

# Whangarei District Council Meeting

## Agenda

**Date:** Thursday, 13 December, 2018

**Time:** 10:30 am

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** Her Worship the Mayor Sheryl Mai  
(Chairperson)  
Cr Stu Bell  
Cr Gavin Benney  
Cr Crichton Christie  
Cr Vince Cocurullo  
Cr Tricia Cutforth  
Cr Shelley Deeming  
Cr Sue Glen  
Cr Phil Halse  
Cr Cherry Hermon  
Cr Greg Innes  
Cr Greg Martin  
Cr Sharon Morgan  
Cr Anna Murphy

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

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<b>2. Declarations of Interest</b>	
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## 8. Closure of Meeting





## 4 Public Forum

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** C Brindle (Senior Democracy Adviser)

### 1 Purpose

To afford members of the community an opportunity to speak to Council and to report on matters raised at previous public forums when appropriate.

### 2 Summary

#### **Public Forum**

Standing Orders allow for a period of up to 30 minutes to be set aside for a public forum at the commencement of each monthly council meeting.

The time allowed for each speaker is 5 minutes.

Members of the public who wish to participate should send a written application setting out the subject matter and the names of the speakers to the Chief Executive at least 2 working days before the day of the meeting.

#### **Speaker:**

At the time of the agenda closure no applications to speak at public forum had been received.



**Item 5.1**
**Whangarei District Council Meeting Minutes**

**Date:** Thursday, 29 November, 2018  
**Time:** 10:30 a.m.  
**Location:** Council Chamber  
 Forum North, Rust Avenue  
 Whangarei

<b>In Attendance</b>	Her Worship the Mayor Sheryl Mai (Chairperson) Cr Stu Bell Cr Gavin Benney Cr Crichton Christie Cr Vince Cocurullo Cr Tricia Cutforth Cr Shelley Deeming Cr Sue Glen Cr Phil Halse Cr Cherry Hermon Cr Greg Innes Cr Greg Martin Cr Anna Murphy Cr Sharon Morgan
<b>Not in Attendance</b>	

<b>Scribe</b>	<b>C Brindle (Senior Democracy Adviser)</b>
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**1. Karakia/Prayer**

Cr Anna Murphy opened the meeting with a karakia/prayer.

**2. Declarations of Interest**

Item 6.5 Approval of Funding - Contract 176080 Separable Portion 2

**3. Apology**

Cr Sharon Morgan

**Moved By** Her Worship the Mayor Sheryl Mai

**Seconded By** Cr Sue Glen

That the apology be sustained.

**Carried**

#### **4. Public Forum**

There were no speakers at today's public forum.

#### **5. Confirmation of Minutes of Previous Meetings of the Whangarei District Council**

##### **5.1 Minutes Whangarei District Council Meeting held 25 October 2018**

**Moved By** Cr Tricia Cutforth

**Seconded By** Cr Shelley Deeming

That the minutes of the Whangarei District Council meeting held on Thursday 25 October 2018, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

##### **5.2 Minutes Whangarei District Council meeting held 13 November 2018**

**Moved By** Cr Sue Glen

**Seconded By** Cr Tricia Cutforth

That the minutes of the Whangarei District Council meeting held on Tuesday 13 November 2018, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

#### **6. Decision Reports**

##### **6.1 Rurumoki Street - gift of land from Pickmere family**

Council acknowledged the generous gift from the land donors, Janet Watkins and David and Trish Pickmere. Her Worship the Mayor presented the family with a framed certificate in acknowledgement.

**Moved By** Cr Stu Bell

**Seconded By** Cr Crichton Christie

That the Whangarei District Council;

1. Accepts the land described in the schedule as a gift from the Pickmere family to hold in perpetuity upon trust for the use, benefit and enjoyment of the people of Whangarei District;

2. Hereby classifies the land as a scenic reserve, for the purposes specified in s.19 (a) of the Reserves Act and;
3. Declares that the scenic reserve shall be known as Pickmere Park pursuant to section 16 (10) of the Reserves Act 1977

Schedule

Area

9252m<sup>2</sup>

Description

Lot 2 DP 513328, Lot 8 and parts  
Lot 9 DP 20669.

**Carried  
Unanimous**

## 6.2 Delegations Register 2018

**Moved By** Cr Sue Glen

**Seconded By** Cr Stu Bell

That Council

1. Rescind all previous delegations contained within the previous Delegations Manual adopted on 26 March 2014.
2. Rescind any subsequent amendments and additions to the March 2014 Delegations Manual made by resolution of Council, except Committee and Sub-Committee delegations.
3. Adopts the revised Delegations Policy as provided in Attachment 1.
4. Delegates the following functions, duties and powers as provided in Attachment 2;
  - a. Part 1 – Delegations from Council to Elected Members, Committees of Council and Hearings Commissioners
  - b. Part 2 – Delegations from Council to the Chief Executive
  - c. Part 3 – Delegations from Council to staff
  - d. Part 4 – Financial Delegations from Council to staff
5. Notes the associated delegations from the Chief Executive to staff as provided in part 5 of Attachment 2.

**Carried**

### 6.3 Financial Delegations

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Greg Innes

That the Council approve an increase to the Delegated Financial Authority limit for the Chief Executive role to \$3.5 million to align with the 2018 Procurement Policy.

**Carried**

### 6.4 Corporate Sustainability Strategy

**Moved By** Cr Greg Innes

**Seconded By** Cr Anna Murphy

That Council;

1. Adopts the "Corporate Sustainability Strategy"; and
2. Authorises the Chief Executive to make any amendments, including typographical/formatting/editing changes to the Corporate Sustainability Strategy, if required.

**Carried**

*Cr Cocurullo requested his vote against be recorded.*

### 6.5 Approval of Funding - Contract 16080 Separable Portion 2

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Sue Glen

That the Council

1. Approves funding of Separable Portion 2 of CON16080 Wastewater and Stormwater Operations and Maintenance to the value of twelve million, nine hundred and twenty thousand, nine hundred and twenty-six dollars (\$12,920,926).

**Carried**

*Declaration of Interest:*

*Cr Martin declared a conflict of interest and withdrew from the table taking no part in discussions or voting on Item 6.5.*

### 6.6 CON18045 - Pohe Island Central Carpark Construction

**Moved By** Cr Phil Halse

**Seconded By** Cr Vince Cocurullo

That the Whangarei District Council;

1. Approves the award of CON18045 Pohe Island Central Carpark Construction to Clements Contractors for the sum of \$2,501,179.25 (two million, five hundred and one thousand, one hundred and seventy-nine dollars and twenty-five cents).

**Carried**

## **6.7 Hatea East Carpark Upgrade Project**

**Moved By** Her Worship the Mayor Sheryl Mai

**Seconded By** Cr Phil Halse

That the Whangarei District Council,

1. Receive the report and notes its content.
2. Considers the future development of the Hatea East site during the 2021/2031 Long Term Plan.

### Amendment

**Moved By** Cr Crichton Christie

**Seconded By** Cr Vince Cocurullo

The Council approves Option 1 as the preferred option.

**The amendment was Lost**

**The motion was Carried**

*Crs Christie and Cocurullo requested their votes against be recorded.*

## **6.8 Notice of Motion**

The motion was taken in parts.

**Moved By** Cr Stu Bell

**Seconded By** Cr Anna Murphy

1. That the Whangarei District Council notes the open letter to the NZ Government from New Zealand Academics urging immediate action on climate change.
2. That the Whangarei District Council notes the International Panel on Climate Change (IPCC) 8 October 2018 Press Release and the Headline Statements from the (IPCC) special report on the impacts of global warming of 1.5 °C above pre-industrial levels and related

global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty.

3. That the Whangarei District Council notes the IPCC, 2018: Summary for Policymakers. In: Global warming of 1.5 °C. An IPCC Special Report on the impacts of global warming of 1.5° C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [V. Masson-Delmotte, P. Zhai, H. O. Portner, D. Roberts, J. Skea, P. R. Shukla, A. Pirani, W. Moufouma-Okia, C. Pean, R. Pidcock, S. Connors, J. B. R. Mathews, Y. Chen, X. Zhou, M. I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, T. Waterfield (eds.)]. World Meteorological Organization, Geneva, Switzerland.

*On the recommendations being put Cr Glen called for a division:*

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Her Worship the Mayor Sheryl Mai	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming	X		
Cr Sue Glen	X		
Cr Phil Halse	X		
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin	X		
Cr Anna Murphy	X		
<b>Results</b>	<b>13</b>		<b>0</b>
		<b>Carried Unanimous</b>	



4. That as they are developed or existing are due for review and renewal, the Whangarei District Council adopts and promotes where possible new policies, plans and strategies that prioritise more sustainable practices and return improved social, financial and environmental outcomes for the Whangarei District, it's current and future residents and the Whangarei District Council as an organisation.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Her Worship the Mayor Sheryl Mai (Chairperson)	X		
Cr Stu Bell	X		
Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	
Cr Sue Glen	X		
Cr Phil Halse		X	
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin		X	
Cr Anna Murphy	X		
<b>Results</b>	<b>10</b>	<b>3</b>	<b>0</b>
		<b>Carried (10 to 3)</b>	

5. That Staff report to Council for consideration through the next Annual Plan process the benefits and implications of the Whangarei District Council in terms of its operations seeking to become the most sustainable Council in New Zealand.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Her Worship the Mayor Sheryl Mai	X		
Cr Stu Bell	X		

Cr Gavin Benney	X		
Cr Crichton Christie	X		
Cr Vince Cocurullo	X		
Cr Tricia Cutforth	X		
Cr Shelley Deeming		X	
Cr Sue Glen	X		
Cr Phil Halse		X	
Cr Cherry Hermon	X		
Cr Greg Innes	X		
Cr Greg Martin		X	
Cr Anna Murphy	X		
<b>Results</b>	<b>10</b>	<b>3</b>	<b>0</b>
		<b>Carried (10 to 3)</b>	

*Cr Morgan was absent.*

## 7. Public Excluded Business

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Greg Innes

“That the public be excluded from the following parts of proceedings of this meeting. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.1	Closed Minutes Whangarei District Council Meeting 25 October 2018	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Closed Minutes 31 October 2018		
1.3	Authority to Seek Declaration from Environment Court		
1.4	Property Matter – Buyback Caveat		
1.5	Commercial Property Transaction		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:		
Item	Grounds	Section
1.1	For the reasons as stated in the open minutes	
1.2	For the reasons as stated in the open minutes	
1.3	To enable council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
1.4	To enable council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section S7(2)(i)

**Carried**

## **8. Closure of Meeting**

The meeting concluded at 1.02pm.

Confirmed this 13<sup>th</sup> day of December 2018

Her Worship the Mayor Sheryl Mai (Chairperson)



## 6.1 Alcohol Control Bylaw 2018 and alcohol control areas

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Shireen Munday – Strategic Planner

### 1 Purpose

To make the Alcohol Control Bylaw 2018 and associated individual alcohol control areas.

### 2 Recommendations

That Council;

1. determines that the proposed Alcohol Control Bylaw 2018
  - a. is the most appropriate from of bylaw
  - b. does not give rise to any implications under the New Zealand Bill of Rights Act 1990
  - c. can be justified as a reasonable limitation on people's rights and freedoms
2. makes the Alcohol Control Bylaw 2018 contained in Attachment 2 in accordance with section 147 of the Local Government Act 2002, with effect from 19 December 2018
3. delegates the powers, functions and duties under the Bylaw as provided in Section 3 of the 'Additional Information to Alcohol Control Bylaw' (Attachment 2) to the Chief Executive
4. authorises the Chief Executive to make any minor edits or amendments to the Bylaw to correct any spelling errors or make typographical edits, and/or to reflect decisions made by Council at this meeting.
5. determines that for each of the proposed individual alcohol control areas
  - a. a high level of crime and disorder is likely to arrive again if the alcohol control area is not retained
  - b. the control being applied is appropriate and proportionate in the light of that likely crime or disorder.
6. declares, in accordance with clauses 6.1 and 7.1 of the Alcohol Control Bylaw 2018, the areas as provided in Attachment 3 to be permanent alcohol control areas.

### 3 Background

At the 30 August 2018 Council meeting, Council made the necessary legislative determinations to proceed with consultation on a new Alcohol Control Bylaw (the Bylaw) and the associated individual alcohol control areas. The development process was designed to replace Council's expiring Liquor Management Bylaw with a new bylaw and associated individual alcohol control areas that combined are 'to the same effect' or 'substantially to the same effect' as the expiring Bylaw under S147A(3) of the Local Government Act 2002 (LGA).

Six submissions were received; however, no requests were received to attend the Council hearing on 16 October 2018 and this was subsequently cancelled. Council deliberated on the matters raised in submissions together with matters raised by staff on 13 November. Council must now make the final Alcohol Control Bylaw as well as making the associated resolutions for the individual alcohol control areas.

### 4 Discussion

#### 4.1 Consultation outcomes

As outlined in the 13 November 2018 deliberations item and confirmed through the associated resolutions of Council, there are no changes required to both the Bylaw and the individual alcohol control areas as a result of consultation. As such, Council can proceed with both matters as originally proposed and as determined by Council at the deliberations meeting on 31 November 2018.

#### 4.2 Legislative determinations

Council must make several determinations before making the Bylaw as well as the individual alcohol control areas. Attachment 1 provides the details of these matters. At the 30 August 2018 meeting, Council made the determination that in accordance with section 155 (1) of the Local Government Act 2002 (LGA), a bylaw is the most appropriate way of addressing the perceived problem, however this information has been included in Attachment 1 for completeness. A summary of the remaining matters for Council's consideration is provided in the following table.

LGA section	Matter	Summary comment
S155(2)(a)	Is the proposed bylaw the most appropriate form of bylaw?	The proposed bylaw reflects legal developments and modern drafting practices and allows Council to make or revoke individual alcohol control areas by resolution.
S155(2)(b)/ 147A (3)(a)	Does the proposed bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990 / can the proposed bylaw be justified as a reasonable limitation on people's rights and freedoms?	The proposed restrictions are fair and reasonable in the interest of reducing alcohol related harm because of crime and disorder in public places.

S147A(3)(b)	A high level of crime or disorder (relating to alcohol consumption) is likely to arise again if the bylaw is not made.	The retention of the current alcohol control areas is supported by NZ Police due to concerns regarding potential increases in crime and disorder. All submissions received were in favour of retaining all or specific alcohol control areas.
S147A(3)(c)	the bylaw is appropriate and proportionate in the light of that likely crime or disorder.	All final alcohol control areas are considered appropriate and proportionate with some minor modifications to the previous boundaries to accommodate the 2013 changes to the definition of public places in the LGA.

Attachment 2 contains the final proposed Bylaw, including with the additional information on the Bylaw which also contains the relevant delegations to the Chief Executive. No changes have been made to the Bylaw since it was originally proposed for consultation.

Attachment 3 contains the list of the individual alcohol control areas, together with the maps depicting the 14 specific individual alcohol control areas.

## **5 Significance and engagement**

### **5.1 Significance**

The decisions and matters of this agenda do not trigger the significance criteria of Council's Significance and Engagement Policy.

### **5.2 Engagement**

Council has consulted with the community on the issues of this agenda in accordance with the statutory requirements of the Local Government Act 2002 as well as the provisions of the draft Bylaw.

Council will publicly notify the new Bylaw in accordance with the requirements of section 157 of the Local Government Act 2002. The public will also be informed via agenda publication on Council's website.

## **6 Attachments**

1. Final Alcohol Control Bylaw – legislative requirements
2. Final proposed Alcohol Control Bylaw 2018
3. Final Alcohol Control Areas





## Legislative requirements – Alcohol Control Bylaw and alcohol control areas

This report provides an overview of the required legislative determinations Council must make before making the Alcohol Control Bylaw 2018 (Part 1), and the associated individual alcohol control areas (Part 2).

### 1 Alcohol Control Bylaw 2018

#### 1.1 Summary

1. The problems identified relate to the consumption of alcohol in public places and the associated concerns regarding nuisance, crime and disorder. The expiring bylaw provides a largely appropriate approach to the problem for specific areas, however some proposed changes are identified to better address some matters.
2. A bylaw is the most appropriate way of addressing the perceived problems and is the most reasonably practicable option to achieve the desired objective.
3. The expiring bylaw is not the most appropriate form of bylaw.
4. The proposed bylaw is the most appropriate form of bylaw.
5. The proposed bylaw does not give rise to any NZ Bill of Rights implications.
6. The bylaw can be justified as a reasonable limitation on people's rights and freedoms.
7. A high level of crime or disorder (relating to alcohol consumption) is likely to arise again if the bylaw is not made to allow existing alcohol control areas to be retained.
8. The bylaw is appropriate and proportionate in the light of that likely crime or disorder.
9. A high level of crime or disorder (relating to alcohol consumption) is likely to arise again if most of the current individual alcohol control areas are not retained.
10. That generally all existing alcohol control areas remain warranted and should be retained together with the current 24/7 prohibition. However, due to the more detailed information and mapping tools available, and the inclusion of non-Council controlled land in the new definition of 'public place', there are some minor changes warranted to some of the alcohol control area boundaries and the areas to which the Bylaw applies within the existing boundaries.
11. NZ Police generally support all existing alcohol control areas.
12. The proposed individual alcohol control areas:
  - provide a reasonable limitation on people's rights and freedoms
  - are appropriate and proportionate.

#### 1.2 Perceived problems

1. The consumption of alcohol in public places can be a cause of concern for both the general public, as well as for those consuming the alcohol, in that it can incur alcohol related harm situations.
2. Often the problem is experienced in areas where people congregate, either in the vicinity of licensed premises or in public areas where social gatherings occur, such as beaches or parks.

# Attachment 1

3. Alcohol related crime and disorder through the consumption of alcohol in public places can include:
  - damage to private property or public assets
  - aggressive, intimidating or offensive behaviour towards others
  - public disorder/nuisance behaviour such as fighting
  - nuisance issues through noisy and disruptive behaviour.
4. Constables do have powers under other statutes to address the behaviors described above, once the behavior has occurred and the harm is already done. However, the tools available to constables under a bylaw if the matter is alcohol related, are more preventative and constables can therefore reduce offending or even bad decision-making in public. This is simpler and less time-consuming than waiting for offending to occur, to then deal with it by arrest and prosecution, as well as supporting increased community safety.

## 1.3 Is a bylaw the most appropriate way of addressing the problems?

The first step in the process is to assess what the perceived problem is and what mechanisms are available to Council to address the perceived problem (s155 LGA). Table 1 outlines the assessment for each option available.

**Table 1**

Option	Outcome	Comments
Option A – no action taken to address perceived problems, allow existing bylaw to expire	The existing bylaw expires on 18 December 2018. Council would have no mechanisms available to control alcohol consumption in public places in the District.	This option would not provide Council with any abilities to address the perceived problems and is therefore not recommended.
Option B – provide a non-regulatory policy on alcohol consumption in public places to address the perceived problem	The existing bylaw expires on 18 December 2018. Council would develop a policy approach to the perceived problem. This would rely on voluntary compliance as it would not have any associated enforcement powers.	The fundamental difficulty with any voluntary compliance regime in this area is that individuals do not have an adequate incentive to comply. This option is not recommended.
Option C – provide a bylaw for alcohol control purposes.	Council has a bylaw that provides clear rules for the community and this can be supported with enforcement activities undertaken by the NZ Police.	This is the recommended option. Council has specific bylaw-making powers that allows it to make bylaws to address the perceived problems as outlined in this report. This options allows constables to take necessary actions to reduce alcohol related incidents of crime and disorder.

Option C is the preferred option as it is considered the most appropriate mechanism to address the perceived problem, which is to reduce alcohol related harm as a result of crime and disorder.

## **1.4 Is the proposed bylaw the most appropriate form of bylaw?**

The proposed bylaw addresses the perceived problems and overcomes the issues with the current bylaw. It:

- is not overly prescriptive
- removes duplicated powers already prescribed in the LGA
- reflects legal developments and modern drafting practice
- uses plain English
- allows Council to make or revoke individual alcohol control areas by resolution.

## **1.5 Does the proposed bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990 / can the proposed bylaw be justified as a reasonable limitation on people's rights and freedoms?**

The Bill of Rights protects the human rights and fundamental freedoms of all people in New Zealand, including the right to freedom of movement. The proposed bylaw, together with the associated enforcement provisions, provides that constables can ask people to leave public places that are subject to a permanent or temporary alcohol control, if they are in possession of alcohol (s169 and s170 LGA).

The proposed restrictions are fair and reasonable in the interest of reducing alcohol related harm as a result of crime and disorder in public places. The bylaw does not restrict the movement of people who are not in possession of alcohol or those drinking alcohol in private premises. Further, constables have complete discretionary powers in enforcing the bylaw. If constables witness alcohol consumption within an alcohol control area and they do not consider the activity to be of concern relating to potential alcohol related crime and disorder, they are not obliged to enforce the bylaw.

It is considered that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and that for public health and safety reasons the proposed bylaw can be justified as a reasonable limitation on people's rights and freedoms.

## **1.6 A high level of crime or disorder (relating to alcohol consumption) is likely to arise again if the bylaw is not made**

The proposed bylaw provides the framework for Council to retain all of the existing individual alcohol control areas. Council must decide for each individual alcohol control area whether a high level of crime or disorder relating to alcohol consumption is likely to arise again if the bylaw is not made. The analysis for this matter is therefore provided in section 2 of this report.

## **1.7 the bylaw is appropriate and proportionate in the light of that likely crime or disorder**

In the same vein as section 1.6 above, Council is required to determine whether each individual alcohol control area is appropriate and proportionate, therefore again the analysis for these matters is provided in section 2 of this report.

## 2 Individual Alcohol control area analysis

### 2.1 Overview

The proposed form of the bylaw is to allow Council to make, change or revoke individual alcohol control areas by resolution, after consultation, rather than through an amendment to the bylaw. This approach is specifically provided for in the legislation (s151(2) and s147B LGA).

In developing and making the new Bylaw and the associated individual alcohol control areas, Council's scope has focussed on meeting the requirements of S147A (3), which is specifically designed to allow Council to replace the expiring bylaw with a new bylaw that is 'to the same effect' or 'substantially to the same effect' as the expiring bylaw (Council's current Liquor Management Bylaw 2011) before that expires on 18 December 2018. While the new bylaw is a 'two step' mechanism as previously outlined, the proposed bylaw together with the proposed alcohol control areas are considered to be 'to substantially the same effect' as the expiring bylaw and therefore as a package meet the criteria of s147A(3). The matters relating to the decision-making requirements for the individual alcohol control areas are detailed below.

#### **2.1 A high level of crime or disorder (relating to alcohol consumption) is likely to arise again in the individual alcohol control area**

In undertaking the analysis to support Council in making these determinations, staff have sought feedback from NZ Police, Council's Community Safety Officer and the community. All feedback received from these stakeholders is that there is a strong concern that without the ability to control alcohol consumption in all current individual alcohol control areas, there is significant potential for increases in alcohol related crime and disorder issues.

#### **2.2 whether the individual alcohol control area is appropriate and proportionate in the light of that likely crime or disorder**

It is considered that all proposed replacement alcohol control areas are appropriate and proportionate. Each individual area is restricted to the main public places within the vicinity of the central business district, the village centres and/or the main beach locations of the area, as well as outlets where alcohol can be purchased. The boundaries of each area have been reviewed to ensure they are appropriate in relation to the public places within and immediately adjacent to the previous boundaries. The retention of the 24/7 timeframes is supported by NZ Police and provides a clear message and easily understood message to the community.

#### **2.3 whether the individual alcohol control area can be justified as a reasonable limitation on people's rights and freedoms**

Each area is considered a reasonable limitation on people's rights and freedoms considering the concerns raised regarding potential crime and disorder and the associated impacts on public health and safety.

# Alcohol Control Bylaw 2018

Pursuant to the Local Government Act 2002, Whangarei District Council makes the following bylaw about alcohol control in public places

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## 1 Title

This Bylaw is the Alcohol Control Bylaw 2018.

## 2 Commencement

19 December 2018.

## 3 Application

This Bylaw applies to the Whangarei District.

# Part 1 – Preliminary Provisions

## 4 Purpose

The purpose of this bylaw is to provide for prohibition and control of the consumption or possession of alcohol in public places (including vehicles in public places) to reduce alcohol related harm.

*Explanatory notes:*

*The provisions of the Act provide explicit details about what this type of bylaw can control. Generally, any transporting of alcohol in unopened containers within an alcohol control area is permitted, subject to certain conditions. See section 147 of the Act for further details.*

*Alcohol control areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.*

*Under the Act only constables (New Zealand Police Officers) can take enforcement action under this Bylaw. Constables have powers of arrest, search and seizure under the Act and they can also issue infringement notices.*

## 5 Interpretation

5.1 Any word used in this Bylaw that is defined in section 5, 147, 169, 169A and 243 of the Act, or section 5 of the Sale and Supply of Alcohol Act 2012 has, for the purposes of this Bylaw, the same meaning as in those sections, unless otherwise provided for in this clause.

5.2 In this Bylaw, unless the context otherwise requires -

**Act** means the Local Government Act 2002

**Council** means the Whangarei District Council.

**Whangarei District** means the area within the boundaries of the Whangarei District and includes all coastal areas to the line of mean low water springs.

5.3 Any explanatory notes and attachments are for information purposes only and do not form part of this Bylaw.

5.4 The Interpretation Act 1999 applies to this Bylaw.

## Part 2 – Control of alcohol

### 6 Alcohol control areas

- 6.1 Council may, by resolution, declare alcohol control areas in which the consumption, bringing in, and possession of alcohol in public places is prohibited or controlled.
- 6.2 Any resolution made under clause 6.1 must also:
- (a) include a map of the alcohol control area
  - (b) specify the time(s) that any prohibition or control applies, and whether the alcohol control area is permanent or temporary
  - (c) if consumption, bringing in, and possession of alcohol is controlled rather than prohibited, specify the nature of the control.
- 6.3. No person shall consume, bring into, or possess alcohol in any public place (including inside a vehicle) in an alcohol control area in contravention of a resolution made under clauses 6.1 and 6.2.
- 6.4. Clause 6.3 does not apply to a person who is acting pursuant to, and in accordance with any conditions of, a consent granted under clause 12.1.

*Explanatory note: As at 01 April 2014, The Act defines a public place for the purposes of alcohol control as:*

*“a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licensed premises.”*

### 7 Permanent alcohol control areas

- 7.1 Council may under clause 6.1 declare an area to be a permanent alcohol control area at all times, or for specified, repeated periods of time.
- 7.2 Council will consult in accordance with section 82 of the Act on any proposal to declare, amend or revoke a permanent alcohol control area.

*Explanatory note: All resolutions of Council declaring alcohol control areas are contained within the additional information to Alcohol Control Bylaw 2018 - Register of Resolutions, attached to this Bylaw.*

### 8 Temporary alcohol control areas

- 8.1 Council may under clause 6.1 declare an area to be a temporary alcohol control area for a specific period not exceeding seven consecutive days.
- 8.2 Council will give public notice of a temporary alcohol control area at least 14 days before the temporary alcohol control area comes into force.

## 9 Matters to be considered before declaring alcohol control areas

9.1 Before declaring a permanent alcohol control area Council:

- a. must consider views presented to the Council through consultation on the proposal to declare a permanent alcohol control area
- b. must consider the relevant criteria in sections 147A and 147B of the Act, as applicable
- c. may consider any other matter it considers relevant.

9.2 Before declaring a temporary alcohol control area Council:

- a. must consider the relevant criteria in sections 147A and 147B of the Act, as applicable
- b. where the temporary alcohol control area applies to an event, may consider:
  - i. the nature and type of the event
  - ii. the history (if any) of the event
  - iii. the number of people expected to attend the event
  - iv. the area in which the event is to be held
  - v. whether the Police support the proposed temporary alcohol control area, and whether the Police will be present at the event to enforce it
- c. may consider any other information it considers relevant.

*Explanatory note: Records of resolutions made for temporary alcohol controls will not be included in the 'register of resolutions' but are permanently recorded through the appropriate Council records of meetings, minutes and resolutions.*

## Part 4: Enforcement Powers

## 10 Enforcement

10.1 A constable may use their powers under the Act enforce this Bylaw.

10.2 This Bylaw authorises a constable to exercise the power of search under sections 169(2)(a) and 170(2) of the Act for temporary alcohol control areas declared in accordance with clauses 6 and 8.

*Explanatory note: Section 170(2) provides constables with additional powers of search in relation to temporary alcohol controls that have been notified and indicated by signs in accordance with section 170(3) of the Act.*



## Part 5: Offences and Penalties

### 11 Bylaw breaches

11.1 Every person who breaches this bylaw commits an offence.

11.2 Every person who commits an offence under this bylaw is liable to a penalty under the Act.

*Explanatory note: As at 29 October 2013 the penalty for breaching an alcohol control bylaw is an infringement fee of \$250 under the Local Government (Alcohol Control Breaches) Regulations 2013.*

## Part 6: Exceptions

### 12 Exceptions

12.1 Council may issue a consent to any person, or class of persons, to allow the consumption, bringing in and possession of alcohol in a public place (including inside a vehicle) within an alcohol control area.

12.2 In considering an application for a consent under clause 12.1, Council will consider the following matters:

- a. The purpose of the exception
- b. The proposed duration of the exception
- c. The area of the proposed exception
- d. Whether the area is under the control of, or managed by, Council
- e. Whether any other permits are required from Council for the event
- f. Any other matter Council considers relevant

12.3 Council may prescribe conditions for any such consent, including, but not limited to:

- a. the duration of the consent
- b. the exact location to which the consent applies
- c. the maximum number of people the consent applies to.

12.4 Council may by resolution made after consultation that gives effect to the requirements of section 82 of the Act:

- a. prescribe a fee for receiving and processing an application and issuing a consent
- b. determine situations when consent fees may be remitted, refunded or waived.

12.5 A consent may be cancelled by Council at any time.

*Explanatory note: Exceptions for events with special licences do not require consent under clause 11.1, as they are excluded from the definition of public places that applies to this Bylaw.*

## Additional information to Alcohol Control Bylaw 2018

This document is for information purpose only and does not form part of this Bylaw. It contains matters made pursuant to this Bylaw and information to help users to understand, use and maintain this Bylaw. The document may be updated at any time.

### Section 1: History of Bylaw

Action	Description	Date of decision	Commencement
Expire	Liquor Management Bylaw 2011 expires in accordance with Local Government (Alcohol Reform) Amendment Act 2012	NA	18 December 2018
Make	Alcohol Control Bylaw 2018	13 December 2018	19 December 2018

### Section 2: Related documents

Document	Description	Location	Date
<i>Reports to Council/Committee/Panels</i>			
Briefing	Overview of policy analysis, legislative requirements and consultation approach	<a href="#">Council meetings webpage - link</a>	31 July 2018
Adoption of Statement of Proposal	Statement of Proposal including draft Bylaw adoption for public consultation	<a href="#">Council meetings webpage - link</a>	30 August 2018
Hearing	Hearing for interested parties to share their views in person	NA – hearing cancelled	NA
Deliberations	Deliberations on submission issues raised	<a href="#">Council meetings webpage - link</a>	13 November 2018
Making of Bylaw	Council makes final Bylaw	<a href="#">Council meetings webpage - link</a>	13 December 2018

Document	Description	Location	Date
<i>Legislation</i>			
Local Government Act 2002	Provides the functions, duties, powers and penalties to make and enforce this Bylaw.	www.legislation.govt.nz	NA
Sale and Supply of Alcohol Act 2012	Associated legislation	www.legislation.govt.nz	NA
Local Government (Alcohol Ban Breaches) Regulations 2013	Regulations that determines the infringement fee for breaching an alcohol ban	www.legislation.govt.nz	NA
Bylaws Act 1910	Provides for certain matters related to the validity of bylaws.	www.legislation.govt.nz	NA
Interpretations Act 1999	Provides for certain matters related to the interpretation of bylaws.	www.legislation.govt.nz	NA

### Section 3: Delegations

Clause	Function, Duty, Power to be delegated	Delegated Authority	Delegation date	Delegation active date
All	All of its responsibilities, duties and powers under this bylaw, except - (a) the power to set fees (b) the power to make a decision for which a Council resolution is required (c) the power to hear and decided on any appeal process	Chief Executive	13 December 2018	19 December 2018

### Section 4: Enforcement powers

Legislative provision	Description
Section 169 and 170 of the Local Government Act 2002	A constable has powers of arrest, search and seizure in relation to alcohol bans.

### Section 5: Offences and penalties

Provision	Description of offence	Maximum fine upon conviction	Infringement fee
cl 4*	Breach of bylaw	n/a	\$250*

\*Local Government (Alcohol Ban Breaches) Regulations 2013

## Section 6 – Register of resolutions for permanent alcohol bans

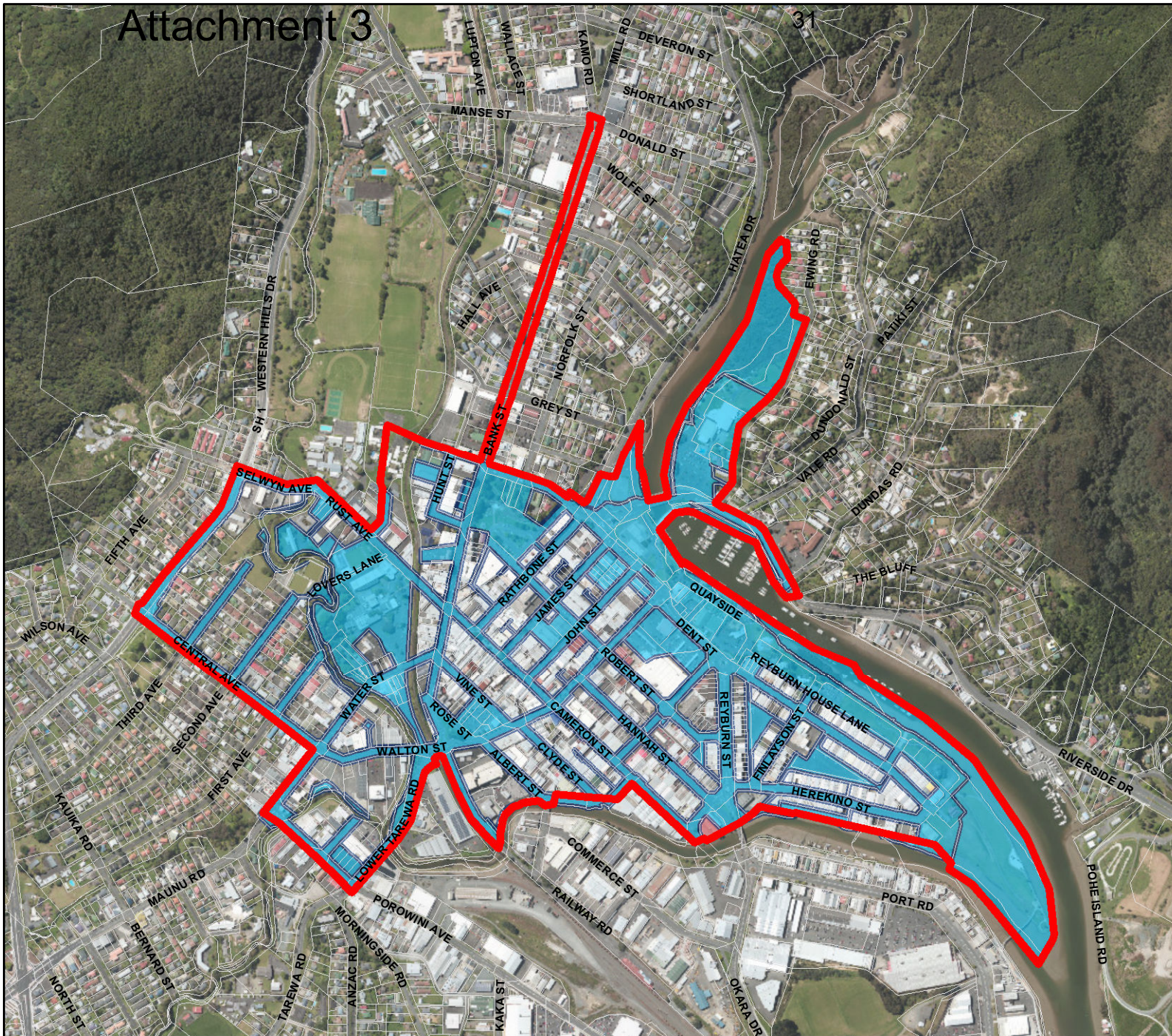
Map #	Area	Operative times	Decision date	Commencement date
1	Whangarei CBD	24 hours a day, seven days a week	13/12/2018	19/12/2018
2	Kamo		13/12/2018	19/12/2018
3	Marsden Village		13/12/2018	19/12/2018
4	Matapouri		13/12/2018	19/12/2018
5	Oakura		13/12/2018	19/12/2018
6	Onerahi		13/12/2018	19/12/2018
7	Otaika		13/12/2018	19/12/2018
8	Otangarei		13/12/2018	19/12/2018
9	Otuhau; Whangarei Falls		13/12/2018	19/12/2018
10	Pataua North & South		13/12/2018	19/12/2018
11	Tikipunga		13/12/2018	19/12/2018
12	Waipu		13/12/2018	19/12/2018
13	Whananaki – Moureeses Bay		13/12/2018	19/12/2018
14	Whananaki		13/12/2018	19/12/2018
NA	All public places 300 metres landwards from the line of mean low water springs		13/12/2018	19/12/2018

## Whangarei District Council – Alcohol Control Bylaw 2018



### Alcohol Control Areas – made by Council resolution

Map #	Area	Operative times	Decision date	Commencement date
1	Whangarei CBD	24 hours a day, seven days a week	13/12/2018	19/12/2018
2	Kamo			
3	Marsden Village			
4	Matapouri			
5	Oakura			
6	Onerahi			
7	Otaika			
8	Otangarei			
9	Otuihau; Whangarei Falls			
10	Pataua North & South			
11	Tikipunga			
12	Waipu			
13	Whananaki – Moureeses Bay			
14	Whananaki			
NA	All public places 300 metres landwards from the line of mean low water springs			





## MAP 1 - CENTRAL BUSINESS DISTRICT

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

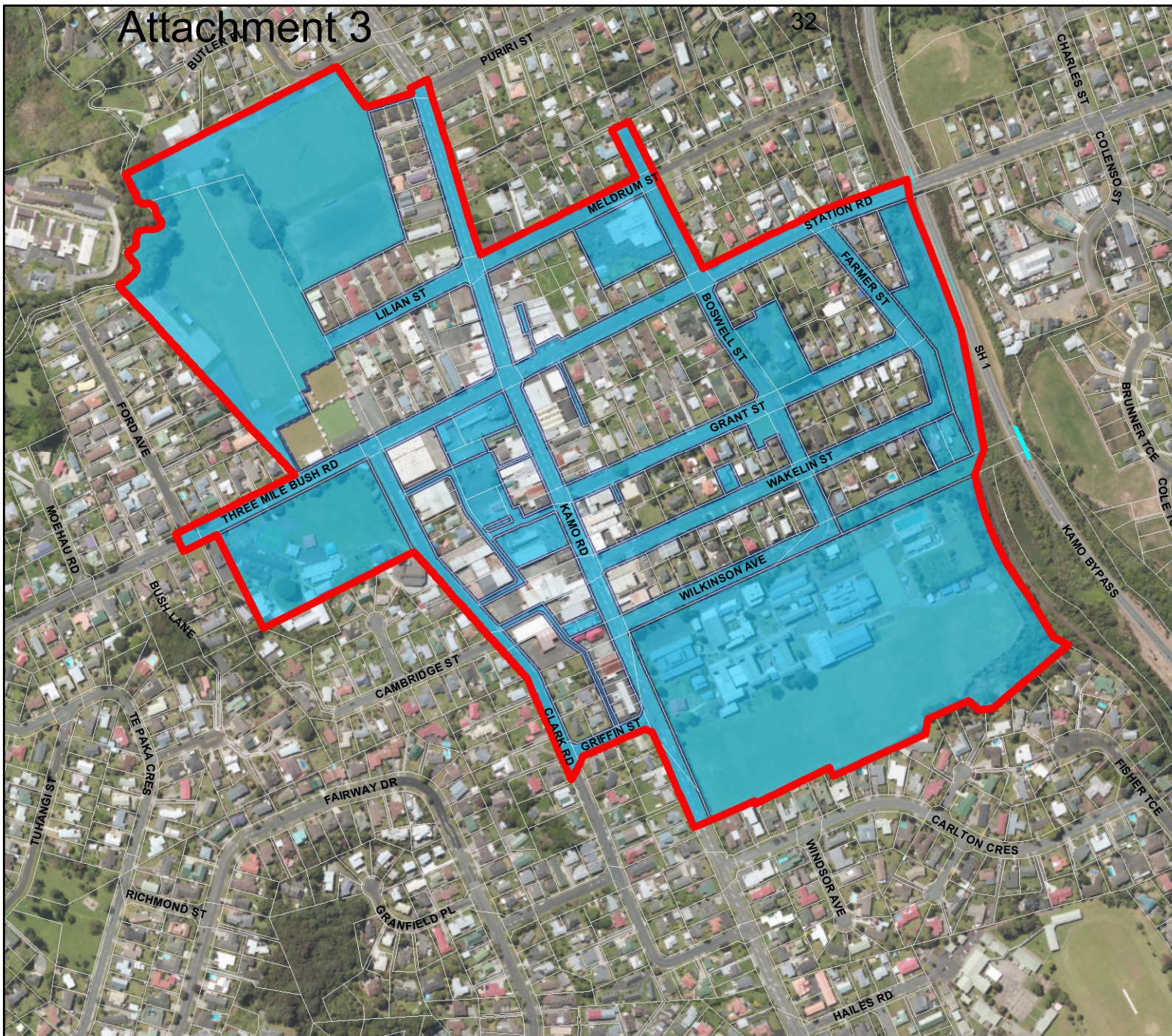
This map provides indicative public places within the alcohol control area. It is up to constable discretion to determine whether a place is a public place in accordance with section 147 of the Local Government Act 2002 for enforcement purposes, and may include a location that is not indicated as a public place within the alcohol control area boundaries.





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Public places shown as indicative. Mean low water springs shown as indicative.



# Attachment 3

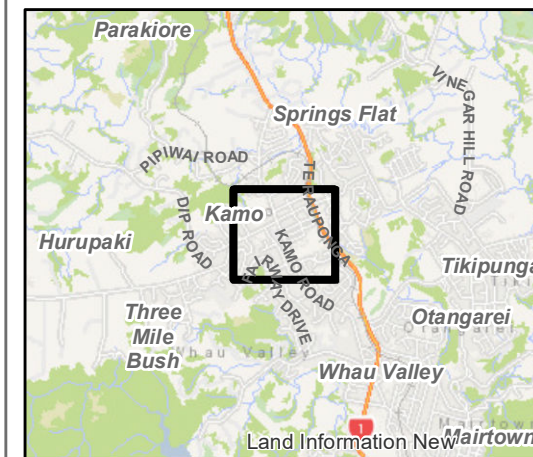


## MAP 2 - KAMO

-  Alcohol Control Area Boundary
-  Public Place

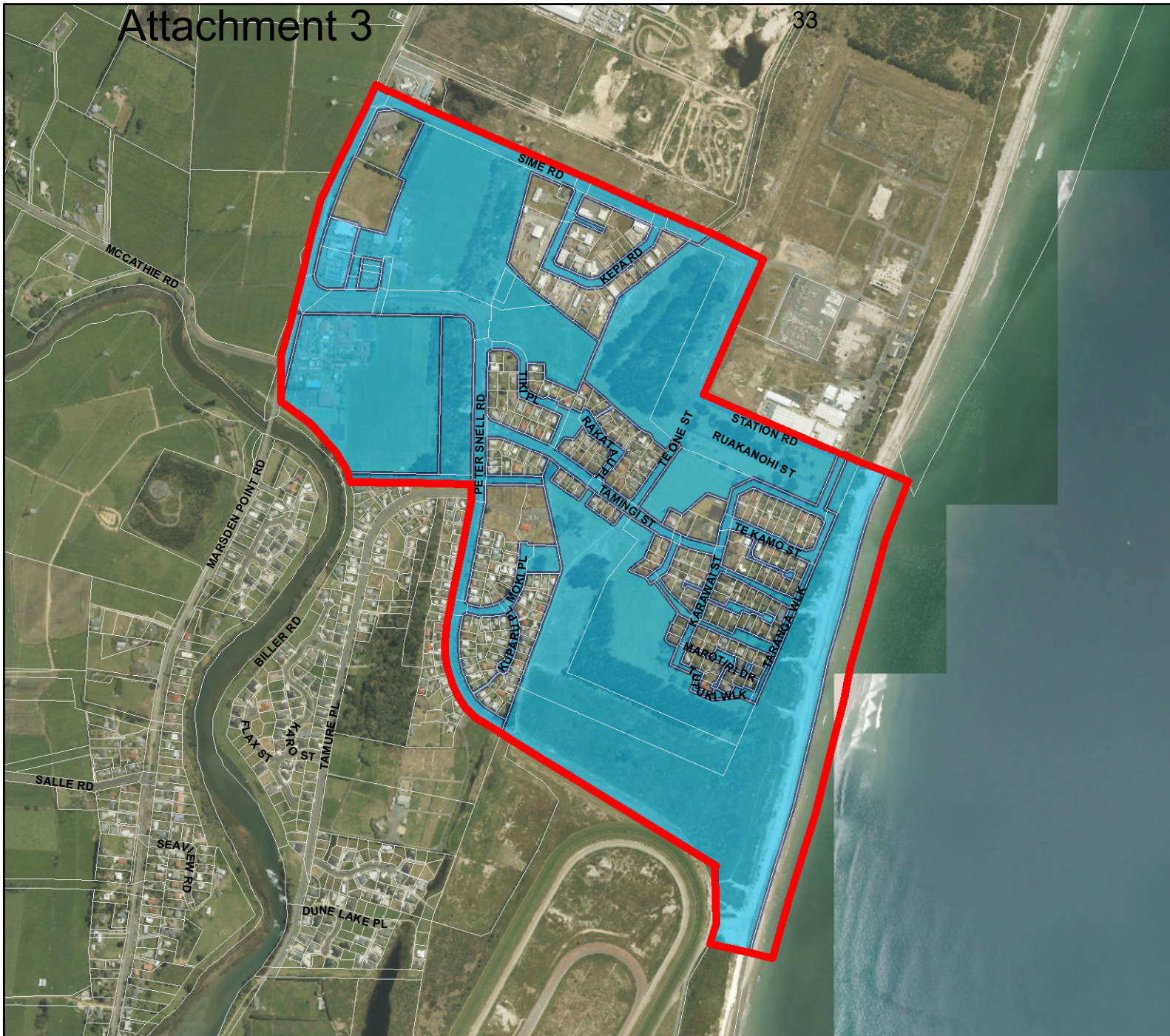
Operative times:  
24 hours a day, 7 days a week

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Public places shown as indicative. Mean low water springs shown as indicative.





## MAP 3 - MARSDEN VILLAGE

-  Alcohol Control Area Boundary
-  Public Place

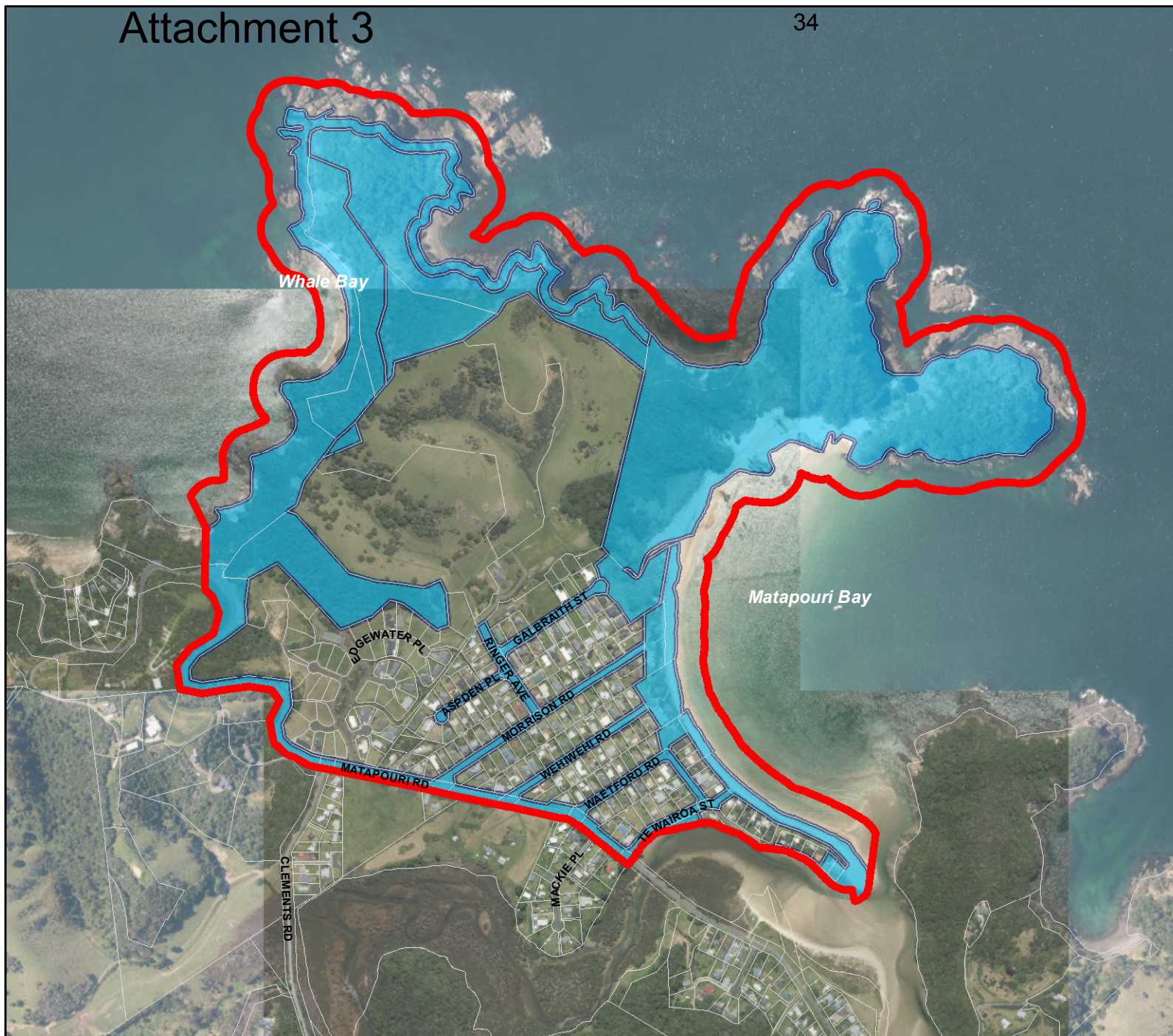
Operative times:  
24 hours a day, 7 days a week

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


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Public places shown as indicative. Mean low water springs shown as indicative.



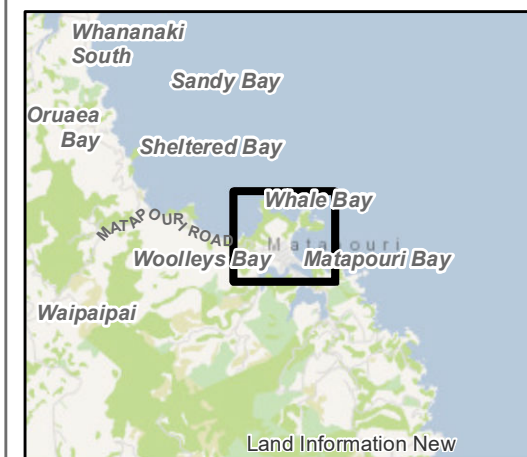


## MAP 4 - MATAPOURI

-  Alcohol Control Area Boundary
-  Public Place

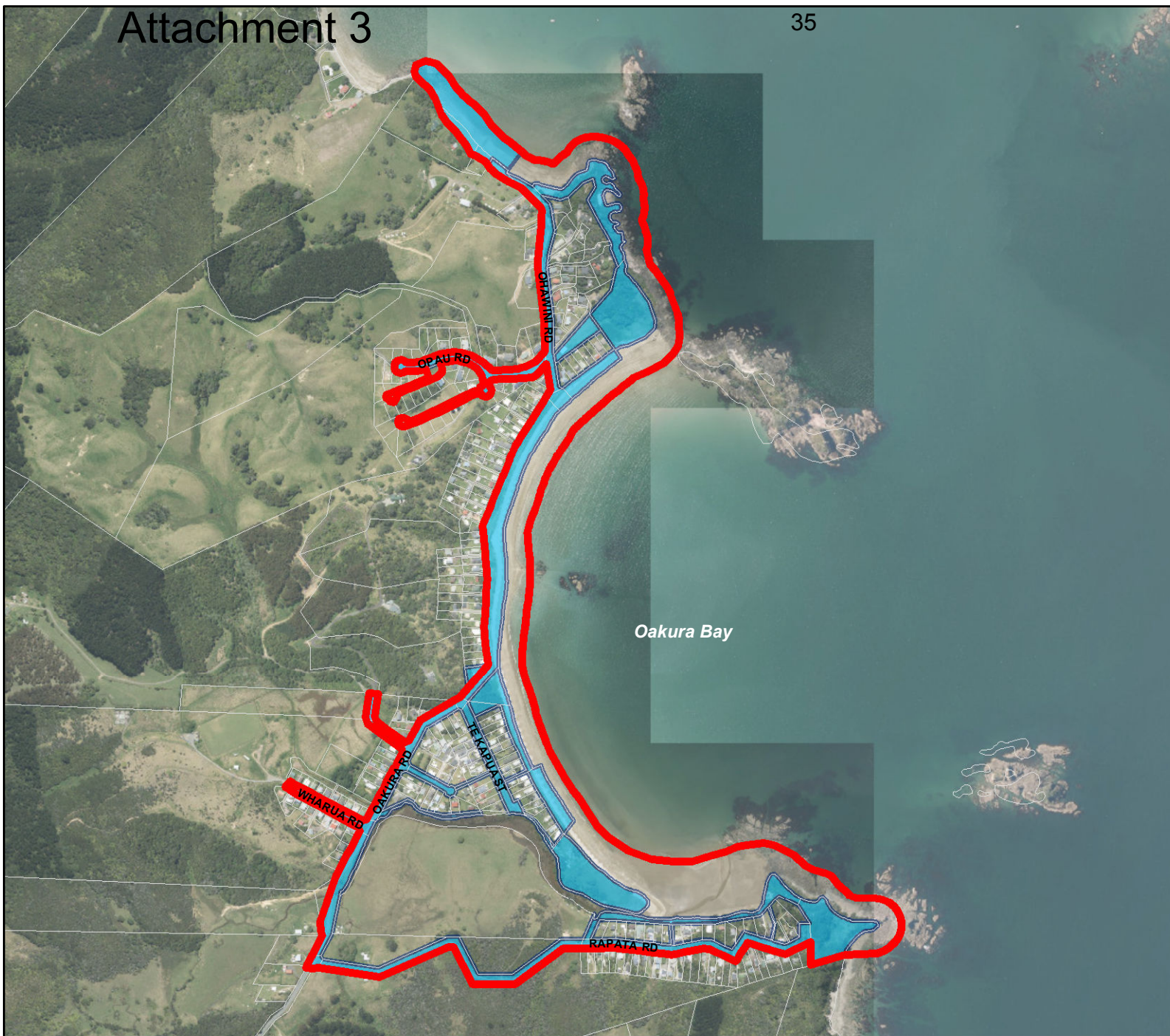
Operative times:  
24 hours a day, 7 days a week

This map provides indicative public places within the alcohol control area. It is up to constable discretion to determine whether a place is a public place in accordance with section 147 of the Local Government Act 2002 for enforcement purposes, and may include a location that is not indicated as a public place within the alcohol control area boundaries.

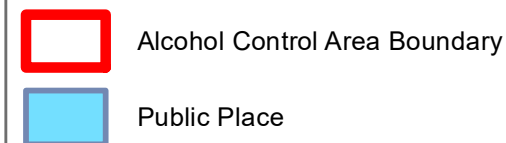


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Public places shown as indicative. Mean low water springs shown as indicative.



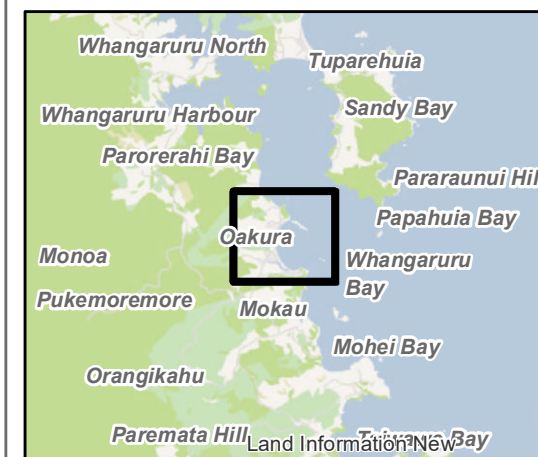


## MAP 5 - OAKURA



Operative times:  
24 hours a day, 7 days a week

This map provides indicative public places within the alcohol control area. It is up to constable discretion to determine whether a place is a public place in accordance with section 147 of the Local Government Act 2002 for enforcement purposes, and may include a location that is not indicated as a public place within the alcohol control area boundaries.





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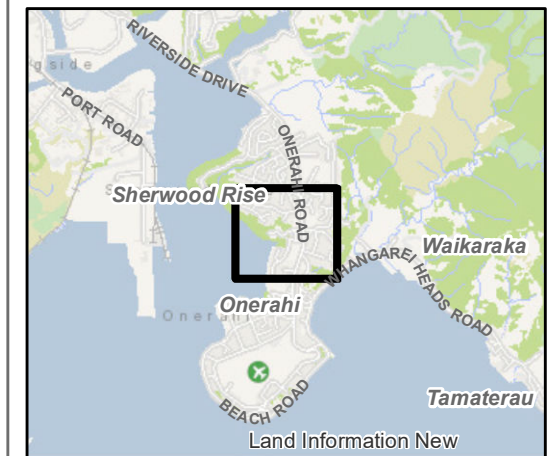


## MAP 6 - ONERAHI

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

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# Attachment 3

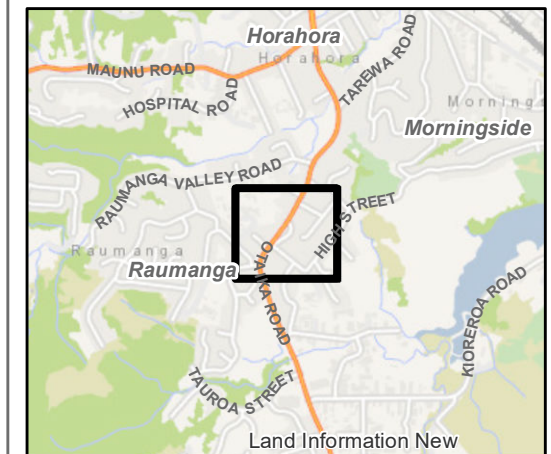


## MAP 7 - OTAIKA

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

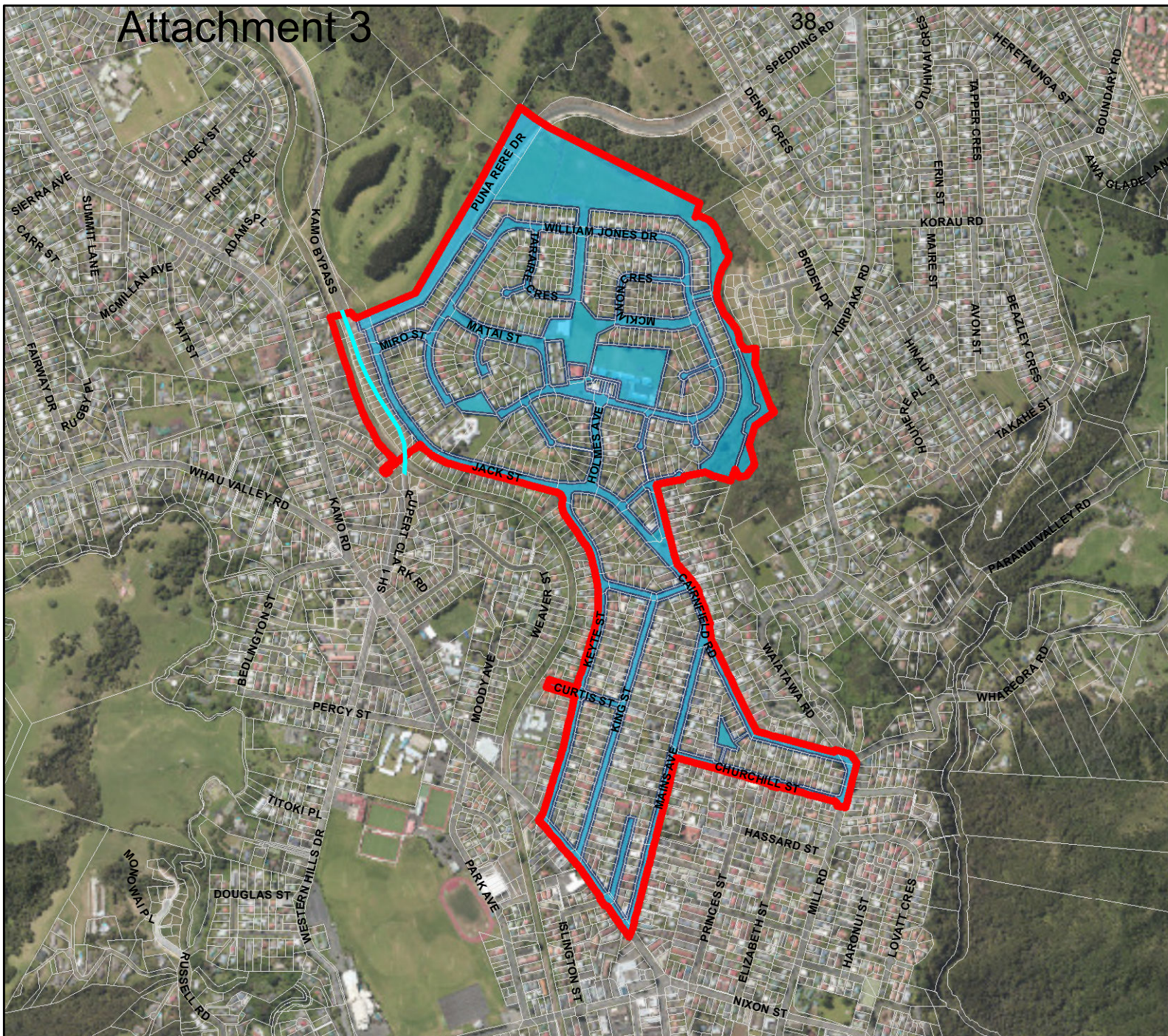
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# Attachment 3

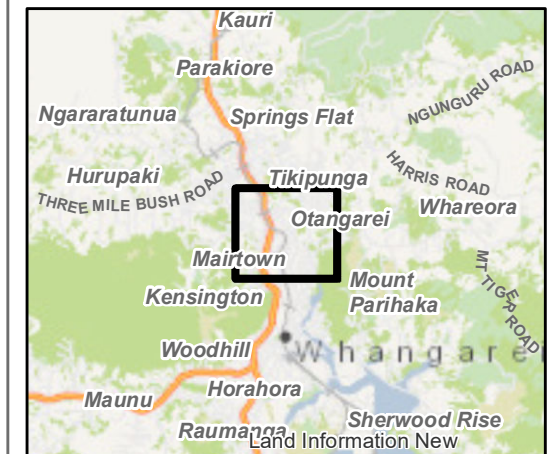


## MAP 8 - OTANGAREI

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

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


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Public places shown as indicative. Mean low water springs shown as indicative.



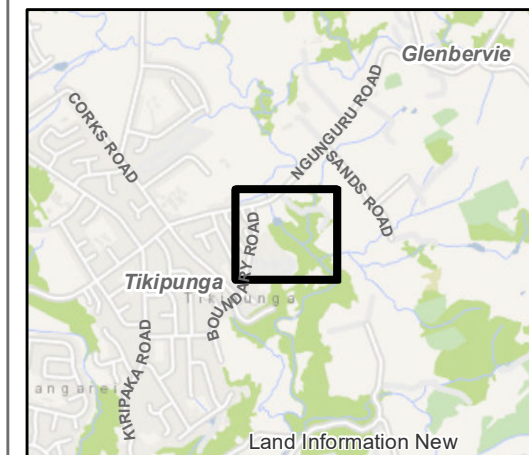


## MAP 9 - OTUIHAU; WHANGAREI FALLS

-  Alcohol Control Area Boundary
-  Public Place

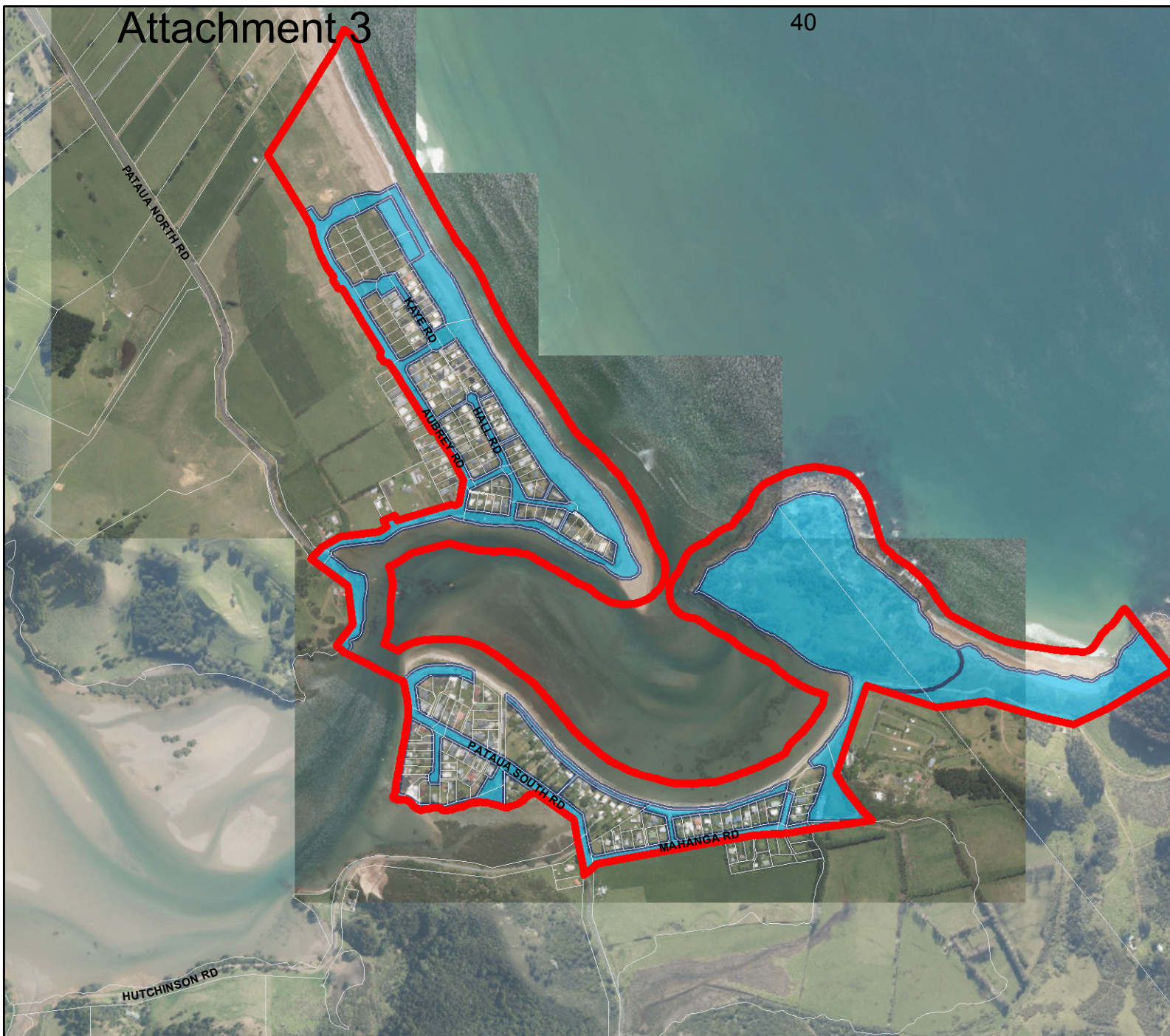
Operative times:  
24 hours a day, 7 days a week

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


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Public places shown as indicative. Mean low water springs shown as indicative.





## MAP 10 - PATAUA NORTH AND SOUTH

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

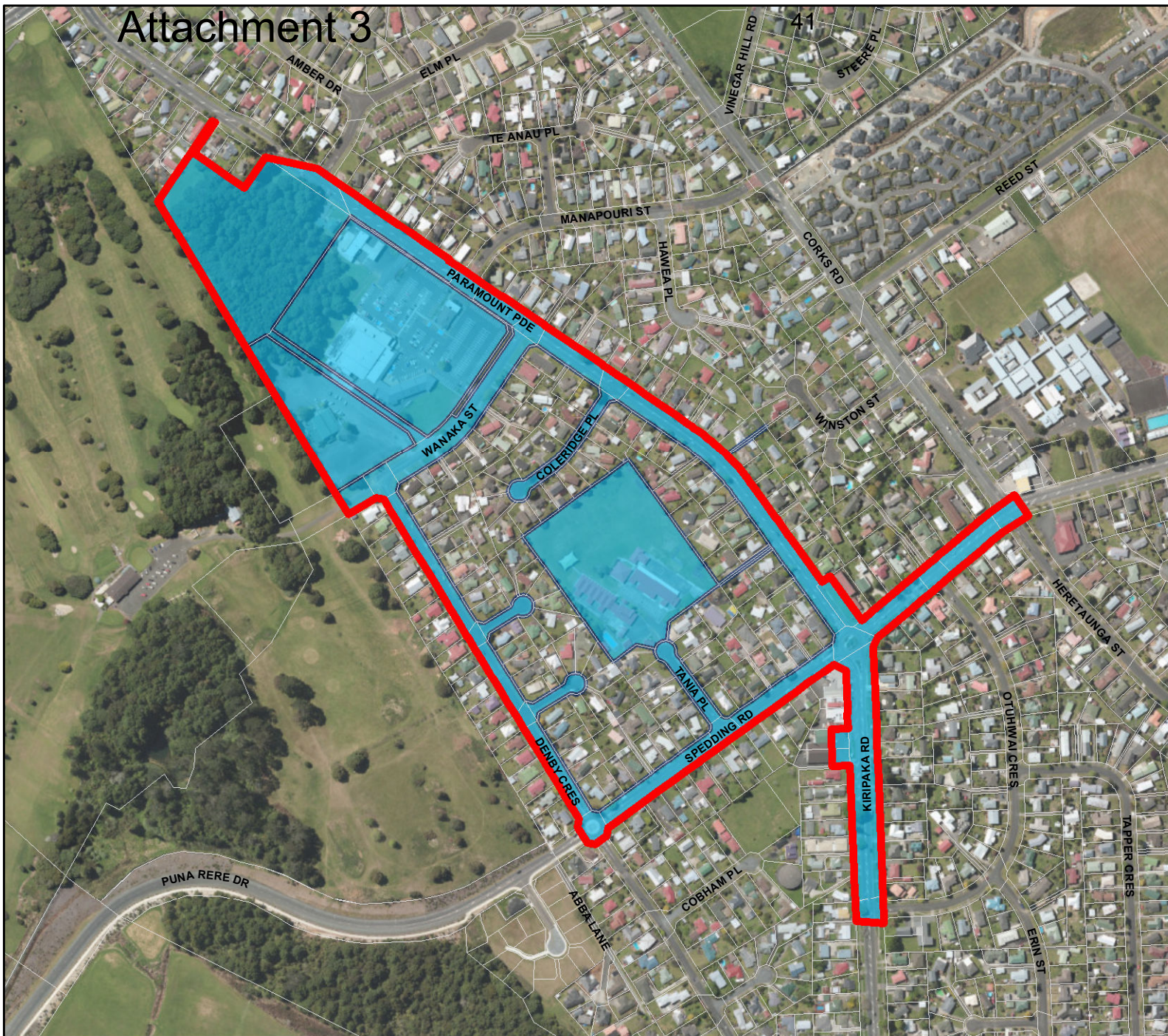
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
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Public places shown as indicative. Mean low water springs shown as indicative.



# Attachment 3

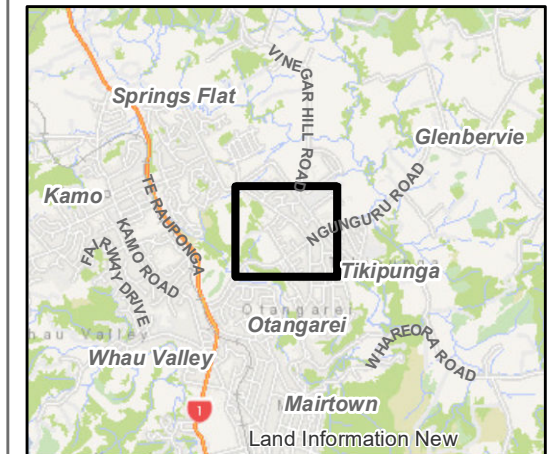


## MAP 11 - TIKIPUNGA

-  Alcohol Control Area Boundary
-  Public Place

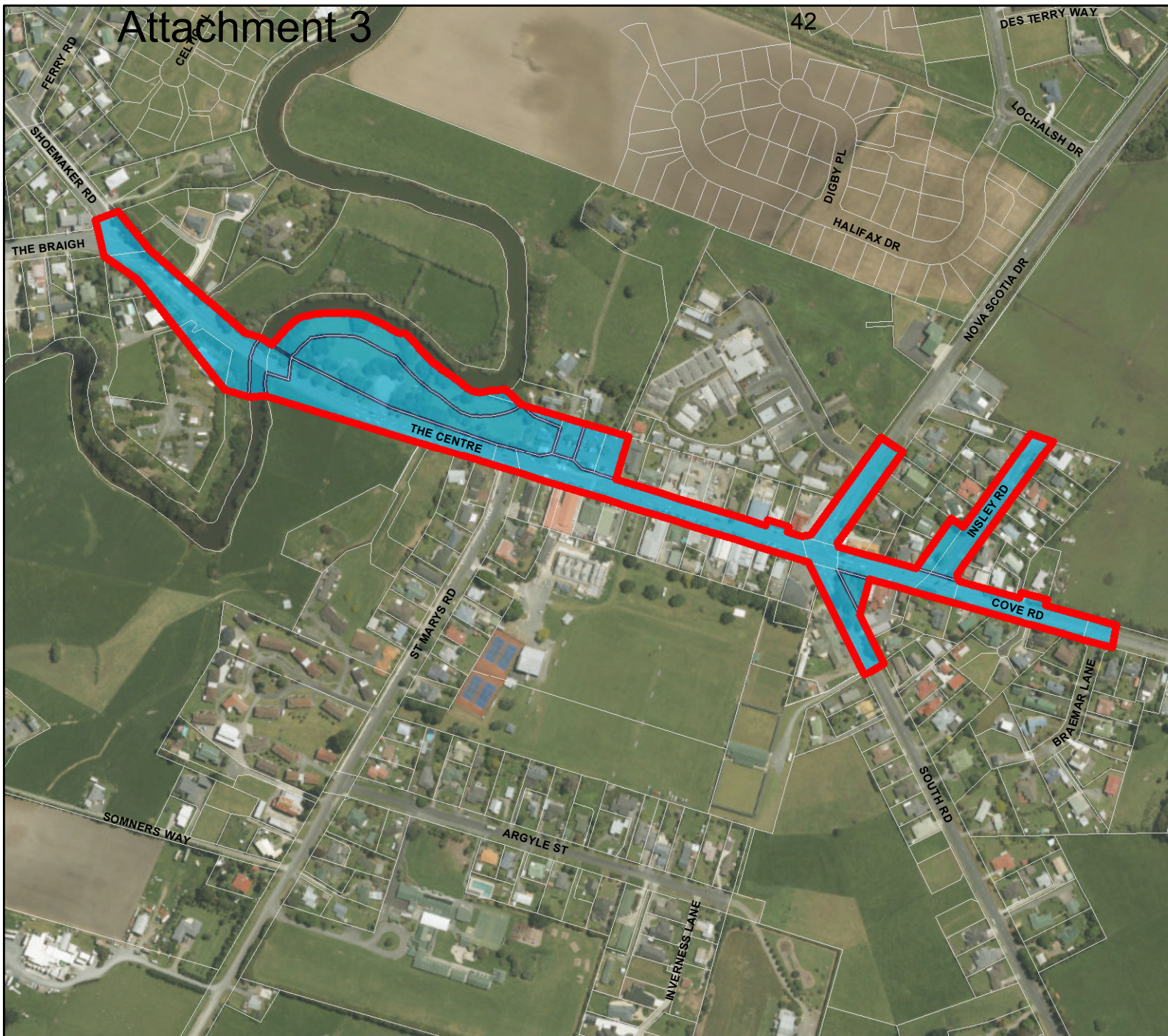
Operative times:  
24 hours a day, 7 days a week

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


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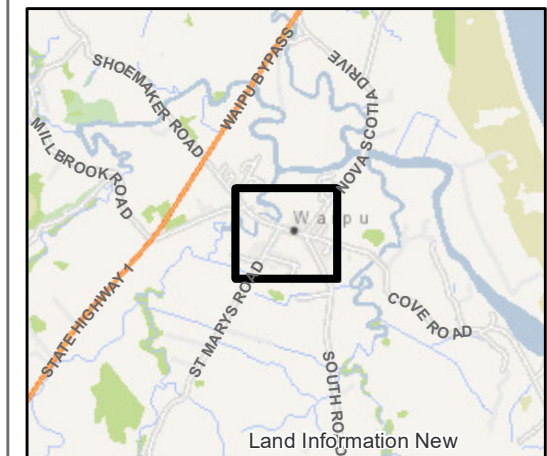


## MAP 12 - WAIPU

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

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


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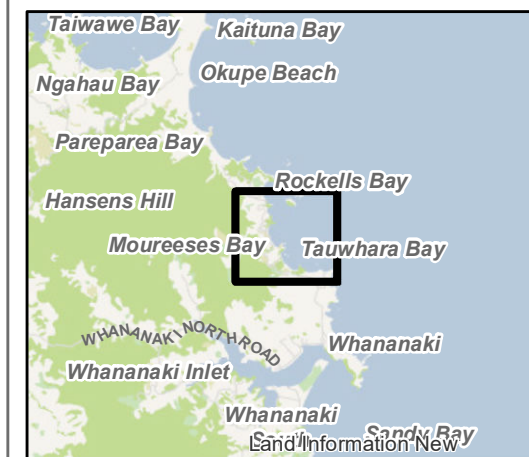


## MAP 13 - WHANANAKI - MOUREESES BAY

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

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


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Public places shown as indicative. Mean low water springs shown as indicative.



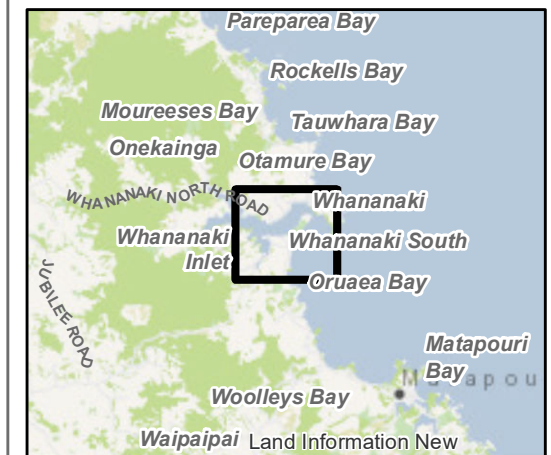


## MAP 14 - WHANANAKI

-  Alcohol Control Area Boundary
-  Public Place

Operative times:  
24 hours a day, 7 days a week

This map provides indicative public places within the alcohol control area. It is up to constable discretion to determine whether a place is a public place in accordance with section 147 of the Local Government Act 2002 for enforcement purposes, and may include a location that is not indicated as a public place within the alcohol control area boundaries.



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Data sourced from Land Information New Zealand Data Service. Licensed for re-use under the Creative Commons Attribution 4.0 International Licence.  
The information in this map was derived from digital databases. Care was taken in the creation of this map, however, Whangarei District Council and its contactors cannot accept any responsibility for errors, omissions or positional accuracy. Not to be used for navigation.  
Public places shown as indicative. Mean low water springs shown as indicative.



## 6.2 Alcohol Control Bylaw 2018 – Temporary Liquor Ban Under Alcohol Control Bylaw

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Lesley Ashcroft – Acting Venue and Events Manager

### 1 Purpose

To declare temporary alcohol control areas for three events to be held in early 2019.

### 2 Recommendations

That the Council;

1. determines that
  - a. there is sufficient evidence that for the same or similar events previously held, there has been a high level of crime or disorder caused or made worse by alcohol consumption in the proposed temporary alcohol control area.
  - b. the proposed temporary alcohol control areas are appropriate and proportionate in light of the evidence.
  - c. the proposed temporary alcohol control areas can be justified as a reasonable limitation on people's rights and freedoms.
2. declares, in accordance with clauses 6.1 and 8.1 of the Alcohol Control Bylaw 2018, temporary alcohol control areas to apply for 24 hours from 6am on the date of the event to 6am the following morning and in the area as provided on Attachment 3 for the following events:
  - a. Fat Freddy's Drop concert – 3 January 2019
  - b. Vodafone Warriors v Wests Tigers Trial – 2 March 2019
  - c. Whangarei Fritter Festival – 16 March 2019.

### 3 Background

Assuming the previous paper is adopted, Council's new Alcohol Control Bylaw allows Council to make resolutions for temporary alcohol control areas. Council's Venues and Events Department is responsible for three large scale events happening between January and March 2019. The Department is recommending temporary alcohol control areas are declared to support public health and safety; before, during, and after the events.

## 4 Discussion

### 4.1 The events

Fat Freddy's Drop is a music concert held on the field at Northland Events Centre on 3 January with an expected audience of 3-4,000 people. The expected demographic is 18 plus, broad family with an even male/ female skew. It is being promoted by Eccles Entertainment, the same promoter as the Six60 concert held in March 2018.

The Vodafone Warriors v Wests Tigers is a pre-season trial organised by Northland Events Centre Trust on 2 March with an expected attendance of 8,000 people. The trial will be the last match for both clubs before the NRL season starts and will be preceded by a curtain raiser Vodafone Warriors v Western Suburb Magpies.

The Whangarei Fritter Festival, organised by Whangarei District Council will be held on 16 March and is the 7<sup>th</sup> festival since it's inaugural event in 2013. The expected attendance is 6,000+ people. It is being headlined by Dragon, Drax Project and Knights of the Dub Table and supported by local bands. Approximately 18 restaurants and cafes from Northland will be onsite producing and selling fritters to the public. Up to 11 vineyard and wineries from around the region will be involved although Absolute Caterers hold the overall liquor licence. There will be a marketplace selling uniquely northland products and a giant waterslide operating on the day.

### 4.2 Legislative determinations

Council must make several determinations before making temporary alcohol control areas, both in accordance with the requirements of the Local Government Act 2002 (LGA) as well as clause 9.2 of the Alcohol Control Bylaw 2018 (ACB 2018). While consideration of the LGA matters are a requirement of the legislation, the criteria provided in the ACB 2018 are matters that Council may consider, but are not compulsory considerations for decision-making purposes.

The tables below outline the relevant matters and provide the relevant staff commentary.

**Table 1 – Local Government Act 2002 (all events)**

LGA section	Matter	Staff comment
147B(a)	Evidence that the area has, in relation to events, experienced high levels of crime or disorder that can be shown to have been caused or made worse by alcohol consumption.	<p>The proposed temporary alcohol control areas are supported by NZ Police and this is documented in Attachment 1.</p> <p>Staff involved in previous events, either the same or similar to the events in question, have confirmed there is substantial anecdotal evidence of concerns relating to alcohol consumption in the vicinity of the venue during these types of events.</p> <p>Examples include people drinking resulting in litter, public urination, disorderly behaviour, fighting and glass injuries.</p> <p>Further background information on this is provided in Attachment 2.</p>
S147B (b)(i)	The temporary alcohol control areas are appropriate and	The temporary alcohol control areas are proposed to be limited to the immediate geographic boundaries of the Stadium where previous

LGA section	Matter	Staff comment
	proportionate in the light of that likely crime or disorder.	<p>problems were experienced. Attachment 3 provides a map of the proposed boundaries of the alcohol control area. Okara Drive from the Okara Drive/ Port Road Roundabout at the Eastern end to Okara Drive/ Port Road Roundabout at the Western end.</p> <p>The controls are to apply from 6am on the date of the event to 6am the following morning. This time period is considered appropriate to ensure people can arrive at and leave the events in a safe manner.</p>
S147B (b)(ii)	Declaring the temporary alcohol control areas are a justifiable and reasonable limitation on people's rights and freedoms.	<p>The request prevents alcohol consumption within the vicinity of the stadium. However due to the nature of the surrounding environment and the other matters outlined above, it is considered there is sufficient information to conclude that this limitation of rights or freedoms is justified, given:</p> <ul style="list-style-type: none"> <li>• the high level of crime and disorder the temporary controls are likely to prevent</li> <li>• their limited durations</li> <li>• Venue and Events staff and NZ Police support.</li> </ul>

Table 2 – Alcohol Control Bylaw

Fat Freddy's Drop Concert		
Bylaw clause	Matter	Staff comment
9.2.b (i)	the nature and type of the event	Fat Freddy's Drop is a low key, family friendly music concert. This concert has a child policy (1 free child under 12 years old with a full paying adult).
9.2.b (ii)	the history (if any) of the event	Fat Freddy's Drop has not performed at Northland Events Centre before although we have hosted three concerts by the same promoter in the last three years.
9.2.b (iii)	the number of people expected to attend the event	3,000-4,000 people
9.2.b (iv)	the area in which the event is to be held	Northland Events Centre and grounds, Okara Drive, Whangarei
9.2.b (v)	whether the Police will be present at the event to enforce it	NZ Police will have a presence at the concert within the venue, including personnel in the Venue Operations Centre and outside the venue.

Vodafone Warriors v Wests Tigers Trial		
Bylaw clause	Matter	Staff comment
9.2.b (i)	the nature and type of the event	This is a Rugby League international sporting event and is a pre season trial as part of the National Rugby League competition. There are two matches held as part of the event.
9.2.b (ii)	the history (if any) of the event	The Stadium has hosted Warriors games three times before since 2011.
9.2.b (iii)	the number of people expected to attend the event	8,000+
9.2.b (iv)	the area in which the event is to be held	The whole stadium will be used for this event. The matches will be played on the field, both grandstands will be used for viewing by the public and the lounges and suites will be used for corporate hospitality.
9.2.b (v)	whether the Police will be present at the event to enforce it	NZ Police will have a presence at the event within the venue, including personnel in the Venue Operations Centre and outside the venue.

Whangarei Fritter Festival		
Bylaw clause	Matter	Staff comment
9.2.b (i)	the nature and type of the event	The Fritter Festival is an 8 hour food, wine and music event. The main demographic is 30-50 however people of all ages attend.
9.2.b (ii)	the history (if any) of the event	The Fritter festival has been held at the Stadium six times since the inaugural event in 2013. There were 3,600 people in attendance at the first festival.
9.2.b (iii)	the number of people expected to attend the event	6,000+
9.2.b (iv)	the area in which the event is to be held	The event is held on the field of the Stadium. No one is in the grandstand.
9.2.b (v)	whether the Police will be present at the event to enforce it	NZ Police will have a presence at the festival within the venue, including personnel in the Venue Operations Centre and outside the venue.

## 5 Next steps

If Council declares the proposed temporary alcohol control areas, Venues and Events staff will advise NZ Police and liaise on appropriate presence and enforcement activities at each of the events.



Staff will publicly notify the events in accordance with the requirements of clause 8.2 of the ACB 2018 and will install temporary signs for the duration of the controls to meet the requirements of section 170(3)(b) of the LGA.

## **6 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website.

## **7 Attachments**

Attachment 1 – NZ Police feedback on proposed temporary alcohol control areas

Attachment 2 – Venues and Events staff report on previous events

Attachment 3 – Map of proposed alcohol control area boundaries





30<sup>th</sup> November 2018

Rachel O'Gorman  
Team Leader – Marketing & Events  
Whangārei District Council,  
WHANGAREI

Dear Rachel

RE: Temporary Liquor Ban (Alcohol Control Area) Okara Drive / Port Road roundabout north-end to Okara Drive / Port Road roundabout south-end.

---

Police support such a proposal in particularly around the environment of the Northland Event Centre. Anecdotal evidence suggests that quite often people attending large events are pre-loading with alcohol and consuming their purchases prior to entering the venue they are attending and quite often nearby i.e. in vehicles, carparks, bus-stops, vacant buildings etc. Having such a liquor restriction would go some-way in reducing the effects of alcohol related harm and likely reduce any anti-social behaviour the consequences there of i.e. littering, urinating public place, public disorder etc.

I suspect this may require a bylaw revision however again Police would support such a proposal.

Yours faithfully,

T. Patrick  
Sergeant TPC213  
Alcohol Harm Prevention Officer (AHPO)  
Liquor Licensing  
Whangārei / Kaipara Police



## Attachment 2:

Venues and Events staff report on previous events

November 2018

The Stadium has been in operation since May 2010, following the redevelopment, and has hosted a number of large scale events over this time. These events include sporting events (rugby, league and football) both local and international, festivals, concerts, fireworks events and cultural events.

For every event there is significant pre planning undertaken by the Venues and Events department as well as a tight knit and highly experienced stakeholder group which includes Emergency Services (St John, NZ Police, NZ Fire), Security, caterers and other community groups as required. Event planning includes the development and implementation of an Event Management Plan, run sheets, risk registers, Alcohol Management Plan, Security Plan, Traffic Management Plan, H&S, pre event meetings and post event debriefs, scenario sessions and operational planning.

The events that take place at the stadium generally operate smoothly with a small number of incidents occurring. For every large scale event (held outdoors on field) that takes place, an incident log is recorded from within the Venue Operations Centre (VOC). There is a representative from each organization in the VOC including WDC Venues & Events, Security, Police, St John, NZ Fire, the hirer (ie NRU) and a CCTV operator. A hot debrief is held at the end of every event and these notes are included in this log. For festivals, we run hourly alcohol meetings and for concerts we have 3 hourly situational meetings. The number of incidents occurring are usually minor. (ie 0-4 medical incidents for a sports event or up to 10 for a concert). There are usually zero arrests and major crime, but sometimes there has been fighting. There have been two fires at events at the stadium (one across the boundary fence and one in the kitchen).

Intoxication is well managed by Absolute Caterers who hold the liquor license at the stadium with support from the venue and security. They implement a strict liquor license. Towards the end of events, intoxication levels can increase and actions are put in place to try and minimize the effects.

We have had concerns in the past where people sit in their cars on Okara Drive and pre load before coming into the venue (refer to Mitre 10 Cup Incident Log example below). People also exit the stadium to go and drink and then re-enter the venue. At the Fritter Festival in 2018, we decided half way through the event to cease pass outs to prevent this from happening. For the Fritter Festival in 2019 we have said no pass outs unless prearranged exit/ re entry is genuinely required.

Our Community Safety Officer, David Palmer, has reported collecting empty liquor bottles after large scale events at the Stadium, however there is no official record of the extent of this. At the 2018 Six60 Concert, Waste and Drainage Field Officer, Grant Alsop, reports that Northland Waste were called out for fly dumping and broken glass around Okara Drive and Commerce Street. (See CRM below).

## Request Management - Application Process

ID Number:  Fly Dumping on the roadside for Porowini Avenue, Port Road, and Okara Drive. There was a concert on at Toll Stadium on the weekend and

Privacy ☐

## Status and Decision

Status:  Workgroup:  Waste [Suspend Event Processing](#) ☐  
 Completion Date:  Referred:   
 Stage/Decision:  Closed  
 Delegated Authority ☒

## Caller and Location Details

Company/Surname: <input type="text" value="Gardner"/>	Location of Request	
Given Name: <input type="text" value="Sarah"/>	Address: <input type="text"/>	
Address: <input type="text"/>	Owner(s): <input type="text"/>	
Work Phone: <input type="text"/>	Home: <input type="text"/>	<a href="#">Refresh Caller</a>
Fax: <input type="text"/>	Mobile: <input type="text"/>	<a href="#">Update Contact</a>
Email: <input type="text"/>	Primary Street: <input type="text" value="Okara Drive, Whangarei, 0110"/>	
Notify By: <input type="text"/>	Where In Relation: <input type="text"/>	
Source: <input type="text" value="Staff"/>	<input type="text" value="Gardner, Sarah"/>	Alternate Street: <input type="text"/>
Customer Type: <input type="text"/>	Call Back: <input type="checkbox"/>	Description: <input type="text"/>

## Request Details and Resolution

Full Details:

It would certainly assist the operation of our events at the stadium if Okara Drive had a temporary alcohol ban on it. It would deter people from pre loading on Okara Drive, support the Alcohol Management Plan and help us in a preventative way towards minimizing incidents from happening during the event. It would also minimize a rubbish and litter issue which costs Council time, money and reputation.

Northland v Taranaki Mitre 10 Cup  
 Sunday 2 September 2018  
 Incident Log

Time	Incident	Action
1540	Operations staff reported people pre loading in their car across the road on Okara Drive.	Monitoring them on CCTV. Security staff at gates advised of patrons clothing to look out for them and assess intoxication levels on the way in. Rung Absolute Caterers Manager to let him know so that his bar staff can look out for them/ reconsider serving if intoxicated. Security went and talked to them said they were being observed.

1612	Pre loaders in Adidas hoodies are in the venue now (were assessed at the gates), monitoring on Terraces side. Advised Caterers again so staff either don't sell alcohol at the Media Centre bar or at least assess.	No further issues.
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## Attachment 3 – Liquor Ban Area



PROPOSED LIQUOR BAN AREA SHOWN AS RED LINE





## 6.3 Annual Plan 2019/2020 Engagement

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Merryn Statham (Consultation Advisor)

### 1 Purpose

To consider options for engagement on the 2019/20 Annual Plan.

### 2 Recommendations

That the Council:

1. Notes the options for engagement on the Annual Plan 2019/20.
2. Approves Option 2 as the preferred option for engagement on the Annual Plan.

### 3 Background

At the Council Workshop on 13 November 2018 Councillors discussed options for engagement on the 2019/20 Annual Plan.

The Annual Plan sets out what the Council plans to deliver and outlines any changes from what was agreed in the Long Term Plan for that year. The Annual Plan includes projects as well as financial information.

The Local Government Act (LGA) gives Council the option to choose whether to consult on the Annual Plan. Consultation is not required if the plan does not include significant or material differences from the content of the Long Term Plan (LTP) for the financial year to which the proposed annual plan relates. Materiality considers individual and accumulated changes to the LTP. Significance is determined by the Council's Significance and Engagement Policy 2017.

Themes from the workshop included a desire to connect with communities about the Annual Plan, developing and using more engaging collateral to communicate the upcoming projects Council is working on and tell the good stories about what has been accomplished, and broadening the engagement reach to seek a balanced input that is representative of all the communities of Whangarei.

## 4 Discussion

If materiality and /or significance is triggered, Council is required to undertake consultation as specified in section 82 and 82A of the LGA.

This type of consultation requires a mechanism to obtain public feedback and ideas to inform decision making. This can be done in a formal or less formal way, using a variety of tools as set out in the Significant and Engagement Policy. An extract from the Policy is attached to this report.

Regardless of whether materiality or significance is triggered, the Annual Plan process is an opportunity to share information about current and future projects identified in the LTP. This can dovetail into a longer term communication and engagement programme for Council, which can inform the next LTP process.

This is consistent with Council's Communications Strategy objectives of building an understanding of what Council does, including the need to prioritise, and thus building trusted relationships with communities.

Key options for Council engagement with communities are set out below.

Options	Tools	Impact
<b>Option 1</b>  <b>Formal consultation</b>	Formal submission and hearings process  (although not a requirement under the LGA for annual plan consultation)	Costs involve production of information resources and time commitment from staff and Councillors  Can be done within budgeted expenditure for 2019/20  Would meet LGA requirement for consultation if materiality and/or significance is triggered  Would meet LGA requirement for fees and charges if done via a special consultative procedure  This approach is status quo, however, would have limited reach
<b>Option 2</b>  <b>Communication and engagement programme</b>	Information sharing with mechanisms for feedback to inform annual plan and/or next LTP process  Meetings with Resident and Ratepayers groups, complemented by engagement activities in key	Costs involve production of information resources and time commitment from staff and councillors  Can be scaled to be achieved within budgeted expenditure for 2019/20

	locations (i.e. markets, playgrounds and malls)	<p>Would meet LGA requirement for consultation if materiality and/or significance is triggered</p> <p>Would have broad reach across communities</p>
<p><b>Option 3</b></p> <p><b>One or more big events</b></p> <p><b>(e.g. Expo)</b></p>	<p>Information sharing with mechanisms for feedback to inform annual plan and/or next LTP process</p> <p>One or more expos across district</p>	<p>Costs involve venue hire, event planning, production of information resources, and significant time commitment from staff. Estimated cost \$170K</p> <p>Based on previous events, the cost would be significantly outside budgeted expenditure and resourcing for 2019/20</p> <p>Would meet LGA requirement for consultation if materiality and/or significance is triggered on Annual Plan</p> <p>Potential for broader reach but may take time to build profile and attendance (historically expos were held every second year with attendance roughly doubling at each event) and less targeted than communication and engagement option</p>

### Analysis of options

As outlined in the above table, the extent to which Councillors seek to engage on the Annual Plan presents different approaches, none of which are mutually exclusive. Given the Long Term Plan has been recently consulted on and approved through a formal process, the Annual Plan provides an opportunity to engage less formally and using different approaches.

The preferred option is Option 2, which would meet the requirements as laid out in the LGA and respond to the themes identified in the workshop. This approach would provide Councillors with a touch point, using engaging collateral including videos and large visual aides to tell the stories of the work council have approved for the next year. This collateral could then be used as the basis for on-going engagement with communities throughout the year. Feedback would be collected and themed to use as background for future planning. This approach would fit within current budget and demonstrate Council's desire to broaden engagement.

If Council approves Option 2, this could lead in to more formal consultation for the 2020/21 Annual Plan (year 3), which would in turn inform the development of the 2021 – 2031 LTP. Similarly an event based engagement such as an expo could be done outside an Annual Plan or LTP process if Council allocated resourcing, with the outcomes of the event then being used to inform future planning processes.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website and all other promotional activities.

## **6 Attachment**

Extract from the Significance and Engagement Policy (Other forms of engagement)

## Other forms of engagement

The following table provides an example of the differing levels of engagement that might be considered appropriate for all other issues. It includes the types of tools associated with each level and the timing generally associated with these types of decisions / levels of engagement.

Level	Inform	Consult	Involve	Collaborate	Empower
What does it involve	One-way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.	Two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision-making.	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision-making.	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	The final decision-making is in the hands of the public. Under the LGA, the Mayor and Councillors are elected to make decisions on behalf of their constituents.
Types of issues that we might use this for	Water restrictions	Rates Review	District Plan	Harbour Management Plan	Electoral voting or a proposed change in systems (i.e. to STV or Māori seats)
Tools Council might use	Website Radio Council News Facebook.	Formal/informal submissions and hearings Focus and/or Advisory groups Public meetings Phone surveys/surveys/ priority polls Inviting feedback through social media and website.	Workshops Focus and/or Advisory groups Face-to-face, one-on-one Public meetings.	External working groups (involving community experts).	Binding referendum Local body elections.
When the community can expect to be involved	We would generally advise the community once a decision is made.	We would advise the community once a draft decision is made by Council and would generally provide the community with up to four weeks to participate and respond. Where desirable to meet the needs of affected parties or groups, and possible within timeframes available, Council may consider extending this period.	We would generally provide the community with a greater lead in time to allow them time to be involved in the process.	We would generally involve the community at the start to scope the issue, again after information has been collected and again when options are being considered.	We would generally provide the community with a greater lead in time to allow them time to be involved in the process. e.g. typically a month or more.





## 6.4 Community Loan – Kiwi North sewer connection project

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Cindy Velthuisen, Community Funding Officer

### 1 Purpose

To approve an application for a Community Loan from Whangarei Museum and Heritage Trust (Kiwi North) for their infrastructure project.

### 2 Recommendation/s

That Council:

1. Approve an interest-free community loan of \$20,000 to Whangarei Museum and Heritage Trust (Kiwi North) for their infrastructure project. The Trust's existing loan agreement (Stage 2 Accessibility Project) is to be cancelled and a new loan agreement is to be executed for a combined total of \$59,375 and a maximum term of 8 years.

### 3 Background

Whangarei Museum and Heritage Trust (Kiwi North) have requested a community loan of \$20,000 for sewage works. The total project cost is \$29,151, and their contribution is \$9,151.

Kiwi North are seeking to combine this new loan with their existing loan agreement (see 4.1).

### 4 Discussion

Kiwi North's on-site sewage system is old, failing and no longer fit for purpose for the volume of visitors the facility now receives. The system caters for the museum building toilets and the public toilets on the grounds.

Council has recently created a sewage connection along State Highway 14, and Kiwi North plan to connect to this system. Waste and Drainage staff are advising Kiwi North on this.

Works can begin in the new year, once funding is confirmed and upon receipt of the building consent.

The new connection will ensure safe use of the park by visitors and staff, avoid the risk of system failure and sewage spills, and reduce the cost of frequent septic tank clean outs.

#### **4.1 Financial/budget considerations**

Kiwi North have requested an interest-free loan of \$20,000.

They have an existing loan for the Stage 2 Accessibility Project, with a balance of \$39,375 as at 30 June 2018 and a current end date in 2024. Kiwi North wish to combine these loans into a new loan agreement.

The new, combined loan would have a combined balance of \$59,375 (less payments received since 30 June). Payments would continue at the current repayment rate of \$1,875 per quarter, ending in 2026. This is within the 8-year maximum term generally applied to community loans.

#### **4.2 Policy and planning implications**

The community loans criteria and conditions are in attachment 1. This application meets the criteria and intent for Community Loans.

#### **4.3 Risks**

A mortgage is already held as security for the existing loan. This would be amended for the new loan agreement.

This application has been reviewed by staff from Finance, Legal and Waste and Drainage.

### **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via [Agenda publication on the website.

### **6 Attachments**

1. Community Loans criteria
2. Kiwi North application

# Community Loans

## Community Funding

### Funding Information

Whangarei District Council supports community organisations, clubs and groups who are providing recreation facilities within the District. As part of that support, Council provides Community Loans that are designed to assist community based organisations to develop community assets for recreation purposes. These facilities will be aligned to Whangarei District Council's outcomes and priorities and benefit either the wider community or a sector of the community.

Applications for loans may be made at any time during the financial year. Generally, the first \$100,000 of any loan approved will be interest free. Applicants must generally demonstrate a minimum 50% contribution towards the project.

### Who can apply

Applicants to the Community Loans Scheme must:

- meet the eligibility criteria set out in Whangarei District Council's Grants, Concessions and Loans Policy
- have a constitutionally open membership
- meet the criteria in the "Eligibility Criteria" below.

### Funding Criteria

The fund has two sets of criteria that determine the success of any application. To be successful with an application the applicant must meet all the Eligibility Criteria. The Relevance Criteria determines the level of support Council will contribute towards an application.

#### Eligibility Criteria

	Yes	No
• Does your project occur within the Whangarei District?	<input type="checkbox"/>	<input type="checkbox"/>
• Does your project contribute to one or more of the community outcomes of the Whangarei District? <i>(see section 2 of the Application Form)</i>	<input type="checkbox"/>	<input type="checkbox"/>
• Does your project benefit the wider community or a sector of the community?	<input type="checkbox"/>	<input type="checkbox"/>

#### Relevance Criteria

- How does this project contribute to priorities laid out in other council strategic/planning documents?
- How does this contribute to other regional and national strategic documents?
- What is the identified need for this project?
- What sort of funding history/track record does the applicant have with Whangarei District Council?
- What is the applicant's history/track record in project/event management?
- What is the sustainability of the applicant's project?

### Funding Allocation

Loans will generally be available for developing community assets for recreation purposes. Examples of expenses funded include:

- Facilities – costs related to the purchase or construction of a building
- Major project restoration costs to items of significance
- Maintenance of heritage buildings of significance to the Whangarei District

The fund is generally not available for:

- Retrospective costs
- Debt Servicing
- Projects in educational institutions normally funded within the education sector.

## Conditions

The following conditions apply to all loan approvals:

- Loans will only be made to recreation providers
- Applicants must generally demonstrate a minimum 50% contribution towards the project
- Generally, the first \$100,000 will be interest free and any further portion will be interest bearing. Council retains the right to vary this policy.
- Generally, the maximum repayment period shall be 8 years.
- Frequency of repayments will be negotiated with the borrower.
- The ability to meet the loan repayments is a critical consideration in approving a loan.
- Legal expenses will be the responsibility of the applicant, but may be included in the loan.
- Loans will be formally executed and will be secured as Council deems appropriate.
- Loans are generally not available to retire or restructure current debt, but Council may consider this in exceptional circumstances, such as where the ongoing viability of an organisation is under threat.
- Loans may be subject to other conditions imposed by Council.
- Loan drawdowns may be by instalment at Council's option and Council may require copies of applicant's invoices from suppliers for supplies to which the loan relates.
- For GST registered organisations, the GST portion of costs will not be funded by the loan.
- Financial statements will be provided to Council annually during the term of the loan.
- In the case of any default on repayments, Council will work with the organisation and the parent body (if applicable) to remedy the situation as quickly as possible.
- If the financial position of an organisation deteriorates to the point that the loan repayment is not possible, Council will exercise its rights as specified in the loan agreement.
- Any arrears of repayments will be reported to the Community Funding Committee.

## How to Apply

Send your completed application form to:

<b>Post to:</b> Community Funding Whangarei District Council Private Bag 9023 Whangarei 0148	<b>Deliver to:</b> WDC Reception Level 1 Walton Plaza Walton Street Whangarei	<b>Email to:</b> <a href="mailto:funding@wdc.govt.nz">funding@wdc.govt.nz</a>
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## Decision Making Process

All applications will be referred to the appropriate committee of Council for consideration.

## Application Closing Dates

Applications for loans may be made at any time during the financial year.

Kiwi North – Infrastructure Works 2018

## Loan application

## Community Loans Application Form

### 1. Applicant Details

Name of group/organisation Whangarei Museum and Heritage Trust  
 Postal Address PO Box 10135  
Te Mai  
Whangarei Postcode 0143  
 Street Address 500 State Highway 14, Maunu, Whangarei  
 Email Address finance@kiwinorth.co.nz  
 Website Address www.kiwinorth.co.nz

#### Legal status

☒ Trust ☐ Incorporated Society ☐ Other (specify) \_\_\_\_\_

Are you GST Registered? No ☐ Yes ☒ GST number: 097-128-758

Name two people Council can contact if we need further information regarding this application  
 (One name should be the person completing this application form)

Name Linda Ace Position Director-Strategy and Finance  
 Address PO Box 10135, Te Mai  
Whangarei  
 Email finance@kiwinorth.co.nz Phone 438 9630  
 Name John Williamson Position Chairperson  
 Address 646 State Highway 14, Maunu  
Whangarei  
 Email jdtm.williamson@xtra.co.nz Phone 434 7245

Provide a brief overview of your group/organization:

Whangarei Museum and Heritage Trust operates as a museum, kiwi house and heritage park in Maunu, Whangarei. We hold significant collections with focus on nature and social history. Our mission is to make these collections accessible to our community through research, displays, special exhibitions and events which are relevant, informative, educational, inspirational, enjoyable and fun. We host over 20,000 visitors every year (open 363 days pa), with large component being from our local community. We are a reputable tourism attraction, providing unique visitor experience as the only nocturnal kiwi house in Northland.

## 2. The Project

Project Name Infrastructure Upgrade - Museum Septic System

Tell us about your project in full (*attach additional sheets if you wish*)

The museum septic tank system is struggling with effluent volumes, and our current field tile system is under pressure as a consequence of its age and growth with visitor numbers, especially with busier summer season ahead.

Our project is to connect into the newly installed pressure sewerage line that now runs past the museum property on SH 14. This new system includes boundary kit access points for our property in its design and installation - first priority is the museum septic.

Our proposal is to hook into the new sewer extension for liquid effluent discharge, retaining the use of the existing septic tanks (for solids) - this will minimise issues of potential blockage situations from public toilet facilities with the new pressure system.

This will ensure we have safe assured capacity for toilet facilities for our visitors, removing the need for costly frequent septic tank clean outs for the museum toilet facilities and any potential risk of overflows in peak visitor periods.

As this is necessary infrastructure that is vital for our community, we wish to cover this cost from community loan, repaid over term. Our cash reserves are needed to cover our working capital for the museum, heritage park and kiwhouse ongoing operational costs. We do not have funds available for contributing more to this large cost of upgrading ageing facilities infrastructure. We already have mortgage security in place with WDC, with substantial equity

We have the project elements costed, with some smaller portions of required works already covered / in place. Remaining project costs are of significant level.

We are seeking funding assistance by way of community loan of \$20k to enable us to cover the costs of making this essential upgrade to our septic connection. This could be added to our existing loan, extending the term with same repayments level to remove additional pressure to our operational cashflow. Using current repayment levels, we will clear proposed increased loan in 7.5yrs.

Completing this septic upgrade will reduce the rising frequency of septic tank clean outs that are currently necessary, reducing the costs to our budget related with completing this.

Timeline of works will be determined by timeframe for securing funding to cover the costs of the works needed, and also the approval of necessary council consents. This latter will rely on when the updated as built sewer line plans are lodged with council. For this reason we expect consents being available in early 2019, allowing for council processing time.

If works are not able to be scheduled in the short term, dealing with failing septic system will impact on our ability to trade, be open for visitors, and this will impact immediately on our ability to create income to meet our ongoing opex costs.

What are the expected start / finish dates of your project?

Start: Feb 2019

Finish: March/April 2019

Where is the project to take place? *(Please attach a location plan and legal description)*

1. Is the land a public reserve? Yes ☐ No ☒
2. Is the land vested in or controlled by Council? Yes ☐ No ☒  
If 'Yes', please provide a copy of your lease/License to Occupy
3. Does your organisation have buildings or facilities on the land? Yes ☒ No ☐  
If 'Yes', please provide brief details below:

The trust owns the land/buildings located at 494-500 State Highway 14, Maunu,

This is the site of the Whangarei Museum and Heritage Park.

Property is already subject to registered mortgage to WDC, as security for existing WDC community loan that was granted in 2015 for our stage 2 project costs. This loan has been reducing as per terms of approval - at \$1875 per 1/4, with clearance due 2024.

Briefly explain how this project/event benefits the community

The museum facility will have reliable visitor toilet facilities, that will not be compromised during high visitation time frames e.g event days, summer busy season, future growth in tourism. Our peak visitor summer season is coming up, putting pressure on our septic system. Our museum and kiwhouse facilities are used by our local community during the year and especially in busy summer holiday periods, by all age groups - pre-schoolers, children, all age groups through to seniors. All groups are affected if we are not able to provide safe visitor amenities, or need to close our facilities whilst overflow situations are dealt with.

Our visitors are a cross section of local community users, domestic visitors and international visitors. Their experience as a visitor whilst on our premises will influence what they feel about Whangarei city and its facilities in general. As a reputable tourism attraction for the city, we aim to provide a high standard of visitor experience, and ensuring we have acceptable visitor amenities is part of that.

Please indicate which of the following Community Outcomes your project contributes to:

Outcome	Tick
Efficient and resilient core services	X
Caring for the environment	X
Positive about the future	X
Proud to be local	X



### 3. The Budget

Work out below the amount of money you should apply for:

#### Project Costs

List all project costs

\$ Amount

Drainlayer - contractor -supply & install pump x1 ,	7370.00
---	---------

Electrician - wiring pump, alarms connect to pump x1	4660.00
--	---------

Contractor - install underground thrust pipe to museum septic	2875.00
---	---------

WDC Building Consent application fee (estimation)	2816.00
---	---------

#### WDC - Development Contributions for 2 connections to sewer - estimates

For museum/ kiwihouse toilets - 1st priority	6667.50
--	---------

For toilets used by public on heritage park ( prepay fee)	4762.50
---	---------

(A) Total Project Cost	29151.00
------------------------	----------

#### Income - how will your group contribute financially to the project?

e.g. own contribution, existing funds

\$ Amount

Own contribution - contractor costs pipe work	600
---	-----

Reduced opex cost re septic clean outs not needed as often	2400
--	------

#### Other sources of income

e.g. other grants, donations, discounts on services, expected fundraising

Donated contractor services	2275
-----------------------------	------

expected fundraising - grant ( if needed for cost coverage)	3876
---	------

(B) Total Contribution	9151.00
------------------------	---------

Subtract your contribution (B) from the total cost of the project (A). The answer is the amount of money you need for your project to go ahead. **Projects need to be at least 50% self-funding.**

A: Total cost of project	\$ 29151
B: Less total funds available	\$ 9151
C: Difference	\$20 000

How much funding are you requesting from the Whangarei District Council?

\$ 20,000

What permanent income does your organisation have?  
(You must be able to demonstrate the ability to pay loan instalments)

Visitor admissions, grants, donations.

With loan repayments at same level as existing loan, impact on cash flow will be minimal.

Please provide a cash flow forecast for the term of the loan which demonstrates your ability to repay.

What security can you offer for the loan? (if applicable)

Existing registered mortgage security is held by WDC - already in place

Are there up to five members of your organisation who will be prepared to sign personal loan guarantees for the organisation? (if required)

Yes ☐ No ☒

#### 4. Declaration

I declare that the information supplied here is correct. If the application is successful, I/we agree to:

- meet all legal expenses in relation to the loan, including those related to releasing security once the loan is repaid
- provide financial statements to Council annually within three months of completion of audit
- work with Council to remedy the situation as quickly as possible where a default in repayments occurs
- accept that the name of the group/organisation may appear in Council material accessible to the public where a default in repayments occurs
- acknowledge that we will be liable to return any monies granted should any breach of the conditions occur
- agree to acknowledge Whangarei District Council in all publicity

I consent to the Whangarei District Council recording the personal contact details provided in this application, retaining and using this information to send me relevant Council information. I undertake that I have obtained the consent of my group/organisation to provide these details. I understand that my name and/or the name of my group/organisation and brief details about the project may be released to the media or appear in publicity material. I am aware that we have the right to have access to this information held by Council. This consent is given under the Privacy Act 1993.

Name: Linda Ace

Position: Director Strategy and Finance

Signature: 

Date: 18 Nov 2018

## 5. Final Check

Make sure you have

- ☒ Completed all sections
- ☒ Provided a copy of your group/organisation's Certificate of Incorporation or Trust Deed *already held by WDC*
- ☒ Provided the group/organisation's last two years' financial accounts audited by a member of the New Zealand Society of Accountants
- ☒ Provided bank account details (attach a bank generated deposit slip) *already held by WDC*
- ☒ Attached a location plan and legal description of where the project is to take place
- N/A* ☐ Attached a copy of your Lease/Licence to Occupy (if the land where the project is to take place is vested in or controlled by Council)
- ☒ Attached quotes or schedules of materials and relevant plans and details (A4 size please)
- ☒ Provided a cash flow forecast for the term of the loan which demonstrates your ability to repay
- ☒ Attached any other information you consider relevant or helpful to your case e.g. management plan, strategic plan, aims and objectives, organisation's history, maps etc  
*— already held with WDC reporting re AOG*

Kiwi North – Infrastructure Works 2018

## Costings and site plan



8<sup>th</sup> November 2018

Kiwi North  
PO Box 10135  
Te Mai 0143

**NORTHLAND**

By email: [finance@kiwinorth.co.nz](mailto:finance@kiwinorth.co.nz)

#### **SEWERAGE PUMP STATIONS TO NEW COUNCIL CONNECTIONS**

An Innoflow Prostep Effluent Pumping System with control panel will cost \$7,370.00 plus GST per site. This system would be positioned within the current septic tank and would only pump the effluent to the council system. This would mean that the septic tank would need to be pumped out every 4 – 5 years.

These prices do not allow for Council permit fees, electrical wiring for the pump stations, reinstating of any concrete areas that may need to be cut and/or dug up, or the removability of any rock that may cause issues with digging the sewer main in.

These prices are valid for 30 days. If there are any price increases of materials beyond our control we will need to revise the above price accordingly. A photo file and asbuilt plans will be supplied on completion.

**Payment terms:** Payment due within 14 days of completion of work.

All materials remain the property of Drainage and Sewerage Systems until payment is received in full. Our terms of trade are attached.

**ROB WALKER  
CERTIFIED DRAINLAYER  
NO. 01087**



Call **0800 24 7 52 12**

Matt Walker 021 22 55 336 • Rob Walker 021 943 004 • Ph 09 434 6728 • RD 9, Whangarei  
Email [matt.drains@gmail.com](mailto:matt.drains@gmail.com) • [robdrains@gmail.com](mailto:robdrains@gmail.com) • [www.drainageandsewerage.co.nz](http://www.drainageandsewerage.co.nz)



**Jeff Webb Electrical Ltd**

23 Golf Harbour Drive

Maunu

Whangarei, 0179

jwelectrical@xtra.co.nz

0274812933

**Kiwi North**

PO BOX 10135

Te Mai

Whangarei, 0143

Job Number: JWEL-1715

GST Number: 092013812

Site Address: PO BOX 10135

Te Mai

Whangarei, 0143

Quote Date: 15th Nov 2018

Valid Until: 14th Jan 2019

## Quote | Sewerage Pump System

New pump station

Name	Quantity	Price	Total
------	----------	-------	-------

### Electrical

Install Single phase power supply to new Sewerage Pump system to allow for correct voltage and current supply( 70 x Meters Approx)

Aquate Pump Station PE2700I , with Zenit DG150 Vortex Pump

Power supply from switchboard adjacent to reception

Cabling to be in surface conduit through rear storeroom up high to Pump control box

Run Alarm and power supply cables from control box to exterior pump station

Cable trench to dug by Drain layer back to Building

Pump, control box and alarm floats supplied by others

Install power supply for new sewerage system	1.00	\$4,660.00	\$4,660.00
			<b>\$4,660.00</b>

<b>Subtotal</b>	<b>\$4,660.00</b>
<b>GST Amount</b>	<b>\$699.00</b>
<b>Total</b>	<b>\$5,359.00</b>

*All Domestic and Commercial Electrical work - CCTV and Security Systems*



**2018 / 2019 Building Consents Calculator**

Close this window

You may use the fees calculator below to gain an estimate of the fees and charges associated with your project. Enter the details in the following form fields and click 'Calculate'.

You can print a copy of this calculator by clicking [File > Print](#).

Browser issues

\* Denotes a required field

Select your application type: \* Commercial Building Consent ▼

Do you have a PIM for this application? \* No ▼

What is the estimated project Value? \* \$12,000.00

Estimated number of inspections required 3

*You may change the number of inspections and the estimate will update when you click off the field. However you will be charged for the actual number of inspections required for your application.*

Description	Charge	GST	Amount
PIM or PA Deposit	\$299.13	\$44.87	\$344.00
Application Administration Fee	\$776.52	\$116.48	\$893.00
Technical Certification Fee	\$790.43	\$118.57	\$909.00
Inspection Fee	\$706.96	\$106.04	\$813.00
Code Compliance Certificate	\$240.87	\$36.13	\$277.00
Accreditation Levy	\$2.19	\$0.33	\$2.52
BRANZ Levy	\$0.00	\$0.00	\$0.00
Dept of Building and Housing Levy	\$0.00	\$0.00	\$0.00
<b>Totals</b>	<b>\$2,816.10</b>	<b>\$422.42</b>	<b>\$3,238.52</b>

This estimate is based on the details entered. It has not been verified. Any actual invoice may differ from this estimate.

If printing this form, you may enter additional information to record which property the estimate relates to.

Property Id

Property Address

**Browser issues**

Browser	Issue
Internet Explorer 11 (IE 11)	You need to view this form in compatibility mode, as the form will not display. This is a known Microsoft bug with IE 11.
Opera	Sometimes boxes in the online forms do not display correctly in the Opera browser.
Non-IE Browsers	You cannot type into a multi-lined text box (rich-text box).

If these occur, follow the instructions contained in the document ([link below](#)) to resolve the issue.

Browser Issue support [100kb]

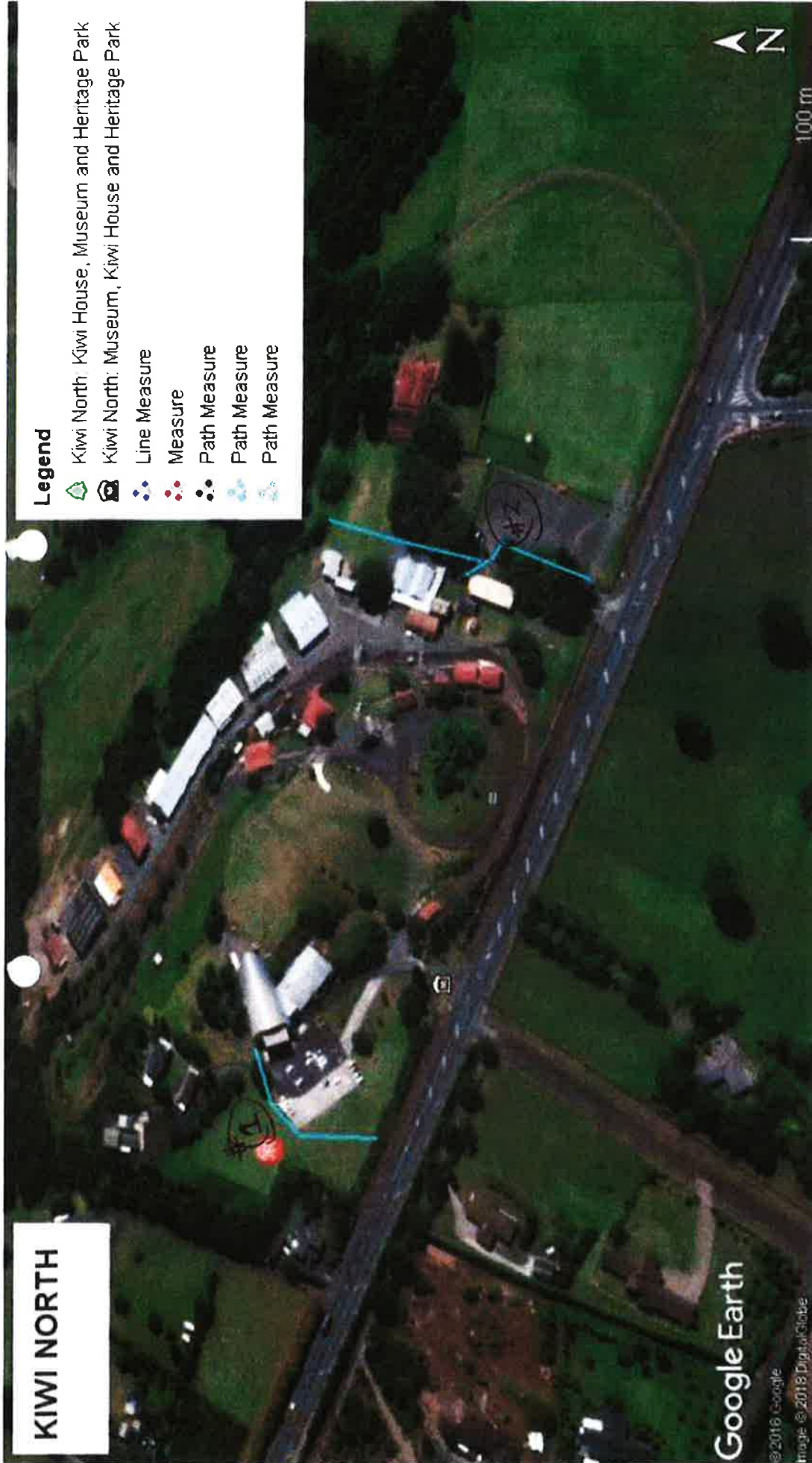
Kiwi North HUE Calcs from Water Consumption

WDC  
Estimation of Developer Contribution  
re Building Consent re drainage  
charge.

	Consumption (m <sup>3</sup> /day)	Flow Per HUE (m <sup>3</sup> /day)	No. of HUEs	Cost per HUE	Total (Excl GST)	GST @ 15%	Total (incl GST)	Remarks
Meter 1 (13A001312)	1.2	0.8	1.5	\$3,175.00	\$4,762.50	\$714.38	\$5,476.88	Public toilet used by public
Mter 2 (04A203514)	1.7	0.8	2.1	\$3,175.00	\$6,667.50	\$1,000.13	\$7,667.63	Services the KiwiNorth/Museum
<b>Total</b>	<b>2.9</b>	<b>0.8</b>	<b>3.6</b>		<b>\$11,430.00</b>	<b>\$1,714.50</b>	<b>\$13,144.50</b>	

Activity	HUEs	Costs	Total
Roading - No Charge	0.00	\$ -	\$ -
Library - Rural	0.00		\$ -
Parks and Reserves - No Charge	0.00	\$ -	\$ -
Wastewater - Whangarei	3.60	\$ 3,175	\$ 11,430.00
Water - No Charge	0.00	\$ -	\$ -
Total (GST excl.)			\$ 11,430.00
GST (15%)			\$ 1,714.50
Total (GST Incl.)			\$ 13,144.50

# SITE PLAN



#1 Museum Septic Connection

#2 Public Toilet Block Septic Connection

Kiwi North – Infrastructure Works 2018

## Budget and repayment plan

<b>Budget Overview</b>	<b>Rev Budget 2018-19</b>	<b>Future Budget 2019-20</b>	<b>Future Budget 2020-21</b>	<b>Future Budget 2021-2022</b>
<b>Ordinary Income / Expense</b>				
Admissions total incl events	211050.00	221250.00	235000.00	240000
Education	8000.00	8000.00	8000.00	8000
WDC AOG Grant	424450.00	424450.00	424450.00	424450
Grants / Donations other	160752.00	166252.00	176252.00	176252
Heritage Park Clubs	7200.00	7200.00	7200.00	7200
Other Income, incl credit interest	13900.00	14400.00	14400.00	14400
Property Hire	10065.00	9725.00	9725.00	9725
Retail - gross sales	71000.00	72200.00	72200.00	72200
<b>Total Income</b>	<b>906417.00</b>	<b>923477.00</b>	<b>947227.00</b>	<b>952227.00</b>
<b>Cost of Goods Sold</b>				
Cost of Goods for sale	39650.00	40600.00	40600.00	40600
<b>Total COGS</b>	<b>39650.00</b>	<b>40600.00</b>	<b>40600.00</b>	<b>40600.00</b>
<b>Gross Revenue</b>	<b>866767.00</b>	<b>882877.00</b>	<b>906627.00</b>	<b>911627.00</b>
<b>Expense</b>				
Educational	7800.00	5800.00	5800.00	5800
General Admin & Operations	169420.00	183820.00	183820.00	185400
Kiwi House	9800.00	9800.00	9800.00	9800
Maintenance	77000.00	77000.00	77000.00	78000
Marketing, Adverts, Promotion	41000.00	40800.00	41500.00	42000
Museum / Collections / Heritage Bldgs	38500.00	37500.00	37500.00	37500
Professional Fees	17100.00	17500.00	17500.00	17500
Staff	482050.00	491050.00	498000.00	498000
<b>Total Expenses</b>	<b>842670.00</b>	<b>863270.00</b>	<b>870920.00</b>	<b>874000.00</b>
<b>Net ordinary Income</b>	<b>24097.00</b>	<b>19607.00</b>	<b>35707.00</b>	<b>37627.00</b>
<b>Other Income/ Expenses</b>				
Capital Grants / Donations	135455	369000		
<b>Total other Income</b>	<b>135455</b>	<b>369000</b>	<b>0</b>	<b>0</b>
<b>Other Expenses</b>				
Capital Expenditure , incl Kiwi North Projec	148627	379000		
<b>Total Other Expenses</b>	<b>148627</b>	<b>379000</b>	<b>0</b>	<b>0</b>
<b>Net other Income</b>	<b>-13172</b>	<b>-10000</b>		
<b>Net Income before Debt servicing</b>	<b>10925.00</b>	<b>9607.00</b>	<b>35707.00</b>	<b>37627.00</b>
<b>Less Debt servicing WDC Loan</b>	<b>7500</b>	<b>7500</b>	<b>7500</b>	<b>7500</b>
<b>Nett cash after debt servicing</b>	<b>3425.00</b>	<b>2107.00</b>	<b>28207.00</b>	<b>30127.00</b>

Capital costs - Rock walls & KN CAD design - we have made commitment to contribute to these costs - approved in early 2018.  
As t/over increases, along with opex, creates need for higher levels of working capital.

Higher levels of visitor income growth will see a more break even budget being achieved. Growth has been projected at 10% - needs dedicated marketing input.

Future capital projects are all dependent on securing project funding to cover expected costs.  
Homestead project needs full external funding in 2019-20, but might start earlier with progress in funding.  
WDC loan repayments kept at same level, removing pressure to cashflow, with increase sought for septic works.

Kiwi North – Infrastructure Works 2018

## Audited accounts

# **Whangarei Museum & Heritage Trust**

## **Financial Statements**

**30 June 2018**

Prepared by:  
**MALLET ANGLO QUINN LIMITED**  
Chartered Accountants  
Whangarei



## **Whangarei Museum & Heritage Trust**

### **Financial Statements**

**30 June 2018**

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# Whangarei Museum & Heritage Trust

## Entity Information

### For the Year Ended 30 June 2018

---

<b>Legal Name of Entity:</b>	Whangarei Museum & Heritage Trust
<b>Other Name of Entity:</b>	None
<b>Type of Entity &amp; Legal Basis:</b>	Charitable Trust
<b>Registration Number:</b>	CC27239

#### **Entities Purpose or Mission:**

To acquire and care for collections with a natural and human history focus reflecting the interaction between natural and human history in Northland.

Make these collections accessible to our community through research, displays, special exhibitions and events which are relevant, informative, educational, inspirational, enjoyable and fun.

#### **Entities Structure:**

Governance is from the Board of Trustees, to whom the Museum Co-Directors report. The Board of Trustees are made up of 8 trustees, 2 of whom are appointed by the Mayor as the Whangarei District Council representatives, 2 are the Heritage Park Club representatives and 4 are community representatives.

The Museum Co-Directors manage 2 full time and 9 part time staff.

#### **Main Sources of Entity's Cash and Resources:**

Main sources of funding are grants given towards operating costs and admission income paid by those visiting the museum.

Donations are also a significant source of funds.

#### **Main Methods Used by Entity to Raise Funds:**

The entity applies for grant funding and relies significantly on the Whangarei District Council

#### **Entity's Reliance on Volunteers:**

The entity has a number of volunteers who assist with planned events, fundraising, archives, database records, cleaning, hosting and car parking duties

**Whangarei Museum & Heritage Trust**  
**Entity Information**  
**For the Year Ended**  
**30 June 2018**

---

**Contact Details:**

<b>Physical Address:</b>	500 State Highway 14
<b>Postal Address:</b>	P O Box 10135, Te Mai, Whangarei
<b>Phone/Fax:</b>	p 094389630
<b>Email:</b>	finance@kiwinorth.co.nz

# Whangarei Museum & Heritage Trust

## Statement of Service Performance

### For the Year Ended 30 June 2018

#### **Description of Entities Outcomes:**

Operating as a museum, nocturnal kiwihouse and heritage park.

Caring for the museum collections, culture, history and living treasures in a natural environment on behalf of the community.

To provide opportunities for appreciation, understanding and management of our natural and cultural heritage by sharing the stories through interpretation, education, advocacy, exhibitions community events that engages with visitors and the local community.

<b>Description and Quantification (to the extent practicable) of the Entity's Outputs</b>	<b>Actual This Year</b>	<b>Actual Last Year</b>
Number of paid visitor admissions through the museum	16565	16014
Special exhibitions curated	8	4
Community events produced	7	13
Public Interest Programmes held	15	6
Preschool group visits hosted	19	20
School students participation in LEOTC education programme	6892	4512

In 2017-2018 we delivered a higher ratio of programmes to the community that were of an advocacy and environmental educational nature with a focus on raising awareness around kiwi and environmental conservation with local schools and the wider Whangarei community. This advocacy supported the Western Hills Pukenui Forest Trust and their initial release of wild North Island Brown kiwi into the neighbouring Pukenui Forest in March 2018, as the first stage of establishing a kiwi population in this environment, creating an urban sanctuary.

**Whangarei Museum & Heritage Trust**  
**Statement of Financial Performance**  
**For the Year Ended**  
**30 June 2018**

	Note	Actual This Year \$	Actual Last Year \$
<b>Revenue</b>			
Donations Received		7,651	61,192
Fundraising & Other Similar Revenue		622,073	541,242
Revenue from Providing Goods and Services		296,959	259,670
Interest and Dividend Income		7,291	2,025
<b>Total Revenue</b>		<u>933,974</u>	<u>864,129</u>
<b>Less Expenses</b>			
<b>Expenses Related to Public Fundraising</b>			
Advertising, Marketing & Promotions		41,347	35,379
Fundraising		512	-
		<u>41,859</u>	<u>35,379</u>
<b>Volunteer and Employee Related Costs</b>			
Wages & Allowances		454,582	373,778
Staff Training		2,521	6,680
ACC Levies		1,225	1,464
Volunteer Costs		1,735	-
		<u>460,062</u>	<u>381,922</u>
<b>Costs related to Providing Goods or Services</b>			
Bank Charges		2,901	2,396
Computer Expenses		10,965	6,723
Cost of Goods Sold		46,267	34,167
Cleaning & Laundry		14,140	12,132
Consultancy		1,620	-
Consumables		1,066	1,135
Electricity		40,409	39,359
Educational		4,916	8,179
Equipment Rental		1,889	1,798
General expenses		-	7,191
Gifts & Donations		235	226
Health & Safety		6,945	-
Insurance		26,099	24,051
Kiwi House Expenses		6,964	6,667

**Whangarei Museum & Heritage Trust**  
**Statement of Financial Performance**  
**For the Year Ended**  
**30 June 2018**

	Note	Actual This Year \$	Actual Last Year \$
Legal		1,067	-
Meetings & Catering		1,010	1,040
Museum & Exhibitions		24,389	18,896
Printing, Postage & Stationery		6,594	6,629
Professional Services		4,890	4,890
Rates		5,811	4,585
Repairs & Maintenance		101,434	47,902
Security & Fire Protection		12,075	9,360
Subscriptions & Licences		7,199	7,896
Travel & Accommodation		1,794	-
Telephone & Internet		5,154	4,935
Vehicle Running		3,038	3,839
		<u>338,870</u>	<u>253,996</u>
<b>Total Cash Expenses</b>		<u>840,791</u>	<u>671,297</u>
<b>Cash Surplus</b>		<u>93,183</u>	<u>192,832</u>
<b>Other Expense</b>			
Audit Fees		3,500	3,500
Depreciation		109,155	115,871
Depreciation Recovered		(2,072)	-
Feasibility Study		23,900	26,100
Loss on Sale		-	211
		<u>134,483</u>	<u>145,682</u>
<b>Total Expenses</b>		<u>975,274</u>	<u>816,979</u>
<b>Net (Deficit) / Surplus</b>		<u><u>(41,300)</u></u>	<u><u>47,150</u></u>

**Whangarei Museum & Heritage Trust**  
**Statement of Financial Position**  
**For the Year Ended**  
**30 June 2018**

	Note	Actual This Year \$	Actual Last Year \$
<b>Assets</b>			
<b>Current Assets</b>			
Bank Accounts		54,821	104,643
Cash on Hand		720	420
Debtors		27,825	8,164
Inventory		21,746	20,469
Prepayments		2,410	2,289
GST		7,859	-
Other Current Assets		1,200	-
		<u>116,582</u>	<u>135,985</u>
<b>Current Liabilities</b>			
Creditors & Accrued Expenses		54,535	19,049
Employee Costs Payable		36,539	25,471
GST		-	2,491
Unused Donations & Grants with Conditions		5,295	27,415
		<u>96,369</u>	<u>74,426</u>
<b>Working Capital</b>		20,213	61,559
<b>Non-Current Assets</b>			
Term Deposits - ASB		186,181	180,000
Property, Plant & Equipment	1	<u>4,083,555</u>	<u>4,097,190</u>
		4,289,949	4,338,749
<b>Non-Current Liabilities</b>			
Loans - Whangarei District Council	2	<u>39,375</u>	<u>46,875</u>
		39,375	46,875
<b>Net Assets</b>		<u><u>4,250,574</u></u>	<u><u>4,291,874</u></u>
<b>Represented By:</b>			
<b>Accumulated Funds</b>			
Accumulated Surpluses/(Deficits)		1,410,320	1,451,620
Reserves	4	<u>2,840,254</u>	<u>2,840,254</u>
<b>Total Accumulated Funds</b>	3	<u><u>4,250,574</u></u>	<u><u>4,291,874</u></u>



# Whangarei Museum & Heritage Trust

## Statement of Cash Flows

### For the Year Ended 30 June 2018

	Actual This Year \$	Actual Last Year \$
<b>Cash Flows from Operating Activities</b>		
<b>Cash was Received From:</b>		
Donations Received	7,651	61,192
Fundraising & Other Similar Revenue	579,280	558,386
Revenue from Providing Goods and Services	296,959	259,670
Interest and Dividend Income	6,413	1,112
Net GST	(10,350)	3,376
<b>Cash was Applied to:</b>		
Payments to Suppliers & Employees	(820,967)	(706,662)
<b>Net Cash Flows Operating Activities</b>	<u>58,986</u>	<u>177,074</u>
<b>Cash Flows from Investing &amp; Financing Activities</b>		
<b>Cash was Received from:</b>		
Receipts from Sale of Property, Plant & Equipment	1,565	-
Proceeds from Loans Borrowed from Other Parties	-	-
<b>Cash was Applied to:</b>		
Payments to Acquire Property, Plant & Equipment	(96,393)	(26,778)
Repayment of Loans Borrowed from Other Parties	(7,500)	(7,500)
Additional Investment	(6,181)	(180,000)
<b>Net Cash Flows Investing &amp; Finance Activities</b>	<u>(108,509)</u>	<u>(214,278)</u>
<b>Net Increase/(Decrease) in Cash</b>	(49,522)	(37,204)
<b>Opening Cash</b>	<u>105,063</u>	<u>142,267</u>
<b>Closing Cash</b>	<u><u>55,541</u></u>	<u><u>105,063</u></u>
<b>This is Represented By:</b>		
Banks Accounts and Cash	<u><u>55,541</u></u>	<u><u>105,063</u></u>



# Whangarei Museum & Heritage Trust

## Statement of Accounting Policies

### For the Year Ended 30 June 2018

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#### **Basis of Preparation:**

The entity has elected to apply PBE SFR-A (NFP) Public Benefit Entity Simple Reporting - Accrual (Not -For-Profit) on the basis that it does not have public accountability and has total annual expenses of equal to or less than \$2,000,000. All transactions in the Performance Report are recorded using the accrual basis of accounting. The Performance Report is prepared under the assumption that the entity will continue to operate in the foreseeable future.

#### **Goods and Services Tax (GST)**

All amounts are recorded exclusive of GST, except for Debtors and Creditors which are stated inclusive of GST.

#### **Income Tax**

The entity is wholly exempt from New Zealand Income Tax having fully complied with all statutory conditions for these exemptions.

#### **Bank Accounts and Cash**

Bank Accounts and Cash in the Statement of Cash Flows comprise cash balances and bank balances (including short term deposits) with original maturities of 90 days or less.

#### **Income**

Income, including subscriptions, shown in the Performance Report comprise the amounts received and receivable by the entity for goods and services supplied to customers in the ordinary course of business.

#### **Property, Plant and Equipment**

The cost of purchased property, plant and equipment is the value of the consideration given to acquire the property, plant and equipment and the value of other directly attributable costs which have been incurred in bringing the property, plant and equipment to the location and condition necessary for their intended service. Property, plant and equipment are stated at cost less aggregate depreciation.

#### **Depreciation**

Depreciation amounts are set out in the Note to Property, Plant and Equipment. Gains and losses are taken into account in determining the operation result for the year.

**Whangarei Museum & Heritage Trust**  
**Statement of Accounting Policies**  
**For the Year Ended**  
**30 June 2018**

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**Investments**

Financial Investments are stated in the accounts at cost.

**Audit**

These financial statements have been subject to audit. Please refer to the independent auditor's report.

**Changes in Accounting Policies**

There have been no changes in accounting policies during the financial year (last year - Nil)

# Whangarei Museum & Heritage Trust

## Notes to the Position Report

### For the Year Ended 30 June 2018

#### Note 1 : Property, Plant and Equipment

Non Current Asset item	Cost	Additions /Disposal	Accumulated depreciation	Carry Value 2018	Carry Value 2017
<b>Analysis</b>					
Freehold Land	1,600,000	-	-	1,600,000	1,600,000
Buildings	2,943,626	-	645,832	2,297,792	2,378,144
Exhibits	56,458	-	34,480	21,978	25,091
Plant & Equipment	92,672	57,902	74,994	75,580	27,470
Office Equipment/ Fixture & Fittings	135,827	36,926	84,548	88,205	66,485
<b>Totals</b>	<b>4,828,583</b>	<b>94,828</b>	<b>- 839,854</b>	<b>4,083,555</b>	<b>4,097,190</b>

Depreciation Cost	Current year	Prior year
Buildings	80,352	91,327
Exhibits	3,113	4,222
Plant & Equipment	9,786	5,956
Office Equipment/ Fixture & Fittings	15,904	14,366
<b>Total Annual Cost</b>	<b>109,155</b>	<b>115,871</b>

#### Note 2 : Loans

The entity has a loan with the Whangarei District Council. The amount of \$60,000 was advanced September 2015 for the purpose of completing Stage 2 of the Kiwi North project. Repayments are \$1,875 each quarter and the expiry date is September 2023. The loan is secured over the Trust land and buildings, and is at 0% interest.

# Whangarei Museum & Heritage Trust

## Notes to the Position Report

### For the Year Ended 30 June 2018

#### Note 3 : Accumulated Funds

<b>This Year</b>				
<b>Description</b>	<b>Capital Contributed by Owners or Members</b>	<b>Accumulated Surpluses or (Deficits)</b>	<b>Reserves</b>	<b>Total</b>
<b>Opening Balance</b>	-	1,451,620	2,840,254	4,291,874
Capital Contributed by Owners or Members	-			-
Capital Returned to Owners or Members	-			-
Surplus/(Deficit)	-	(41,300)		(41,300)
Distributions to Owners or Members				-
Transfer to Reserves				-
Transfer from Reserves				-
<b>Closing Balance</b>	-	1,410,320	2,840,254	4,250,574

<b>Last Year</b>				
<b>Description</b>	<b>Capital Contributed by Owners or Members</b>	<b>Accumulated Surpluses or (Deficits)</b>	<b>Reserves</b>	<b>Total</b>
<b>Opening Balance</b>	-	1,404,470	2,840,254	4,244,724
Capital Contributed by Owners or Members	-			-
Capital Returned to Owners or Members	-			-
Surplus/(Deficit)		47,150		47,150
Distributions to Owners or Members				-
Transfer to Reserves			-	-
Transfer from Reserves				-
<b>Closing Balance</b>	-	1,451,620	2,840,254	4,291,874

#### Note 4 : Reserves

<b>Breakdown of Reserves</b>		<b>Actual This Year \$</b>	<b>Actual Last Year \$</b>
<b>Name</b>	<b>Nature and Purpose</b>		
Trustee Funds	Realised and unrealised capital gains	2,840,254	2,840,254

# Whangarei Museum & Heritage Trust

## Notes to the Position Report

### For the Year Ended 30 June 2018

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#### **Note 5 : Commitments and Contingencies**

##### **Commitments**

There are no commitments as at balance date. (Last Year - Nil)

##### **Contingent Liabilities and Guarantees**

There are no contingent liabilities or guarantees as at balance date. (Last Year - Nil)

#### **Note 6:**

##### **Significant Grants and Donations with Conditions which have not been Recorded as a Liability.**

There are no significant grants or donations with conditions which have not been recorded as a liability

#### **Note 7:**

##### **Goods or Services Provided to the Entity in Kind**

There have been no goods or services provided to the entity in kind

#### **Note 8:**

##### **Assets Used as Security for Liabilities**

The Trust land and buildings are being used as security for the loan from the Whangarei District Council

#### **Note 9:**

##### **Related Party Disclosures:**

There were no transactions involving related parties during the financial year. (Last Year - Nil)

#### **Note 10:**

##### **Events After Balance date:**

There were no events that have occurred after balance date that would have a material impact on the Performance Report. (Last Year - Nil)

**Whangarei Museum & Heritage Trust**  
**Notes to the Position Report**  
**For the Year Ended**  
**30 June 2018**

**Note 11:****Grants****Capital Grants Received**

Oxford Sports Trust – Microscope and HVAC System	6,000
Foundation North – Museum Cabinets and HVAC System	47,249
	<u>53,249</u>

**Operational and Project Grants Received**

Whangarei District Council	402,442
NZAEE	435
Northland Voluntary Welfare Trust	4,750
Southern Trust	11,250
Foundation North	50,000
Lottery Northland Community	20,000
Sargood Bequest	1,000
Oxford Sports Trust	2,000
	<u>491,877</u>



## INDEPENDENT AUDITOR'S REPORT

### To the Trustees of Whangarei Museum and Heritage Trust

#### Opinion

We have audited the accompanying performance report of Whangarei Museum and Heritage Trust on pages 4 to 19, which comprise the statement of financial position as at 30 June 2018, the statement of financial performance and statement of cash flows for the year then ended, the statement of accounting policies and other explanatory information.

In our opinion, the accompanying performance report presents fairly, in all material respects, the financial position of Whangarei Museum and Heritage Trust as at 30 June 2018, and its financial performance and its cash flows for the year then ended in accordance with the requirements of Public Benefit Entity Simple Format Reporting – Accrual (Not-For-Profit), issued in New Zealand by the New Zealand Accounting Standards Board, relevant to reporting financial position, financial performance and cash flows.

#### Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (New Zealand) (ISAs (NZ)). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Performance Report section of our report. We are independent of Whangarei Museum and Heritage Trust in accordance with Professional and Ethical Standard 1 (Revised) Code of Ethics for Assurance Practitioners issued by the New Zealand Auditing and Assurance Standards Board, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Other than in our capacity as auditor we have no relationship with, or interests in, Whangarei Museum and Heritage Trust.

#### Other Information

The Trustees are responsible for the other information. The other information comprises the entity information and statement of service performance but does not include the performance report and our auditor's report thereon.

Our opinion on the performance report does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the performance report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the performance report or our knowledge obtained in the audit or otherwise appears to be materially misstated. If based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

#### Trustees' Responsibility for the Performance Report

The Trustees are responsible on behalf of the entity for:

- (a) identifying outcomes and outputs, and quantifying the outputs to the extent practicable, that are relevant, reliable, comparable and understandable, to report in the statement of service performance;
- (b) the preparation and fair presentation of the performance report which comprises:
  - the entity information;
  - the statement of service performance; and
  - the statement of financial performance, statement of financial position, statement of cash flows, statement of accounting policies and notes to the performance report

in accordance with Public Benefit Entity Simple Format Reporting – Accrual (Not-ForProfit) issued in New Zealand by the New Zealand Accounting Standards Board, and

(c) for such internal control as the Trustees determine is necessary to enable the preparation of a performance report that is free from material misstatement, whether due to fraud or error.

In preparing the performance report, the Trustees are responsible on behalf of the entity for assessing the entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Trustees either intend to liquidate the entity or to cease operations, or have no realistic alternative but to do so.

#### **Auditor's Responsibilities for the Audit of the Performance Report**

Our objectives are to obtain reasonable assurance about whether the performance report is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (NZ) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance report.

As part of an audit in accordance with ISAs (NZ), we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the performance report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the use of the going concern basis of accounting by the Trustees and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the performance report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern.

We communicate with the Trustees regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Audits

JSD Audits  
Whangarei  
18 October 2018



## 6.5 Council – Iwi Governance Relationship

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Rob Forlong – Chief Executive  
 Dominic Kula – General Manager Strategy and Democracy

### 1 Purpose

To seek Council endorsement of a draft Agreement document between the Mayoral Forum and Te Kahu o Taonui.

### 2 Recommendations

That Whangarei District Council;

1. Note the report.
2. Endorse the draft Agreement document between the Mayoral Forum and Te Kahu o Taonui.
3. Authorise Her Worship the Mayor Sheryl Mai to sign the Agreement on behalf of Council.
4. Note that Her Worship the Mayor and a delegation will attend the signing ceremony in February 2019.

### 3 Summary

Following an historic meeting between the Mayors of Northland's three district councils and Chairman of the Northland Regional Council with the Iwi Chairs Forum, Te Kahu o Taonui, it was agreed that there was merit in building a mutually beneficial governance to governance relationship that spans the region.

In order to progress this, council and iwi chief executives were asked to develop an Agreement document to underpin this relationship. This paper seeks Council endorsement of the resulting draft Agreement document. The intention is that the draft Agreement will form the foundation from which to advance a collective regional relationship.

Should Council agree to endorse the Agreement and progress a relationship, it is proposed that respective council and iwi leaders sign the Agreement document as part of the National Iwi Chairs Forum meeting, being hosted by Te Rūnanga o NgaiTakoto, preceding the Waitangi Day celebrations, in February 2019.

## 4 Background

There are nine iwi authorities in Taitokerau / Northland<sup>1</sup>. These nine iwi make up Te Kahu o Taonui, or the Taitokerau Iwi Chairs Forum. The nine groups are listed in Table 1 below with the corresponding district that their rohe/area of interest covers. All of these groups fall, either wholly or partly, in the Northland region.

Iwi Authority	Overlapping iwi rohe and district council boundaries
1. Ngāti Kuri	Far North
2. Te Aupouri	Far North
3. Ngāi Takoto	Far North
4. Te Rarawa	Far North
5. Ngāti Kahu	Far North
6. Whangaroa	Far North
7. Ngāpuhi	Far North, Whangarei, Kaipara (Auckland)
8. Ngātiwai	Far North, Whangarei, Kaipara (Auckland)
9. Ngāti Whātua	Far North, Whangarei, Kaipara (Auckland)

*Table 1 Overlapping iwi rohe and district council boundaries*

Councils currently have a mixture of individual relationships with iwi, Treaty settlement groups and hapū in their respective districts/region. In Whangārei District this is through Te Kārearea, Council's strategic partnership forum with Māori, which formed in 2012 and is made up of hapū representatives of the major hapū groupings from within our District. While the purpose of this partnership is to build the relationship between Council and Whangārei hapū, and to develop stronger partnerships over time, Council has no comparable relationship agreement with iwi.

There has however been, for many years, a relationship between the region's iwi and council chief executives, who have been meeting under the banner of the Iwi and Local Government Agency Chief Executives Forum (ILGACE). While ILGACE provides an operational level regional forum, it is not supported by an equivalent overarching governance to governance level forum.

On Tuesday 13 June 2017, an historic first introductory meeting between the Mayors of Northland's three district councils and Chairman of the Northland Regional Council and the Iwi Chairs Forum, Te Kahu o Taonui, took place in Kaikohe, hosted by Te Rūnanga A-Iwi-O Ngāpuhi.

The meeting, sought by council and iwi leadership, provided an opportunity for introductions and an initial discussion to see if there was a common desire to meet more regularly with the view to building a strategic governance relationship.

Both council and iwi leaders confirmed at this meeting their shared desire to build a stronger relationship. From here, ILGACE were asked to develop a document which would act as a framework around which a governance relationship could be built.

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<sup>1</sup> As mandated under the Maori Fisheries Act 2004



## 5 Discussion

Considerable progress has been made by ILGACE to discuss and agree a common understanding of the purpose and basis upon which a governance relationship between iwi and local authorities can be progressed. The final draft Agreement document, which has been agreed to unanimously by ILGACE, is attached (**Attachment 1**) for Council's consideration and endorsement.

The development process for this Agreement has highlighted that the foundation of the Agreement, both the common understanding and words used to describe the relationship, is particularly important to ensure the successful establishment and creation of a robust and enduring relationship.

There is significant opportunity for both Council and iwi through a strengthened governance relationship. Aside from Council's statutory obligation, there are significant economic, social, environmental and cultural benefits that could be advanced by working more closely together for the mutual benefit of Northland. Such a collective voice would provide a powerful strategic regional voice at a national level to advance regional growth and wellbeing aspirations.

The Agreement sets out, at a high level, the framework around which the relationship would initially be progressed. Broadly, it provides the context to establishing the relationship, sets out a shared purpose and vision, principles, membership, common goals / shared benefits sought and administrative details.

The Agreement does not cut across any existing relationships and agreements held between council and individual iwi and hapū which would remain in place ( notably Te Kārearea along with any memorandums of understanding or future Mana Whakahono ā Rohe agreements). Rather, this Agreement would look to grow and progress district and regional issues and initiatives, while at the same time strengthen any current activities.

### Next steps

Given the significance of this relationship to both council and iwi, should the Agreement be endorsed by Council, it is proposed that the Agreement be signed by council and iwi leaders as part of the National Iwi Chairs Forum meeting, being hosted by Te Rūnanga o NgaiTakoto, preceding the Waitangi Day celebrations, in February 2019.

This matter is now before council for consideration. If Council endorses this, staff will work to finalise the necessary arrangements.

## 6 Significance and engagement

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

## 7 Attachment

Draft Agreement between the Northland Mayoral Forum and Te Kahu O Taonui



# **The Agreement**

**between the**

**Northland Mayoral Forum**

**and**

**Te Kahu O Taonui**

## Table of contents

Context of this Agreement - Kupu whakataki

### The Agreement

1. Purpose - Whainga
2. Vision - Te Moemoea
3. Leadership - Rangatiratanga
4. Principles for the Relationship
5. Common Goals - Nga Whainga Orite
6. Monitoring and evaluation - Aroturuki me te Arotake
7. Dispute resolution - Hakatatu Tawha
8. Amendment and termination - Hakarereketanga me te Hakamutunga

## Context of this agreement - Kupu whakataki

The Treaty of Waitangi / Te Tiriti o Waitangi is the founding document of this country and the beginning of a building of a new nationhood. It was signed in 1840 at Waitangi and sets the parameters for progressing the future of the relationship.

For Te Kahu o Taonui (Taitokerau Iwi Chairs Forum), The Treaty of Waitangi / Te Tiriti o Waitangi, together with He Whakaputanga o Te Rangatiratanga o Nu Tirenī (Declaration of Independence), provides the agreement to allow the beginning of a new nation, and the basis of Māori relationship with all New Zealanders as represented by government, including local government.

In November 2014, the Waitangi Tribunal found that Northland Māori who were signatories to Te Tiriti o Waitangi did not cede sovereignty<sup>1</sup> and this position has been held by successive northern Māori leaders. The Tribunal has also recognised the intention to establish a mutually beneficial relationship between Māori and the Crown, based on principles of The Treaty of Waitangi / Te Tiriti o Waitangi.

An historic first meeting was held between Te Kahu o Taonui and the Mayors of the three Northland district councils and the Chairman of Northland Regional Council (Northland Mayoral Forum) on Tuesday 13 June 2017 (the parties).

The meeting was sought by council leadership and Iwi leadership to foster a more cohesive and inclusive governance to governance relationship between Local Government and Iwi Authorities of Taitokerau.

This agreement encourages and supports a long-term relationship between the Northland Mayoral Forum and Te Kahu O Taonui in a manner that respects the indigenous heritage of the region.

The parties, while each bring their own perspective to the table, share common goals and aspirations for the environmental, social, cultural and economic wellbeing of the region.

The parties acknowledge that a relationship informed by the role of the region as the birthplace of our nationhood, could also be the blueprint for building a region that enables all communities to prosper and do well.

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<sup>1</sup> Wai 1040: Te Paparahi o te Taki – Stage One.



# The Agreement

## 1. Purpose - Whāingā

The purpose of this relationship is to work together and invest in an intergenerational relationship that is based on mutual respect, is enduring and provides continuity through a shared vision, purpose and goals for mutually beneficial outcomes.

## 2. Vision - Te Moemoea

This relationship seeks to progress the following shared vision:

*Te Taitokerau – the birth place of the nation, a region that leads the way in caring for the wellbeing of its people and its environment.*

## 3. Principles

Three principles are inherent to The Treaty of Waitangi / Te Tiriti o Waitangi; and the intent of these is preserved and advanced in this Agreement.

### **Partnership**

Partnership is about mutual good faith and reasonableness. Local Government and Iwi Māori will act towards each other mutually and in good faith.

### **Participation and Decision Making**

Both Local Government and Iwi Māori need to be equally and fully informed of each other's interests and views. When exercising the right to govern, decision makers must be equally informed. For the parties involved, full information will be provided in order to participate in the decision-making process. This is connected closely to the principles of good faith and active protection.

### Active Protection

Active protection requires participating and informal decision making processes and judgement as to what is reasonable in the circumstances. This relates to Māori interests as part of the promises made in The Treaty of Waitangi / Te Tiriti o Waitangi, where there is a commitment that all Māori culture, traditions, and taonga will be protected.

In practice these principles mean:

- a) The parties, in pursuit of common goals and objectives both agree to work together to uphold the wellbeing of our communities so that none get left behind and all have an equal opportunity to contribute.
- b) The parties will work in a manner that recognises and respects the:
  - mana, authority and kaitiakitanga status of Iwi and the mana and authority of Councils who are parties to this agreement
  - the desire of the parties to enhance the cultural, social, economic, and environmental wellbeing of all people
  - shared desire to provide for effective participation by Iwi to provide for empowered and more effective Council governance and to provide for strong communities in Northland
  - shared obligation to sustainably manage the Northland environment for current and future generations.
- c) The parties will show the highest levels of integrity, transparency and flexibility towards each other.
- d) They will ensure there are no surprises but a proactive intent to engage early, constructively and positively on matters of shared priority and interest.

## 4. Leadership- Rangatiratanga

### a. Te Kahu O Taonui - Tai Tokerau Iwi Chairs Forum

The Taitokerau Iwi Chairs' Forum, Te Kahu O Taonui comprises all Chairs from nine iwi authorities which are:

- Ngāti Kuri
- Te Aupouri
- Ngāi Takoto
- Te Rarawa
- Ngāti Kahu
- Ngāpuhi
- Whaingāroa
- Ngāti Whatua
- Ngāti Wai

The Chairs are supported by their respective Chief Executives.

### b. Mayoral Forum - Kahui Koromatua

The Northland Mayoral Forum comprises the District Council Mayors and Regional Council Chairman for:

- Far North District
- Kaipara District
- Whangārei District
- Northland Region

The Councils are supported by their respective Chief Executives.

## 5. Common Goals - Ngā Whaingā Orite

Shared benefits sought through this relationship include:

- a) Achieving an enabling and consistent regional policy and regulatory environment across the region
- b) A relationship model that gives effect to the three principles.
- c) Better communications and collaboration between the parties to understand each other's perspective and develop more shared understandings
- d) Identifying and engaging in joint ventures of mutual benefit
- e) Joint advocacy to central government on shared regional priorities e.g. provision of digital infrastructure
- f) Equitable resourcing and meaningful engagement that facilitates increased involvement of both parties, together, increasing buy-in and minimising potential conflict and costly formal challenges later in the process.

## 6. Monitoring and evaluation- Aroturuki me te Arotake

### 6.1 Governance Meetings

The governance representatives of the parties will meet twice per year (generally to be held during the months of May and November) to maintain the relationship, progress projects of mutual benefit and review this agreement. Responsibility for hosting, chairing and administering these meetings will alternate between Te Kahu o Taonui and Northland Mayoral Forum.

### 6.2 Executive Management Meetings

The Iwi Local Government Agencies Chief Executives (ILGACE) will meet quarterly or half yearly to ensure ongoing working relationships are meaningful and consistent throughout respective organisations. ILGACE members and their working relationships will be guided by the ILGACE Terms of Reference.

## 7. Dispute resolution - Hakatatu Tawhā

The parties will endeavour to address any issues at the immediate time such issues arise. The meeting times set out above also provide strategic opportunities to address any ongoing relationship issues.

Where possible, issues will be dealt with kanohi ki te kanohi between staff representatives before involving governance bodies.

Where an issue cannot be resolved between the parties, that issue may be referred to an agreed third party to facilitate a resolution.

## 8. Amendment and termination - Hakarerekētanga me te Hakamutunga

This agreement shall become effective upon signature by all parties and shall remain in effect until such a time as agreed by the parties.

This agreement may be amended at any time by written agreement of the parties.

Either party may terminate this agreement but only after consultation with the other party.

Unless otherwise agreed in writing, any termination of this agreement shall not affect the validity or duration of activities undertaken pursuant to this agreement that have been initiated prior to, but not completed, at the time of such termination.

**This statement of agreement demonstrates the willingness of parties to, in the best of mutual faith, pursue reconciliation and work for a better future for the wellbeing of all people.**



**IN WITNESS WHEREOF**, the undersigned have signed this agreement.

**DONE** this ----- day of 2018.

**FOR THE MAYORAL FORUM**

\_\_\_\_\_ (Chairperson, NRC) \_\_\_\_\_

\_\_\_\_\_ (Mayor, Far North) \_\_\_\_\_

\_\_\_\_\_ (Mayor, Whangārei) \_\_\_\_\_

\_\_\_\_\_ (Mayor, Kaipara) \_\_\_\_\_

**FOR TE KAHU O TAONUI**

\_\_\_\_\_ (Chairperson) \_\_\_\_\_

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## 6.6 City Centre Parking Charges and Time Restrictions

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Greg Monteith (Senior Roadway Asset Engineer)

### 1 Purpose

To seek a Council resolution to implement the amended parking charges and time restrictions in the central city area, to create three simple paid parking zones.

### 2 Recommendations

That the Whangarei District Council resolves:

1. The current parking charges and time restrictions in the areas marked pink, yellow and green on Attachment 1 be rescinded, except for those charges and restrictions made under the following clauses of the Parking and Traffic Bylaw 2017:
  - a. Clause 10 – Special Vehicle Lanes
  - b. Clause 11 – Shared Zones
  - c. Clause 14 – Stopping, Standing and Parking
  - d. Clause 15 – P10 Zone Rathbone Street (east side)
  - e. Clause 15 – P30 Zone Forum North Carpark
  - f. Clause 16 – Mobility Parking Spaces
  - g. Clause 17 – Motorcycle Parking
  - h. Clause 18 – Clearways, passenger service vehicle and transport stations
  - i. Clause 19 – Loading Zones.
2. Pursuant to Clause 15.1 of the Parking and Traffic Bylaw 2017, the parking charges and time restrictions as detailed on Attachment 1 be approved.
3. The resolutions in 1 and 2 above to take effect on the date when the signs are erected on those areas detailed on Attachment 1.

### 3 Background

One of the actions requested by the Committee, at a workshop held on the 10 April 2018, was a change to the current charging regime in the CBD core, with an aim to standardise the parking charges and fees making it clearer to our customers what the parking charges and restrictions are and when they apply.

Approval in principle to create these 4 zones was given by the Committee at the Workshop, and this agenda is the required mechanism to implement those requested changes. The new Zones in the CBD will be:

**Zone 1** – CBD central core. Premium parking, \$2.00 per hour, P180.

- Monday to Friday 8am to 6pm
- Saturday 8am to 2pm

Comment: currently a combination of \$2-50, \$2-00 and \$1-00 per hour, and P180 time restrictions. Intended for tourism and shoppers.

**Zone 2** – CBD ring. \$1.00 per hour P180

- Monday to Friday 8am to 6pm

Comment: currently a combination of \$1-00, 60c, 50c 40c and Time Restricted only. These areas are intended to be overflow tourism parking from the Town Basin and to service the CBD shopping area. Additional parking spaces is intended on these roads by rearrangement of on-street parking bays.

**Zone 3** – CBD outer fringe car parks. Commuter car parking, \$2.00 per day

- Monday to Friday 8am to 6pm

Comment: No change for Hatea Dr and Canopy Bridge car parks until Park construction commences. Water St and Vinery Lane will have reduced charges to encourage more usage.

**Zone 4** – CBD outer on street parking. Free and or time restricted. Note no change to current restrictions.

A briefing paper was considered by the Committee at the I&S Update meeting on 10 April 2018 with these proposed changes.

This agenda now seeks to create and have approval for the above-mentioned paid Zones 1, 2 and 3, as set out in Attachment 1.

Note the Town Basin Zone is excluded from these changes and will remain with the current charging regime, which is \$2 per hour, P180 , except for the Carruth St carpark which is free on Saturdays and Sundays.

It is intended to start implementing these changes with adjustments to existing and new parking meters and new signage from February 2019.

All areas will continue to be monitored and changes recommended to Council as required.

## 4 Significance and engagement

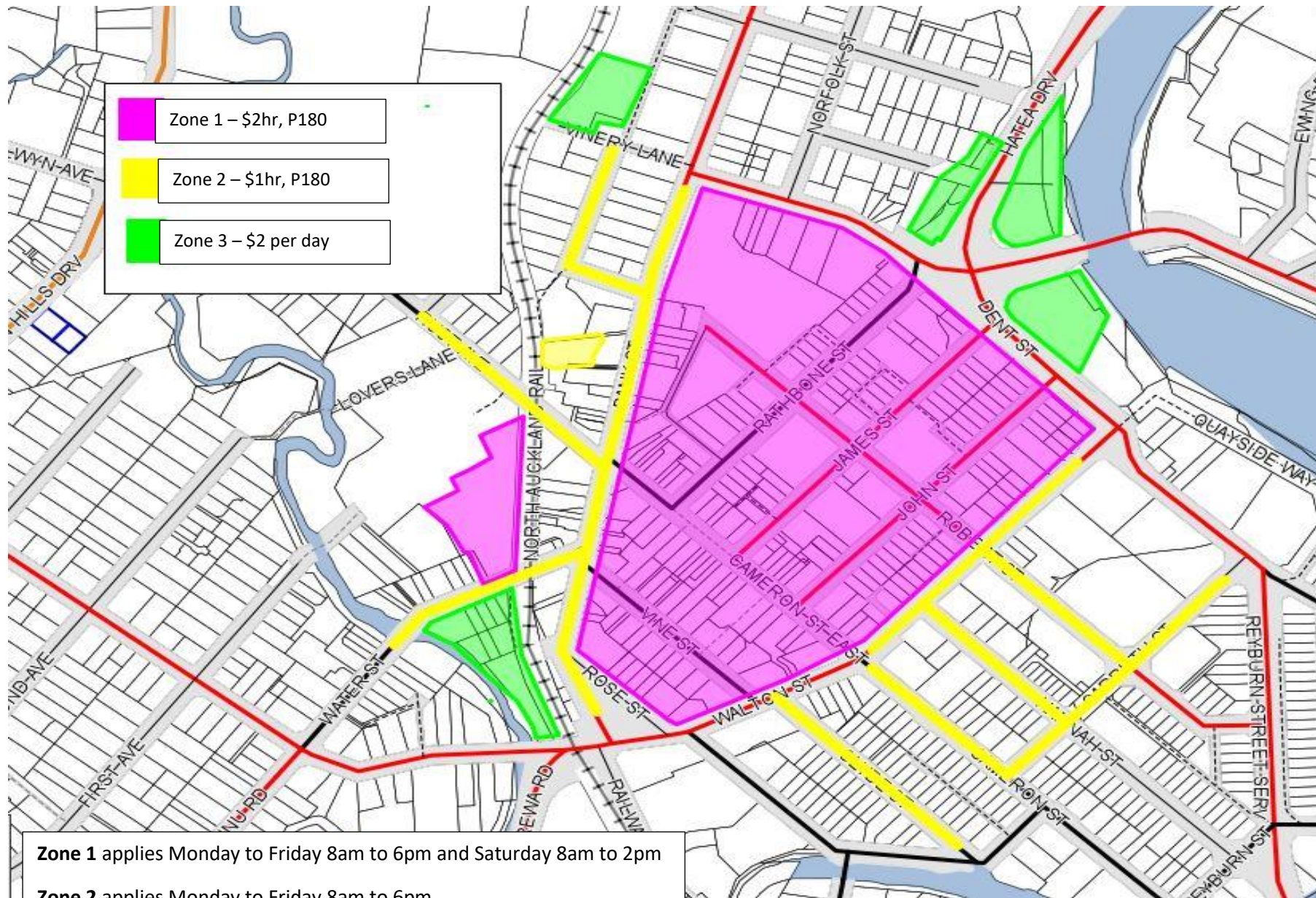
The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via publication of this Agenda on the website and in Council News and Facebook. Changes to existing parking charges and time restrictions will be publicly advertised prior to coming into force.

## 5 Attachment

1. New Central City Parking Charges and restrictions.

## New central city parking charges and restrictions

## Attachment 1



**Zone 1** applies Monday to Friday 8am to 6pm and Saturday 8am to 2pm

**Zone 2** applies Monday to Friday 8am to 6pm

**Zone 3** applies Monday to Friday 8am to 6pm





## 6.7 Funding for the Hosting of the Women's Rugby World Cup 2021

**Meeting:** Whangarei District Council  
**Date of meeting:** 13 December 2018  
**Reporting officers:** Sandra Boardman – General Manager Community  
 Alan Adcock – General Manager Corporate/CFO

### 1 Purpose

To brief Council on potential sources of funding for the Women's Rugby World Cup 2021

### 2 Recommendations

That the Council;

1. Notes the report on funding options for the Women's Rugby World Cup 2021.
2. Incorporates any decisions made about the source of funding into broader consideration of financial commitments during the 2019/20 Annual Plan process.

### 3 Background

The Women's Rugby World Cup 2021 is a 35-day tournament to be held between July and November 2021. The format will involve 26 matches, organised as three triple-header match days in pool play, held at two venues. Quarter finals will also be held across two venues, with the semi-finals and finals being held at one venue.

On 31 July, Council approved the proposal submitted to New Zealand Rugby and, subject to the proposal being accepted by New Zealand Rugby and World Rugby, expressed intent to:

1. Endorse the pre-commitment of \$300,000 from the major events fund;
2. Approve unbudgeted match expenses of \$1.417 million;
3. Approve the early replacement of the Northland Events Centre lighting masts, including bringing forward the LTP investment \$1.545 million from the 2020/21 budget and additional unbudgeted capital expenditure of \$1.655 million in the event that Northland Events Centre Trust is unable to raise the funding;
4. Approve additional unbudgeted capital expenditure of \$310,000 for other upgrades to the Northland Events Centre; and
5. Consider additional unbudgeted capital expenditure of \$580,000 to reduce match expenses for this and future major sporting events by purchasing a back-up generator, big screen, and stadium sound system.

In total additional unbudgeted funding of approximately \$4.8 million is required, with up to \$2.5 million of this being capital expenditure.

On 30 August, Council decided that, if New Zealand was successful in the bid to host the Women's Rugby World Cup 2021, Council staff were to prepare a report for the December Council meeting to present options for funding to meet hosting requirements.

On 15 November, World Rugby awarded the joint hosting rights to Whangarei and Auckland based on the bid submitted by Whangarei District Council.

## **4 Discussion**

### **4.1 Funding Sources**

As noted above funding is needed for both operating expenses and capital expenditure. As the funding is currently unbudgeted, it can come from:

#### **Unbudgeted operational surpluses used to create a cash reserve**

As at 31 October 2019 a positive variance for net operating expenditure (excluding Development Contributions) of \$1.2 million is forecast for the full financial year. Last year an equivalent surplus of \$2.2 million was achieved; which contributed to a lower opening debt than previously planned.

If this year's surplus does eventuate, the Revenue and Financing Policy 2018 (Attachment 1) allows for the cash element to be held as a Balance Sheet Reserve for the funding of future expenditure.

While these 'free funds' cannot be relied upon, this funding source has no impact on any other parts or Council activities and does not place any additional burden on current or future ratepayers. Budget managers have already been asked to actively look for operational savings that do not compromise service delivery over the next three years so surplus funds can be applied to the World Cup.

#### **Substitution of other expenditure**

Council budgets allow for the funding of a wide range of activities within its overall expenditure of around \$180 million each year.

It may be possible to transfer funding from other activities without compromising service delivery standards. However, there are likely to be adverse reactions from affected internal and external stakeholders if this source is used.

#### **Deferral of other projects**

Deferring projects could release funds for capital projects (such as floodlight replacement) with a small impact on service levels. As above there are likely to be adverse reactions from affected internal and external stakeholders, arguably at a slightly reduced level if assurance was given that deferred projects were given priority in the next Long Term Plan.

#### **Use of appropriate Reserves**

There is currently over \$10.3 million in the Community Development Reserves. It has been some time since the use of these funds has been reviewed, but it is worth noting that they have been used to fund the purchase and development of various sporting facilities in the past (e.g. land purchases for the athletics track at Kensington Park).

Council may wish to consider using these funds for the \$2.5 million of capital expenditure required. However, this would impact total net debt by the same amount, as the Long Term plan assumes the full \$10.3 million in the funds remains available as internal borrowing

#### **Increasing rates to provide additional funding**

Around \$2.3 million of additional operating expenditure is required. If unbudgeted operating surpluses are not the preferred funding source, or they are but do not cover the full amount, any shortfall could be recovered through rates e.g. increased general rates or a target rate. However, as this is not currently included in the Financial Strategy it would require consultation before implementation.

#### **Increased debt**

Several of the options outlined above lead to debt increases in the future. It may be simpler to increase debt directly to cover the full commitment.

While the Revenue and Financing Policy 2018 allows debt to be used for the \$2.5 million of capital expenditure, it states:

***Borrowing** is not generally used to fund operating expenses, but is used to smooth the inter-generational benefits of the capital expenditure programme. Council may use borrowing to give a capital grant to a community organisation to fund a community facility, or for addressing storm damage*

Due to the expected carry forward of a significant amount of capital project funding (currently conservatively estimated at \$9.5 million for 2018/19), the required amount could be easily covered without impacting Council's net debt limits, with an adjustment to the long-term budgeted debt levels in the next Long Term Plan.

#### **Applying for funding from third party providers**

Any funding that can be sourced from other parties would obviously reduce the impact on our District's ratepayers.

Any opportunities should be pursued.

## **4.2 Broader financial issues**

At the time of completing this agenda item the first draft of the financial statements for the 2019/20 Annual Plan are being finalised. Early indications are that an Annual Plan based on Year Two of the current Long Term plan will place pressure on several parts of the organisation.

It is therefore recommended that any decisions made about the sources of Women's Rugby World Cup funding are incorporated into broader consideration of financial commitments during the 2019/20 Annual Plan process.

## **5 Significance and engagement**

At this point the significance of funding decisions cannot be determined as no decisions have been made.

Some of the options outlined above would not meet Council's significance thresholds, while others would lead to consultation before implementation.

## **6 Attachment**

Revenue and Financing Policy 2018

# Revenue and Financing Policy

## Background

The Revenue and Financing Policy is a requirement of the Local Government Act 2002. The policy is supported by analysis of the funding of each activity group and recognises that the funding policy is more than just a device for raising revenue but is also one of the instruments that can be used to promote community wellbeing.

Under S102(2) of the Local Government Act 2002, a local authority must, to provide “predictability and certainty about sources and levels of funding” adopt certain policies. The Revenue and Financing Policy is one of these. The policy is supported by analysis of the funding of each activity group and recognises that the funding policy is more than just a device for raising revenue but is also one of the instruments that can be used to promote community wellbeing.

## Funding needs analysis

The Revenue and Financing Policy must demonstrate how Council has complied with the funding policy process under section 101(3) of the Local Government Act 2002. To achieve this, Council needs to review each individual activity and its funding in developing its Revenue and Financing Policy.

As part of that process, Council needs to consider the nature of the activity provided and the benefits and beneficiaries of the activity.

## Activity group

Council's work has been grouped into nine key activities in which we provide a service to the community. These are:

- District Strategy and Governance – a new activity group compared to the Long Term Plan 2015-25, that provides transparency regarding performance and expenditure of strategy and governance for Council
- Transportation
- Water
- Wastewater and Drainage
- Stormwater
- Flood Control
- Solid Waste Management
- District Planning and Regulatory Services
- Community Facilities and Services.

The activity groups are listed in the attachment.



## Activity

Each activity group is made up of operating projects – ‘activities’ – that the Council delivers as services. Any one activity may have one or more operating projects which, when combined, provides the total level of service provided by the Council. The activities, within the activity groups, are listed in the attachment.

### Step one

When assessing the funding for each activity the following need to be considered:

#### Community Outcomes

Which Community Outcome the activity primarily relates to and the rationale for doing it. The Council’s vision is:

A vibrant, attractive and thriving district.

Community Outcomes:

- Efficient and resilient core services:
  - it is easy and safe to travel around the district for everyone
  - there are opportunities to walk and cycle
  - the District is well prepared for growth and can adapt to change
  - services are supplied in ways that benefit the environment.
- Positive about the future:
  - our district has productive land, people and a thriving city centre
  - there is a fair urban/rural balance
  - Council has clear, simple documents and rules
  - our District embraces new technology and opportunity.
- Caring for the environment:
  - communities work to keep the environment clean and healthy
  - access to the coast is protected
  - open spaces in parks and streets, are places where nature thrives
  - our District is positively adapting to climate change.
- Proud to be local:
  - our district is neat, tidy and looks attractive.
  - public areas feel and are safe
  - there is always something to do and see
  - there are opportunities for people of all abilities, ages and life stages to be active.

**User/beneficiary pays principle** – distribution of benefits between individuals or groups and the community i.e. private or public good principle.

**Inter-generational principle** – the period over which the benefits are expected to accrue.

**Exacerbator pays principle** – the extent to which actions or inactions of individuals or groups contribute to the need to undertake the activity and the costs that occur as a result.

**Costs and benefits of funding the activity** – distinct from other activities. i.e. user pays or targeted rates.

## Step two

Consideration then needs to be given to the overall impact of any allocation of liability for revenue needs on the community. This may result in an alteration of the results of the first step, with the funding option or the level of funding from any source altered to ensure that there are no barriers or disincentives and that an inequitable burden is not placed on any particular community sector or group.

Some questions to ponder as part of this consideration are:

- how will the mix of funding impact on affordability, e.g. on the elderly or those on low incomes?
- will the policy impact on accessibility to some services?
- can we charge the amount required, or is it restricted by legislation?
- do we want to encourage or discourage a particular activity or behaviour?
- what is the effect on a particular sector of our community, community groups or rating categories?
- how will this impact based on current economic conditions?

# Funding sources

Section 103 of the Local Government Act (2002) requires a local authority to state the sources of funding for its operating expenses and its capital expenditure. The sources of funding for each category are set out below.

## Funding Sources for Operating Expenses

Operating expenses are for the day-to-day spending by Council delivering ongoing services and for the maintenance of Council's assets. This includes contributions to the wear and tear on assets used (depreciation), interest charged on borrowing for capital projects and corporate overheads.

Council must consider the funding for each activity in a way that relates exclusively to that activity. Some activities may be best funded using user charges, others with targeted rates and others from general rates. Distinct funding enables ratepayers or payers of user charges to assess more readily whether the cost of the service provided to them either directly or indirectly represents good value. They can also more easily determine how much money is being raised for the service and spent on the service, which promotes transparency and accountability.

The different mechanisms available for funding operating expenses are:

**General rates** are used to fund those services where there is a benefit to the whole community (public benefit) or where there is no practical method for charging individual users. General rates fund a range of activities which are used by individual ratepayers to varying extents.

Rates are regarded as a tax, as there is no direct link between the activity or service provided and the individual ratepayer.

To maintain as simple rating as possible this Council currently uses general rates to fund a broad range of activities, rather than a number of targeted rates. This makes it easier for ratepayers to understand how they are being rated and it is more cost effective to administer.

General rates are currently assessed based on a property's land value and as a uniform annual general charge.

Value-based general rates are assessed on land value and are differentiated by land use. The differentials to be applied are:

- residential differential, including remissions for high value properties
- rural differential
- multi-unit differential
- commercial and industrial differential
- miscellaneous properties

Full details of the differentials used may be found in the Funding Impact Statement.

A uniform annual general charge (UAGC) is applied to each separately used or inhabited part of each rating unit (SUIP). The UAGC is to be assessed by Council annually and set at a level considered to be reasonable. The UAGC is used to fund the same activities as the general rate and ensures every ratepayer contributes a base level of rates irrespective of property value or services used.

**Targeted rates** are used where an activity benefits an easily identifiable group of ratepayers (such as the commercial or residential sectors) and where it is appropriate that only this group be targeted to pay for some or all of a particular service. The funds collected are used for the purpose for which they are rated. Targeted rates are only used where Council considers it is an appropriate mechanism to fund that activity or

where Council wishes to make clear the purpose for which the rate is collected. The revenue collected in any one year may result in a surplus, which is used to repay debt or to fund capital expenditure in future.

**User fees and charges** are used where the beneficiaries can be identified and charged. They include consent fees, licence fees, sales of goods, hire fees or recoveries of costs incurred. When setting fees and charges, Council will consider any indirect benefit to the community, the distribution of those benefits and ability to pay. Some fees may be limited by legislation, meaning full recovery of costs is not possible.

**Grants and subsidies** apply to some activities when income from external agencies is received to support that activity. Each year the Council receives funding from NZTA as part of the overall roading programme for the city's roading infrastructure. Operational subsidies fund maintenance, of roading infrastructure. Council recognises the funding as income in accordance with GAAP.

**Borrowing** is not generally used to fund operating expenses, but is used to smooth the inter-generational benefits of the capital expenditure programme. Council may use borrowing to give a capital grant to a community organisation to fund a community facility, or for addressing storm damage (see below).

**Interest from investments** is used to reduce the requirement from general revenue and is used to fund activities in the same way that rates do.

### Distributions and dividends

- Council receives distributions from its joint venture investment in Northland Regional Landfill Limited Liability Partnership. These are directed to reduce the requirement from general revenue and is used to fund activities in the same way that rates do.
- Council currently receives dividends from LGFA which are used to reduce the requirement from general revenue and is used to fund activities in the same way that rates do. Any other dividends would be treated in the same way.

**Rental income is generated from Council's various** property types:

- from Council's pensioner housing is used to fund the expenses of operating and maintaining Council's pensioner housing stock. It can also be used to fund capital expenditure on pensioner housing. Pensioner housing is a ringfenced activity so if pensioner rental property income is not fully spent in a given year then it will be reserved and carried forward to the next year.
- from Council's investment properties is used to ensure the overall portfolio is maintained in terms of ongoing purchasing power and any excess income is used to initially fund the District Strategy and Governance Group and if there is any residual funds after this then these are used to reduce the requirement from general revenue and is used to fund activities in the same way that rates do.
- from Council's community properties used to fund the expenses of operating and maintaining Council's community properties and any excess income is used to fund Council's other community operating expenses.

**Enforcement fees** are charged where possible. They are used to promote compliance rather than to raise revenue and may not recover the full cost depending on the level of compliance and the extent to which charges are limited by statute or the court. Any excess income from enforcement fees is used to reduce the requirement from general revenue and is used to fund activities in the same way that rates do.

### Other sources of operating expense funding

Council also funds operating expenditure from other sources including:

#### Reserves:

- Other reserves and ring-fenced funds  
Restricted funds or special funds including the property reinvestment reserve, are those reserves within

Council's equity that are subject to special conditions of use, whether under statute or accepted as binding by Council, that may not be revised without reference to the courts or a third party.

Subject to meeting any specified conditions associated with these reserves Council may expend money, of an operating or capital nature, from these reserves.

- **Specific reserving of operational funding**  
Where expenditure has been funded in a year for a specified purpose e.g. a grant to fund an external groups project and because of timing issues the conditions of the grant are not met in that year then the grant can be reserved at the end of the year to provide funding for the project in a future year once the conditions are met.
- **Reserving and use of general surpluses from previous financial periods**  
Where Council has recorded an actual surplus in one financial period it may pass this benefit on to ratepayers in a subsequent financial period.

A surplus arises from the actual recognition of additional income or through savings in expenditure when compared to the annual plan for a given year. A surplus would only be finalised once the Annual Report for the year was adopted and it is the net surplus that needs to be considered.

Council considers that passing this benefit on to ratepayers in future financial periods improves the principle of intergenerational equity, in that any financial benefit is passed on to those ratepayers who shared the rates-funding burden in the financial period that the surplus was generated.

The amount of any surplus carried forward from previous financial periods will be reserved on the balance sheet and used to offset the operating deficit created by the expenditure to be funded by the surplus in the year the benefit is passed on to ratepayers.

Only those factors that are operating in nature and cash in nature will be available for use in determining the level of surplus to be carried forward. Council will not carry forward surpluses in relation to:

- The sale of assets. Such surpluses shall be used for either the repayment of borrowings or in the case of investment properties transfer to the property reinvestment reserve.
- Trust and bequest revenue. Such surpluses shall be applied in accordance with the terms on which they are provided.
- Revenue received for capital purposes. Such surpluses shall be retained to fund the associated capital expenditure.
- Revenue received from targeted rates such as water and wastewater.
- Depreciation.
- Development and lump sum contributions.
- Unspent budgeted operating expenditure associated with a capital project that is being carried forward.
- Unrealised gains arising from fair value adjustments to assets and liabilities. These gains are unrealised accounting adjustments in the period in which they are recognised.
- Vested or found assets.

### Trusts and bequests

Council is the recipient/holder of several trusts and bequests. These funds can only be used for the express purposes for which they were provided to Council. Each year, Council may expend money, of an operating or capital nature, from its trusts and bequests in accordance with the specified conditions of those funds. For the avoidance of doubt, Council does not fund the expenditure from its trusts and bequests from any of the sources of operating revenue.

If Council receives bequests in the future, then it will treat those in the same manner.

### Overheads

There are some activities within council that provide support to specific cost centres or to the entire council but do not provide a direct benefit to the community. The costs of these activities are treated as overheads and are reallocated against activities that do provide a direct benefit to the community.

This concept is particularly important when analysing the costs of delivering services and arriving at the appropriate fees and charges for those services.

### Storm damage

If because of storm damage, infrastructure assets need repair, an option for funding this (so as not to impact on the capital works programme for the year), is utilising debt, if there is projected headroom under the net core debt cap for the year. If it is determined that there is no headroom under the net core debt cap, then council will look to defer operational and capital expenditure planned in the year to accommodate funding the repairs and renewals required.



## Funding Sources of Capital Expenditure

For the purpose of this Policy capital expenditure represents expenditure on:

- property, plant and equipment,
- intangible assets, and
- property.

Property, plant and equipment are tangible assets that are held by Council for use in the provision of its goods and services (for example: infrastructure assets such as land, roads, bridges, parks, water treatment plants and non-infrastructure assets such as computer hardware and libraries), or for rental to others, or for administrative purposes.

Intangible assets are assets such as software that Council purchases or creates as part of a project with an economic benefit longer than a year.

Property includes Council's pensioner housing, Council's investment properties and Council's community properties. It can also include property purchased for strategic reasons, for instance where a future road is planned to be constructed.

As described in the Financial Strategy 2018-28, Council while managing its existing assets, also has a challenge to manage growth, affordable rates increases and debt and deliver as many of the communities desired projects as possible. To achieve the appropriate balance between these variables Council takes the following approach:

- Council sets the annual rates requirement
- the activity operating cash revenue and expenditure budgets are determined, within this constraint
- the net cash operating costs are determined
- this leaves a cash surplus that is available for capital costs. This largely represents rate funded depreciation but may include operating surpluses from some activities and accounting provisions not held in reserve funds – this is funding not held by activity and available to fund any capital costs
- Council also sets the limit on debt, which determines the debt funding available for capital expenditure.

Consequently, despite the potential availability of the funding sources, this process results in the following funding available for capital costs:

### General rates

General rates may be used to fund a portion of capital expenditure when it is considered appropriate to do so. This will be balanced against affordability for current ratepayers and the current and future needs of the community.

### Targeted rates

Targeted rates are used to fund operating expenditure but can be used to fund a particular capital project benefiting a discrete and identifiable group of beneficiary ratepayers.

**User contributions** are typically paid in the form of a targeted rate by an identified group of direct beneficiaries. In many cases this group would have lobbied for the inclusion of the project during a consultation process.

### Borrowing

This is an appropriate funding mechanism to enable the effect of peaks and troughs in capital expenditure to be smoothed and to ensure the costs of major developments are borne by those who ultimately benefit from

the expenditure. It is not appropriate or sustainable for all capital expenditure to be funded from borrowings. In periods of low capital expenditure, borrowing will be reduced.

#### Proceeds from property sales

These will be invested in the property reinvestment reserve and the funds may be used to purchase other commercial properties in future. Any funds in the reserve may be used to fund capital expenditure in other activities to smooth Council's overall cashflow requirements.

#### Proceeds from other asset sales

These may be used to fund capital works or to repay debt.

#### Depreciation

Depreciation is an indirect source of funding as depreciation reserves are not created. However, rates are set at a level that offsets the calculated non-cash depreciation cost. Operating surpluses (where available) are then used to fund renewal capital expenditure.

Development and financial contributions are used to fund the growth component of capital expenditure. The growth in our District drives a portion of our capital work requirement to maintain Levels of Service to a larger community. As the costs of growth are driven by development, Council considers it equitable that a development should contribute to the costs that are being imposed.

Council has a development contributions policy which sets out the level of contributions required to fund infrastructure requirements.

Financial contributions will be used to fund capital expenditure in accordance with the Resource Management Act 1991.

Grants and subsidies are used when they are available. NZTA provide capital subsidies (accounted for as operating revenue) to fund agreed roading capital projects. This funding source also includes other contributions for various capital projects.

Reserves including retained earnings from operating surpluses from previous years may be used to fund capital expenditure. Reserves for specific activities such as Water can be created.

The below table shows the primary funding sources for the different types of capital expenditure and each of the activity groups.

By expenditure type:	General rates*	Targeted rates*	Borrowings	Development Contributions	Subsidies and Grants	Reserves	Property sales
Renewals		✓	✓		✓	✓	
Level of service		✓	✓		✓	✓	
Growth			✓	✓	✓	✓	
By activity group:							
Transportation	✓		✓	✓	✓		
Water		✓	✓	✓		✓	
Wastewater		✓	✓	✓	✓	✓	
Solid Waste		✓	✓			✓	
Stormwater	✓						
Community Facilities and services	✓		✓	✓		✓	
Flood Protection		✓					
Corporate/property/other	✓		✓			✓	✓

\*General and targeted rates create cash surpluses by funding depreciation, which is non-cash. These surpluses are then used to fund for renewal projects.

## Review of funding sources and the funding bands

Having decided on:

- the activity groups
- activities within the activity groups.

Using the steps above, the funding sources and the funding bands from each source have been assessed for each activity to provide guidance for the Long Term Plan 2018-28. Suggested funding bands are set out in the attachment.

# Attachment

## Activity Funding Analysis

(to be read as part of the Policy) [LTPREP-647166279-348]

Activity Group 18-28	Activity / dept	Operational Expenditure Funding Sources					
		User Fees	Subsidies and Grants	Other	Rental Income	Targeted Rates	General Rates
<b>District Strategy &amp; Governance</b>	Iwi Liaison						100%
	Strategy & Governance						100%
	Economic growth - District Development						100%
	Economic growth - Property *			100%	100%		
	Economic growth - Marina Facilities				100%		
	Economic growth - Airport Facilities						100%
<b>Transportation</b>	Roading Network		25-50%	0-10%			50-75%
	Car Parking	80 -100%			0-20%		
	Footpaths						100%
<b>Water</b>	Water	0-5%				95-100%	
<b>Waste and Drainage</b>	Wastewater	5-20%		0-10%		80 -100%	
	Public Toilets						100%
<b>Stormwater</b>	Stormwater						100%
<b>Flood Control</b>	Flood Control (Hikurangi Swamp)				0-10%	90-100%	
<b>Solid waste management</b>	Rubbish/Recycling Collection and Disposal	0-50%		0-10%		50-100%	
	Litter Control	0-5%					95-100%
<b>District Planning and Regulatory Services</b>	Resource Consents	30-50%					50-70%
	RMA Compliance	30-55%					45-70%
	Building Consents	70-90%					10-30%
	Building and Environmental Monitoring						100%
	Food	40-60%					40-60%
	Health	0-15%					85-100%
	Alcohol licensing	90-100%					0-10%
	District Plan Development	0-20%					80-100%
	Noise Management						100%
	Animal Management	55-75%		15-30%			5-30%
	Parking Enforcement			100%			
	Warrant of Fitness Enforcement	100%					
	Swimming Pool inspections	100%					
	Bylaws						100%

<b>Community Facilities and Services</b>	Sport and Recreation Facilities	0-10%		90-100%
	Parks Reserves and Natural Areas			100%
	Play areas, walking Trails, Coastal			100%
	Cemeteries and Crematorium	35-55%		45-65%
	Libraries	5-12%		85-95%
	Pensioner Housing		75-90%	10-25%
	Community Safety			100%
	Community Development, Community buildings & spaces and Residential Strategic property		70-90%	10-30%
	Community Funding	0-5%	5-20%	75-95%
	Venues and Events	5-20%	5-20%	60-90%
	Village Planning			100%
	Civil Defence			100%
	Visitor Information Services	5-20%	25-40%	40-70%
	Customer Services	0-5%		95-100%

\* Investment property generates surplus revenue after allowing for investment property operating expenses. This investment property surplus is used to fund the Strategy & Governance Activity, and any residual surplus if any is used to fund overall operating expenses like general rates.

Note Support Services is not shown as a separate activity because the costs of running Support Services which provides support to the organisation are allocated over the activities and departments delivering WDC's external services.





## 6.8 Decision-making over the 2018/2019 Christmas recess period

**Meeting:** Council  
**Date of meeting:** 13 December 2018  
**Reporting officer:** Carolyne Brindle (Senior Democracy Adviser)

### 1 Purpose

To establish a process for urgent decision-making over the 2018/19 Christmas recess period, to ensure business continuity.

### 2 Recommendations

That Council;

1. delegates the power to make urgent decisions on behalf of the Council or its committees between the last scheduled meetings in December 2018 and the first meeting of Council or relevant committee in 2019 (the Christmas recess period) to:
  - any two of either the Mayor or Deputy Mayor, and the Chairperson of either the Community Development, Infrastructure, Planning and Development or Finance Committees.
2. in the event the Mayor and Deputy Mayor are both absent from Council at the same time, delegates the power to make urgent decisions on behalf of Council or its committees over the 2018/2019 Christmas recess period to:
  - any two Chairpersons of either the Community Development, Infrastructure, Planning and Development or Finance Committees.
3. notes that if it is considered necessary, an extraordinary meeting of the Council will be called during the 2018/2019 Christmas recess period.
4. notes that if the urgent decision-making process is exercised, the instances will be reported to the first Council or relevant committee meeting, in 2019.
5. designates Councillor Greg Martin the authority under section 25(5) of the Civil Defence Emergency Management Act 2002 to declare a state of local emergency in the event the Mayor is unavailable over the 2018/2019 Christmas recess period.

### **3 Discussion**

#### **3.1 Decision-making over the Christmas recess period**

To ensure business continuity and to allow for any unforeseen circumstances, Council needs to be able to make urgent decisions during the Christmas recess period. This is simply a procedural decision to enable efficient decision-making to occur if there is an urgent need. Existing delegations will remain in place for non-urgent decisions.

The Christmas recess period starts from after the 13 December 2018 Council meeting to the first scheduled meeting of the Council or its committees in February 2019.

Any decisions to be made under this delegation will be advised to decision-makers via the Chief Executive or his delegate, who will supply the necessary background and reasons for urgency. Any decision will also be reported to the February meetings of the Council or relevant committee.

If the matter is of major significance, an extraordinary meeting of the Council will be called.

#### **3.3 Civil Defence Emergency Management**

Currently the Mayor has the power under section 25(5) of the Civil Defence Emergency Management Act 2002, to declare a state of local emergency for the Whangarei District. It is recommended that Council designate the authority to an elected member in the event the Mayor is unavailable over the 2018/2019 Christmas recess period.

### **4 Significance and engagement**

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

**RESOLUTION TO EXCLUDE THE PUBLIC****Move/Second**

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>		<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for passing this resolution</b>
1.1	Closed Minutes Whangarei District Council Meeting 29 November 2018	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Strategic Property Acquisition Options		
1.3	Kerbside Recyclables Collections		
1.4	Whangarei Airport Locations Study		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

<b>Item</b>	<b>Grounds</b>	<b>Section</b>
1.1	For the reasons as stated in the open minutes	
1.2	To enable council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
1.3	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or it the subject of the information.	Section 7(2)(b)(ii)
	To enable Council to carry on without prejudice or disadvantage commercial activities.	Section 7(2)(h)
	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
1.4	To maintain legal professional privilege.	Section 7(2)(g)
	To enable Council to carry on without prejudice or disadvantage commercial activities.	Section 7(2)(h)

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item\_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because\_\_\_\_\_.

*Note: Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*