

# Whangarei District Council Meeting Agenda

**Date:** Tuesday, 29 April, 2025

**Time:** 9:00 am

**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

**Elected Members:** His Worship the Mayor Vince Cucurullo  
Cr Gavin Benney  
Cr Nicholas Connop  
Cr Ken Couper  
Cr Jayne Golightly  
Cr Phil Halse  
Cr Deborah Harding  
Cr Patrick Holmes  
Cr Scott McKenzie  
Cr Marie Olsen  
Cr Carol Peters  
Cr Simon Reid  
Cr Phoenix Ruka  
Cr Paul Yovich

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

	Pages
<b>1. Karakia/Prayer</b>	
<b>2. Declarations of Interest / Take Whaipānga</b>	
<b>3. Apologies / Kore Tae Mai</b>	
<b>4. Public Forum / Huihuinga-a-tangata</b>	
<b>5. Confirmation of Minutes of Previous Meeting of the Whangarei District Council / Whakatau Meneti</b>	
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## **8. Public Excluded Business / Rāhui Tangata**

- 8.1 Confidential minutes of the Whangarei District Council meeting held on 27 March 2025
- 8.2 Knowledge Precinct Project Steering Board - Monthly Chair's Report - April 2025
- 8.3 Springs Flat Roundabout – Infrastructure Agreement with The Esplanade Residential Ltd

## **9. Closure of Meeting / Te katinga o te Hui**

Recommendations contained in the Council agenda may not be the final decision of Council.

Please refer to Council minutes for final resolution.



## Whangarei District Council Meeting Minutes

**Date:** Thursday, 27 March, 2025  
**Time:** 9:00 a.m.  
**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

<b>In Attendance</b>	His Worship the Mayor Vince Cocurullo Cr Gavin Benney Cr Nicholas Connop Cr Ken Couper Cr Jayne Golightly Cr Phil Halse Cr Deborah Harding Cr Patrick Holmes Cr Scott McKenzie Cr Marie Olsen Cr Carol Peters (Teams) Cr Simon Reid Cr Phoenix Ruka Cr Paul Yovich
<b>Scribe</b>	N. Pestana (Team Leader, Democracy)

### Administrative Matters

- Meeting livestreamed.
- Cr Carol Peters attended remotely.
- Supplementary reports:
  - Item 6.4 - 2024 Rates Review.
  - Item 7.4 - 2025-26 Fees and Charges.
  - Item 7.5 - Annual Plan 2025-26 Consultation Document with Supporting Documents.
  - Item 7.6 - Local Water Done Well Update - March 2025.

### 1. Karakia/Prayer

His Worship the Mayor opened the meeting with a prayer.

### 2. Declarations of Interest / Take Whaipānga

Item 7.3 - Takahiwai Dam (Pukekauri Update) Next Steps.

**3. Apologies / Kore Tae Mai**

There were no apologies.

**4. Public Forum / Huihuinga-a-tangata**

There were no speakers at Public Forum.

**5. Confirmation of Minutes of Previous Meeting of the Whangarei District Council / Whakatau Meneti**

**5.1 Minutes of the Whangārei District Council Meeting held on 27 February 2025**

**Moved By** Cr Paul Yovich

**Seconded By** Cr Simon Reid

That the minutes of the Whangarei District Council meeting held on Thursday 27 February 2025, 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 Extraordinary Meeting held on 17 March 2025**

**Moved By** Cr Simon Reid

**Seconded By** Cr Deborah Harding

That the minutes of the Whangarei District Council Extraordinary meeting held on Monday 17 March 2025, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

*Secretarial Note: The confidential minutes of the Whangarei District Council Emergency Meeting held on 11 March were confirmed in open meeting.*

**Minutes Whangarei District Council Confidential Emergency Meeting held on 11 March 2025**

**Moved By** His Worship the Mayor

**Seconded By** Cr Phil Halse

1. That the Confidential Minutes of the Whangarei District Council Emergency Meeting held on Tuesday 11 March 2025, having been circulated, be taken as read and now confirmed as a true and correct record of the proceedings of that meeting.
2. That the confirmed minutes of the Whangarei District Council Emergency Meeting held on 11 March 2025 be released to the public.

**Carried**

## 6. Information Reports / Ngā Pūrongo Kōrero

### 6.1 Better Off Funding Portolio - Progress Report March 2025

**Moved By** Cr Gavin Benney  
**Seconded By** Cr Deborah Harding

That the Council notes the March 2025 Progress Report on delivery of the Better Off Funding Portfolio.

**Carried**

### 6.2 Financial Report for the 8 months ending 28 February 2025

**Moved By** Cr Paul Yovich  
**Seconded By** Cr Marie Olsen

That the Council notes the operating results for the eight months ending 28 February 2025.

**Carried**

### 6.3 Capital Projects Report for the 8 months ending 28 February 2025

**Moved By** Cr Paul Yovich  
**Seconded By** Cr Simon Reid

That the Council notes the Capital Projects Report for the period ending 28 February 2025.

**Carried**

### 6.4 2025 Rates Review

**Moved By** His Worship the Mayor  
**Seconded By** Cr Scott McKenzie

That the Council:

1. Notes the information contained in this report.

2. Notes the direction that has been provided is the basis for preparing the rates information in the 2025-26 Draft Annual Plan and Consultation Document.

**Carried**

## 7. Decision Reports / Whakatau Rīpoata

### 7.1 Changes to hapū membership - Te Kārearea Strategic Partnership Standing Committee - March 2025

*The motion was taken in parts.*

**Moved By** Cr Deborah Harding  
**Seconded By** Cr Carol Peters

That the Council:

1. Accept the resignation of Sandra Hawken from Te Kārearea Strategic Partnership Standing Committee.
2. Request the Mayor to provide a letter of appreciation to Sandra Hawken thanking her for her contribution to the mahi of Te Kārearea.
3. Note that a process to appoint a new member of Te Kārearea Strategic Partnership Standing Committee was undertaken by Te Huinga.

**Carried**

4. Confirm the appointment of Aperahama Edwards to replace Sandra Hawken as a hapū representative on Te Kārearea Strategic Partnership Standing Committee for the remainder of the 2022 – 2025 terms and notes the Committee's Terms of Reference will be updated accordingly.

*On the motion being put Cr Connop called for a division:*

	For	Against	Abstain
His Worship the Mayor			X
Cr Gavin Benney	X		
Cr Nicholas Connop	X		
Cr Ken Couper	X		
Cr Jayne Golightly		X	
Cr Phil Halse			X
Cr Deborah Harding	X		

Item 5.1

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Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen		X	
Cr Carol Peters	X		
Cr Simon Reid		X	
Cr Phoenix Ruka	X		
Cr Paul Yovich		X	
<b>Results</b>	<b>8</b>	<b>4</b>	<b>2</b>

**The Motion was Carried (8 to 4)**

### 7.2 Stevens Point Lease Matters

**Moved By Cr Deborah Harding**  
**Seconded By Cr Carol Peters**

That the Council:

1. Support in principle Te Parawhau - Te Pouwhenua o Tiakiriri Kūkupa Trust - in their aspiration for long-term tenure of the land at Stevens Point, Beach Road, Onerahi, Whangarei comprising 780 square metres more or less being parts of Allotment 447 and Allotment 395 Town of Grahamtown as shown on SO Plan 37221 and SO Plan 23529.
2. Instruct Staff to identify the best mechanism to secure long-term tenure of the land taking into account its current status.

**Carried**

### 7.3 Takahiwai Dam (Pukekauri Update) Next Steps

**Moved By Cr Phil Halse**  
**Seconded By Cr Simon Reid**

That the Council:

1. Directs the General Manager - Waters to develop a draft Agreement in Principle with Pātuharakeke Te Iwi Trust Board, generally informed by the Te Ara Whakahokinga o Pukekauri (Pukekauri Takahiwai Dam Road Map), to consider the future of the Pukekauri (Takahiwai) Dam and associated lands.
2. Notes that the draft Agreement will be brought back to council for consideration.

**Carried**

*Cr Deb Harding declared an interest as Chair of the Pātuharakeke Te Iwi Trust Board.*

#### **7.4 2025-26 Fees and Charges**

**Moved By Cr Paul Yovich**  
**Seconded By His Worship the Mayor**

That Whangarei District Council:

- a) Adopt the Statement of Proposal for 2025-26 fees and charges listed in Table A below which are subject to the Special Consultative Procedure process under the Local Government Act 2002
- b) Resolve to seek public submissions on these fees and charges in accordance with the Special Consultative Procedure.

**Table A: 2025-26 Fees and charges subject to the Special Consultative Procedure**

	<b>Refer Statement of Proposal</b>
Bylaw Enforcement	Page 7 - 8
Drainage (Waste Water and Trade Waste)	Page 3 - 6
Food Premises	Page 9 - 13
Gambling and Racing Act	Page 13
Health Act Registered Premises	Page 13 - 15
Public Places Bylaw	Page 15
Resource Management Act Council Professional Fees Monitoring and Land Use District Plan/Private Plan Changes Abatement notices	Page 16 - 28
Rubbish Disposal	Page 28 - 31
Water Supply	Page 32 - 34

- c) Adopt the 2025-26 fees and charges which are not subject to the Special Consultative Procedure listed in Table B below

**Table B: 2025-26 Fees and charges not subject to the Special Consultative Procedure**

	<b>Refer Attachment Proposed Fees and Charges</b>
Animals: Dogs, Stock Control	Page 5 - 8
Building Control	Page 9 - 19
Cameron Street Mall Permits	Page 21
Cemetery	Page 22 - 24
Forum North Venue Hire	Page 39 - 42
Laboratory	Page 46 - 48
Library	Page 49 - 53
Land Information Memorandum (LIM)	Page 54
Official Information	Page 56
Parks and Reserves (excluding Playing field rentals)	Page 57 - 61
Photocopying	Page 63
Searches	Page 74
Swimming Pool Fencing Inspections	Page 75
Transport	Page 76

- d) Adopts the 2025-26 Playing field rental fees and charges included on pages 57 - 58 of the Proposed Fees and Charges (Attachment 1), which are not subject to the Special Consultation Procedure.
- e) Authorises the Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary to the Proposed Fees and Charges and the Statement of Proposal prior to consultation.

Amendment

**Moved By** Cr Nicholas Connop  
**Seconded By** Cr Carol Peters

- a) Adopt the Statement of Proposal for 2025-26 fees and charges listed in Table A below which are subject to the Special Consultative Procedure process under the Local Government Act 2002
- b) Resolve to seek public submissions on these fees and charges in accordance with the Special Consultative Procedure.

**Table A: 2025-26 Fees and charges subject to the Special Consultative Procedure**

	Refer Statement of Proposal
Bylaw Enforcement	Page 7 - 8
Drainage (Waste Water and Trade Waste)	Page 3 - 6
Food Premises	Page 9 - 13
Gambling and Racing Act	Page 13
Health Act Registered Premises	Page 13 - 15
Public Places Bylaw	Page 15
Resource Management Act Council Professional Fees Monitoring and Land Use District Plan/Private Plan Changes Abatement notices	Page 16 - 28
Rubbish Disposal	Page 28 - 31
Water Supply	Page 32 - 34

- c) Adopt the 2025-26 fees and charges which are not subject to the Special Consultative Procedure listed in Table B below

**Table B: 2025-26 Fees and charges not subject to the Special Consultative Procedure**

	Refer Attachment Proposed Fees and Charges
Animals: Dogs, Stock Control	Page 5 - 8
Building Control	Page 9 - 19
Cameron Street Mall Permits	Page 21
Cemetery	Page 22 - 24
Forum North Venue Hire	Page 39 - 42
Laboratory	Page 46 - 48
Library	Page 49 - 53
Land Information Memorandum (LIM)	Page 54
Official Information	Page 56
Parks and Reserves (excluding Playing field rentals)	Page 57 - 61

Photocopying	Page 63
Searches	Page 74
Swimming Pool Fencing Inspections	Page 75
Transport	Page 76

- d) Adopts an inflation only increase (based on Local Government Cost Index (LGCI) of 3.2% for 2025-26 Playing fields rental fees and charges, which are not subject to the Special Consultation Procedure, noting that additional maintenance costs will be funded by general rates and reduce Council's balanced budget position.
- e) Authorises the Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary to the Proposed Fees and Charges and the Statement of Proposal prior to consultation.

*On the amendment being put Cr Reid called for a division:*

	For	Against	Abstain
His Worship the Mayor		X	
Cr Gavin Benney	X		
Cr Nicholas Connop	X		
Cr Ken Couper		X	
Cr Jayne Golightly		X	
Cr Phil Halse		X	
Cr Deborah Harding	X		
Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen		X	
Cr Carol Peters	X		
Cr Simon Reid		X	
Cr Phoenix Ruka	X		
Cr Paul Yovich		X	
<b>Results</b>	<b>7</b>	<b>7</b>	<b>0</b>

**The Motion was Lost (7 to 7)  
on the Casting Vote of his Worship the Mayor**

*The motion was taken in parts.*

*On the motion being put Cr Connop called for divisions on recommendations a to c and e; and d.*

That Whangarei District Council:

- a) Adopt the Statement of Proposal for 2025-26 fees and charges listed in Table A below which are subject to the Special Consultative Procedure process under the Local Government Act 2002
- b) Resolve to seek public submissions on these fees and charges in accordance with the Special Consultative Procedure.

**Table A: 2025-26 Fees and charges subject to the Special Consultative Procedure**

	Refer Statement of Proposal
Bylaw Enforcement	Page 7 - 8
Drainage (Waste Water and Trade Waste)	Page 3 - 6
Food Premises	Page 9 - 13
Gambling and Racing Act	Page 13
Health Act Registered Premises	Page 13 - 15
Public Places Bylaw	Page 15
Resource Management Act Council Professional Fees Monitoring and Land Use District Plan/Private Plan Changes Abatement notices	Page 16 - 28
Rubbish Disposal	Page 28 - 31
Water Supply	Page 32 - 34

- c) Adopt the 2025-26 fees and charges which are not subject to the Special Consultative Procedure listed in Table B below

**Table B: 2025-26 Fees and charges not subject to the Special Consultative Procedure**

	Refer Attachment Proposed Fees and Charges
Animals: Dogs, Stock Control	Page 5 - 8

Building Control	Page 9 - 19
Cameron Street Mall Permits	Page 21
Cemetery	Page 22 - 24
Forum North Venue Hire	Page 39 - 42
Laboratory	Page 46 - 48
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Land Information Memorandum (LIM)	Page 54
Official Information	Page 56
Parks and Reserves (excluding Playing field rentals)	Page 57 - 61
Photocopying	Page 63
Searches	Page 74
Swimming Pool Fencing Inspections	Page 75
Transport	Page 76

- e) Authorises the Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary to the Proposed Fees and Charges and the Statement of Proposal prior to consultation.

	For	Against	Abstain
His Worship the Mayor	X		
Cr Gavin Benney	X		
Cr Nicholas Connop	X		
Cr Ken Couper	X		
Cr Jayne Golightly	X		
Cr Phil Halse	X		
Cr Deborah Harding	X		
Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen	X		
Cr Carol Peters	X		
Cr Simon Reid	X		
Cr Phoenix Ruka	X		
Cr Paul Yovich	X		
<b>Results</b>	<b>14</b>	<b>0</b>	<b>0</b>

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**The Motion was Carried (14 to 0)**

- d) Adopts the 2025-26 Playing field rental fees and charges included on pages 57 - 58 of the Proposed Fees and Charges (Attachment 1), which are not subject to the Special Consultation Procedure.

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
His Worship the Mayor	X		
Cr Gavin Benney	X		
Cr Nicholas Connop		X	
Cr Ken Couper	X		
Cr Jayne Golightly	X		
Cr Phil Halse	X		
Cr Deborah Harding		X	
Cr Patrick Holmes		X	
Cr Scott McKenzie		X	
Cr Marie Olsen	X		
Cr Carol Peters	X		
Cr Simon Reid	X		
Cr Phoenix Ruka		X	
Cr Paul Yovich	X		
<b>Results</b>	<b>9</b>	<b>5</b>	<b>0</b>

**The Motion was Carried (9 to 5)**

**7.5 Annual Plan 2025-26 Consultation Document with Supporting Documents**

**Moved By His Worship the Mayor**  
**Seconded By Cr Simon Reid**

That Council:

1. Agrees on the consultation issues for the draft 2025-26 Annual Plan, which include:

**New Stormwater Targeted Rate**

- a) OPTION 1: Introduce a targeted District-wide universal rate of \$0.0003696 per dollar of land value. This would work out to be an average cost of \$180 per household. (preferred).

- b) OPTION 2: Introduce a District-wide universal rate of \$172 per separately used or inhabited parts (SUIP) of a rating unit. A SUIP refers to any part of a property that is used for a different purpose or inhabited by someone (i.e. if you had two homes on one property, you would be charged twice).

### **Reducing the Uniform Annual General Charge**

- a) OPTION 1: From 2025-26, Council reduces the UAGC from \$909 to \$500. This would relieve some of the rate burden for lower value property owners. (preferred).
  - b) OPTION 2: Council leaves the UAGC at \$909 in line with what was set in the 2024-34 Long-Term Plan. This would see the share of rates paid by lower and higher value properties remain the same as what we have today.
2. Consults on a grant targeted at relief for Farmed, Business Zoned Land, seeking feedback on the following options:
    - a) OPTION 1: Increase Commercial & Industrial and Rural rates by 1.2% to provide temporary relief to owners of business-zoned property used for farming. Support will be available for a maximum of three years, after which landowners will transition to full business-zone rates.
    - b) OPTION 2: Do not provide temporary relief to owners of business-zoned property used for farming. This would mean properties would continue to be rated within their current zoning with no relief provided. Under this option, the additional 1.2% rate increase for Commercial & Industrial and Rural rates will not be needed to fund the proposed business-zone rates adjustment.
  3. Adopts the consultation document (Attachment 1) and consultation supporting documents (Attachment 2) for the draft 2025-26 Annual Plan.
  4. Authorises, through the Chief Executive, any necessary drafting, administrative, typographical or presentation corrections prior to printing and distribution, including any updates required prior to finalising the Consultation Documents. This includes any changes

required from decisions made within this meeting, including those relating to the proposed Farmed Business-Zoned Land Grant Provision.

5. Notes that budgets will need to be prioritised to manage impacts of high risk unbudgeted opex, and to identify any possible savings going forward. Where prioritisation has the potential to materially impact on service delivery it will be brought back to Council.

**Carried**

*Cr Benney requested his abstention from voting on Item 7.5 be recorded.*

*A break was taken from 11.03am to 11.13am following Item 7.5.  
Cr Ruka did not rejoin the meeting following the break.*

## 7.6 Local Water Done Well Update - March 2025

**Moved By** Cr Simon Reid

**Seconded By** Cr Paul Yovich

That the Whangarei District Council:

1. Notes the report.
2. Agrees to consult on the following options:
  - a) An In-house Business Unit with increased collaboration with Northland councils.
  - b) A Northland Council Controlled Organisation (CCO) with Kaipara and Far North District councils (drinking and wastewater only).
3. Agrees that the current preferred option is option a, an in-house business unit with increased collaboration with Northland councils.
4. Approves the attached consultation document and proposed consultation programme.
5. Authorises the Chief Executive to make minor changes to the consultation document prior to release to fix any errors, provide clarifications and incorporate relevant feedback from elected members at this meeting.
6. Agrees to work with other Northland Councils to explore managed/shared/contracted service arrangements where appropriate.

7. Agrees to work with other Northland Councils on the establishment of a Transition Advisory Group to further investigate the potential for Shared/Managed/Contracted Service, and how a Northland Council Controlled Organisation could be possible.
8. Notes that Terms of Reference for, and appointments to, any Transition Advisory Group will be reported back to Council for consideration following discussions with, and feedback from, other Northland Councils.

**Carried**

*Cr Carol Peters was offline during the vote on Item 7.6.*

## 8. Public Excluded Business / Rāhui Tangata

**Moved By** His Worship the Mayor

**Seconded By** Cr Marie Olsen

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	Confidential Minutes Whangarei District Council 27 February 2025	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2	Confidential Minutes Whangarei District Council Emergency Meeting 11 March 2025		
1.3	Confidential Minutes Whangarei District Council Emergency Meeting 11 March 2025		
1.4	TAB Recommendations		
1.5	KPP Steering Board – Monthly Chair's Report –		

	March 2025		
1.6	Property Negotiation		
1.7	Land Purchase		
1.8	Land Option Recommendation		

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 stated in the open minutes	
1.2	For the reasons stated in the open minutes	
1.3	For the reasons stated in the open minutes	
1.4	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).  To prevent the disclosure or use of official information for improper gain or improper advantage.	Section 7(2)(i)  Section 7(2)(j)
1.5	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.  To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii)  Section 7(2)(i)
1.6	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
1.7	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
1.8	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

## 9. Closure of Meeting / Te katinga o te Hui

His Worship the Mayor closed the meeting with a prayer at 12.06pm.

Confirmed the 29<sup>th</sup> day of April 2025.

His Worship the Mayor Vince Cocurullo (Chairperson)



## Whangarei District Council Meeting Minutes

**Date:** Thursday, 10 April, 2025  
**Time:** 9:00 a.m.  
**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

<b>In Attendance</b>	His Worship the Mayor Vince Cocurullo Cr Gavin Benney Cr Nicholas Connop Cr Ken Couper Cr Phil Halse Cr Deborah Harding Cr Patrick Holmes Cr Scott McKenzie Cr Marie Olsen Cr Carol Peters Cr Simon Reid Cr Phoenix Ruka Cr Paul Yovich
<b>Not in Attendance</b>	Cr Jayne Golightly
<b>Scribe</b>	D.Garner (Democracy Adviser)

### Administrative Matters

- Meeting livestreamed

#### 1. Karakia/Prayer

Cr Phoenix Ruka opened the meeting with karakia.

#### 2. Declarations of Interest / Take Whaipānga

There were no declarations of interest.

#### 3. Apologies / Kore Tae Mai

There were no apologies.

**4. Decision Reports / Whakatau Rīpoata****4.1 Morningside Flood Relief – Award of additional work****Moved By** Cr Simon Reid**Seconded By** Cr Carol Peters

That the Council:

1. Approves award of separable portions 2, 3 and 4 of the Morningside Flood Relief, thereby increasing the value of CON24052 held by United Civil Contractors from \$2,676,915.89 to \$5,346,366.
2. Approves the reallocation of Stormwater Renewals capital budget to Level of Service capital budget to a maximum of \$3,700,000.

**Carried****4.2 Maintenance and Renewals Contracts Award CON24053 and CON24054****Moved By** Cr Simon Reid**Seconded By** Cr Phil Halse

That the Council:

1. Notes that in accordance with the Procurement Plan, the contracts provide for a total nine year term, made up of three separable portions with a formal review every three years.
2. Notes that a change to the price weighting and non-price attribute weightings in procurement plan was required before the tender was issued.
3. Approves the amendment to the Procurement Plan which adjusted the price weighting from 30% to 50% and made changes to non-price attribute weightings.
4. Approves the award of CON24053 (North) Road Maintenance and Renewals to Fulton Hogan Ltd for a tendered price of \$ 37,463,983 for the first three years subject to contract terms being agreed by the parties.
5. Approves the award of CON24054 (South) Road Maintenance and Renewals to Ventia Ltd for a tendered price of \$ 53,813,489 for the first three years subject to contract terms being agreed by the parties.

6. Delegates to the Chief Executive authority to negotiate and agree suitable contract terms for each of the contracts.

**Carried**

*Cr Paul Yovich requested his vote against the motion be recorded.*

**5. Public Excluded Business / Rāhui Tangata**

There was no business held in public excluded.

**6. Closure of Meeting / Te katinga o te Hui**

The meeting concluded at 9:57am.

Confirmed this 29<sup>th</sup> day of April 2025

His Worship the Mayor Vince Cociurullo (Chairperson)



## 6.1 Notice of Motion – Local Government New Zealand Background Information

<b>Meeting:</b>	Whangarei District Council
<b>Date of meeting:</b>	29 April 2025
<b>Reporting officer:</b>	Emily Thompson (Manager – Democracy and Assurance) Simon Weston (Chief Executive)

### 1 Purpose / Te Kaupapa

To advise council about the continued relationship, and membership renewal with Local Government New Zealand (LGNZ).

### 2 Recommendation / Whakataunga

That the Council notes the report.

### 3 Background / Horopaki

Local Government New Zealand (LGNZ) is a organization that provides support and advocacy for councils across New Zealand. They assist with information, training and toolkits to ensure that councils are able to support their communities and help them to thrive.

Council is part of the Zone 1 geographical grouping within LGNZ and part of the metropolitan sector group.

### 4 Discussion / Whakawhiti kōrero

Council is a current member of LGNZ. Membership renewal is usually received mid-April for the following membership year.

LGNZ provides information, training and toolkits that enable staff to work with new legislation that comes out and to share best practice across councils around the country. They also provide training and information to our Elected Members across the triennium of Council.

Throughout 2023-24 and 2024-25 membership years the LGNZ National Council has reset the LGNZ strategy to be a Champion, connect and support local government. This has been seen with the national level campaigns on funding challenges for Local Government, and the provision of full access to the Akona online learning portal being included in the 2024-25 membership costs.

Central Government currently look to all of Local Government to work collectively and to provide one voice to identify solutions to the myriad of challenges that Local and Central Government are facing. In consideration of continued membership of LGNZ, Council should consider how to ensure that Whangarei District is included in these collective discussions to influence the decisions.

For the 2025-26 renewal LGNZ have provided a report on the value of LGNZ, attachment 1.

The delivery of these offering are provided to Elected Members in a number of different formats including:

- Conferences, annual LGNZ Conference, YEM Conference.
- Meetings, Sector and National Council
- Support for Zone meetings
- Newsletters, updates of what is coming through Central Government and the work that LGNZ are doing for Local Government.
- Induction training (in person) for Elected Members and for Mayors
- Akona online Learning platform, including Akona hours to share experiences

The value that we gain as an organisation is different for each person involved. Feedback from some of our Elected Member for the 24-25 renewal showed the different views of various aspects of the LGNZ offering.

It is important that Local Government maintain a collective voice for Central Government to communicate with. Local Government also need to be able to communicate with other stakeholders that engage with Local Government. If this voice diminishes, then Council's overall Local Government influence will diminish also.

It is important that Central Government recognises individual members of LGNZ and that Council should recognise the important part they play as part of the broader sector that can rationalise, communication with influence and work with the stakeholders within the sector.

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

The invoice for 2025/26 has been indicated as below. The budget for costs associated with LGNZ are covered by two cost centres. Renewal of membership is part of the Democracy and Assurance operational budget.

<b>Financial Year</b>	<b>Amount</b>	<b>Increase on previous year</b>
21-22	\$70,045.97 + GST <i>Exact same cost as 20-21</i>	0%
22-23	\$72,147.35 + GST	3%
23-24	\$76,476.19 + GST	6%
24-25	\$80,300 .00 + GST	5%
25/26 (This year)	\$87,928.50 + GST	9%

For the 2025/26 FY financial budget was set at \$60,000, however this has been increased via forecasting to \$83,000.

**Additional costs:**

It has been noted that one benefit of being a member of LGNZ is access to conferences and topical meetings with other Local Government parties. The cost of flights and accommodation are considered, by some, to be part of the cost of membership.

LGNZ have advised that they will try to run meetings virtually when possible but recognise that some sessions benefit from in person meetings. Therefore, costs for travel to LGNZ events for this triennium are included in the table below.

It should be noted that funding for travel is included in Elected Member and Meetings Budget and the Mayoral Budget. Within the Elected Member and Meeting budget there are funds ringfenced for travel for learning and development opportunities. Council is currently within budget for this financial year.

***Table two : breakdown of spend for registration, travel and accommodation for LGNZ events this triennium of Council.***

Event	Registration Costs	Cost – travel and accommodation	Notes
LGNZ Conference July 2023 (4 attendees)		\$ 5,103.74	
August 2023 LGNZ Meeting (3 Attendees)	\$0	\$ 3,493.07 +GST	
November 2023 LGNZ Meeting (3 attendees)	\$345 + GST	\$ 3,824.37 + GST	
April 2024 LGNZ Meeting (2 attendees)	\$0	\$3,087.82 + GST.	
Young Elected Members Conference, Feb 2024 (3 attendees)	\$3,105 + GST	Mileage only, accommodation included in registration.	Held in Waitangi, and good value for attendees.
<b>Financial Year 23-24 – Total so far</b>	<b>\$3,450 + GST</b>	<b>\$15,512 + GST</b>	
LGNZ Conference August 2024	\$5,760	\$6,482.63 +GST.	
LGNZ Infrastructure Symposium	\$0	\$1,021.75 + GST	
<b>Financial Year 24-25 – Total so far</b>	<b>\$5,760 + GST</b>	<b>\$7,504.38+ GST</b>	

The Akona Learning platform has been included in the membership price for this renewal and is available for use by all of our Elected Members as a training programme, which allows for fulltime access to self-directed training as well as the opportunity to connect with other elected members for discussion on matters under the 'Akona Hours" series.

Staff have been asked to estimate the cost of covering the training and collaboration elements that are currently gained via LGNZ, should Council decide to withdraw their membership. Staff have considered time required to arrange meetings with ministers (government collaboration) and relying on externals to provide LGNZ training. Reviews were

undertaken on utilising Institute of Directors training options, supplemented by other webinar and allowing for travel to one training course for each Committee Chair, other Councillors to be provided online training, then 4 return trips to Wellington for Government engagement over a financial year. The estimate is in the region of \$65,000 + GST per annum plus additional staff time. This does not allow for fulltime access to materials and learning, and materials for these courses will have been developed for not for profit or private sector rather than specifically for Local Government Officials. It is very hard to quantify the value of the information, collateral and opportunities that LGNZ can provide to Elected Members.

#### **4.2 Risks Vs Benefits of continuing the relationship with LGNZ**

**Table Three: Risk vs Benefits of STAYING in LGNZ**

Risks	Benefits
Commitment of membership fee and travel costs for continued inclusion in LGNZ. Could be reallocated.	Budget is already identified for both the membership costs and the travel associated with Learning and development opportunities for elected members.  For 2023-24 we are still within budget on travel and accommodation for L&D including all LGNZ activities.
Current Zone 1 meetings do not include Kaipara, which results in lots of items being deferred to other regional forums (such as Mayoral Forum or Northland Forward together)	Having a voice at the table with other Local Government entities to ensure that the issues for our region are being heard at a Central Government level.
Some of the direction for LGNZ is different to the direction of some of our elected members.  It must be recognised that Council may differ in opinion from LGNZ on some topics, this should form the basis for informed debate for the Council.	LGNZ are providing support and guidance on approaches to areas of national debate, the media campaign that they provided on the cost increases helped with our discussions in the LTP consultation space.
There is currently no mechanism within LGNZ to support on some causes but identify/ be recognised as an individual member that may not align with the direction on all matters.	By retaining membership Council have the ability to debate topics where they hold differing views from the LGNZ leadership. This is part of the democratic process and Council should work with LGNZ to allow ways to recognise when an individual member is not aligned with LGNZ direction.
Focus on National networking and understanding outside the region through LGNZ arranged events. This could lead to missed potential in developing regional connections and improving Northland.	Continuing with network building across the Country via the LGNZ forums, meetings and conferences. This could lead to better understanding of our Northland situation and ways to improve how we do things as a region.
Continue to engage in the TUIA programme support from LGNZ and are asked to commit to the Mayors Task Force for Jobs programme.	Council are able to keep the promises made to the TUIA mentee for support over this year. Providing this support to talented locals help to improve Councils local reputation.

Risks	Benefits
Elected Members focus on LGNZ activities as their Learning and development opportunities.	Elected Members Learning and development is enhanced by complimentary access to the Akona Learning Platform. This can be rolled out as a learning plan with regular meetings if required.
Elected Members time is taken up in attending LGNZ Zone 1 meetings, including HWM time on agenda preparation as the nominated Chair.	Council work alongside FNDC and NRC to provide a collective ‘Northland’ Voice to LGNZ via the Zone 1 meetings, including the development of Remits for progression by LGNZ to Central Government.

## 5 Significance and engagement / Te Hira me te Arawhiti

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 / Ngā Tāpiritanga

Attachment 1 - Value of LGNZ membership.pdf



# THE VALUE OF LGNZ MEMBERSHIP

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April 2025



# From the President

It's a real privilege to be the President of LGNZ and to work alongside elected members from all around the country. I see councils and community boards facilitating the improvement of infrastructure, delivering projects and impact for your communities. I also hear that many elected members and executives feel deeply stressed by always having to do more with less while juggling unfunded mandates and constantly shifting reforms and government expectation. As local government, we are present and accountable to our local community – as we should be. It means we receive sought-after and warranted feedback. Unfortunately I continue to hear that we also receive more and more unwarranted abuse, which only amps up in our election year.

Whether you feel like your council is running at 100kph or treading water, LGNZ has your back. We've listened to what you need from your membership body. We are here to champion, connect and support elected members and councils. We are focused on what unites local government – including what we can advocate on together, for the good of all councils and communities. Your National Council leaders, including me, are very deliberate about speaking out only on issues that have broad consensus, to avoid a repeat of Three Waters. Our advocacy work is robust and backed by evidence-based data – like the reports LGNZ commissioned last year on the drivers behind council costs and rates rises.

LGNZ's relationship with the Government has entered a new phase as the Government is more settled in its second year. Our new Minister Simon Watts said at our February All-of-local-government event that we have a positive relationship and he wants to work with us as equals at the table rather than continuing a parent-to-child relationship. Minister Watts acknowledged local government was fatigued by waves of reform – and that a lot of the cost and burden that falls on local government is often because of central government legislation. LGNZ commissioned research from NZIER last year that clearly demonstrated this burden.

This report you are about to read has been requested by members and prepared so all councils and elected members can understand the breadth and depth of LGNZ's work on your behalf.

It goes into a lot of detail about advocacy wins, the value you get for your dollar, and exactly what LGNZ delivers for you. It also sets out the significant programme of work LGNZ is doing right now aimed at making sure councils elected in October hit the ground running. In terms of pure return for investment, we provide examples of how belonging to LGNZ saves ratepayers money (check out page 7) but it's very hard to put a price on all the intangible benefits. Things like the power councils gain by speaking with one voice, or providing easy access to politicians, or generating media campaigns that highlight the issues you face and support greater understanding in the public domain. Every day, the small LGNZ team works on your behalf, in line with our LGNZ constitution that reminds us to look after the national interests of local government as a whole. That means the system as a whole, as well as the different parts within that system.

The figures show that a council choosing to leave LGNZ on the basis of cost savings doesn't make sense – councils often end up spending far more on these individual services. Councils leave for political reasons. Often reasons that don't reflect LGNZ's current direction or our actual relationship with the Government.

This report shows how LGNZ delivers many services that councils use every day that no one else could provide as efficiently and cost effectively, or sometimes even at all. So please absorb this report, ask us questions and get involved. The more engaged members are with LGNZ, the more value you get out of us, and the more our work responds to your feedback because we are a reflection of you.

In both mountaintop and challenging times, your LGNZ networks of fellow elected members and executives will help you learn and grow, stay the course and celebrate your successes. I know I have needed, and continue to appreciate, my networks within our local government family. They have helped me get through some difficult times and supported me to look for the opportunities to learn inside each challenge – and refresh my perspective. Local Government New Zealand is your organisation. I trust this report paves new ways to understand both the individual benefits and connections we offer, as well as a greater appreciation of the collective impact we can make together.

Ngā mihi

Sam Broughton  
President

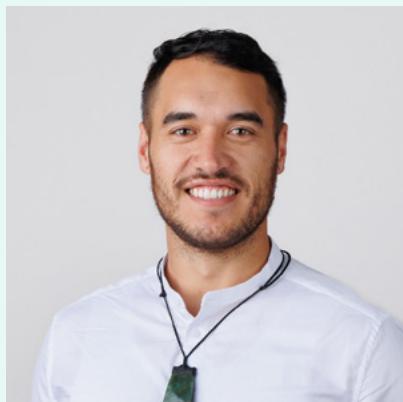
# National Council members



**Sam Broughton**  
LGNZ PRESIDENT



**Campbell Barry**  
VICE PRESIDENT, ZONE 4  
REPRESENTATIVE



**Moko Tepania**  
ZONE 1 REPRESENTATIVE



**Toby Adams**  
ZONE 2 REPRESENTATIVE



**Craig Little**  
ZONE 3 REPRESENTATIVE



**Dan Gordon**  
ZONE 5 CHAIR/MAYOR



**Ben Bell**  
ZONE 6 REPRESENTATIVE



**Toni Boynton**  
TE MARUATA REPRESENTATIVE



**Iaean Cranwell**  
TE MARUATA REPRESENTATIVE



**Paula Southgate**  
METRO SECTOR CHAIR



**Vince Cocurullo**  
METRO SECTOR REPRESENTATIVE



**Jules Radich**  
METRO SECTOR REPRESENTATIVE



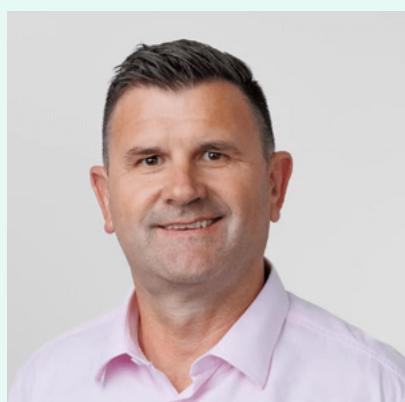
**Rachel Keedwell**  
REGIONAL SECTOR REPRESENTATIVE



**Rehette Stoltz**  
REGIONAL SECTOR REPRESENTATIVE



**Alex Walker**  
RURAL SECTOR CHAIR AND  
REPRESENTATIVE



**Neil Holdom**  
PROVINCIAL SECTOR CHAIR AND  
REPRESENTATIVE



**Alex Crackett**  
YOUNG ELECTED MEMBERS  
REPRESENTATIVE

# TOP 10 ADVOCACY WINS FROM THE PAST YEAR >

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**1. Minister Watts told our February All-of-local government meeting that he wants to work in partnership with local government and LGNZ.**

In a q+a with LGNZ, he also said: "As Minister of Local Government, my vision is for a financially sustainable sector that works in true partnership with central government to drive economic growth and productivity in our cities and regions."

**2. In November we launched a set of funding and financing tools, which gained significant media and political attention, and now two are set to be delivered.**

The Government will replace development contributions with a development levy system, allowing you to charge developers a share of long-term infrastructure costs.

The Minister has expressed strong interest in progressing the Ratepayers Assistance Scheme. The RAS will allow ratepayers to cheaply borrow for specific improvements to their properties or to pay ratepayer charges. By leveraging the high credit quality of local government rates, it accesses efficient capital market financing, passing savings to ratepayers. Like the Local Government Funding Authority, which LGNZ helped set up in the early 2010s, RAS has the potential to be a gamechanger for councils.

**3. No one likes rates rises but our rates rise toolkits meant everyone knew councils were facing rising costs.**

Research we commissioned by Infometrics revealed that the cost of building bridges had gone up 38% in three years, among other facts. Many of you used this data to help explain rates rises to your communities.

**4. Unfunded mandates research we commissioned from NZIER gave new prominence to the costs that governments pass to councils.**

For example, new water quality standards under the National Policy Statement for Freshwater Management (NPS-FM) meant regional and district councils had to monitor freshwater quality more rigorously and invest in better infrastructure, generating significant costs for you. Ministers now have greater visibility of these costs and we don't have to explain them from scratch every time. This research has strengthened our submissions against any new reforms that create additional unfunded mandates, and has also meant media and the public are now more aware of the issue.

**5. We sourced a “red tape” list from you of ways to save councils money and reduce the complexity you need to navigate, so that these can be addressed as part of upcoming changes to the Local Government Act.**

This list was presented to the PM and then-Minister of Local Government and we understand a number of these items will be included in changes to the Act. These include removing the requirements to carry out s17a reviews and removing requirements for newspaper notices.

**6. We set up the Electoral Reform Working Group, chaired by Mayor Nick Smith, which engaged extensively with members to develop its thinking.**

Its March 2025 draft position paper – which makes it clear that postal voting has a very limited shelf life and change is urgent – gained significant media, political and third-party interest. It's also allowed you to respond proactively to key issues that matter. Minister Watts and the Prime Minister are positive about the working group's recommendations and keen to make progress for the 2028 local body elections.

**7. Our city/regional deals framework was picked up and used by the Government, to local government's advantage, including the focus on partnership, new funding tools and a commitment to long-term planning.**

In particular, our framework called for all councils to have an opportunity to be part of the EOI process – which the Government eventually enabled despite initially only inviting five regions to participate.

**8. We ran an Infrastructure Symposium attended by more than 200 people, with speakers including Infrastructure Minister Chris Bishop, former Prime Minister Bill English, Fulton Hogan's COO and the President of the Australian Local Government Association.**

Strong media coverage included stories on Stuff, BusinessDesk, the NBR and RNZ setting out our view that you need more funding tools to pay for infrastructure.

**9. We ensured people who get local government were in key conversations.**

For example, we secured a local government representative on the technical expert working group feeding into the Government's work on adaptation to climate change. In another example, LGNZ put forward local government people to be part of the steering group set up by MBIE to inform a comprehensive review of the seismic strengthening system. We also set up our own informal Seismic Strengthening Group, chaired by Manawatū deputy mayor Michael Ford, which met for the first time in late November.

**10. There was strong media coverage of our balanced position on Māori wards: that they should be treated the same as all other wards, with councils able to decide what's right for their community.**

For some councils, that means not having a Māori ward while for others it means having one.

# HOW LGNZ SAVES COUNCILS (AND RATEPAYERS) MONEY >

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# Guides, guidance and crises

- > We develop guides and templates that councils use every day.
  - > Our standing orders templates (and guide) would cost you **\$50K-\$60K** to commission yourself.
  - > Our Code of Conduct template (and guide) would cost you **\$50K-\$60K** to commission yourself.
  - > Members can also access these guides, which would cost you **tens of thousands of dollars to create** yourself:
    - + Elected member governance guide
    - + Mayors and Chairs governance guide
    - + Community boards governance guide
    - + Community boards chairs governance guide
    - + Tax guide for elected members
    - + Guide to recruiting and managing your CE
    - + Guide to council declaration
    - + Representation reviews guide
  - > We can also give expert advice on how to use these templates and guides, saving you more time and money.
- > We field a lot of calls from you when you want a sense check – or when things go wrong. Whether it's questions about the Local Government Act, conflict between the Mayor/councillors/CE, or other curly issues, you can ring Susan, Scott, Dr Mike, Simon and the team when you want advice or just a confidential sounding board. We are impartial and we work to deescalate conflict so you can avoid costly legal disputes. Calling us can save your council a huge amount of money.
- > We provide crisis media support for councils, particularly when multiple councils are involved. Tailored guidance like this would cost individual councils thousands of dollars.
- > LGNZ gives every elected member in New Zealand free, anonymous access to counselling.

# Policy and submissions

- > We develop submissions on policies that impact local government. Councils use our draft content in your own submissions, saving you time and money. Because we do the heavy lifting, your staff can focus on making local implications clear. Each submission is worth between **\$30K-\$80K+** depending on its complexity. Our submissions saves councils spending money on your own research, legal advice, and consultancy/subject matter experts – as well as staff time in terms of preparing your submissions or even needing to submit.
  - > For example, in response to concerns raised by councils, in the past year our submissions have reflected technical or legal advice on:
    - + The limits on the proposed change in the Resource Management (Consenting and Other System Changes) Amendment Bill which grant the Minister for the Environment the power to direct a local authority to prepare or amend their district plans or regional policy statements
    - + In the water space, what changes would be needed for the Water Services Bill to ensure that councils could continue to collect development contributions after transferring assets to a CCO but before they had adopted a development contributions policy.
  - > Our submissions reflect our extensive engagement with officials and Ministers and as members of working groups. This means either bills already reflect our input or we are really clear on the best ways to frame our submissions to enact change. Select committees also prioritise LGNZ so that our oral submissions are heard in hearing processes with tight timeframes.

- > Submissions since the start of 2024 represent about **\$1 million** in value. GPS Land Transport 2024 (Round 2)
  - > Fast Track Approvals Bill
  - > Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill
  - > Local Government (Water Services Preliminary Arrangements) Bill
  - > Inquiry into Climate Adaptation (further Submission)
  - > NZTA Emergency Works Investment Policies consultation
  - > New Zealand's second emissions reduction plan (2026–30): Discussion document
  - > Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Bill
  - > Consultation on increasing the use of remote inspections in the building consent process
  - > Petition of Christian van der Pump: Remove Building Act 2004 restriction of access to the District or High Court
  - > Consultation on Testing our thinking: Developing an enduring National Infrastructure Plan discussion document
  - > Land Transport Management Act (Time of Use Charging) Amendment Bill
  - > Local Government (Water Services) Bill
  - > Principles of the Treaty of Waitangi Bill
  - > Resource Management (Consenting and Other System Changes) Amendment Bill
  - > Crimes Legislation (Stalking and Harassment) Amendment Bill
- > In November we shared an explainer on water services reform ahead of the introduction of the Local Government Water Services Bill in December, which had a very tight timeframe for submissions that ran over the holiday period. Our work supported your staff to produce quality submissions without having to grapple with complex legislation from scratch.
- > Now the Government is proposing changes to the resource management system and Local Government Act with significant implications for the structure and functions of local government. All councils need to understand the legal impact of these changes before you respond – and it doesn't make sense for every council to individually commission expensive advice. LGNZ will share advice that all members can use.

## Data councils can use

- We now produce national data you can use locally, giving all member councils access to centrally produced research by respected economists. We package our research with slides and key messages that members can use, as well as generating media interest. It would be cost prohibitive for councils to commission this research individually.
- In March 2024, we shared research by Infometrics on how costs had risen dramatically for councils, driving rates rises. For example, that the cost to build a bridge had risen 38% in just three years.
- In July 2024, we released work we had commissioned from NZIER on the impacts of unfunded mandates on local government.
- In April 2025, we launched our first Infometrics Local government economic insights report. These reports will come out quarterly, exclusively to members, and mean elected members and CEOs can have quality local government economic data at their fingertips. You could also join a zoom with Infometrics Chief Economist Brad Olsen, and an Infometrics economist will speak at our next All-of-local-government event.

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## Events and networks

- At our events you regularly have access to multiple Ministers at once, saving you travel time and money. You get opportunities to pull them aside and discuss local issues.
- We offer dedicated networks for Māori elected members, Young Elected Members, and Community Board members, and we've started to run events to connect women in local government. These networks meet in-person and online to provide support and development. There's no way of recreating this without spending significant council staff time and effort.

# Elections

- > If you're aiming to be back on council, you want colleagues who understand what being an elected member means and can quickly get up to speed. We've developed a "pre-elected" programme that steps potential candidates through what it means to be an elected member – and you can freely share this with candidates.
  - > Alongside the pre-elected programme, we've updated the guide for candidates, which will be available on the VoteLocal website.
  - > Our [Vote25 toolkit](#) includes design files councils can customise to create posters, graphics and social media content to promote voter registration, standing, and voting. It would cost you **\$50k-70k** to develop this toolkit externally from scratch – and what's the point of all councils paying individually to create the same thing?
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# Induction and professional development

- > Through our Ākona platform, elected members can now access \$1.2 million worth of professional development for free – that's what it would cost to commercially develop and host the 15 Ako hours and 22 courses available, with more being added all the time in response to your feedback.
  - > Ākona isn't just the online platform – it's induction for elected members (more on page 14):
    - > Mayors school is right after the elections – so both new and returning mayors can hit the ground running. The Prime Minister and Minister have both confirmed they plan to be there. You'll also get some insights into how you can really drive your councils' performance.
    - > Later in October, there's induction for elected members, with LGNZ delivering sessions all around the country to help people get quickly up to speed and deliver for communities. This will be relevant for both new and returning EMs.
    - > And once chairs are elected, we'll be running a Chairs School along similar lines to the Mayors School.
    - > Many councils choose to use our induction template to support your own elected member induction, saving significant amounts of staff time.
- 

*It's much cheaper for us to do this work for all members than if you do it yourselves. Councils that leave LGNZ end up spending more on these services across a range of cost centres, because they don't benefit from collective buying power.*

# **SETTING YOUR NEXT COUNCIL UP FOR SUCCESS >**

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In October 2025, your new council needs to hit the ground running. LGNZ is here to support each part of that process.

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## **1. Making sure candidates know what they're getting into**

We've developed a "pre-elected" programme that steps potential candidates through what it means to be an elected member. This interactive course covers how councils work, your obligations, and dealing with the demands of the job. Three animated videos look at: 'Structure of Local Government', 'Roles within a council' and 'How councils are funded'. Plus there are two e-modules: 'Stepping into Local Leadership: The role of an elected member' and 'Stepping into Local Leadership: The life of an elected member'.

Unlike the rest of Ākona, this pre-elected material doesn't need a log-in – so you can share it freely with any potential candidate.

We're also updating the written Candidates Guide that is available on the Votelocal website.

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## **2. Promoting registering, standing and voting**

In December 2024 we shared a free toolkit of Vote25 digital assets that you can customise into posters, social media tiles or any other format.

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## **3. Mayors' School**

Join New Zealand's mayors, the Local Government Minister and expert speakers in Wellington for two days of intensive networking and learning how to drive council performance. We are also working with the Prime Minister's office to schedule his attendance.

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## 4. Elected member induction

We'll be in 11 cities and towns around New Zealand, delivering in-person induction for elected members that complements your own council's induction, and lets you meet many of your new regional colleagues. Thanks to your feedback, induction has been revamped for 2026 to better deliver what you need, with relevance for both new and returning EMs. You can also use our template to deliver induction to your own council.

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## 5. Chairs' School

Once Regional Councils have elected their Chairs, we'll be holding a Chairs' School in mid-November. The Minister of Local Government will attend this event.

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## 6. Team builder toolkit for Mayors and Chairs

Our team builder toolkit will set out a range of activities and strategies that Mayors and Chairs can use to create an event that brings your council together for the first time, so you can lay the best possible foundation for you to work productively together.

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## 7. Post-induction Ako hour academy

A three-month academy of Ako hours will offer two live Ako hours every week between February and May 2026. Each Ako hour will focus on a different governance topic, offering elected members the chance to engage with both experts and their peers from around the country.

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## 8. Ongoing professional development via Ākona

Our Learning and Development Manager is meeting with every member council in turn to discuss what materials they could upload into the new Ākona platform so it's a one-stop shop for all your elected member learning.

LGNZ already has over 20 custom-designed and built catalogues of learning that offer micro-learning opportunities alongside our popular live Ako hours, workshops, templates and downloadable resources designed to support new and returning elected members throughout the triennium.

# LGNZ'S 2025 STRATEGY >

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## OUR VISION/

To create the most active and inclusive local democracy in the world.



### Our purpose:

We serve members by championing, connecting and supporting local government

#### CHAMPION/

- > Advocate for local government on critical issues.
- > Build relationships with ministers and officials.
- > Decode policy and make submissions.
- > Speak out for local government in the media.

#### CONNECT/

- > Bring members together at zone, sector and conference events or via networks like Te Maruata and YEM.
- > Create strong feedback loops between members and LGNZ's work.

#### SUPPORT/

- > Provide professional development uniquely tailored to local government.
- > Support councils and elected members when they are stuck.
- > Support elected members to deal with pressure and harassment.

### Our long-term goals:

#### 01.

Local government and central government are trusted partners.

#### 02.

Council can access the right funding and financing tools to reduce pressure on ratepayers and entrench localism.

#### 03.

Elected members are connected, engaged and highly capable.

#### 04.

Te Tiriti partnerships between local government and Māori are authentic, strong and respected.

#### 05.

More New Zealanders value and participate in local government.

#### 06.

A sustainable and fit-for-purpose LGNZ.

### Our work in 2025:

#### CHAMPION/

- + Focus our advocacy effort on shifting the dial on systematic issues that are mutually beneficial to local government, its communities and central government.
- + Leverage off the strengthened working relationship with the Government and new Minister to develop solutions.
- + Advocate for councils to have access to a greater range of funding and financing tools that are fit-for-purpose, through the lens of regional deals.
- + Show the value that councils deliver to communities and the cost pressures that they face in the lead up to the 2025 elections.

#### CONNECT/

- + Deliver All-of-local government and SuperLocal25 events focused on the challenges and opportunities in front of councils.
- + Advocate for increased safety for all elected members, while specifically enhancing connections between women EMs.
- + Make members feel more connected to our advocacy.
- + Activate LGNZ's new Māori strategy, *Hutia te Rito*.

#### SUPPORT/

- + Revitalise induction for Mayors, Chairs and elected members, supported by our Ākona learning and development platform.
- + Launch a resolution and support service to help councils deescalate and effectively resolve conflict.
- + Launch the revitalised CouncilMARK/Te Korowai.

**EVERYTHING  
LGNZ DOES FOR  
MEMBERS >**

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# LGNZ champions local government

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## We hold regular meetings with the PM and key Ministers

We meet every quarter, in-person, with the Prime Minister. For example, we had one of our regular quarterly meetings with the PM on 1 April:

- › The PM was very open to our electoral reform work, led by Mayor Nick Smith, and understood the need to progress recommendations in time for the 2028 elections.
- › We made clear our concerns about the potential unintended consequences of rates capping. But – without sugarcoating it – the PM does have serious concerns about the financial literacy of councils.
- › In response we acknowledged that there may be some work to do to build capability – and that we all agree on the need to reduce rates rises.
- › The PM is very keen to reduce red tape for local government and wants us to help. We gave him a list of 10 actions suggested by members in our meeting in December – and now we'll again work with members to see if there are any more quick wins.

We have regular meetings locked in with Local Government Minister Simon Watts; Infrastructure, Transport and Resource Management Reform Minister Chris Bishop; Regional Development Minister Shane Jones; and Under Secretary Simon Court. We meet other Ministers, such as the Minister for Rural Communities and Minister for Social Development and Tourism Louise Upston, when issues arise. For example, we met with Minister Casey Costello about the role councils could play in reform of vaping regulations, which resulted in an agreement that LGNZ would further engage with health officials on what a system in which councils have greater control over where vape retailers are located could look like.

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## We help Ministers engage with local government – and local government issues

When Minister Watts stepped into the Local Government portfolio in February, we provided both an immediate letter on key issues, and a fuller briefing for the Minister that set out the current state of play, including where there are opportunities to work together in support of New Zealand's economic development.

Ministers want to deal with one body rather than 76 separate councils. Minister Watts is very clear he wants to work constructively with LGNZ and local government – and take full advantage of LGNZ's events and meetings.

Ministers use our events to make announcements, which helps us attract media and gives Mayors and councillors who are there the chance to comment to media directly. For example, the February All-of-local-government meeting featured an announcement on funding and financing for housing growth by Minister Chris Bishop and Under Secretary Simon Court; at SuperLocal last August, the Government made announcements around its Regional Deals framework.

While we work hardest and most closely with the government of the day, we maintain relationships with all political parties, so that local government is ready to build relationships with whoever is in government.

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## We calibrate our advocacy to the government of the day

You'll remember our Future by Local Government project in the second half of 2023 (a response to the previous government's Future for Local Government report). It came up with five agreed directions, approved at an SGM. But we're not advocating on all of them. We're only pushing those that resonate with the current government. The others can wait for future governments.

It's the same with our funding and financing tools. Our set of 25 tools was divided into three categories reflecting where we are likely to get traction with this government – some to focus on now, some for later, and others for the distant future. We have no plans to advocate for GST on rates or paying rates on Crown land, for example, because they aren't currently palatable.

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## We champion local government issues in the media

Our media engagement means balancing standing up for councils while being seen as a constructive partner of the Government. We are very thoughtful about keeping that balance steady.

Some examples: Our June 2024 Infrastructure Symposium, including Infrastructure Minister Chris Bishop's speech at our networking function the night before, received very strong media coverage, with stories in The Post, BusinessDesk, NBR and RNZ focused on our support for more funding tools to pay for infrastructure. Our SuperLocal conference in August 2024 generated 394 pieces of media coverage on topics ranging from bed taxes and regional deals to being a young elected member.

We educate media about local government. We hold regular briefings with journalists funded by the Local Democracy Reporter scheme, to help them have a better understanding of the challenges councils face. We invite senior journalists to key events: for example, Stuff's political editor spent an hour with National Council at their February 2025 meeting. Through that he gained insights into the challenges facing councils, which resulted in a thoughtful opinion editorial later that week.

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## We advocate on topical issues that affect all councils

**Electoral reform:** We set up a working group led by Mayor Nick Smith to create a roadmap for future electoral reform, given the reality of declining voter turnout and the declining postal system.

**Rates capping:** If the Government introduces rates capping, councils' ability to raise rates will be constrained. In Australia, while rates capping constrained rates increases, it has degraded delivery and left councils increasingly financially unstable. Every overseas jurisdiction that has implemented rates capping is telling us to oppose it as strongly as we can, because of its negative impacts on councils' ability to deliver. In March 2025 S&P downgraded 18 councils' credit ratings, identifying the Government's proposal to investigate rates capping as an area of concern.

You've heard from Victoria and New South Wales guests at the November All-of-local government meetings – and then from South Australia, which avoided rates capping by pushing for greater transparency and accountability – at our February meeting. We're shared facts and messages you can use to talk to MPs, Ministers and the public about the potential implications. LGNZ is talking to the Local Government Minister and other Ministers, sharing information with officials and getting media coverage, to advocate for local government's interests.

**Funding and financing:** In late November we launched a set of 25 tools to help councils better fund infrastructure and services – from sharing GST on new builds, to value capture, to improving councils' ability to recover costs. We take every opportunity to advocate on the tools in category one, to both politicians and the media (while working less intensively on category two and not at all on category three right now, as discussed above).

Some of these tools are already being delivered:

- › The Minister for Infrastructure used our February All-of-local-government meeting to announce changes to New Zealand's infrastructure funding and financing settings. The Government will replace development contributions with a development levy system, allowing councils to charge developers a share of long-term infrastructure costs. Councils will also have more flexibility to set targeted rates that apply to new developments, among other changes.
- › In April 2025 we submitted on the Land Transport Management (Time of Use Charging) Bill, another tool. We want to make sure the model adopted gives councils as much flexibility as possible.

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## We engage on critical local government reforms

Our relationships with Government officials mean we discuss policy as it's developed, providing opportunities to influence before decisions are made.

Recently we submitted on multiple pieces of legislation related to **resource management**, and we expect significantly more consultations in the RM space over the next 18 months, including new legislation to replace the RMA and changes to national direction.

Our **Transport** Forum, chaired by Mayor Neil Holdom, is engaging with Government Ministers and officials on a range of issues as well as gathering data to support this advocacy. For example, we surveyed Transport Forum members to get an idea of the cost of implementing the Government's new policy of variable speed limits in school areas. Early indications are that this is having a significant fiscal impact on councils already facing significant financial pressure as a result of funding decisions made in the NLTP 2024-27. We have also raised concerns with Ministers and in the media about the proposal to increase the private share of public transport operating expenditure, which is of concern to regional councils because it would significantly increase passenger fares.

In August we shared an explainer on **water services reform** ahead of the introduction of the Local Government (Water Service Preliminary Arrangements) Bill, and the Local Government (Water Services) Bill. As well as submitting on those bills in January, we hosted a well-attended Āko hour to inform councils' engagement on the Commerce Commission's discussion paper on the economic regulation of water. There is still a huge amount of investment required in the water space – which is only getting more expensive over time. We are thoughtful that, even with reform, CCOs will still be constrained by consumers' ability to pay for water services.

The Government made announcements around its **regional deals** framework at SuperLocal, with the framework largely reflecting our position. It included partnership, new funding tools and a commitment to long-term planning, and was modelled on LGNZ's proposal released earlier in 2024. We know funding tools and regulatory relief will be made available in the regions that secure deals. We have been advocating for those benefits to be available for all of local government (where that makes sense). The government so far has committed to completing one regional deal by the end of 2025 and a further two by 2026. We called for more deals to be agreed sooner in our briefing to Minister Watts when he took over as Minister of Local Government, and we understand he is supportive of this view.

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## We advocate to protect elected members

Every elected member knows harassment and bullying related to your role is on the rise, especially online. We help connect you to expertise (see below) and we also push for broader system change. For example, our advocacy meant the requirement to put your address on electioneering material was dropped. This year we submitted in favour of new anti-stalking legislation and how it could be relevant to elected members. We also run surveys across local government that track these trends and provide data about the scale of the problem that we can use in the media and submissions.

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## We innovate in the long-term interests of local government

LGNZ was instrumental in creating the Local Government Funding Authority back in 2011. Now we're working on the **Ratepayers Assistance Scheme**, which would leverage the high credit quality of local government rates, to give ratepayers access to cheap borrowing for specific home improvements or ratepayer charges in support of local and central government priorities. By accessing efficient capital market financing, the RAS would pass savings to ratepayers. The RAS lends directly to ratepayers, keeping councils financially whole.

The new Local Government Minister has expressed strong interest in progressing the RAS. We are now taking next steps to secure the necessary financial commitment and legislative changes.

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## We celebrate the best of local government

Our annual SuperLocal awards recognise outstanding local government projects and people – and generate media coverage for the winners.

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## We help Iwi connect with local government

Through our MOU with the Iwi Chairs Forum, we are engaging more closely with that group. We are working on building our direct relationships with mana whenua to support our ability to guide councils and enable Iwi to partner with you.

# LGNZ connects local government

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## Events

Our events give you the chance to network with Ministers and other politicians. Recent events have featured Local Government Minister Simon Watts (and before him Simeon Brown), Chris Bishop (several times), Chris Penk, Simon Court, Mark Patterson, Matt Doocey, Shane Jones (several times), James Meager, Penny Simmonds, Louise Upston, Mark Mitchell, Andrew Hoggard, Todd McLay. SuperLocal featured the Prime Minister and all key Ministers (and Opposition), with Finance Minister Nicola Willis speaking at the pre-conference women's lunch. Minister Watts has told us he wants to maximise LGNZ events because he sees them as a great opportunity to engage with a wide range of local government at once – so we work closely with his office to give him opportunities to address the sector together.

All LGNZ events – from our SuperLocal conference to All-of-local government meetings, Sector meetings and Zone meetings – help elected members build relationships, learn from experts and hear about best-practice. They're a chance to build and grow relationships that provide critical support or enable regional or cross-regional projects. SuperLocal is the local government event of the year, with the Prime Minister, Ministers, experts and guest speakers joining local government to speak, network and set the media agenda. More than 800 people attended in 2024

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## Networks

Our dedicated networks provide support and advice for specific groups of elected members. Te Maruata connects Māori elected members, helping give new elected members a strong local government foundation as well as somewhere to go with challenges and questions. Te Maruata holds monthly zooms as well as also meeting two or three times a year in person to hear expert speakers, workshops and discussions. Te Maruata also plays a pivotal role in LGNZ's relationship with the Iwi Chairs Forum.

Young Elected Members holds an annual in-person hui as well as meeting ahead of SuperLocal, and providing YEMs with ongoing support.

The Community Boards Executive Committee brings together community board members and runs a biennial conference, as well as working to build better relationships between community boards and councils.

Last year we brought women in local government together both online and in person, including at the hugely popular pre-conference event featuring Finance Minister Nicola Willis that received significant media coverage after she “called out the trolls”. This year we’ll be creating more vehicles for women to come together while continuing to advocate for measures to keep all elected members safer.

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## Elected member safety

A poll at LGNZ’s All-of-local-government meeting in April 2024 revealed 53% of attendees felt abuse and harassment was worse than a year ago. We’ve highlighted the seriousness of these issues in the media, and via our zooms with the likes of NZ Police and Netsafe. Last year we ran three zooms on your safety and security, with tips and advice from security experts, real-life case studies, and a session on how to deal more efficiently and safely with Sovereign Citizens, who are consuming huge amounts of some councils’ resources. These zooms gave elected members and CEs the chance to share experiences and realise the scale and seriousness of the problem, as well as sharing strategies to manage it.

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## Keeping you in the loop

Finally, we keep you informed through a broad range of communications, from personal emails to newsletters like *Keeping it Local*, social media and topical zooms.

# LGNZ supports local government

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## Ākona professional development for election members

Elected members can access our professional development platform Ākona at home or whenever it suits you. Or, like increasing numbers of councils, councillors can gather and go through one course together. Ākona has about 500 active users, with 42 users even choosing to engage with the platform over the summer break. Over 200 users have made use of the skills analysis tool and 483 members have enjoyed the top five e-modules.

At the moment, 22 courses are available on the Ākona online platform covering these topics:

- > Asset management
- > Chairing meetings
- > Climate change
- > Conflicts of interest
- > Council membership
- > Designing and delivering great speeches
- > Engaging with Māori
- > Engaging with the media
- > Engaging with your community
- > Financial governance
- > Funding and finance
- > Governance
- > Health & safety and good governance
- > Leading complex communities
- > Local Government Official Information and Meetings Act
- > Long Term Plan
- > Navigating Local Government meetings
- > Remuneration and Tax for elected members
- > Te Reo Māori
- > The chief executive relationship
- > What is local government?

There are also 23 recorded Ako hours available:

- > Economic regulation of water services – information disclosure
- > Introducing water meters
- > Funding and financing infrastructure
- > Standing Orders with Dr Mike Reid
- > Tairawhiti: resourcing regional resilience
- > Mangatāwhai Wetlands restoration project
- > Innovations for climate adaptation
- > Pecuniary and non-pecuniary interests
- > Te Tiriti o Waitangi
- > No News is good news – working with media
- > Social media safety
- > Empowering localism
- > Deliberative democracy
- > Privacy Act
- > Code of Conduct
- > Applied governance
- > Debate not destruction
- > Electoral reform and the future of local democracy
- > Electoral reform – a historical perspective
- > Applied governance
- > Māori wards legislation
- > Community committees
- > How to transition a new mayor

## Te Korowai

Our Te Korowai programme helps councils to understand how you're performing by identifying your most pressing challenges and opportunities, guiding you toward growth and continuous improvement. Formerly known as CouncilMARK, Te Korowai has been totally revamped and provides insights and analysis that can be turned into real action and change.

## Guides and templates

LGNZ publishes a large range of guides as noted on [page 7](#). Most recently, the 2025-2028 edition of the LGNZ standing orders template was [published in late December](#). There are three templates: one for city and district councils, one for regional councils and one for community boards. Then in March we published the [Guide](#) to these templates, which includes:

- Advice on implementing the Ombudsman's Guidance on public access to workshops;
- More information on delegations and setting agendas;
- Guidance on issues that emerged in the last term, such as using co-chairs and vacating the chair;
- Protocols for online meetings and people joining meetings remotely; and
- Templates for parental leave and childcare policies.

Last year at SuperLocal, we launched [Localism: A Practical Guide](#), which sets out a wide range of tools and approaches councils can use to apply localism across your day-to-day work.

## Data and decision making

We are a founding partner of the Road Efficiency Group Te Ringa Maimoa (REG) sector partnership, which works with Road Controlling Authorities and NZTA Waka Kotahi to enhance business practices in the transport sector. This programme focuses on improving the local government capability, leading to better decision-making based on solid activity planning, service delivery, and quality comparative data.

We also work with councils to implement the Moata Carbon Portal, which helps councils manage and reduce carbon in infrastructure projects.

## Want even more detail?

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Every four months, LGNZ publishes a report that sets out exactly what we've worked on and achieved for members during that period. Read our most recent four-monthly reports:

- > [November-February 2025](#)
- > [July-October 2024](#)
- > [March-June 2024](#)

# WHAT PROGRESS HAVE WE MADE ON 2023 AND 2024 REMITS?

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*Member councils can propose remits to LGNZ's AGM. The AGM then prioritises the remits that pass, to guide how much resource LGNZ puts into them.*

# 2024 remits

## Remit

## Progress update

### **Appropriate funding models for central government initiatives**

That LGNZ proactively promote and lobby for the development of a more equitable and appropriate funding model for central government initiatives.

This remit is being progressed as part of the wider funding and financing work programme (and is a core objective of this work).

### **GST revenue sharing with local Government**

That LGNZ be proactive in lobbying central government on sharing GST revenue with local government, derived from local government rates and service fees related flood protection mitigation, roading, and three waters, for investment in these areas.

This remit is being progressed as part of the wider funding and financing work programme. The Government has signalled the return of GST on new housing and wider incentives for councils as part of pillar three of its Going for Housing Growth policy. We have been engaging with officials and the Minister to advocate for such measures.

### **Local Government Māori Wards and Constituencies should not be subject to a referendum**

That LGNZ lobbies central government to ensure that Māori wards and constituencies are treated the same as all other wards in that they should not be subject to a referendum. We oppose the idea that Māori wards should be singled out and forced to suffer a public referendum.

Now that legislation has been passed, we know that 42 councils will be holding a referendum on Māori wards. LGNZ will support Te Maruata and the wider membership around the upcoming referenda and elections broadly.

### **Proactive lever to mitigate the deterioration of unoccupied buildings**

That LGNZ advocate to Government:

- > For legislative change enabling local authorities to compel building owners to remediate unoccupied derelict buildings and sites that have deteriorated to a state where they negatively impact the amenity of the surrounding area.
- > To incentivise repurposing vacant buildings to meet region-specific needs, for example, accommodation conversion.

Late last year we had an initial discussion with Gisborne District Council to determine the work programme for progressing this remit, which was also discussed at the first meeting of the LGNZ Seismic Strengthening Group. We are working with GDC to deliver the work programme for this work, including raising it in engagement with Minister Penk as part of his reforms of the building system.

### **Representation Reviews**

That LGNZ advocate for changes that support the provision of timely and accurate regional and sub-regional population data to councils for use in council representation reviews.

We have written to the Minister to highlight these matters. Statistics NZ is reviewing the methodology for the 2028 census. We are monitoring this process in case it provides an opportunity to progress this remit. A move to a four-year term, which we are actively lobbying for, would require a change in the timings of representation reviews so this remit is also informing the thinking of the Electoral Reform Working Group.

### **Community Services Card**

That LGNZ advocate to Central Government to amend the Health Entitlement Cards Regulations 1993 so that the cardholder can use the Community Services Card as evidence for the purposes of accessing Council services which would otherwise rely on a form of means testing.

We wrote to relevant Ministers asking that councils be allowed to make use of the Community Services Card when offering discounts to council facilities. We have yet to receive a response. We also put out a media release, which got good coverage, and engaged via social media.

### **Graduated Licensing System**

That LGNZ advocate for changes to the fee structure for driver licensing, better preparing young people for driver licence testing, and greater testing capacity in key locations throughout New Zealand, in order to relieve pressure on the driver licensing system and ensure testing can be conducted in a quick and efficient manner.

Mayors Taskforce for Jobs (MTFJ) has agreed to progress this remit because it relates to its work with the Driving Change Network. As part of this work, MTFJ has revitalised its links with the network, including joining its steering group as an *ex officio* member. The remit aligns well with the Network's work to create an equitable and accessible driver education, training and licensing system that enables safe drivers.

Since the remit was adopted, the Government has also announced changes to the drivers licensing system in line with the remit, in particular free unlimited resits of license tests have been stopped, and the community driver testing officers programme has been rolled out.

# 2023 remits

## Remit

## Progress update

### **Allocation of risk and liability in the building sector**

We've raised the issues that this remit addresses in engagement with the Minister for Building and Construction, particularly through the Metro Sector's engagement with him, and when the Minister announced a number of changes to streamline building consent requirements earlier this year. We also used the Minister's recent announcements on moves to make remote building inspections the default as an opportunity to raise the issues this remit addresses in the media. We will continue to advocate for the changes this remit proposes in our ongoing engagement with the Minister and MBIE, and in our submission on the shift to remote building inspections.

### **Rates rebates**

The Minister for Local Government announced an increase to the rates rebate scheme, shortly after we met Ministers Brown and Costello in early April 2024, and talked about the need for these changes to support low-income households. However, the increases that were announced are only in line with inflation, not the Local Government Cost Index, which is the core ask of a similar remit put forward by Horowhenua District Council in 2020. We'll continue to advocate for increases to the rates rebate scheme in line with the LGCI.

### **Roading/transport maintenance funding**

Our Transport Forum is leading work on this remit. Our submission to the draft Government Policy Statement advocated for increased investment in road maintenance. The Government subsequently announced through the Budget significant additional investment (over and above that signalled in the draft GPS) of \$939.3 million for roads damaged by last year's severe weather events, and confirmed that \$1.9 billion for pothole prevention on local roads will be made available through the NLTP. Our Transport Forum will continue to advocate on this remit.

### **Local election accessibility**

We have written to the Minister for Local Government and Minister for Disability Issues about this remit. It is also included in the draft position paper of the Electoral Reform Working Group.

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**Ability for co-chairs at formal meetings**

We incorporated guidance (informed by legal advice) on how to introduce co-chairs into our revised Guide to the LGNZ Standing Orders Template, which was published in early February 2024.

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**Parking infringement penalties**

Following discussions around progressing this remit, the Ministry of Transport confirmed that it was working to increase the maximum fees councils could charge for parking infringements and towing costs. This goes some way to addressing the concerns raised by the remit, though would not ultimately give councils the authority to set rates at the levels they deem appropriate as the remit requested. We will continue to advocate for devolving authority to councils in this area as part of our funding and finance work.

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**Rural and regional public transport**

This remit is being progressed through the work that our Transport Forum is leading. Our submission to the draft GPS Land Transport advocated for increased investment in rural and regional public transport. The Government subsequently announced a 41% increase in indicative funding for public transport in June, including beginning rollout of the National Ticketing Solution, and in July announced \$802.9 million for investment in Lower North Island commuter rail. Our Transport Forum will continue to advocate on this remit.

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**Establishing resolution service**

We built work on developing a resolution service into the refreshed LGNZ strategy, but National Council has decided to pause this work as a result of some councils withdrawing from LGNZ (which has had an impact on our resourcing levels). We are doing work to bring together all the work we already do in this space so that councils are aware of what support is available to them.

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**Earthquake prone buildings**

As championed by Manawatū District Council (the mover of this remit), a review of the current earthquake strengthening requirements has been announced. Our Policy Team has been working with Manawatū District Council and officials at MBIE to ensure the review meets the needs of local government, and that there is strong local government input into it – including getting our three suggested members appointed the steering group. There has been good media coverage of this review, and the role Manawatū District Council has played in pushing for it. An issues paper has now been drafted ahead of convening a group of elected members/officers to help guide LGNZ's response to the review.

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**KiwiSaver contributions for elected members**

We have engaged with Ministers and officials on this issue. We have engaged Simpson Grierson to provide detailed advice on options for providing KiwiSaver contributions for elected members – including drafting of relevant legislative clauses. We have proactively raised this issue with Minister Watts as part of our briefing to the incoming minister.

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**Scope of audits and audit fees**

We have raised the cost of audits with the Minister and Prime Minister as part of our wider advocacy around seeking reform of the Long-term Plan to make it more effective and efficient.

Another part of our approach to reduce fees is to ensure that the legislative requirements and scope (and resulting repetition and complexity) of Long-term Plans and Annual Plans and reports are reduced to be better aligned with needs and cost less to audit. We have met with Audit NZ, Taituarā and the Office of the Auditor General to review the current requirements of long-term planning and associated reporting. This has informed further advocacy to DIA and the minister.



## 7.1 Notice of Motion: Councillor Marie Olsen – Local Government New Zealand

**Meeting:** Whangarei District Council  
**Date of meeting:** 29 April 2025  
**Reporting officer:** Simon Weston (Chief Executive)

### 1 Purpose / Te Kaupapa

To consider a Notice of Motion from Councillor Marie Olsen.

### 2 Recommendation / Whakataunga

That the Council withdraw from Local Government New Zealand (LGNZ).

### 3 Background / Horopaki

The Chief Executive has received a Notice of Motion, within the timeframe specified in Standing Orders, from Councillor Olsen for inclusion in the 29<sup>th</sup> April 2025 Council Meeting agenda.

Councillor Olsen proposed to move the following motion: “That the Whangarei District Council withdraw from Local Government New Zealand”.

Councillor Olsen’s signed Notice of Motion is attached.

### 4 Discussion / Whakawhiti kōrero

Councils LGNZ membership is due for renewal in June 2025

#### 4.1 Financial/budget consideration

LGNZ membership budget is in the region of \$60,000 per annum. For 24/25FY forecasting has allocated \$83,000 for payment of the subscription cost for LGNZ. This is allocated from an operational budget, and can be reallocated within the operational department.

### 5 Significance and engagement / Te Hira me te Arawhiti

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 / Ngā Tāpiritanga**

Notice of Motion – Councillor Marie Olsen

To the Chief Executive,

**Under the Whangarei District Council's Standing Orders (Adopted 15<sup>th</sup> December 2022)**  
**- Clause 27.1, page 56**

It is my intention to move the following Notice of Motion at the Whangarei District Council's meeting on 29<sup>th</sup> April 2025:

**Notice of Motion**

That the Council withdraw from Local Government New Zealand.

Signed on m. Olsen.

27/3/25

**Cr Marie Olsen**  
Whangārei Urban Ward Councillor  
Whangārei District Council



## 7.2 Fluoridation Litigation decision

**Meeting:** Whangarei District Council  
**Date of meeting:** 29 April 2025  
**Reporting officer:** Simon Weston - Chief Executive

### 1 Purpose / Te Kaupapa

To consider continuation of judicial review and legal proceedings relating to fluoridation.

### 2 Recommendations / Whakataunga

That the Council

1. Notes that the decision of the High Court dated 21 March 2025 in which Council's application for interim relief was unsuccessful.
2. Notes the legal advice that it has received from Jeremy Browne in relation to the judicial review and declaration proceedings.
3. Notes the letter from Crown Law dated 17 April 2025.
4. Approves the withdrawal of Council's judicial review proceedings.
5. Approves the withdrawal of Council's the declaration proceedings.
6. Authorises the Chief Executive to undertake those actions and instructions necessary to give effect to Council's resolution/s.

### 3 Background / Horopaki

On 12 February 2025 Council resolved to initiate legal proceedings comprising three separate applications:

1. Application for urgent interim relief.
2. Application for Judicial review to challenge the directive of the Director-General of Health to fluoridate drinking water at levels of 0.7 to 1.0 ppm; and
3. Application for declaration proceedings to challenge the safety of fluoridating the drinking water at levels of 0.7 to 1.0 ppm.

Jeremy Browne, Director of Henderson Reeves was appointed to represent council in the proceedings and lodged applications on behalf of Council.

## 4 Discussion / Whakawhiti kōrero

### Interim relief decision

A hearing on interim relief was held on 18 March 2025. In a reserved decision dated 21 March 2025 (Attachment 1), Justice Grau refused the request for interim relief noting that the substantive judicial review application has low prospects of success, and the declaration proceedings “may also find difficulties”.

### Judicial review proceedings

The judicial review proceedings were initiated to provide a basis for the claim for interim relief (the interim relief application could not occur without a concurrent substantive claim). With the interim relief application having been unsuccessful, the necessity of continuing with the judicial review proceedings can be reconsidered. Points to note in considering withdrawal of the judicial review proceedings include:

- The High Court has strongly signalled that Council’s proceedings are likely to be unsuccessful.
- There is the possibility of costs being awarded by the Courts at a higher scale against Council if Council continues with the proceedings and is unsuccessful. Increased costs in the past have been awarded by the Court against a party who pursued a claim that lacked merit.

Although Council could withdraw from proceedings at any time up to the date of judgment, the later the time of withdrawal, the higher the costs will be both in preparing Council’s own case in terms of legal fees and expert costs. Costs will also be higher if Council is required to pay for the costs of the Crown and their experts. Late withdrawal of proceedings by a party can also result in costs being awarded at a higher scale against the withdrawing party.

### Declaration proceedings

The declaration application proceedings are still in the early stages.

However, in the High Court decision on interim relief Justice Grau signalled that the declaration proceedings could also face difficulties in that:

- The courts have previously expressed hesitation to engage in scientific reviews as they are not equipped to determine disputed issues of scientific or technical opinion.
- The type of declaration sought by the Council (that fluoridation levels are likely to cause a serious risk to health and is unsafe) are not of the type which are typically made by the Court.
- The Judicial Review Procedure Act 2016 may result in the declaration proceedings being treated as a judicial review.

Staff advice is to withdraw from both the declaration and judicial review proceedings.

If Council were to withdraw its declaration and judicial review proceedings, there are still proceedings on the merits of fluoride progressing through the courts. The judicial review application by New Health New Zealand is still progressing through the courts. The Court of Appeal will consider the Ministry of Health’s appeal on the Bill of Rights decision (that the Director-General of Health must consider the Bill of Rights when making a direction) in June 2025. The substantive challenge relating to the merits of fluoridation is likely to be scheduled once the outcome of the Court of Appeal proceedings is known.

## **Response from Director-General of Health**

At the Extraordinary Council Meeting on 17 March 2025, Council resolved to write urgently to the current Director General of Health seeking clarity on:

- i. Whether the current Director General of Health stands by the directive to add hydrofluorosilicic acid to the total Whangarei water supply; and
- ii. That the current Director General of Health declares that adding hydrofluorosilicic acid at a level of 0.7 - 1.0 ppm is safe for humans and in particular is safe for pregnant women, babies and infants to ingest.

The Director General's response to these points (received on 7 April 2025) has been included as Attachment 2.

## **Letter from Crown Law**

A letter was received from Crown Law dated 17 April 2025 summarising its views on the likelihood of success of the judicial review and declaration proceedings. Crown law has indicated that it will not pursue costs in defending the substantive proceedings (as opposed to the interim relief hearing) if Council were to discontinue the judicial review and declaratory proceedings now.

## **Fluoride free tap**

There have been some queries from members of the public as to whether a Fluoride Free Tap can be provided within the district. It should be noted that most of our supplies have background levels of fluoride and removing fluoride completely is not practical. Any tap provided is likely to be reduced fluoride but not fluoride free.

The requirement to add fluoride to the water supply was the result of a directive from the Director General of Health. The directive was made under the Health (Fluoridation of Drinking Water) Amendment Act 2021. Under this Act the directive can allow a water supplier to have one or more taps to which fluoride has not been added. Clause 116F includes the following;

*(3) A direction to add fluoride to drinking water may allow the local authority to supply, at 1 or more specified sites, water to which fluoride has not been added.*

However, this allowance was not made in the directive received by Whangarei District Council. We could ask the Director General of Health to alter the directive to allow for this. However, before this is done, we will need to decide if it is appropriate to have these taps and how many and where.

The determination of whether it is appropriate to offer an alternative source is interesting. Whilst it is acknowledged that some people would rather not drink fluoridated water there are methods that individuals or households can take to reduce or avoid fluoride. These include filtration/treatment systems, rainwater collection and bottled water. Even prior to fluoride being added some residents chose to use these methods for personal reasons, examples being taste, or avoiding the chlorine. There will always be people who would prefer a different level of service and catering to everyone's individual preferences is challenging. It is important Water Services' focus is on meeting the legislative requirements and drinking water standards.

Providing a public tap at a location where fluoride has not been added limits options to water taken from the treatment plants before the fluoride injection points or from supply areas which do not add fluoride. It is not practical to set up collection taps close to the treatment plants as access is limited and there are no parking areas. This leaves the three networks which do not have fluoride added, Poroti, Maungakaramea and Mangapai. It may

be possible to set up public taps at these locations to allow people to fill containers. It should be noted that the Poroti system has been directed to have fluoride added by 30<sup>th</sup> June 2026. Therefore, Maungakaramea would seem the most logical choice as it has the lowest level of natural fluoride and is between the City and Bream Bay. Further work would need to be done to identify a suitable site, determine costs and who will pay.

It may be possible for Council to transport water from these locations into town and dispense it at an agreed location although this would incur setup and ongoing operational costs. Alternatively, it might be a business opportunity for someone to deliver water from these locations.

It is not recommended that a fluoride removal plant(s) is constructed. Not only does the system remove some of the fluoride but also removes chlorine. Taumata Arowai have advised that we would need to add chlorine back into the water before dispensing. This effectively means constructing a mini treatment plant with high capital cost and all the operational and chemical handling risks. A system installed in Hamilton cost \$70,000 to construct in 2016. Depending on the location and degree of treatment required it is likely to cost in the region of \$150,000 today. These small systems can be unreliable and require regular checks and maintenance. Such a system would be best run by contractors.

There may be other options available. For each option there are many factors and practicalities that need to be considered. These include parking, drainage, disposal of waste products, health and safety, hygiene and the potential risk to water quality. Further work is required to provide a more accurate assessment. It is estimated this work will cost in the region of \$20,000 - \$30,000 to identify all options and provide an initial analyse of each.

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

##### **Current costs**

External legal costs (including experts witnesses) \$148,890.79 including GST.

Estimate of Staff time spent on fluoridation is 1024 Hours, which is equivalent to over 27 weeks work for a single FTE.

##### **Potential legal costs**

- In the interim relief judgment, Justice Grau determined that this was a case for which costs would be appropriate. These costs are awarded against Council. The quantum of those costs will not be determined until after the judicial review proceedings (if continued). The current estimate of the amount of those costs to date are \$12,500.
- Crown Law has indicated in a letter dated 17 April 2025 that it would not seek additional costs beyond \$10,000 if Council were to withdraw its legal proceedings now. However, it will consider seeking costs at an increased scale if the proceedings are to continue.
- The level of costs awarded could change (increase) if Council is viewed as having pursued a claim without merit. Late withdrawal of proceedings by a party can also result in costs being awarded at a higher scale against the withdrawing party.
- Declaration proceedings involving cross examination of experts would be time consuming and expensive. Staff have asked for an estimate of these costs and will be able to provide the details of that estimate at the Council meeting.
- If Council were unsuccessful in the declaration proceedings, Council would be liable for court costs and the Ministry of Health's expert costs.

## **5 Significance and engagement / Te Hira me te Arawhiti**

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 or Council News or Facebook.

## **6 Attachments / Ngā Tāpiritanga**

**Attachment 1:** High Court judgment dated 21 March 2025

**Attachment 2:** Letter from Director-General of Health dated 7 April 2025

**Attachment 3:** Letter from Crown Law dated 17 April 2025



**IN THE HIGH COURT OF NEW ZEALAND  
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-A-TARA ROHE**

**CIV-2025-485-000130  
[2025] NZHC 616**

UNDER

the Judicial Review Procedure Act 2016 and  
Part 30 of the High Court Rules

IN THE MATTER OF

an application for judicial review of a  
direction made by the Director-General of  
Health under s 116E(1) of the Health Act  
1956

BETWEEN

WHANGAREI DISTRICT COUNCIL  
Applicant

AND

DIRECTOR-GENERAL OF HEALTH  
First Respondent

ATTORNEY-GENERAL  
Second Respondent

Hearing: 18 March 2025

Counsel: J A Browne and J Cartwright for Applicant  
J N E Varuhas, S Deng, and R Gavey (via VMR) for Respondents

Judgment: 21 March 2025

**JUDGMENT OF GRAU J**

**Introduction**

[1] The applicant, the Whangarei District Council (the Council), seeks interim orders that would prevent the Director-General of Health taking any enforcement action against it if it does not begin to fluoridate its water supplies by 28 March 2025. The Council is required to fluoridate pursuant to a direction by the Director-General of Health made in 2022 (the Direction), under s 116E of the Health Act 1956.

[2] The Council does not agree with the Direction. It has filed two separate proceedings: one on 14 February 2025, being declaratory proceedings which seek a review of the merits of the science underpinning fluoridation of water supplies, and another on 21 February 2025 seeking judicial review of the Direction. The Council seeks the interim orders to apply until its proceedings are determined. The Council says that, based on expert evidence it has obtained, if it is forced to add fluoride to the water it supplies to its community it will breach its obligation under the Water Services Act 2021 to provide safe drinking water to its community. The Council's position is that fluoridation at the level required by the Direction poses a serious risk of injury to the public, particularly pregnant women and babies.

[3] The respondents, the Director-General of Health and the Attorney-General, oppose interim relief. Their position is that the Council is under a mandatory duty to comply with the Director-General's direction. They say that the Court should not grant orders on the eve of the date when the Council must begin fluoridation as that would enable the Council to pursue an unlawful course of action and insulate the Council from the consequences of doing so. The respondents submit that a grant of interim relief would also be contrary to Parliament's intention; severely prejudicial to the public interest; and that the Council's substantive claim lacks merit.

## **Background**

[4] Fluoridation of public water supplies began in New Zealand over 50 years ago, with the purpose of improving oral health. Approximately half of New Zealand's public water supplies is fluoridated, including major urban centres.

[5] The Council is the local authority for Whangarei District, home to approximately 100,000 residents. As part of the services it provides to its district, the Council supplies about two-thirds of residents with drinking water from four water supply areas—namely Whangarei, Bream Bay, Mangakaramea and Mangapai via seven water treatment plants (WTPs).<sup>1</sup> The water supplies in the Whangarei District have never been fluoridated.

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<sup>1</sup> Whau Valley, Ruddels and Poroti WTPs for Whangarei, Ruakaka and Ahuroa WTPs for Bream Bay, and Mangakaramea WTP and Mangapai WTP for their respective water supply areas.

[6] In the past the decision whether or not to fluoridate a water supply was made by the local authority. However, on 31 December 2021, Parliament passed the Health (Fluoridation of Drinking Water) Amendment Act 2021. This amending Act introduced pt 5A and sch 1AA into the Health Act, which enables the Director-General of Health to direct local authorities to add (or not add) fluoride to drinking water and requires the local authorities to comply with the Director-General's direction.<sup>2</sup> The decision to fluoridate was consequently transferred from local authorities to the Director-General of Health.<sup>3</sup> Parliament did so to ensure that decisions about fluoridation were based on scientific and public health expertise which local authorities do not possess. It was also a response to the pressure local authorities had come under from groups opposed to fluoridation.<sup>4</sup>

[7] The insertion of pt 5A also resulted in the creation of a criminal offence for a local authority that fails to comply, or permits a failure to comply, with a direction to fluoridate, the penalty for which is a \$200,000 fine and a further \$10,000 fine for each day the failure to comply continues.<sup>5</sup>

[8] On 27 July 2022, the Director-General directed the Council (along with 13 other local authorities) under ss 116E(1) and 116F(2) of the Health Act 1956 to fluoridate the Whangarei drinking water at between 0.7–1.0 parts per million (ppm) (the Direction) by:

(a) 31 December 2023 for the Whau Valley WTP and Ruddells WTP;

(b) 31 December 2025 at Poroti WTP; and

<sup>2</sup> See Health Act 1956, s 116E.

<sup>3</sup> The original version of the Amendment Act provided for the decision to fluoridate to be made by District Health Boards. However, the decision-maker became the Director-General in order to “seek a nationally consistent approach” and because the Director-General was an “...official who is resourced and equipped to make the decision and take the science of fluoride away from being litigated in every part of the country.” (26 October 2021) 755 NZPD 5639.

<sup>4</sup> (6 December 2016) 719 NZPD 15531; Ministry of Health *Regulatory Impact Statement: Transferring decision-making on the fluoridation of drinking-water from local authorities to district health boards* (21 March 2016); Ministry of Health *Departmental Disclosure Statement: Health (Fluoridation of Drinking Water) Amendment Bill* (2 November 2016).

<sup>5</sup> Health Act, ss 116I, 116J and 116K. It is a strict liability offence; it is not necessary to prove an intention to commit the offence, but there is an available defence of lack of intention to commit the offence and the taking of all practicable steps to prevent commission of the offence.

(c) 30 June 2024 at the Bream Bay supply.

[9] In a letter dated 28 March 2023, the Director-General modified the Direction, by extending some of the deadlines. The Director-General also reminded the Council that contravention or permitting contravention of a direction to fluoridate constitutes an offence.

[10] On 12 June 2023, an advocacy group, New Health New Zealand Incorporated, filed a statement of claim seeking judicial review of the Director-General's directions to the 14 local authorities to fluoridate (the New Health proceeding). The claim was brought on the grounds that the directions to local authorities breached the right to refuse medical treatment in s 11 of the New Zealand Bill of Rights Act 1990 (NZBORA), were based on mistakes of fact, were irrational, and that the Director-General failed to turn his mind to whether the directions were a reasonable limit on s 11, failed to adequately consider the oral health of the populations affected, failed to adequately consider the costs of fluoridation, and failed to consider a direction not to fluoridate.

[11] In a hearing on 18 September 2023, the High Court considered the preliminary issue in the New Health proceeding of whether the Director-General failed to turn his mind to whether the directions to fluoridate were a reasonable limit on the right to refuse medical treatment. In a decision dated 10 November 2023, Radich J determined that the Director-General was required to consider whether the directions were a reasonable limit on s 11 of NZBORA, and had failed to do so.<sup>6</sup>

[12] In a subsequent decision in February 2024 regarding relief consequent on the failure to consider NZBORA, Radich J directed the Director-General to reconsider the directions to fluoridate and assess whether they were a reasonable limitation on the right to refuse medical treatment.<sup>7</sup> His Honour, however, declined to quash the directions, on the basis of the potential for significant prejudice to public

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<sup>6</sup> *New Health New Zealand Inc v Director-General of Health* [2023] NZHC 3183.

<sup>7</sup> *New Health New Zealand Inc v Director-General of Health* [2024] NZHC 196.

administration, prejudice to third parties, and events subsequent, with particular regard had to the fact that funding had been provided for capital works on fluoridation.<sup>8</sup>

[13] Following the February 2024 relief decision in the High Court, the Director-General informed the Council that the Direction was still in force.

[14] In the meantime, on 13 October 2023, the Ministry (which had agreed to provide funding for local authorities directed to fluoridate) and the Council had signed an agreement for community water fluoridation capital works. The total funding the Ministry committed to the Council was \$4,557,856.88. Currently \$2,278,928.44 has been paid, and the remainder will be paid once fluoridation has started. The agreement requires the Council to repay the funding if fluoridation does not start.

[15] Justice Radich's November 2023 decision has been appealed to the Court of Appeal, to be heard by a full court in June 2025. The remaining issues in the New Health proceeding will be determined once the preliminary matter concerning consideration of s 11 of NZBORA has been finally determined.

[16] On 3 May 2024, the Director-General received a letter from the Council's Chief Executive seeking an extension of the Direction to 28 March 2025 on the basis of uncertainty due to the High Court's decisions. The Director-General granted the extensions but did so on the basis of allowing more time for completion of capital works and commission plants, not legal uncertainty. The new deadlines for fluoridation to start were:

- (a) 28 March 2025 for the Whau Valley, Ruddells, Ahuroa and Ruakaka WTPs; and
- (b) 30 June 2026 for the Poroti WTP.

[17] On 28 November 2024, a majority of the elected members of the Council passed a resolution "not to add fluoride to the [Council's] water supplies as required by the directive from the Ministry of Health". The resolution stated that the decision

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<sup>8</sup> At [29]–[30].

was based on “recent court rulings and research that question the effectiveness, safety and legality of fluoridation”.<sup>9</sup>

[18] On 3 December 2024, the Director-General confirmed the Direction following her consideration of NZBORA which concluded the Direction was a justified limitation on the right to refuse medical treatment.

[19] On 6 December 2024, the Director-General advised the Council that the Direction created a mandatory legal obligation on the Council to fluoridate to the required level by 28 March 2025, and reiterated that it was an offence to contravene the Direction.

[20] On 18 December 2024, the Council resolved to seek an extension from the Director-General for compliance with the Direction until the New Health NZ judicial review against the Director-General was finally decided and did so via a letter dated 20 December 2024. The Council stated the basis of its request as being “serious conflicting views on the safety and effectiveness of community water fluoridation”. It noted that Whangarei had never fluoridated, and that a referendum on fluoridation in 2002 was clearly against it. The Council also advised that it had resolved to pursue other measures, including an application for an interim injunction, if an extension was not granted.

[21] On 30 January 2025, the Director-General declined the Council’s request for an extension, stating:

For the reasons detailed in the evidence review conducted to inform my Bill of Rights Act analysis, I reject the view that there are serious conflicting views of the safety and effectiveness of community water fluoridation. At the levels of fluoride required to be used for community fluoridation in New Zealand, I am satisfied that a strong and longstanding body of evidence demonstrates that community water fluoridation is safe and effective.

[22] On 12 February 2025, following an extraordinary meeting, the Council declined to revoke its 28 November 2024 resolution not to fluoridate, and resolved to

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<sup>9</sup> *Food & Water Watch Inc v US Environmental Protection Agency* (US District Court, Northern District of California, 17-cv-02162-EMC, 24 September 2024) [US Fluoride Case] in which the Court found that fluoridation of water at 0.7mg/L posed an unreasonable risk of injury requiring the regulator, the Environmental Protection Agency, to engage with a regulatory response.

commence proceedings challenging the Direction, seek urgent interim relief, and confirm instructions to the Council’s lawyer. As already noted, the Council commenced two sets of proceedings in February 2025 and applied for interim orders.

[23] On 17 March 2025, the day before the hearing of the Council’s application for interim orders, the Council held another extraordinary meeting on the issue of fluoridation.<sup>10</sup>

[24] At the 17 March 2025 meeting, the Council resolved to revoke its 28 November 2024 resolution not to fluoridate, so that its staff could commence the testing required to meet the Direction by 28 March 2025. That testing needed to begin at the latest on 19 March 2025 and staff were directed to delay adding fluoride to the water supply until 19 March 2025. The Council also resolved to direct its staff that, if the Court granted interim relief following the hearing on 18 March, they were to cease fluoridation of the Council’s water supplies. The resolution went on to acknowledge that the Health Amendment Act 2021 had taken the decision about fluoridation away from local government and had given it solely to the Director-General. The Council requested the Mayor and Council Chief Executive to seek urgent clarification from the Director-General that she stood by the Direction requiring the Council to fluoridate, that she confirm the safety of adding fluoride at the level required and also to advise that it was testing “under protest and without prejudice to its legal challenge”.

### **Legal principles**

[25] The interim orders are sought under s 15(3) of the Judicial Review Procedure Act 2016 (JRPA), which provides that the Court may make an interim order:

- (a) declaring that the Crown ought not to take any further action that is, or would be, consequential on the exercise of the statutory power; or

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<sup>10</sup> The meeting had originally been scheduled as a closed (public excluded) meeting to take place on 11 March 2025. Following opposition by a majority of Councillors a vote was taken to hold the meeting in public and it was rescheduled to 17 March 2025 to allow for three days’ notice to be given.

- (b) declaring that the Crown ought not to institute or continue any proceedings, civil or criminal, in connection with any matter to which the application relates.

[26] Such an order may be made by the Court on application of a party if, in the Court's opinion, it is necessary to do so to preserve the position of the applicant.<sup>11</sup> That position must be "as far as possible, the position prior to the decision complained of".<sup>12</sup> It has also been said more recently in another challenge to fluoridation that a liberal approach should be taken to that threshold question and:<sup>13</sup>

It is not limited to preserving the status quo. It can include putting the applicant in the position that it would have been but for the claimed illegality.

[27] In that case Cooke J went on to say that a liberal interpretation of the threshold question was appropriate to allow the Court to retain jurisdiction to grant interim orders in all appropriate cases. The strength of the position sought to be preserved was, however, highly relevant to the decision whether to grant such orders.<sup>14</sup>

[28] If the Court is satisfied that the order is reasonably necessary to preserve the position of the applicant, the Court has a wide discretion to consider all the circumstances of the case, including the strengths or weaknesses of the applicant's claim for review, and all repercussions of granting interim relief, whether public or private.<sup>15</sup>

[29] An order under s 15(3) may be made subject to such terms and conditions as the Court thinks fit and may be expressed to continue in force until the application is finally determined, or until such other date, or the happenings of such other event, as the Court may specify.<sup>16</sup>

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<sup>11</sup> Judicial Review Procedure Act 2016 (JRPA), s 15(1).

<sup>12</sup> *Bennett v Superintendent, Rimutaka Prison* [2002] 1 NZLR 616 (CA) at [66].

<sup>13</sup> *New Health New Zealand Ltd v Wellington Water Limited* [2022] NZHC 2389 at [24].

<sup>14</sup> At [24].

<sup>15</sup> *Minister of Fisheries v Anton Trawling Company Ltd* [2007] NZSC 101 at [3] citing *Carlton and United Breweries Ltd v Minister of Customs* [1986] 1 NZLR 423 (CA) at 430 per Cooke J.

<sup>16</sup> JRPA, s 15(4).

## Evidence

### *For the applicant*

[30] Both parties have filed affidavits providing expert evidence. For the Council, Dr Bruce Lanphear, a Professor from the Faculty of Health Sciences at Simon Fraser University in Vancouver, British Columbia, has deposed that community water fluoridation has limited benefits for oral health as compared to topical fluoride applied to the surface of the teeth. He also deposes there is evidence to suggest fluoride causes a number of health problems, and that recent studies have shown an association between prenatal fluoride exposure and lower IQ, due to the fact fluoride is a neurotoxin, particularly at levels around 1.5mg/L.

[31] Dr Lanphear provides an overview and a commentary on scientific evidence about community water fluoridation including reference to research he was involved in (the MIREC study), which found associations between exposure to fluoridated water in infancy and diminished intelligence. He also notes that in 2024, the United States' National Toxicology Program (NTP) published a systematic review of fluoride and neurotoxicity, which found epidemiological studies were consistent in detecting an association between elevated fluoride exposure and reduced IQ. Dr Lanphear further refers to a recent October 2024 update of a systematic review of fluoridation (the Cochrane review) which concluded that community water fluoridation was not significantly associated with reductions of dental caries.

[32] Dr Lanphear takes issue with the Ministry of Health's recent assessment of the science on fluoride which was appended to the 2024 NZBORA assessment, describing it as "largely indistinguishable from an advocacy statement that one finds from partisan groups such as the American Dental Association...".

[33] Dr Lanphear's evidence is supported by that of Dr Philip Grandjean, Professor of Environmental Medicine at the University of Southern Denmark and the National Institute of Public Health, and Research Professor at the University of Rhode Island. He also deposes that research has indicated fluoride is a neurotoxin that negatively impacts children's IQ. He considers that fluoride exposure at the level applied in New Zealand of 0.7 to 1.0mg/L corresponds to an average loss of two IQ points in

progeny. Dr Grandjean is of the view that the elevated levels of fluoride exposure in the New Zealand population who receive community fluoridated drinking water is a serious public health concern that should be discontinued.

*For the respondents*

[34] In support of the respondents' opposition to interim orders, the Deputy Director-General of Health for the Public Health Agency, Mr Andrew Old, filed an affidavit setting out the background to this proceeding. He deposes that the Council was chosen alongside 13 other local authorities to be considered for a direction to fluoridate based on factors such as readiness to fluoridate, cost/value for money, high population reach, geographic coverage, and equity/high need.

[35] Mr Old provided a report to the Director-General on July 2022 that contained analysis of each of the selected local authorities and their water supplies, including consideration of scientific evidence on water fluoridation. This evidence included the Office of the Prime Minister's Chief Scientific Advisor (OPMCSA)'s 2021 Update (2021 Update).

[36] The 2021 Update confirmed pre-existing evidence that there were no adverse effects of any significance arising from fluoridation at the levels used in New Zealand. It also found that adding fluoride to water continues to have a positive impact by reducing the incidence of dental caries which is important to reduce socio-economic health inequities, particularly for Māori and Pacific children. Mr Old recorded that 58 per cent of children in Northland District Health Board area (increasing to 75 per cent of Māori children) had experienced tooth decay at age five, with an average of 3.41 decayed, missing or filled primary teeth. He deposes that the evidence indicated provision of community water fluoridation at a level of 0.7 to 1mg/L was safe and it significantly improves oral health outcomes and reduces the prevalence and severity of dental decay.

[37] Mr Old also notes that, following the High Court's direction that the Director-General undertake a NZBORA assessment of the directions to fluoridate, in December 2024 she published the NZBORA analysis and the underlying scientific analysis conducted in support of it. The Ministry's underlying scientific analysis contained an

updated evidence review undertaken by the Ministry's Office of the Chief Science Advisor (OCSA) in collaboration with the Public Health Authority (PHA) in 2024 (the 2024 Evidence Review). That review concluded that community water fluoridation was a safe and effective public health intervention to prevent dental caries. A further publication in November 2024 which considered more recent research (November 2024 Additional Information Publication) found the more recent research did not change the overall conclusions of the 2024 Evidence Review. The research considered in the November 2024 Additional Information Publication included the NTP's updated systematic review, the 2024 Cochrane review, and the recent Fluoride case in the United States of America.

[38] The evidence of Dr George Town, the Chief Science Advisor at the Ministry of Health, responds to the evidence of Dr Lanphear and Dr Grandjean. Dr Town deposes that their evidence provides no new information from what was addressed in the 2024 Evidence Review and November 2024 Additional Information Publication. He deposes that the relevant studies cited by the applicant's expert witnesses were carefully considered and addressed in the documentation available to, and utilised by, the Director-General in re-affirming the 2022 directions to Councils to undertake community water fluoridation.

[39] Dr Town says that the statements of the applicant's witnesses—that there is no reasonable doubt that developmental neurotoxicity is a serious human health risk associated with elevated fluoride exposure—are incorrect. He asserts the methodology of the 2024 Evidence Review and November 2024 Additional Information Publication is robust and based on the overall body of literature rather than selected references expressing a specific view.

## **Submissions**

### *Applicant's submissions*

[40] Mr Browne, for the Council, submits that the Council is seeking to maintain its position pending the resolution of its claims, as before the Direction, the Council was providing safe drinking water to its community and was compliant with its

obligations to “improve, promote and protect public health within its district”.<sup>17</sup> He says that if the Council is forced to fluoridate it will be in breach of s 23 of the Health Act as well as its obligation to provide safe drinking water under s 21 of the Water Services Act 2021. The position it seeks to preserve is its position before the Direction was made. Mr Browne submits that the Director-General’s decision in late 2024 to affirm the earlier direction is also relevant. The Council’s case is that the Director-General was provided with inaccurate information and made a decision that was flawed.

[41] Mr Browne also submits there is a strong argument that safety is an implied mandatory consideration for the Director-General in considering whether to direct fluoridation and at what level. He argues that the Director-General has no power to order fluoridation at a level that would place a water provider in breach of its statutory duty to provide drinking water that is free from a significant risk of causing injury. He notes the Council has adduced detailed evidence from experts about the risks of fluoridation to the developing human brain, and that recently a Federal Court in the United States has found that fluoridation at a level of 0.7mg/L (which is the lower level the Council has been directed to apply) presents an unreasonable risk of injury to health.

[42] Mr Browne contends that interim relief is consistent with parliamentary intention, as in introducing pt 5A of the Health Act 1956, Parliament intended public health officials to direct fluoridation on the basis of medical evidence. The statutory framework contemplates the possibility of judicial review of the power to fluoridate and thus of seeking and obtaining interim relief. But the Council cannot challenge its obligations to provide safe drinking water under the Water Services Act, thus it is “between a rock and a hard place”. He argues the Council’s challenge is squarely on the basis of medical evidence, which is the central policy consideration of the legislation.

[43] It is also submitted that the Council’s application for judicial review and the declaration proceeding are new challenges, not a repeat of previous litigation

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<sup>17</sup> Health Act, s 23.

challenging fluoridation. This is because the interaction between the obligations to fluoridate, to provide safe drinking water under the Water Services Act, and to avoid nuisance or conditions affecting health under the Health Act have not been judicially examined before. Mr Browne observes that the neurological risks of fluoridation have not been judicially examined, either in *New Health New Zealand Inc v South Taranaki DC*,<sup>18</sup> *New Health New Zealand Inc v Wellington Water Ltd*,<sup>19</sup> or in *Fluoride Action Network (NZ) Inc v Hastings DC*.<sup>20</sup> While he acknowledges that the issue was raised in pleadings for *New Health New Zealand Inc v Director-General*,<sup>21</sup> Mr Browne says the issue of whether the Director-General turned his mind to the Bill of Rights was carved off and decided as a separate issue, and so the Court has yet to consider the neurotoxin issue.

[44] Mr Browne further submits that granting the interim orders is in the public interest, as avoiding permanent damage to the brains of vulnerable infants is clearly a public health good. He says the respondents conflate their interest in defending the policy of water fluoridation with the actual public interest in protecting and enhancing human health, and there is a lack of evidence to support the proposition that water fluoridation reduces inequalities. The Council's evidence is that the benefit from water fluoridation is relatively minor as compared to topical application of fluoride on teeth.

[45] Mr Browne rejects the respondents' argument that the Council has "unclean hands", when the Council has broken no laws. He says the fact that the Council passed a resolution not to fluoridate its water is irrelevant, particularly given that resolution has now been revoked. The Council will comply with the Direction if it does not obtain interim relief.

[46] Mr Browne also rejects the respondents' argument that the Council is guilty of delay, and says that while the original direction to fluoridate was made in July 2022, that direction is still under challenge in other litigation, and it was not until 3 December 2024 that the Director-General confirmed the Direction. He notes the Council sought an extension from the Director-General shortly after her confirmation

<sup>18</sup> *New Health New Zealand Inc v South Taranaki District Council* [2018] 1 NZLR 948 (SC).

<sup>19</sup> *Wellington Water*, above n 13.

<sup>20</sup> *Fluoride Action Network (NZ) Inc v Hastings District Council* [2024] 2 NZLR 779 (HC).

<sup>21</sup> *New Health New Zealand Inc v Director-General of Health*, above n 6.

of the Direction, and that it was not until 30 January 2025 that the Director-General responded rejecting any extension. He says the Council has since moved swiftly to file the judicial review and declaration proceedings and to apply for interim orders.

[47] Lastly, Mr Browne submits that preserving public safety is a significant feature in deciding whether to grant interim relief. New Zealand is a party to the Convention of the Rights of the Child, art 24 of which provides that states parties recognise the right of the child to “enjoyment of the highest attainable standard of health...”. A grant of interim relief upholds the safety of developing brains, and the Court is required to “ensure that no executive or judicial decision will put a citizen child’s safety at risk”.<sup>22</sup>

#### *Respondents’ submissions*

[48] Mr Varuhas, for the respondents, submits that this proceeding raises serious issues about the rule of law, the Council’s disregard of Parliament’s laws in the Health Act and evidence-based decision making, and detriment to the public interest. He submits that the application for interim orders should be declined, as:

- (a) the Council has no position to preserve, when the status quo is that it is under a mandatory statutory duty to comply with the Direction to fluoridate. The interim relief the Council seeks would not affect the Council’s duty to comply with the Direction. The Council’s latest resolution is a strategic decision by the Council to clear the path to its preferred course of non-compliance with a mandatory statutory duty;
- (b) granting the interim relief sought would be contrary to Parliament’s intention in enacting pt 5A of the Health Act, as it would effectively immunise the Council from the consequences of its non-compliance and disable the enforcement options Parliament deliberately provided to address situations such as this;

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<sup>22</sup> With reference to *Ding v Minister of Immigration* (2006) 25 FRNZ 568 (HC) at [11].

- (c) the Council's conduct disentitles it from relief as it passed its resolution not to fluoridate without waiting to consider the Director-General's NZBORA analysis or the Ministry's scientific review, did not take any opportunities to relay its views to the Director-General and Ministry, and has shown a troubling disregard for the rule of law;
- (d) the Council's significant delay in waiting to bring the proceedings weighs heavily against relief, given the Direction has been in place since 27 July 2022 but the Council waited until compliance was imminent before seeking interim relief;
- (e) granting the interim orders would seriously prejudice the public interest by encouraging other councils to refuse to comply and/or bring proceedings to avoid compliance, and would negatively impact the oral health of those in Whangārei and potentially other local communities; and
- (f) the Council's application has low prospects of success as the courts are reluctant to grant interim orders where the underlying judicial review claim disputes public health evidence, the Council's challenge to scientific evidence lacks merit, and the pleaded grounds of review also lack merit.

## **Analysis**

### *Does the Council have a position to preserve?*

[49] I have some difficulty with the Council's submission that it is seeking to maintain its position pending the resolution of its claims, rather than improve its position. The Council's current position is that the Council has been directed under s 116E of the Health Act to fluoridate part of its water supply by 28 March 2025, and it is required to comply with that direction under s 116I, or face the prospect of a criminal prosecution for contravention of the Direction and a fine of up to \$200,000 and a further \$10,000 fine for every day that it continues to refuse to fluoridate its

water supply.<sup>23</sup> Other consequences arise in relation to the Council's funding agreement with the Ministry of Health, including that the Council may be required to repay the funding it has already received, and would not receive the remainder of the agreed funding which was contingent on fluoridation commencing.

[50] The difficulty for the Council is that it now appears to accept that the decision whether or not to fluoridate is not for it to make and that it must comply with the Direction (which was made in 2022), but it also says that it is the Director-General's affirmation of the Direction in late 2024 that is the decision of concern, being based on what it says is flawed information and a failure to consider new research in a proper manner. Therefore, putting the Council back in the position it was in before the claimed illegality of the Director-General's 2024 confirmation of the Direction only puts the Council back in the position it was already in—where it was required to comply with the Direction made in 2022.

[51] It follows I agree with the respondents' submission that what the Council is in reality seeking to preserve, or more accurately restore, is its position prior to the Direction being made in 2022, when it was under no obligation to fluoridate its water supply. However, applying the liberal approach to this threshold question that Cooke J found appropriate, I would be prepared to accept that the threshold is possibly met when the Council is seeking to be put back in the position it would have been in but for the claimed illegality of the original direction in 2022. But I can find no compelling reasons to justify interim relief to preserve that position pending determination of the Council's challenges to the Direction (and or its confirmation), for the following reasons.

*Interim relief would permit unlawful conduct*

[52] First—and fatal to the Council's application—is the effect that a grant of interim relief would have. The Council, which now appears to accept that it must comply with the direction to fluoridate by 28 March 2025 (and which is the correct legal position) is in reality seeking to pursue its preferred course of not complying with the Direction while avoiding any legal consequences of that unlawful course of

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<sup>23</sup> Health Act, s 116J.

action. In other words, the Council is asking the Court to order the Ministry of Health not to take any enforcement action against the Council under the Health Act when it (as it will if interim relief is granted) begins to act unlawfully from 28 March 2025, nor to seek to enforce its funding arrangements with the Council.

[53] I agree with the respondents it is axiomatic that the granting of relief should not have the effect of allowing something that is unlawful.<sup>24</sup>

[54] The Council's latest resolution also includes a direction to its staff to cease fluoridation if interim relief is granted. That amounts to a direction to staff to act in contravention of the law. As noted by the United Kingdom Supreme Court in *R v Secretary of State for the Home Department*, a policy of a public authority that authorises or approves unlawful conduct is itself an unlawful action that undermines the rule of law in a direct and unjustified way.<sup>25</sup> Granting the interim orders would clearly result in the Council pursuing such a policy.

[55] Finally, I record here the Council's submission that a failure to grant relief would expose it to a risk of a prosecution brought by the Water Services Regulator under the Water Services Act 2021, which prescribes offences involving recklessness or negligence in the supply of unsafe drinking water.<sup>26</sup> As Mr Browne responsibly conceded, however, that risk is at best theoretical in the circumstances at play here. Less theoretical, perhaps, is the prospect of a private prosecution brought by a person or organisation strongly opposed to fluoridation. But in any case, the orders sought only apply to the respondents, not to anyone else who might wish to take any action against the Council if it begins to fluoridate its water supplies. Such theoretical possibilities cannot justify orders that would enable the Council to flout a law that Parliament has enacted. Accordingly, I do not strictly need to go on to consider all of the points raised, but I do so in brief, given the comprehensive submissions and material that I have been provided with.

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<sup>24</sup> See *Lincoln v Police HC*, Palmerston North, CIV-2009-454-473, 5 August 2009 at [16].

<sup>25</sup> *R v Secretary of State for the Home Department* [2021] UKSC 37.

<sup>26</sup> Water Services Act 2021, ss 171 and 172.

*Interim relief would be contrary to Parliament's intention*

[56] Given the Director-General is exercising a public power in directing a local authority to fluoridate its water supply, it is clear that such a direction can be judicially reviewed and subject to interim relief.

[57] However, a review of pt 5A of the Act supports the view that granting interim relief in this case would be contrary to parliamentary intention. The stern penalties Parliament has implemented to respond to failures to comply with a direction to fluoridate a water supply, and other enforcement responses (which include the Director-General's ability to perform a defaulting authority's legal duty) were put in place to deter councils from refusing to fluoridate in the face of vocal opposition from parts of the community. This purpose is clear from the discussions regarding the amendment bill recorded in Hansard, and from the Regulatory Impact Statement and the Departmental Disclosure Statement, which also demonstrate that Parliament sought to transfer the decision to fluoridate to an entity with the requisite scientific and medical expertise, and resourcing.

[58] There is some force to the respondents' submission that what has transpired in Whangārei is precisely the mischief that Parliament sought to avoid. The Council's November 2024 resolution not to fluoridate appears to have passed without the Council undertaking any thorough scientific or expert analysis (which it is not equipped to do) and before the Ministry's updated review was published in December 2024. Its subsequent revocation of that resolution is made "under protest".

[59] I agree with the respondents that granting the interim orders sought would prevent the Director-General from employing the enforcement powers Parliament has granted to it for exactly this purpose. And such orders would appear to have the potential to cut across the important principle of prosecutorial discretion, under which Courts are reluctant to intervene in prosecution decisions.

*Disentitling conduct*

[60] I also consider that the Council's conduct has, to a degree, undermined its application for relief.

[61] It is not irrelevant that the Council passed a resolution refusing to fluoridate its water supply. Even though the resolution was revoked the day before the hearing, and the fluoridation deadline is not until 28 March 2025, for some four months the Council’s resolution demonstrated a concerning public disregard for the law and the legal obligations of a local authority. And the very recent change of position is, as I have said, only “under protest”.

[62] The Council has also significantly delayed in bringing its proceedings. Although the Director-General only confirmed the Direction on 3 December 2024, the High Court had made clear in February 2024 that the Direction remained in place, and confirmed in May 2024 the extended dates for fluoridation. Instead of bringing proceedings then, which would not have required the application for interim relief, the Council has waited until the eleventh hour to file these proceedings, in what appears to be an optimistic reliance on the prospect of receiving another extension from the Director-General.

[63] The Council’s position, as I understand it, is that it did not itself challenge the Direction because the Direction was (and still is) being challenged by another party, so that the Council did not need to expend its own funds. While there may be some merit in such an approach from a fiscal perspective, the result is the position the Council has put itself in, where it is seeking a last-minute reprieve from the legal consequences of not beginning fluoridation when it is required to. Given the Council took the risk not to pursue any legal action until close to the deadline to fluoridate, it is difficult to see how it is in the interests of justice to grant orders protecting it from the consequences of such a decision. As the Court of Appeal has held, “a last moment” application “strongly counts against the grant of any interim orders”.<sup>27</sup>

[64] The delay in bringing the proceedings has also meant that significant capital investment in the infrastructure to enable fluoridation has already been made, with the Council receiving funds for this work despite its opposition to fluoridation. I note that, in the *New Health* relief decision, in declining to quash the directions to fluoridate,

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<sup>27</sup> *Christian Congregation of Jehovah’s Witnesses (Australasia) Ltd v Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-Based Institutions* [2024] NZCA 340 at [8].

Radich J had regard to the funding provided for capital works after the directions were made.<sup>28</sup> In this case, it also counts against a grant of interim orders when the Council has accepted funding to enable it to undertake the very work it now seeks to prevent.

#### *The public interest*

[65] I also do not consider that it is in the public interest to grant the interim orders. I accept that protecting and enhancing public health is in the public interest. However, as I will outline below in regard to the prospects of success, I do not accept that the evidence is sufficiently clear about the purported risks to public health to support interim orders stopping fluoridation before the determination of the substantive proceedings.

[66] In contrast, there is convincing evidence that granting the interim orders sought would result in other councils<sup>29</sup> similarly seeking to avoid fluoridation, in the face of an already significant investment in fluoridation infrastructure. On the Ministry's evidence there is also a potential for an adverse effect on the oral health of people living in the affected districts, with people from lower socio-economic backgrounds being particularly affected.

[67] I accept that preserving public safety has been a significant feature in deciding whether to grant relief in a number of cases, and that New Zealand has obligations concerning the health and safety of children under the Convention on the Rights of the Child and the Care of Children Act. However, I am not satisfied that the evidence tendered in support of the application establishes such immediate risks that warrant interim orders, particularly where significant parts of New Zealand (more than half) have had fluoridated water supplies for a number of decades. I acknowledge the expertise of the Council's experts. But the fact remains that the Ministry has considered their views.

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<sup>28</sup> *New Health New Zealand Inc v Director-General of Health*, above n 7, at [29]–[30].

<sup>29</sup> Rotorua Lakes District Council has sought suspension of its direction and will vote on its compliance on 26 March 2025. Tauranga City Council has also only voted by a narrow majority to comply. The Ministry has reported it has received significant volumes of correspondence on fluoridation from councils.

*Prospects of success*

[68] As indicated above, I have doubts about the prospects of success in the substantive proceedings. As noted in the respondents' submissions, judicial review is a supervisory jurisdiction concerned with the process followed in public decision making rather than the substantive merits of the decision under review, particularly where it involves experts.<sup>30</sup> Although during the hearing the applicant sought to redefine its challenge to the Direction as being that the Director-General had regard to incorrect information on the risk of injury from fluoridation, I still consider the Council's primary claim is that the Direction does not accord with medical and scientific evidence.

[69] In my view, the findings in *Ngā Kaitiaki Tuku Iho Medical Action Society Inc v Ministry of Health* are directly applicable here.<sup>31</sup> In that case, the High Court considered an application for interim relief to suspend the COVID-19 vaccine roll-out due to concerns about the risks of the vaccine and its efficacy. Ellis J helpfully commented that:<sup>32</sup>

A very significant margin of appreciation must be afforded to those who are charged with making public health decisions—including decisions about managing public health risk—of a very significant kind. In the present case, the evidence is that the Minister has been advised by a plethora of experts in the relevant fields. And as just noted, the approval of the vaccine is in step with international developments.

[70] Similar circumstances are present in this case. Although the Council's experts disagree with the Ministry's findings that fluoridation is both safe and effective, it remains the case that the Ministry has undertaken significant reviews of the science regarding fluoridation (including essentially all the literature referred to by the applicant's expert witnesses) and the advice to the Director-General has been that fluoridation of community water supplies in the range of 0.7–1mg/L is safe and promotes oral health. Community water fluoridation is also endorsed by the World

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<sup>30</sup> *Air New Zealand Ltd v Wellington International Airport Ltd* [2009] NZCA 259, [2009] 3 NZLR 713 at [182].

<sup>31</sup> *Nga Kaitiaki Tuku Iho Medical Action Society Inc v Minister of Health* [2021] NZHC 1107.

<sup>32</sup> At [73].

Health Organisation and is implemented in other liberal democracies, including Australia, Canada, the United Kingdom and the United States.<sup>33</sup>

[71] In addition, as Cooke J observed in *Wellington Water*, the issue of water fluoridation in New Zealand has been widely litigated, with applications to cease or prevent fluoridation failing at the High Court, Court of Appeal and Supreme Court.<sup>34</sup>

[72] I note the recent decision of the Federal District Court of Northern California relied on by the applicants,<sup>35</sup> but it is a first instance decision (now under appeal) that is neither directly applicable nor particularly determinative. Although it concluded that water fluoridation (at the level applied in New Zealand) posed an unreasonable risk of injury to the health of the public in the United States, it did not conclude that fluoridated water was injurious to public health. The Court did not make any order to cease fluoridation but only required the Environmental Protection Agency to consider possible regulatory responses. That decision was also considered by the Ministry in its most recent review. Finally, I record that I reject the submission for the Council that the Ministry somehow has a bias towards retention of the status quo (being its position that fluoridation is safe and effective) when there is no evidence whatsoever to support it.

[73] I do not delve further into the science of fluoridation, which is impossible in the context of an urgent application for interim orders, although counsel addressed it at some length at the hearing. All that I can say with any confidence is that it appears clear, and likely uncontroversial, that there is an association between fluoride at a high level of exposure and adverse consequences to people. Below high-level exposure (significantly higher than the level applied in New Zealand), any such association appears to be much less clear, there are, as is to be expected, differences in studies and opinions that result from those studies, and as I have already said, the Ministry of Health has comprehensively and recently reviewed the studies.

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<sup>33</sup> *New Health New Zealand Inc v South Taranaki District Council*, above n 18, at [121].

<sup>34</sup> *Wellington Water*, above n 13, at [28].

<sup>35</sup> *Food & Water Watch Inc v US Environmental Protection Agency* (US District Court, Northern District of California, 17-cv-02162-EMC, 24 September 2024).

[74] Consequently, I consider the prospects of success in the underlying judicial review application to be slight, although this remains to be determined at the substantive hearing.

[75] I make no comment as to the prospects of success in the associated declaration proceedings which was not the subject of any substantive discussion at the hearing. I note only that:

- (a) The declaration proceedings appear to amount to the seeking of a “merits” review by the Court of the scientific evidence about fluoride and courts have previously expressed a hesitance to engage in such a review, given they are not well equipped to determine disputed issues of scientific or technical opinion.<sup>36</sup>
- (b) The declarations sought, that fluoridation at the levels in New Zealand is likely to cause a serious risk to health and is unsafe, are also not the type of declaration typically made by the Court. Such declarations are generally limited to rights<sup>37</sup> or the construction or validity of instruments such as agreements or legislation.<sup>38</sup>
- (c) Section 12 of the JRPA may pose an obstacle to the declaration proceedings, as it would appear to empower the Court to direct such proceedings (which involve the exercise of a statutory power—here the Direction) be treated as an application for judicial review (under which the courts do not undertake merits reviews).

## **Conclusion**

[76] I conclude that this is not a case in which an application for interim orders is appropriate. The Council is seeking to immunise itself against the legal consequences of not complying with the law and it is not appropriate for the Court to grant orders facilitating unlawful conduct. The orders sought are contrary to Parliament’s intention

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<sup>36</sup> *New Health New Zealand Inc v South Taranaki District Council*, above n 18, at [114].

<sup>37</sup> *Gouriet v Union of Post Office Workers* [1978] AC 435 (HL).

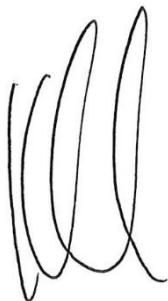
<sup>38</sup> Declaratory Judgments Act 1908, s 3.

that the Director-General is the decision maker and councils must comply with the Director-General's decisions about fluoridation. The Council has engaged in some disentitling conduct in this case. The substantive judicial review application has low prospects of success and the Declaration proceedings may also face difficulties.

### **Result and costs**

[77] The application for interim orders is declined.

[78] Costs should follow the event. The respondents seek costs on a 2B basis which would appear appropriate. Unless the parties consider otherwise, I will leave the issue of costs to be determined following the resolution of the substantive judicial review application.

A handwritten signature consisting of several stylized, overlapping loops and curves, likely belonging to Justice Grau J.

**Grau J**

Solicitors:  
Henderson Reeves, Whangarei for Applicant  
Crown Law, Wellington for Respondents



133 Molesworth Street  
 PO Box 5013  
 Wellington 6140  
 New Zealand  
 T+64 4 496 2000

7 April 2025

Vince Cocurullo  
 Mayor  
 Whangārei District

Dominic Kula  
 Acting Chief Executive  
 Whangārei District Council

Ref. H2025063375

c/o [tanja.sullivan@wdc.govt.nz](mailto:tanja.sullivan@wdc.govt.nz)

Tēnā kōrua

Thank you for your letter of 18 March 2025 regarding the Director-General of Health's direction to the Whangārei District Council to fluoridate the Whangārei and Bream Bay water supplies.

I appreciate that the Whangārei District Council is going ahead with the wet testing process for fluoridation in order to be ready to meet the implementation date of 28 March 2025. I note in this connection Justice Grau's judgment of 21 March 2025, refusing interim orders, and her Honour's confirmation that the Council is under a mandatory duty to comply with the direction, pursuant to the Health Act 1956.

You have asked if I stand by the 2022 Director-General of Health's direction to fluoridate the Whangārei and Bream Bay water supplies and have asked about the safety of community water fluoridation.

I confirm that the direction to fluoridate the Whangārei and Bream Bay water supplies stands. I am satisfied that a robust process was followed when the previous Director-General of Health carried out an assessment against the New Zealand Bill of Rights Act 1990 of each of the 2022 directions to fluoridate. As you are aware, this assessment involved the Director-General of Health, in December 2024, reconfirming the direction to the Whangārei District Council.

To inform the December 2024 Bill of Rights Act analysis the Ministry of Health – Manatū Hauora (the Ministry) carried out a review of the safety and effectiveness of community water fluoridation. I confirm that the Ministry considers community water fluoridation to be a safe and effective measure to improve the oral health of communities in New Zealand.

Thank you for your work to improve the oral health of your communities.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read "Sonerson".

Audrey Sonerson  
**Director-General of Health**  
**Te Tumu Whakarae mō te Hauora**

17 April 2025

Jeremy Browne  
Solicitor for Plaintiff  
PO Box 11  
Whangarei 0140

By email only: jeremybrowne@hendersonreeves.co.nz

Tēnā koe Jeremy

**Whangārei District Council v Director-General of Health and Anor  
Our Ref: HEA007/1243**

1. Thank you for your email dated 10 April 2025 advising Whangārei District Council is reviewing its position on the litigation and will be making decisions shortly.
2. We write to invite the Council to withdraw its applications for declaratory judgment and judicial review, following its unsuccessful interim orders application. The High Court judgment declining interim orders made clear that:<sup>1</sup>

The substantive judicial review application has low prospects of success and the Declaration proceedings may also face difficulties.

**Judicial review application has low prospects of success**

3. The High Court has stated that it has “doubts about the prospects of success in the substantive proceedings”.<sup>2</sup> The interim orders hearing canvased the likely arguments of the parties at the substantive judicial review proceeding; the Court also had before it expert evidence, addressing the substantive issues between the parties, and argument on the evidence — and concluded “the prospects of success in the underlying judicial review application to be slight”.<sup>3</sup>
4. You will be aware that the judicial review proceeding will not involve a merits review of the Director-General’s direction. The Court said:<sup>4</sup>

As noted in the respondents’ submissions, judicial review is a supervisory jurisdiction concerned with the process followed in public decision making rather than the substantive merits of the decision under review, particularly where it involves experts. Although during the hearing the applicant sought to redefine its challenge to the Direction as being that the Director-General had regard to incorrect information on the risk of injury from fluoridation,

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<sup>1</sup> *Whangārei District Council v Director-General of Health* [2025] NZHC 616 at [76].

<sup>2</sup> At [68].

<sup>3</sup> At [74].

<sup>4</sup> At [68].

I still consider the Council's primary claim is that the Direction does not accord with medical and scientific evidence.

5. The Court made clear that it will not be drawn into a merits review of the scientific evidence. It also affirmed that the process followed in reviewing the scientific literature by the Director-General and Ministry of Health has been significant and comprehensive:<sup>5</sup>

Although the Council's experts disagree with the Ministry's findings that fluoridation is both safe and effective, it remains the case that the Ministry has undertaken significant reviews of the science regarding fluoridation (including essentially all the literature referred to by the applicant's expert witnesses) and the advice to the Director-General has been that fluoridation of community water supplies in the range of 0.7–1mg/L is safe and promotes oral health.

6. The Court reaffirmed that "a significant margin of appreciation must be afforded to those who are charged with making public health decisions—including decisions about managing public health risk—of a very significant kind."<sup>6</sup>
7. The High Court said the decision of the Federal District Court of Northern California is "neither directly applicable nor particularly determinative".<sup>7</sup> In any event, the Court found "[t]hat decision was also considered by the Ministry in its most recent review",<sup>8</sup> so that a judicial review challenge relying on the US decision is unlikely to succeed.
8. The Court rejected the Council's suggestion that the Ministry was "biased" in "retention of the status quo".<sup>9</sup> The Court said: "there is no evidence whatsoever to support it".<sup>10</sup>
9. As such it is unlikely that the Council will succeed in either of its substantive challenges. The likely and foreseeable outcome is that the Court will conclude the Director-General's direction is lawful, and that water fluoridation is a safe and effective public health measure, consistent with existing Court of Appeal and Supreme Court authority — and the Ministry's recent comprehensive scientific review.<sup>11</sup> In the interim orders decision, the High Court reaffirmed, consistently with previous appellate decisions, that water fluoridation is "endorsed by the World Health Organisation and is implemented in other liberal democracies,

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<sup>5</sup> At [70]. See also [73]: "...there are, as is to be expected, differences in studies and opinions that result from those studies, and as I have already said, the Ministry of Health has comprehensively and recently reviewed the studies."

<sup>6</sup> At [69], quoting from *Nga Kaitiaki Tuku Iho Medical Action Society Inc v Minister of Health* [2021] NZHC 1107 at [73] and acknowledging this judicial comment to be "helpfu[l]".

<sup>7</sup> At [72].

<sup>8</sup> At [72].

<sup>9</sup> At [72].

<sup>10</sup> At [72].

<sup>11</sup> *New Health New Zealand v South Taranaki District Council* [2016] NZCA 462, [2017] NZLR 13; *New Health New Zealand v South Taranaki District Council* [2018] NZSC 59, [2018] 1 NZLR 948; *New Health New Zealand Inc v Wellington Water* [2022] NZHC 2389.

including Australia, Canada, the United Kingdom and the United States”,<sup>12</sup> and that “significant parts of New Zealand (more than half) have had fluoridated water supplies for a number of decades”.<sup>13</sup> These comments have been reported by the media.<sup>14</sup>

10. The Court reaffirmed that challenges to water fluoridation have failed at all levels of the New Zealand courts:<sup>15</sup>

In addition, as Cooke J observed in *Wellington Water*, the issue of water fluoridation in New Zealand has been widely litigated, with applications to cease or prevent fluoridation failing at the High Court, Court of Appeal and Supreme Court.

11. Relief in judicial review is also discretionary. Just as in *New Health New Zealand*,<sup>16</sup> the remedy sought remains unlikely to be granted in the event the Council succeeds. While in the context of interim orders, the High Court agreed with the respondents’ “convincing evidence” on the public interest in maintaining the directions and found against the Council’s evidence on the public interest in suspending the directions (including its submissions on health risks).<sup>17</sup>

#### **Declaratory judgment application has low prospects of success**

12. The High Court has also given a strong indication that the Council’s novel use of declaratory proceedings may “face difficulties”.<sup>18</sup> The Court highlighted section 12 of the Judicial Review Procedure Act 2016 may “pose an obstacle to the declaration proceedings”.<sup>19</sup> The most likely procedural course would be for the declaratory proceedings to be treated as an application for judicial review and simply joined with the judicial review application, which repeats the same grounds of challenge.
13. Beyond the procedural challenges, and the low prospects of success on the merits, the Court also cautioned the Council that:<sup>20</sup>

The declarations sought, that fluoridation at the levels in New Zealand is likely to cause a serious risk to health and is unsafe, are also not the type of declaration typically made by the Court. Such declarations are generally limited to rights or the construction or validity of instruments such as agreements or legislation.

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<sup>12</sup> At [70].

<sup>13</sup> At [67].

<sup>14</sup> Susan Botting “Whangārei to fluoridate water after court dismisses district council’s challenge” *Northern Advocate*, 24 March 2025, <https://www.nzherald.co.nz/northern-advocate/news/whangarei-to-fluoridate-water-after-court-dismisses-district-councils-challenge/F6BRUWBF4ZCC7EM2TVQQTUN3PU>.

<sup>15</sup> *Whangārei District Council*, above n 1, at [71].

<sup>16</sup> *New Health New Zealand Inc v Director-General of Health* [2024] NZHC 196.

<sup>17</sup> *Whangārei District Council*, above n 1, at [65]-[66].

<sup>18</sup> At [76].

<sup>19</sup> At [75](c).

<sup>20</sup> At [75](b).

14. Even if the Court were to engage with the declarations as framed, the Court repeated that it was unlikely to determine the scientific matters sought by the Council:<sup>21</sup>

The declaration proceedings appear to amount to the seeking of a “merits” review by the Court of the scientific evidence about fluoride and courts have previously expressed a hesitance to engage in such a review, given they are not well equipped to determine disputed issues of scientific or technical opinion.

15. The Court’s statement of principle is consistent with the orthodox supervisory approach to review of government action.

### **Costs**

16. The Court has already awarded costs on a Category 2B basis against the Council for its unsuccessful interim orders application.<sup>22</sup> This would amount to approximately \$10,000 to date. Should the Council also be unsuccessful on the substantive proceedings, an award of Category 2B costs against the Council will likely exceed the costs of an interlocutory proceeding by a significant margin.
17. Given the clear statements by the High Court that both substantive proceedings have low prospects of success, the respondents also advise that they would consider an application for increased costs against the Council should the Council proceed with the substantive proceedings and be unsuccessful.<sup>23</sup>
18. If the Council agrees to discontinue the judicial review and declaratory proceedings at this stage, then the respondents would not pursue the costs so far incurred in defending the substantive proceedings (this is distinct from the costs award already made in the respondents’ favour for the interim proceeding).

### **Conclusion**

19. Accordingly, we invite the Council to discontinue its substantive proceedings. Please let us know of the Council’s intention by 24 April 2025.

Nāku noa, nā

**Crown Law**



Jason N E Varuhas  
Senior Crown Counsel

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<sup>21</sup> At [75](a).

<sup>22</sup> At [78].

<sup>23</sup> High Court Rules 2016, r 14.6.

## 7.3 Establishment of a Northland Water Services Working Group

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Andrew Carvell (Waters General Manager)

### 1 Purpose / Te Kaupapa

To seek Council approval to establish a regional Water Services Working Group to support the development of the Water Services Delivery Plan (WSDP) and further investigate collaborative opportunities for water service delivery under the Local Water Done Well (LWDW) legislative framework.

### 2 Recommendations / Whakataunga

That the Council:

1. Agrees to form an elected member Joint Council Working Group from the Kaipara District Council, Whangarei District Council and Far North District Council, focusing on the Local Waters Done Well (LWDW) programme.
2. Appoints the following three elected members to the Joint LWDW Working Group,
  - a. His Worship, Mayor Vince Cucurullo
  - b. Deputy Mayor, Councillor Phil Halse
  - c. Councillor Scott McKenzie
3. Agrees the draft terms of reference for the Joint LWDW Working Group as provided at Attachment A.
4. Agrees to appoint an independent qualified expert to the Joint LWDW Working Group.
5. Delegates to the Joint LWDW Working Group the authority to appoint the independent qualified expert to its membership.
6. Agrees that Whangarei District Council is the secretariat for the LWDW Working Group.
7. Notes that the Joint LWDW Working Group will make recommendations to each Council for future decision-making.
8. Notes that the Joint LWDW Working Group will be supported by an operational team from each council.
9. Agrees that any costs incurred by the Joint LWDW Working Group shall be shared equally between the Councils or as otherwise agreed by the Working Group.

### 3 Background / Horopaki

The Local Water Done Well (LWDW) programme is the Government's current policy approach to addressing long-standing challenges in New Zealand's water infrastructure. Following the repeal of the previous Three Waters legislation, the Local Government (Water

Services Preliminary Arrangements) Act 2024 was enacted to establish the foundation for a new water services system.

Key provisions of the Act require Councils to:

- Develop a Water Services Delivery Plan (WSDP) by 3 September 2025.
- Consult on at least two service delivery options (e.g. in-house vs. CCO).
- Consider financial sustainability, regulatory compliance, and regional collaboration.

Council has already undertaken an options analysis with external consultants and participated in joint Northland modelling exercises with Beca and MartinJenkins. A Northland CCO was found to be potentially viable but may require significant borrowing and likely involve cross-subsidisation from Whangarei ratepayers.

In developing consultation plans both Whangārei and Far North District Council selected an in-house model as the preferred option over a CCO, while Kaipara District Council identified its preferred option as a regional CCO. All three councils are currently consulting on the chosen options, with Whangarei's final date for submissions being 2 May 2025.

## 4 Discussion / Whakawhiti kōrero

At its 27 March 2025 Council meeting council resolved that the Whangarei District Council:

1. Notes the report.
2. Agrees to consult on the following options:
  - a) An In-house Business Unit with increased collaboration with Northland councils.
  - b) A Northland Council Controlled Organisation (CCO) with Kaipara and Far North District councils (drinking and wastewater only).
3. Agrees that the current preferred option is option a, an in-house business unit with increased collaboration with Northland councils.
4. Approves the attached consultation document and proposed consultation programme.
5. Authorises the Chief Executive to make minor changes to the consultation document prior to release to fix any errors, provide clarifications and incorporate relevant feedback from elected members at this meeting.
6. Agrees to work with other Northland Councils to explore managed/shared/contracted service arrangements where appropriate.
7. Agrees to work with other Northland Councils on the establishment of a Transition Advisory Group to further investigate the potential for Shared/Managed/Contracted Service, and how a Northland Council Controlled Organisation could be possible.
8. Notes that Terms of Reference for, and appointments to, any Transition Advisory Group will be reported back to Council for consideration following discussions with, and feedback from, other Northland Councils.

The proposed Working Group is a response to resolution 7, calling for the establishment of a Transition Advisory Group. The establishment of a dedicated Working Group is also consistent with resolutions 3, 6 and 8 in that the Working Group will enable Whangarei District Council to:

- Ensure focused leadership in responding to legislative obligations.
- Undertake informed decision-making around complex infrastructure and financial matters relating to the provision of water services.
- Work constructively with neighbouring councils to explore practical shared service solutions.
- Position the Council to pivot toward a more integrated delivery model (e.g. a Northland CCO) if it becomes viable.

- This approach also aligns with the direction of travel discussed with the Department of Internal Affairs and supports meaningful community engagement through the LWDW consultation process.

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

The formation and operation of the Working Group will incur minimal costs, primarily related to meeting facilitation and administrative support. These costs are expected to be absorbed within existing budgets. Any future financial implications arising from the Working Group's recommendations will be presented to the Council for consideration.

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

The council is required to develop Waters Service Delivery Plans to outline how it will sustainably provide wastewater, potable water and stormwater services to its district by 3 September 2025. In addition to consultation currently underway the working group will have input into the development of these plans. Depending on the agreed direction from council on provision of water services there is potential for changes to council annual and long-term planning process, both in how water services will be delivered as well as the impact this has on other function of council.

#### **4.3 Options**

The Whangārei District Council, in partnership with the Far North District Council and Kaipara District Council, is committed to ensuring the long-term sustainability, efficiency, and regulatory compliance of water service delivery in Northland.

Successfully delivering sustainable solutions to regional water challenges will require strong political support. Establishment of a Working Group lead by local elected officials is a means to gain that support. Alternatives could include:

- A staff only working group, which may impact political buy-in;
- Incorporation of Local Waters Done Well into already established forums, such as the Mayors and Chairs meetings. There is a risk that the waters discussion would receive less emphasis due to the range of others matters being considered.
- Full council participation in the Working Group. The challenge in this case would be to co-ordinate meetings to align with other commitments.

The recommended approach is as set out in this report, being a focused group formed from limited numbers of elected members and supported by staff.

#### **4.4 Risks**

The government, through the Department of Internal Affairs, is looking for a clear picture on how northland districts will develop sustainable water service options. While the establishment of the Working Group shows a commitment to look for regional solutions, there is a risk the outcomes do not align with the government's objectives. The implications of this are unknown at this stage.

### **5 Significance and engagement / Te Hira me te Arawhiti**

This decision does not trigger the Council's Significance and Engagement Policy. Public engagement will occur through the LWDW consultation process in conjunction with the 2025-26 Annual Plan.

## **6 Attachments / Ngā Tāpiritanga**

Attachment A - LWDW Elected Members ToR

## **Terms of Reference: Elected Members Local Water Done Well Working Group**

### **Background**

Local Water Done Well is the Coalition Government's plan to address New Zealand's longstanding water infrastructure challenges. It recognises the importance of local decision-making and flexibility for communities and councils to determine how their water services will be delivered in the future. It will achieve this while maintaining a strong emphasis on meeting economic, environmental, and water quality regulatory requirements.

### **Purpose of the working group**

For the Whangārei District Council (WDC), Far North District Council (FNDC) and Kaipara District Council (KDC) to work together to ensuring the long-term sustainability, efficiency, and regulatory compliance of water service delivery in Northland.

These Terms of Reference outline the scope of work for the Local Water Done Well Working Group (the Working group) required to;

- explore the establishment of a Multi-Council CCO for regional water services
- explore the possibility of a shared service/contract for service model between WDC and KDC, which could also include FNDC

### **Membership**

Membership will consist of:

- Three elected members appointed by KDC
- Three elected members appointed by WDC
- Three elected members appointed by FNDC
- An independent expert in an advisory capacity, appointed by the Working Group

The Working Group will elect a Chair from within its membership using normal Local Government Act processes.

The Working Group will be supported by the Northland Chief Executives Group and an operational staff project team from the three Northland Councils.

### **Responsibilities**

The Working Group;

- has no authority to make decisions
- will assess and understand material to determine and then recommend the best regional approach to LWDW
- to oversee the creation and production of a joint Water Services Delivery Plan
- to make recommendations to each parent Council for decision-making on the draft Water and Wastewater services delivery model and the management of Stormwater functions in Northland.

## Life of the Advisory Group

The Working Group will be disestablished at the end of this triennium but may conclude its business earlier as Water Services Delivery Plans are finalised and submitted.

### Meetings of the Working Group

- The Working Group will meet as regularly as required
- Working group meetings are not open to the public
- A quorum of 1 elected member from each Council is required for meetings of the Working Group
- The Chair shall be responsible for all Working Group meeting processes and procedures
- Recommendations made by the Working Group are to be by consensus and by majority if needed
- WDC will provide secretariat services for the Working Group
- Agendas and minutes will be created for all Working Group meetings by the secretariat

### Further Considerations

The following LWDW considerations will guide the Working Group:

- **Financial Sustainability** – Developing an equitable model that ensures financial viability and affordability for consumers
- **Operational Efficiency** – Implementing shared services to optimise infrastructure management and delivery
- **Regulatory Compliance** – Aligning governance structures with national water service standards
- **Māori Partnership** – Engaging with Māori and encouraging participation
- **Environmental Responsibility** – Aligning water service management with climate resilience and sustainability principles
- **Transparency and Accountability** – Ensuring clear public reporting and decision-making processes
- **Establishment date of any new model** – The new model establishment is to tie in with the end of the current Long Term Plan period, i.e. 2027 or 2028

By adopting a collaborative and transparent approach, Northland Councils aim to establish a regional water services framework that meets community needs while ensuring economic, environmental, and regulatory sustainability.

## 7.4 2025 Triennial Local Government Elections – Order of Candidates Names

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Emily Thompson (Manager Democracy and Assurance)  
Nicolene Pestana (Team Leader Democracy)

### 1 Purpose / Te Kaupapa

To provide information for Council to decide on the order of candidate names for the voting documents for the 2025 Local Government Election.

### 2 Recommendation / Whakataunga

That the Council:

1. Adopts the alphabetical order of candidate names on voting documents for the 2025 Triennial Local Government Election in accordance with Regulation 31 of the Local Electoral Regulations 2001.

### 3 Background / Horopaki

The 2025 triennial local government elections are due to be held on Saturday 11 October 2025.

Under Regulation 31 of the Local Electoral Regulations 2001, Council can choose the order of the candidate names on the voting documents for the election. This decision must be made in early 2025 to enable printing of voting documents.

Council and the Northland Regional Council both adopted the alphabetical order for their respective 2022 triennial elections

If no resolution is made by Council, the default position is alphabetical order.

### 4 Discussion / Whakawhitit kōrero

Council's Electoral Officer, Dale Ofsoske provided a briefing on 25 February 2025 to Council on the options available to Council, as follows:

### Option 1: Alphabetical Order

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Advantages and disadvantages regarding alphabetical order are:

- Voters are easily able to find names of candidates for whom they wish to vote.
- The order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).
- Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies.

### Option 2: Pseudo-random Order

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Advantages and disadvantages regarding pseudo-random order are:

- The candidate names appear in mixed order (not alphabetical) on the voting document therefore there is no perceived favour for candidates with names in the first part of the alphabet.
- Possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates.
- The order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

### Option 3: Random Order

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different. Random order enables names to be listed in a completely unique order on each voting document.

Advantages and disadvantages regarding random order are:

- Candidate names appear in mixed order (not alphabetical) on the voting document therefore there is no perceived favour for candidates with names in the first part of the alphabet.
- Possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates.
- The order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

For Council's information, Auckland Council has undertaken analysis on the effect on the order of candidate names, and research showed no observable effect of candidate order on actual election outcomes.

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

There is no price differential in printing costs between the three orders of candidate names

## 5 Significance and engagement / Te Hira me te Arawhiti

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.



## 7.5 Notice of Motion: Councillor Scott McKenzie – Accessible Ramp Inclusion in Ngunguru Seawall Project

**Meeting:** Whangarei District Council  
**Date of meeting:** 29 April 2025  
**Reporting officer:** Simon Weston (Chief Executive)

### 1 Purpose / Te Kaupapa

To consider a Notice of Motion from Councillor Scott McKenzie.

### 2 Recommendations / Whakataunga

That the Council:

1. Acknowledges that an accessible ramp was not included in the original scope of the Ngunguru seawall construction project.
2. Notes that a design and cost estimate for the ramp has been prepared by staff, with an estimated cost of \$75,000.
3. Requests staff to prepare a report with options for including the accessible ramp in the current project scope and return to Council for a decision as soon as practicable.

### 3 Background / Horopaki

The Chief Executive has received a Notice of Motion, within the timeframe specified in Standing Orders, from Councillor McKenzie for inclusion in the 29<sup>th</sup> April 2025 Council Meeting agenda, with the recommendations stated above.

### 4 Discussion / Whakawhiti kōrero

Councillor McKenzie's signed Notice of Motion is attached for discussion.

#### 4.1 Financial/budget considerations

Staff has provided an estimated cost for the accessible ramp of \$75,000. Further cost considerations and funding options would be outlined in a staff report to Council, including whether this can be managed within existing budgets or requires reallocation or deferral of other works.

## **5 Significance and engagement / Te Hira me te Arawhiti**

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 / Ngā Tāpiritanga**

Attachment 1: Cr Scott McKenzie Notice of Motion

**Council Meeting**  
**Date: 29<sup>th</sup> April 2025**  
**Author: Cr Scott McKenzie**

## **1. Notice of Motion – Accessible Ramp Inclusion in Ngunguru Seawall Project**

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### **2. Recommendation**

That Council:

1. Acknowledges that an accessible ramp was not included in the original scope of the Ngunguru seawall construction project.
  2. Notes that a design and cost estimate for the ramp has been prepared by staff, with an estimated cost of \$75,000.
  3. Requests staff to prepare a report with options for including the accessible ramp in the current project scope and return to Council for a decision as soon as practicable.
- 

### **3. Background**

Construction of the Ngunguru seawall is currently underway. During the design and planning stages, provision for an accessible ramp was not included. Following community engagement and feedback from elected members, Council staff developed a concept design and obtained a cost estimate of \$75,000 for a compliant accessible ramp.

The proposed ramp would provide safe, equitable access to the water for a wide range of users, including those with limited mobility who do not necessarily use wheelchairs. While it is acknowledged that there is another accessibility ramp within 2km near the Ngunguru School, this does not provide access to swimmable water.

Council staff have indicated that inclusion of the ramp would require Council direction due to current budget constraints and the need to modify the construction scope. Bringing this matter back to Council is the appropriate process for a decision of this nature.

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### **4. Significance and Engagement**

This matter is of low to moderate significance under Council's Significance and Engagement Policy. While the decision is unlikely to impact a large number of residents, it has strong relevance to the principles of accessibility, equity, and inclusion in public infrastructure. Community members have expressed support for including the ramp, and engagement has been ongoing.

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### **5. Financial/Budget Considerations**

The estimated cost for the accessible ramp is \$75,000. Funding options would be outlined in a staff report to Council, including whether this can be managed within existing budgets or requires reallocation or deferral of other works.

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### **6. Attachments**

Nil – staff report to follow if recommendation is adopted.

Signed:

Cr. Scott McKenzie





## 7.6 International Rally of Whangarei 2025 Funding Update

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Victoria Harwood, General Manager, Community Services  
Bea Mossop, Manager, Venues and Events

### 1 Purpose / Te Kaupapa

To provide council with an update on the changes to funding availability for the International Rally of Whangarei future events.

### 2 Recommendations / Whakataunga

That the Council:

1. Receives and notes the International Rally of Whangarei 2025 Funding Update.
2. Acknowledges the council is unable to provide the requested funding amount to support Rally New Zealand for the International Rally of Whangarei event in 2025 and beyond due to current budget constraints.

### 3 Background / Horopaki

The International Rally of Whangarei has taken place for 17 years in district. Rally New Zealand, a non-profit entity affiliated with Motor Sport New Zealand, is responsible for organising the rally. The event is part of the FIA-Asia Pacific Rally Championship.

This high-profile event contributes to Northland's visibility on an international scale, reaching audiences through television, social media, and print.

The Rally aligns with the Council's Event Strategy pillars of:

- **Connect Local and Play Local**
- **Whangārei – a great place to call home**

Council sponsorship of the 2024 event was \$33,500, and total cost to Council exceeded \$50,000, including the broader operational and event-related expenditures.

### **Previous years' funding from Council to Rally NZ**

The funding provided to Rally NZ for seed funding, sponsorship and post end of event report (excluding additional council costs) in previous years is outlined below and was provided through the Venues and Events Major Events budget:

<b>2020/2021</b>	\$63,360
<b>2021/2022</b>	\$64,622
<b>2022/2023</b>	\$66,507
<b>2024/2025</b>	\$35,000

### **Costs for 2024**

The total cost to hold the Rally in Whangārei for 2024 were \$225,355 which included councils funding contribution below. Additionally, council absorbed in-house operational costs to support the event of between \$10,000 to \$20,000.

On receipt of Invoice - Seed funding	\$ 21,000.00 + GST
In kind Sponsorship - Managed in house WDC including Mayoral Welcome	\$ 11,000.00 + GST
Post event report	\$ 3,000.00 + GST
GST Exclusive Grand total	\$ 35,000.00 + GST

Total investment into Rally 2024 was **\$48,000**

### **Benefits of Rally for 2024**

Total estimated economic benefit from the event, from local and international exposure for is **\$2,522,704.00**

### **Long-Term Plan 2024-2034**

During the long-term plan process, \$150,000 per year was removed from the External Events budget, with an impact that several external events would not be able to be supported moving forward. One of these events is the International Rally of Whangarei.

## **4 Discussion / Whakawhiti kōrero**

### **Rally 2025**

Rally NZ have prepared a proposal of costs for the event for 2025 (attachment 1 page 24) and have discussed with council staff regarding a funding contribution from council being available.

Staff have met with Rally representatives and discussed there is no funding allocation through Venues and Events budgets for Rally, post the LTP budget setting. There is an in-

kind amount allocated through the Mayoral Sponsorship budget, but the overall council support is significantly reduced compared to previous years.

Rally NZ have also been encouraged by staff to seek additional sponsorship funding opportunities in the region for alternate funding sources and with the alteration of the rally routes by Rally NZ for 2025 to other parts of the region, this opens alternative sponsorship and funding opportunities.

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

##### **International Rally of Whangarei 2025**

Rally NZ have identified a shortfall for \$54,995 to hold the Rally in Northland in 2025. Funding sources calculated while identifying the shortfall, had included an assumption that council would provide a similar funding contribution of \$35,000 for 2025.

In the Mayoral budget there is in-kind funding available of \$11,000.

Any other costs to council are unbudgeted for 2025-2026

##### **Cost considerations**

Costs to support Rally 2025

Council Sponsorship Funding to Rally NZ	\$48,000
Council in- house costs to support the event	\$15,000
Total funding required to support the event	<b>\$63,000</b>

Available Funding

Mayor In-Kind budget 2025-2026	\$11,000
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Shortfall

Shortfall in funding for the International Rally of Whangarei 2025 (if Mayoral in-kind budget is committed)	<b>\$52,000</b>
Shortfall in funding for the International Rally of Whangarei 2025 (if Mayoral in-kind budget is NOT committed)	<b>\$63,000</b>

The 2025 would take place in year 2 of the Long-Term Plan 2024-2034. No further budget has been included within the draft 2025-26 Annual Plan.

##### **Community Services Budgets**

##### **Venues and Events**

The Venues and Events budgets for major events for the 2025 - 2026 financial year is currently committed to pre-booked major sporting events and therefore no available funds remain.

### **Community Development Community Fund Budget**

The budget for the Community Fund 2025 - 2026 is \$1,136,250,00 this amount has already been reduced by council resolution by \$30,000 for a major sporting event in that year.

The Community Fund provides funding for the following community activities:

- facilities maintenance and development,
- local events and programmes,
- equipment purchases,
- youth fund,
- minor operating costs,
- operational grants to Residents and Ratepayer Group.

Any further reduction in funding for these activities will have a direct impact on the community.

Further to this, the Community Funding Policy does not provide funds for organisation and groups which have a registered address outside of the district, as funding is for local groups. Rally NZ have a registered address in Auckland and had they applied for funding through the Community Fund, this would be declined.

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

##### **Planning Implications**

Should council want to prioritise and support the International Rally of Whangarei in future years, opex funding would need to be planned and allocated into future Venues and Events budgets to avoid a similar situation. Options for this are outlined below in the Options section.

##### **Policy Implications**

Under section 80 of the Local Government Act 2002, if Council is to make a decision which is significantly inconsistent with policy, it **is required** when making that decision to clearly identify:

- (a) The inconsistency; and
- (b) The reason for the inconsistency; and
- (c) Any intention of the local authority to amend the policy or plan to accommodate the decision.

This must be done **before** the decision is made. Should council want to use Community Funding to support the International Rally of Whangarei, clear identification of the justification of that support and the inconsistency with the Funding Policy would need to be presented before the decision was made.

##### **Options**

If funding for the 2025 International Rally of Whangarei is to be provided (in the 2025-26 financial year) possible options are:

- Included in the Issue and Options process of the 2025-26 Annual Plan (Year 2 of the LTP 2024-2034)
- Funding already allocated to major events could be redirected if those events do not take place, but this would not be known until after 30 June 2025.
- Identifying funding to be taken from other budgets from within council in year 2 of the Long-Term Plan 2024-2034.

#### **Recommendation**

The most appropriate avenue for the funding request is to be included through the Annual Plan Issues and Options process, however the outcome of this process cannot be confirmed until adoption of the Annual Plan at the end of June 2025.

#### **4.3 Risks**

- **Inconsistent use of the Community Fund policy** if approval is given to support Rally using Community Funding.
- **A decision made outside policy**, but for which the requirements in section 80 have not been satisfied/done, exposes council to possible challenge on the grounds of unreasonable decision making (judicial review) or possible audit issues/Auditor General investigation.
- **A direct negative impact on community groups** receiving funding if there is any further reduction in the Community Funding budget for 2025-2026.
- **If unbudgeted funding** allocation occurs, the overall balanced budget result of council would be negatively impacted
- **No funding available for the 2026-2027** financial year, if funding is only sought for the 2025-2026 financial year and council wish to provide ongoing support for the event.
- **The 2025 International Rally of Whangarei is not funded** by council increasing the risk of the event not going ahead and its associated benefits to the district and region and the event may not return in future years.

#### **5 Significance and engagement / Te Hira me te Arawhiti**

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 this agenda publication on the website.

#### **6 Attachments / Ngā Tāpiritanga**

Attachment 1 - International Rally of Whangarei (IROW) 2025





# INTERNATIONAL RALLY OF WHANGĀREI

WORKING WITH NORTHLAND FOR OVER 18 YEARS.



# WHAT IS IT?

AN INTERNATIONALLY RECOGNISED MOTORSPORT EVENT THAT IS THE FINAL ROUND OF THE NEW ZEALAND RALLY CHAMPIONSHIP. IT IS PART OF THE WDC & KDC AREAS AND USES THE GRAVEL ROADS FOR THE COMPETITIVE STAGES.



# WHO ARE WE?

- > 300+ COMPETITORS & CREWS
- > 300+ VOLUNTEERS
- > 10+ GLOBAL CAR BRANDS
- > INTERNATIONAL EXPOSURE



# LONG TERM COMMUNITY PARTNERS

18 Years working with the Far North areas and its wider community groups.





# WORK FORCE & COMMUNITY INVOLVEMENT

A number of community groups provided the workforce for the Rally, ensuring a great event for the district. The 2024 event saw more youth involved in volunteer roles from the day of the opening through to the closing ceremony.

**Numbers involved totaled approximately 400-500 people on average the past 18yrs IROW has been at Whangārei.**

The involvement of community groups draws in a number of people, creating a vibrancy that brings the town alive and reaches into the heart of the district. Many of the community groups involved also have opportunities to generate further income in their local areas during the event.

A total of **\$12,000 was donated by Rally New Zealand** to the contributing community groups as well as income generated by each group from BBQ's and other public interactions in 2024.

**Over the past 18yrs we have donated more than \$230,000 to the local community groups.**

\*Figures sourced from average domestic spend: Regional Tourism Indicators: Ministry of Business, Innovation and Employment, Domestic Traveler Expenditure figures, December 2013 - 2018

# IROW25 START

- Large start in the main business area providing a focus for the public
- Opportunity for the Mayor to meet and greet locals who are passionate motorsport people – photo opportunities / meet & greet
- Provides income for local food-based businesses with locals in town, teams and spectators from out of town
- Integration with local business to promote their products thru IROW25 at the start
- Local & international media will provide online views the chance to see the local area
- Global media spread due to the amazing imagery



# IROW25 ROUTE

- New look route in 2025 with new stages
- Includes lots of new areas which provides new community engagement and funding opportunities
- Increased local NZ competitor interest which adds to the spectacle and local spend
- Fresh imagery of the local areas
- Opportunity to integrate with 4-5 key local business to increase provide (tourism)
- The rally will be based in Whangarei
- The event will be in the KDC / WDC areas using roads approved by the councils
- The event will spend Saturday in and around Dargaville to engage and drive spending by the teams
- The event will be based south of Whangarei on Sunday



# RALLY TE TOKERAU 2025

(Proposed)

**SS2 & 3**

138



**SS1 & 8**

Tangowahine

Wainue

**SS9**



Whareora

Omamaru

Mamarangi

Parore

Baylys Beach

Mahuta

Arapohue

Te Koparu

Pukehulla

Maungakaramea

**SS12 & 17**



Omaha

**SS10 & 15**



Ruarangi

**SS11 & 16**



Waikiekie

**SS4 & 6**



Tokatoka

**SS5 & 7**



Greenhill

**SS13 & 18**

Paparoa

Google Earth

© SO, NOAA, U.S. Navy, NGA, GEBCO

© 2025 Airbus

# IROW25 MEDIA

- Opportunity for the council tourism to work in with IROW25 to produce local events / activations
- More overseas media = more promotion of the location and tourism
- Increased NZ interest = domestic tourism
- New tourism imagery based on the new roads
- Increased social presence – national & international
- Massive LiveStream Audience + TV Show
- Radio Campaign via MediaWorks
- Promotion thru NZRC for competitors & fans
- Active promotion has started now for national competitors
- 40min commercial TV show on TV3 to showcase WDC & the area and towns / people
- Stories via the NZRC into NZ mainstream media





IROW24 | VISUAL MEDIA DATA

# IROW24 AUDIENCE

New Zealand Rally Championship

- **Livestream** – large international audience. Recent event attracted @ 488,000 minutes of viewing in 2 days on YouTube. This continues to grow PER DAY.



- **TV** – a one-hour package is run on CRC Motorsport on TV3, local content can be mixed into this. It is then loaded to socials and YouTube. Syndicated to RallyTV in Europe.
- **Media Coverage** – stories and content pushed thru media locally and overseas.



# IROW24 | LIVESTREAM

**488,700 MINUTES NZ & OVERSEAS COVERAGE  
OF THE EVENT STREAMS SHOWCASING THE  
LOCAL SCENERY / VIEWS**





**IROW24 | LIVESTREAM**  
**540,000 VIEWS NZ & OVERSEAS OF THE EVENT**  
**STREAMS SHOWCASING THE LOCAL SCENERY / VIEWS**

# IROW24 | LIVESTREAM

**17.4% WOMEN & 82.6% MEN IN NZ &  
OVERSEAS WATCHED THE EVENT LIVE OR  
IN THE DAYS/MONTHS FOLLOWING**



Mimiwhangata Rd  
Weth Rd  
NO EXIT

# IROW24 | LIVESTREAM

THE TOP 10 LOCATIONS DURING THE EVENT WERE: NEW ZEALAND, AUSTRALIA, UNITED KINGDOM, IRELAND, UNITED STATES, NEW CALEDONIA, INDIA, INDONESIA, ITALY, PORTUGAL





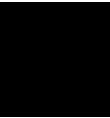
**IROW24 | FREE TO AIR ON TV3**  
**OVER 250,000 VIEWS OF THE IROW24 EVENT**  
**VIA THE FREE-TO-AIR SHOW ON TV3**



# YOUR REGIONAL BENEFITS

The total benefit is the estimated expenditure by international and domestic competitors, media personnel, visitors and residents which can be directly attributed to IROW24.

# INT'L COMPETITORS & MEDIA



## National Competitors

Calculations are based on the number of national entries (55), multiplied by six (6) being additional crew, service and support staff, and spouses.

- ✓ Calculation of benefit  
 $55 \times 6 \times \$110 \times 5 \text{ days} =$

**\$181,500**

- ✓ Accommodation  
 $2 \text{ rooms} \times \$120/\text{night}$   
 $55 \times 2 \times \$120 \times 4 \text{ days} =$

**\$52,800**

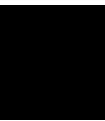


## National Media

Based on accreditations for 12 individuals over a shorter period of four (4) days

- ✓ Calculation of benefit  
 $12 \times \$110 \times 4 \text{ days} =$   
**\$5,280**
- ✓ Accommodation  
 $1 \text{ room} \times \$120/\text{night}$   
 $12 \times 1 \times \$120 \times 3 \text{ nights} =$   
**\$4,320**

# NATIONAL COMPETITORS & MEDIA

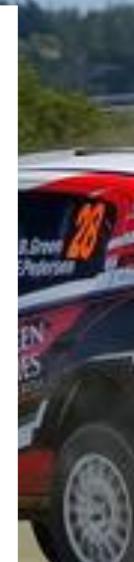


## International Competitors

Calculations are based on the number of international entries multiplied by 6, being additional crews, service and support staff, and spouses. The crews are in the region for a minimum of seven (5) days

- ✓ Calculation of benefit  
 $5 \times 6 \times \$130.00 \times 5 \text{ days} =$   
**\$19,500**

- ✓ Accommodation  
 $3 \text{ rooms} \times \$120/\text{night}$   
 $5 \times 3 \times \$120 \times 5 \text{ nights} =$   
**\$9,000**



## International Media

Calculation is based on 4 international accreditations for individuals; with daily spend as above, over five (5) days.

- ✓ Calculation of benefit  
 $4 \times \$130.00 \times 5 \text{ days} =$   
**\$2,600**

- ✓ Accommodation  
 $1 \text{ room} \times \$120/\text{night}$   
 $4 \times 1 \times \$120 \times 4 \text{ nights} =$   
**\$1,920**

# SPECTATORS AND COMMUNITY



## Spectators

Numbers of spectators are estimated at 4,500 over the two days of the event; with an estimated spend of \$120.00 per person per day.

- ✓ Calculation of benefit  
 $4500 \times \$120 =$

**\$540,000**



## Workforce

A volunteer workforce of approximately 200 people assisted during the event. These volunteers were in the area for an average of two days per person and contributed an estimated \$120 per day

- ✓ Calculation of benefit  
 $200 \times \$120 \times 2 \text{ days} =$

**\$48,000**



# EVENT & REGIONAL BUDGET SPEND

IROW25 – NOVEMBER 7-9 2025

## Event Budget

An additional \$150,000 was spent by Rally New Zealand in and around the region on goods and services related to the rally.

✓ Calculation of benefit =

**\$150,000**



## Total Regional Budget

Total regional benefit is achieved by the initial regional benefit using a multiplier\* of 2.2.

✓ Calculation of benefit

$$\$1,014,920 \times 2.2 =$$

**\$2,232,824**



\*Figures sourced from average domestic spend: Regional Tourism Indicators: Ministry of Business, Innovation and Employment, Domestic Traveler Expenditure figures, December 2013 – 2019. Not inflation adjusted.

BRAUN GREEN  
PROPERTY GROUP  
omega  
rental cars

sparco

ESTIMATED VALUE OF  
GLOBAL TELEVISION  
SCREENING & LIVESTREAM  
**\$289,880**

\*BASED ON FIGURES 2013-2018 / FIA / NZRC



ESTIMATED ECONOMIC  
BENEFIT FROM LOCAL  
& INTERNATIONAL  
EXPOSURE  
**\$2,522,704**

\*Figures sourced from average domestic spend: Regional Tourism Indicators: Ministry of Business, Innovation and Employment, Domestic Traveler Expenditure figures, December 2013 – 2019. Not inflation adjusted.



# OUR EVENT INVESTMENT

WHAT WE INVEST TO BRING THE EVENT TO WHANGĀREI

EXPENSE	AMOUNT \$NZD
FIA - Registration & Promoters Fee	\$13,489
Motorsport New Zealand- Event Fee	\$12,746
Medical – St Johns	\$28,590
Local Marshals, Local Contributions, Event & Stage Safety, Timing Crews & Radios	\$35,550
Vehicle Safety Tracking	\$13,650
Event Management & Staff	\$30,550
Venue Hire – Rock N Roll Club / Rugby Club	\$5,000
Other - Pohe Island Setup, Lighting, Security, Ticketing, Promotion, Trophies, Fuel Vouchers, Traffic Management, Hire Equipment, Gear Transport, Fire Rescue, Media Management & Comms, Safety Cars, Service Park Setup	\$85,780
<b>TOTAL EXPENSES BUDGET</b>	<b>\$225,355+/-</b>
<b>TOTAL INCOME - SPONSORS &amp; CREWS</b>	<b>\$170,400+/-</b>
<b>SHORTFALL @ 05/03/2025 (NOTE THIS BUDGET IS STILL BEING DEVELOPED)</b>	<b>\$54,955</b>

# OUR EVENT TIMELINE

MAKING THE EVENT COME ALIVE

KEY MILSTONES ON THE EVENT	DATE
Visit WDC / KDC Event teams / Roading Applications to WDC / KDC	April / May 2025
Preparation of Final Budget (based on route approval) / Resident Engagement	June 2025
Local Volunteer Management & Training / Resident Engagement	June / July 2025
Event Timing & Vehicle Movement Plans / Safety + Health & Safety Plans / Traffic Management	June / July / August 2025
Event Regulations / Route & Speed Schedule / Resident Engagement	August / September / 2025
Event Services – Fire / Ambulance / Vehicle Tracking / Book Venues	August / September / 2025
Entries Open & Close	October / November 2025
Final Resident Letter / Start Orders / Final Pre-Event Briefings	October / November 2025
Event Runs / Teams onsite / Event Setup	November 2025
Event Breakdown / Reporting	November 2025 / December 2025

# THANK YOU

**Simon Bell | Event Chairman**

p: 021856277

e: simon@sultants.co.nz



## 7.7 Sale of Parks Land to Kiwi Rail

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Louis Rattray – Manager Parks and Recreation

### 1 Purpose / Te Kaupapa

To seek Council approval to sell a part of parks land set aside for the development of the Ruakaka Cemetery to KiwiRail

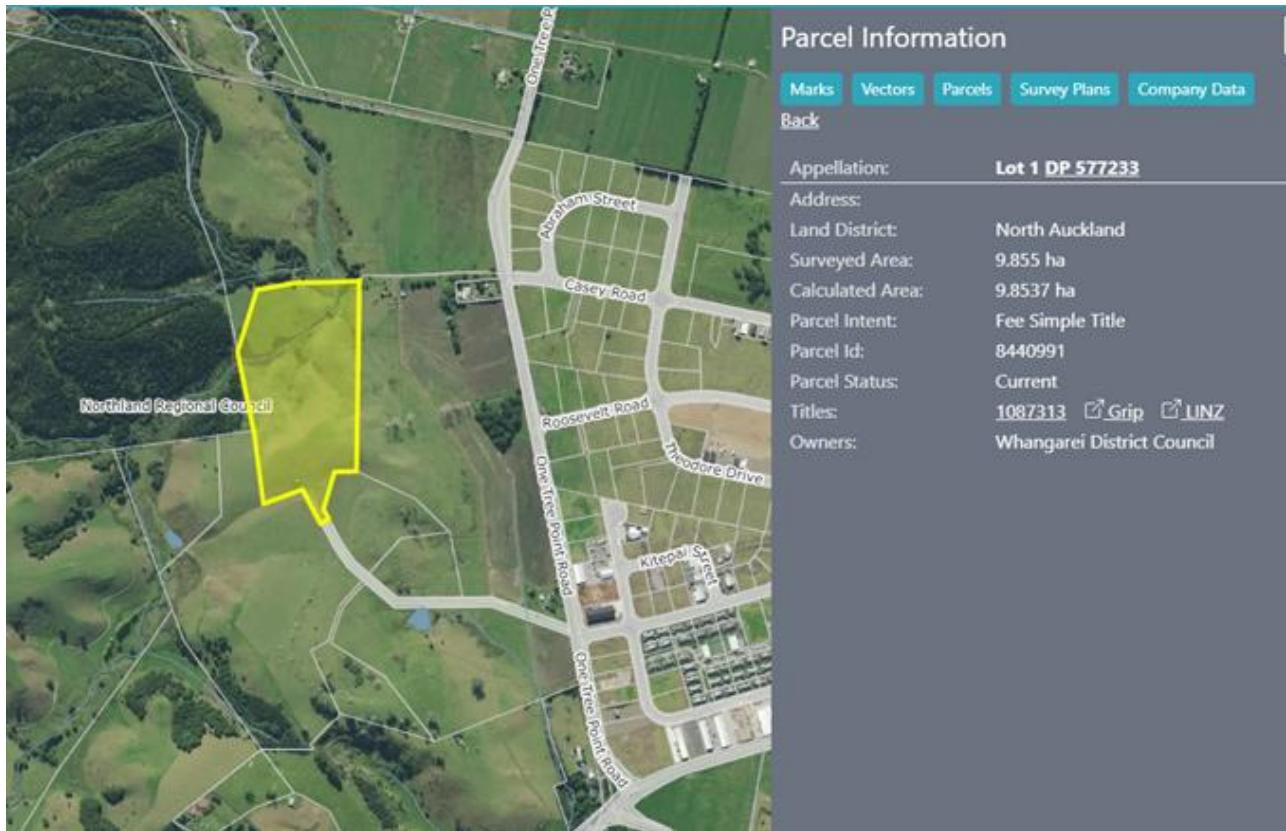
### 2 Recommendations / Whakataunga

That the Council:

1. Agree to the partial sale of land designated for a cemetery in Ruakaka to Kiwi Rail
2. Agree to the sale price of \$58,256
3. Gives Council's Chief Executive, or Council Officer with the delegated authority, permission to execute legal documents for the partial sale of the required land to Kiwi Rail

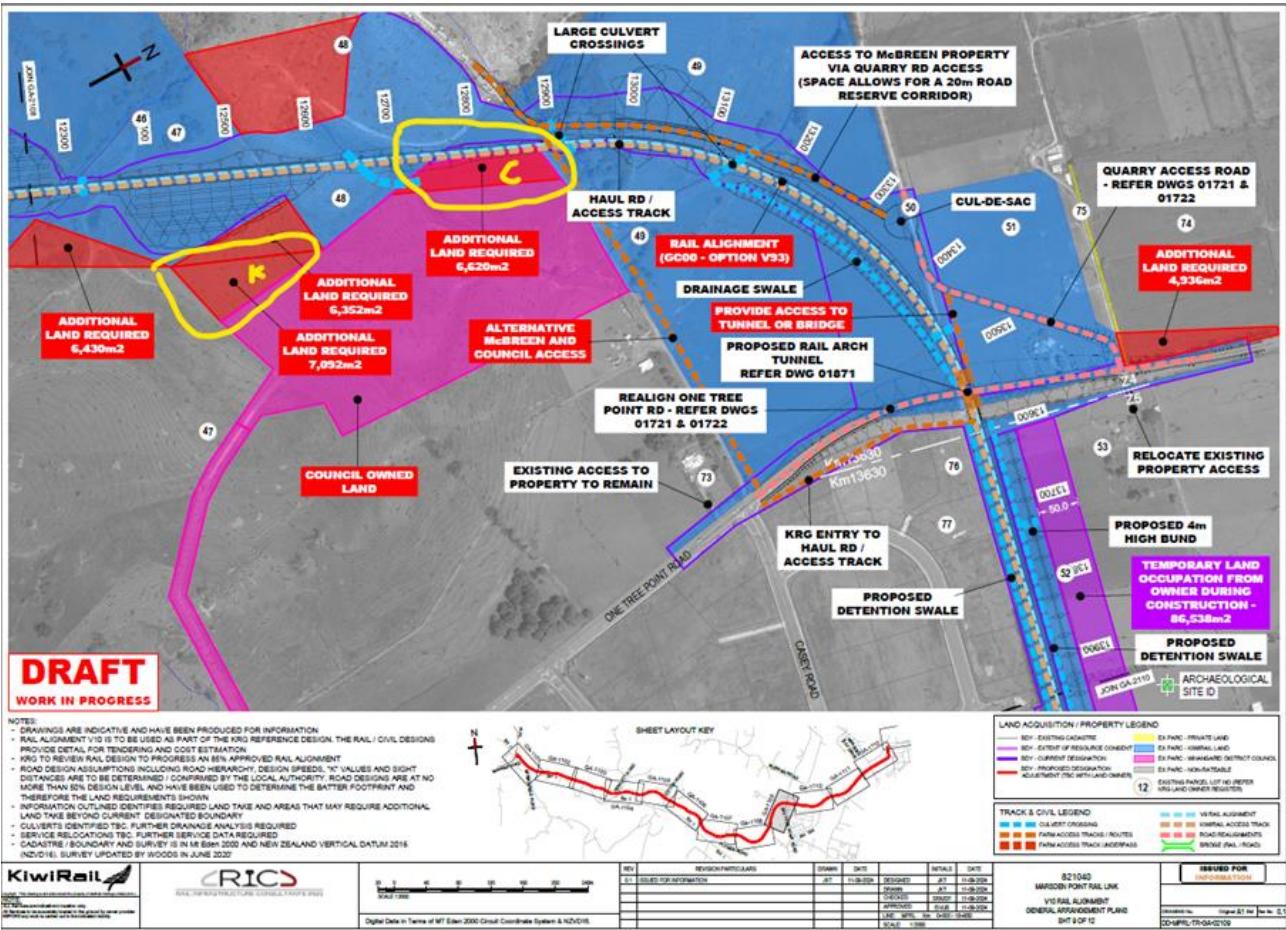
### 3 Background / Horopaki

In 2021 Council bought land in Ruakaka for the purpose of developing a future cemetery for local burial services. The land has been designated for the purpose of a cemetery and Council officers are currently in the planning phase in preparation for construction in 2025/26.



Land designated for cemetery in yellow

In September 2024 Council was approached by Kiwi Rail requesting a land swap as they required a portion of the Council land within the cemetery designation (identified below as "C") for the planned rail corridor. Kiwi Rail proposed purchasing the land identified as "K" and swapping it for "C".



## *Kiwi Rail supplied plan*

## 4 Discussion / Whakawhiti kōrero

## **Land required for Cemetery**

The concept plan and engineering assessment for the Cemetery has determined that the land required by Kiwi Rail is unsuitable for burials and as such has no detrimental effect on the cemetery operations and capacity.

Council officers have considered the request by Kiwi Rail for a land swap and recommend that Council instead sell the required land (parcel identified as C) to Kiwi Rail. This is on the basis that land identified as "K" is unsuitable for cemetery purposes and capacity is not reduced by selling "C".

#### **Benefits to Council of this approach**

- Kiwi Rail are offering a price higher than valuation
  - Kiwi Rail have identified areas that WDC can use to dispose of fill on their land at no cost as part of the cemetery development. This can be written into the agreement
  - Council are not looking for additional land
  - Selling the required land provides Council with income which can be used to offset debt.

## **Valuation**

- WDC acquired the underlying 9.85ha parcel of land in 2021 for \$450,000 (\$45,685 per ha)
- Its current capital value is \$400,000 (\$40,609 per ha)
- The required land area is 6,620m<sup>2</sup> or 0.662ha
- KiwiRail are offering to purchase the required land for \$52,960 plus GST (if any). This equates to \$80,000 per ha.
- In addition, under Section 72C of the PWA, KiwiRail is required to pay additional compensation of 10%, being \$5,296

Total sale price = \$58,256

In addition, Kiwi Rail will pay the legal costs of the transaction

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

The sale of the required land will net Council \$58,256 which can be used to offset debt.

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

None present

### **4.3 Options**

1. Do Nothing - Not an option as Kiwi Rail can legally acquire the land via the Public Works Act
2. Land swap - This option was discounted as the area identified a "K" was not considered suitable for cemetery at time of original purchase.
3. Sell the required land - Preferred option as it provides Council with income with no impact on the cemetery capacity

Staff recommend Option 3

### **4.4 Risks**

Risks have been mitigated with the drawing up of a Partial Acquisition Agreement by Council's legal counsel Thomson Wilson.

## **5 Significance and engagement / Te Hira me te Arawhiti**

### **5.1 Significance**

No issues of significance

### **5.2 Engagement**

No community engagement required.

## 7.8 Ruakaka Surf Life Saving Patrol Re-development Lease Proposal

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Louis Rattray – Manager Parks and Recreation  
John Burt - Manager Property

### 1 Purpose / Te Kaupapa

To seek approval from Council for giving public notice of Council's intention to grant a new lease to the Ruakaka Volunteer Lifeguard Service and to delegate responsibility to hear any objectors or submitters who may request the opportunity to speak to their submission or objection.

### 2 Recommendations / Whakataunga

That the Council:

1. Resolves to give public notice in accordance with section 119 of the Reserves Act 1977 of the intention to grant a lease to the Ruakaka Volunteer Lifeguard Service pursuant to section 54(1)(b) of the Reserves Act 1977 for an area of the Ruakaka Beach recreation reserve, for a term of 30 years, and;
  - a. In accordance with section 120 of the Reserves Act 1977, invites any interested person(s) to make written objections and submissions on the proposal.
2. Notes that should any person who makes a submission or objection who wishes to do so may request an opportunity be speak to their objection or submission in person.
3. Delegates to the infrastructure Committee responsibility for the hearing of person requesting to make a verbal presentation on the proposed lease.

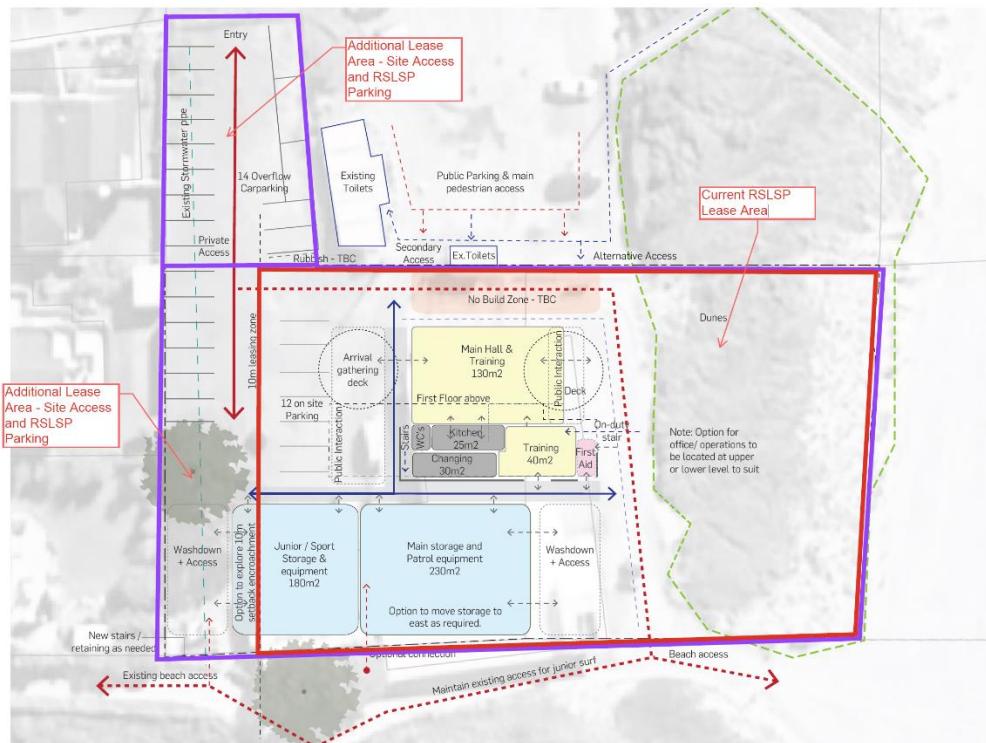
### 3 Background / Horopaki

The Ruakaka Surf Life Saving Patrol incorporated (Ruakaka SLSP) currently occupy land administered by Council which is a Recreation Reserve subject to section 17 of the Reserves Act 1977(Reserves Act). The Reserve is not one which has a Reserve Management Plan. The Ruakaka SLSP have for many years leased this area of this reserve for their clubrooms/base of operations. From this vantage point, they can look after people right along the surf beach.

## 4 Discussion / Whakawhiti kōrero

Council has received a request/proposal from the Ruakaka SLSP for a new lease for an expanded footprint on the reserve. Ruakaka SLSP are planning on a redevelopment and expansion of their facilities and are in the process of seeking funding for it. The Ruakaka SLSP has requested a term of at least 30 Years. The expanded footprint that's been requested is to allow for access for emergency vehicles and dedicated parking for lifesavers. The additional area of the reserve has a stormwater main running through it, but the proposal has been reviewed by the waters team who advised they are comfortable with the proposed development of access and parking subject to certain conditions being met.

Ruakaka SLSP have advised that for their application to be successful they will require a long lease of the reserve footprint to give funding agencies certainty of their tenure. The Reserves Act provides for administering bodies such as Council to grant of up to 33 Years. However, as it's a designated recreation reserve, Council is required to publicly notify an intention to grant a lease and provide at least 30 days for the public to provide written submissions or objections. There is also a requirement to hold a hearing should any objectors or submitters ask to be heard.



Details of the proposed redevelopment and increase to the lease area are attached to this report.

### 4.1 Financial/budget considerations

Ruakaka SLSP have confirmed they will be meeting all costs in relation to the redevelopment of their facilities. If the lease is approved there will be minor costs incurred by Council for the public notification and preparation of new lease documents, but they can be accommodated within existing budgets. Community and service organisations are generally provided leases on a concessionary basis.

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

As set out in the body of this report, this process is governed by the provisions of the Reserves Act 1977.

#### **4.3 Options**

Option 1: Resolve to give public notice in accordance with section 119 of the Reserves Act 1977 of Council's intention to grant a lease to the Ruakaka SLSP pursuant to section 54(1)(b) of the Reserves Act 1977 for an area of the Ruakaka recreation reserve, for a term of thirty years.

Option 2: Resolve to give public notice in accordance with section 119 of the Reserves Act 1977 of Council's intention to grant a lease to the Ruakaka SLSP pursuant to section 54(1)(b) of the Reserves Act 1977 for an area of the Ruakaka recreation reserve, for some other term e.g. Thirty-three years.

Option 3: Status Quo- Do not resolve to give public notice of an intention to grant a lease.

The recommended Option is **Option 1**.

#### **4.4 Risks**

There is a risk that if a new lease is not granted the Ruakaka SLSP won't be able to secure the funding it needs for the redevelopment.

### **5 Significance and engagement / Te Hira me te Arawhiti**

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 through subsequent public notification in local newspapers and Councils other communications channels.

### **6 Attachments / Ngā Tāpiritanga**

Ruakaka Surf Life Saving Patrol redevelopment proposal.



DESIGNGROUP  
**STAPLETON ELLIOTT**

VEROS  
**RUAKAKA SURF LIFESAVING**

**CONCEPT**

31/01/2025

VEROS  
RUAKAKA SURF LIFESAVING

# ANALYSIS

1

# ANALYSIS

## DISTRICT PLAN ANALYSIS

### SITE INFORMATION

**Address - Bream Bay Drive Ruakaka**

**Lot ID - Allot 365 PSH OF Ruakaka**

**Site Area - 2,804m<sup>2</sup>**

**Climate Zone - 1**

**Earthquake Zone - Zone 1**

**Exposure Zone - Zone D**

**Lee Zone - No**

**Rainfall Range - 100-110**

**Wind Region - A**

**Wind Zone - High**

### SITE RESTRICTIONS

#### OPERATIVE DISTRICT PLAN

##### **Zone**

Sport and active recreation zone

##### **Activity**

Community

##### **Maximum Height**

10m from natural ground level

##### **Building Scale**

The maximum gross floor area (GFA) of any building shall not exceed 50m<sup>2</sup>.

##### **Setbacks**

All buildings and major structures comply with the minimum building and major structure setback rule of the adjoining zone closest to the building or major structure. (Residential: 1.5m from side and rear boundaries)

SARZ-R5.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

##### **Height In Relation to Boundary (HIRB)**

All buildings and major structures comply with the minimum height in relation to boundary rule of the adjoining zone closest to the building or major structure.

SARZ-R6.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

### PLANNING NOTES

#### **SITE**

The property (legally described as Allotment 365 & 217 PSH OF Ruakaka) is located at the end of Ruakaka Beach Road and is immediately adjacent to Ruakaka Beach. The property is sized at approximately 2,804 m<sup>2</sup> (total) and is rectangular in shape.

#### **NATURAL HAZARDS**

##### **Site Stability**

Whangarei District Council (WDC) GIS Hazard Map indicates that the property is in an area with a Low Instability Risk. Refer; 'WDC GIS Hazard Map'

##### **Liquefaction**

Whangarei District Council (WDC) GIS Hazard Map indicates that the property is in an area where 'Liquefaction is possible'. Refer; 'WDC GIS Liquefaction Map'

##### **Flooding**

The Northland Regional Council (NRC) GIS Natural Hazards Map identifies some of the eastern area of the property to be within the 'River Flood Hazard Zone – Regionwide Models – 100-year CC extent', however, this area is outside of the proposed development.

The Northland Regional Council (NRC) GIS Natural Hazards Map identifies some of the eastern area of the property to be within the 'Coastal Flood Hazard Zone 2 and 3' (100-years and 100 years + Rapid Sea Level Rise Scenario). However, these areas are outside of the proposed development. Refer; 'NRC River Flooding Map' and 'NRC Coastal Flooding Map'

##### **Coastal Erosion**

The Northland Regional Council (NRC) GIS Natural Hazards Map indicates the 'Coastal Erosion Hazard Zone 2 (100 years)' line runs through the western side of the existing surf club building. The 'Coastal Erosion Hazard Zone 3 (100 years + Rapid Sea Level Rise Scenario)' line runs through the western side of the property, within the proposed storage shed footprint. Refer; 'NRC Coastal Erosion Map'



#### **Sport and Active Recreation Zone (Surf Life Saving)**

SARZ-01 Recreation and Community Activities

Provide for a range of accessible sport, active recreational and community activities.

SARZ-R11 Food and Beverage Activity: Permitted

SARZ-R12 Place of Assembly: Permitted

SARZ-R13 Entertainment Facilities: Permitted

SARZ-R14 Recreational Facilities: Permitted

SARZ-R16 General Community: Permitted



# ANALYSIS

## PLANNING OVERLAYS

Current Location



[www.veros.co.nz](http://www.veros.co.nz)

Current Location



[www.veros.co.nz](http://www.veros.co.nz)

Hazard Risk



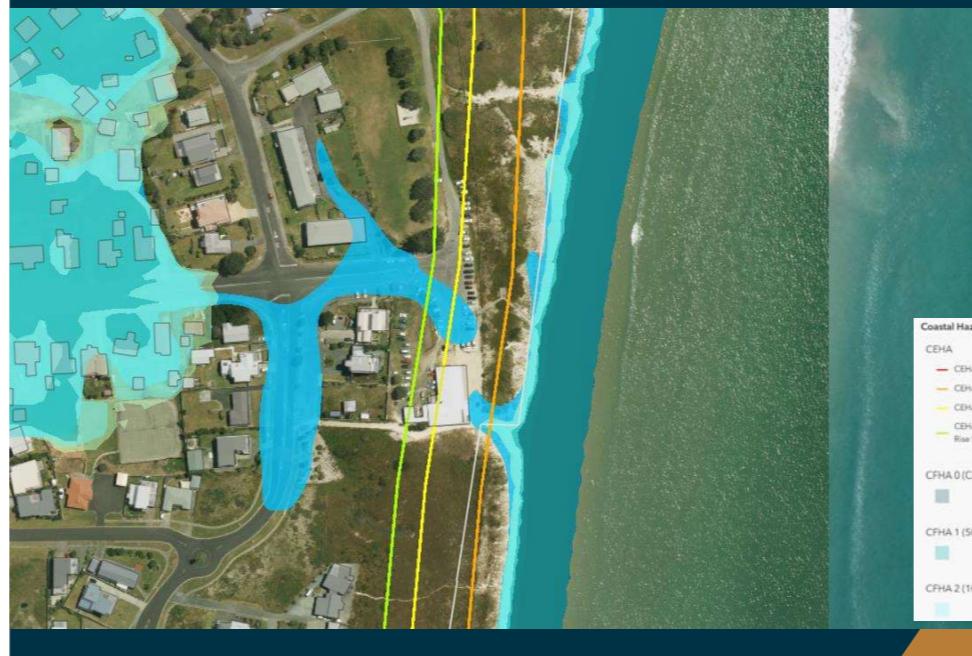
[www.veros.co.nz](http://www.veros.co.nz)

Hazard Risk



[www.veros.co.nz](http://www.veros.co.nz)

Coastal Hazard Risk



[www.veros.co.nz](http://www.veros.co.nz)

Coastal Hazard Risk



[www.veros.co.nz](http://www.veros.co.nz)

# ANALYSIS

## SITE CONTEXT + CHARACTER



### CONTEXT

Planning that responds to the immediate and wider context and suburban fabric of Ruakaka beach and its residential neighbours.

### LIFESTYLE

A designs which reflects the use as a life saving facility as well as an opportunity for community connection.

### PLACE

An informed design response that contributes positively to the rich ecological and protected natural environment

### COMMUNITY & CONNECTION

Well designed shared spaces which connect buildings and encourage positive interaction between site users, without compromising the general operations and life saving functions of the facility.

### MULTI-FUNCTIONAL

Spaces which can be used for multi events and or functions while not impacting day to day operations



# ANALYSIS

## SITE CONTEXT



Not to Scale

### SITE

#### Ruakākā Beach Overview

Ruakākā Beach is located on the eastern coast of New Zealand's North Island, within the Northland region. It sits along Bream Bay, offering stunning views of the Pacific Ocean.

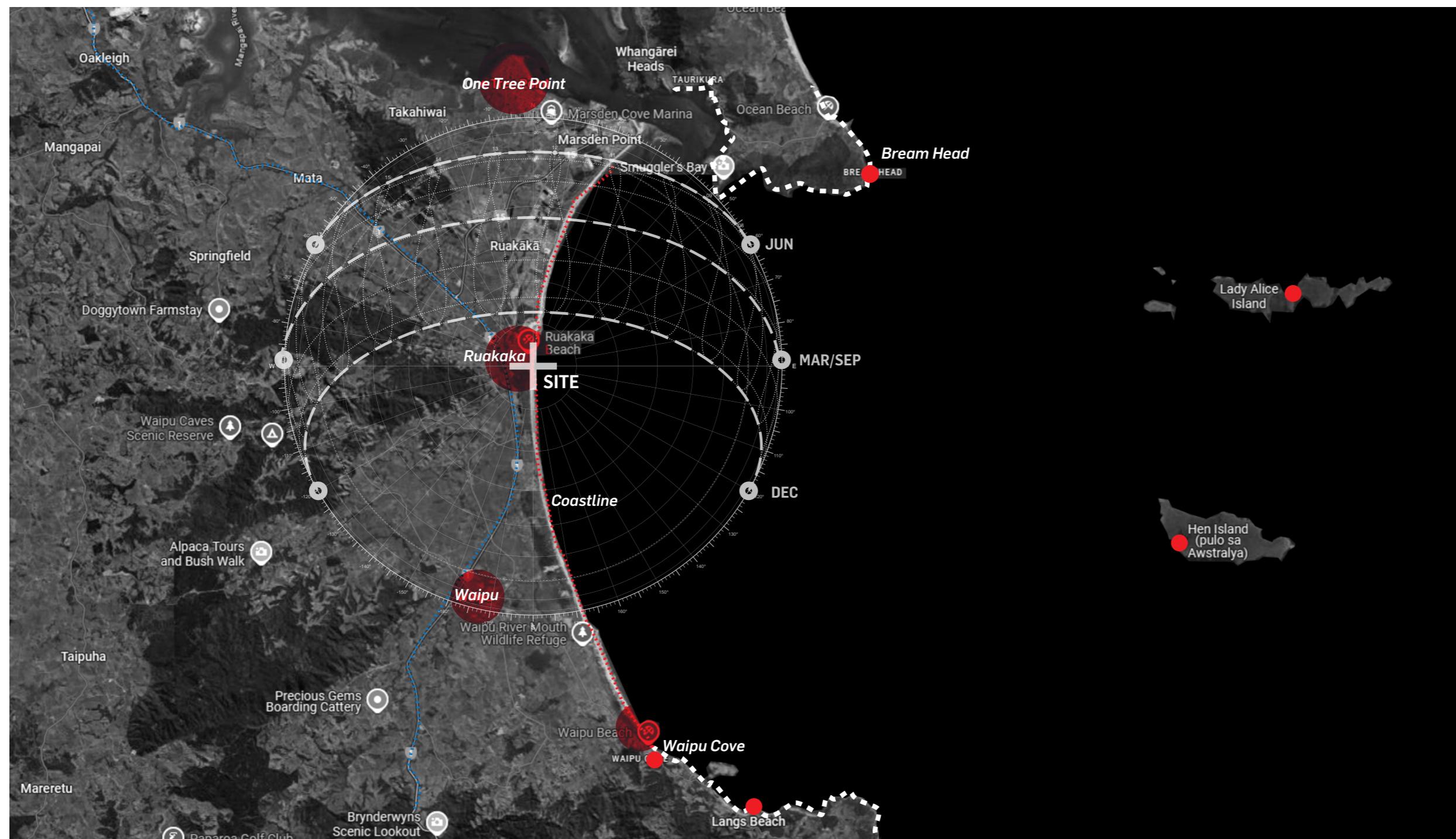
Ruakaka beach is conveniently located just off State Highway 1 (SH1), making it easily accessible for travelers. It's approximately a 1.5-hour drive north of Auckland, New Zealand's largest city, and about 30 minutes south of Whangārei, the largest town in Northland.

Ruakākā is a short drive (or walk) from the Ruakākā town center, where visitors can find shops, cafes, and essential amenities. Close to Ruakākā, Marsden Point is known for its industrial port and historical significance.

Waipū is also close, a charming town about 15 minutes away. Waipū is famous for its Scottish heritage and annual Highland Games.

Ruakākā Beach is a pristine, white-sand beach stretching several kilometers along Bream Bay. It's renowned for its calm waters, making it a family-friendly destination for swimming, surfing, and fishing. The area is surrounded by dunes and native plants, adding to its natural beauty. Wildlife enthusiasts may spot birds such as dotterels and oystercatchers in the dunes. The beach also serves as a gateway to the Whangārei Heads and offshore attractions like the Hen and Chicken Islands.

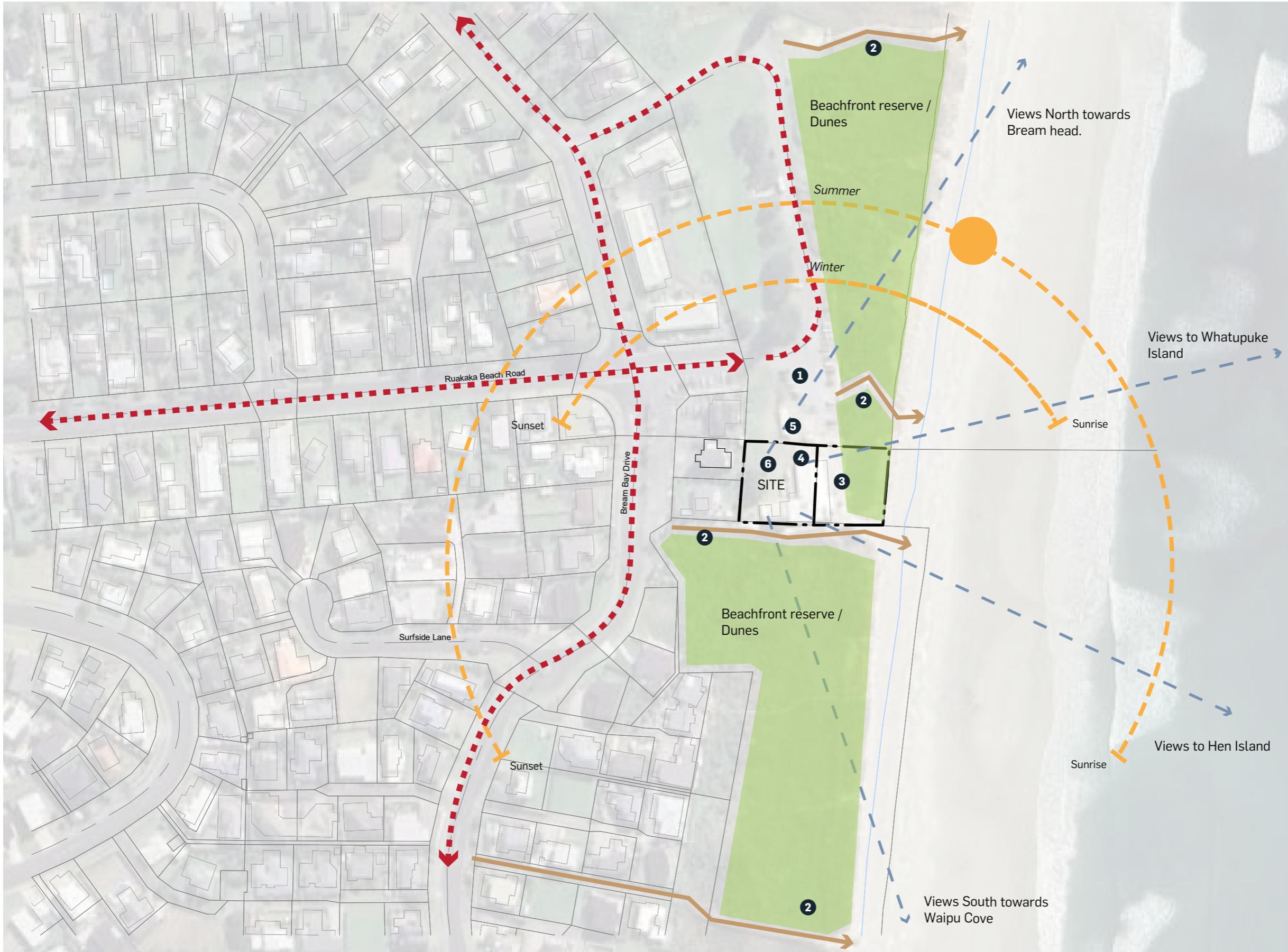
Whether you're looking for relaxation or outdoor activities, Ruakākā Beach is a perfect spot that combines natural beauty with convenient access.



# ANALYSIS OPPORTUNITIES + CONSTRAINTS



Not to Scale



- 1 Existing carpark
- 2 Existing beach accessway
- 3 Onsite gathering area
- 4 Existing site entry
- 5 Existing toilet facilities
- 6 Onsite private parking



# ANALYSIS OPPORTUNITIES + CONSTRAINTS



Not to Scale



- 1 Site Location
- 2 Vehicle Access
- 3 Pedestrian Connectivity
- 4 Reserve Features
- 5 Residential Environment

## KEY CONSTRAINTS

1. Site Location:  
The site is situated directly on Ruakākā Beach, positioned between an existing coastal reserve and a residential area.

2. Vehicle Access:  
The site features two access points: one via Ruakākā Beach Road leading into an existing carpark and another private access from Bream Bay Drive, located behind the lifesaving club.

3. Pedestrian Connectivity:  
Although the site connects to the pedestrian network of Ruakākā town, these pathways are not clearly defined upon entry to the site.

4. Reserve Features:  
A coastal reserve surrounds the site along the beach, enclosed by a low timber fence that helps control access to the beach.

5. Residential Environment:  
The site adjoins residential areas and is near local amenities, including a café and a motel to the north.



VEROS  
RUAKAKA SURF LIFESAVING

# PLANNING

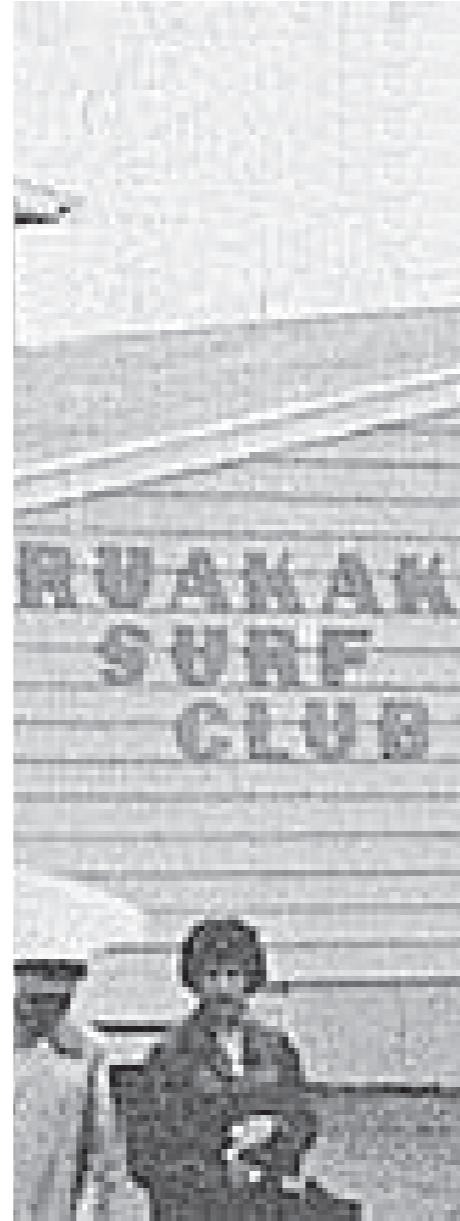
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# PLANNING DRIVERS



## CONTEXT

Simple, well executed design elements and master-planning that perform more than one function and respond to the immediate and wider context and function of the life-saving patrol.



## PLACE

An informed design response that contributes positively to Ruakaka's fabric and rich historic character.



## COMMUNITY + CONNECTION

Well designed shared spaces which connect buildings and encourage positive interaction between site users, without compromising the public/private division of space.



## MARINE ENVIRONMENT

Building with an inherent understanding of marine environment and sustainable principles.



# PLANNING SITE



## SITE BOUNDARY & ACCESS POINTS

The site is located directly on Ruakaka beach, between the existing reserve and the residential area. Main access via Ruakākā Beach Road leading into an existing carpark and another private access from Bream Bay Drive.



## CONTOURS & GREENSPACE

The existing building is located facing the beach looking over the reserve for observation and rescue operations. A coastal reserve surrounds the site along the beach, enclosed by a low timber fence that helps control access to the beach.



## MOVEMENTS

Vehicle movements are mainly focused on the public car-park and toilet facilities to the northern boundary. Pedestrian movements are along the front of the existing building going into the existing beach access points.



## BUILDING ZONES

The existing building sits looking over the reserve. While also extending to the beach access to the south boundary.



## BUILDING FOOTPRINTS & KEY FRONTAGES

The existing building currently provides a clear defined front and key corners providing a link between the public and the operational activities.



## PROPOSED DEVELOPMENT STAGES

A design that can be built in stages to maintain the centre operative at all times during construction.



# PLANNING AREA REQUIREMENTS

## Ruakākā Surf Lifesaving Patrol – Facility Concept Design Brief

December 2024



The following table outlines the spatial requirements now, and in 10 to 15 years' time for the RSLP facility.

	Item	Current Requirements			Futureproofed Requirements(10-15yrs)			General line notes	
		Floor space (m <sup>2</sup> ) Per item	Item #	tot. m <sup>2</sup> )	Description	Additional Item #	tot. m <sup>2</sup> )	Description	
Lifesaving Storage	IRB (on trailer)	11.7	4	46.8	4 IRB on trailers	1	58.5	5 IRB on trailers	5m long, 2.1m wide
	IRB Rack	12	2	24	2 inflated IRB. 1 on trailer fully setup.	1	36	3 inflated IRB. 1 on trailer fully setup.	Rack frame: L-W-H 2.24m - 2.13m - 2.75m 3 inflated IRB. 1 on trailer fully setup 2 on rack Space required in front of rack to accommodate trailer underneath (4.8m) Circulation space to the width added to total area calculation: 370mm
	Rescue Watercraft	11.5	1	11.5	1 Rescue watercraft with attached trailer	0	11.5	*1 Rescue watercraft with attached trailer	RWC with Trailer Trailers Vary in size - Commonly 4.2m long, 2m wide - Additional space for circulation included
	Full Size Vehicle	14.2	1	14.2	Club Van	1	28.4	Club Van & Callout Ute	Size allows an extra 500mm length and width to allow circulation
	Beach Vehicle	7.6	3	22.8	Can-Am HD10	0	22.8	*Can-Am HD10	L-W-H 307.1 x 162.5 x 198.1 cm Size allows an extra 500mm length and width to allow circulation – Including tractor
	Workshop	5	1	5	Storage for 7 engines required. Assume at least 1 will be stored on an IRB	0	5	*Storage for 7 engines required. Assume at least 1 will be stored on an IRB	Bench space and mounted storage bracket for engines. IRB engine storage requires 780mm width total to allow access to engine.



# PLANNING AREA REQUIREMENTS

## Ruakākā Surf Life saving Patrol – Facility Concept Design Brief

December 2024



Category	Item Description	Quantity	Dimensions (h,w,d)	Storage Details	Current Stock	Stock Required	Notes	Total Dimensions (h,w,d)	
								Current Stock	
								Stock Required	Total Dimensions (h,w,d)
Lifesaving Sport Storage	Patrol Equip	22	3	66	Space for flags, tubes, 6 patrol boards, stretchers, PFD's & signs	0	66	*Space for flags, tubes, 6 patrol boards, stretchers, PFD's & signs	Tube (L x W x H): 104 x 14.5 x 7cm + lanyard. Flagpole & pole signs - 2.5m high Stretcher 187 x 42 x 6cm Rescue board 3.2 x 0.65 x 0.4m - Board rack 6 boards high = 2.08sqm floor space (Framing for racking system not considered in measurements)
	Fuel Store	2	1	2	<a href="#">350L flammable liquid store - Hazero.</a>	0	2	<a href="#">350L flammable liquid store - Hazero.</a>	1,750 x 1,100 x 800mm (h,w,d) - Requires 509mm door opening space.
	<b>Sub Total</b>			<b>192.3</b>			<b>230.2</b>		
	Junior Surf Misc. & Circulation	5	4	20	4 rows 5 boards high	0	20	*4 rows 5 boards high	Body boards, cones, rope, turning cans, flags, marquees etc.
	Rookie Race Boards (8'10") & Big Foamy's (8'10")	1.3	30	39	4 rows 6 boards high	10	52	11 rows 6 boards high	2.7 x 0.48 x 0.31m stack 5 to 7 high Framing for racking system not considered in measurements.
	Small Foamy's (6'6")	0.9	2	1.8	1 rows 2 boards high	8	9	2 rows 5 boards high	2 x 0.45 x 0.31m stack 5 to 7 high Framing for racking system not considered in measurements.
	LS Sport Misc. & Circulation	5	5	25		0	25	*	Cones, rope, turning cans, flags, marquees etc.
	Ski	3.5	6	21	2 row 3 ski high	0	21	*2 rows 3 ski high	5.8 x 0.6 x 0.4m stack 4 or 5 high Framing for racking system not considered in measurements.
	Paddle Board	1.8	8	14.4	2 row 4 boards high	7	27	3 rows 5 boards high	3.2 x 0.55 x 0.4m stack 5 to 7 high Framing for racking system not considered in measurements.



# PLANNING AREA REQUIREMENTS

## Ruakākā Surf Life saving Patrol – Facility Concept Design Brief

December 2024



Education & Community Space	Canoe/Gear Trailers	10.8	2	21.6		1	32.4	9 x 1.8m on a trailer
	<b>Sub Total</b>			<b>142.8</b>			<b>186.4</b>	
	BeachEd Equip Storage	10	2	20	Bodyboards, cones, flags etc.	0	20	*
	Multi-function / Training Room(s) (Unit = per person)	2	20	40	Classroom capacity for 30-40 students	20	80	Classroom capacity for 60-80 students
	Kitchen spaces	12	2	24		0	24	additional kitchenette capacity on any additional community function spaces where appropriate.
Changing/Toilets	<b>Sub Total</b>			<b>84</b>			<b>124</b>	
	Toilets	13	1	13		0	13	Accessible by all club users Wheelchair accessibility and unisex considerations.
	Changing Rooms	31	1	31	Capacity to cater to 30 children at a time.	0	31	*Capacity to cater to 30 children at a time.
	Public Toilets	6.4	0			0	0	Not required to be provided
	<b>Sub Total</b>			<b>44</b>			<b>44</b>	



# PLANNING AREA REQUIREMENTS

## Ruakākā Surf Life saving Patrol – Facility Concept Design Brief

December 2024



Operations	First Aid	10	3	30		0	30	Small = 1 unit, medium = 2 units, large = 3 units
	Multi-function/Operations/Meeting Room/Office	10	1	15		0	15	
	General Storage	6	1	6		0	6	
	Kitchenette (Lifeguard accessible)	5.1	1	5.1		0	5.1	In addition to main Kitchen Locate in tower
	Lifeguard lounge (10 people)	15	1	15		0	15	Locate in tower
	Tower	11	1	11		0	11	A must have
	<b>Sub Total</b>			<b>82.1</b>			<b>82.1</b>	
Accommodation	Bunkrooms	2.7	30	81	To accommodate at least 10	0	81	Number of lifeguards to lodge
	<b>Sub Total</b>			<b>81</b>			<b>81</b>	
	<b>Total sqm</b>			<b>689.6</b>			<b>771.1</b>	

General circulation space has not been considered in the measurements within the table, however Veros believes this space to be between 20 to 40m<sup>2</sup> in the medium range surf facility.

Two sets of external decking to be provided, decking on eastern side approx. 40m<sup>2</sup> and outdoor space decking on western side approx. 90m<sup>2</sup>

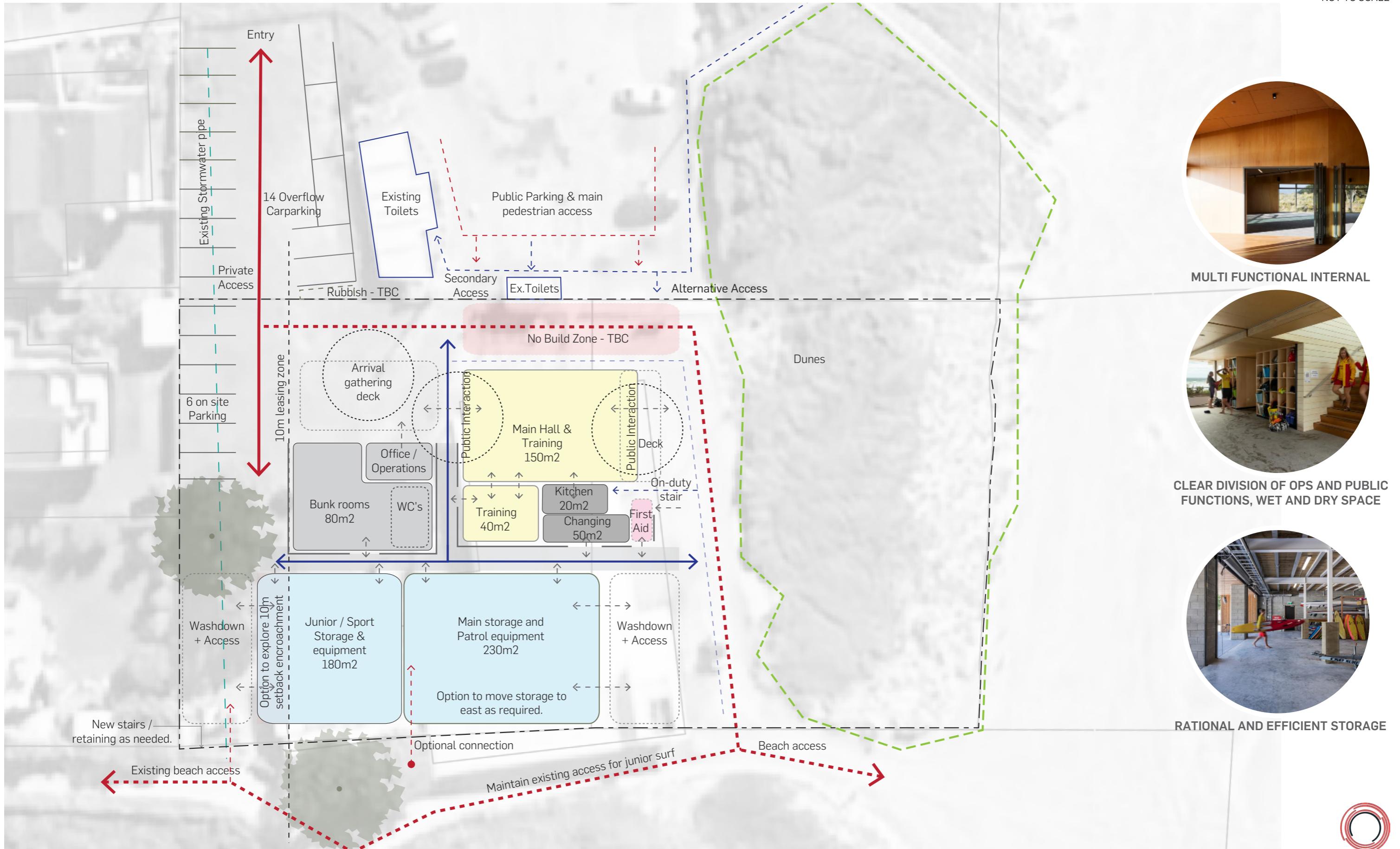
The above spatial requirements should be read in conjunction with the Reference Facility Design document provided by SLSNZ and DGSE.





# SPATIAL PLANNING OPTION 1 GROUND FLOOR

NOT TO SCALE



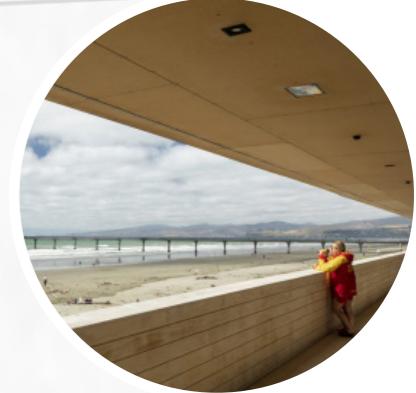


# SPATIAL PLANNING OPTION 1 FIRST FLOOR

NOT TO SCALE



LEGIBLE PUBLIC INTERFACE



CLEAR VIEWING PLATFORM &amp; OUTDOOR FUNCTION SPACES



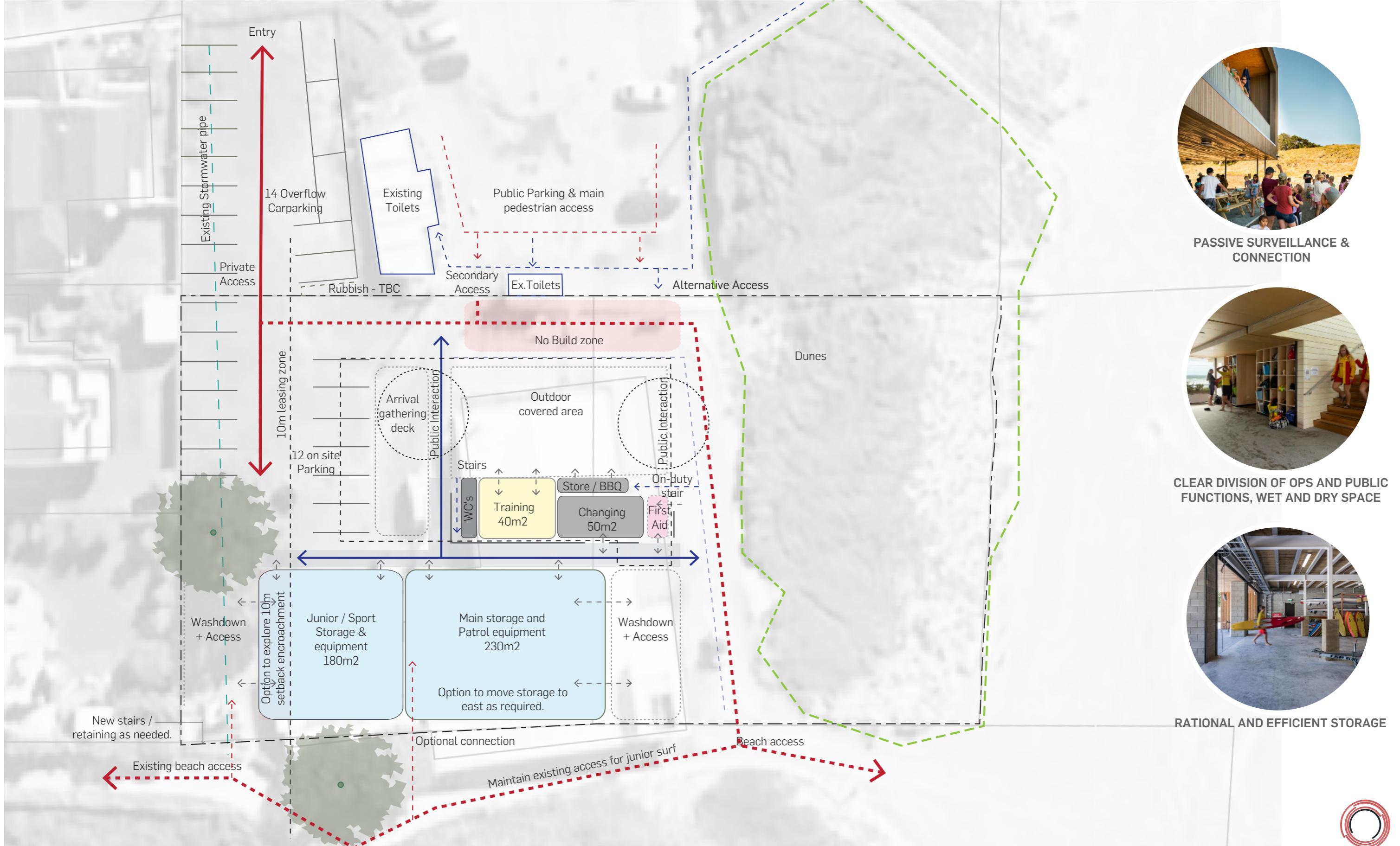
PASSIVE SURVEILLANCE &amp; CONNECTION





# SPATIAL PLANNING OPTION 2 GROUND FLOOR

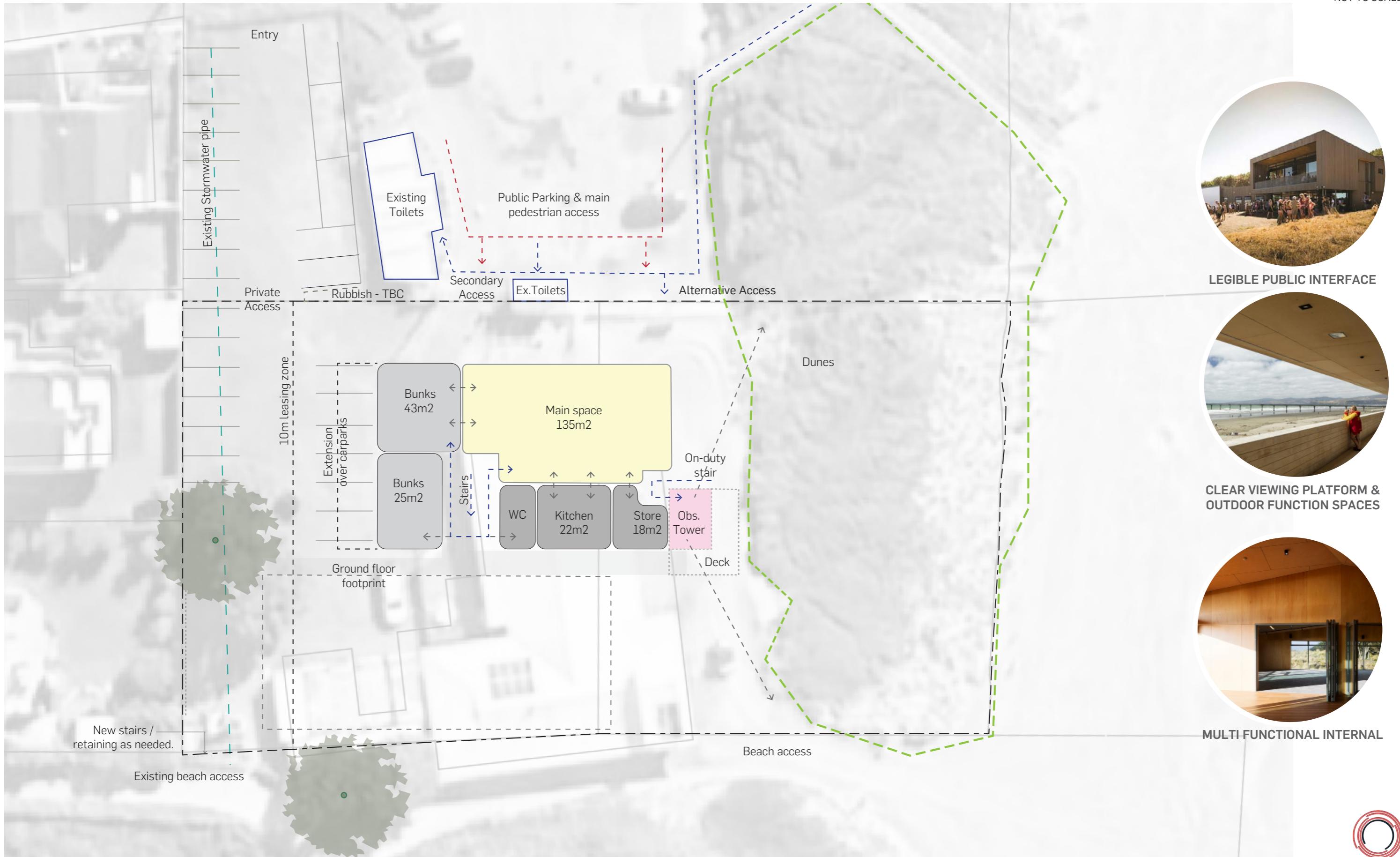
NOT TO SCALE





# SPATIAL PLANNING OPTION 2 FIRST FLOOR

NOT TO SCALE

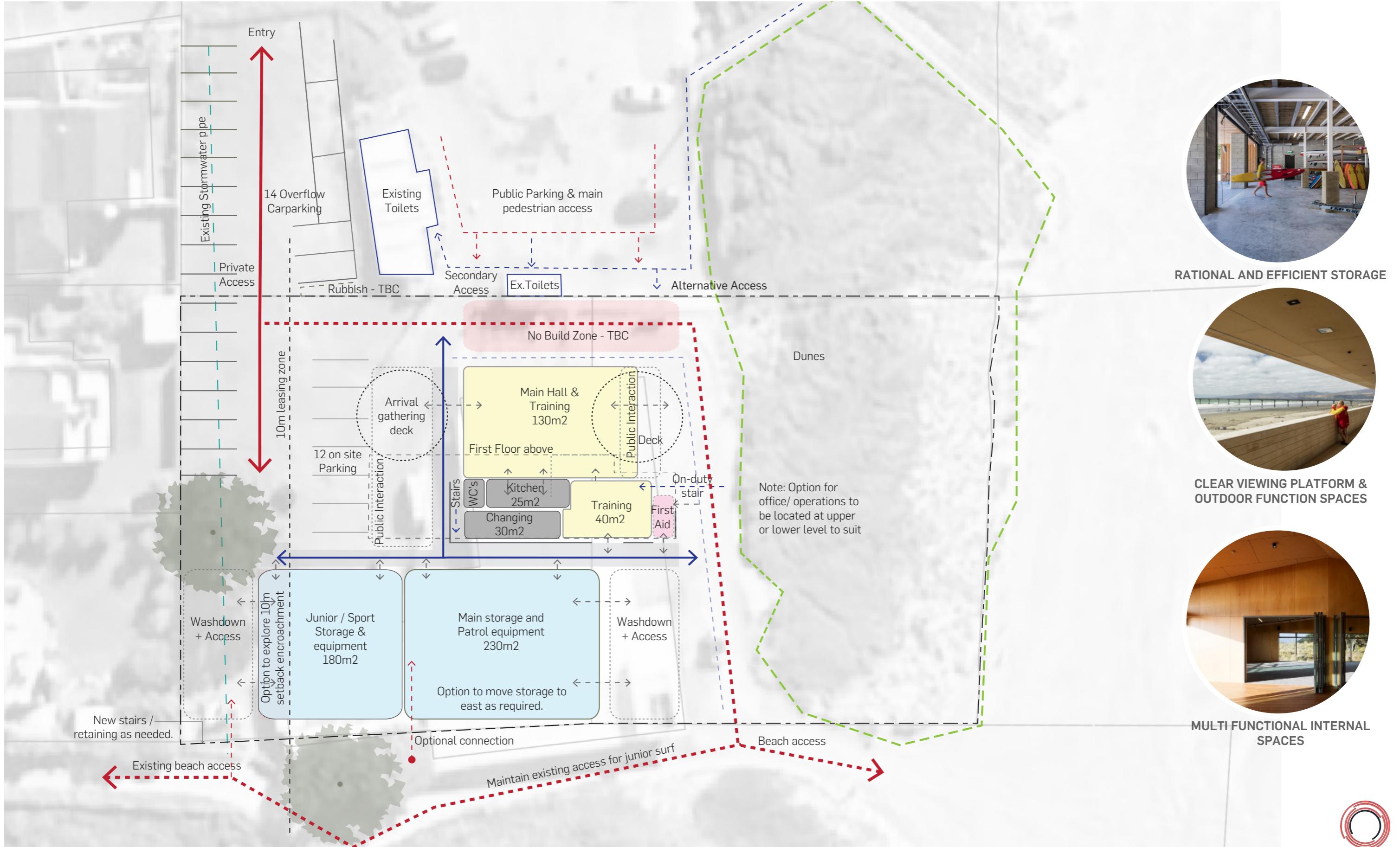




# SPATIAL PLANNING

## OPTION 3 GROUND FLOOR

NOT TO SCALE



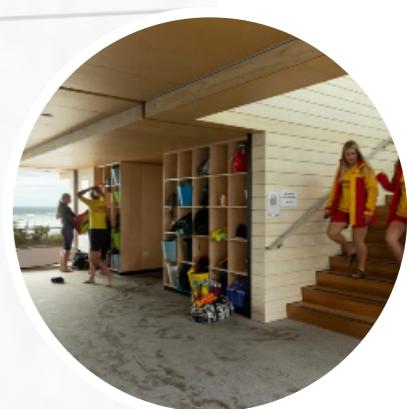


# SPATIAL PLANNING OPTION 3 FIRST FLOOR

NOT TO SCALE



PASSIVE SURVEILLANCE & CONNECTION



CLEAR DIVISION OF OPS AND PUBLIC FUNCTIONS, WET AND DRY SPACE



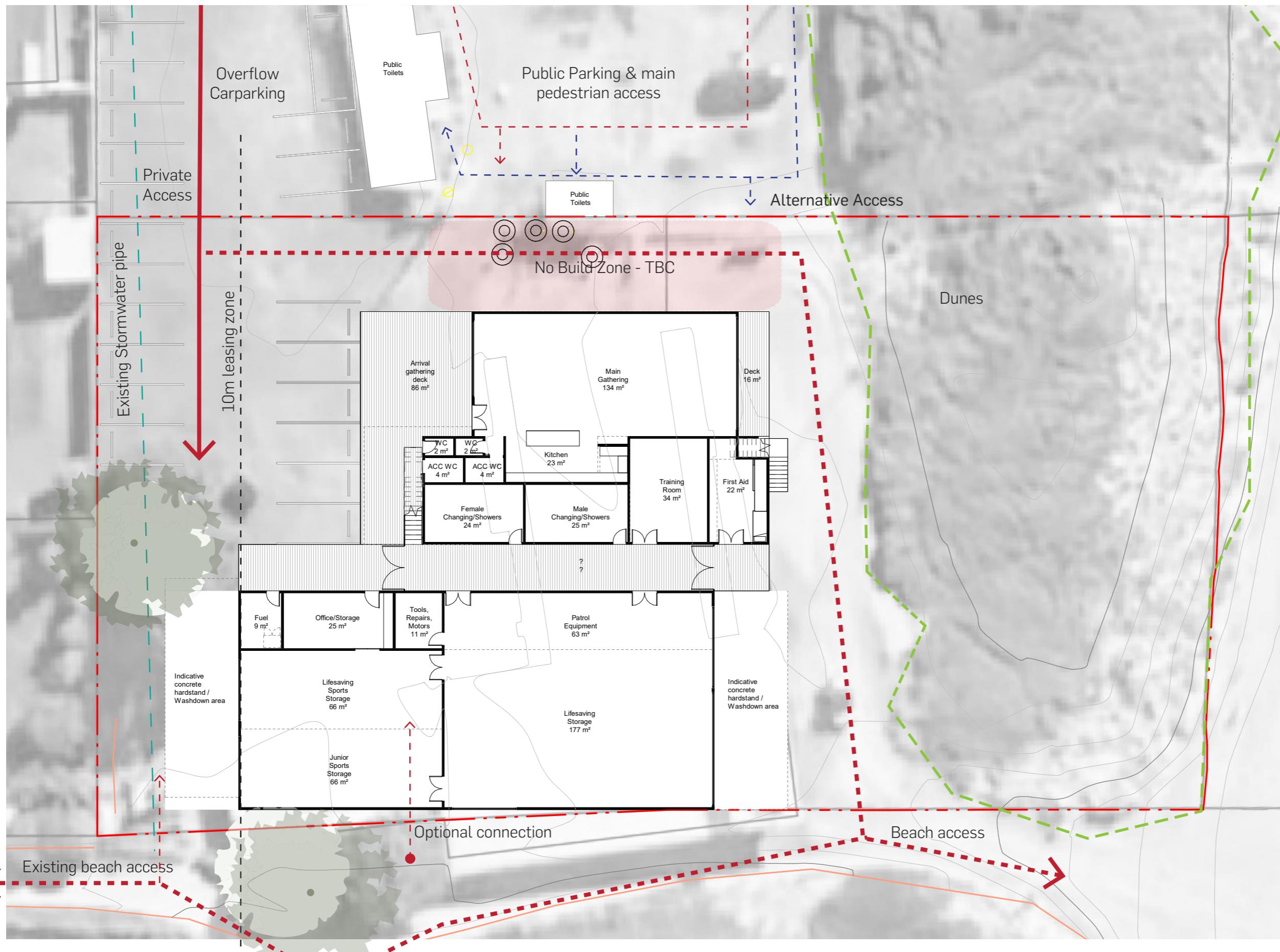
LEGIBLE PUBLIC INTERFACE





# PLANNING

## SITE PLAN - SELECTED OPTION (#03)



SCALE: 1:200 @A3

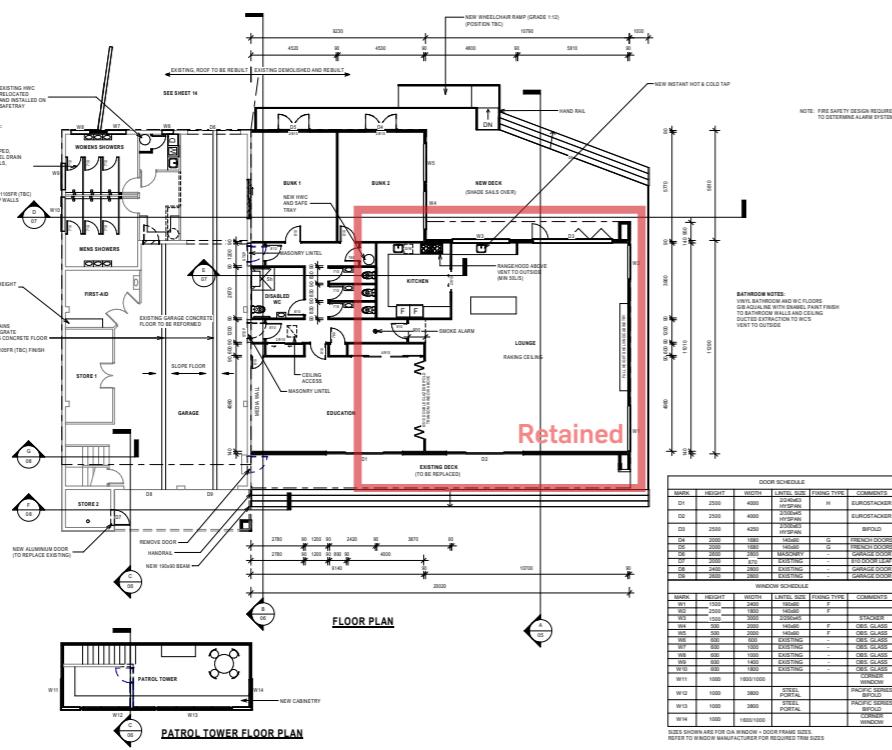
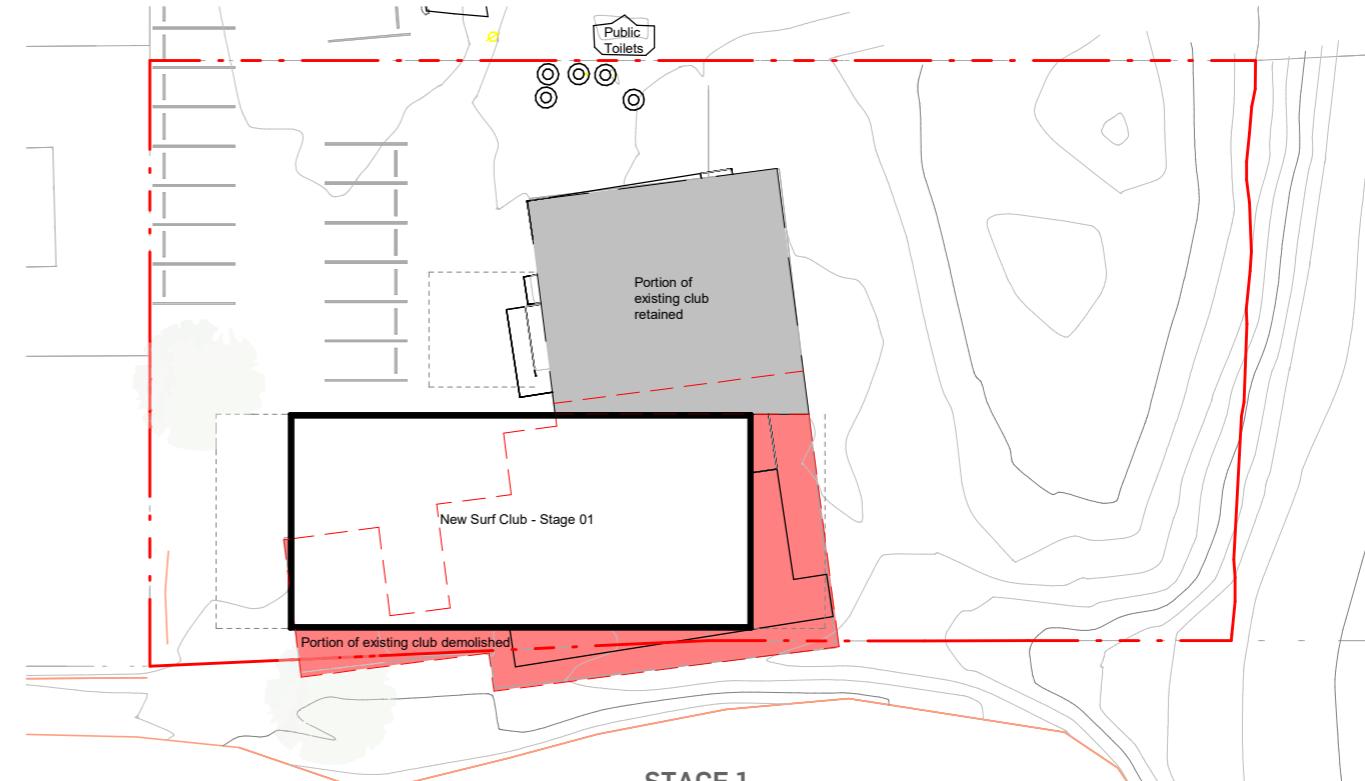
Assume preference to achieve additional clearance to dunes on East.

Option to move building West - note this would infringe the 10m lease zone and reduce arrival gathering deck. Alternative to achieve more Eastern dune clearance is to reduce main gathering space or arrival gathering deck.

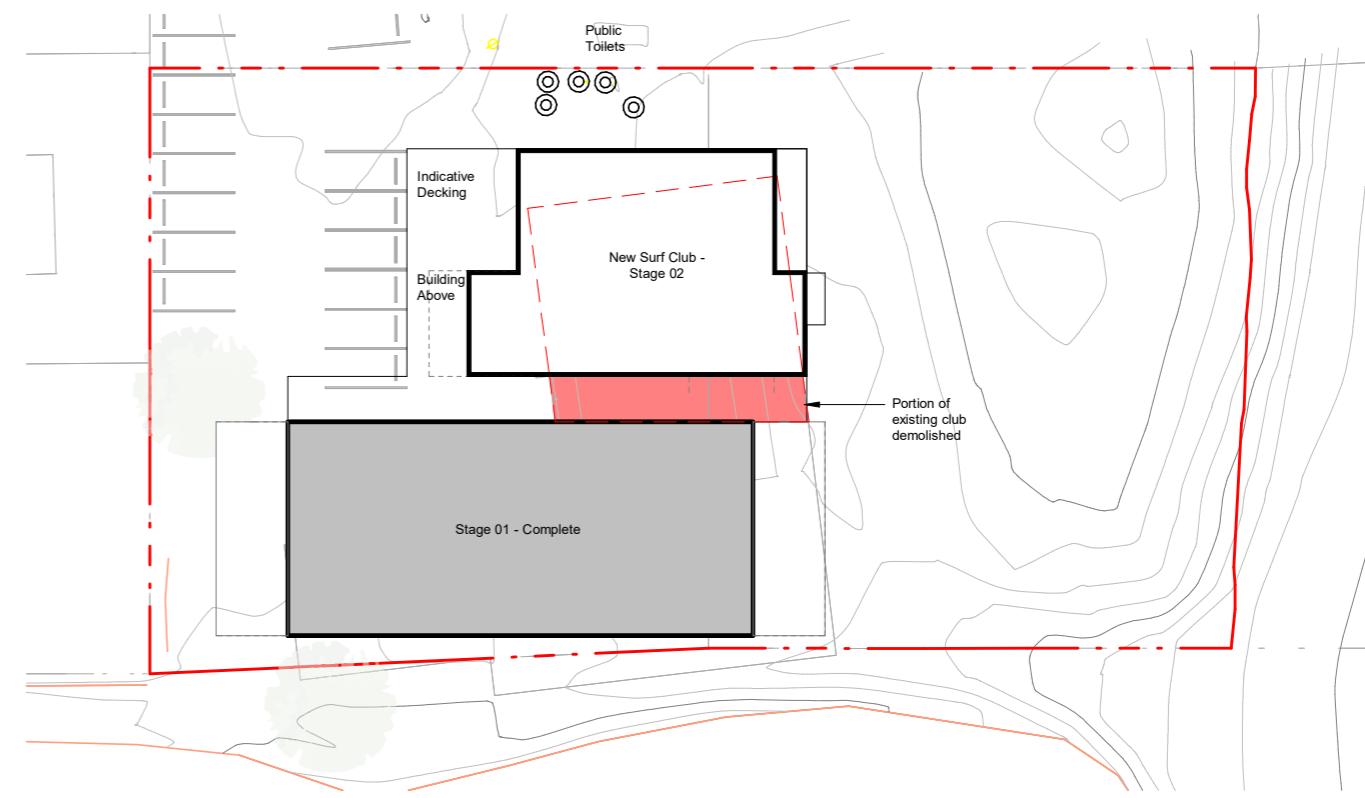




# PLANNING PROJECT STAGING



SUPERSEDED ALTERATION FLOOR PLAN  
(Reference only, kitchen and lounge to remain)

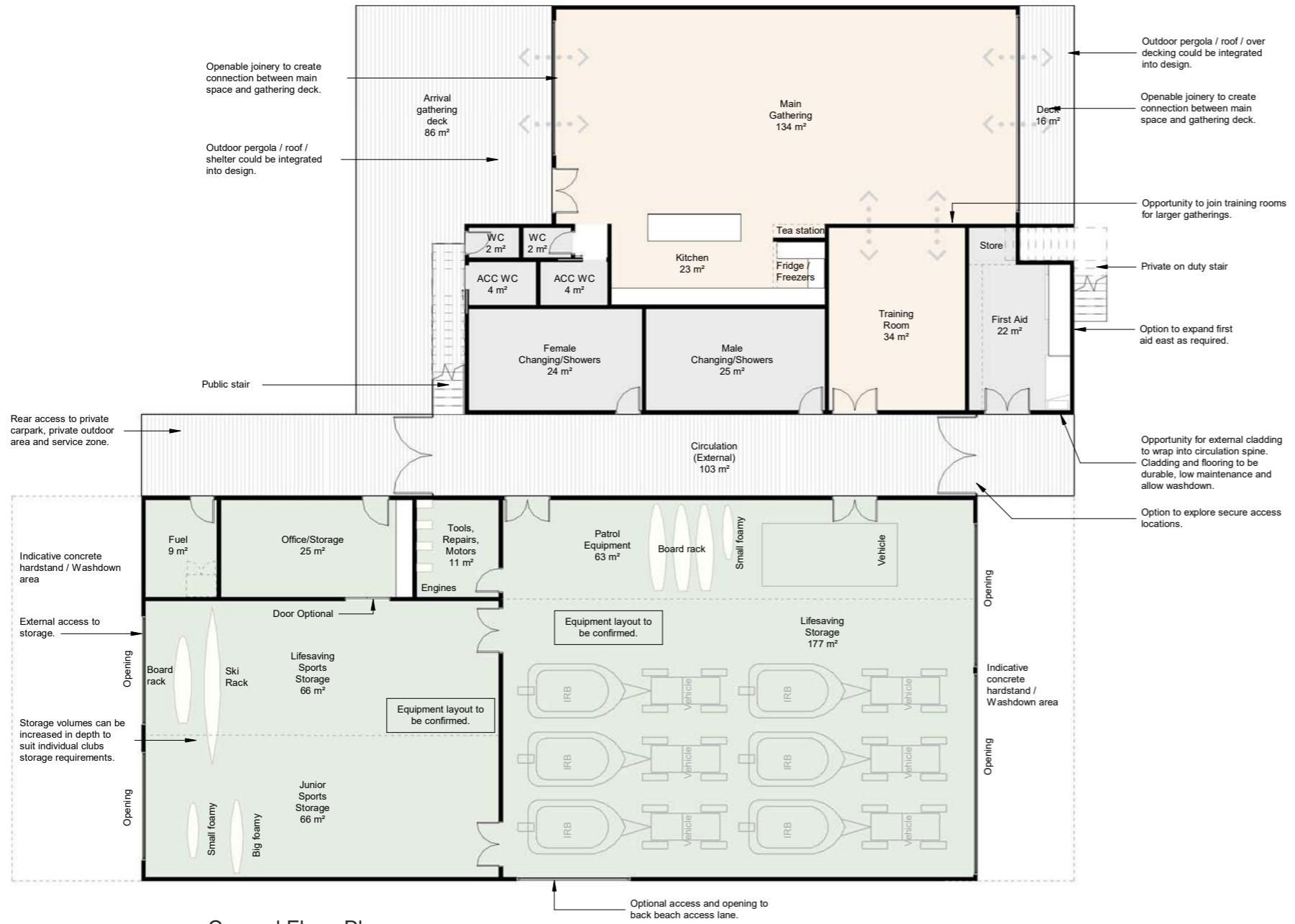




# PLANNING

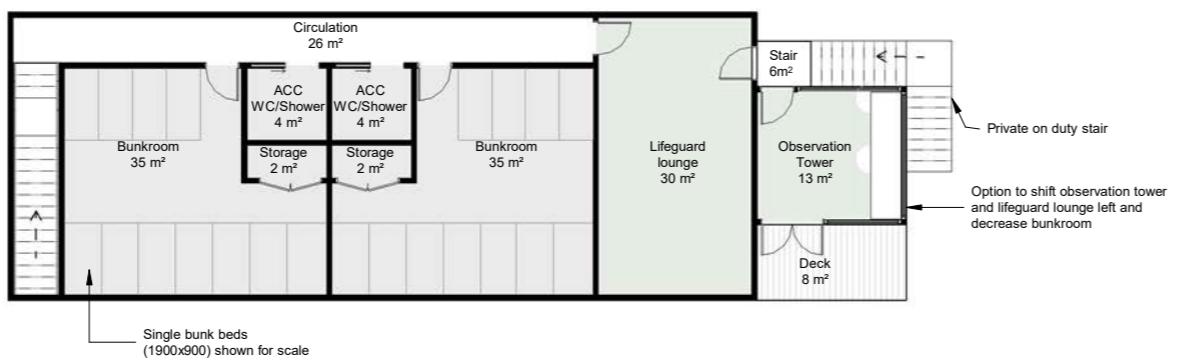
## FLOOR PLAN - SELECTED OPTION (#03)

SCALE: 1:200 @A3



Ground Floor Plan

Upper Floor Plan



**Approx. Gross Floor Area: 915m<sup>2</sup>**  
 Note: Overall GFA has been taken to the outside of framing and does not include ground floor external circulation or ground floor decks. It does include upper level decks and 2x stairs.

FUNCTION	AREA
Public Amenities (shown orange)	191m <sup>2</sup>
Shared Space (shown grey)	165m <sup>2</sup>
SLS Core Functions (shown green)	460m <sup>2</sup>
Circulation & decks (shown white)	245m <sup>2</sup>

Note: Areas noted above and on the plan are internal room areas only and exclude wall structure.



**HE MANA TŌ TE HOAHOANGA KA WHAKAATA I TE TANGATA  
ME TŌNA TŪRANGAWAEWAE // THERE IS POWER IN DESIGNING  
ARCHITECTURE THAT REFLECTS ITS PEOPLE AND PLACE.**



## 7.9 Bylaws to regulate signs and nuisance, trading and events in public places

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Will McNab (Strategic Planner – Bylaws)

### 1 Purpose / Te Kaupapa

To confirm that Council wishes to make new bylaws to regulate the display of signs generally and nuisance, trading and events in public places.

### 2 Recommendations / Whakataunga

That Council:

1. Agrees that a bylaw is the most appropriate way to regulate—
  - a. the display of signs in public places and, in some cases, on private property; and
  - b. nuisance behaviours, trading and events in public places;
2. Directs staff to prepare a Statement of Proposal to make new bylaws consistent with the findings in Attachments 1 and 2.

### 3 Background / Horopaki

At a Briefing on 25 March 2025, Council discussed the Public Places Bylaw and Control of Advertising Signs Bylaw (Signs Bylaw) and provided direction that it wished to make new bylaws to replace them before they expire in September 2026.<sup>1</sup>

Attachments 1 and 2 show the findings reports, first introduced to Council at the Briefing on 25 March 2025, informed by a staff review of both bylaws. Attachment 1 includes edits in the summary table of findings in response to new information from staff at Northland Regional Council (removal of material from beaches) and Council's in-house legal team (use of structures as living accommodation). These edits are shown in track changes.

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<sup>1</sup> See agenda report here: <https://pub-wdc.escribemeetings.com/FileStream.ashx?DocumentId=4507>.

Before starting the process of making new bylaws, Council must first determine under section 155(1) of the Local Government Act 2002 (LGA) that bylaws offer the most appropriate way to address the underlying problems.

## **4 Discussion / Whakawhiti kōrero**

### **4.1 A bylaw is the most appropriate way to address nuisance behaviours and regulate trading and events in public places**

The findings in Attachment 1 indicate that a bylaw remains appropriate to regulate numerous problem behaviours in public places, including (but not limited to) the obstruction of footpaths (scooters, pallets and other objects, outdoor dining furniture), damage to grass berms caused by vehicles parking on them, intimidatory begging and the erection of structures in public places.

A bylaw may also provide a clear regulatory framework for trading and events in public places and commercial filming on Council-controlled land.

### **4.2 A bylaw is the most appropriate way to regulate the display of signs on, in, or visible from footpaths, streets and roads**

Although the staff review found that much of the current Signs Bylaw unnecessarily overlaps with District Plan provisions, a bylaw remains the nimbler regulatory tool when it comes to managing—

- the display of signs that may pose a traffic safety risk (the case of many real estate signs erected within the road corridor);
- obstruction caused by the placement of advertising media like sandwich boards on footpaths, especially in areas with high foot traffic;
- offensive or discriminatory signs on private land visible from the road corridor.

### **4.3 Financial/budget considerations**

Projects to develop new bylaws to regulate the matters outlined above would be resourced through the operational budget of the Strategic Planning Department over the 2024/25 and 2025/26 financial years.

### **4.4 Policy and planning implications**

Nothing in this report is inconsistent with other Council strategies, policies or plans.

### **4.5 Options**

Council may either—

- Option 1: agree that bylaws remain the most appropriate tool to regulate the matters outlined above and direct staff to prepare a Statement of Proposal for Council's consideration; or
- Option 2: rely on other regulatory provisions such as the District Plan and primary legislation.

Staff recommend Option 1.

#### **4.6 Risks**

Failure to make new bylaws by September 2026 would give rise to problems such as—

- regulatory gaps in areas such as (but not limited to) trading and events in public places;
- delays in remedying safety risks caused by the display of signs in the road corridor
- fewer mechanisms to manage the obstruction of footpaths and damage to Council-controlled land.

### **5 Significance and engagement / Te Hira me te Arawhiti**

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

Staff will undertake further engagement with key stakeholders to inform draft new rules. Any Statement of Proposal adopted by Council will trigger public consultation under section 83 of the Local Government Act 2002 (LGA).

### **6 Attachments / Ngā Tāpiritanga**

Attachment 1 - Public Places Bylaw - Findings Report

Attachment 2 - Control of Advertising Signs Bylaw - Findings Report



# ***Public Places Bylaw***

## ***Findings Report***

April 2025

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## 1 Introduction

Council's Public Places Bylaw (the Bylaw) regulates a set of disparate activities and behaviours that do not fit neatly within other single-subject bylaws. Council last reviewed the Bylaw over ten years ago in 2014, so the current iteration will expire in September 2026 if not revoked before then.

This findings report is intended to provide a baseline for Council to discuss the most appropriate form any future replacement bylaw(s) may take. A high-level but comprehensive analysis of each of the Bylaw's clauses is provided in Section 4 below.

### 1.1 Review methodology

This report has been informed by a scan of the relevant primary (enacted by Parliament) and secondary legislation, including Council's District Plan and bylaws, in addition to Council's relevant strategies and plans.

Over 8,000 entries of customer requests and CitySafe data from September 2014 to December 2024 have provided a high-level picture of the public's interaction with the Bylaw's various clauses since its last review.

Staff have met with representatives from 15 Council departments<sup>1</sup> with some interest in the Bylaw to discuss the adequacy of the provisions relevant to them and their implementation. Staff have also presented to the CitySafe Ops Network and the Disability, Positive Ageing and Youth Advisory Groups to seek their input.

The relevant bylaws of neighbouring territorial authorities (TAs), as well as the bylaws of Auckland Council and comparable TAs such as Gisborne District, Whanganui District and Palmerston North City, have contributed as sources of comparison.

This report has also considered Council's Alfresco Dining Policy, which has not been reviewed since its adoption in 2013.

## 2 Staff review

### 2.1 The Bylaw is made under both the Local Government Act 2002 and the Land Transport Act 1998, which define the scope of Council's bylaw-making powers

The Bylaw's legislative powers derive from sections 145 and 146 of the Local Government Act 2002 (LGA) and, for activities or behaviours that occur within the road corridor, section 22AB of the Land Transport Act 1998 (LTA). The Bylaw is also made under the Bylaws Act 1910, the few surviving provisions of which prevail over Council's other bylaw-making powers.

The specific provisions of the empowering legislation are important, because they set the limits to what Council can lawfully regulate through a bylaw. Under section 145 of the LGA, Council can make bylaws to:

- protect the public from **nuisance**;
- protect, promote and maintain **public health and safety**;
- minimise the potential for **offensive behaviour** in public places.

Under section 146 LGA, Council can make bylaws to:

- regulate **trading in public places**;
- manage and protect property owned or controlled by Council from **damage** or **misuse**.

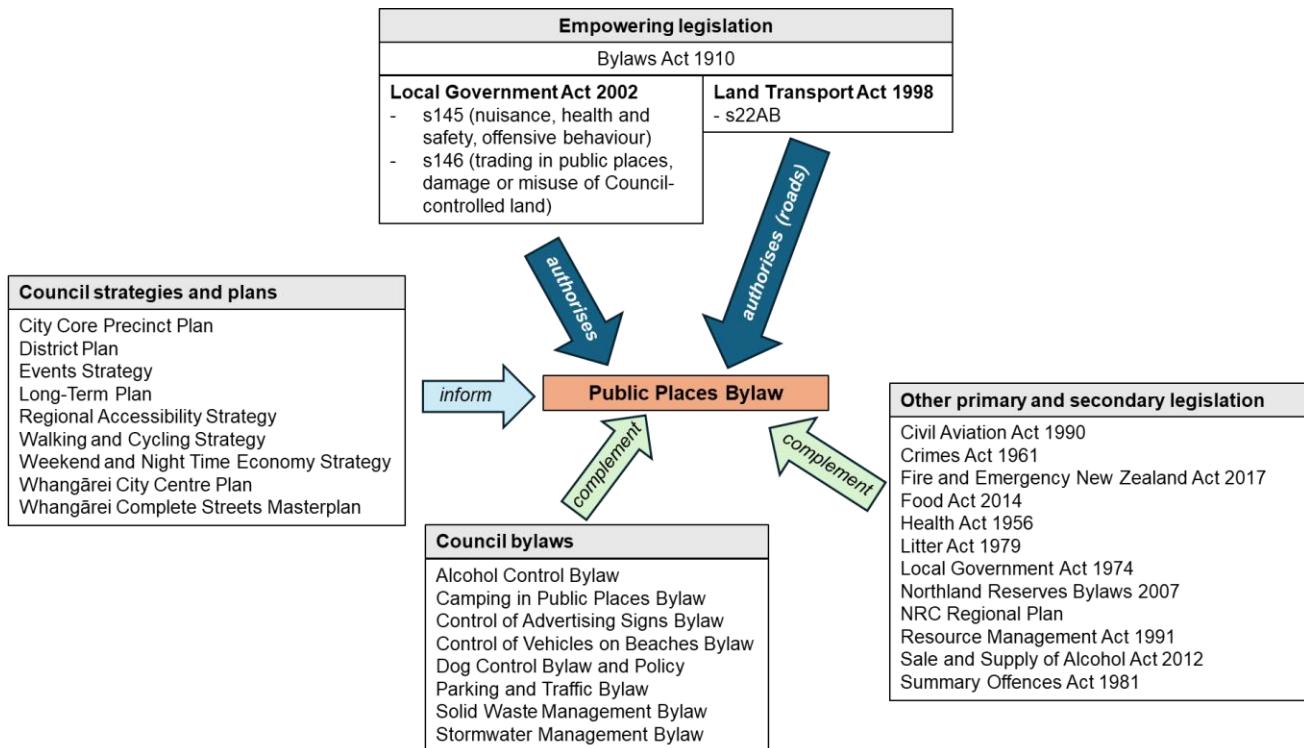
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<sup>1</sup> Community Development, Community Infrastructure Projects, Customer Services, District Development, District Plan, Health and Bylaws, Infrastructure Development, Infrastructure Planning, Māori Outcomes, Parks and Recreation, RMA Consents, Stormwater Flooding and Coastal, Strategic Planning, Transport, and Venues and Events.

Meanwhile, section 22AB LTA offers broader bylaw-making powers for Council, as the road-controlling authority, to regulate activities generally within the road corridor.

Figure 1 below shows how these Acts fit within the wider regulatory landscape for a hypothetical public places bylaw made in 2025.

**Figure 1: Regulatory landscape in 2025**



## 2.2 *The Bylaw overreaches and would be more robust if its purpose were limited to Council's bylaw-making powers*

The purpose of the Bylaw is to—

*control a diverse range of activities to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district [emphasis added].*

Regulating activities in the interests of public safety is consistent with Council's bylaw-making powers under section 145 LGA. However, Council's bylaw-making powers do not extend to the maintenance of acceptable standards of convenience, visual amenity and civic values. These purposes are ultra vires (outside Council's powers) and jeopardise the lawfulness of the Bylaw's individual clauses. The Bylaw would be more robust if its purpose more faithfully reflected the powers laid out in sections 145 and 146 LGA.

## 2.3 *Much of the drafting is difficult to understand and key terms are ill-defined*

The Bylaw would fail to meet the Parliamentary Council Office's plain language standard. For instance, clause 6 requires that—

*No person shall [...] suffer to be hung any door or gate abutting on any public place or in or about the entrance to any premises abutting on a public place so as to render it capable of being swung over to or across such public place [emphasis added].*

A more accessible clause might simply state that a person must not allow a door or gate to open out over or across a public place.

Other headings, such as “Opening any public place” or “Protection of cellars”, offer little insight into what their subclauses entail.

Some key definitions are also problematic. “Public place”, for example, borrows the definition from section 147(1) of the LGA, which was drafted specifically for alcohol control bylaws and excludes licensed premises, even when they are in a public place, but includes some private land that is not under Council’s control.

## **2.4 *The Bylaw could lean much more heavily on related information textboxes to communicate a more comprehensive set of rules***

The staff review of the Bylaw has identified several redundant clauses that either duplicate primary legislation or serve to inform rather than regulate (see Section 4 below). This content would sit more appropriately inside related information textboxes that communicate the intent and effect of the Bylaw without forming part of it, resulting in a Bylaw that is both leaner and more informative.

Similarly, textboxes could be used to communicate several behaviours that are regulated in higher-order legislation, such as bikes on footpaths and window washing (Land Transport [Road User] Rule 2004), graffiti (Summary Offences Act 1981) and drone use (rules made under the Civil Aviation Act 1990).

## **2.5 *Analysis of customer requests data***

Staff analysed over 8,000 rows of data from customer requests (October 2014 to December 2024) and CitySafe records (October 2021 to December 2024) to inform the review. The data were categorised by Bylaw clause or, where an issue met the criteria under section 145 or 146 LGA but was not in the Bylaw (for example graffiti), by topic.

It is important to note that not all customer requests constituted a complaint. Where practicable, requests for information were removed from the dataset. Also, some requests may be duplicates, where a single incident or issue was reported on more than one occasion.

Table 1 below highlights the salient points to emerge from the analysis of customer requests and CitySafe data through the lens of the current Bylaw. The absolute numbers are unlikely to paint a complete picture of all interactions between the public and Council. Rather, they provide just one indication of the order of magnitude of the issues highlighted.

Several clauses did not feature in any customer requests.<sup>2</sup> This does not necessarily mean that they are of no benefit to Council and the wider public. See Section 4 below for more detail.

**Table 1: Salient findings from customer requests (2014-2024) and CitySafe (2021-2024) data by Bylaw clause/potential topic**

Obstruction of footpaths (clauses 3 and 5; also Alfresco Dining Policy)
Obstruction of one kind or another was the subject of 160 complaints from 2014 to 2024. Of these, 125 complaints concerned a motor vehicle blocking the footpath and/or berm. A further 14 requests concerned objects – for example junk, pallets, or furniture – blocking the footpath and/or berm. Three complaints were received regarding parked scooters obstructing the footpath. Each of these incidents likely breached clauses 3 (Obstruction) and/or 5 (Footways, verges, grass plots and flowerbeds) of the Bylaw.

<sup>2</sup> Clause 15: Encroachment of projects; Cl 16: Unauthorised works; Cl 18: Repair of fences; Cl 21 Lighting of Obstructions and Excavations; Cl 23: Building numbers; Cl 24: Flammable material; Cl 26: Vehicle crossings over footways; Cl 27: Discharge of surface water.

Outdoor dining furniture blocking the path for pedestrians featured in seven complaints. It is unclear whether such incidents would have breached Council's outdated Alfresco Dining Policy 2013, which contains a seldom-used set of guidelines to manage dining in public places.

### Begging (clause 9)

CitySafe officers logged 132 reports of begging in the city centre between October 2021 and December 2024. Clause 9 of the Bylaw specifies that no person may beg "in a manner that may intimidate or cause a nuisance to any person." In most cases, the CitySafe data suggest the person asking for money was "informed" of the Bylaw and "complied". It is unclear whether all these individuals were intimidating or causing a genuine nuisance to the public at the time.

### Rough sleeping (clause 19)

Members of the public alerted Council to people sleeping rough in public places on 167 occasions over the period. CitySafe officers, meanwhile, recorded 1,301 instances of rough sleeping between 2021 and 2024.

Clause 19.1.b of the Bylaw prohibits any person from using a tent, vehicle or other structure in a public place for the purposes of living accommodation. The Bylaw does not define "living accommodation".

### Motorbikes in parks and reserves (clause 30)

Council received 26 complaints from members of the public about motorbikes being driven in parks and reserves, including on Pohe Island and Kensington and Tikipunga sports parks among others. Clause 30.2.a of the Bylaw prohibits vehicles (which includes motorbikes and quad bikes) from driving on grassed parks and reserves.

### Busking in the city centre incl. Town Basin (clause 32)

Council received 29 complaints about people busking in the city centre (including the Town Basin). Under clause 32.1 of the Bylaw, busking without the use of an amplifier or loud hailer is permitted in the city centre for up to one hour per day and three hours per week.

### Bikes, scooters and skateboards in the city centre (clause 33)

CitySafe officers recorded 1,111 incidents of bikes breaching the city centre bike ban between 2021 and 2024. Around 44% of these data entries contain the words "informed of bylaw" and "complied". It is unclear whether many of these incidents resulted in a genuine safety hazard or nuisance. Breaches involving scooters and skateboards were recorded 368 and 181 times, respectively. See section 2.6 below for more information.

### Window washers (n/a)

People washing car windscreens at traffic lights in exchange for a donation were the subject of 26 complaints. Clause 11.6A of the Land Transport (Road User) Rule 2004 states that pedestrians cannot wash or offer to wash a vehicle on a road unless the vehicle is legally parked. People who breach this rule are liable to an infringement fee of \$150.

### Preaching (n/a)

The customer requests data contain eight instances of people taking offence at others preaching in a public place. While such behaviour could arguably meet the threshold for a bylaw under section 145 LGA, it may not be consistent with the New Zealand Bill of Rights Act 1990 (BORA) for a bylaw to restrict preaching in a public place, given:

- Section 14: Freedom of expression (“freedom to impart information and opinions of any kind”)
- Section 15: Manifestation of religion and belief (“every person has the right to manifest that person’s religion or belief in worship, observance, practice, or teaching, either individually or in community with others, and either in public or in private”)

### Fireworks (n/a)

Council received two requests from members of the public seeking a ban on lighting fireworks in public places. While Council could lawfully regulate the use of fireworks in public places, section 35 of the Summary Offences Act 1981 provides some regulation by making it an offence to ignite or throw any firework in a manner likely to cause injury or alarm to another person.

The use of fireworks during dry periods of the year is also regulated by Fire and Emergency New Zealand to prevent the risk of fire.

### Drones (n/a)

Council received one request from the public seeking permission to fly a drone over Council-controlled land. Clause 30.2(i) of the operative Bylaw states that no person may land any aircraft (which includes a remotely piloted drone under Civil Aviation Rules) on a Council-controlled park or reserve without permission. The use of airspace above other Council-controlled land, such as roads, is governed by Part 101.207(a)(1)(ii) of the Civil Aviation Rules, which stipulates that operators of remotely piloted aircraft must get consent before flying over land that is not theirs.

### Graffiti (n/a)

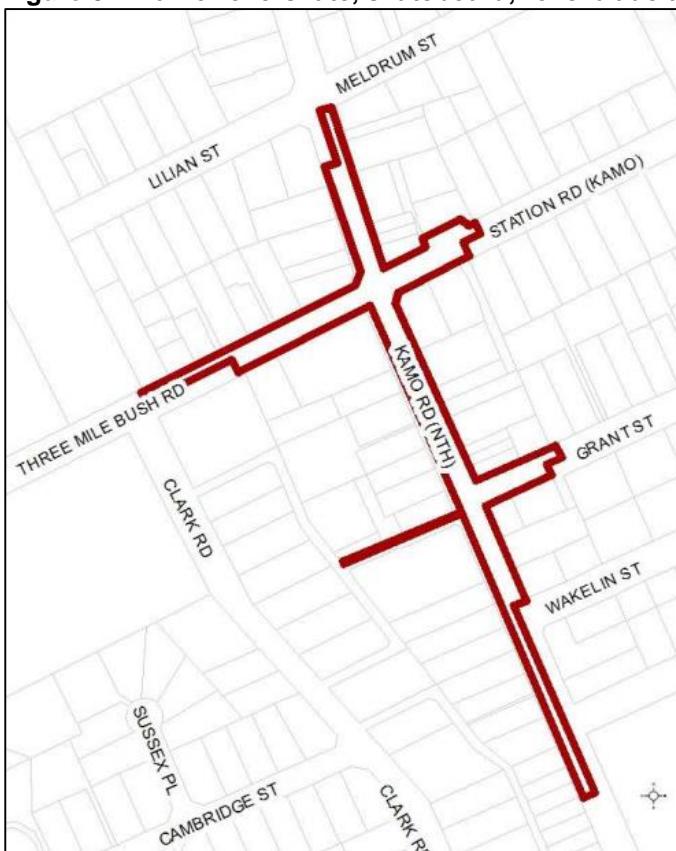
The CitySafe data contain 1,382 graffiti notifications between October 2021 and December 2024. The review has not considered whether graffiti belongs in a Council bylaw, because it is already an offence under section 11A of the Summary Offences Act 1981 and punishable by a fine of up to \$2,000 or, in some cases, seven years’ prison.

## **2.6 *The prohibition of skateboards, roller skates, scooters and bikes in the city centre is inconsistent with other Council documents***

Clause 33.1 of the Bylaw states that no person may use any roller skate, scooter or skateboard in a public place in the city centre and Te Kamo, defined in Figures 2 and 3 below. Clause 33.2 extends the prohibition to bikes on any footpath or mall within the same areas.

**Figure 2: "CBD rollerskate, skateboard, rollerblade and bike\* ban area"**

\* NB: The bike ban applies "only to footpaths and any mall"

**Figure 3: "Kamo rollerskate, skateboard, rollerblade and bike\* ban area"**

\* NB: The bike ban applies "only to footpaths and any mall"

Under the Land Transport (Road User) Rule 2004, it is already illegal to ride a bicycle on the footpath. This renders the bike ban on footpaths under clause 33.2 superfluous.<sup>3</sup>

The other component of clause 33.2 (bikes in any mall) is inconsistent with Council plans and strategies for the city centre. For instance, action 8.05 of the City Core Precinct Plan urges Council to “reassess bylaws to enable a cycle connection along Cameron Street.” This would connect the Kamo and Raumanga Shared Paths with the Town Basin and the Hatea Loop.

Under the rubric of “More people walking and cycling, more often”, action 3.5 of Council’s Walking and Cycling Strategy notes that “restrictive bylaws can be an impediment to cycle participation, as well as other alternative transport modes such as scooters and skateboards.”

## **2.7 *Trading and events in public places have been underregulated since the expiry of the Hawkers, Mobile Shops, Stands and Stalls Bylaw in 2017***

Council’s defunct Hawkers, Mobile Shops, Stands and Stalls Bylaw (Hawkers Bylaw) was automatically revoked in December 2017, as it had not been reviewed within its statutory timeframe. Since then, a single clause of the Public Places Bylaw has provided an interim solution to regulate commercial activities in public places:

11. *No person shall engage in any commercial enterprise whatsoever in a public place except as may be permitted by any other bylaw, the District Plan or by the Chief Executive or delegate.*

A scan of existing application forms, permits and internal guidelines has revealed significant gaps and inconsistencies in the existing framework. There also appears to be a lack of clarity over whose responsibility it is to issue and administer permits under the Bylaw.

Several application forms for permits do not align with the Public Places Bylaw.

### **2.7.1 *Council shares responsibility for regulating activities in the state highway corridor with the New Zealand Transport Agency***

Council has a memorandum of understanding (MoU) with the New Zealand Transport Agency (NZTA) to clarify which of the two parties regulates events and mobile trading on or affecting the District’s state highways. Under the MoU, Council is responsible for managing applications and enforcement in “urban areas”, defined as those stretches of state highway with a speed limit of 70km/h or less, and is to notify NZTA of such traders.

## **2.8 *There are other opportunities to both clarify and broaden the Bylaw’s scope to offer more certainty***

The lack of an established process to handle requests to film in public places leads to roughly two to three productions per year to opt to film their project elsewhere. A new bylaw could provide an opportunity to streamline applications to film for commercial purposes in Whangārei District.

More generally, Council’s lack of a consistent policy-led approach to manage requests to trade, film and hold events in public places results in—

- inconsistent outcomes for the community, including health and safety risks
- a loss of media exposure for Whangārei District
- inefficient, inconsistent and poorly recorded in-house processing systems
- some legal risk to Council.

The review of the Public Places Bylaw provides an opportunity to develop a “one-stop-shop” to regulate trading, filming and events activities in the District to enhance its social, economic and

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<sup>3</sup> Mail carriers and bikes with a wheel diameter of less than 355mm are exempt.

cultural vitality while ensuring appropriate standards for health and safety, pedestrian and vehicle access and respect for cultural norms.

## 2.9 Council's Alfresco Dining Policy needs a refresh

Council's current Alfresco Dining Policy was adopted in 2013. The Policy is complex, onerous to comply with and outdated. To the knowledge of staff, it has been used only once since its adoption 12 years ago. In the absence of a fit-for-purpose set of guidelines during this time, Council has lacked a policy-led approach to outdoor dining in public places and has tended to offer an ad hoc mix of forgiveness and permission, likely resulting in—

- Inconsistent outcomes for the hospitality sector
- Unnecessary compliance costs
- A lack of certainty undermining investment decisions
- A less vibrant outdoor dining scene
- Some legal risk to Council.

A broader review of the Bylaw's downstream implementing application forms, permits and guidelines would provide an opportunity to improve the regulatory framework for outdoor dining in Whangārei by simplifying the rules and working with key stakeholders to minimise conflict with other users of public places.

This could involve gauging private demand and potentially exploring options to replicate what other councils around New Zealand have achieved for local businesses by enabling outdoor dining spaces, or “parklets”, in underutilised downtown parking spaces. Among potential benefits, this could 1) enable a higher-value use of an underutilised public place; and 2) remove outdoor dining furniture from the footpath.



An example of a parklet. Image courtesy of Greater Auckland

## 2.10 The LGA provides pathways to enforce the Bylaw, but instant fines are not an option for enforcement officers for the time being

The Bylaw is enforceable under the Local Government Act 2002 and the Land Transport Act 1998.

Under section 242(4) of the LGA, a person who is convicted of an offence against the Bylaw is liable to a fine of up to \$20,000.

The Bylaw adequately reproduces the relevant paragraphs under section 163 of the LGA to 1) remove or alter a work or thing in breach of the Bylaw; and 2) recover the costs of removing or altering that work or thing.

The Bylaw unnecessarily reproduces sections 164 and 165 of the LGA, which spell out Council's powers to seize property on Council-controlled and private land, respectively.

Section 176 of the LGA enables Council to recover the costs, assessed by a District Court Judge, of repairing damage arising from a breach of the Bylaw.

Section 187 of the LGA enables Council to recover costs where a person's failure to remedy a breach of the Bylaw (for example damage to a public place caused by undue discharge of stormwater from a private place) results in Council carrying out the required work.

The Department of Internal Affairs (DIA) initiated a review of territorial authorities' bylaw-making powers in 2024. Part of this review will assess whether councils should be given powers to issue instant fines for breaches of bylaws made under sections 145 and 146 of the LGA. At the time of writing, it is unknown whether Council will be granted such powers in the medium term.

### ***2.11 The Bylaw is enforced frequently, but highly unevenly***

Enforcement tends to occur in response to complaints, rather than in a proactive manner. Given the lengthy and costly process of prosecuting breaches of a bylaw made under section 145 or 146 of the LGA, enforcement officers adopt an "education-first" approach.

Council has used its powers under section 163 of the LGA on at least one occasion in recent years, to recover the cost of repairing damage caused to a grass berm by a vehicle belonging to a trucking company.

Council has also issued trespass notices on three occasions citing breaches of clause 19.1 (Structures and living accommodation in public places).

By far the most common occurrence of enforcement involves CitySafe staff advising people that the Bylaw prohibits them from riding a bike, scooter or skateboard in parts of the city centre.

### ***2.12 An ad hoc collection of permits, licences and consents are issued under the Bylaw***

A plethora of application forms, permits and consents exist under the authority of the Bylaw. Several of these documents are legacy forms developed initially under the defunct Hawkers Bylaw.

A wider review of these documents would offer an opportunity to streamline processes, develop consistent, policy-led approaches and improve outcomes for people interacting with Council.

### ***2.13 The register of delegations under the Bylaw needs updating***

The amorphous, sprawling nature of the Bylaw results in 28 active delegations of authority to Council staff. Discussions with the relevant departments revealed that many of these delegations are not used. In some cases, delegates are not even aware of their delegated authority.

## ***3 Concluding remarks***

The staff review finds that a bylaw remains the most appropriate way of addressing several of the behaviours and activities regulated by Council's Public Places Bylaw. It offers an enforceable tool to shape behaviours and activities in public places.

However, the Bylaw's form should be improved. Some of the Bylaw's clauses are likely inconsistent with the Bill of Rights Act 1990 (*Processions*) or unreasonable (*Games and other activities*). Several matters are regulated more efficiently elsewhere (*Damage, Opening any public place, Interference with street lamps and warning lights*); some are inconsistent with Council strategies and plans (*Control of skateboards, roller skates and bikes*); while others belong in related information textboxes rather than in the Bylaw proper (*Seizure, Chief Executive Consent*).

The Bylaw's purpose lacks focus and could be restated more concisely to more reasonably reflect Council's bylaw-making powers. The drafting is almost universally outdated and fails the plain-language test. Moreover, several key terms are undefined (*nuisance*) or inappropriate (*public place*).

The Bylaw also leaves open several regulatory gaps in areas such as trading and potentially events and commercial filming in public places. Any future bylaw(s) should look to address these shortcomings. Council may also wish to consider developing a more comprehensive, fit-for-purpose set of rules to manage outdoor dining in public places.

Finally, discussions across Council departments revealed patchy implementation processes, inconsistent application forms and a general lack of established policy, resulting in uncertainty, opportunity cost and poor outcomes for the community.

#### 4 Summary of staff review findings

Cl.	Bylaw issue	Recommended outcome of staff review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
3	<b>Obstruction</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Beam scooter agreement requires users not to obstruct footpath (user compliance issue)</li> <li>- S22 Summary Offences Act 1981 addresses higher-level offences</li> </ul>
4	<b>Litter bins</b>	x	x	✓	Revoke	<ul style="list-style-type: none"> <li>- Covered by Litter Act 1979 and Solid Waste Management Bylaw</li> </ul>
5	<b>Footways, verges, grass plots and flowerbeds</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Only tool available for Council to regulate parking on berms; yellow lines are “road-facing”, so only apply between kerb and road median</li> <li>- However, parking on footpaths is prohibited under Land Transport (Road User) Rule 2004</li> <li>- Obstruction of sight lines is a safety hazard</li> </ul>
6	<b>Gates to open inwards</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Addresses safety hazard. Not regulated in District Plan. Two complaints in customer requests data (2014-2024)</li> </ul>
7	<b>Processions</b>	x	x	x	Revoke	<ul style="list-style-type: none"> <li>- Repugnant to s16 New Zealand Bill of Rights Act 1990 (Right to peaceful assembly)</li> <li>- If disorderly, then breach of s5A Summary Offences Act 1981 (Disorderly assembly)</li> </ul>
8	<b>Distribution of notices</b>	✓	x	tbc	Retain with amendment	<ul style="list-style-type: none"> <li>- Near-daily occurrence in city centre. Cl 8.a may be inconsistent with Bill of Rights Act (Freedom of expression)</li> </ul>
9	<b>Begging and soliciting donations</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Likely reasonable to ban begging when it “intimidates” or “causes a nuisance”</li> <li>- CitySafe officers logged 132 reports of begging in the city centre since October 2021. Unclear how many of</li> </ul>

Cl.	Bylaw issue	Recommended outcome of staff review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
						these instances constituted “intimidation” or genuine “nuisance” - Street appeals require Council consent
10	<b>Games and other activities</b>	✓	x	x	Retain with amendment	- “Annoyance” threshold too low to be reasonable. Consider revoking
11	<b>Trading</b>	✓	x	✓	Retain with amendment	- Major gap in regulatory framework. Council can regulate broadly under s146 LGA, but not for purposes of sheltering established businesses from competition - Safety risks (turning vehicles, obstruction of sightlines) are main concern for Transport - Consider broadening to address events, commercial filming and outdoor dining - Inconsistent application processes and forms
12	<b>Damage</b>	x	x	✓	Revoke	- Addressed by s269 Crimes Act 1961
13	<b>Display of notices</b>	✓	x	✓	Retain with amendment	- Billsticking without permission is already addressed by s33 Summary Offences Act 1981
14	<b>Articles displayed for sale</b>	✓	x	✓	Retain with amendment	- Consider addressing under Obstruction - Consider allowing 600mm encroachment for retail stores (e.g. New Plymouth District Council)
15	<b>Encroachment of projections</b>	✓	x	✓	Retain with amendment	- Consider combining with Structures in public places
16	<b>Opening any public place</b>	x	x	✓	Revoke	- Redundant. Addressed by National Code of Practice for Utility Operators’ Access to Transport Corridors (secondary legislation under Utilities Access Act 2010)
17	<b>Protection of cellars</b>	✓	x	✓	Retain with amendment	- Addresses valid public safety risk (Bank Street, James Street)

Cl.	Bylaw issue	Recommended outcome of staff review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
18	<b>Repair of fences</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Partially ultra vires (outside Council's powers to require owners through a bylaw to repair or remove fences that impact the amenity value of an area)</li> <li>- The Fencing Act 1978 covers most scenarios involving a public place, except for road or railway reserve, marginal strips under the Conservation Act 1987 and esplanade reserves or strips as defined in the Resource Management Act 1991.</li> </ul>
19	<b>Structures and living accommodation in public places prohibited</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Cl 19.1.b may be unreasonable. Consider clarifying definition of "living accommodation"</li> <li>- Cl 19.2 could be shifted into a related information textbox and updated to align with 2023 amendments to the Freedom Camping Act 2011</li> </ul>
20	<b>Building may be removed</b>	✓	x	✓	Redundant. Shift to related info text box	<ul style="list-style-type: none"> <li>- Provided for under s163 LGA</li> </ul>
21	<b>Lighting of obstructions and excavations</b>	x	x	✓	Revoke	<ul style="list-style-type: none"> <li>- Made redundant by Health and Safety at Work Act 2015</li> </ul>
22	<b>Interference with streetlamps and warning lights</b>	x	x	✓	Revoke	<ul style="list-style-type: none"> <li>- Addressed by Summary Offences Act 1981</li> </ul>
23	<b>Building numbers</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Authorised by s22AB Land Transport Act 1998</li> </ul>
24	<b>Flammable material</b>	x	x	✓	Revoke	<ul style="list-style-type: none"> <li>- Addressed by Summary Offences Act 1981</li> </ul>
25	<b>Planting or removal of trees and plants</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Necessary to prevent unwanted planting of trees in public places causing damage to infrastructure or obstruction (permit process)</li> </ul>

Cl.	Bylaw issue	Recommended outcome of staff review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
26	<b>Vehicle crossings over footways</b>	✓	x	✓	Retain with amendment	- Complements resource consenting processes under the Resource Management Act 1991
27	<b>Discharge of surface water</b>	✓	x	✓	Retain with amendment	- Partially duplicates provisions in Council's Stormwater Management Bylaw - Useful for parks and reserves - Consider shifting to Stormwater Management Bylaw in future
28	<b>Horses and stock on beaches</b>	✓	x	✓	Tbc pending stakeholder input	- Requires further input from stakeholders, especially transport-disadvantaged coastal communities
29	<b>Slaughter of animals</b>	✓	x	✓	Retain with amendment	- Retain subclause (a) but provide exemption for pest control - Subclause (b) duplicates Litter Act 1979
30	<b>Parks and reserves</b>	✓	x	✓	Retain with amendment	- Bylaw defers to Reserve Management Plans - Could be condensed; several clauses duplicate other legislation (dumping garden material, build structures on public land)
31	<b>Removal of material from beaches</b>	x	x	✓	Revoke	- Defer to RMA mechanisms (Regional Plan) for rules about sand removal and earthworks in coastal riparian and foredune management areas
32	<b>Activities in the Central Business District and the Town Basin</b>	✓	x	✓	Retain with amendment	- Several clauses duplicate other legislation - Inconsistency with busking application form - Subclause (h) inconsistent with s16 Bill of Rights Act (Freedom of peaceful assembly) - Rationale for different treatment of activities in city centre unclear

Cl.	Bylaw issue	Recommended outcome of staff review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
33	<b>Control of skateboards, roller skates and bikes</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Inconsistent with Council strategies and plans</li> <li>- It is already illegal to ride a bike with a wheel diameter of 355mm or greater on the footpath under cl 11.11 of the Land Transport (Road User) Rule 2004</li> <li>- Consider retaining cl 33.3 to address hazardous riding behaviour</li> </ul>
34	<b>Removal of works in breach of the Bylaw</b>	✓	✓	✓	Retain without amendment	<ul style="list-style-type: none"> <li>- Meets requirement under s163 LGA for bylaw to explicitly authorise remedy and cost recovery</li> </ul>
35	<b>Seizure</b>	x	x	✓	Redundant. Shift to related info text box	<ul style="list-style-type: none"> <li>- For information purposes only</li> </ul>
36	<b>Chief Executive Officer or delegate consent</b>	x	x	✓	Redundant. Shift to related info text box	<ul style="list-style-type: none"> <li>- For information purposes only</li> </ul>
37	<b>Amendment by resolution</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Clause should specify that Council is still bound by Part 6 LGA and must consider community views</li> </ul>
38	<b>Offences</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Shorten clause and supplement with related information on penalties</li> </ul>



# ***Control of Advertising Signs Bylaw***

## ***Findings Report***

April 2025

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## 1 Introduction

Council's Control of Advertising Signs Bylaw (the Bylaw) regulates the erection and display of signs on both public and private land. Council last reviewed the Bylaw over ten years ago in 2014, so the current iteration will expire in September 2026 if not revoked before then.

This findings report is intended to provide a baseline for Council to discuss the most appropriate form any future replacement bylaw(s) may take. A high-level but comprehensive analysis of each of the Bylaw's clauses is provided in Section 4 below.

### 1.1 Review methodology

This report has been informed by a scan of the relevant primary (enacted by Parliament) and secondary legislation, including Council's District Plan and bylaws, in addition to Council's relevant strategies and plans.

Staff have met with representatives from key Council departments<sup>1</sup> to discuss the adequacy of its provisions. Staff have also met with a senior road safety engineer from the New Zealand Transport Agency (NZTA), and worked particularly closely with members of the District Plan department to identify inconsistencies and unnecessary duplications between the Bylaw and the District Plan.

The relevant bylaws of neighbouring territorial authorities (TAs), as well as the bylaws of Auckland Council and comparable TAs such as Gisborne District, Whanganui District and Palmerston North City, have contributed as sources of comparison.

## 2 Staff review

### 2.1 The Bylaw is made under the Local Government Act 2002 and the Land Transport Act 1998, but overlaps with other primary and secondary legislation

The Bylaw is made under section 145 of the Local Government Act 2002 (LGA) and under section 22AB of the Land Transport Act 1998 (LTA). The Bylaw is also made under the Bylaws Act 1910, the few surviving provisions of which prevail over Council's other bylaw-making powers.

Under section 145 of the LGA, Council can make bylaws to:

- protect the public from **nuisance**;
- protect, promote and maintain **public health and safety**;
- minimise the potential for **offensive behaviour** in public places.

Meanwhile, section 22AB(1)(y) of the LTA offers broader bylaw-making powers for Council, as the road-controlling authority, to regulate or prohibit the display of signs in or next to land or roads controlled by Council (including on or over buildings, bridges, walls, fences, posts, trees, pavements, or hoardings).

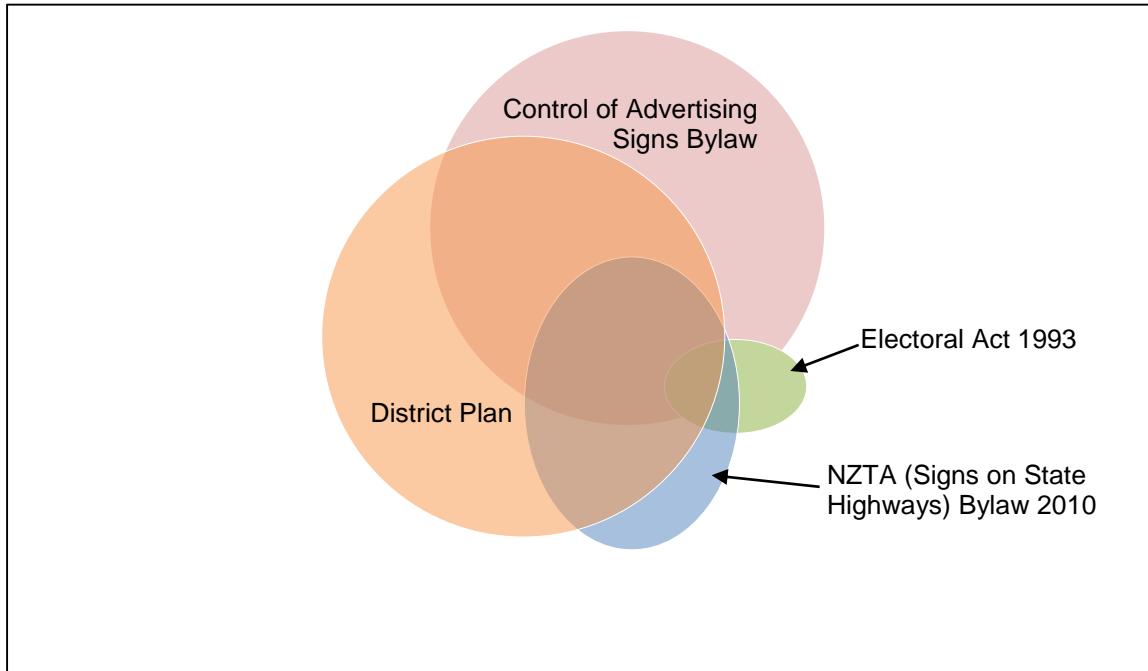
But the Bylaw also overlaps with other primary and secondary legislation, most notably:

- Council's District Plan (made under the Resource Management Act 1991 [RMA])
- The New Zealand Transport Agency (Signs on State Highways) Bylaw 2010
- The Electoral Act 1993

Figure 1 below illustrates how these legislative tools interrelate.

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<sup>1</sup> Community Development, District Plan, Health and Bylaws, Parks and Recreation, RMA Consents, Transport, and Venues and Events.

**Figure 1: The Bylaw is one of several overlapping instruments that regulate signs**

## ***2.2 Inconsistencies and overlapping provisions between the Bylaw and the District Plan should be removed to reduce uncertainty***

There are several inconsistencies in how Council regulates signs between the Bylaw and the District Plan, in particular in the definitions (clause 3: Interpretation). References in the Bylaw to superseded District Plan zones should also be clarified.

Several clauses of the Bylaw also address activities that are already regulated under Council's District Plan. This is the case in particular with clauses 8 (Signs on verandahs) and 10 (Commercial signs). The fact that these clauses appear in the Bylaw (an LGA mechanism) as well as in the District Plan (an RMA mechanism) leads to confusion for both staff and the public.

The Bylaw could help clarify the situation if it withdrew from regulating signs on private property where practicable and reproduced sign limits under the District Plan as related information.

## ***2.3 Shared responsibility for signs in the state highway corridor and provisions under the Electoral Act 1993 add to the multilayered regulatory landscape***

As illustrated in Figure 1 above, Council's regulatory powers overlap with those of the New Zealand Transport Agency (NZTA), when it comes to signs in the District's state highway corridor, and with the Electoral Act 1993 around local and general election time.

Council has a memorandum of understanding (MoU) with NZTA to clarify which of the two parties regulates different activities on the District's state highways. Under the MoU, Council is responsible for regulating private signs on land adjacent to state highways in "urban areas", defined as those stretches of state highway with a speed limit of 70km/h or less. In such instances, NZTA is listed as an affected party. The MoU states that no advertising signs are to be permitted on state highway road reserve even in urban areas.

The Electoral Act contains default provisions, including a minimum period of nine weeks (the Bylaw states two months) and a minimum permitted size for election signs of 3 square metres during that time (the Bylaw allows larger sizes).

## **2.4 *The Bylaw would be stronger if its purpose matched the extent of Council's powers***

The purpose of the Bylaw is to—

*ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not present a hazard or danger to public safety. The bylaw recognises there is a need to advertise businesses and promote activities, events and commerce whilst also seeking to **maintain aesthetic standards and preserve amenity values** [emphasis added].*

Regulating signs in the interest of public safety is consistent with Council's bylaw-making powers under section 145 of the Local Government Act 2002 (LGA). In contrast, it is likely ultra vires (outside Council's powers) to make a bylaw for the purposes of preserving aesthetic standards or amenity values.

## **2.5 *The drafting is circuitous and contains internal inconsistencies, mathematical ambiguities and superfluous information***

Much of the drafting is circuitous and fails to meet the Parliamentary Council Office's plain language standard.

The Bylaw contains internal inconsistencies. For example, clause 14 sets rules for "public amenity signs", defined as signs for purposes other than commercial advertising. But clause 18 then states that the Bylaw does not apply to any public amenity sign.

The Bylaw also contains mathematical ambiguities with potentially major implications for its effect. For instance, real estate signs measuring up to 3m<sup>2</sup>, or potentially 9 square metres, are permitted on road reserve. It is likely that the original intent of the Bylaw was to limit such signs to 3 square metres (equivalent to a standard sheet of plywood).

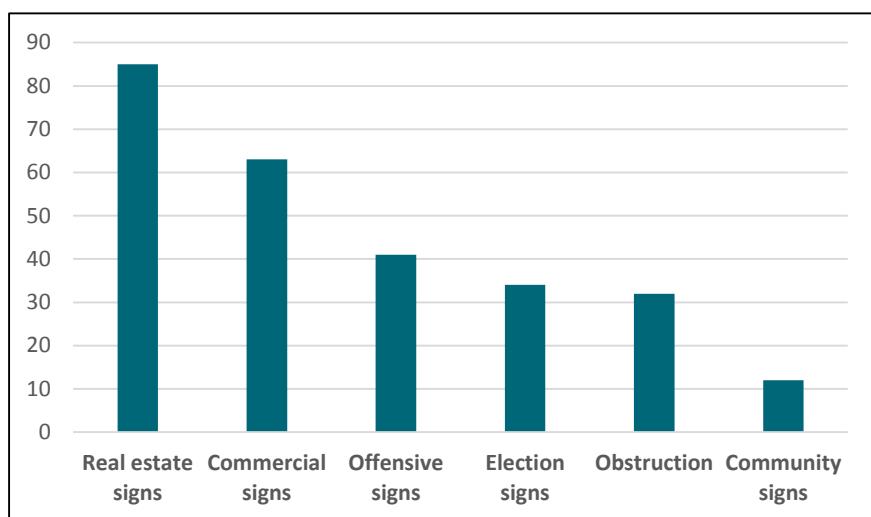
Several clauses either duplicate sections of primary legislation (clauses 19 and 20) and/or belong in related information textboxes (clauses 12, 13, 18, 21 and 23) designed to communicate the intent and effect of the Bylaw without forming part of it, resulting in a Bylaw that is both leaner and more informative.

## **2.6 *Analysis of customer requests data***

Staff identified 330 sign-related complaints in customer request data from October 2014 to December 2024. It is important to note that the data underestimate the total number of complaints received by Council, as many complaints are emailed directly to staff (especially those involving real estate signs) and are therefore not captured by the customer requests data.

Chart 1 below breaks down the total customer complaints over this period by sign type. Of the 85 complaints about real estate signs, 29 complaints concerned signs not on or immediately adjacent to the property being marketed and another 23 related to signs obstructing motorists' sightlines.

**Chart 1: Number of public complaints about signs by type  
(customer requests data\*, 2014-2024)**



## **2.7 *Most enforcement action involves real estate signs***

Council receives up to six requests a day and frequently over 20 per month from real estate agents seeking an exemption under the Bylaw. These requests are time-consuming for Council's enforcement staff. Council's Draft Fees and Charges for financial year 2025/26 provide a mechanism to recoup some of this cost to Council resources.

## **3 *Concluding remarks***

The staff review finds that a bylaw remains the most appropriate way of addressing some, but not all, of the matters the Bylaw regulates.

The Bylaw's form should be improved. Much of the drafting is circuitous and contains internal inconsistencies and mathematical ambiguities. Several scenarios are regulated more efficiently elsewhere or belong in related information textboxes rather than in the Bylaw proper.

Inconsistencies and needless overlaps abound between the Bylaw and the District Plan, resulting in confusion for the public and Council monitoring and enforcement staff.

The Bylaw's purpose lacks focus and could be restated more concisely to more reasonably reflect Council's bylaw-making powers.

#### 4 Summary of staff review findings

Cl.	Bylaw issue	Recommended outcome of review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
4	Offensive and discriminatory signs	✓	x	✓	Retain with amendment	- Potential implications under New Zealand Bill of Rights Act 1990 (BORA): s14 Freedom of expression. - But s19 BORA guarantees freedom from discrimination; also, s145 LGA authorises bylaw to minimise potential for offensive behaviour. Language should be modernised.
5	Signs on Council roads, parks and reserves	✓	x	✓	Retain with amendment	- Language should be modernised, but otherwise meets purpose
6	Real Estate Signs	✓	x	✓	Retain with amendment	- Mathematically ambiguous: "one sign [on road reserve] up to 3m <sup>2</sup> " could be equivalent to 9 square metres (larger than three standard sheets of plywood) - Permitted duration could be clarified (e.g. "sign to be removed within XX working days of a sold or leased notification being placed on the sign").
7	Signs on or over roads, footpaths and public places	✓	x	✓	Retain with amendment	- Inconsistencies with National Planning Standards (zone names)
8	Signs on verandahs	x	x	✓	Redundant. Shift to related info text box	- Regulated under District Plan
9	Signs affecting traffic safety	✓	x	✓	Retain with amendment	- Meets purpose but could be reworded for concision and clarity
10	Commercial signs	x	x	✓	Revoke	- Regulated under District Plan
11	Signs on vehicles	✓	x	✓	Retain with amendment	- Reword to avoid unintentionally capturing company-branded vehicles

Cl.	Bylaw issue	Recommended outcome of review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
12	<b>Sign parks</b>	x	x	✓	Redundant. Shift to related info text box	- For information purposes only
13	<b>Banners in Cameron Street Mall</b>	x	x	✓	Redundant. Shift to related info text box	- For information purposes only
14	<b>Sporting, cultural, public amenity or community event signs</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- May be inconsistent with District Plan depending on applicable zone</li> <li>- Mathematically ambiguous: "one sign [on road reserve] up to 3m<sup>2</sup>" could be equivalent to 9 square metres (larger than three standard sheets of plywood)</li> <li>- Event holders sometimes require longer than the permitted two days to remove signs after their event</li> </ul>
15	<b>Election signs</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Maximum period before polling day (two months) is inconsistent with the Electoral Act 1993 (nine weeks)</li> <li>- Maximum election sign sizes (2m<sup>2</sup> to 6m<sup>2</sup> depending on the District Plan zone) are up to 12 times greater than the defaults permitted under s221(B)(2) of the Electoral Act 1993 (3 square metres)</li> </ul>
16	<b>General requirements for the construction and maintenance of signs</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Partially ultra vires (outside Council's powers): "signs shall be professional in presentation"</li> <li>- Reasonable to require signs to be erected and maintained in a safe manner</li> </ul>
17	<b>Exemptions</b>	✓	x	✓	Retain with amendment	<ul style="list-style-type: none"> <li>- Transfer first paragraph to a transitional and savings provisions section</li> <li>- Exemption criteria partially ultra vires ("effect on amenity in the area")</li> </ul>
18	<b>Application of this bylaw</b>	x	x	✓	Redundant. Shift to related info text box	- Internal inconsistency with cl 14 (public amenity signs)

Cl.	Bylaw issue	Recommended outcome of review			Draft recommended direction for new bylaw	Comment
		Bylaw appropriate to address issue?	Bylaw form appropriate?	Consistent with Bill of Rights?		
						- Remaining subclauses could remain for information purposes only
19	<b>Seizure of property not on private land</b>	x	x	✓	Redundant. Shift to related info text box	- For information purposes only (covered by s164 LGA)
20	<b>Seizure of property on private land</b>	x	x	✓	Redundant. Shift to related info text box	- For information purposes only (covered by s165 LGA)
21	<b>Repair or removal of signs</b>	✓	x	✓	Redundant. Shift to related info text box	- Partially ultra vires (outside Council's powers): where signs are "unsightly" - Remaining paragraphs are for information purposes only (covered by s187 LGA)
22	<b>Offences</b>	✓	✓	✓	Retain without amendment	
23	<b>Compliance with clauses</b>	x	x	✓	Revoke	- Superfluous



## 7.10 Temporary Road Closure – Māori All Blacks v Scotland

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Lana van Bergenhenegouwen - Community Events Coordinator  
 Anna Terwiel Team Leader - Major Event Planning and Administration  
 Bea Mossop Manager - Venues and Events  
 Gordon Whyte - Network Coordination Lead

### 1 Purpose / Te Kaupapa

To seek approval of the proposal to temporarily close roads, to allow Northland Event Centre (2021) Trust to hold the Māori All Blacks v Scotland and Black Ferns vs Black Ferns XV rugby events on 5<sup>th</sup> July 2025.

### 2 Recommendations / Whakataunga

That the Council:

- Approves the proposal to temporarily close the following roads to ordinary traffic for the Māori All Blacks v Scotland and the Black Ferns vs Black Ferns XV rugby events on the following date/s in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965.

**Saturday 5<sup>th</sup> July 2025**

**Okara Drive**, from the roundabout at Okara Drive & Porowini Ave to the roundabout at Okara Drive & Port Road

**Period of Closure:** 9am to 7pm

- Approves the proposal to temporarily close the side roads off the roads to be closed for up to 100 metres from the intersection for safety purposes.
- Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notice of these proposed temporary closures, to consider any objections and to either approve, cancel or amend any or all of the temporary road closures if applicable.

### **3 Background / Horopaki**

The Māori All Blacks will take on Scotland and the Black Ferns will play the Black Ferns XV in a highly anticipated rugby clash at Semenoff Stadium on Saturday, 5 July 2025. This promises an electrifying display of skill, culture, and passion as the Māori All Blacks and the Black Ferns showcase their rich rugby heritage.

### **4 Discussion / Whakawhiti kōrero**

Northland Event Centre Trust staff are working closely with contractors to ensure they present a safe and well managed event. A temporary road closure will ensure staff and contractors can safely manage patrons as they arrive at the stadium and depart after the event.

A traffic management provider will be engaged to submit a traffic management plan to the Whangarei District Council Corridor Specialist Team for approval prior to the event occurring as well as implement the traffic management plan on the day.

There will be public communications prior to the event providing information around walking routes to the stadium, drop off and pick up zones and suggested parking sites for those attending the event.

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

No additional financial obligations/considerations to council.

#### **4.2 Risks**

Patrons attending the event need to know they can arrive and depart the stadium safely and the traffic in the area is well managed. A temporary road closure allows this and dramatically reduces the likelihood of a vehicular related incident occurring.

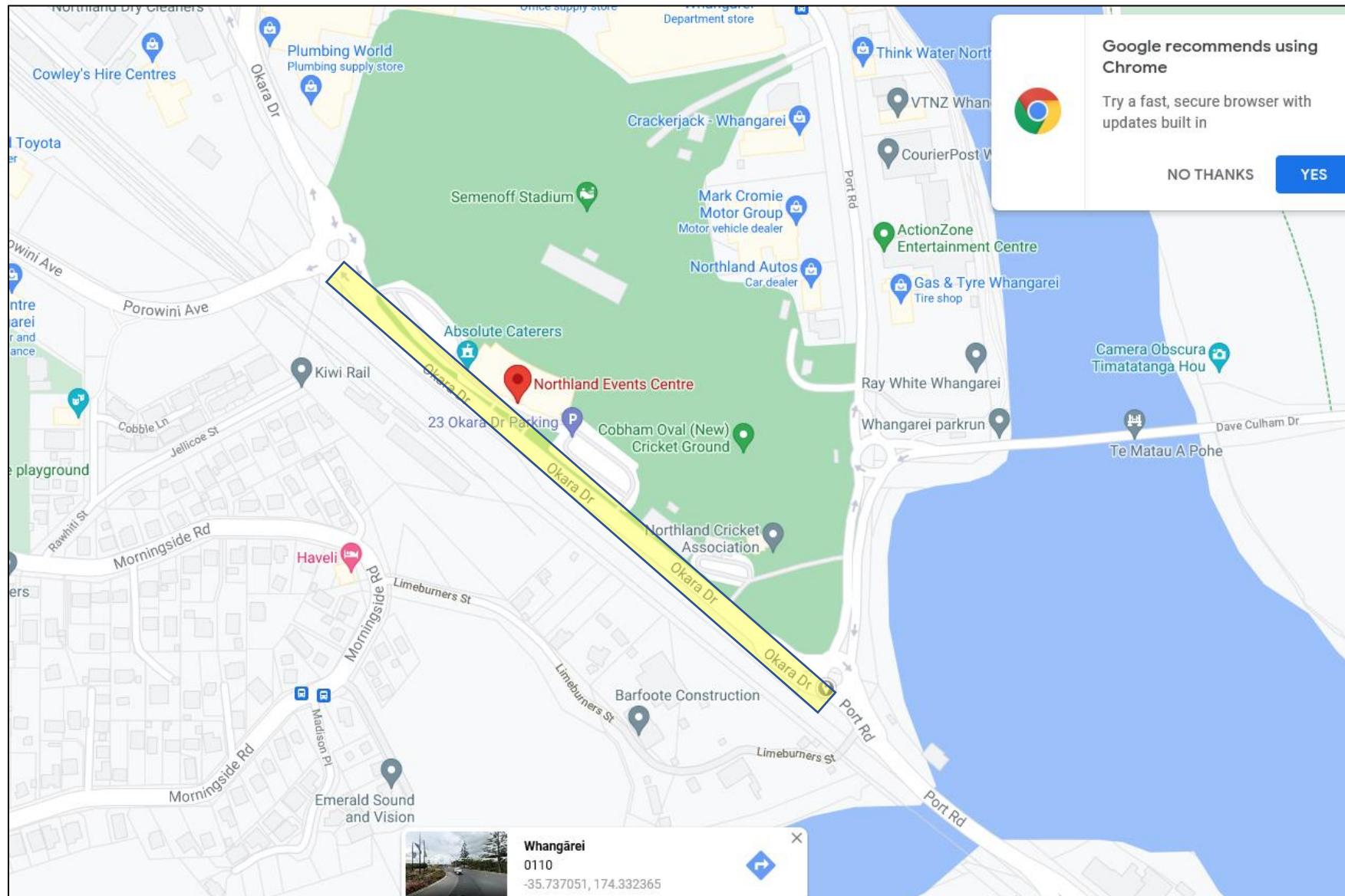
A full event health and safety plan as well as proof of public consultation with affected owners/occupiers is required no later than 30 days before the event, if not provided the road closure will not go ahead.

### **5 Significance and engagement / Te Hira me te Arawhiti**

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, Council News, Facebook and marketing by the event organisers

### **6 Attachments / Ngā Tāpiritanga**

1. Route Map
2. Application Letter
3. Insurance Certificate

**Maori All Blacks v Scotland – Semenoff Stadium, Whangārei – Saturday 5 July 2025**



51 Okara Drive, Whangārei, 0110, New Zealand | Phone: 09 430 4833

31 March 2025

Attention: Lana Bergenhenegouwen  
Whangarei District Council  
Community Event Co-ordinator  
Private Bag 9023

Dear Lana

**Maori All Blacks v Scotland – Saturday 5 July 2025**

The Māori All Blacks v Scotland Match held on Saturday 5 July 2025 at Semenoff Stadium, Okara Drive, Whangārei. Gates open at 12:30pm and the event finishes at 6pm. New Zealand Rugby are currently expecting approximately 10,000 people.

In order to assist us with the delivery of the event, we would like to request a temporary road closure of the following street from 9am – 7pm on Saturday 5 July 2025:

Okara Drive – From the Okara Drive/ Porowini Avenue Roundabout to the Okara Drive/ Port Road Roundabout. Refer to attached map.

Yours faithfully

Petra Bennetto  
**Events Manager Northland Events Centre (2021) Trust**





## BusinessGuard General and Products Liability Insurance Certificate of Currency

The following General and Products Liability Insurance has been arranged on behalf of the mentioned Insured and is subject always to the terms, conditions, endorsements, exclusions and limitations of the policy.

**Insured:** New Zealand Rugby Union Incorporated

**Policy Number:** PEL 010243

**Interested Party:** The Trusts Arena (owned by The Waitakere City Stadium Trust) as an Additional Insured for any vicarious liability arising out of the operations conducted by the Insured and not to any greater extent than required by such contract or agreement.

**Policy Period:** 31 December 2024 to 31 December 2025  
both days at 4.00pm and subject to annual renewal thereafter as agreed

<b>Limit of Liability:</b>	General Liability	\$20,000,000	each occurrence
	Products Hazard	\$20,000,000	in the aggregate

**Insurer:** AIG Insurance New Zealand Limited

Signed for and on behalf of  
**AIG Insurance New Zealand Limited**



**Authorised Person**

Issued on 13 December 2024



**Bring on tomorrow**

**AIG Insurance New Zealand Limited**

The AIG Building, Level 19  
PO Box 1745  
Shortland Street  
Auckland 1140

T +64 9 355 3100  
F +64 9 355 3135  
[www.aig.co.nz](http://www.aig.co.nz)

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## 7.11 Temporary Road Closure - Northland Car Club Motor Sport Event Series (June – July 2025)

**Meeting:** Whangarei District Council

**Date of meeting:** 29 April 2025

**Reporting officer:** Lana van Bergenhenegouwen (Community Event Co-ordinator)  
Gordon Whyte (Network Coordination Lead)

### 1 Purpose / Te Kaupapa

To seek approval of the proposal to temporarily close roads, to allow the Northland Car Club Motor Sport Event Series (June – July 2025) to be held.

### 2 Recommendations / Whakataunga

That the Council:

- Approves the temporary closure of the following roads to ordinary traffic for the Northland Car Club Motor Sport Event Series (June – July 2025) on the following dates in accordance with section 342 (1)(b) and Schedule 10 Clause 11 of the Local Government Act 1974.

#### Sunday 15th June 2025

**Rosythe Road**, from 400m from the intersection of SH1 to 3km from the intersection of SH1.

**Period of Closure:** 8am to 5pm

#### Sunday 6th July 2025

**Springfield Road**, from 7.5km from the intersection with SH1 to the intersection of Springfield Road and Kukunui Road.

**Period of Closure:** 8am to 5pm

#### Sunday 13th July 2025

**Waiwarawara Drive**, from Theodore Drive to Casey Road (includes the Casey Road/Waiwarawara Drive roundabout and Theodore/Waiwarawara Drive roundabout).

**Roosevelt Road**, from Theodore Drive to Waiwarawara Drive.

**Period of Closure:** 8am to 5pm

- Approves the temporary closure of the side roads off the roads to be closed for up to 100 metres from the intersection for safety purposes.
- Delegates to the Chair of the Infrastructure Committee and General Manager Infrastructure the power to give public notice of these proposed temporary closures, to consider any objections and to either approve, cancel or amend any or all of the temporary road closures if applicable.

### **3 Background / Horopaki**

The Northland Car Club run a series of events in accordance with New Zealand Motorsport Standards and Regulations which allow the club members to compete safely under strict, managed conditions.

These club days are popular within the club and community with several families spectating and participating in the sport.

### **4 Discussion / Whakawhiti kōrero**

All events are run to Motorsport New Zealand rules and regulations. There will be marshals at the venue for safety. The club has either a Motorsport New Zealand Steward or an appointed Safety Officer to oversee the smooth running and compliance of each event.

Traffic management plans for each event are submitted to the Whangarei District Council Corridor Specialist Team for approval prior to each event occurring. A full health and safety plan as well as proof of public consultation with affected owners/occupiers will also be required no later than 30 days before each event, if not provided the road closure will not go ahead.

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

No additional financial obligations/considerations to council.

#### **4.2 Risks**

Motorsport events carry a number of associated risks; however the Northland Car Club have a history of running well organised events ensuring everything within their control is done to eliminate risks as well as manage those risks and hazards that cannot be eliminated, reducing the likelihood of harm occurring to any person, property or business.

Vehicles and drivers are required to comply with the strict safety standards as set down by Motorsport New Zealand.

Spectators are managed at the event with appropriate signage and designated personnel monitoring spectators and their locations.

### **5 Significance and engagement / Te Hira me te Arawhiti**

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, Council News and marketing by the event organisers.

### **6 Attachments / Ngā Tāpiritanga**

1. Application Letter
2. Public Liability
3. Proposed route maps
  - a. Rosythe Road
  - b. Springfield Road
  - c. Waiwarawara Drive & Roosevelt Road



Northland Car Club Inc  
PO Box 596  
Whangarei  
[info@ncc@org.nz](mailto:info@ncc@org.nz)

20th March 2025

Hi all

Thanks very much for your help with our proposed road closures.

As per our on-line applications we would like to ask the Whangarei District Council to consider our requests for the following closures under the tenth schedule:

15th of June 2025 - Rosythe Road, Waipu

6th of July 2025 - Springfield Road, Springfield

13th of July 2025 - Waiwarawara Drive & Roosevelt Road, One Tree Point:

We request the roads to be closed from 8am until 5.00pm but during these times we can allow access through the road if need be as required. We would stop the racing to allow for this to happen safely.

Thanks again for your time and consideration of these events for our club.

Regards

Paul Rodgers  
Speed Committee  
Northland Car Club



Level 32, ANZ Centre  
 23-29 Albert Street  
 Private Bag 92055  
 Auckland 1142, New Zealand  
 Telephone +64 9 306 0350  
[www.veroliability.co.nz](http://www.veroliability.co.nz)

## Insurance Certificate

	Client ID	Agent No
Public & Products Liability	43826	8000014

We, the Insurers, Vero Liability Insurance Limited confirm that Public & Products Liability insurance has been effected on the following basis:

<b>POLICY NUMBER</b>	HO-LPL-6171359	
<b>THE INSURED</b>	Motorsport New Zealand Inc and Member Clubs in respect of Permitted Events Only	
<b>BUSINESS DESCRIPTION</b>	Administration, Governance and Regulation of Motor Sport in New Zealand	
<b>POLICY PERIOD</b>	From 4.00pm	31 December 2024
	To 4.00pm	31 December 2025
<b>LIMIT OF INDEMNITY</b>	\$ 10,000,000	any one Occurrence and for any one Period of Insurance in respect of Products Hazard
<b>EXCESS</b>	\$ 3,500	per Occurrence
<b>POLICY WORDING</b>	VL POL PL-032022	

This certificate is issued as a matter of information only and is subject to the terms and conditions of the issued policy.

Signed for and on behalf of Vero Liability Insurance Limited



Authorised Officer  
DTL

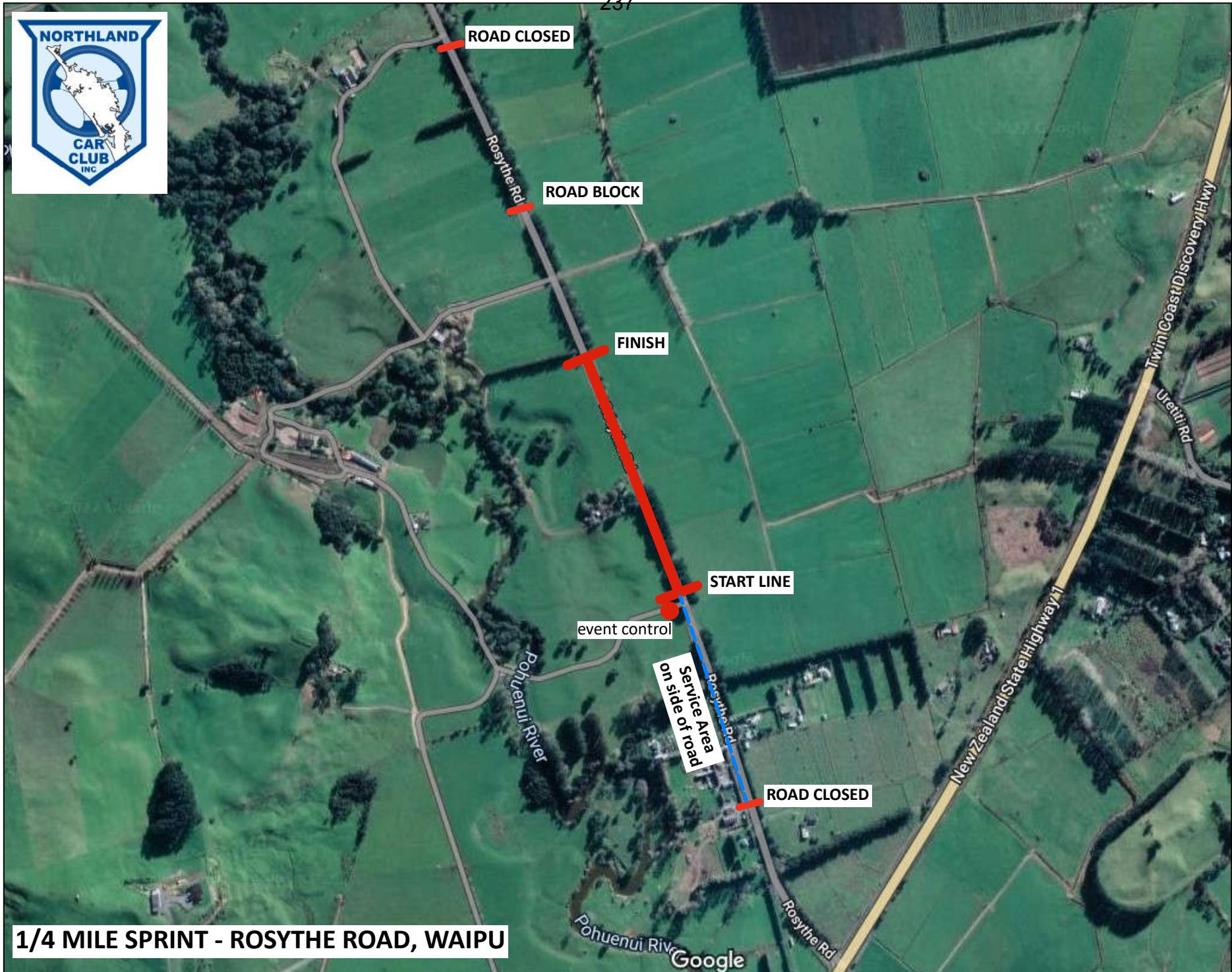


13 January 2025





237





**NORTHLAND CAR CLUB  
HILLCLIMB - SPRINGFIELD ROAD.**

239

ROAD CLOSED - further down road

Service Area  
on side of road

event control

START LINE

Marshal Point 1

Marshal Point 2

Saddlery Direct

FINISH

ROAD BLOCK

ROAD CLOSED







**NORTHLAND CAR CLUB  
AUTOCROSS - One Tree Point**



## 7.12 Regional Deals Update – April 2025

**Meeting:** Whangarei District Council

**Date of meeting:** Thursday 29 April 2025

**Reporting officer:** Simon Weston – Chief Executive

Dominic Kula – General Manager Planning and Development

### 1 Purpose / Te Kaupapa

To present to Council an update of Regional Deals and the proposal put forward from Northland to central government.

### 2 Recommendation / Whakataunga

That the Council:

1. Notes the Regional Deals update.

### 3 Background / Horopaki

The Regional Deals initiative, developed by central government, aims to foster sustainable growth, tackle regional infrastructure deficits, and enhance housing supply. The initiative aims to collaboratively create tailored strategies between local and central government to deliver transformative results.

On 21 November 2024, local authorities were invited to submit proposals for a Regional Deal. Northland submitted its Expression of Interest on 18 December 2025, and work on the proposal commenced, led by Northland Inc and with governance oversight delegated to the Joint Regional Economic Development Committee.

For Northland, participation in the initiative offers a chance to address long-standing challenges, such as infrastructure gaps, social inequities, and the need for economic diversification. It also allows the region to capitalise on its strengths in primary industries, green technology, and cultural tourism.

The final Northland Regional Deal application was submitted to central government on 28 February 2025 and, following redactions, can now be released to the public. Central government plans to make a decision on the first three regions to negotiate a Regional Deal with in May 2025, negotiating one Regional Deal before the end of December this year, with negotiations on two additional deals proposed before the General Election.

## 4 Discussion / Whakawhiti kōrero

The application process was prescriptive, with all applicants required to complete a defined application form provided. Through this process the priorities for our region were identified and can be represented in the four key sectors below.

### 4.1 Key Sectors

**Future Energy** - Leveraging Northland's position as an energy hub to transition to renewable energy sources and enhance energy security.

**Marine Manufacturing** - Supporting the Northport Vision for Growth, floating dry dock, and the development of a sustainable inshore fishing fleet.

**Primary Industries** - Increasing returns across the primary sector through value-add, processing, product development targeted at high-value markets, innovation, training and education, enabled through supportive legislation. Development of new and fledgling opportunities such as in aquaculture and horticulture.

**Visitor Economy** - Investing in quality visitor accommodation and cultural experiences to boost tourism.

### 4.2 Next Steps

The central government is expected to make decisions in May 2025 regarding which regions will progress to formal Memoranda of Understanding (MOUs) under the Regional Deals initiative. If Northland is selected, this will mark the beginning of negotiations to refine the proposal and secure funding commitments. It is proposed to report back to Te Karearea in May to work through possible pathways for regional voice, prior to any decision of Government.

Key upcoming milestones include:

- May 2025 – Cabinet decision on the first three regions to progress to MOUs.
- December 2025 – Finalisation of the first Regional Deal.
- By October 2026 – Completion of two additional Regional Deals.

Planning is currently underway with Northland Inc and shareholder Councils in relation to engagement plans for Iwi and Hapū (Regionally and in addition to discussions that Council will have through Te Karearea) and other key stakeholders through the negotiation process, if Northland is selected, including business and industry experts and community.

Parallel to this process, Council will need to consider its future role and investment in Northland Inc, as the current shareholder agreement requires review before December 2025. If Northland is selected for early negotiation, this review will coincide with the final stage of confirming the Regional Deal, ensuring alignment between Council's economic development strategy and the broader regional investment framework.

### 4.3 Financial/budget considerations

While there are no immediate financial/budget considerations in a proposed Northland Regional Deal application, financial considerations may need to be worked through should Northland be selected to enter into negotiations. In addition, Council's current commitment to be a shareholder of Northland Inc is until 30 June 2026, with a review required to be completed before the end of December 2025 (six months written notice is required to exit as a shareholder). This means, if Northland is to be considered for the first Regional Deal, this review would coincide with the final stage of confirming a Regional Deal (also December 2025).

## **5 Significance and engagement / Te Hira me te Arawhitī**

This is an information paper updating Council on the Regional Deals proposal. 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. Should Northland be selected to negotiate a regional deal significance and engagement would be considered through that process.

## **6 Attachments / Ngā Tāpiritanga**

Attachment 1 – Northland Light Touch Regional Deal Proposal – Snapshot

Attachment 2 – Northland Light Touch Regional Deal Proposal





# IGNITING NORTHLAND'S POTENTIAL

Light-Touch Regional Deal Proposal

**Northland Inc**  
Growing Northland's Economy  
Kia tupu ai te ēhanga o Te Tai Tokerau

**Whangarei District Council**

**Te Kaunihera o Te Hiku o te Ika**  
Far North District Council

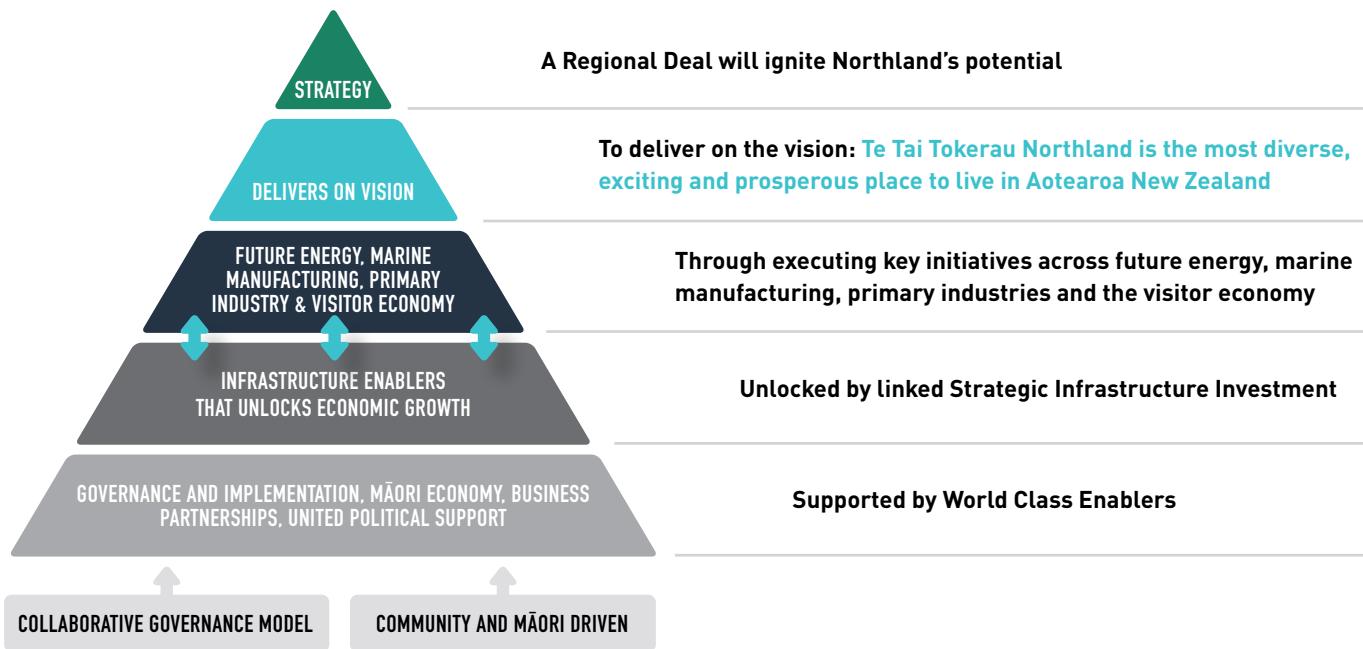
**KAIPARA DISTRICT**  
Kaipara Te Owhanganui • Two Oceans Two Harbours

**Northland REGIONAL COUNCIL**  
Te Kaunihera a rohe o Te Taitokerau

# OUR VISION

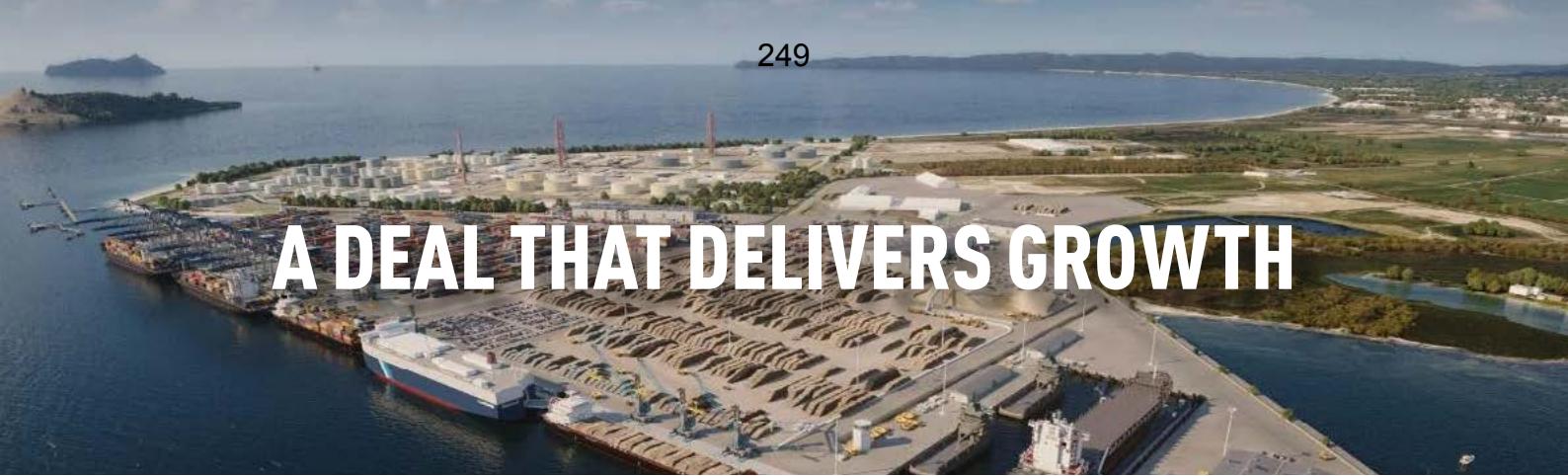
## TE TAI TOKERAU NORTHLAND

*The most diverse, exciting and prosperous place to live in Aotearoa*



### OUR TEN YEAR VISION

**IS THAT OUR REGIONAL DEAL WILL GROW NORTHLAND GDP BY \$1B, WILL CREATE 6,000 NEW JOBS, AND INCREASE EXPORTS BY \$900M.**



# A DEAL THAT DELIVERS GROWTH

## FUTURE PROOFING ENERGY

Supplying fuels to New Zealand's biggest market in the transport and aviation sectors, embedding the country's fuel security. Enabling transmission connectivity to bring more energy projects online to the Auckland market.

**SUCCESS LOOKS LIKE:** **\$290M ↑GDP | 1,348 NEW JOBS | \$315M EXPORTS**

## EXPANDING MARINE MANUFACTURING

Floating dry dock and marine maintenance facility enhancing naval resilience and supporting commercial coastal shipping operations. Strengthening the gateway to export markets alongside Tauranga and Auckland as a part of the Upper North Island Port Strategy.

**SUCCESS LOOKS LIKE:** **\$111M ↑GDP | 693 NEW JOBS | \$310M EXPORTS**



## ENHANCING PRIMARY SECTOR

Northland is a productive 'food basket' with a strong and innovative primary sector - trialing new crops, value-adding through manufacturing. The aquaculture sector is increasing exports and supporting spat supply to the rest of the industry.

**SUCCESS LOOKS LIKE:**

**\$438M ↑GDP**  
**2,058 NEW JOBS**  
**\$423M EXPORTS**

## GROWING VISITOR ECONOMY

Northland as a magnet for domestic and international tourism, learning about the birthplace of our nation and experiencing our rich cultural heritage.

**SUCCESS LOOKS LIKE:**

**\$138M ↑GDP**  
**1,922 NEW JOBS**  
**\$108M EXPORTS**



## SUMMARY MAP AND KEY

### REGION WIDE

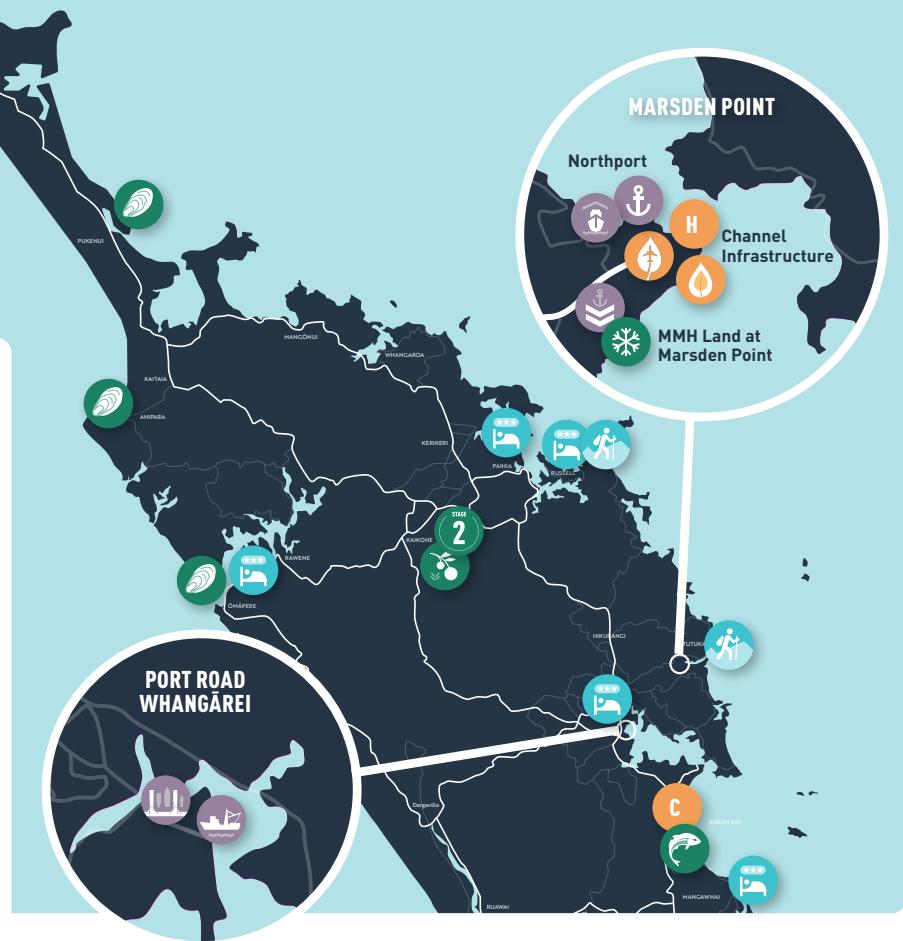


### FUTURE PROOFING FUELS PROJECTS

- Sustainable Aviation Fuel
- Bio-Refinery
- Energy Bridge
- Hydrogen
- Captura

### PRIMARY SECTOR PROJECTS

- Food North
- Kingfish Expansion
- Mussel & Oyster Spat  
Te hiku (Whangape, Ahipara, Parengarenga, Hourhora, Ranganu, Whangaroa)
- Water Trust  
Te Koporu and Mid North
- Land Utilisation
- Processing and Cool Storage
- Ngawha Park Stage 2



### MARINE MANUFACTURING PROJECTS

- Shipyard and Floating Dry Dock
- Port Expansion
- Inshore Fishing Fleet
- Marina Development
- Navy Maintenance and Training

### VISITOR ECONOMY PROJECTS

- Better Quality Visitor Accommodation
- Connectivity to Auckland  
[Northport to Auckland \(Ocean Flyer\)](#)
- Walking and Cycling Strategy
- Great Walk [Russell to Cape Brett to Whangamumu bay](#)
- Reinvigorating our Identity

### KEY SECTOR DEVELOPMENT INITIATIVES

#### FUTURE ENERGY



#### MARINE MANUFACTURING



#### PRIMARY INDUSTRY SECTOR DEVELOPMENT

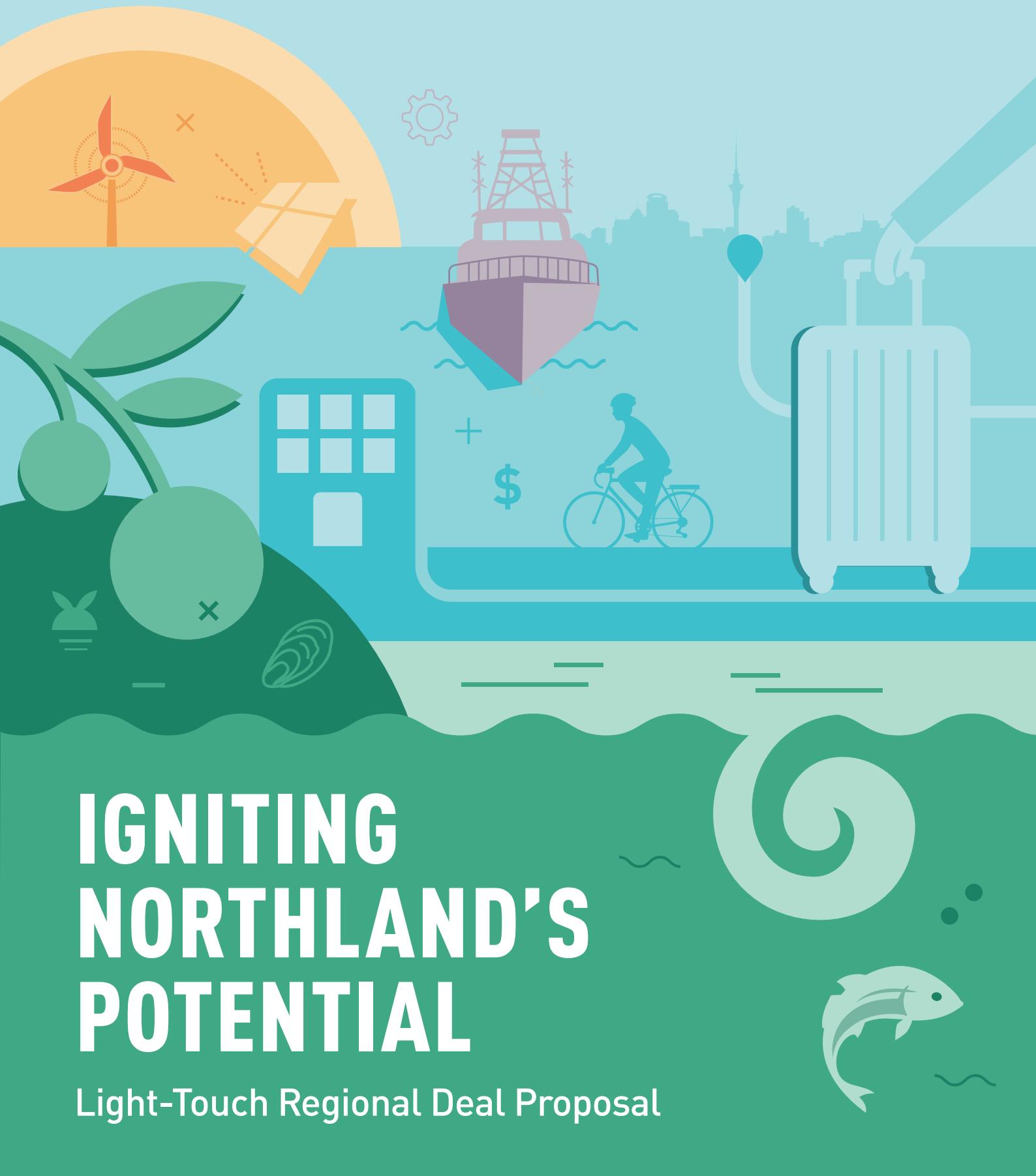


#### VISITOR ECONOMY



### KEY INFRASTRUCTURE PROJECTS

- **The Northland Corridor** (NZTA Roading Investment)
- **Rail to Marsden Point**
- **Airport Strategy**
- **Local Waters Done Well**
- **Accommodating workforce** (Housing)
- **Education and Workforce** (including the Northland Knowledge Hub)
- **Health care provision within the region** (1st Priority Whangarei Hospital)



# IGNITING NORTHLAND'S POTENTIAL

Light-Touch Regional Deal Proposal

## REGION AND CONTACT DETAILS

The region's economic/geographical area is Northland / Te Tai Tokerau and encompasses the same geographical area as the Northland Regional Council's boundary – which is the area north of the boundary line that stretches from south-east of Mangawhai across to the Kaipara Harbour and all the way up to New Zealand's northernmost tip, Cape Rēinga.

The councils involved are all four councils within Northland / Te Tai Tokerau.

### **Key contact people are provided below:**

#### **Paul Linton**

CEO of Northland Inc – Northland's EDA/RTO

**E:** paul.linton@northlandnz.com

**P:** 021 585 033

#### **Vince Cocurullo**

Chair of the Northland Mayoral Forum

Mayor of Whangārei

**E:** mayor@wdc.govt.nz

**P:** 021 438 952

#### **John Vujcich - Spokesperson**

Chair of the Joint Regional Economic Development Committee (JREDC)

Far North District Councillor

**E:** vujcichj@gmail.com

**P:** 021 983 720

### **Further contact details for each of the councils:**



**Kaipara District Council**  
 Jason Marris  
 Chief Executive  
**E:** jmarris@kaipara.govt.nz



**Whangarei District Council**  
 Simon Weston  
 Chief Executive  
**E:** Simon.Weston@wdc.govt.nz



**Far North District Council**  
 Guy Holroyd  
 Chief Executive Officer  
**E:** Guy.Holroyd@fndc.govt.nz



**Northland Regional Council**  
 Jonathan Gibbard  
 Tāhūhū Rangapū - CEO  
**E:** jong@nrc.govt.nz

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# 1 EXECUTIVE SUMMARY

**We are committed to Igniting Northland's Potential through a genuine partnership with the Government. The opportunity is to maximise the potential of key industries where Northland has clear advantage.**

This requires a step change in the provision of the infrastructure needed to power growth. The region has stable and accountable governance and a strong private sector which is a compelling platform for a long-term partnership with government and delivered with our communities, with Māori and the private sector.

## OUR VISION

**The most diverse, exciting and prosperous place to live in Aotearoa.**

Over the last decade there has been a proliferation of opportunities to live and work in our region and we are a highly sought-after tourism destination with a unique cultural heritage. Our population continues to grow as we welcome new Northlanders from across the world and other regions, particularly Auckland.

Looking ahead, our communities, industry, and Māori 'initiatives' backed by government will make Northland the premier region for New Zealanders to live work and play. We are already working together, and this deal will make us go further, faster:

- We will be intimately connected with Auckland through better rail and road networks and the further development of our deep-water port, marine services and surrounding energy precinct – improving economic outcomes for Auckland as well as Northland.
- Improved infrastructure means we are more productive. More and more businesses have chosen to locate in the North bringing job opportunities and greater diversity. Improved infrastructure combined with funding for innovation has grown our primary and other exports to the nation and the world. From field-to-plate Northland has built an international reputation for quality, ingenuity, and sustainability.
- As the birthplace of the nation Northland will mark 200 years since the signing of Te Tiriti more confident than ever in who we are. More whanau have come home contributing to a thriving Māori economy underpinned by increased capability and investment via Crown settlements. Partnership across agencies, Māori, industry, and community supporting each other to continue to grow our people and our region are commonplace.

- We have more sustainable housing, a health infrastructure and primary care capability in the community to fit the needs of a growing and aging population.

**Achieving our vision means we are empowered, economically secure, resilient, and healthy, involved in generating wealth so that our communities and our whanau continue to thrive and prosper, continue to chase their aspirations knowing that they can and will be realised right here.**

## OUR OBJECTIVES:

- ▶ Enhance our role as supplier of food, value-added products, services, energy and infrastructure to Auckland.
- ▶ We will support thriving local communities, embedded environmental foundations, and a prosperous economy.
- ▶ Business, community and Iwi Māori leading innovation, taking our ideas to the world.
- ▶ Domestic and international visitors having unique historical and cultural experiences.
- ▶ Leveraging off Northland as the Birthplace of New Zealand.

This vision and stated objectives will however only be realized if there is a sustained investment in infrastructure, both to address current deficits and to position the region for future growth and success. This proposal addresses the need for sustained infrastructure investment, working together with the private sector and developing credible implementation plans for major projects. There are significant growth plans for sectors that support a regional deal for Northland, and this is the foundation of our 10-year implementation plan and our 30 year vision.

At the heart of our proposal is the opportunity to maximise the potential of key industries where Northland has clear areas of advantage and where there are opportunities to create jobs, new businesses, export growth etc.



## FUTURE PROOFING ENERGY

Northland is the supplier of fuels to New Zealand's biggest market/ the major contributor to New Zealand's transport and aviation sectors, embedding the country's fuel security now, and as we transition to a low carbon economy. Northland is a testbed for renewable energy with an abundance of sun and wind. The growth of wind and solar projects already seen in the region provides further resilience to our electricity network and improves community resilience and reduces energy poverty especially, in our isolated Māori communities. Adding further capability to the Grid line will enable transmission connectivity to bring more energy projects online to the Auckland market, as well as providing local energy sources to allow more businesses to establish in the region.



## EXPANDING MARINE MANUFACTURING

Northland has an historically capable and also fast-growing marine service sector. The floating dry dock and marine maintenance facility is a significant opportunity catalysing private investment and enhancing naval resilience while supporting commercial coastal shipping operations. The expansion of Northport improves Port capability, strengthening the gateway to export markets and brings Northland alongside Tauranga, and Auckland as part of the Upper North Island port strategy. Additionally, efforts to renew the inshore commercial fishing fleet evidence the sectors capability to build, repair and refit vessels.



## ENHANCING PRIMARY SECTOR

Northland is a productive 'food basket' with a strong and innovative primary sector. The expanse of productive land and optimal growing conditions allows for new crops and alternative growing techniques/ pasture use to be tested and brought to full production. This enhances New Zealand's international standing as a premium food producer while adding to the country's food security. Northland aquaculture sector is entrepreneurial with both onshore and sea-based aquaculture that is increasing its ability to exploit Northland's natural advantages. The waters around Northland are ideal for aquaculture with the growth of New Zealand's mussel fisheries dependant on Northland produced spat! The expansion of Aquaculture farming is being explored by Māori. The land-based NIWA aquaculture facility - situated in the Marsden Hub - is well advanced in growing and selling Kingfish to export markets.



## GROWING VISITOR ECONOMY

Northland has been an extraordinary meeting place over centuries. It is steeped in rich cultural history, is a place of spiritual significance and the birthplace of modern Aotearoa New Zealand. Domestic and international visitors have been drawn to this region to explore and experience our people and place. The proximity to Auckland is an advantage that needs to be leveraged further. Continued investment in the sector will allow Northland operators and the region to enhance the value of our visitor experiences, to build on what for many international visitors is the 'experience of a lifetime' and to inspire return visitation from New Zealanders.

**Māori Economy Northland is home to a substantial Māori economy:** built around pakihi (businesses) that are typically the foundation of our small Tai Tokerau communities. The embedding of fibre networks is an example of ways to power up the growth of online businesses and the exposure to a wider audience of Māori horticulture, agriculture and aquaculture products as well as retail art and creativity.

### **Infrastructure underpins the growth plans across all of these sectors:**

The opportunities are clear, unlocking these and realising Northland's potential requires a step change in the provision of the infrastructure needed to power growth. First and foremost, enabling infrastructure is a critical contributor to the economic wellbeing of our communities. Secondly, enabling infrastructure for stand-out (significant) projects contributes to the growth of Auckland (NZ's biggest market) and to the rest of New Zealand.

### **There are challenges and opportunities ahead:**

- Accommodating a growing population given the pressure this brings to housing and services (i.e., medical, educational).
- Increasing unemployment particularly in our vulnerable populations (Māori/Pasifika; women; disabled) in a low growth, high-cost regional economy.
- Developing a skilled, capable and Northland based workforce - working with industry and Te Pukenga to ensure we're building the right skills in the right places.
- Addressing a history of underinvestment in infrastructure (including housing).
- Adapting our communities to a changing climate.
- Enabling broader connectivity with other regions through infrastructure (i.e., road, rail, air, marine (port), digital).

### **Our commitment - sustained economic growth in our key sectors:**

There is a collective commitment to enabling sustained economic growth in our key sectors, and to work collaboratively with government, the private sector and project owners to get growth projects across the line. With every growth project comes the promise of jobs, new skills and capability and a higher standard of living for Northlanders.

This commitment is backed by co-investment and robust governance structures that bring community, Māori, local and central government agencies together to secure positive outcomes for the region (as was proven through COVID-19, cyclone Gabrielle).

### **How we will partner with central government – delivering economic growth together**

Across the region we already have a strong track record of partnership working, across local government, with communities and with Māori and the private sector. This regional deal, provides an opportunity to build upon this track record, and to further enhance how we work with central government, including:

- Through a clear and transparent partnership that aligns regional with national economic development priorities.
- By a shared appreciation of the role of economic growth in growing thriving communities.
- Commitment to efficient implementation and delivery, holding ourselves accountable to achieving positive, intergenerational outcomes for our communities.

We welcome the opportunity provided through this regional deal to bring community, industry local and central government together to deliver exponential growth to Northland. Our regional deal will initially grow Northland GDP by \$977M, will create 6,022 new jobs, and increase exports by \$877M.

► **For this to occur Northland requires commitment from the Government to reprioritisation, to co-investment, to open export markets and resources while identifying/ removing legislative barriers to economic growth.**

# 2 ALIGNMENT WITH THE STRATEGIC FRAMEWORK

## LAYING THE FOUNDATION FOR FUTURE GROWTH

Northland is already well advanced in understanding the dynamics of our region, its challenges and opportunities and what needs to be done to transform our economy and improve our communities. We are ready for action and implementation and have already made progress in key areas. A Regional Deal will be made within the strategic framework formed from the Taitokerau Northland Economic Wellbeing Pathway and The Northland Mayoral Forum priorities and will utilise the political consensus and clear delegation to the Joint Regional Economic Development Committee. The regional framework aligned to national objectives provides a solid foundation for growth and addresses:

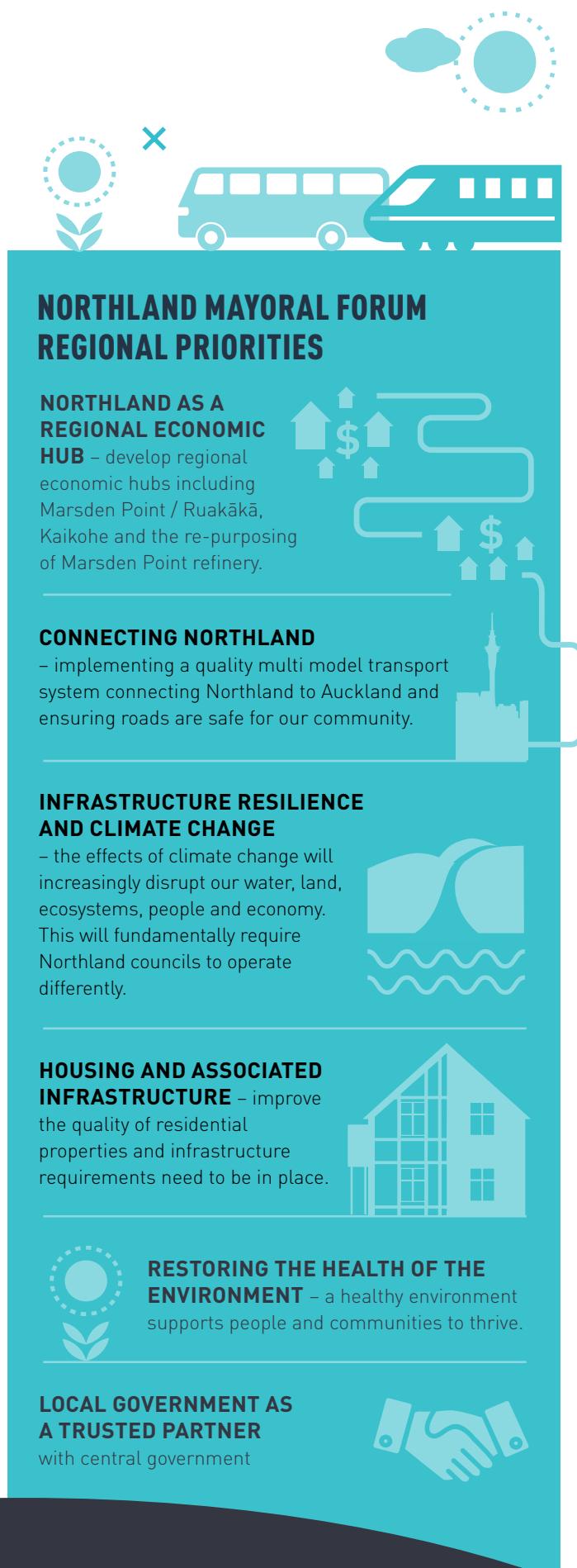
- A slowed economy, with interest rates weighing on housing construction, and inflation challenging purchasing power and consumption.
- An investment gap in addressing the needs of a rapidly growing population.
- Local and central government needing to focus on improving competition policies and streamlining the regulatory environment to help revive productivity growth and lift living standards in the long run.
- Adaptation to climate change which will require changes to land-use planning and a comprehensive long-run energy strategy.

In order to most effectively contribute to this challenge, Northland has developed Te Rerenga, Taitokerau Northland Economic Wellbeing Pathway which sets a long-term vision for a sustainable, innovative, and prosperous economy focusing on the wellbeing of people, the economy, and the environment. Te Rerenga sets out at a high-level how we can contribute to the New Zealand economy across three key pillars:

- **Our Economy:** Support the development of an innovative, progressive and growing economy where people of Te Taitokerau Northland have a raised standard of living comparable to the rest of New Zealand.
- **Our People:** Empower our people to reach their full potential, be in good health and actively engage in the workforce and community, in the place of their choice.
- **Our Environment:** Embed environmental foundations necessary to support a thriving regional economy.

The Northland Mayoral Forum is committed to strategically collaborating to take Northland Forward together and has identified the following six regional priorities which underpin the Regional Deal framework:

- **Connecting Northland** – implementing a quality multi model transport system connecting Northland to Auckland and ensuring roads are safe for our community.
- **Infrastructure resilience and climate change** – the effects of climate change will increasingly disrupt our water, land, ecosystems, people and economy. This will fundamentally require Northland councils to operate differently.
- **Northland as a regional economic hub** – develop regional economic hubs including Marsden Point / Ruakākā, Kaikohe and the re-purposing of Marsden Point refinery
- **Housing and associated infrastructure** – improve the quality of residential properties and infrastructure requirements need to be in place.
- **Restoring the health of the environment** – a healthy environment supports people and communities to thrive.
- **Local Government as a trusted partner** with central government



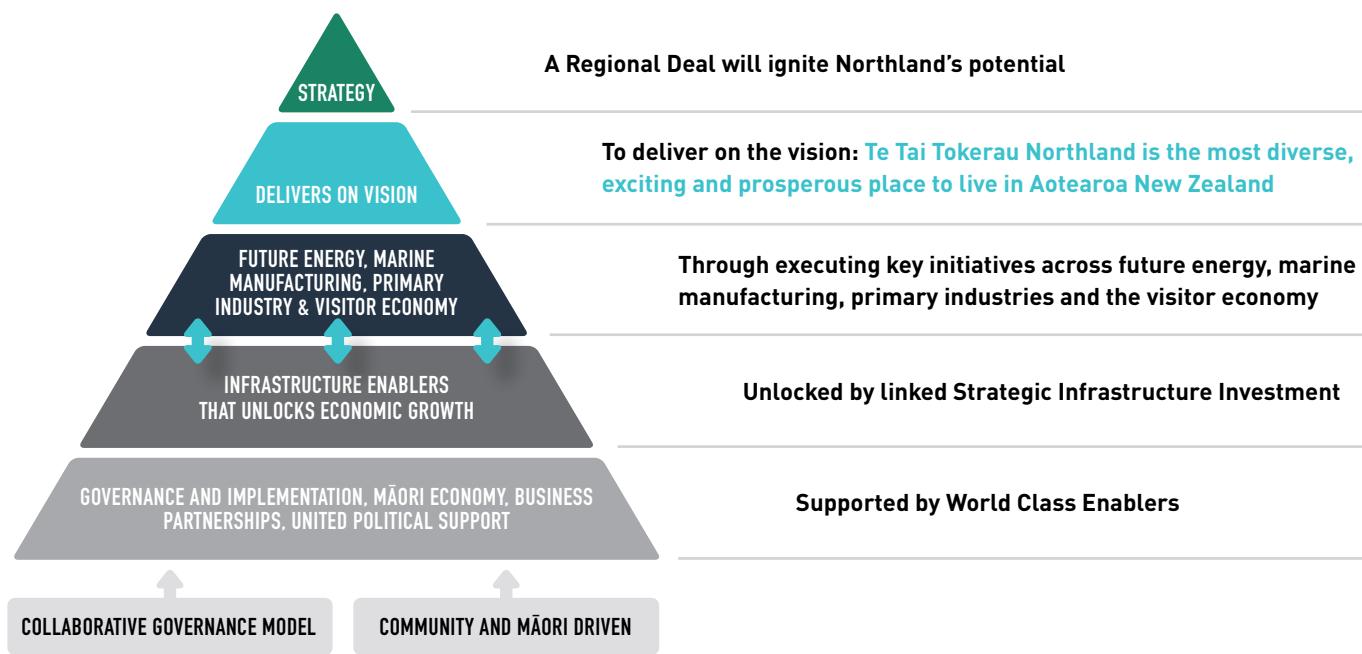
# REGIONAL DEAL

## REGIONALLY ENABLED, CENTRALLY SUPPORTED:

The government's objectives of the regional deal framework align strongly with the regional objectives for Northland.

NATIONAL OBJECTIVE	NORTHLAND REGIONAL OBJECTIVE
<b>Building Economic Growth</b>	The need for economic growth that creates opportunities through having new and innovative ideas, increasing productivity, creating more exports and elevates the standard of living couldn't be more obvious in Northland. Our focus is on economic growth as we have opportunities to enhance job creation, attract investment, and provide resources for local businesses, ensuring all our community's benefit.
<b>Delivering Connected and Resilient Infrastructure</b>	Complements priorities around efficient infrastructure that is essential for supporting a thriving regional economy while achieving positive environmental outcomes. This alignment promotes the foundation necessary for sustainable practices that ensure resource availability for future generations. Recognises that projected growth rates needs infrastructure network to support (transport, housing and local development).
<b>Improving the Supply of affordable and quality housing</b>	Resonates with Te Rerenga, the Northland Forward Together priorities, Whai Kainga Steering Group priorities, all of which are focused on having access to affordable and quality housing.

### Strategic Logic Structure



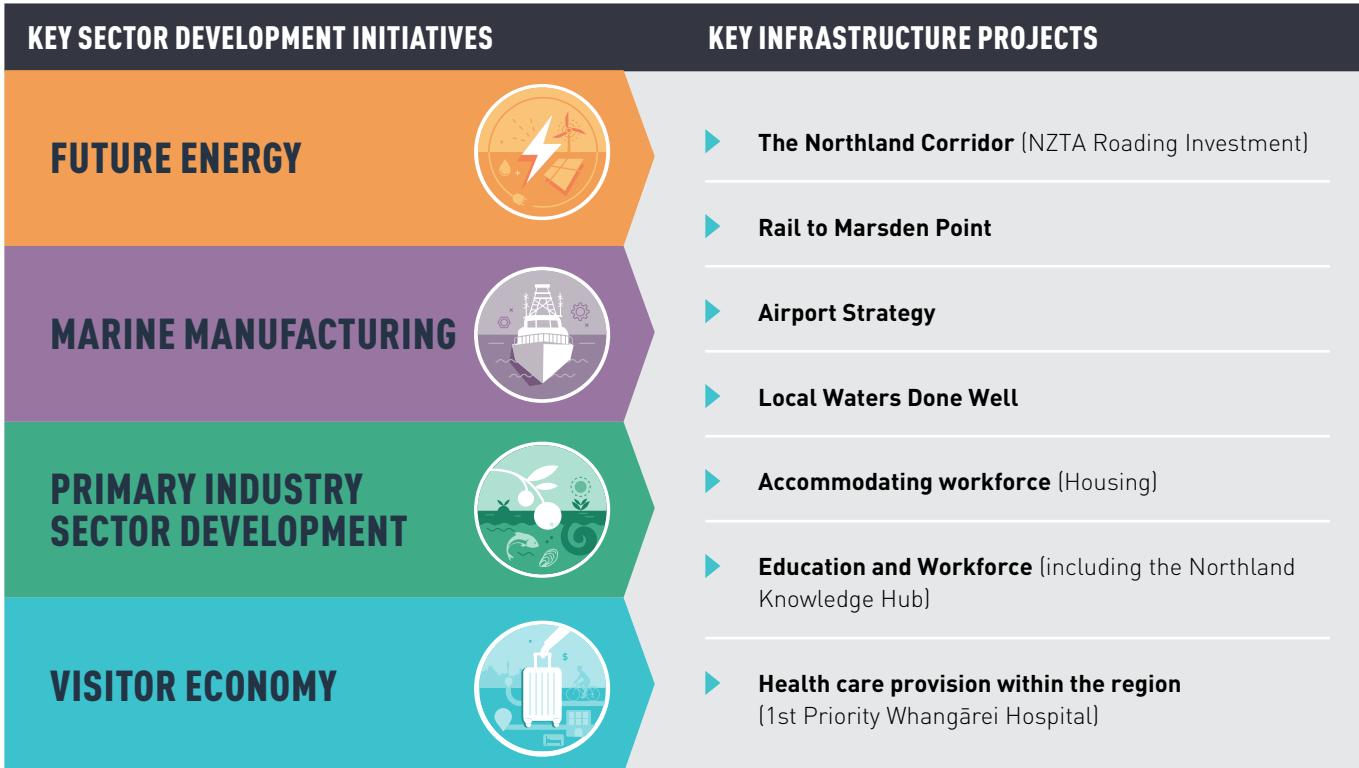
In terms of this regional deal, in order to deliver on the aligned regional and national objectives, our vision for our region will be achieved through four key sector development initiatives:

- ▶ Future Proofing energy
- ▶ Expanding Marine Manufacturing
- ▶ Enhancing Primary industry
- ▶ Visitor economy development

To support these four initiatives and achieve our vision we need to deliver the cross cutting infrastructure needed to

create opportunities and support a resilient economy and ensure the policy settings are enabling. Developing and keeping our people is a fundamental building block of our approach – education and workforce development intrinsically linked with provision of housing opportunities. Enhanced connectivity to Auckland and the rest of the country will significantly boost the region's economic potential. Stronger links to Auckland will promote growth in key industries, fostering resilience and stability in the face of weather disruptions.

The following table shows the key infrastructure projects that unlock the initiatives:



#### Linkage Between Enablers & Initiatives

Infrastructure Enablers	Energy	Marine	Agriculture	Tourism
Northland Corridor	●	●	●	●
Rail to Marsden Point	●	●	○	○
Energy Bridge	●	●	●	●
Workforce	●	●	●	●
Housing	●	●	●	○
Airports	○	●	●	●
Local Water Done Well	●	●	●	●
Healthcare	●	●	●	●

● STRONG CORRELATION  
○ MEDIUM CORRELATION  
■ LIMITED CORRELATION

# 3 WHAT DRIVES GROWTH IN YOUR REGION?

In the year ended March 2024[1], the Northland economy produced \$10.6 billion in GDP, sustained 82,680 filled jobs and contributed \$2 billion in exports (Table 3.1). Over the past decade there have been two distinct periods of growth. Prior to 2019, the Northland economy was growing at more than 3% per annum, with strong primary sector returns, particularly from forest harvesting, and historically high levels

of population growth. Since then, economic activity has been much weaker, impacted by both general headwinds such as inflation, high interest rates, lower commodity prices and a reduction in international tourism, and specific regional factors such as additional COVID-19 lockdowns, storm events disrupting transport links, and the private sector decision to stop the refining of petroleum products - at Marsden Point.

**Table 3.1. Northland GDP, filled jobs and exports by broad sector grouping**

Sector	Gross Domestic Product (GDP)				Filled Jobs				Exports			
	\$Million	Share of total	Average annual growth rates		Number	Share of total	Average annual growth rates		\$Million	Share of total	Average annual growth rates	
	2024	2022-24	2014-19	2019-24	2024	2022-24	2014-19	2019-24	2024	2022-24	2014-19	2019-24
Energy	\$566	7%	0%	-12%	759	1%	0%	-4%	\$0	2%	-5%	-100%
Marine manufacturing	\$129	1%	9%	2%	826	1%	6%	3%	\$20	1%	-6%	8%
Primary and associated manufacturing	\$1,448	13%	3%	0%	11,927	15%	2%	-1%	\$1,617	73%	5%	0%
Tourism	\$587	5%	3%	9%	6,751	7%	1%	-1%	\$319	9%	3%	5%
Other manufacturing	\$442	4%	4%	1%	3,274	4%	3%	1%	\$151	6%	3%	4%
Non-tourism private sector dominated services	\$2,893	28%	3%	2%	26,023	32%	3%	2%	\$213	8%	13%	1%
Construction	\$799	8%	8%	4%	10,246	12%	7%	5%	\$11	0%	66%	7%
Public sector dominated services	\$1,817	16%	3%	4%	22,432	27%	3%	3%	\$27	1%	8%	2%
<b>Total<sup>1</sup></b>	<b>\$10,609</b>	<b>100%</b>	<b>3%</b>	<b>1%</b>	<b>82,680</b>	<b>100%</b>	<b>3%</b>	<b>2%</b>	<b>\$2,357</b>	<b>100%</b>	<b>4%</b>	<b>-1%</b>

#### Notes

1. Total GDP includes Owner-occupied property development and Unallocated

#### Key sectors set to drive economic growth:

The four key sectors that have been prioritised within our regional deal proposal are important contributors to the economy for various reasons. The Primary and associated manufacturing sector accounts for 13% of GDP and 77% of exports, providing an important underlying level of economic activity vital for many businesses across the region supplying goods and services to this sector. Tourism is an important export earner for the region and provides many employment opportunities. The above average growth rates in Marine manufacturing underlines the competitive advantage Northland has in this sector. Reorientating the energy sector to focus on future fuels, building on the natural climate and geological advantages of the region, can replace the important contribution that oil refining had in the Northland economy. Further figures and commentary about economic growth in the region can be found in appendix B.

#### Actions to unlock or enable economic growth:

There are several actions that Northland local authorities have already undertaken to unlock or enable economic growth. These are summarised in Table 3.2 along with some additional actions that are under consideration. In terms of central government support for growth, Table 3.3 outlines what we need, both in terms of broader, New Zealand wide actions, and specific in Northland that will be part of a regional deal.

**Table 3.2. Actions taken by local government to support economic growth in Northland**

<b>Sector</b>	<b>What we are doing</b>	<b>What we will do in the future</b>
<b>FUTURE ENERGY</b>	Work collaboratively with private sector, e.g., 2022 submission on Transpower's consultation about establishing a Renewable Energy Zone in Northland	Encourage further private investment into energy generation (geothermal, solar, wind) Support private investment into a revitalised Marsden Point energy precinct
<b>MARINE MANUFACTURING</b>	Allocation of IGR project development funds to support business case developments for inshore fishing fleet and dry dock	Work with Central Government to build on the existing marine manufacturing capability and underlying infrastructure (housing, schools etc) to support navy maintenance/training relocation & further boat building & maintenance
<b>PRIMARY AND ASSOCIATED MANUFACTURING</b>	Multi-million dollar investment in water storage and distribution schemes in Mid North and Kaipara  Multi-million-dollar investment alongside NIWA in testing commercial scale RAS pilot  Investment and implementation of Extension 350; develop and co-funding for Tuputupu Grow Northland  Allocation of IGR project development funds to support business case developments for indigenous wood products study, peanut trial and horticulture development	Resilient pastures programme  Support development of food manufacturing at Ngawha Innovation and Enterprise Park  Consider further investment in NIWA expansion (if RAS pilot proves viable)  Support aquaculture development in Northland Mussels, oysters – especially in Far North  Further water storage scheme development
<b>VISITOR ECONOMY</b>	Implementing the Taitokerau Northland Destination Management Plan (TNDMP) through Northland Inc and our tourism industry stakeholders  Further developing cruise ship business in Whangārei District based off learnings of BOI  Investment into Hundertwasser Art Centre and Manea Footprints of Kupe visitor experiences  Revitalisation of the Twin Coast Discovery Highway (Northland Journeys)  Developed Taitokerau Northland Destination Management Plan in 2021  Developed Regional Walking and Cycling Strategy in 2019, and development of various trails across the region. E.g., Twin Coast Cycle Trail, Kaihu Valley  Development of infrastructure to support using council funding and TIF  Allocation of IGR project development funds to support business case developments for potential Great Walk in Bay of Islands	Through Northland Inc and Māori advisory groups, supporting further local product development, especially Māori based  Supporting initiatives for appropriate hotel & boutique accommodation developments across the region

**OTHER/GENERAL**

All four councils have:	Developing a Regional Infrastructure Strategy in 2025
<ul style="list-style-type: none"> <li>• joint and equal ownership of Northland Inc Limited</li> <li>• membership on Joint Regional Economic Development Committee</li> <li>• funding commitments to the Investment and Growth Reserve</li> </ul>	

**Table 3.3. Actions from central government to support economic growth in Northland.**

Sector	General	Regional Deal
<b>FUTURE ENERGY</b>	Seeing Northland as an energy solution for Auckland – in terms of resilience (including Auckland Airport), increased generation privately funded and as a way of reducing the cost of energy – by relooking at the current energy model pricing system in total	<p>[REDACTED]</p> <p>Legislation to enable energy bridge</p> <p>SEZ/SPZ for Marsden Point and surrounds to protect existing jobs and create new jobs</p>
<b>MARINE MANUFACTURING</b>	Marsden Point rail link	<p>Continue work to establish the Floating Dry Dock and Shipyard at Marsden Point</p> <p>Support to build a new electric inshore fishing fleet for NZ in Whangārei</p>
<b>PRIMARY AND ASSOCIATED MANUFACTURING</b>	<p>Completion of the Northland Corridor RONS</p> <p>Reducing cost of energy for manufacturers (see above)</p>	Alignment of agencies
<b>VISITOR ECONOMY</b>	<p>Maintain the International Visitor Levy and create strategy for investment and distribution.</p> <p>Support funding of regional tourism system and the Regional Tourism Organisation, to enable Northland Inc to work closer with Tourism New Zealand and encourage a larger segment of international visitors to head north.</p>	<p>Develop closer working relationship with new Investment NZ and Northland Inc on FDI into Northland, e.g. for hotels/accommodation to accommodate tourism demand</p> <p>Support for new Northland tourism initiatives through Kānoa e.g. hotels, Ocean Flyer, Māori product development etc</p>
<b>OTHER/GENERAL</b>	Maintain rental scheme for housing	Carbon Border Adjustment Mechanism at Border to cement production at Golden Bay Cement).

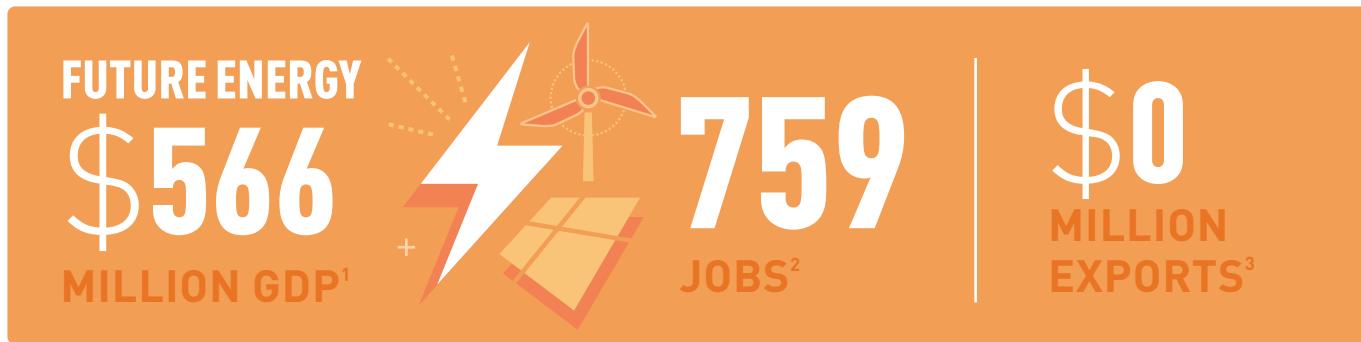
## DRIVING A STEP CHANGE IN GDP

In terms of the anticipated growth that will be triggered by a regional deal, Table 3.4 provides some high-level estimates of what this will look like if all the various actions set out in this proposal are implemented. The final shape of some of the actions is yet to be fully determined, e.g. what ships the dry dock will serve; involvement of local content used. Nevertheless these estimates show that a regional deal will generate a considerable step change in GDP, employment and exports from the region. Northland's growth spills over to other regions, notably Auckland, as well as a small but noticeable rise in national levels.

**Table 3.4. Annual Total additional impact (direct, indirect and induced) of the four initiatives on ongoing GDP, employment and exports for Northland and New Zealand**

<b>Sector</b>	<b>GDP</b>		<b>Employment</b>		<b>Exports</b>	
	(\$M, 2024 prices)		Number of filled jobs		\$million, current	
Northland	NZ	Northland	NZ	Northland	NZ	
Energy	\$291	\$495	1,348	2,500	\$315	
Marine manufacturing	\$111	\$255	693	1,257	\$31	
Primary industry	\$438	\$785	2,058	2,975	\$423	
Tourism	\$138	\$252	1,922	2,563	\$108	
<b>Total increase</b>	<b>\$977</b>	<b>\$1,786</b>	<b>6,022</b>	<b>9,294</b>	<b>\$877</b>	
<b>Impact on regional and national economy</b>						
Current level (2024)	\$10,609	\$418,824	82,678	2,807,834	\$2,406	\$90,900
Percentage increase	9.2%	0.4%	7.3%	0.3%	36.4%	1.0%

[1] 2024 values for tourism and exports will be included when they become available from Infometrics (anticipated date of 27 February).



[1] Gross Domestic Product (GDP) \$Million 2024

[2] Filled Jobs - Number 2024

[3] Exports \$M 2023

# 4 CENTRAL AND LOCAL GOVERNMENT PARTNERSHIP

**The region has regional unanimity, clear delegation, effective agencies and a clear track record which gives it a real strength in working together:**

The following Councils are included as part of this regional deal light touch proposal:

- Northland Regional Council
- Far North District Council
- Whangārei District Council
- Kaipara District Council



All four Northland Councils have collaborated with and continue to collaborate with Central Government, **with our communities, with Iwi / Māori and the private sector.**

Examples of this collaboration between local and central government include:

## COLLABORATION FOCUS: BUILDING ECONOMIC GROWTH

All four Councils are shareholders in Northland Inc which undertakes economic development & destination management for Councils. A Joint Regional Economic Development Committee, established under the Local Government Act (LGA) and been in place since 2021 has as one of its responsibilities as per its terms of reference:

- Make decisions relating to the governments Regional Deals initiative for establishing long-term agreements between central and local government, including but not limited to submitting a proposal, finalising a Memorandum

of Understanding and negotiating a deal, ensuring alignment with regional priorities and collaboration among councils.

- The Joint Regional Economic Development Committee is an effective forum for engaging with government ministers and others on economic growth opportunities on behalf of the region.
- Regional Infrastructure Fund (RIF)– development of regional priorities as requested by Regional Economic Development Minister. Through a series of workshops, Northland Inc and the Joint Regional Economic Development Committee developed a prioritised list of regional opportunities for the RIF. This included a prioritisation process using a high-level assessment of each opportunity against a criteria of five factors. Engagement with Iwi leaders occurred through the regional Iwi and Local Government Chief Executive (ILGACE) forum.

## WATER STORAGE IN NORTHLAND AS EXAMPLE OF PARTNERSHIP DEVELOPMENT

New water storage and distribution schemes in the Mid North and Kaipara are examples of effective local and central government partnership prompted by drought events in the early 2010s. On recommendation from Northland Inc, the Northland Regional Council (NRC) allocated \$240,000 as a co-funding contribution to begin seeking solutions. With this funding, NRC successfully applied for funding from MPI's Irrigation Acceleration Fund (IAF) to undertake a Strategic Irrigation Infrastructure Study. This was followed by a Scoping of Irrigation Scheme Options co-funded with Crown Irrigation Investments Limited (CIIL). Council received considerable input from MPI and CIIL staff throughout the optioning process, including assistance in framing, selecting, and reviewing the studies and determining appropriate next steps.

These studies identified initial water storage and distribution opportunities in the Mid North and around

Dargaville. In 2019, NRC successfully applied to the Provincial Growth Fund (PGF) for grant funding to continue the feasibility investigation and loan funding for an initial build. Three councils (NRC, Kaipara District Council and Far North District Council) contributed funding to the feasibility work. Governance was provided by a project steering group chaired by the NRC CEO, with membership comprising the CEOs of KDC and FNDC, and two crown appointees, Hon Murray McCully and Hon Dover Samuels. The Te Tai Tokerau Water Trust (TTTWT) was then formed to continue the work as the project moved into the commitment phase, requiring the application for resource consents and raising private capital. Both central and local government have provided additional funding to support the Trust's ongoing construction activity.

## COLLABORATION FOCUS: DELIVERING CONNECTED AND RESILIENT INFRASTRUCTURE

- Northland Regional Transport Committee.**

The Committee, which comprises representatives from all councils and NZ Transport Agency/Waka Kotahi has the function of preparing a Regional Land Transport Plan and a Regional Public Transport Plan for Northland. The standard of the transport networks in Northland is currently considered a dis-enabler to economic growth. The development of a revised Regional Land Transport Plan under the auspices of this committee will be vital to improving transport infrastructure in line with the Governments transport reforms and objectives.

- Local Waters Done Well (LWDW)** – all councils are working together on the LWDW approach – in principle decisions made by all councils in December on the options to further investigate and all will be consulting with our communities in the first quarter of 2025.
- Northland Lifelines Group** – significant ongoing liaison between councils and central Government including the commitment and funding to build a new Civil Defence centre in Whangārei.

## COLLABORATION FOCUS: MANAGING GROWTH AND HOUSING

- Urban Growth Partnership – Northland to Auckland Corridor Plan.**

The Ministry of Urban Housing and Development under the previous Government was the lead agency for the development of an Urban Growth Partnership in Northland. This commenced in 2019. This project reports into the Whai Kainga Steering Group Northland. Initial spatial planning commenced on this project with all Councils collaborating on and inputting into a constraints and opportunities mapping exercise that created a draft map in 2022.

- Whai Kainga Steering Group.**

District councils are represented on the Whai Kainga Steering Group. Whai Kainga is structured to support a range of housing initiatives, from repairs of substandard housing to larger development, and Māori housing including Papakāinga. Government agencies included in this collaboration include Kainga Ora, Ministry Housing and Urban Development and Ministry of Social Development, Te Puni Kokiri. Whai Kainga will play a central part, alongside a regional deal, in the government delivering on its objective to increase housing supply ('Going for housing growth'). An Urban Growth Partnership or similar regional spatial planning initiative as part of regional deal, will bring the Whai Kainga Steering Group into an oversight role.

- Investing in an urban growth partnership** for Northland

will ensure that there is the tool to capture and manage the implementation of government reforms spatially across the region. This specifically includes the National Infrastructure Pipeline, Transport, Water reforms (Local Waters Done Well), Transport which will directly inform spatially at macro level where housing supply is needed to meet future demand in alignment with the National Policy Statement on Urban Development and changes to the Resource Management Act and Medium Density Residential Standards.

# 5 COMMITMENT TO REGIONAL SPATIAL PRIORITIES

## All Councils are committed to the Ministry of Housing and Urban Development led project for an Urban Growth Partnership for Northland.

All three territorial local authorities have either completed spatial plans or intend to complete spatial plans for their districts by 2027.

- Whangārei District Council is currently completing a Future Development Strategy (FDS) as required under the National Policy Statement Urban Development.
- Far North District Council is taking an FDS approach to Spatial Planning in the Kerikeri/Waipapa area. Far North District Council, via its Te Kuaka (Te Ao Māori) Committee, has approved the establishment of a District Wide Kaupapa

Framework to ensure that governance and representation is in place for a District Wide Spatial Plan. This framework could be extended to all of Northland to address previously raised concerns from Te Kahu o Taonui about adequate representation in governance, steering and working groups on region wide spatial plans like the proposed Auckland to Northland Urban Growth Partnership mentioned above.

Northland / Te Taitokerau Councils are committed to integrated spatial planning, maintaining good working relationships with each other. The regional scale strategies as well as the more localised spatial plans are described in the table below.

Region-wide	Whangārei District	Kaipara District	Far North District
Te Rerenga – Taitokerau Economic Wellbeing Pathway  Tai Tokerau Northland Economic Action Plan (TTNEAP)  Taitokerau Northland Destination Management Plan (TNDMP)	Future Development Strategy	Kaipara District Economic Development Strategy 2024	Far North 2100, an 80-year, wellbeing centric vision for the Far North (approved 2021).  Commencing District wide Spatial Planning in first quarter of 2025 with confirmed iwi and hapū governance structures in place.  Te Pātukurea, will deliver a 30-year Spatial Plan for Kerikeri/Waipapa in June 2025. While not yet officially a Tier 3 Council under the National Policy Statement Urban Development this project followed the requirements of Future Development Strategy as guide to its development.
Climate Change Strategy	Housing Strategy	Kaipara District Spatial Plan - Ngā Wawata 2050 (2020)	Housing Strategy in development – due 2025 with an interim action plan in place.
Regional Land Transport Plan	Blue / Green Network Strategy	New Kaipara District Plan (notified Q1 2025)	Open Spaces Strategy in development. This will commence with an Open Spaces Policy to inform a Development Contributions Policy.

Regional Public Transport Plan	Infrastructure Strategy	Kaipara Infrastructure Strategy - September 2024	Infrastructure Strategy (2021 –27 LTP Lite)
Arataki (Waka Kotahi)	Place based spatial plans, including spatial planning for Marsden / Ruakākā which has been enabled through the District Plan and Infrastructure Planning	Kaipara Kai Growing Larger New Opportunities to Increase Food Production in the Kaipara District	Placemaking Plans in progress for Kororareka/Russell and Kaikohe. Council adopted the Kaitaia Masterplan in December 2024.
Upper North Island Strategic Alliance (UNISA)			
Te Purunga ki Te Raki – Regional Workforce Plan (MBIE)			

## STRATEGIC REGIONAL ALIGNMENT

Across these documents there are a range of consistent themes or objectives – and with that comes an innate strategic alignment between projects, even if they sit in separate districts or under different documents. These all align with the regional objectives presented in section 2.

By committing to a Regional Deal, the Councils and Government are partnering to consolidate a 30-year vision and commit to drive innovation and alignment across the region on infrastructure delivery to support economic growth.

Significant infrastructure projects have been identified. Increasing the level of certainty around their timing and coordination of delivery will increase the reliability and market-attractiveness of the projects while ensuring they aren't competing for resources (labour, skills, materials). This will reduce or avoid cost-overruns.

### **There is strong support for Spatial Planning across the Region.**

This will likely align with updates to the NPS-UD, where an FDS would be tasked with a potential 50-year horizon. This would be worked through with government as a partner and is a fundamental document for the Regional Deal in the future.

# 6 CAPABILITY, CAPACITY AND READINESS TO IMPLEMENT AND DELIVER

**Collaboration and deliver are already strengths in the region and we will look to build on these local and central government level through this regional deal process.**

Effective governance and leadership are essentials for successful regions, and the Regional Deal provides the platform for further uniting our council, government, Māori, industry and community leaders to drive for success. We propose using existing established mechanisms and enhancing the ability for different levels of government to collaborate on emerging issues.

**NIF RLG (Northland Intersectoral Forum/ Regional Leadership Group)** is a long-standing forum comprised of regional agency, Māori, local government and regional economic development agency. The purpose of the RLG is to address economic and social wellbeing issues in the region, through working collaboratively towards on-the-ground solutions/outcomes for our communities. The group is co-chaired by the Regional Public Service Commissioner for Northland and the chair of Te Kahu o Taonui (Iwi collective) supported by co-chairs and members of five sub-committees responsible for health, social wellbeing, economy, housing, environment. The RLG acted as a direct link between communities, agencies and central government during COVID-19 and cyclone Gabrielle. This allowed 'community voice' to be heard by policy makers, and for the RLG to act as a sounding board for evolving policy at national level and in the region.

**'Northland | Forward Together'** is the collective work programme for all four Northland councils to work together to deliver better outcomes for Northland and its people. The Northland Chief Executives' Forum and the Northland Mayoral Forum retain oversight of the programme. However, all the elected members of the four Northland councils meet three times a year to be kept up to date with progress and abreast of new developments.

Successes to date include collaborative local body election campaigns, civil defence shared services, Northland One Voice Collaboration, joint procurement/contracts, LIDAR capture for all of Northland, development of a regional GIS viewer, active recreation/sports facilities and the establishment of the Joint Regional Economic Development Committee to complement the move to joint ownership of Northland Inc.

**The Mayoral Forum**, members of which are represented on the Joint Regional Economic Development Committee. All councils have formally approved this committee to be the lead governance entity for the regional deal process. It is proposed to use this structure along with addition of representatives from Māori and the private sector and to

include a range of central government agencies (via the Regional Leadership Group) that are key to the success of the regional deal.

**Governance Group:** provides a point of collective oversight to ensure that the development and implementation of the Regional Deal achieves the vision and outcomes. Responsible for the resolution of any issues that remain unresolved at the Leadership Group level. Membership to include:

- The Infrastructure and Investment Ministerial Group
- Joint Regional Economic Development Committee (JREDC)

**Leadership Group:** provides strategic oversight of delivery of all Regional Deal initiatives including briefings to the Governance Group on progress, emerging risks and opportunities as required. They also agree membership and terms of reference for Implementation Working Groups and provides strategic oversight to the implementation of the Regional Deal. Membership is likely to include:

- Department of Internal Affairs - Chief Executive or Senior Management, MBIE & Kānoa, MPI etc
- Local Government - Council CEO's
- Northland Inc CEO
- Iwi / Māori Representatives
- Business Leaders

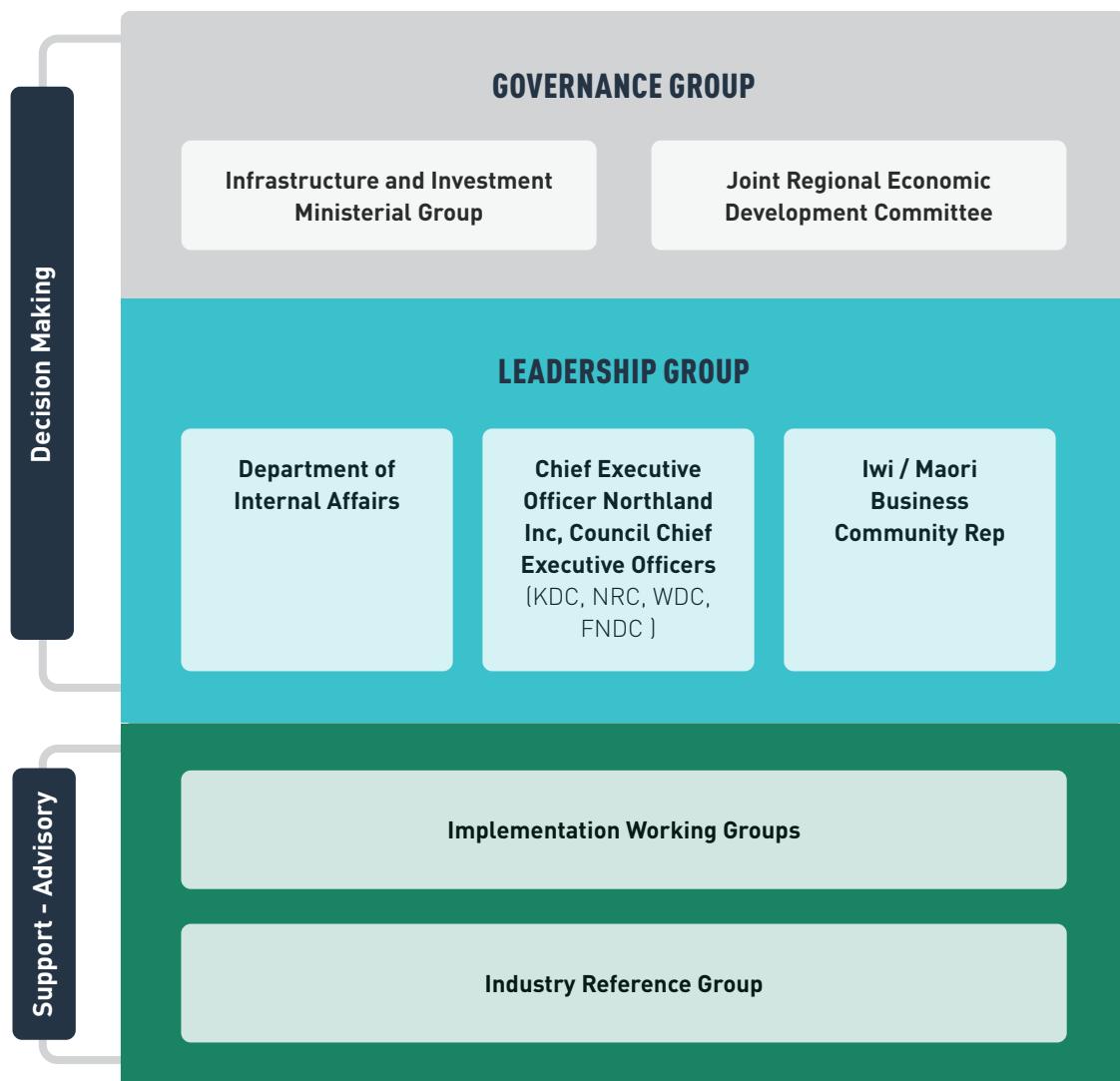
**Implementation Working Groups:** will be established by the Leadership Group to provide technical and strategic advice, and co-design and discuss the implementation of agreed projects and commitments.

**Industry Reference Group:** provides a forum for interested business, industry, research and community leaders and representatives to discuss and guide the implementation of the Deal.

Northland Inc is the best entity to coordinate the successful delivery of this regional deal. It has a proved track record of working alongside communities, Māori, businesses and investors to identify initiatives that will strengthen, diversify, and grow Northland's economy to help achieve equity and environmental sustainability.

Northland Inc is considering the establishment of a Programme Management Office (PMO) to assess, monitor and report on the implementation and impact of the many and various economic growth plans across the region. This will be a good mechanism to support delivery and impact metrics and reporting of this regional deal.

### Regional Collaboration Across Groups



# 7 REGIONAL DEAL PRIORITY PROJECTS/INITIATIVES

The regional deal priorities are presented in four key sectors - within each priority are specific activities that align with the strategic frameworks, regional and nationally and are important contributors to the economy:



Developing a **future energy** sector can go some way towards replacing the contribution that oil refining made to the Northland economy (~6% of Northland GDP). Success looks like a \$290M increase in GDP, 1,348 new jobs and \$315M in exports.



The **marine manufacturing** cluster is achieving above average growth rates that underline the comparative advantage Northland has in this sector. Success looks like a \$111M increase in GDP, 693 new jobs and \$31M in exports.



**Primary and associated manufacturing** sector accounts for 14% of GDP and 77% of exports, providing an underlying level of economic activity vital for many businesses across the region that supply goods and services to this sector. Success looks like a \$438M increase in GDP, 2,058 new jobs and \$423M in exports.



**Visitor Economy** - Tourism is an important export earner for the region and provides an employment pathway for many Northlanders. Success looks like a \$138M increase in GDP, 1,922 new jobs and \$108M in exports.

To support these four initiatives and achieve our vision we need to be delivering the infrastructure needed to support these opportunities and build a resilient economy and ensure the policy settings are enabling. Developing and keeping our people is a fundamental building block of our approach – education and workforce development intrinsically linked with provision of housing opportunities.

## COMBINED SECTORS IN NORTHLAND

Energy, Marine Manufacturing, Primary Industry Development, Visitor Industry

**\$977M**

**TOTAL GDP IMPACT**

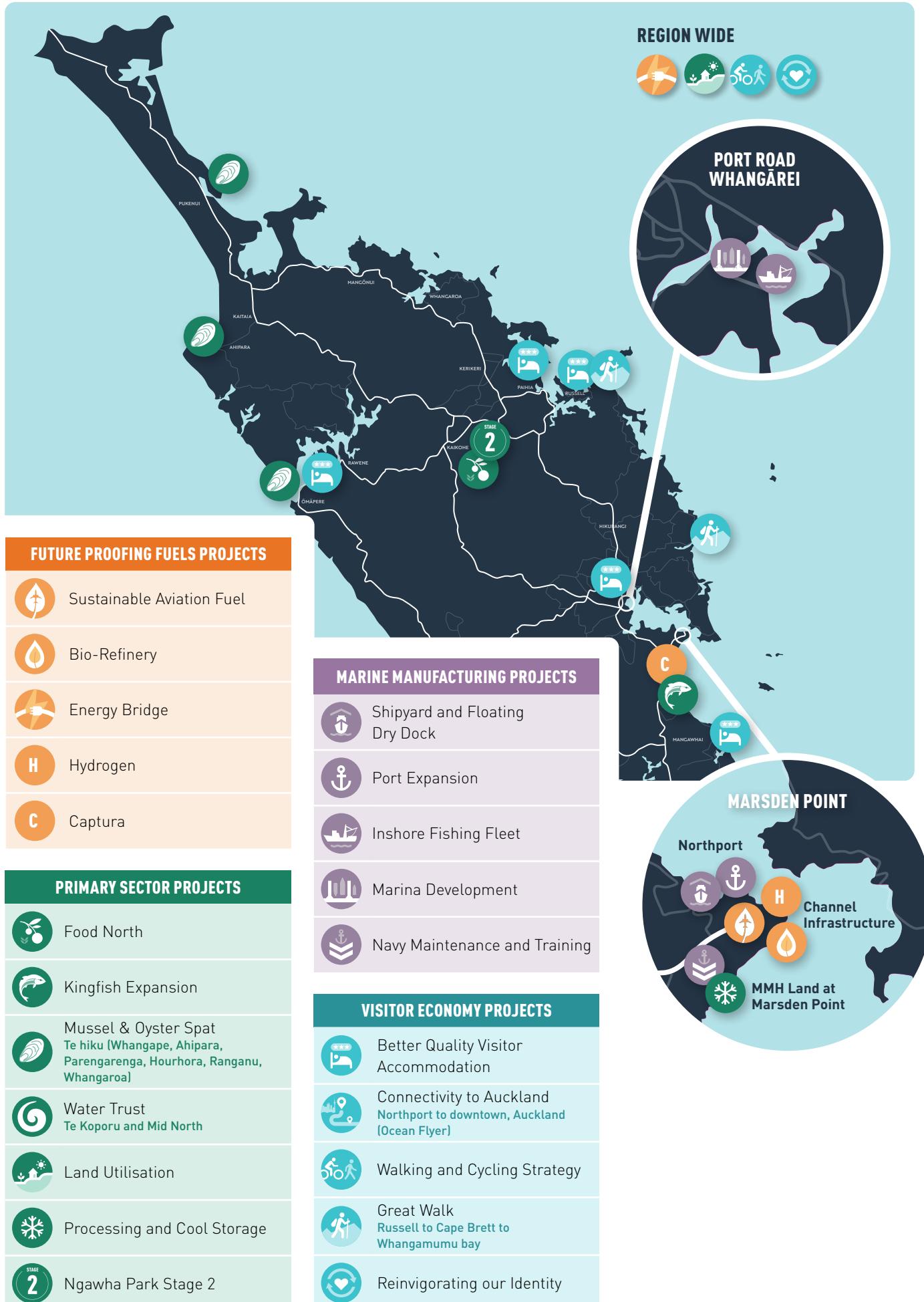
**6,022**

**TOTAL EMPLOYMENT IMPACT**

**\$877M**

**TOTAL EXPORTS IMPACT**

## SUMMARY MAP AND KEY





## FUTURE ENERGY

**The region will play a significant role in supporting New Zealand's energy transition, through lower-carbon future fuels manufacturing, as well as a range of energy security projects such as electricity firming and storage opportunities.**

Marsden Point is a large, underutilised site with attractive zoning and existing resource consents, existing world class infrastructure, proximity to the electricity transmission network, and is a pivotal connection to Auckland and New Zealand's fuel supply chain. Sites like this are rare globally, and this puts the region in a unique position to move quickly forward with future fuels production and energy resilience.

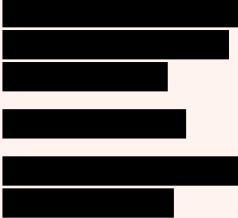
Northland has great solar and wind resources for renewable electricity. These types of generation can be developed quickly and cost effectively – currently there is over 600MW of renewable energy generation ready to be deployed at pace and a further 1400MW of proposals. \$200m of centrally funded transmission and distribution infrastructure unlocks

\$1b of private investment and defers over \$2b of transmission investment in Auckland (the energy bridge project). This is a key contribution to Auckland and the country's energy requirements and resilience.

Table 7.1 below summarises the projects that collectively make up the future energy initiative. Acknowledging that completing other key infrastructure upgrades as identified through the infrastructure strategy will be critical to ensuring success of these projects.

Further details on the future proofing energy initiative are included in Appendix A.

**Table 7.1 Future Energy Projects**

				
<b>PROJECT NAME AND DESCRIPTION</b>	Sustainable Aviation Fuel	Bio-Refinery	Energy Bridge	Support for other projects
<b>Project Dimensions</b>	  <ul style="list-style-type: none"> <li>▶ 150 FTE ongoing</li> </ul> <p>Note figures are Northland Inc's estimates only</p>	<ul style="list-style-type: none"> <li>▶ \$200M investment</li> <li>▶ Unlocks 600MW generation</li> </ul>	<ul style="list-style-type: none"> <li>▶ Hydrogen and Methanol Production</li> <li>▶ CO2 Capture</li> </ul>	
<b>Current Status and Timeframes</b>	Detailed Feasibility		Business Case being finalised	Pre-feasibility
<b>Regional and National Alignment</b>	<ul style="list-style-type: none"> <li>▶ Supports aviation industry (significant for business and tourism)</li> <li>▶ Contributes to Climate Change commitments</li> </ul>	Contributes to Climate Change commitments	Supports Auckland economy	Contributes to Climate Change commitments
<b>Lead Organisation</b>			North Power, Top Energy & Transpower	Hiringa Energy Captura
<b>Project Partners</b>	As above	As above	As above	As above
<b>Expected Impacts</b>	Energy Resilience and diversification	Significant Export opportunity	Unlocks significant private sector investment  Energy security for Auckland	Energy resilience and security
<b>Northland Offer</b>	<ul style="list-style-type: none"> <li>▶ Private sector investment</li> <li>▶ Enabling infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>▶ Private sector investment</li> <li>▶ Enabling infrastructure</li> </ul>	Regional delivery	<ul style="list-style-type: none"> <li>▶ Private sector investment</li> <li>▶ Enabling infrastructure</li> </ul>
<b>Ask of Government</b>		Expression of support to underpin capital raise	Enabling legislation	Regulatory Support and Policy Alignment

**Total impact (direct, indirect and induced) of future fuel projects on ongoing annual GDP, employment and exports for Northland and New Zealand**

<b>Sector</b>	<b>GDP</b>		<b>Employment</b>		<b>Exports</b>	
	Northland (\$M, 2024 prices)	NZ	Number of filled jobs Northland	NZ	Northland \$million, current	NZ
Sustainable aviation fuel	\$74	\$154	123	281	\$300	
Bio-refinery	\$25	\$51	230	526	\$15	
Energy bridge	\$164	\$232	843	1,342	\$0	
Support and other projects	\$28	\$58	153	351	\$0	
<b>Total increase</b>	<b>\$291</b>	<b>\$495</b>	<b>1,348</b>	<b>2,500</b>	<b>\$315</b>	

**Impact on regional and national economy**

Current level (2024)	\$10,609	\$418,824	82,678	2,807,834	\$2,406	\$90,900
Percentage increase	2.7%	0.1%	1.6%	0.1%	13.1%	0.3%



## MARINE MANUFACTURING CLUSTER

**Development of a floating dry dock and associated marine maintenance facility represents a significant opportunity for regional economic development. This is both a vital infrastructure project and a catalyst for private investment. This initiative aims to strengthen the naval resilience and support coastal shipping operations including the inter-islander ferries. The project has the potential to deliver ongoing, transformative benefits for both the local community and the wider national economy.**

The expansion of Northport, New Zealand's northernmost deep-water port, is crucial for accommodating future freight needs in Northland and North Auckland. An additional 270m berth and expanding the terminal to create a modern container facility enhances the port's capabilities, keeping pace with global shipping trends while promoting a seamless connection between rail, road, and sea freight through KiwiRail's proposed Marsden Point spur.

Renewing the inshore commercial fishing fleet seeks to develop a facility in Whangārei dedicated to building a new class of vessels designed for reduced carbon emissions, fuel consumption while creating high-paying jobs and training opportunities. The establishment of a new 115-berth marina in Whangārei is intended to expand marine industry capacity, attract tourism, promoting a vibrant marine-focused economy.

The further development of Marsden Point with a dry dock, port expansion and planned residential development as Whangārei's 'second urban centre' – combined with the well-established industrial capability of Whangārei's marine engineering cluster – is a strong incentive to relocate part of the Royal New Zealand Navy's maintenance and training capabilities freeing up valuable land and resources in Devonport.

Table 7.2 below summarises the projects that collectively make up the marine manufacturing cluster initiative. Northland Inc has a key role to play in supporting cluster activation and coordination in order to maximise the regional strengths this sector has.

Further details on the marine manufacturing cluster initiatives are included in Appendix A.

**Table 7.2 Marine Manufacturing Projects**

<b>PROJECT NAME AND DESCRIPTION</b>					
<b>Project Dimensions</b>	<b>Shipyard and Floating Dry Dock</b>	<b>Port Expansion</b>	<b>Inshore Fishing Fleet</b>	<b>Marina Development</b>	<b>Navy Maintenance and Training</b>
			<ul style="list-style-type: none"> <li>▶ \$80M investment</li> <li>▶ 70FTE ongoing</li> </ul>	<ul style="list-style-type: none"> <li>▶ \$24M investment</li> <li>▶ 60 FTE ongoing</li> </ul>	<ul style="list-style-type: none"> <li>▶ Maintenance and training capabilities relocated to Marsden Point</li> </ul>
<b>Current Status and Timeframes</b>	Business Case completed	Reviewing next steps post consent decision	Business Case completed	Further Capital raise	With NZDF
<b>Regional and National Alignment</b>	Critical project in NZ's infrastructure pipeline	Significant infrastructure to support Auckland, national economy and global trade	Fishing industry contributes \$5b to NZ economy (significant exporter)	Catalyst / facilitator of economic activity	Aligns with national defence force asset planning
<b>Lead Organisation</b>	MBIE	Northport	Northland Inc	Whangārei Marina Trust	Ministry of Defence
<b>Project Partners</b>	Northport	As above	Private Sector	WDC	As above
<b>Expected Impacts</b>	<ul style="list-style-type: none"> <li>▶ Augment Northland's marine cluster to national significance and regional benefit</li> <li>▶ Catalyst for significant private sector commitments</li> </ul>	Northport plays an important role in the Northland regional economy supporting import and export activity.	<ul style="list-style-type: none"> <li>▶ Extend current boat and shipbuilding capabilities, and capture secure work. 70 new vessels</li> <li>▶ Decarbonisation of fleet, improved catch methods</li> </ul>	Facilitate increasing demand for marine servicing such as refits for boats	New facilities, access to drydock and marine repair industry, improved wellbeing, better work/life balance and improved housing accessibility compared to Auckland
<b>Northland Offer</b>	Construction partner through Northport	Private sector investment (Northport)	<ul style="list-style-type: none"> <li>▶ \$45M private sector contribution</li> <li>▶ Sector capability</li> </ul>	Local investment (Whangārei Marina)	Enabling infrastructure, available land
<b>Ask of Government</b>	Lead the investment raising process	Northport expansion is critically linked to the future of transport infrastructure supporting the Upper North Island Supply Chain	<ul style="list-style-type: none"> <li>▶ Purchase first boat.</li> <li>▶ Vessel retirement scheme</li> </ul>	Support raising investment	Planning

**Total impact (direct, indirect and induced) of marine manufacturing projects on ongoing annual GDP, employment and exports for Northland and New Zealand**

<b>Sector</b>	<b>GDP</b>		<b>Employment</b>		<b>Exports</b>	
	(\$M, 2024 prices)		Number of filled jobs		\$million, current	
	<b>Northland</b>	<b>NZ</b>	<b>Northland</b>	<b>NZ</b>	<b>Northland</b>	<b>NZ</b>
Shipyard and floating dry dock	\$23	\$41	287	441	\$25	
Northport expansion	\$73	\$186	225	536	\$0	
Inshore fishing fleet	\$6	\$12	80	123	\$2	
Marina development	\$3	\$6	40	62	\$4	
Navy maintenance and training	\$6	\$10	61	95	\$0	
<b>Total increase</b>	<b>\$111</b>	<b>\$255</b>	<b>693</b>	<b>1,257</b>	<b>\$31</b>	

**Impact on regional and national economy**

Current level (2024)	\$10,609	\$418,824	82,678	2,807,834	\$2,406	\$90,900
Percentage increase	1.0%	0.1%	0.8%	0.0%	1.3%	0.0%



## ENHANCING PRIMARY SECTOR

**Northland is a New Zealand food basket with a strong and innovative agriculture sector. The expanse of productive land and optimal growing conditions allows for new crops and alternative growing techniques/ pasture use to be tested and brought to full production – enhancing New Zealand's international standing as a premium food producer. The waters around Northland are a hotbed for aquaculture with the growth of New Zealand's mussel fisheries dependant on Northland produced spat.**

The sector needs to continue to produce as efficiently as possible, to diversify into new and different products, and to find opportunities to process and add value to those products before they leave the region. Immediate opportunities include:

- expansion of land-based aquaculture (Kingfish at Bream Bay),
- Oyster and Mussel aquaculture (particularly in Te Hiku),
- Food processing facilities and further development of the Ngawha Innovation and Enterprise Park and continuing to pilot and trial different opportunities that support optimal land use.

Opportunities across the primary sector connect with Māori Development priorities and the need to significantly lift regional capability. This strategic alignment supports local businesses and amplifies the potential for innovation. Combining investments in hard and soft infrastructure will ensure that collective efforts yield substantial long-term benefits, enhancing economic resilience, creating jobs, and preserving cultural sustainability in the region.

Table 7.3 below summarises the projects that collectively make up the primary industry sector development initiative. Further details on the primary sector initiatives are included in Appendix A.

**Table 7.3 Primary Sector Projects**

<b>PROJECT NAME AND DESCRIPTION</b>	 Food North	 Kingfish Expansion	 Mussel & Oyster Spat	 Water Trust
<b>Project Dimensions</b>	► \$20M investment ► 50 FTE	\$90M investment	Developing capture tech, best practices for spat survival  Investing in nurseries	Construction of water storage & uptake and use of water for horticulture
<b>Current Status and Timeframes</b>	B/C completed Capital raising	Seeking interest for investors	Cluster development underway	
<b>Regional and National Alignment</b>	Economic growth, Improved productivity & exports	Economic growth, Improved productivity & exports	Economic growth, Improved productivity & exports	Economic growth, Improved productivity & exports
<b>Lead Organisation</b>	Far North Holdings	NIWA	Industry	Te Tai Tokerau Water Trust
<b>Project Partners</b>	Northland Inc, FoodBowl	NRC, Northland Inc	MPI, Northland Inc	Northland Inc
<b>Expected Impacts</b>	Added value manufacturing and export opportunities	Significant export opportunity	Food production and export opportunities  Industry support through improved spat production	Strengthening of sector, new crops, export opportunities
<b>Northland Offer</b>	Support capital raising process	Support capital raising process  NRC to consider further investment	Cluster support through Northland Inc	Sector support – link growers/ produces to opportunities  Demonstrate value of water through trials and demonstration site  Coordinate with government (MPI etc)
<b>Ask of Government</b>	Capital	Expression of support to underpin capital raise	Planning and Capital	Partnership to promote water use uptake – incentives, trials, field days

<b>PROJECT NAME AND DESCRIPTION</b>			
	<b>Land Utilisation</b>	<b>Processing and Cool Storage</b>	<b>Ngawha Park Stage 2</b>
<b>Project Dimensions</b>	Trials and pilots occurring across region	► \$45M ► 100 FTE	Expansion of tenants on Park
<b>Current Status and Timeframes</b>	Market Opportunity Analysis underway	Capital raising	Implementation
<b>Regional and National Alignment</b>	Economic growth, Improved productivity & exports	Economic growth, Improved productivity & exports	Economic growth, Improved productivity & exports
<b>Lead Organisation</b>	Northland Inc, Land owners	Industry	Far North Holdings
<b>Project Partners</b>	MPI, TPKNRC, Maori Land owners	Industry	Northland Inc
<b>Expected Impacts</b>	Strengthening of sector, added value manufacturing and export opportunities	Significant export opportunity Diversified value-add manufacturing (oils etc)	Strengthening of sector, added value manufacturing and export opportunities
<b>Northland Offer</b>	Sector support – link growers/ produces to opportunity  Coordinate with government (MPI, TPK etc)	Sector support – link growers/ produces to opportunity	Sector support – link growers/ produces to opportunity
<b>Ask of Government</b>	Partnership on delivery	Expression of support to underpin capital raise	Partnership on delivery

**Total impact (direct, indirect and induced) of primary sector projects on ongoing annual GDP, employment and exports for Northland and New Zealand**

<b>Sector</b>	<b>GDP</b>		<b>Employment</b>		<b>Exports</b>	
	<b>Northland</b>	<b>NZ</b>	<b>Northland</b>	<b>NZ</b>	<b>Northland</b>	<b>NZ</b>
Food North	\$2	\$4	22	39	\$2	
Kingfish RAS expansion	\$28	\$71	98	226	\$19	
Mussel and oyster spat	\$4	\$7	39	66	\$4	
Te Tai Tokerau Water Trust	\$334	\$543	1,172	1,497	\$287	
Land utilisation	\$43	\$95	359	458	\$72	
Processing and cool storage	\$9	\$26	145	297	\$20	
Ngawha Park Stage 2	\$19	\$38	224	393	\$19	
<b>Total increase</b>	<b>\$438</b>	<b>\$785</b>	<b>2,058</b>	<b>2,975</b>	<b>\$423</b>	
<b>Impact on regional and national economy</b>						
Current level (2024)	\$10,609	\$418,824	82,678	2,807,834	\$2,406	\$90,900
Percentage increase	4.1%	0.2%	2.5%	0.1%	17.6%	0.5%



## VISITOR ECONOMY DEVELOPMENT

**Tourism expenditure in the region has shown signs of growth post covid with the region retaining levels of domestic spending and slowly regaining international expenditure. However international expenditure in the region only represents 19% of total visitor spending compared to over 27% nationally. International visitors typically travel outside of peak season and bring a higher per visitor spend than domestic, making them an important segment for further sector growth, while helping to smooth seasonality trends.**

For Northland to increase its share of international spending and grow export revenues there is a need to enhance the region's visitor offering and improve the productivity of the sector. The region needs additional quality visitor accommodation, enhanced visitor products and experiences a stronger cohesive regional identity and

promotion, enabling support of the regional tourism system through funding of the Regional Tourism Organisation.

Table 7.4 below summarises the projects that collectively make up the visitor economy initiative. Further details on the tourism initiative are included in Appendix A.

**Table 7.4 Visitor Economy Projects**

<b>PROJECT NAME AND DESCRIPTION</b>	 Better Quality Visitor Accommodation	 Connectivity to Auckland	 Walking and Cycling Strategy	 Great Walk	 Reinvigorating our Identity
<b>Project Dimensions</b>	<ul style="list-style-type: none"> <li>▶ Bay of Islands</li> <li>▶ Whangārei</li> <li>▶ Hokianga</li> <li>▶ Mangawhai</li> </ul>	▶ \$700M investment	Complete Kaihu Trail and extend into Far North	Cape Brett-Kauri forest-Whangamumu-Elliot Bay-Russell forest	Developing and positioning Northland's story as a platform for investment
<b>Current Status and Timeframes</b>	Feasibility	Delivery	Implementation of Strategy	Business Case	Discussions initiated
<b>Regional and National Alignment</b>	Boost tourism, job creation	Economic growth & resilience, improve productivity	Boost tourism, job creation	Boost tourism, job creation	Attract Investment
<b>Lead Organisation</b>	Private Sector	Ocean Flyer	Councils	Rawhiti 3B2 Ahu Whenua Trust (3B2)	Northland Inc
<b>Project Partners</b>	Private Sector	Private Sector	Community Private sector	Ipipiri Nature Conservancy Trust	Industry
<b>Expected Impacts</b>	Boost tourism, job creation	Significant change in connectivity between Whangārei and Auckland	Boost tourism, job creation	Boost tourism, job creation	Position region as desirable destination to visit and invest
<b>Northland Offer</b>	Provision of supporting infrastructure	Expression of support to underpin capital raise	Partner, jobs locally	Business case development	Lead investment proposition
<b>Ask of Government</b>	Expression of support to underpin capital raise	Expression of support to underpin capital raise	Capital, support to raise investment	Capital, support to raise investment	Advocate for national benefits

**Total impact (direct, indirect and induced) of tourism sector projects on ongoing annual GDP, employment and exports for Northland and New Zealand**

<b>Sector</b>	<b>GDP</b>		<b>Employment</b>		<b>Exports</b>	
	<small>[\$M, 2024 prices]</small>	<small>Northland</small>	<small>NZ</small>	<small>Number of filled jobs</small>	<small>\$million, current</small>	<small>Northland</small>
Better quality visitor accommodation	\$16	\$26	290	369	\$12	
Connectivity to Auckland	\$34	\$87	76	203	\$31	
Walking and Cycling Strategy	\$2	\$5	48	69	\$2	
Great Walk	\$3	\$5	59	74	\$2	
Reinvigorating our identity	\$82	\$129	1,449	1,846	\$60	
<b>Total increase</b>	<b>\$138</b>	<b>\$252</b>	<b>1,922</b>	<b>2,563</b>	<b>\$108</b>	
<b>Impact on regional and national economy</b>						
Current level (2024)	\$10,609	\$418,824	82,678	2,807,834	\$2,406	\$90,900
Percentage increase	1.3%	0.1%	2.3%	0.1%	4.5%	0.1%

## INFRASTRUCTURE TO MAKE IT HAPPEN

To support these four initiatives and achieve our vision we must deliver the infrastructure needed to create opportunities, support a resilient economy and ensure the policy settings are enabling. Developing and keeping our people is a fundamental building block of our approach – education and workforce development intrinsically linked with provision of housing opportunities.

There are key infrastructure projects that unlock the initiatives, and it will be important to link these with the spatial planning and future growth work of councils to ensure appropriate land is unlocked for development and housing – particularly in areas around the Northern Growth corridor, Mangawhai, Kaiwaka and Dargaville.

Key infrastructure projects that are essential to the initiatives mentioned previously in this section are:

- ▶ The Northland Corridor (NZTA Roading Investment)
- ▶ Rail to Marsden Point
- ▶ Enhancing Regional Airports (including completing an Airport Strategy)
- ▶ Airport Strategy
- ▶ Local Waters Done Well
- ▶ Enabling Housing to Accommodate Growth
- ▶ Education and Workforce (including enabling Knowledge Hub)
- ▶ Health care provision within the region (1st priority Whangārei Hospital)

Further detailed explanation of each of these projects is included in Appendix A

All four councils all have a forward programme of that will have a direct impact on the four initiatives and the supporting infrastructure requirements identified as part of this regional deal. Section 10 provides further information on these relevant projects / programmes.

Security of core infrastructure is key to Northland's future prosperity. Northland's topography and demographics – a long thin area with relatively scattered population – is a challenge to those looking to ensure provision of services across all infrastructure areas. Coordinating infrastructure planning, decision-making and investment is key. Taking a collaborative approach will provide a clear and comprehensive picture of the required investments and ensure a robust and sustainable planning, prioritisation and delivery process occurs. The region has committed to completing a Regional Infrastructure Strategy which is underway (funding is secured for this through Northland Inc).

# 8 WHAT WILL YOUR REGION BRING TO A REGIONAL DEAL?

## The region brings to the table joint political focus, proven co-operation, on-going investment, enthusiasm, and passion for the region.

We will focus our regional development agency, Northland Inc on coordinating the delivery and implementation of the regional deal. In addition, Northland Inc brings strengths in investment attraction and collaborating with the private sector and Māori to bring together co-investment opportunities – ensuring that local and central government investments are maximized for greater impact.

There is an opportunity to align the investment priorities of funds within the region with the regional deal priorities. Other areas to be explored in the future include rating income, user charges and better use of government tools such IFF and RIF. Councils have already committed to a number of infrastructure projects that underpin the initiatives. Further details on these are included in Section 10. Councils acknowledge the opportunities through future annual plan and long-term plan processes to continue to align local and central government investment.

### Immediate priorities that support all initiatives are:

- **Ongoing commitment to integrated economic & spatial planning** - the region has completed its economic strategy (Te Rerenga) and has committed to completing a Regional Infrastructure Strategy (funding is secured for this through Northland Inc).
- **A joined-up approach to development Contributions**
  - consistency across the region, alignment with Government direction (LG Systems Improvements Policy) and opportunities to reduce the upfront contribution (i.e. amortise) when supporting new business development.
- **Develop a regional approach to procurement and broader outcomes.**
- **Local and central working better together** – functional relationships between government agencies is vital for fostering collaboration and improving service delivery. All agencies working in unison towards shared goals and having the customer benefit front and centre. This is a natural expansion of the functions of the Regional Leadership Group and could be applied on sub-regional basis – for example at Marsden Point initially
- **Special Economic Zones** – review spatial and planning mechanism to ensure they are attracting investment, providing necessary infrastructure and promoting clustering and innovation (initially Marsden Point and Ngawha Park). Noting that the area already has supportive District Plan zoning.

### Immediate priorities that support the Future Energy Initiatives:

- Secure private sector investment
- Deliver enabling infrastructure planned within Long Term Plans
- Regional delivery of Energy Bridge - completed within 5 years)

### Immediate priorities that support the Marine Manufacturing Cluster Initiatives:

- Secure construction partner through Northport for shipyard and floating dry dock
- Private sector (Northport) commitment to fund port expansion
- \$45M private sector contribution to new marine manufacturing facility (inshore fishing)
- Local investment supporting continued development of sectors capability.

### Immediate priorities that support the Primary Industry Sector Initiatives:

- Support capital raising process with NRC to consider further investment in Kingfish that underpins sector growth and export opportunity.
- Cluster support through Northland Inc/TPK and MPI for Aquaculture particularly in Te Hiku
- **Sector support** – link growers/produces to opportunities.
- **Coordinate with government (MPI, TPK) sector support**
  - link growers/produces to opportunities and support implementation of water storage through new crops, trials and field days.

### Immediate priorities that support the Visitor Economy Initiatives:

- Provision of supporting infrastructure to support accommodation developments.
- Implementation partner for walking and cycling projects with local procurement.
- Business case developed for great walk.
- Lead investment proposition for reinvigorating regional identity

**Short to medium-term priorities** are those initiatives that require a more extended timeframe for implementation and are planned to be executed through the next Long-Term Plan (LTP) cycle (first half of 2027). Medium Term priorities are:

- **Airport Strategy** – whilst this will be considered at a high level through the regional infrastructure strategy – a more detailed strategy will be required to be developed considering long term population growth, business needs and tourism growth.
- **Regional Investment Fund** - partner with government and other private and philanthropic investors to leverage the existing Investment and Growth Reserve (IGR) and develop a more strategic partnership-based approach to investment within the region.
- **Education Strategy & Delivery Mechanisms** – matching employment for school leavers, underemployed and unemployed with relevant employment in the region. Partnering to create a Knowledge, Education and Arts Hub that offers multi-provider tertiary training, student accommodation and a regional hub and spoke system. This system will better align education courses with employer needs. The current Northtec land at Raumanga will be repurposed for residential housing and the funds used as a mechanism for enabling the Knowledge Hub. The education content & delivery will be better aligned with regional employer needs – which will need a joint Government/Regional approach.
- **Pensioner housing portfolios** – Government and councils working together on long-term sustainable solutions to pensioner housing.
- **Papakāinga provisions** – reviewing Papakāinga provisions within District Plans to ensure that they are enabling and aligned.
- **Housing needs** - developing a collective view of housing needs generated by the significant infrastructure projects (i.e. the Hospital, Port expansion, four laning etc), identifying potential large scale housing opportunities that could meet these (i.e. the Raumanga site)
- **Social and affordable housing** - agreeing a pipeline of social housing and affordable rentals across the region to give certainty to the sector, along with enduring funding settings that make these developments viable.

# 9 WHAT ARE YOU SEEKING FROM CENTRAL GOVERNMENT AS PART OF A DEAL?

**Northland is asking the government to work with our region to create alignment between central and local investment decisions that will also support the initiatives within this regional deal.**

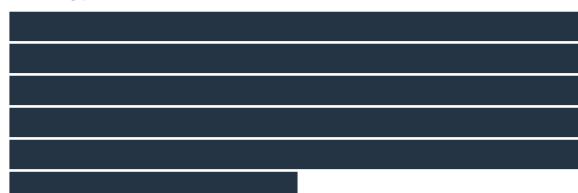
We require Ministerial involvement in the governance of our regional deal. Critical to the success of this regional deal is formalising collaborative relationships at senior management levels with key government agencies including MBIE, MPI and DIA.

An example of aligning investments decisions is greater alignment with Kānoa to ensure the Regional Infrastructure Fund is implemented in partnership with the region.

#### **Immediate priorities that support all initiatives are:**

- **Special Economic Zones** – establish how this will attract investment, boost exports, create more jobs, promote clustering and innovation (initially Marsden Point and Ngawha Park) – this will have a strong manufacturing focus with attention on attraction and creating operational efficiencies, logistics and export processing.
- **Transport and electricity infrastructure are fundamental for these initiatives.** A relentless focus on delivering the Northland Corridor (three roading projects spanning 100km between Warkworth to Te Hana, Te Hana to Port Marsden and Port Marsden to Whangārei), the Marsden Point Rail Link, and electricity through the Energy Bridge is required.
- **Reducing electricity cost and supplying more to Auckland** – an updated regulatory framework capable of driving regional optimisation is key to enabling the Energy Bridge, and ensuring New Zealand's regulatory and policy frameworks are fit for purpose in enabling electrification of the economy. The region has significant sustainable energy production to support Auckland's energy demand. Align the Regional Infrastructure Fund with the initiatives identified as part of this regional deal.

#### **Immediate priorities that support the Future Proofing Energy Initiatives:**



#### **Immediate priorities that support the Marine Manufacturing Cluster Initiatives:**

- **Shipyard and Floating Dry-Dock** – Lead the investment raising process for the Shipyard and Dry Dock.
- **Northport expansion** is critically linked to the future of transport infrastructure supporting the Upper North Island Supply Chain
- Purchase first boat for inshore fishing proposal and commit to development of a Vessel retirement scheme.

#### **Immediate priorities that support the Primary Sector Initiatives:**

- Expression of support to underpin capital raise for key projects.
- Planning and Capital into aquaculture
- Partnership on delivery for land use and pilots

#### **Immediate priorities that support the Visitor Economy Initiatives:**

- Expression of support to underpin capital raising for key projects.

#### **At the same time, the region is seeking to work with government to develop regional approaches including funding, immigration settings, local (social) procurement, workforce development and housing:**

- Commit to a solution to address carbon emissions leakage, ensure long term domestic manufacturing with the introduction of a Carbon Border Adjustment Mechanism ('CBAM'). A CBAM is an adjustment of the price of a product (via the NZ ETS) entering New Zealand to account for its embedded carbon emissions to ensure parity with the domestic cost of carbon. This supports companies such as Golden Bay Cement to continue investing in decarbonisation and efficiency improvements.
- Work collaboratively with the National Infrastructure Funding and Financing – partnering to fund and finance key infrastructure.
- A portion of Goods and Services Tax (GST) or local taxation to be retained within the region. This policy will ensure that the economic benefits generated through taxation directly contribute to local projects, infrastructure improvements, and community services, and allowing recirculation of their contributions. An example could be to target 5% of GST into infrastructure to support 4000 new houses.

## Workforce

- Empower Northland to upskill and train our own people, working closely with industry to ensure we have the right skills in the right places, allowing major projects in the region to meet targets for employing locally.
- Incentivise our employers and their employees to remain in Northland so that those skills and capabilities are retained for the benefit of local businesses and communities.
- Development of smarter immigration and investment settings. A targeted and responsive immigration framework can attract talent where it is required and encourage business investments that align with regional goals. By facilitating skilled migration and providing support for investors, central government can help local economies thrive and address skills shortages that may hinder growth.

## Collaboration

- Embed a recognized mechanism to ensure collaboration across agencies, with local and central government, to foster improved service delivery and realise efficiencies and effectiveness. We recommend that this function sits with the Regional Leadership Group.

## Enabling Housing

- Continue to streamline the Building Consent Process through system changes and risk and liability settings. Review anti-competitive behaviour in the building and construction supply sector.

- Develop regional and sub-regional standards for building standards that reflect a changing climate –Example national insulation standards applicable in sub-tropical Northland.
- Pensioner housing portfolios – Government and councils working together on long-term sustainable solutions to pensioner housing.
- Developing a collective view of housing needs generated by the significant infrastructure projects (i.e. the Hospital, Port expansion, four lanning etc), identifying potential large scale housing opportunities that could meet these (i.e. the Raumanga site)
- Social and affordable housing - agreeing a pipeline of social housing and affordable rentals across the region to give certainty to the sector, along with enduring funding settings that make these developments viable.

## Spatial Planning

- Legislate Government agencies which control nationally and regional infrastructure to actively participate in Regional and Sub-Regional Spatial Planning that is led by the Region. This includes Waka Kotahi, Ministry of Education, Te Whatu Ora, MHUD, KO, NZ Rail. This could be via a restart of an Urban Growth Partnership in Northland. Review opportunities for better alignment of the planning for RLTP - this activity should be better informed by regional spatial planning.
- Limit the ability to appeal District Plan changes that are enabling a Regional Deal Outcome agreed to between the Government and Northland.

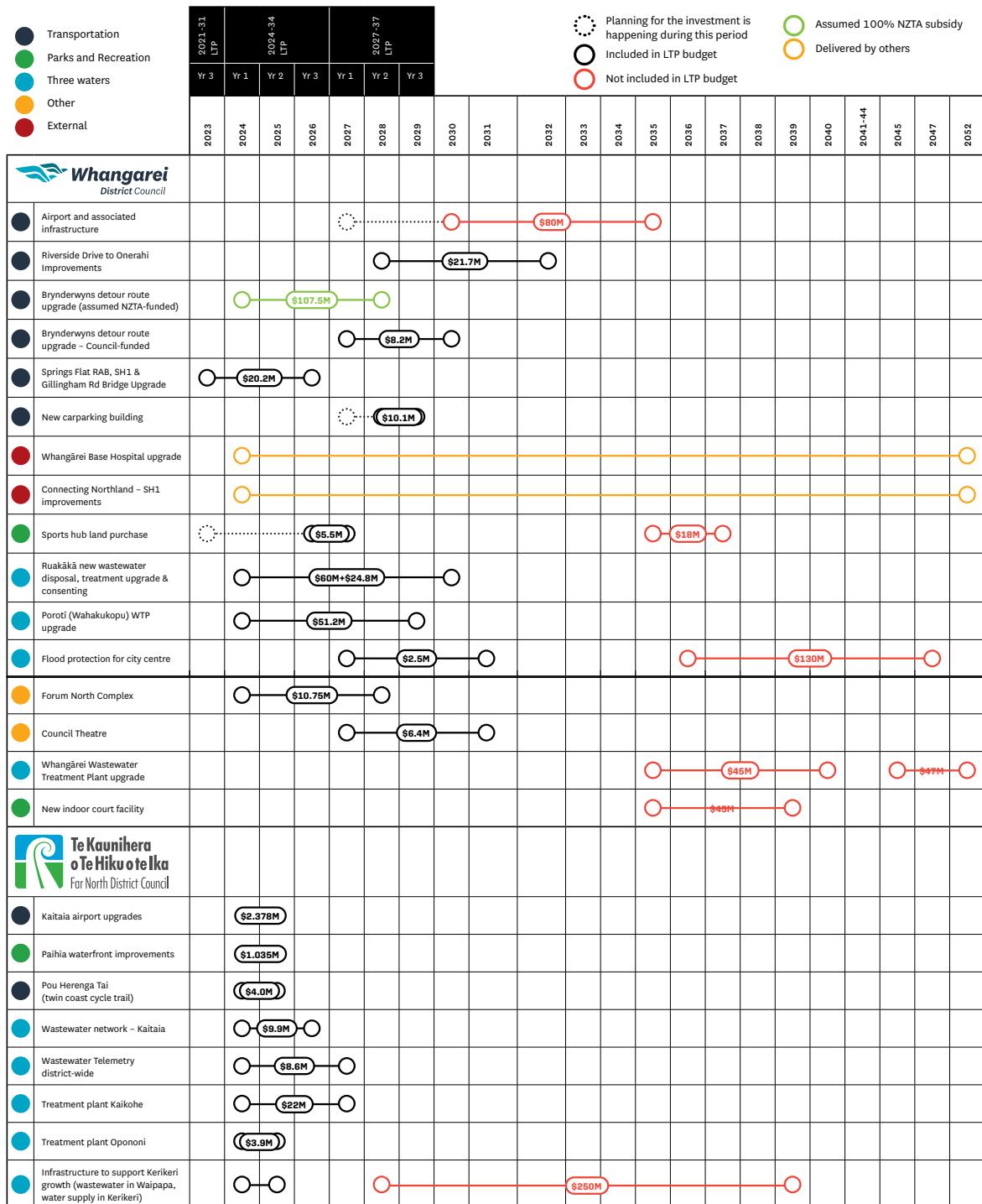
# 10 FURTHER SUPPORTING INFORMATION

## COUNCILS CURRENT PROJECTS

All four councils all have a forward programme of work as part of their responsibilities. For each council a number of these projects/programmes will have a direct impact on the four initiatives and the supporting infrastructure requirements identified as part of this regional deal. Further details on these relevant projects / programmes are provided below:

**Table 10.1: Relevant projects In District Council LTP's**

### Regional projects



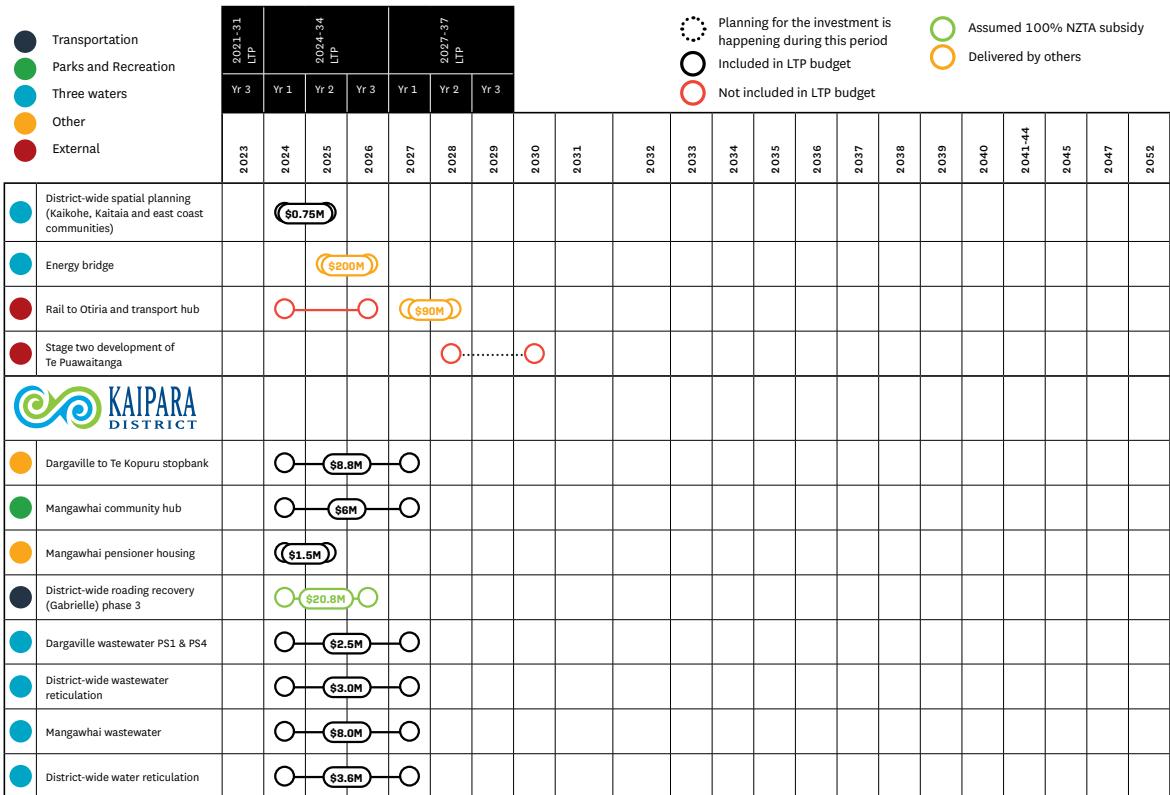


Table 10.2: Relevant projects currently in RIF process

Row #	Project name by Group	Proponent	Brief description	Project Phases						Likely year
				Discussion	Initial funding application	Full application	Evaluation	Decision Making	Contracting	
<b>Group 1</b>										
1	Dargaville to Te Kopuru Stopbank Upgrade	KDC	Reconstructing the existing 11km of stopbank between Dargaville and Te Kopuru to protect against a 1 in 100 year flood event							Year 1
2	Dargaville water security	KDC	Connection to the Kaipara Water Company distribution network (tied to TITWT Kaipara Water Scheme - expansion project)							Year 1
3	Gravity drainage gates (Hikurangi Swamp Scheme)	WDC	Construct box culverts through the stock banks to release water faster after a flood							Year 1
4	Otakairangi Bund (Hikurangi Swamp Scheme)	WDC	Construct an earthen bund on the southern end of the wetland to retain water							Year 3
5	Otonga pocket coersion (Hikurangi Swamp Scheme)	WDC	Use the Otonga pocket to store 40 million m³ of flood water							Year 3+
6	Raupo Floodgate Canal K	KDC	Installation of a new floodgate structure at the mouth of K canal, supporting the G canal floodgate project funded in the current tranche of the climate resilience programme							Year 3+
7	Whangarei Airport	WDC	Essential physical upgrades to the airport's infrastructure at Onerahi, focusing on hard assets that enhance resilience							Year 2
<b>Group 2</b>										
8	Kaihu Valley Trail	KDC	Completion of trail to Donnelly's Crossing							Year 1
9	Lower Whangatane Spillway Upgrade	NRC	Upgrade spillway to prevent overtopping							Year 1
10	New Regional Sports Facility	WDC	Establishment of new indoor sports facility in Whangarei to cater for increased demand							Year 3+
11	Ngā Manga Atawhai	NRC	Removal of trees that can fall on power lines during storm events							Year 1
12	Quarry Road Flood Risk Reduction Bridge Upgrade Phases 1 and 2	NRC	Bridge upgrade to address flooding							Year 1
13	Raupo district flood defence improvements	KDC	Increase height of existing stopbanks							Year 3+
14	Turner Centre	FNDC	Redevelopment of the Turner Centre to enable it better utilise the existing spaces and target a more financially sustainable mix of events							Year 2
15	Twin Coast Cycle Trail / Te Pou Herenga Tai	FNDC	Finalisation of Taumarere to Opua							Year 1
16	Whangarei Theatre	WDC	Replacement of unused council offices within Forum North with a Lyric theatre							Year 3+
<b>Group 3</b>										
17	Dargaville Airport	KDC	Rehabilitate existing air facility in Dargaville							Year 3+
18	Mangawhai Shared Path	KDC	Connectivity from Wood Street to Mangawhai Heads Surf Beach, and from Moir Street to Mangawhai Primary School, and Insley Road bridge rehabilitation and shared footpath							Year 3+



**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 Confidential Minutes Whangarei District Council 27 March 2025	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
1.2 KPP Chair's Report		
1.3 Property – Infrastructure Agreement		

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 stated in the open minutes	
1.2	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 is the subject of the information.  To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii)  Section 7(2)(i)
1.3	To enable Council to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

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

If the Council 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.*