	The benefits from expenditure on roads are a combination of private and public. The public derive benefit from having access to the roading network. Individual properties gain varying benefits attributed to roading.		95%	5%	General rates Targeted rates Fees and charges Reserves Grants and subsidies Borrowing Development and financial contributions
NOTE: The percentages collected are not exact & may vary by 10%									

Council Service	Community Outcomes	Period of Benefit	Function/Creates need	Exacerbator	Distribution of Benefits	Rationale	Funding split		Funding Sources
							Public	Private	
Waste Management and Minimisation Disposal & Collection		Both short-term and long-term benefits	Transfer stations at Dargaville & Hakaru Rubbish collection service. Waste minimalisation education	Illegal dumpers/fly tippers. Those who abuse the kerbside collection service.	Public benefit arises from transfer station and public litter bins, as these activities promote public health and sanitation, and control pollution. Every household within collection areas benefits from expenditure on solid waste management. Landfill rehabilitation will continue for a minimum of 15 years and is a public benefit.		95%	5%	Fees and charges Targeted rates Reserves General rates Borrowing
Stormwater Management Land Drainage		Both short-term and long-term benefits	Dargaville reticulated stormwater. Mangawhai open drains stormwater reticulation & open drains. Baylys, Te Kopuru. Kaiwaka, Pahi, Whakapirau, Tinopai, Paparoa, Maungaturoto (near road networks) road calverts	None identified	Stormwater management has public benefits. Stormwater is managed on a catchment basis. Private properties primarily benefit from this.	Operations cost is equalised as supporting communities.	10%	90%	Reserves General rates Borrowing Development contributions
Water Supply		Both short-term and long-term benefits	Maungaturoto, Ruawai, Dargaville, Baylys, Glinks Gully, small scheme at Wood St Mangawhai, Fonterra receives untreated water from the Maungaturoto supply	High water users	The benefits from expenditure on water supply services are mainly private. However, the public benefits from access to a continuous supply of safe drinking water and an assured supply of water for firefighting. Those within urban areas but not connected receive benefit.	Operations cost is equalised as supporting communities.	15%	85%	Fees and charges Targeted rates Reserves Borrowing
Wastewater Treatment		Both short-term and long-term benefits	Every connected household & commercial premises trade waste users.	High users, including trade waste	Every household within sewage disposal areas receives uniform and direct benefits from wastewater treatment. Other commercial and industrial users receive benefits based on their activity levels. Those within urban areas but not connected receive benefit. Public benefit, harbours are kept clean.	Operations cost is equalised as supporting communities. Mangawhai wastewater minimal general rate loan. Te Kapuru stand alone costs.	10%	90%	Fees and charges Targeted rates Reserves Borrowing Development contributions
NOTE: The percentages collected are not exact & may vary by 10%									

Activity	Funding of Operating Expenditure				Funding of Capital Expenditure	Catchment(s)**
	General Rates	Targeted Rates	Fees and Charges	Grants Subsidies and other Funding Sources		
Community Assistance	High			Low	Not applicable	District
Reserves and Open Spaces	High	Low	Low		Financial Contributions, Borrowing, Asset Sales, General Rate	District
Halls and Pensioner Housing	Medium	Low	Med		Financial Contributions, Borrowing, Asset Sales, General Rate, Targeted Rates	District
Libraries	High		Low		Financial Contributions, Borrowing, Asset Sales, General Rate, Targeted Rates, Fees and Charges	District
Building Control (including Land Information Memorandums (LIMs))	Low		High		Not applicable	User pays, District
Resource Consents	Low		High		Not applicable	User pays, District
Environmental Health	Low		High		Not applicable	User pays, District
Animal Management	Low		High		Borrowing, Asset Sales, General Rate	User pays, District
Civil Defence	High				Borrowing, Asset Sales, General Rate	District
Land Drainage	Low	High	Low		Not applicable	Area of Service (Scheme)
Governance	High				Borrowing, Asset Sales, General Rate	District
Community Planning	High				Not applicable	District
Corporate Services	High		Low		Borrowing, Asset Sales, General Rate	District
Solid Waste	High		Low		Financial Contributions, Borrowing, Asset Sales, General Rate, Fees and Charges, Lump Sum Contributions	User pays, District
Roads and Footpaths	Medium	Low		Medium	Development and Financial Contributions, Borrowing, Asset Sales, General Rate, Grants and Subsidies	District

Activity	Funding of Operating Expenditure				Funding of Capital Expenditure	Catchment(s)**
	General Rates	Targeted Rates	Fees and Charges	Grants Subsidies and other Funding Sources		
Wastewater - Other		High			Development and Financial Contributions, Borrowing, Asset Sales, General Rate, Targeted Rates, Lump Sum Contributions, Grants and Subsidies	Area of Service (Scheme)
Wastewater - Mangawhai	Low	High			Development and Financial Contributions, Borrowing, Asset Sales, Targeted Rates, Lump Sum Contributions, General Rate	District Area of Service
Stormwater	Low	High			Development and Financial Contributions, Borrowing, Asset Sales, General Rate, Targeted Rates	District Area of Service (Scheme) NB: Development Contributions are Scheme Area of Service only
Water Supply		High	Low		Development and Financial Contributions, Borrowing, Asset Sales, Targeted Rates, Lump Sum Contributions	Area of Service (Scheme)

* There are a variety of Targeted Rates

** Unless otherwise stated, Development Contribution catchments are the same as the capital expenditure catchments indicated in the table