

Council Briefing Agenda

Date: Tuesday, 12 September, 2017

Time: 9:00 am

Location: Council Chamber
Forum North, Rust Avenue
Whangarei

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

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

1. Apologies

2. Reports

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2.2 Review of the Significance and Engagement Policy 3

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3. Closure of Meeting

2.1 Annual Report 2016-2017

Meeting: Council Briefing
Date of meeting: 12 September 2017
Reporting officer: Rich Kerr (Manager – Finance)

1 Purpose

To present an overview of Council's performance for the year ended 30 June 2017 in preparation for the adoption of the 2016-2017 Annual Report.

2 Background

In line with last year's adoption of the 2015-2016 Annual Report on 29 September 2016 the 2016-2017 Annual Report will be brought to Council on 28 September 2017 for adoption.

This briefing is aimed at familiarising Councillors with the high level results as they stand at 12 September 2017.

3 Considerations

It is important to note that the audit for the year ended 30 June 2017 is not yet complete. Accordingly, results are subject to final Audit New Zealand review and any subsequent amendments. Councillors will be advised of any amendments if required, in a supplementary item prior to the adoption meeting on 28 September 2017.

4 Summary

This presentation will provide an overview of Council's financial performance and service performance for inclusion in the 2016-17 Annual Report. This briefing also provides an opportunity to ask questions and seek clarification on specific areas.

As we will be working with AuditNZ up until the date of the Briefing to finalise the report, a copy of the presentation is still being developed and will not be available before the meeting.

2.2 Review of the Significance and Engagement Policy

Meeting: Council Briefing
Date of meeting: 12 September 2017
Reporting officer: Jason Marris (Manager Democracy and Assurance)

1 Purpose

To review an updated draft Significance and Engagement Policy.

2 Discussion

Council held a briefing on 20 June 2017 to get feedback on the current Significance and Engagement policy, which was adopted in 2014.

The following positive feedback was provided:

- It covers all that it needs to under the Local Government Act (LGA)
- The policy is generally very good
- It is short, succinct and mostly clear
- The policy provides sufficient flexibility for decision-makers

Feedback on areas to improve were:

- Making it clearer, so the community can better understand it
- Being more consistent with terminology
- Making it more user friendly
- Being clearer on Māori engagement

With the feedback provided during the briefing, it was clear that fundamental change to the policy was not required, as it fulfils what is required under the current legislation. However, there was a will to make minor changes to the policy so that it is public facing, clearer and more simple to understand.

The draft Significance and Engagement Policy is located at Attachment One to this report for your review. We have:

- Changed the format to be more engaging
- Included clear summaries of the information being provided and photos
- Moved the definitions section to the appendix
- Altered much of the language to be simpler, clearer and easier to understand
- Included slightly more detail on engagement with Māori

The draft policy has only had minor changes and has not been changed in any material way. If the council is satisfied that on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved, consultation on the policy is not required.

If this is the case, the intention is for the draft Significance and Engagement Policy to be brought to the September Council meeting for adoption, after being adjusted for any feedback received at this briefing.

3 Attachments

1. Draft Significance and Engagement Policy



**WHANGAREI
DISTRICT COUNCIL**

2017

**SIGNIFICANCE
& ENGAGEMENT
POLICY**

WHANGAREI: LOVE IT HERE!



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CONTEXT

Sometimes the way we engage with you is set by legislation, and there are many steps to follow, and sometimes we can choose. This policy guides what we do and the decisions we make.

Our Significance and Engagement Policy:

- Identifies how and when communities can expect to be engaged in, or specifically consulted on, decisions about issues, proposals, assets, decisions and activities
- Enables us and our communities to identify the significance that we place on certain issues, proposals, assets, decisions, and activities.

*This policy outlines
how we involve our
community in our
decision making.*

*Engaging with
our community and
getting your feedback is
an essential part of our
work.*

For every decision that Council makes we need to work out how important, or significant, it is for our community. We look at a number of factors including who is affected by, or interested in the decision, what the costs will be and how important it is for Council and our community.

These factors help us work out the best way to engage with our community on the issue. Do we

need to just tell you it's happening, do we need to ask your opinion on what we are planning to do, or do we need to involve you every step of the way.

Sometimes the way we engage with you is set by legislation, and there are many steps to follow, sometimes we can choose. This policy guides what we do and the decisions we make.

ENGAGING OUR COMMUNITIES

Engaging with the community is essential to understanding the views and preferences of people likely to be affected by, or who have an interest in, an issue. We will consider significance and engagement in the early stages of a proposal before decision-making occurs and, if necessary, reconsider it as a proposal develops.

On every issue requiring a decision, the degree of significance will be considered using this policy.

We consider the following principles:

- the potential effect on delivering on Council's direction
- who are likely to be particularly affected by, or interested in, the decision or proposal
- the likely impact/consequences of the decision or proposal from the perspective of those parties
- the financial and non-financial costs and implications of the decision or proposal, taking into account Council's capacity to perform its role.

For certain matters (regardless of whether they are considered significant as part of this policy), we are required to undertake a Special Consultative Procedure as set out in section 83 of the Local Government Act (LGA), or to carry out consultation in accordance with or giving effect to section 82 of the LGA. We show these in the formal engagement part of this policy.

For all other issues requiring a decision, we will determine the appropriate level of engagement on a case by case basis.

In general, the more significant an issue, the greater the need for community engagement.

The Community Engagement Guide (attached) identifies the form of engagement we will use to respond to some specific issues. It also provides examples of types of issues and how and when communities could expect to be engaged with.

Differing levels of engagement may be required during the varying phases of decision-making on an issue, and for different stakeholders.

When engaging with Māori, we will reflect high level agreements already in place such as Joint Management Agreements, Memorandum of Understanding or others such as the Te Kārearea Strategic Relationship Agreement, as starting points. We recognise the various Hapu throughout our District, and we will also engage with Te Huinga and the broader Hapu groups where this is needed.

In some situations we must formally consult with you using a Special Consultative Procedure (SCP) – things like some bylaws and our statutory planning documents like the Long Term Plan must use a SCP. The process for this is set by the Local Government Act, the legislation that governs everything we do.

DETERMINING SIGNIFICANCE

When understanding the degree of significance of any issue, we will apply the following criteria. Except for emergency works, a decision is considered significant if Council determines that two or more of these criteria / measures are triggered:

CRITERIA	MEASURE
Impact on Council's direction	Major and long-term
Change in Council's current level of service	Major and long-term
Level of public impact and/or interest	Major and District-wide, or Major for an identified community of interest
Impact on Council's capability (non-cost)	Major and long-term
Net financial cost/revenue of implementation, excluding any financial impact already included in a Long-Term Plan / Annual Plan	Net Capital Expenditure >10% of Total Rates in year commenced, and/or Net Operating Expenditure >2.5% of Total Rates in year commenced

For an issue to be considered significant it must trigger two or more of these criteria

IMPLEMENTATION

When any issue requiring a decision does not have a high degree of significance:

- the decision will be made by Council or a Committee, Member or Staff Member with delegated authority
- where the decision is made by Council or a Committee, a report will include an assessment of the degree of significance of the issue and note what, if any, engagement is proposed. Broadly, the amount and form of engagement will be expected to be in proportion to the significance of the issue, although other relevant factors including the nature and circumstances of the decision need to be considered (refer to section 79 of the LGA)
- where the decision is made by a Member or Staff Member acting under delegated authority, it will not be necessary to formally document the assessment of significance or engagement, as these matters are likely to be of low significance.

When any issue requiring a decision is determined as having a high degree of significance:

- a report to Council will include an assessment of the degree of significance of the issue, the degree of engagement proposed, the engagement plan proposed and a recommendation.
- the decision will be made by Council.

When Council makes a decision that is significantly inconsistent with this policy, the steps identified in section 80 of the LGA will be undertaken.

APPENDIX 1 - STRATEGIC ASSETS

Our strategic assets are those vital for delivering services to Whangarei. We consider them as whole networks because it is the asset class as a whole that delivers the service. Therefore, we will treat them as strategic assets only where a decision affects the whole of the assets in the particular group, or it would materially alter the nature of that group. The LGA also determines that shares in a port/airport company and assets required to provide affordable housing as part of the council's social policy are strategic.

The LGA defines the following as strategic assets:

The following is our list of strategic assets (list of assets or group of assets):

- Council's interest in a joint venture with the Crown for the Whangarei District Airport
- 50% interest in the Northland Regional Landfill Limited Partnership
- Pensioner housing
- Transportation and traffic network including footpaths, street lighting and parking, but excluding land sale/purchases
- Wastewater network and treatment plant(s)
- Water treatment, storage and supply network
- Stormwater network
- Reserves and sportsfields (including Toll Stadium)
- Forum North complex
- Hikurangi Swamp drainage scheme
- Libraries.



APPENDIX 2 – COMMUNITY ENGAGEMENT GUIDE

Community engagement

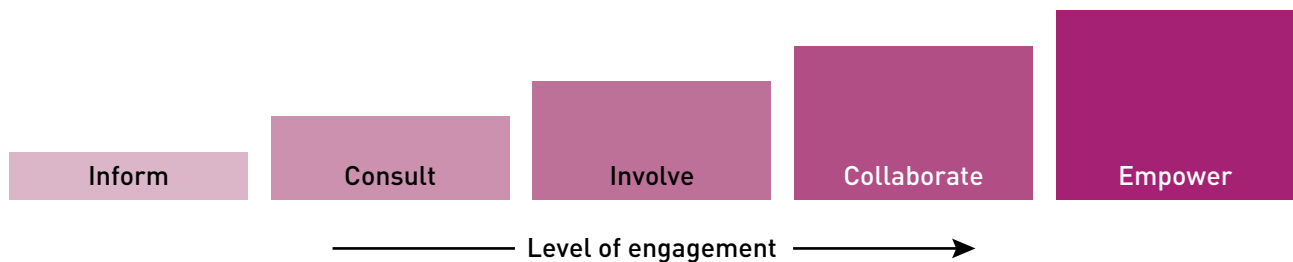
- Is a process
- Involves all or some of the public
- Is focused on decision-making or problem-solving.

The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum, shown below, to demonstrate the possible types of engagement with the community.

This model also shows the increasing level of public impact as you progress through the spectrum from left to right - 'inform' through to 'empower'. In simply 'informing' stakeholders there is no expectation of receiving feedback, and consequently there is a low level of public impact. At the other end of the spectrum, 'empowering' stakeholders to make decisions implies an increase in expectations and therefore an increased level of public impact.

It will not always be appropriate or practical to conduct processes at the 'collaborate' or 'empower' end of the spectrum. Many minor issues will not warrant such an involved approach. Time and money may also limit what is possible on some occasions. It is expected that the vast majority of matters will fall within the 'inform', 'consult' to 'involve' range. There are limited statutory situations which fall within the 'empower' range.

In general, the more significant an issue, the greater the need for community engagement.



*In some situations
we have to follow set
processes and procedures
when we consult with you.
These are outlined here.*

Formal Engagement

We will use the Special Consultative Procedure (section 83 of the LGA) where required to. We will use an SCP for the following decisions:

- The adoption or amendment of a Long-Term Plan (in accordance with section 93 A of the LGA). Unless already provided for in the LTP, we will also use the SCP to;
 - » alter significantly the intended level of service provision for any core service undertaken by or on behalf of Council, including commencing or ceasing such an activity; or
 - » transfer the ownership or control of strategic assets, as listed in Appendix 1.
- The adoption, amendment, or revocation of bylaws if required under section 156(1)(a) of the LGA
- The adoption, amendment or revocation of a Local Alcohol Policy
- The adoption or review of a Local Approved Products (Psychoactive Substances) Policy
- The adoption or review of a Class 4 Venue Policy under the Gambling Act 2003
- The preparation, amendment or revocation of a waste management and minimisation plan
- The adoption of fees and charges where specifically required to use a SCP under relevant legislation (for example, fees and charges under the Resource Management Act 1991)

Unless already provided for in the Long-Term Plan, we will seek to amend our Long-Term Plan, and therefore use the SCP, when we propose to:

We will consult in accordance with, or use a process or a manner that gives effect to the

requirements of, section 82 of the LGA where required to do so, including for the following specific issues:

- Adopting or amending the annual plan if required under section 95 of the LGA
- Adopting, amending or revoking a bylaw if required under section 156(1)(b) of the LGA
- Transferring responsibilities to another local authority under section 17 of the LGA
- Establishing or becoming a shareholder in a Council-controlled organisation
- Adopting or amending a Significance and Engagement Policy where Council considers that it does not have sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.
- Adopting or amending a Revenue and Financing Policy, Development Contributions Policy, Financial Contributions Policy, Rates Remission Policy, Rates Postponement Policy, or a Policy on the Remission or Postponement of Rate on Māori freehold land

Other Forms of Engagement

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

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

Engagement Tools and Techniques

Over the time of decision-making, we may use a variety of engagement techniques and the tools may be adapted based on a range of other factors, including history and public awareness of the issue, stakeholder involvement, and timing related to other events and budgets. We will also take into

consideration that the community can feel “over consulted” (stop asking us what we think and get on with it). Each situation will be addressed according to both the issue, the phase of decision-making and the individual circumstances.

APPENDIX 3 - DEFINITIONS

Community

A group of people living in the same place or having a particular characteristic in common.

Consultation

Talking to you and getting your feedback in a formal way

A process of informing the community and seeking information or feedback to inform and assist decision-making. Consultation is a formal type of “engagement”, and is often prescribed by legislation and time bound.

Decisions

Refers to all of the decisions made by or on behalf of Council including those made by staff under delegation.

Emergency Works

Work undertaken to repair and restore Council infrastructure and services following natural events or disasters.

Engagement

Talking to you and getting your feedback

Engagement is a process which involves all or some of the community and is focused on better understanding views and preferences relevant to Council’s decision-making or problem-solving. There is a continuum of engagement.

Significance

How important is it?

Legislatively defined by the Local Government Act 2002 (LGA)

“means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for,—

- a) the district or region:
- b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter:
- c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.”

Strategic Asset

Assets that are essential to our community well-being

“means an asset or group of assets that the local authority needs to retain if it is to maintain its capacity to achieve or promote any outcome that it determines to be important to the current or future well-being of the community; and includes—

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



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DISTRICT COUNCIL

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WHANGAREI: AROHATIA!

Version 1: September 2017

2.3 2018-2028 Long Term Plan Prioritisation

Meeting: Council Briefing
Date of meeting: 12-13 September 2017
Reporting officer: Jill McPherson (General Manager Strategy and Democracy)

1 Purpose

To review all projects and prioritise them for consideration for inclusion in the 2018-2028 Long Term Plan (LTP)

2 Discussion

There are many proposed projects being put forward to be assessed for consideration as part of the LTP process. These projects have arisen from the sources below:

- Identified projects from previous Annual Plans, and LTPs
- Proposed community projects from the early engagement phase of the LTP
- Projects identified by elected members and staff (including from AMPs)

There will inevitably be a high number of projects to be assessed, with a finite amount of funding available through the LTP. The bulk of this briefing, therefore, will be used to discuss the proposed LTP projects and apply a prioritisation tool to identify the projects which could be included in the draft LTP.

Much of this process relies on the briefing held with Council on Wednesday 6 September, so material will not be immediately available for this agenda. However, we intend to circulate material before the briefing on 12 September to help inform the session.

The briefing will adjourn at 12pm on Tuesday 12 September, and reconvene at 11am on Wednesday 13 September.