

## Council Briefing Agenda

**Date:** Tuesday, 25 August, 2020

**Time:** 9:30 am

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

**Elected Members:** Her Worship the Mayor Sheryl Mai  
(Chairperson)

Cr Gavin Benney

Cr Vince Cocurullo

Cr Nicholas Connop

Cr Ken Couper

Cr Tricia Cutforth

Cr Shelley Deeming

Cr Jayne Golightly

Cr Phil Halse

Cr Greg Innes

Cr Greg Martin

Cr Anna Murphy

Cr Carol Peters

Cr Simon Reid

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

**1. Apologies**

**2. Reports**

- 2.1 LTP Direction Setting: Approach to LTP prioritisation,  
community outcomes, significance and engagement and  
communications

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**3. Closure of Meeting**

## 2.1 Long Term Plan (LTP) Direction Setting

<b>Meeting:</b>	Council Briefing
<b>Date of meeting:</b>	25 and 26 August 2020
<b>Reporting officer:</b>	Dominic Kula (General Manager Strategy and Democracy)

### 1 Purpose

To provide an overview of, and seek feedback on, the:

- Approach to prioritisation of new opex and capex requests
- Review of community outcomes
- Significance and Engagement Policy
- Approach to consultation

### 2 Discussion

#### 2.1 Prioritisation of opex and capex proposals

As worked through with councillors a critical step in the LTP process will be elected member prioritisation of funding proposals, scheduled for 17 September 2020.

This process will prioritise capex and opex funding proposals from elected members (both from 5 and 12 August and any further proposals identified in this briefing), identified through consultation on the 2020/21 Annual Plan and from staff as a result of Council direction (refer below). The outcome of prioritisation will set the direction for the draft LTP, to be completed by the end of year.

In advance of 17 September Councillors will be provided a list of funding proposals from elected members and the 2020/21 Annual Plan process. Prior to being considered by Councillors, all funding put forward by staff will be reviewed to ensure it:

- **Links to or is supported by a decision or direction from Council**
- **Is needed to implement a recently adopted policy or strategy**
- **Aligns to a project or commitment already underway**

As discussed previously, existing funding required to deliver committed core business (i.e. through Levels of Service (LoS) required to maintain assets, undertake renewals and ensure we can meet growth demand) will not fall under the prioritisation process unless there is a desire to change levels of service in a particular area (i.e. under Transportation where increases to maintenance spend have been signalled as a priority).

On 17 September staff will workshop with elected members their priority projects based on a simple categorisation aligned to Council's priorities. Draft prioritisation criteria will be worked through with councillors for direction at this Briefing.

Once categorisation complete, staff will then work through the budgetary implications and report back to elected members on the budgetary impact of the prioritisation, and options on how to proceed to a complete programme/project list for review.

It is likely that this will be an iterative process, with direction required from councillors on projects and funding can that proceed within indicative financial parameters, or changes that could be made to financial parameters to provide for councillors priority proposals.

## 2.2 Community Outcomes

During the 2018 - 2028 Long Term Plan Council went through a ground up process to review the Community Outcomes. This was done using feedback from early engagement, with the community outcomes then forming part of formal consultation. The community outcomes adopted following consultation are as follows:

### ***Efficient and resilient core services***

- *It is easy and safe for everyone to travel around our District*
- *There are opportunities to walk and cycle*
- *Our District is well prepared for growth and can adapt to change*
- *Services are supplied in ways that benefit the environment.*

### ***Positive about the future***

- *Our District has productive land, people and a thriving city centre*
- *There is a fair urban/rural balance*
- *Council has clear, simple documents and rules*
- *Our District embraces new technology and opportunities.*

### ***Caring for the environment***

- *Communities work to keep the environment clean and healthy*
- *Access to the coast is protected*
- *Open spaces in parks and streets are places where nature thrives*
- *Our District is positively adapting to climate change.*

### ***Proud to be local***

- *Our District is neat, tidy and looks attractive*
- *Public areas feel welcoming and safe*
- *There is always something to do and see*
- *There are opportunities for people of all abilities, ages and life stages to be active.*

Having reviewed these again staff consider that they broadly cover the strategic priorities identified by Council, and the four wellbeings (which were introduced back into the Local Government Act), with the exception of cultural wellbeing.

At this Briefing we will work through the existing outcomes, seeking feedback/direction for any review.

## 2.3 Significant and Engagement policy

Under the Local Government Act 2002 (LGA), every local authority must have a Significance and Engagement Policy (SEP). The policy is reviewed as part of the LTP process.

The purpose of the SEP is to provide councils with guidance on how important or significant decisions are; and how much engagement or consultation they should have with the public about them. It is also to ensure that council decision-making is transparent and fair.

The LGA is specific about how council conducts consultation processes, to ensure the public have their say about significant issues that may affect them and their communities.

Section 76AA (2) of the LGA 2002 states the purpose of the policy is:

- (a) to enable the local authority and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities; and
- (b) to provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets, or other matters; and
- (c) to inform the local authority from the beginning of a decision-making process about
  - (i) the extent of any public engagement that is expected before a decision is made; and
  - (ii) the form or type of engagement required.

The SEP must outline:

- our general approach to determining the significance of proposals and decisions in relation to issues, assets, and other matters
- any criteria or procedures that we use to assess the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences
- how we will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable

The SEP must also list the assets considered to be strategic assets; those vital for delivering services to Whangarei (i.e. network assets). Council's strategic assets are included in the SEP as Appendix One.

Under Council's current policy, except for emergency works, a decision is considered significant if Council determines that two or more of the criteria under the policy are triggered.

Council adopted the current Significance and Engagement policy on 28 September 2017. Improvements made through the last review of the policy included; making it clearer so the community can understand it, being more consistent with terminology, making it more user friendly, and being clearer on Māori engagement.

At this Briefing we will work through the current SEP, seeking feedback/direction for any review.

## **2.4 Approach to Communications**

Alongside adoption of the Consultation Document and consultation process for the 2020-2021 Annual Plan Council also resolved to not undertake early engagement on the 2021-2031 Long Term Plan, instead requesting that staff to develop a communications programme. LTP communications will take place in three phases:

- Phase 1: Education and awareness (October 2020 to February 2021)
- Phase 2: Consultation (March 2021)
- Phase 3: Communicating/confirming the plan (April to June 2021)

At this briefing staff will update councillors on Phase 1 of the communications programme before providing a high level overview of, and seeking feedback on, Phases 2 and 3.

### **3 Attachment**

Attachment 1 – 2017 Significance and Engagement Policy



WHANGAREI  
DISTRICT COUNCIL

2017

# SIGNIFICANCE & ENGAGEMENT POLICY



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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 together with 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 is 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 statutory planning documents like the Long Term Plan must use a SCP. The process for this is set by the Local Government Act, which governs everything we do.*

# DETERMINING SIGNIFICANCE

To understand an issue's degree of significance, 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:

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, Elected 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 any engagement 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 an Elected 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 Council's social policy are strategic.

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*

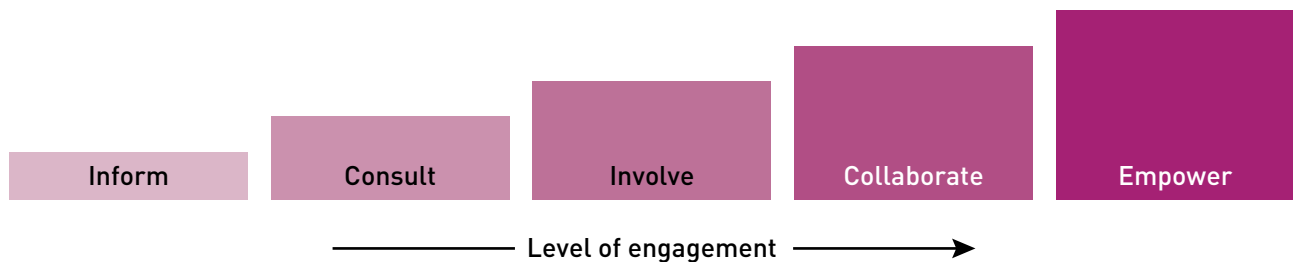
- Is a process
- Involves all or some of the public
- Is focused on decision-making or problem-solving.

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

This model also shows the increasing level of public impact as you progress through the spectrum from left to right – i.e. ‘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:

- 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.
- adoption, amendment, or revocation of bylaws if required under section 156(1)(a) of the LGA
- adoption, amendment or revocation of a Local Alcohol Policy
- adoption or review of a Local Approved Products (Psychoactive Substances) Policy
- adoption or review of a Class 4 Venue Policy under the Gambling Act 2003
- preparation, amendment or revocation of a waste management and minimisation plan
- 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).

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

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

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

## 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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