

Council Briefing

Date: Thursday 07 March 2019

Time: 9.30 am

Venue: Dargaville Town Hall – 37 Hokianga Road, Dargaville

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District Plan Progress

Meeting: Council Briefing

Date of meeting: 07 March 2019

Reporting officer: Kathie Fletcher, Policy Manager

1 Purpose/Ngā hāinga

To inform Council of the progress on the District Plan review.

2 Context/Horopaki

This review is informed by the Council Workshop as well as the Policy and Resource Consent Planners' Workshop, which help to provide initial direction for future District Plan changes.

3 Discussion/Ngā kōrerorero

Elected members attended a workshop on 04 February 2019 and listed certain themes to be considered in developing the District Plan. Below are the key themes that came out of the workshop. The full list of comments is attached as **Attachment A**.

Values: "What the constituents are saying"

- Uniqueness of the District something between Auckland and Northland—remoteness yet still within proximity
- Attractiveness and tranquillity/ relaxed lifestyle of the District
- Natural and recreational attributes with water, nature and cultural amenities available

Services: "What services are needed and where"

- Upgraded civil and social services i.e. court, citizen advice bureau, health, schools including adult education, social services, community gardens, farmer markets, libraries
- Upgraded essential services i.e. clean water, fire, footpaths, rural recycling, road access to older communities, digital connections
- Growth potential i.e. Kiwi-build zones, tourist facilities, industrial and commercial areas

Environmental concerns:

- Water quality and availability
- Climate change i.e. sea-level rise, droughts, erosion

- Overcrowding in peak season and changing nature of coastal towns
- Environmental degradation i.e. farming practices, waste water disposal, plastic storage,
 Kauri dieback, soil run-off, pine forest monoculture

Community Identity: "What brings the community together"

- Festivals and community events, church, hobbies, pride, community groups, recreation
- Uniqueness i.e. similar culture, harbour activities, enterprise, sense of belonging, culture, diversity in culture
- Crisis, parochialism, volunteering

Economic potential: "Open for business"

- Industrial, service and commercial hubs, digital potential, civil services
- Agricultural potential, lifestyle, green economy (ecosystem services), afforestation
- Iwi economy
- Sustained Tourism
- Potential of railway links and ferry service to Auckland

Change: "Positive and Negative"

- Auckland drift, commute- links, faster digital capability
- Horticulture potential, diversification of production
- Environmental protection i.e. fencing of waterways, ecological corridors, protect erodible land, climate change, erosion
- New people coming in and integration of groups, aging population, housing typology, social diversity and different needs
- Loss of the old, preserve culture, newly arrived residents want different facilities i.e. high school, population growth changes community
- Opportunities to build relationships and partnerships with IKHMG, Kaipara Moana, partnerships with Iwi, which may lead to sea food industry

District Plan and LTP requirements

- District Plan to be online, searchable and simplified—avoid duplication with regional functions but share resources
- Zone more Industrial, commercial and residential land of various choices including papakainga, small houses on property (minor units) and develop linkages between developments through partnerships

- Clarify and provide for climate change
- Maintain cultural identity including landscapes, and view shafts (line of view) but allow for productive use
- Protect productive land and identify rural residential development without wasting land
- Partnership with Iwi
- Maps of potential growth areas were suggested which will be correlated with the community workshops and then finalised for submission to Council
- A similar internal workshop was held with the Policy and Resource Consent Teams with the result attached as Attachment B
- The intention is to use the same format as the Council workshop to go out to the community in at least four workshops to obtain the public's view on:
 - Values
 - Services
 - Environmental Concerns
 - Community Identity
 - Economic Potential
 - Change and
 - District Plan and LTP requirements

Identification of versatile soils

In terms of the Regional Policy Statement, high class soils need to be preserved for primary soil-based production purposes. The updated high-class soils maps are being used as part of the review to compare land usage with subdivision trends and the policies for the Rural zone.

Geotechnical survey and land stability assessment

ENGEO Geotechnical consultants currently undertaking a land stability assessment of potential growth areas of settlements and towns in the district. The final report will inform the DP review and give developers, consent planners and infrastructure providers a good insight into geological features and soil conditions that need to be considered as part of a risk assessment for future development.

Spatial planning and structure plans/ urban capacity studies

Expression of interest from consultants are being requested in order to develop structure plans as required by the National Policy Statement for Urban Capacity and sec 31(1)(aa) of the Resource Management Act 1991. These will be undertaken for three growth areas identified in the Operative District Plan. The Structure Plan for Mangawhai will be reviewed with the Community Plan in a separate study.

Identifying significant natural areas and biodiversity

Wildland Ecology consultants are presently undertaking a desk top study to carry out a literature review and identify and map these SNAs for Northland with the three territorial authorities collaborating in the project. This project will give effect to the requirements of the RPS but will also contribute to the requirement of the anticipated proposed NPS on Biodiversity being undertaken by the central government.

Staff have had their first meeting with Wildlands to discuss progress. Te Roroa and Te Uri O Hau Environs Ltd were invited to this meeting to be involved early in the studies and roll out of the project. A draft criteria has been proposed which outlines how significance is measured, staff will review this and provide feedback. Staff and Iwi are providing Wildlands with information we have on protected natural areas to enable more accurate mapping.

Once mapping is completed and discussed with Council, the project will move into Stage Two, which will involve community and landowner engagement and ground truthing the mapping. A communications and engagement strategy will need to be clearly defined. Stage Three will deal with the implementation of the SNA's as part of the Biodiversity chapter of the District Plan as a requirement in terms of section 31(1)(b)(iii) of the RMA.

Outstanding natural features

Dr Bruce Hayward has completed the draft report on Outstanding Natural Features prepared in terms of the requirements of the Regional Policy Statement and section 6(b) of the RMA.

Staff will arrange a presentation for the elected members at a workshop and public meetings will be arranged to present his work. The draft report was discussed with Te Roroa. A meeting is planned with Te Uri O Hau to also discuss its contents and how cultural interest can be included. Once the report is finalised, landowners will be contacted on how these proposals will affect their land and activities. This study forms part of the Outstanding Landscape assessment.

Coastal erosion and coastal inundation as a result of climate change

Climate change and the effects on development has been identified as an important element in the District Plan review and integral to obligations under s6(h) and in terms of s31(1)(b)(i) of the RMA. Although some mapping has been completed by NRC and consultants, no mapping has yet been undertaken along the west coast. Council is awaiting the mapping presently undertaken by contractors for the NRC. The good weather has been favourable for capturing data.

Engineering standards review

The 2011 Environmental Engineering Standards is being reviewed in collaboration with Roading, Resource Consent, Building and Infrastructure Teams. A collaborative project between the three Northland Councils resulted in a draft document which staff are considering in terms of KDC's needs. The draft document is more detailed and comprehensive that the

current Kaipara Engineering Standards. The challenge to be overcome is how to implement standards without having to have a plan change every time a change to the standards is required to keep it aligned to industry best practice. The Policy Team is exploring how other councils approach this issue to help inform KDC's preferred option.

3.1 Financial implications/Ngā ahumoni hīraunga

The present allocated budget will be utilised to complete the abovementioned projects. Actual costs for the structure planning project will be realised as part of the EOI process and quotes provided.

Costs related to the second phase of the SNA study (ground truthing, public consultation and plan development) will be undertaken in the next financial year. Costs related to the review and the assessment of climate change impacts for the district will be better assessed once LIDAR data is available.

3.2 Policy and planning implications/Kaupapa here me hoahoa hīraunga

These studies and proposed community consultation are processes are required to develop a District Plan with the input of Mana Whenua, Iwi, stakeholders, affected landowners and the public. The aim is to reduce the number of appeals once the Proposed Plan has been adopted.

3.3 Risks and mitigation/Ngā tūraru me ngā whakatika

The risk of not doing this work upfront is that the Proposed District Plan will not provide clear policy direction for future land use activities. Additionally, if the Proposed Plan is not based on sound science and with investment from all our communities, at notification submissions against proposed changes are likely, possibly leading to expensive appeals. Spending time and money upfront will reduce the risk of failure when the District Plan is notified.

4 Next steps/E whaiake nei

The next steps are to conduct the public meetings to obtain the public's inputs from a wide perspective in the same way as it was received from the elected members on the topics of

- Values
- Services
- Environmental Concerns
- Community Identity
- Economic Potential
- Change and
- District Plan and LTP requirements

Planned public meetings

- Monday 25 March 2019 Maungaturoto sub-region meeting
- Monday 08 April 2019 Kaiwaka sub-region meeting
- A meeting over a weekend in Mangawhai is being organised and the same with the Dargaville/West Coast.

Elected members will be informed when these dates have been finalised. The Policy Team is seeking support from elected members to help with these engagements.

Attachments/Ngā tapiritanga

| Number | Title |
|--------|---|
| Α | Summary document on the elected members' views established at the 04 February |
| | 2019 Council Workshop |
| В | Summary document on Policy and Resource Consents Teams' views at the |
| | 19 February 2019 workshop |

Kathie Fletcher 26 February 2019

Values

Values

"What constituents are saying"

Friendly - NOT Auckland

Space/ move about

Community

Relaxed lifestyle

Attractive outdoors/informal environment

Neighbourly relationships

Water/beaches/rivers/harbour nearby

Recreation nearby

Native bush

Self-sufficient

Community groups organizations

Mature urban centres

Services

History of various areas

Community groups volunteering

Lots to do

Proximity to Auckland and Whangarei

Queen's Chain

Beaches free of plastic

Cultural attachment

Rural character

Waterways being clean

Identity

Working close to home

Tranquillity

Environmental integrity

Pahi Fig Tree

Architectural style - Kauri villas - old churches

Quiet/we can breathe

Places of cultural identity

Easy boat access

Fishing in harbour

Plants - amenity trees

Few rules/reputation freedom

Easy to use land

Pedestrian walking

Wide open spaces

Wilderness

Shade

Proximity to services/still remote

Historic landmarks - Wahi tapu

Importance of resources

Family - free places to visit

Natural landscape diversity

Fishing - Kai moana

Services

"What services are needed and where"

Court Houses and registrar in Dargaville

Improve footpaths in Dargaville/Kaihu

Service centre - selling primary commodity services

Maternity Hospital in Dargaville

Kiwibuild zones

Unisex toilets - gender neutral baby changing stations

Fire brigade

Mental health counselling

Tourist information about walks

Community gardens everywhere

Cheaper petrol

Rural recycling and resources collection point

Tidy bins

Adult education hubs

Road/access to older towns

EV charging stations

Farmer markets

Dog off-leash areas

Public transport to neighbouring cities

Re-zoning of growth areas/industrial/commercial

Aging healthily classes

Dog exercise areas

Rehab units/services

Better online services/online shopping/good digital connectivity/Internet

Better library facilities

Better access to clean water/reticulated or not/public choice - long term security

Guaranteed good quality water

Better access to health services

More tourist facilities - dollars generating

Hospitality training - better cafes

Wastewater - quality of systems

Citizens Advice Bureau type services

Social services/mental health/benefits/income support/counselling

Schools - Mangawhai High School?

Many potential assets - but cash poor

Services for residential/industrial/commercial/rezoning in regrowth areas

Environmental Concerns

Water quality/harbour/silting/rivers/weeds

Wastewater disposal/Browns road as smell issue

Plastic/storing but no market

Overcrowding in peak season

Kauri die-back

Hakaru landfill leachate issue

Public transport links-trains/buses

Industry pollution

Changing nature of coastal towns

Soil run off

Parking - Mangawhai/Maungaturoto

Climate Change - Sea level rise (Ruawai, loss of best land) - water retention - horticulture - crops

dying/failure - droughts

Poor rubbish recycling - too far to travel - cost

Poor farming practices - cattle in rivers - no fencing

Recycling education

Waterways dirty

Water shortage - droughts

Erosion + nutrient loss for farming

Flooding

Available resources not harvested/recovery

Paru water

Pine forestry/monoculture/erosion - fouls waterways

Community Identity

"What brings your community together"

Crisis - being helpful - assist each other - shared knowledge - volunteering Festivals/events/field days

Hobbies

Church

Community groups/sense of belonging - unity in shared culture and interests

Similar lifestyle or space and minimal development - shared culture

Enterprise - creates similar interests - belonging

Harbour - activities around coast

Alcohol and drugs

Shared community concerns about controversial matters

Mangawhai Facebook page - social media

Comms events

Wehewehe?

Culture - history/ tension between old and new

Hunting gathering

Parochialism

Recreational facilities and activities/sport

Pride in produce

Different international cultures and groups

Shared spaces

Ruawai - self sufficient

Iwi - history and diversity - Maori/Dalmation/Pakeha unified

Economic Potential

 $\label{lem:continuous} \textit{Facilitate business opportunities - growth areas - allow facilities in service areas - hierarchy of towns$

Economic Iwi participation/economic potential

Digital potential - cable nearby

Use RMA to rezone land for easy economic activities

Rural residential zone/define to help reduce tension in productive areas

Cluster commercial and industrial land

Tourism/cycle trails

Waste management/recycling based industry

Bee parks/flight paths of bees

Green building promotion/composting toilets/wind/solar/power

District open for business/need to grow the district/locate anywhere so long as impact is mitigated

COF Vehicle testing station Dargaville

Boutique brewery

Hemp - medicinal marijuana

Local funeral home option

Council vision and policy for sustainable job creation

Ecosystem services - Totara plantation/food production - sustainability

Hot mix plants

Product development

Returning of key civil services to Kaipara

No intensive farming

Railway links and ferries - fast ferry to Auckland

Manuka Honey

Afforestation

Sustainable tourism

Education and learning centres

Industrial hub

Food production

Adventure park at Kai iwi Lakes

Cadetships

More corporate supermarkets and fast-food chains to Dargaville

SH1 expressway

Youth Council

Changes

Positive or Negative

Auckland drift - lifestyle, economic - second dwellings

Horticulture - move from pastoral - must have transport links/networks

True lifestyle blocks - not too big

Ecological corridors

Waterways being fenced off

Highly erodible land not being planted

Better access to water - horticultural purposes

Diversification - production types

Auckland commute - need transport links

Seafood beds being protected from silt - spawning areas not reduced

New people welcome - integration of groups

Provision for aging population

Erosion control

Mangawhai needs more schools

Stomp out gangs - safer towns

Community driven - buy local products

Rebuild social housing - affordable housing

House prices becoming unaffordable

Use correction partnerships - eg Taskforce Green

Share knowledge

More industrial land

Retain skilled residence

Heritage protection - incentives for restoration - Kauri villas

Plan for needs of young families

Partner with Iwi

Whanau and adult education opportunities

Climate change - prepare areas above sea levels for retreat

IKHMG environmental group

Brain drain

Kaipara Moana - govt regulation essential

Address social needs- non-judgemental - rehab

Growing self-awareness of Kaipara identity

Aging workforce - succession planning

Faster SH12 with bridges

Improve roading

Kaipara growing at 3.1%

Faster internet

Cycle and walking paths

Provide for aging society and new arrivals

Project old villas

Build quality houses

Absentee farm owners

District Plan LTP requirements

District Plan online search - simplify and user friendly
Commercial/industrial zone shortage
Communal housing - Papakainga housing/farm parks
Clarify climate change issues
Links between developments - cooperation and partnerships
Partnership with Iwi
More residential zoned land - various densities - section sizes - small/large sections (due to character) - rural residential
Avoid duplication - NRC/KDC - acknowledge RPS - consistency with other plans

Maintain cultural identity - landscapes and whenua
Provide workshops and explanation of process
NRC and KDC working together - shared resourcing
Protect view shafts and outstanding natural features/landscapes
Avoid little lifestyle blocks - losing productive land
Retain land for integrated development
Facilitate development in hazard prone areas
Provide for alternative energy
Address the matter of little house on property
Allow productive farming in landscapes
Ensure privacy
Ensure plan is simple and easy to implement
Recognize the land use change is inevitable
Identify the Maungaturoto railway as an industrial hub for the possible manufacture of furniture



General District Wide Matters

Coast area zone

Farming activity (noise, vibrations)

Recreation, temporary activities? – definitions

Home occupation – rules?

Helicopter noise – landing pads

- Temporary activities
- Noise and vibration
- Lighting
- Earthworks
- Signs
- Activities on surface of water
- Minerals, mineral extraction and quarries

Precincts/Development Areas

Promote land-based aquaculture

Sustainability – feed the people

Higher density in town centres

Urban in-fill

Heritage

Culture

Must go hand in hand with infrastructure

Consider opportunities for further re-development – ie further subdivision

DP connect with LTP

Regional planning for parks – work with NRC

Promote development in climate change – future-proof areas

Use climate change mitigation – ie stopbanks

Mixed zones

Allow for rural villages – but not too many

ONL and ONF – check status

Redefine coastal environment – NZCPS and RPS

Provide wharf precincts

Living labs

Technology precincts/higher education

Big picture/Auckland and Northport

Design criteria for mobility in settlements

- Mangawhai growth area
- Dargaville community plan
- Design guidelines
- Designations

Environmental Risk:

Drought/sustainable water supply

Fire risk

Overland flow paths and water storage

Mineral exploration

Define CMA and MHWS

Set back from CMA and waterways

Sedimentation Kaipara and Mangawhai harbours

Mana whenua – settlement next to Kaipara harbour

Biodiversity has Kaipara District and Oneriri peninsular hotspot

Estuary protection – width of esplanade reserve

Map SNAs – species range – corridors

Identify escape routes for flood access

Prescribe lower forestry impacts

Limit wilding species next to SNAs

Erosion/inundation/washout - water quality-NRC erosion mapping

- Coastal hazard/climate change
- Flooding
- Hazardous substances
- Contaminated sites
- Geotech/acid soils/slips/stability
- GMOs
- Fire (PC4)
- Droughts

Coastal Issues:

Crossover NRC and KDC coastal area DOC

Coastal environment – Mangawhai Harbour?

Land use requirements in coastal overlay

Buffer zones – parking on beaches

Wharfs/ferries

Alternative energy – wind farms and tidal generation

Climate change/existing communities

Coastal environment vs current overlays

Land-based industries

Esplanade strips and reserves

Buffer zones and Maori land

Urban:

Commercial residential mix?

Turning circles appropriate size

Separation distance – appropriate distance/manage reverse sensitivity

Dwelling floor levels in flood areas – what about services

Consider road linkages 'indicative' and joint owned access lots (JOAL)

Promote development that is climate change proof

More green spaces

Move to public transport

Create connections between and within communities

Develop town centre

Urban design guidelines

Green infrastructure

Promote developer and builder sites

Informed by demographics and market analysis

Development with infrastructure

Reward applications that promote sustainability

Allow for permeable driveways

Walking and cycling strategy connecting activities

Opportunities for new building typologies

Cultural identity

Identify higher density where appropriate

Be open for new ideas for urbanism

Consider amenity and character

Promote infill development where appropriate

Design guidelines for small lots/higher density sites

Smaller lots where appropriate

Smaller block sizes/built form

Second dwellings/minor dwellings/sleepouts

More housing options typologies

Infrastructure and Energy:

Climate change implications

Digital opportunities

Social infrastructure

Early identification for provision of services

DP need to connect with asset management plans

Driverless vehicles – impact on roading and parking

Sites for alternative energy – wind/solar

Identify indicative roads which will create networks/no cu-de-sac, not private road, no JOAL

Promote renewable energy/off-grid

Limit infrastructure in flood susceptible areas

Promote development and future-proof areas

Future technology is unknown

- Transport/road information provided upfront for all resource consent applications
- 3 waters
- Network utilities
- Telecommunication
- EES
- Alternative/renewable energy

Open Spaces:

Demonstrate connection between ROSS and RMP and DP requirements

Value of reserves in rural areas for ecology and flood control

Climate change what open space will remain

MAZ regional park? – Indigenous biodiversity

Ecosystem services

Public open space green/brown/grey

Volunteering needs clear boundaries

Restrict parking at beach and provide bus

DCs to be collected at appropriate rate

Clear blue/green strategy for district

Some infrastructure is beneficial for open space

Council to lead the open space strategy

Variety of green space categories

Reserves not to be limited by the Reserves Act classification

Delegate decisions to reserves management committees

- Open space (ROSS/neighbourhood)
- Sports and activity locations (ROSS sports)
- Conservation zone
- Reserves
- Esplanade priority areas/strips
- Passive recreation

Rural:

Land use capacity LUC

Remove rules on contaminated soils (NES)

Remove telecom rules (NES)

Clarity on ONL + ONF (discretionary 12.14.3)

10 and 5 lot subdivision not strict enough

Impervious surfaces, soil protection

Multiple rural zones/production/do not show horticulture and lifestyle blocks

Lifestyle blocks mix within production – criteria

Rural commercial activities – identify areas or criteria

Map SNAs to inform benefit lots

Benefit lot/transferable rights/offsetting

Multiple dwellings maybe for workers no subdivision

Airbnb/motel – retain rural character

EGRO forestry

Tree cropping (fruit)

Carbon trading on all rural production

Factory farming - criteria - soil based, and non-soil based

- Rural area
- Rural production
- Rural residential/lifestyle
- Rural/urban expansion (transitional areas)
- Other ie horticulture

Industrial and Commercial:

Accessibility for communities

Interface between residential and rural

Reverse sensitivity

Variety and specialised commercial areas

Transition between residential and rural

Mixed use

Commercial design for pedestrians/big separate car park

Improving streetscape

Identify more commercial land

Commercial in residential area? Mixed areas

Urban design

Provide for activity nodes

Appropriate areas in specific zones

Encourage uptake of industrial zone land

Promote sustainable clean energy

Employment opportunities

Critical for growth

Control of pollutants from impermeable surfaces

Buffering from sensitive uses

Future proof areas against climate change

Ecological assessment required in SNAs

Links to road rail, wharfs

Competition between flat land, productive land, flood prone areas

District Plan requirements:

Comprehensive definitions

Intensification of existing urban areas

Esplanade priority areas

Identify SNA/PNA/NPSIB

Environmental benefit

Transport and roading infrastructure/roading hierarchy

Noise and ambient noise - include NPS metric

Align DP with MfE NPS

Home occupation

Reserves must be taken

Strengthen chapter 6 ecological areas

Offsetting and transferable rights to be debated

Small farm lots/mushrooms

Varying housing choices

Financial contributions/cash-in-leu

Rule changes reengineering standards

DC policy for infrastructure

Growth strategy and settlement hierarchy

Visitor accommodation

Relate DP to LTP

Rates relief for covenants

Climate change fund

NESPF - roading issue

Freedom camping update

Meeting: Council Briefing

Date of meeting: 07 March 2019

Reporting officer: Paula Hansen, Policy Planner

1 Purpose/Ngā hāinga

To provide an update on freedom camping research and policy development.

2 Context/Horopaki

Council Officers have been collecting data to inform council on the best policy mechanism to put in place to manage freedom camping. This could potentially be a bylaw, a policy, a strategy, or a combination of each of these. Council is often asked by freedom campers where they can go. Additionally local community members are requesting council to implement some controls on freedom camping.

3 Discussion/Ngā kōrerorero

3.1 What information do we have

Council has been receiving information from Camper Mate - Geozone, an app provider which provides data on where freedom campers stayed overnight, where they enter and exit the district, the time of day they enter or exit the district, and where they are searching for public toilets.

The People's Panel (the 'Panel') also provided council freedom camping information on where freedom campers have been seen and where they are stopping throughout the district. Comments were also provided by the Panel on issues associated with freedom camping. 61% of respondents were either happy, somewhat happy or neutral about how they felt about freedom camping as an activity. There were expressions of concern regarding lack of facilities, campers not paying for services provided for by council, litter, need for rules and signage.

3.2 Other information needed

In order to gain a freedom camper's view **c**ouncil would be best to obtain information, such as popularity of freedom camping sites, where campers viewing campsites are and the time

of day campers search for sites and the arrival time at a camp site. This additional information may be useful to help monitor any policy mechanism that is put in place.

3.3 What will Council Officers be considering

When forming an opinion regarding what policy mechanism should be put in place council officers will be considering the following:

- Legal There is legislation that states what council can and cannot do;
- Extent of existing issues within communities and what those issues are (includes issue identification);
- What mechanisms are already in place that council could use to manage freedom camping and/or the issues identified;
- How could council use freedom camping locations to encourage more visitors to visit different parts of the district and spend money to support local economy;
- Other Kaipara District Policy implications;
- The solutions that people have suggested;
- Identification of any gaps in infrastructure or service delivery;
- Cost recovery options / funding options, which will depend on solution presented; and
- Communication / educational opportunities, how do we let people know council's stance on freedom camping.

4 Next steps/E whaiake nei

To collate research data and report back to council on a proposed policy mechanism for freedom camping within the Kaipara district.

Paula Hansen 21 February 2019

Consolidated General Bylaw update

Meeting: Council Briefing

Date of meeting: 07 March 2019

Reporting officer: Paula Hansen, Policy Planner

1 Purpose/Ngā hāinga

To inform council on the progress of the review of the Consolidated General Bylaw.

2 Context/Horopaki

Council officers are progressing the review of the Consolidated General Bylaw and have followed up on council's feedback obtained at the 28 February 2018 council meeting.

An initial legal review resulted in the need to significantly change the Cemetery and Crematoria Part of the Bylaw in order to provide the necessary detail and certainty for users, which will also make enforcement easier if required.

Most of the Parts of the Consolidated General Bylaw were presented to the Regulatory and Policy Working Group for initial feedback. This feedback requires additional work to be completed before finalising a draft to present to the full council.

Additional work includes:

- Addressing beehive controls across the district in both the urban and rural areas including attention given to matters arising on both private and public lands;
- Consideration of intent and purpose of some clauses e.g. drone use in reserves and on beaches; and
- To ensure that the Bylaw is written in plain English, so it is able to be readily understood.

3 Discussion/Ngā kōrerorero

Council will be given the opportunity to discuss the draft Consolidated General Bylaw at possibly the May 2019 Council Briefing.

4 Next steps/E whaiake nei

Completion of review and another presentation at a Council Briefing prior to being adopted at a Council meeting.

Paula Hansen

21 February 2019



Sale of Council-owned land

Meeting: Council Briefing

Date of meeting: 07 March 2019

Reporting officer: John Burt, Property and Commercial Advisor

1 Purpose/Ngā hāinga

To provide Elected Members with information on land that Council has resolved to sell and properties that are being considered for potential sale.

2 Context/Horopaki

At its briefing in November 2018 Council requested that Officers provide Council:

- a list of properties that Council has resolved to sell and for those that have not sold, the reason why; and
- a list of properties that are earmarked for possible future sale.

Council is the owner or administrator of a large number (over 300) of pieces of land of various sizes and values. Not all of these holdings are currently utilised by Council for the delivery of services or its core functions.

Council also has numerous sections of unformed legal (paper) roads that are not utilised as part of its roading network.

There is substantial value in these holdings, for example the Annual Report dated 30 June 2018 records the following values:

Non Activity Land and Buildings \$11.5 M
Reserves \$18.9 M
Roads and Footpaths \$477.3 M

In recent years Council has made a number of decisions to divest certain of these holdings. Many of these holdings have since been sold or the original decision to sell rescinded. Here are resolutions relating to land that Council has resolved to sell but still currently owns:

At its 24 March 2010 meeting Council resolved:

"That Council agrees to offer for sale the properties identified as surplus Council-owned land, subject to legal clearance."

- At its 27 October 2015 meeting, in relation to the 417m² of land at 65 Normanby Street, Dargaville, Council resolved:
 - "3. In accordance with its Property Disposal and Acquisition Policy, the land described is surplus to Council requirements and can be sold; and"
- At its 26 September 2017 meeting, in relation to the Catchment and Glinks Gully Forests, Council resolved:
 - "5. Accepts the offer for the land, forests and cutting rights made by Holyoake Industries Limited or any other unconditional offer for a greater amount; and"

When Council last consulted with the community about potential property sales as part of the Annual Plan 2014/2015 process, other than property adjacent to harbours or the coast the community was generally comfortable about surplus land being sold.

A list of land that is currently being held for sale is included as **Attachment A**.

3 Discussion/Ngā kōrerorero

Most of the properties currently held for sale are as a result of Council's March 2010 resolution. Of these, most are rurally located and have limited value or market appeal. It does not appear as though an investigation into their history or marketability was conducted prior to Council making a decision to sell them. Consequently, all attempts to sell these properties, to adjoining neighbours or any other interested party, have been unsuccessful. For a number of them it appears there are legal impediments that preclude their sale until resolved.

Of the remaining properties, which have greater value and/or marketability, here is a summary for each:

- 89 Logan Street, Dargaville Has been offered to multiple parties but appears to have limited appeal due to it being located near the Dargaville stock saleyards;
- II. Marine Drive, Glinks Gully Has been listed with agents but limited interest in this property to date due to having only beach access and being steep;
- III. 65 Normanby Street, Dargaville Details provided to agents but limited interest in this property to date;
- IV. Catchment Forestry Sale to Holyoake Industries was unable to be finalised due to issues with lease of adjoining Maori freehold land, which provides physical access to the catchment land. Staff working on resolving this with the land's Trustees; and
- V. Redhill Forestry Any sale was to be in conjunction with sale of catchment.

Council's policies which are detailed below require that Officers regularly review the properties held by council to ensure that the continued ownership of each is still appropriate.

In terms of current property investigation work streams, the following is currently being worked through to see if any of these should be reported to Council as potentially surplus properties.

- Lot 33 Heights, Greenview (adjoins Mangawhai Golf Course)
- Lot 6 DP54024 NA 1864/16 (LP Reserve adjoins 3 Furlongs Hotel, Kaiwaka)
- 97 Wintle Street, Mangawhai Heads (ULR and LP Reserve)
- Murray Road, Tangowahine (12.5 Ha of ULR)

3.1 Financial implications/Ngā ahumoni hīraunga

In its Long Term Plan 2018/2028 Council has revenue budgeted for revenue of \$150K per annum from the sales of surplus or underperforming property. There are costs associated with sale of land, such as legal, advertising costs and commission (if any) but these are generally funded from the proceeds of the land being sold.

3.2 Policy and planning implications/Kaupapa here me hoahoa hīraunga

Council's Treasury Policy states that "Council's overall objective is to only own property that is necessary to achieve its strategic objectives. As a general rule, Council will not maintain a property investment where it is not essential to the delivery of relevant services, and property is only retained where it relates to a primary output of Council".

The Property Sales and Acquisition Policy requires that the council property portfolio should be regularly reviewed to ensure that:

• The purpose for which the property is held remains valid and the property continues to be fit for purpose.

A copy of this Policy is included with this report as **Attachment B**.

Section 77 (1) of the Local Government Act 2002 requires that:

"A local authority must, in the course of the decision-making process,—

- (a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
- (b) assess the options in terms of their advantages and disadvantages; and
- (c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga."

3.3 Risks and mitigation/Ngā tūraru me ngā whakatika

The sale of Council land is governed by a number of key statutes such as the Local Government Act 2002, Reserves Act 1977 and the Public Works Act 1981. If the procedures detailed in these is not strictly adhered to there is the potential for Council's decisions in relation to the sale of any land being challenged and/or reversed. Council mitigates this risk, ensuring that the history of the land in question is thoroughly investigated.

Another type of risk is reputational and or relationship. The recent appointment of a Maori Liaison Manager, and this role's involvement in any new investigation of land for possible sale, provides Council with a mitigation for this risk.

4 Next steps/E whaiake nei

Officers will continue to review Council's non-activity land holdings in order to identify potentially surplus or underperforming properties that can be reported to Council.

5 Attachments/Ngā tapiritanga

| Number | Title |
|--------|--|
| А | List of land currently held for sale |
| В | KDC Property Sale and Acquisition Policy |

John Burt 22 February 2019

| KAIPARA DISTRICT COUNCIL | | | | |
|--|---|--------------------------|------------------------|-----------------------|
| Properties Held for Resale | | | | |
| | | | As @ Date | Value |
| Properties at: | | | | |
| Arapohue Rd | SEVERANCE ON SO 46163 BLK XIII MAUNGARU SD | 0105004901 | 9/01/2017 | 5,500.00 |
| Avoca Rd Beach Rd, Dargaville | WAIMATA 2H5 BLK VIII KAIHU SD LOTS 32-36 DP 15748 | 0101008700 0096014002 | 9/01/2017 9/01/2017 | 22,000.00 3,000.00 |
| Central Rd, Taipuha | CLSD RD ON SO 46696 BLK III MATAKOHE SD | 0110011001 | 9/01/2017 | 5,500.00 |
| 89 Logan St, Dargaville | LOT 35 DP 8918 | 0096019200 | 9/01/2017 | 44,000.00 |
| Marine Drv Nth, Glinks Gully Pouto Rd, Pouto Peninsula | LOT 73 DP 133596 BLK V KOPURU SD ALL DP 10712 BLK I TOKATOKA SD | 0109000576 0107023800 | 9/01/2017 | 245,000.00 |
| Roberts West Rd, Pukehuia | PT DP 9221 BLK XI MAUNGARU SD-TNA | 0107023800 | 9/01/2017 9/01/2017 | 14,000.00 2,500.00 |
| 65 Normanby Street, Dargaville | LOT 3 DP 47415 | 0095075702 | 9/01/2017 | 106,000.00 |
| Catchment Forestry - Waipara Rd | ALL DP 15441 LOTS 1 2 DP 16458 LOTS 1 2 DP 21119 BLK XIV TUTAMOE SD-TNA | 100016900 | 9/01/2017 | 242,000.00 |
| Redhills - Glinks Gully Forests | ALLOT 169 KOPURU PSH BLK V KOPURU SD-TNA | 107011600 | 9/01/2017 | 170,000.00 |
| | | | | |
| Balance | | | | \$ 859,500.00 |
| L | | | | |



| | Title of Policy | Property Sale and Acquisitions Policy 2015 | | |
|--|-----------------|--|-----------------------|---------------|
| | Sponsor | Chief Executive | Authorised/Adopted by | Council |
| | Written By | General Manager Operations | Date Adopted | 28 April 2015 |
| | Type of Policy | | Review Date | |
| | File Reference | 5101.0 | | |

1 Purpose

The purpose of this Policy is to ensure Council's property matters are managed/undertaken in an efficient and effective manner, balancing public accountability with commercial needs.

2 Principles

In considering any property sales or acquisitions, the Council, or its delegate, must have regard to the following principles:

- Statutory purpose: Council will own land (and buildings) where they are directly related, or necessarily incidental, to its core purpose or functions.
- Ownership versus other options: The decision whether to own property must be considered against other options (e.g. leasing, acquiring an easement etcetera) in order to ensure it is an efficient and effective use of resources having regard to existing and anticipated future circumstances.
- Transparency: Council property acquisition or disposal transactions should generally be conducted in an open and transparent manner, within reasonable commercial confidentiality constraints and using consistent (public) criteria, to maintain public confidence in the expenditure of funds.
- 4 Non-competitive: Council will not generally own or use property in a manner that unreasonably competes with private commercial interests.
- Cost recovery: Property services (e.g. housing) will be provided by Council in a manner that ensures cost recovery (where achievable) so as to avoid unreasonable cross-subsidisation by other ratepayers.
- 6 Prudent financial management: Council property will be managed in a financially prudent manner.
- Proper information: Council will maintain a complete and up-to-date register of assets, including asset management and maintenance plans that enables it to make informed decisions regarding the sale and acquisition of its property.
- 8 Regular reviews: The Council property portfolio should be regularly reviewed to ensure that:
 - The purpose for which the property is held remains valid and the property continues to be fit for purpose.
 - Where property is no longer being used for its intended purpose, or cannot meet that purpose, it will be re-assessed for either disposal or used for another valid purpose.



- 9 Maximise value: The Council will seek to maximise the net value of all of its property sales for the financial benefit of its ratepayers.
- Measure performance: The Council will establish and maintain measures of performance to ensure it is satisfied with the levels of use and service performance levels of its properties in order to ensure strategic purchase or timely disposal.

3 Responsibilities

The following responsibilities and obligations apply:

- 1. Only the Council can make the decision and pass a resolution that a property is surplus and is to be sold or a property is required and is to be purchased.
- The Council shall stipulate in their resolution to sell a property at an acceptable price range or state whether the Chief Executive is authorised to sell at a price that the Chief Executive determines to be appropriate.
- 3. The Chief Executive (with or without support from subject matter experts), will be responsible to the Council for the terms and conditions of the sale or purchase, subject to any specific terms or conditions set down as part of the Council resolution.
- 4. The Chief Executive has the power to make any amendment, change or action which is incidental to the Council resolution for the sale or purchase of land.
- The Council has delegated to the Chief Executive certain duties and responsibilities in respect
 of property matters. Refer to the delegation register for details of these duties and
 responsibilities.
- 6. The Audit and Risk Committee will review all property sales, purchases and transfer transactions, on at least an annual basis.

4 Policies

4.1 Property disposal

The following Policy Statements apply:

- Any recommendation to declare property as surplus (or underperforming) must consider
 Council's published strategic objectives, policies and/or plans as at the time of assessment.
- 2. Property should be reported to Council for disposal if:
 - a. The property is a financial liability (e.g. the maintenance costs are sufficiently high that they outweigh the benefits of holding the property).
 - b. Where part of a site is attractive to an interested party (e.g. adjoining landowner has signalled their interest in purchasing the land) and the part concerned is not required for Council/community use.



- 3. Property disposals will be generally identified within the long Term Plan. However, should a strong need to dispose of property arise outside this process, such disposals may be escalated to Council for a decision.
- 4. Council property will have all the appropriate Council approvals, licences and Certificates of Compliance.
- 5. The process of selling Council freehold land that has been declared surplus must be publically notified. Public notification should be guided by the obligations set out under Section 46 of the Local Government Official Information and Meetings Act (LGOIMA).

4.2 Property acquisition

The following Policy Statements apply:

- 1. Council's property acquisitions will follow a timely and efficient process for both internal and transactional matters, to ensure community confidence, transparency, accountability, and appropriate price/contractual terms are delivered.
- Council property purchases will be generally identified within the Long Term Plan. However, should an opportunity to acquire property arise outside this process such acquisitions will be considered subject to Council approval, as long as:
 - a. It can be shown that such a purchase is required to meet infrastructure or community needs as identified in approved Council plans; or
 - b. The likely commercial return is greater than the current cost of borrowing; or
 - c. The purchase is strategically important to Council and/or the community.
- 3. Where properties are leased by Council from external parties, the tenure should reflect the specific business needs of the activity including lease term, security of tenure, appropriateness and soundness of any improvements and market conditions while being consistent with any other relevant Council policies.



Lincoln Downs Property - 295 Browns Road, Hakaru

Meeting: Council Briefing

Reporting officer: Curt Martin, General Manager Infrastructure

07 March 2019

1 Purpose/Ngā hāinga

Date of meeting:

To provide Council with information on possible future utilisation and/or divestment of the Lincoln Downs property on Browns Road, Hakaru.

2 Context/Horopaki

In 2007, Council purchased the Lincoln Downs property for just over \$5 million. The property of 247ha was being utilised as a dairy farm, but this use ended when Council purchased the property. The property was purchased for the storage and disposal of treated wastewater for the Mangawhai Community Wastewater Scheme (MCWWS) that was being developed. Between its purchase and the commissioning of the MCWWS in late 2009, a large storage dam and the initial stage of an irrigation system was constructed on the property. The irrigation system has since been expanded a number of times and the final stage of the expansion of the irrigation system is being completed so it covers a total of 65ha (this is the area covered by the existing NRC discharge consent). Although this expanded area will provide sufficient capacity for the medium term, there will be a need to provide additional disposal capacity in the future to accommodate growth.

The upper portion of the property is steep hill country mainly covered in scrub and regenerating native vegetation (the bush block). This area presents steep contours and presence of dense native vegetation. Whilst it is technically possible to irrigate effluent to steep areas, due to the significantly higher cost per hectare to irrigate, and a notably lower irrigation rate, the bush block area is considered to be not suitable for land disposal irrigation. There are a number of other possible uses in respect of the bush block that Council could consider. These are:

2.1 Divest

Council could subdivide the bush block from the area of the farm utilised for the disposal of effluent and offer it for sale on the open market. The majority of the bush block is designated as Outstanding Natural Landscape in Council's District Plan (refer **Attachment A**). The Outstanding Natural Landscape boundary would be a logical boundary for a subdivision of

the bush block. Proceeds from the sale of land would then go against the general rate portion of the MCWWS debt (as per Council's Application of Sale Proceeds to Debt Policy).

2.2 Iwi interest

Council has been approached by the Office of Treaty Settlements (OTS) who wanted to ascertain if the Council would be interested in making the Brown Road property available for purchase. Subsequently after providing OTS with information on this and other properties, along with Council's policies related to disposal of land we have been advised by letter that Te Rūnanga o Ngāti Whātua's are interested in four Kaipara District Council (KDC) properties that the Office of Treaty Settlements and the KDC have previously discussed. This includes the Brown Road property. OTS were advised that KDC would need to retain an interest in at least some of the Brown Road property for the long term due to it being utilised for disposal of treated wastewater. OTS have now suggested that Council engage directly with Te Rūnanga o Ngāti Whātua's but this has not yet happened as some direction from Council is necessary.

2.3 Public open space

The Mangawhai Tracks Charitable Trust has developed a proposal to utilise the upper portion of the property for the development of mountain bike trails (refer to **Attachment B**). To this end they have submitted to the Long Term Plan 2018/2028, and presented a proposal by way of a deputation. The proposal highlights the benefits to the community.

Should the bush block be retained as public open space, it would need to be purchased as an open space and the proceeds from the sale of land would then go against the general rate portion of the MCWWS debt (as per Council's Application of Sale Proceeds to Debt Policy). Reserves Contributions would be an appropriate source of funding.

Safe public access to the bush block would also be required. Access via the internal roading network through the farm (i.e. the portion used for storage and irrigation) is not recommended due to health and safety reasons. Options include negotiating an access easement across neighbouring private properties to the east off Brown Road (if access easements are able to be negotiated), or alternatively providing access off Wonderview Lane and along the western boundary of the farm. Costs to provide public access can be determined once the final option has been identified. Again, Reserves Contributions would be an appropriate source of funding for the provision of the public access to the bush block.

3 Next steps/E whaiake nei

To determine the market value of the bush block, and to liaise with neighbouring landowners regarding access easements, and then determine the estimated cost of providing public access to the bush block.

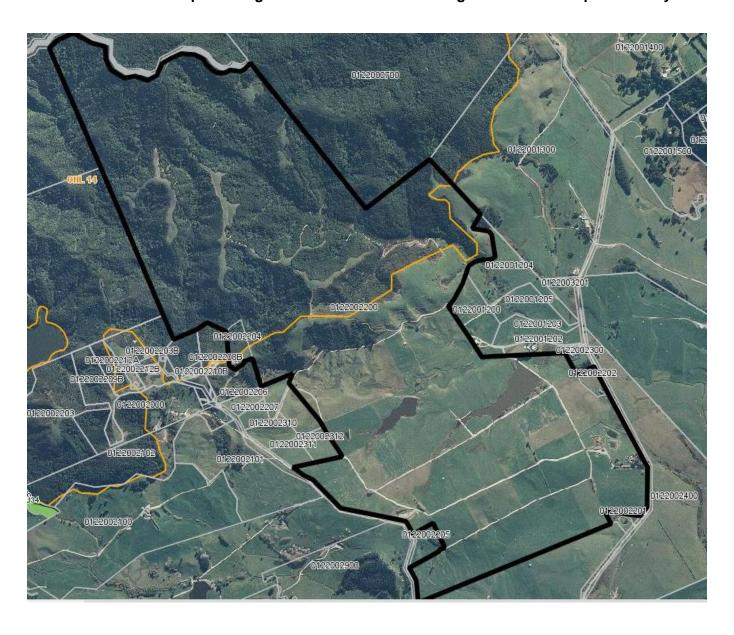
4 Attachments/Ngā tapiritanga

| Number | Title |
|--------|--|
| Α | Map showing bush block and Outstanding Natural Landscape boundary |
| В | Mangawhai Tracks Charitable Trust's proposal for recreational development of |
| | Lincoln Downs farm bush block |

Curt Martin 28 February 2019



Attachment A - Map showing bush block and Outstanding Natural Landscape boundary







A proposal to the Kaipara District Council for the recreational development of Lincoln Downs farm bush block – Revised October 2017.

Background

Early in 2013 Council gave its approval for the Mangawhai Tracks Charitable Trust to carry out an evaluation of the bush section of Council's Lincoln Downs farm for the purposes of mountain biking, walking and other recreational activities. On Sunday 12th January a party visited the site including trustees Gordon Hosking and Richard Henry, along with Warren Stott and guided by Jeff and Karyn Stewart who farmed the area over 20 years ago. Jeff was also responsible for the extensive track network, much of which is now overgrown. While the group only covered a small proportion of the area, it was sufficient to gain a good appreciation of the potential of the area.

Bush Block - general

The bush block covers about a 120 ha (to be confirmed) extending from the farmed area up the south eastern face of the Brynderwyns (Figure 1).

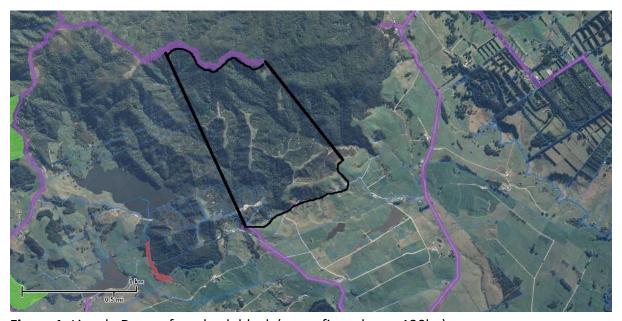


Figure 1. Lincoln Downs farm bush block (unconfirmed area 120ha).

The lower slopes have extensive areas of gorse which is rapidly re-colonising grassed areas on the ridges as well as pasture on the lower slopes. The valleys and higher elevations

contain impressive forest remnants and secondary forest growth (Figure 2). The area has been extensively tracked in the past for farming purposes, much of which has been reclaimed by both forest and gorse. The north western part of the block adjoins an unformed public road providing potential access to the wider Brynderwyn range.



Figure 2. Typical forest of mid to upper slopes of block.

Access

The bush block can be accessed from Wonderview Lane via existing farm races. The back race along the base of the hill provides direct access to the existing tracks into the block (Figure 3).

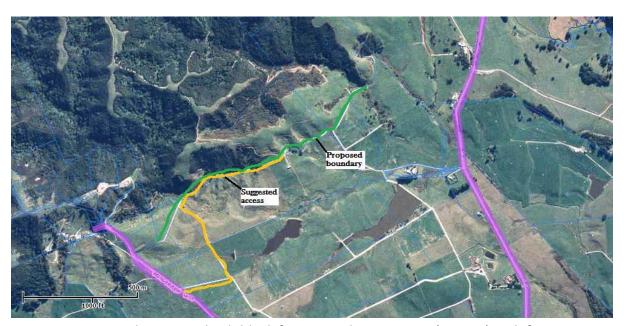


Figure 3. Suggested access to bush block from Wonderview Lane (orange) with farm race in green.

Recreational potential

- 1. General. The public ownership of this relatively large area of forest/scrub/reverting pasture offers a unique opportunity for the development of a nationally significant recreation area. The reverting pasture on the ridges and at the base of the hill is of low economic value for farming, and its inclusion into the non-farmed area would have little impact on the farming activity. Significant areas of intact forest add to the recreational value.
- **2. Tracks.** A major asset is the existing track network (Figure 4), largely contoured into the land, and although overgrown through much of its length, could be reestablished with minimal disturbance, avoiding the major earthworks associated with the establishment of new tracks.
- **3. Linkages.** The existence of unformed public roads offers the opportunity to link the area to the wider Brynderwyn range (Figure 5). There is potential to link the area, via the Brynderwyn Walkway, to the DOC reserve which contains the Tanekaha Forest and Waterfall tracks and all the way to State Highway 1 to the west. The location of the area will encourage its use from a much wider area than just Mangawhai.
- 4. Access. With at least two potential points of access from either Brown Road or Wonderview Lane, both via the Council farm, public access should offer minimal disturbance to farming activities. The preferred option is the inclusion of the little used back race into the block would allow free movement along the block's lower boundary.



Figure 4. Typical track in native forest.

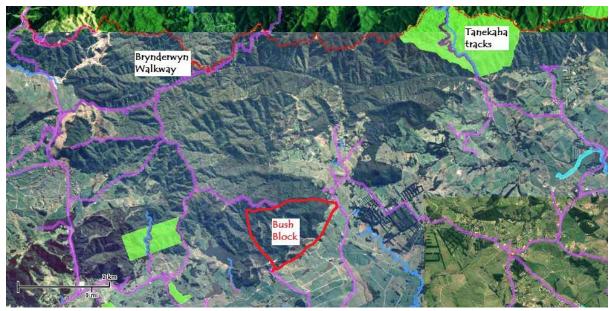


Figure 5. Relationship of Bush Block to the Tanekaha tracks and the Brynderwyn walkway with formed and unformed public roads in purple.

Clearly this block of land has little economic farming value but outstanding recreational potential both to the local community but also to Northland as a region. While this assessment considered a range of recreational uses, and the area is large enough to accommodate multiple use, it specifically focused on mountain biking. This activity has considerable potential to attract visitors to the region. A recent economic analysis of mountain biking in Whakarewarewa Forest in Rotorua concluded the recreational activities generated greater economic return than forestry. There are very few nationally recognised mountain biking areas in Northland, Woodhill Forest is sand dune based and of little scenic value and limited biking challenge, but it attracts hundreds of riders.

The Lincoln Downs farm bush block has added advantages with its extensive native forest and outstanding views. A mountain biking facility of a national standard could be built for very modest cost given ownership of the land and the existing track network. While the current mountain biking tracks in Mangawhai Community Park will provide good learners circuits, they are limited both by the sand base and the area available. It would be more productive to direct effort into an area such as the bush block with its much greater potential.

The unique opportunity offered by the Lincoln Downs block to develop a regional and national recreational asset, is consistent with objectives 1 and 2 of the Councils recently adopted Kaipara Walking and Cycling Strategy, namely to:

1. Become a walking and cycling destination to support economic growth, and provide transport and lifestyle choices.

2. Partner with key stakeholders and community to deliver walking and cycling projects and behaviour change initiatives.

The Tracks Trust endorses this vision and is keen to advance this initiative in the interests of the wider Kaipara community.

Proposal for the establishment of a mountain bike park.

Stage 1. Re-establish an existing track that will provide a single loop track of approximately 3.5km. Construct a boardwalk over the single wetland. Establish a public access point and track to the bush block entry (Figures 3 & 6.)

Stage 2. Re-establish multiple tracks in the gorse covered area at the southern end of the block and explore internal links within the Primary Loop.



Figure 6. Stage 1 primary loop in red. Blue area has multiple contoured tracks for stage 2.

Action Items

- 1. Confirm survey of recreational area and formalise its status with Council.
- **2.** Agree and formalise access from Wonderview Lane.
- **3.** Provide a staged development plan including costs, participants, and services required.
- 4. Investigate and pursue funding options.
- 5. Mark out primary loop and identify required structures.
- **6.** Clear and prepare primary loop.
- 7. Identify potential walkways separate from MTB tracks.

There will be a need to develop parking on Wonderview Lane and upgrading of the farm access race to the block and the Trust will explore potential funding for these areas once the costs are known.

Gordon Hosking Chair, Mangawhai Tracks Charitable Trust 2nd October, 2017

Reporting forward work programme

Meeting: Council Briefing

Date of meeting: 07 March 2019

Reporting officer: Lisa Hong, Governance Advisor

1 Purpose/Ngā hāinga

To give an overview of upcoming council and committee work for elected members for the remainder of the term.

2 Discussion/Ngā kōrerorero

The reporting forward work programme will be circulated at the briefing as **Attachment A** to this report.

The attachment aims to provide a current snapshot of future workload for council and committees. Changes to this workload and reporting programme will be likely due to other factors, some outlined below:

- Timing for reports are dependent on mitigating factors, including information from external sources and change in circumstance.
- Staff write reports that are responding to customer requests or developing issues.
 These reports can only be planned as requests or issues arise.

3 Next steps/E whaiake nei

Staff will continue to work on delivering reports as planned.

Attachments/Ngā tapiritanga

| Number | Title |
|--------|---|
| Α | Reporting forward work programme to be circulated at the briefing |

Lisa Hong

28 February 2019