



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA


Strategy and Policy Committee Meeting

Tuesday, 1 December 2020

Time: 9.30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Cr Rachel Smith - Chairperson
Cr David Clendon
Mayor John Carter
Deputy Mayor Ann Court
Cr Dave Collard
Cr Felicity Foy
Cr Moko Tepania
Cr John Vujcich
Belinda Ward Bay of Islands-Whangaroa Community Board

 Far North District Council <i>Te Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Strategy and Policy Committee Terms of Reference
	Approval Date	19 December 2019
	Responsible Officer	Chief Executive

Purpose

The purpose of the Strategy and Policy Committee (the Committee) is to set direction for the district, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies, policies and work programmes to achieve those goals.

In determining and shaping the strategies, policies and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the strategic outcomes of Council, being:

- Better data and information
- Affordable core infrastructure
- Improved Council capabilities and performance
- Address affordability
- Civic leadership and advocacy
- Empowering communities

The Committee will review the effectiveness of the following aspects:

- Trust and confidence in decision-making by keeping our communities informed and involved in decision-making;
- Operational performance including strategy and policy development, monitoring and reporting on significant projects, including, but not limited to:
 - FN2100
 - District wide strategies (Infrastructure/ Reserves/Climate Change/Transport)
 - District Plan
 - Significant projects (not infrastructure)
 - Financial Strategy
 - Data Governance
 - Affordability
- Consultation and engagement including submissions to external bodies / organisations

To perform his or her role effectively, each Committee member must develop and maintain his or her skills and knowledge, including an understanding of the Committee's responsibilities, and of the Council's business, operations and risks.

Power to Delegate

The Strategy and Policy Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Council will determine the membership of the Strategy and Policy Committee.

The Strategy and Policy Committee will comprise of at least seven elected members (one of which will be the chairperson).

Mayor Carter
Rachel Smith – Chairperson
David Clendon – Deputy Chairperson
Moko Tepania
Ann Court
Felicity Foy
Dave Collard
John Vujcich
Belinda Ward – Bay of Islands-Whangaroa Community Board

Non-appointed councillors may attend meetings with speaking rights, but not voting rights.

Quorum

The quorum at a meeting of the Strategy and Policy Committee is 5 members.

Frequency of Meetings

The Strategy and Policy Committee shall meet every 6 weeks, but may be cancelled if there is no business.

Committees Responsibilities

The Committees responsibilities are described below:

Strategy and Policy Development

- Oversee the Strategic Planning and Policy work programme
- Develop and agree strategy and policy for consultation / engagement;
- Recommend to Council strategy and policy for adoption;
- Monitor and review strategy and policy.

Service levels (non regulatory)

- Recommend service level changes and new initiatives to the Long Term and Annual Plan processes.

Policies and Bylaws

- Leading the development and review of Council's policies and district bylaws when and as directed by Council
- Recommend to Council new or amended bylaws for adoption

Consultation and Engagement

- Conduct any consultation processes required on issues before the Committee;
- Act as a community interface (with, as required, the relevant Community Board(s)) for consultation on policies and as a forum for engaging effectively;
- Receive reports from Council's Portfolio and Working Parties and monitor engagement;
- Review as necessary and agree the model for Portfolios and Working Parties.

Strategic Relationships

- Oversee Council's strategic relationships, including with Māori, the Crown and foreign investors, particularly China
- Oversee, develop and approve engagement opportunities triggered by the provisions of Mana Whakahono-ā-Rohe under the Resource Management Act 1991
- Recommend to Council the adoption of new Memoranda of Understanding (MOU)
- Meet annually with local MOU partners
- Quarterly reviewing operation of all Memoranda of Understanding
- Quarterly reviewing Council's relationships with iwi, hapū, and post-settlement governance entities in the Far North District
- Monitor Sister City relationships
- Special projects (such as Te Pū o Te Wheke or water storage projects)

Submissions and Remits

- Approve submissions to, and endorse remits for, external bodies / organisations and on legislation and regulatory proposals, provided that:
 - If there is insufficient time for the matter to be determined by the Committee before the submission "close date" the submission can be agreed by the relevant Portfolio Leaders, Chair of the Strategy and Policy Committee, Mayor and Chief Executive (all Councillors must be advised of the submission and provided copies if requested).
 - If the submission is of a technical and operational nature, the submission can be approved by the Chief Executive (in consultation with the relevant Portfolio Leader prior to lodging the submission).
- Oversee, develop and approve any relevant remits triggered by governance or management commencing in January of each calendar year.
- Recommend to Council those remits that meet Council's legislative, strategic and operational objectives to enable voting at the LGNZ AGM. All endorsements will take into account the views of our communities (where possible) and consider the unique attributes of the district.

Fees

- Set fees in accordance with legislative requirements unless the fees are set under a bylaw (in which case the decision is retained by Council and the committee has the power of recommendation) or set as part of the Long Term Plan or Annual Plan (in which case the decision will be considered by the Long Term Plan and Annual Plan and approved by Council).

District Plan

- Review and approve for notification a proposed District Plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), First Schedule of the Resource Management Act 1991);
- Withdraw a proposed plan or plan change under clause 8D, First Schedule of the Resource Management Act 1991;
- Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
 - To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the Portfolio Leader District Plan and the Chair of the Regulatory committee.
 - To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by council and authorise the resolution of any such appeal.
 - To consider and approve council submissions on a proposed plan, plan changes, and variations.
 - To manage the private plan change process.
 - To accept, adopt or reject private plan change applications under clause 25 First Schedule Resource Management Act (RMA).

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all the committee's meetings.

Annual reporting

The Chair of the Committee will submit a written report to the Chief Executive on an annual basis. The review will summarise the activities of the Committee and how it has contributed to the Council's governance and strategic objectives. The Chief Executive will place the report on the next available agenda of the governing body.

STRATEGY AND POLICY COMMITTEE - MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
Rachel Smith (Chair)	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member and Treasurer		
Rachel Smith (Partner)	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
David Clendon (Deputy Chair)	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
David Clendon – Partner	Resident Shareholder on Kerikeri Irrigation			
David Collard	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
Deputy Mayor Ann Court	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	Top Energy	Supplies my power		No other interest greater than the publics
	District Licensing	N/A	N/A	N/A
	Top Energy Consumer Trust	Trustee	Crossover in regulatory functions, consenting economic development and contracts such as street lighting.	Declare interest and abstain from voting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case
Ann Court - Partner	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
Felicity Foy	Director - Northland Planning & Development	I am the director of a planning and development consultancy that is based in the Far North and have two employees.		I will abstain from any debate and voting on proposed plan change items for the Far North District Plan.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
		Property owner of Commerce Street, Kaitaia		
				I will declare a conflict of interest with any planning matters that relate to resource consent processing, and the management of the resource consents planning team.
				I will not enter into any contracts with Council for over \$25,000 per year. I have previously contracted to Council to process resource consents as consultant planner.
	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties Seaview Road – Cable Bay, and Allen Bell Drive - Kaitaia.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/ Puckey Road/Bell Road, the Awanui Straight and Allen Bell Drive.	
	Foy Farms Partnership	Owner and partner in Foy Farms - a farm on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 7 dwellings on Church Road, Kaingaroa and 2 dwellings on Allen Bell Drive, Kaitaia, and 1 property on North Road,		

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
		Kaitaia, one title contains a cell phone tower.		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
	Shareholder of Coastline Plumbing NZ Limited			
Felicity Foy - Partner	Director of Coastline Plumbing NZ Limited			
	Friends with some FNDC employees			
Moko Tepania	Teacher	Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.	Declare a perceived conflict
	Chairperson	Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.	Declare a perceived conflict
	Tribal Member	Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi o Ngāpuhi Council relations.	Declare a perceived conflict

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
John Vujcich	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
	Member	Kaikohe Business Association	Possible funding provider	Declare a Conflict of Interest
Belinda Ward	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Residence in Watea			
Belinda Ward (Partner)	Ward Jarvis Family Trust	Trustee and beneficiary		
	Kenneth Jarvis Family Trust	Trustee and beneficiary		
	Residence in Watea	Trustee		

Far North District Council
Strategy and Policy Committee Meeting
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Tuesday 1 December 2020 at 9.30 am

Order Of Business

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1 KARAKIA TIMATANGA – OPENING PRAYER**2 APOLOGIES AND DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Committee and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

3 DEPUTATION

No requests for deputations were received at the time of the Agenda going to print.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3001273

Author: Kim Hammond, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

The minutes of the previous Strategy and Policy Committee meeting are attached to allow the Committee to confirm that the minutes are a true and correct record.

RECOMMENDATION

That the Strategy and Policy Committee agrees that the minutes of the meeting held 20 October 2020 be confirmed as a true and correct record.

1) BACKGROUND

Local Government Act 2002 Schedule 7 Section 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2) DISCUSSION AND OPTIONS

The minutes of the meeting are attached. Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

Reason for the recommendation

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meeting.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision.

ATTACHMENTS

- 1. 2020-10-20 Strategy and Policy Committee Unconfirmed Minutes - A2981807**  

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. 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.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	This report is asking for the minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

**MINUTES OF FAR NORTH DISTRICT COUNCIL
STRATEGY AND POLICY COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 20 OCTOBER 2020 AT 9.30 AM**

PRESENT: Cr Rachel Smith, Mayor John Carter (HWTM), Cr David Clendon, Cr Dave Collard, Deputy Mayor Ann Court, Cr Moko Tepania, Cr John Vujcich, Bay of Islands-Whangaroa Community Board Belinda Ward

IN ATTENDANCE: Te Hiku Community Board Chair Adele Gardner (VC)

STAFF PRESENT: Shaun Clarke (Chief Executive Officer), Andy Finch (General Manager Infrastructure and Asset Management), Dean Myburgh (General Manager District Services), William J Taylor, MBE (General Manager Corporate Services), Darrell Sargent (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chairperson Smith opened the meeting with a Karakia.

2 APOLOGIES AND DECLARATIONS OF INTEREST

COMMITTEE RESOLUTION 2020/12

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

That the apology received from Cr Felicity Foy and His Worship the Mayor be accepted and leave of absence granted.

CARRIED

3 DEPUTATION

There were no deputations.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A2969262, pages 14 - 17 refers.

COMMITTEE RESOLUTION 2020/13

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That the Strategy and Policy Committee agrees that the minutes of the meeting held 08 September 2020 be confirmed as a true and correct record.

CARRIED

5 REPORTS

5.1 SPEED LIMIT BYLAW - OKAIHAU-KAEO-WAIMATE NORTH REVIEW AREA

Agenda item 5.1 document number A2951472, pages 18 - 55 refers.

COMMITTEE RESOLUTION 2020/14

Moved: Deputy Mayor Ann Court

Seconded: Cr Moko Tepania

That the Strategy and Policy Committee recommends Council;

- a) **adopt the amended Speed Limit Bylaw in its capacity as a Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998 with an operative date of 25 January 2021.**
- b) **authorise the Chief Executive to make any minor editorial corrections.**

CARRIED

5.2 PROPOSAL FOR A VEHICLE CROSSINGS BYLAW

Agenda item 5.2 document number A2955237, pages 56 - 73 refers.

COMMITTEE RESOLUTION 2020/15

Moved: Cr John Vujcich

Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee;

- a) **approve that the draft Vehicle Crossings Bylaw contained in the attached proposal is publicly consulted on as per the principles of public consultation set out in section 82 of the Local Government Act 2002.**
- b) **approve that if member/s of the public wish to verbally present their views regarding the draft vehicle crossings bylaw to the Committee, this will occur in an informal setting.**

CARRIED

Attachments tabled at meeting

- 1 Vehicle Crossings Bylaw Proposal

5.3 FNDC GREENHOUSE GAS INVENTORY REPORT 2018/19

Agenda item 5.3 document number A2978252, pages 74 - 119 refers.

COMMITTEE RESOLUTION 2020/16

Moved: Cr David Clendon

Seconded: Cr John Vujcich

That the Strategy and Policy Committee;

- a) **receive the report FNDC Greenhouse Gas Inventory Report 2018/19.**
- b) **recommend Council consider the recommendations made in the report as part of the Long-Term Plan process.**

CARRIED

Against: Cr Ann Court

The meeting was adjourned from 10.32 am to 10.42 am.

6 INFORMATION REPORTS

6.1 FAR NORTH ECONOMIC IMPACTS AND RECOVERY

Agenda item 6.1 document number A2941888, pages 120 - 134 refers.

COMMITTEE RESOLUTION 2020/17

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That the Strategy and Policy Committee receive the report Far North Economic Impacts and Recovery.

CARRIED

Note: Request that Council arrange a workshop to scope out and further investigate the impacts of this report.

6.2 NEW DIRECTIONS FOR RESOURCE MANAGEMENT IN NEW ZEALAND

Agenda item 6.2 document number A2954609, pages 135 - 149 refers.

COMMITTEE RESOLUTION 2020/18

Moved: Deputy Mayor Ann Court

Seconded: Cr David Clendon

That the Strategy and Policy Committee receive the report New Directions for Resource Management in New Zealand.

CARRIED

6.3 STRATEGIC PLANNING COORDINATION

Agenda item 6.3 document number A2951651, pages 150 - 152 refers.

COMMITTEE RESOLUTION 2020/19

Moved: Cr Rachel Smith

Seconded: Cr Dave Collard

That the Strategy and Policy Committee receive the report Strategic Planning Coordination.

CARRIED

6.4 STRATEGIC PLANNING AND POLICY WORK PROGRAMME

Agenda item 6.4 document number A2961226, pages 153 - 154 refers.

COMMITTEE RESOLUTION 2020/20

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That the Strategy and Policy Committee receive the report Strategic Planning and Policy Work Programme.

CARRIED

7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Moko Tepania closed the meeting with a Karakia.

8 MEETING CLOSE

The meeting closed at 11.39 am.

The minutes of this meeting will be confirmed at the Strategy and Policy Committee meeting to be held on 1 December 2020.

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CHAIRPERSON

5 REPORTS

5.1 DRAFT SIGNIFICANCE AND ENGAGEMENT POLICY 2020

File Number: A2995853

Author: Sheryl Gavin, Manager Corporate Planning and Community Development

Authoriser: Darrell Sargent, General Manager - Strategic Planning and Policy

PURPOSE OF THE REPORT

The purpose of the report is to approve a draft Significance and Engagement Policy (SEP) for submission to audit as part of the 2021-31 Long Term Plan (LTP).

EXECUTIVE SUMMARY

- Under section 76AA of the Local Government Act 2002 (LGA), Council must have an SEP. The operative Policy was adopted in June 2018.
- The SEP helps Council determine the significance of a matter and therefore the most appropriate level of community engagement needed to inform the decision.
- The LGA requires the SEP to be reviewed “from time to time”. Most Councils, including FNDC, tend to review the policy as part of its LTP process.
- The draft presented with this report contains new material incorporating best practice from across the Local Government sector, amendments to provide clarity and emphasis, and removes non-policy elements that are procedural in nature and more appropriate content for the project management and engagement toolkits that are in development.
- The audited draft will be formally adopted by Council for consultation in February 2021. The final policy will be adopted by Council in June 2021.

RECOMMENDATION

That the Strategy and Policy Committee:

- approve the draft Significance and Engagement Policy 2020 for audit, and**
- delegate authority to the General Manager Strategy and Policy to make non-material edits to the Policy as required, with the agreement of the Committee Chair prior to the beginning of the Audit process.**

1) BACKGROUND

Section 76AA of the Local Government Act (LGA) requires all local authorities to have a Significance and Engagement Policy (SEP).

The purpose of the SEP is to:

- Enable Council and its communities to identify the degree of significance attached to issues, proposals, decisions and activities;
- Provide clarity about how and when communities can expect to be engaged in decisions;
- Inform Council from the beginning of the decision-making process about the extent of public engagement expected before a decision is made, and the form or type of engagement required.

Review requirements of the policy are non-prescriptive, with section 76AA (4) simply stating that the policy “may be amended from time to time”. Amendments to the SEP must be consulted on.

The first SEP for this Council was adopted in 2014. It was substantially amended for the first time in 2018 alongside the current Long-Term Plan (LTP).

2) DISCUSSION AND OPTIONS

Option one - no review (not recommended). The SEP has no legislative expiry, so the Committee could recommend to Council that an updated policy not be consulted on.

Although the current SEP is working well, there are opportunities to improve it, particularly as it relates to Māori in our District and Council's commitment to high-quality fit-for-purpose engagement.

Option two – approve the draft Policy (recommended). Most Councils tend to review their SEP as part of LTP development. This is because the SEP helps to determine the materiality and importance of the issues discussed in the Consultation Document and is therefore of interest to the audit process.

With the support of the newly-established Te Hono and Engagement teams in the Strategy and Policy group, there is an opportunity for the 2020 SEP to be used as a foundation for the implementation of a wider toolkit for improved project management, communications and engagement across the organisation.

The attached draft SEP is an update of the currently-operative Policy. In the attached draft, only material changes have been highlighted for the Committee's benefit. The following changes are proposed:

- **General readability**

The Policy has been reviewed for ease of reading and clarity. A 'context' section replaces the 'background' section. It has been extended to provide the reader with a better understanding of what the Policy is about and why it is important.

- **Objectives**

Two new objectives are proposed:

Provide clarity about how and when communities can expect to be engaged in decisions.

And

To acknowledge the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki of the Far North.

One objective has been rewritten:

From: *Build positive relationships with stakeholders and the wider community, encouraging co-operation, respect and mutual understanding of other points of view.*

To: *Help us build genuine relationships with Māori, Treaty partners, key stakeholders and the wider community through a better understanding of their preferences, and encouraging co-operation, respect and mutual understanding of other points of view.*

- **Definitions**

Six new definitions have been added for hapū, levels of service, mana whenua, memoranda of understanding (within the context of Treaty Settlement legislation), special consultative procedure and tangata whenua.

All other current definitions have been re-written for ease of understanding and clarity.

- **Determining significance**

This section has been extended to provide general guidance on determining significance and includes specific reference to considering legislative requirements and impacts on Māori in the District.

- **Climate change**

This is a new section that acknowledges the importance of climate change in Council decision-making.

- **Principles for engagement**

This section has been extended to include legislative guidance and to acknowledge the improvements we have made to ensure that engagement is planned and purposeful.

- **Engaging with tangata whenua**

This section has been completely overhauled to clarify Council's commitment to improved engagement with Māori in our District.

- **Engaging with diverse communities**

This is a new section that outlines Council's commitment to engage appropriately with everyone in our district and to adapt methods to suit.

- **Matters of significance**

One new criterion has been added to assess matters that are of specific interest to Māori:

The proposal has a major and long-term impact on iwi/hapū/whanau and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga

One criterion has been amended to widen the threshold on community effects:

From: *The proposal will have a radical impact on specific demographics.*

To: *The proposal is likely to have an impact on the social, economic, environmental or cultural wellbeing of the District or an aspect of the District (e.g. a particular ward, a community, a geographic area, or demographic).*

Unbudgeted financial thresholds have not changed.

- **Determining engagement**

This is a new section that sets out how Council will determine the level of engagement when the level of significance has been agreed.

- **Special consultative procedure**

This is a new section setting out when Council will use the Special Consultative Procedure as prescribed in section 83 of the LGA.

- **Removed items**

Appendix B (significance flowchart) and Appendix C (engagement framework) have been moved out of the Policy because they are procedural. They will be incorporated in the project management and engagement toolkits that are currently being developed.

Reason for the recommendation

All councils are required by legislation (LGA) to have an adopted Significance and Engagement Policy at all times. Although the Policy never expires, periodic reviews are expected.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

This item has no financial implications.

ATTACHMENTS

1. **Significance and Engagement Policy 2020 DRAFT - A3002239** [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. 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.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This item relates to a new Significance and Engagement that will be audited and consulted on in the early part of 2021.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act 2002, and the Resource Management Act 1991, and Council's Local Governance Statement.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This item is of significance to the District as a whole. Community Boards have not been consulted at this point.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	The draft policy acknowledges Council's obligation to fulfil its obligations under any Treaty Settlement legislation, and recognises Māori as more than an interest group or stakeholder. Consultation resulting from the audit of this draft Policy will seek feedback from Māori.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	The draft policy acknowledges Council's commitment to engage appropriately with all in the district, including youth, the aged and those with disabilities. Consultation resulting from the audit of this draft Policy will seek feedback from all demographics.
State the financial implications and where budgetary provisions have been made to support this decision.	Approving this draft policy has no financial implications on the Committee or Council.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

**DRAFT
SIGNIFICANCE AND
ENGAGEMENT
POLICY**

2020

**For consultation with the
Long Term Plan
2021-31**

Te Kaunihera o Tai Tokerau ki te Raki

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1. PURPOSE

This Policy explains how Council will determine the significance of decisions and when and how our communities can expect to participate in Council's decision-making processes.

2. CONTEXT

Genuine engagement is integral to high-quality Council planning, decision-making and operations. To be effective, we must be well acquainted with our community and their preferences, and our plans should have solid community backing.

Engagement is a process of dialogue between decision-makers, partners, communities and stakeholders for the purpose of making decisions, policies and strategies. Effective engagement serves to build trust in Council decision-making and increase Council's awareness of issues in the community.

This Policy provides guidance for assessing significance and the level of engagement suitable to the significance of the decision, along with guidance on the circumstances in which we would not consult. While our staff interact with community members, Māori partners and key stakeholders daily, some Council decisions require a more structured form of engagement due to the significance a matter has within the wider community, or for groups within the community. Conversely, it would not be appropriate for Council to take every decision to the community.

The goal is to give people a sense of ownership of decisions and ensure Council's work is relevant to the people who live in our district.

3. OBJECTIVE

The objectives of this policy are to:

1. Ensure consistency when determining the significance of proposals, assets and decisions
2. Identify the extent and type of public engagement required before a decision is made
3. Provide clarity about how and when communities can expect to be engaged in decisions
4. Help us build genuine relationships with Māori, Treaty partners, key stakeholders and the wider community through a better understanding of their preferences, and encouraging co-operation, respect and mutual understanding of other points of view
5. To acknowledge the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki of the Far North
6. Comply with section 76AA of the Local Government Act 2002.

4. DEFINITIONS

Consultation is a formal type of engagement, often prescribed by legislation and time bound. It generally involves seeking community feedback on a draft proposal, plan or document in order to inform Council's decision-making.

Engagement describes a broad range of activities, which might include consultation, designed to invite community participation in solving problems or making decisions related to

Council's work. This means Council's work can better reflect or respond to the needs, views, preferences or aspirations of the community.

Hapū defines a cluster of families linked by the same whakapapa that may share the same land boundaries and same marae.

Levels of service refer to the targets Council aims to achieve for the various services and facilities it provides. These are reviewed every three years in the Long-Term Plan. An example of this is the percentage of the roading network we aim to reseal each year.

Mana whenua are Māori with authority over the land and kaitiaki rights.

Memorandum of Understanding (MOU) in this policy refers to a Crown-Māori Relationship Instrument, which is a documented agreement or arrangement, signed by both parties, that establishes or recognises an ongoing collaborative relationship between Ministers, Government agencies or Crown entities (such as Local Government), and a whānau, hapū, iwi, Māori organisation or Māori communities.

Significance is the degree of importance of an issue, proposal, decision, or matter that concerns or is before Council. Significance relates to the likely impact on:

1. the wellbeing of the district
2. people affected
3. the ability of Council to perform its role, and the financial and other costs of doing so.

A more detailed definition can be found in section 5 of the Local Government Act 2002.

Special consultative procedure is prescribed by legislation. It requires Council to prepare and adopt a statement of proposal and a summary of the information if needed to reduce or remove confusion, and to make this widely available for public consumption and feedback, within a timeframe of no less than one month. Council must also provide an opportunity for people to present their views orally, if they wish to do so. Further detail is set out in section 83 of the Local Government Act 2002.

Strategic assets are assets, such as infrastructure or properties, that Council needs in order to achieve outcomes it decides are important to the current or future well-being of the community. A more detailed definition can be found in section 5 of the Local Government Act 2002.

Tangata whenua is anyone of the land. It might relate to specific groups, or more broadly to Māori as a people.

5. PRINCIPLES OF ENGAGEMENT

1. Our principles for engagement are laid out in the Local Governance Statement and are guided by the Local Government Act 2002 sections 82 Principles of Consultation and section 81 Contributions to Decision Making Processes by Māori.
2. We clearly communicate how and to what extent those we are engaging with can influence outcomes and within these limits we are genuinely open to the feedback and ideas of our community.

3. We think about engagement at the beginning of a project so that it is planned and purposeful. This also means, where appropriate, stakeholders or the community can be involved in the process from an early stage.
4. We consider who will be affected by or interested in the piece of work at hand, and we try to reach as many people as possible within that group.
5. We provide clear, easy-to-understand background information to those we are engaging with, so they are better equipped to discuss an issue and provide informed feedback.
6. We consider the timing of our engagement activities so as not to overburden our community.
7. We thank community members for their contributions, provide them with a summary of feedback and explain our decisions.

6. ENGAGING WITH TANGATA WHENUA

1. Council acknowledges the unique perspective of Te Ao Māori and recognise that Māori are more than an interest group or stakeholder.
2. We will continue to build and strengthen our relationships with mana whenua representative entities and engage in a range of ways to ensure their views are appropriately represented in the decision-making process.
3. Council acknowledges that different approaches are needed for Māori who live in the Far North but do not have genealogical connections to mana whenua hapū.
4. When engaging with tāngata whenua and Māori, Council will:
 - a. Engage early in the decision-making process
 - b. Establish and maintain processes to provide opportunities for Māori to contribute to Council's decision-making, including partnership approaches where appropriate, and support Māori to fully engage with us
 - c. Ensure existing general and project-specific relationship processes between Council and tāngata whenua will, where working well, remain as a starting point for engagement
 - d. Recognise and empower existing formal relationships (i.e. MOUs) with iwi and hapū
 - e. Actively consider the recognition and protection of Māori rights and interests within the Far North and how we can contribute to the needs and aspirations of Māori
 - f. Ensure all Council reports identify any impacts on Māori
 - g. Build ongoing relationships with Māori through a range of approaches that enables Māori to guide how they want to engage with Council
 - h. Fulfil its obligations under any Treaty Settlement legislation.

7. ENGAGING WITH DIVERSE COMMUNITIES

1. Council will consider those in our community with visual, hearing or literacy impairments, and those who speak English as a second language.

2. When undertaking engagement, Council will consider how to meet the needs of our diverse communities in respect of accessibility, language and cultural expectations to ensure engagement with Council is enabled as much as possible.
3. Council will consider the many demographics and interested parties across the District, including but not limited to youth, business, retirees and ratepayers that do not live in the district.

8. DETERMINING SIGNIFICANCE

1. Significance is determined in the early stages of a proposal, before decision making occurs. If it becomes necessary to do so, the significance of a proposal may be re-assessed at any time.
2. In determining a proposal's degree of significance, Council will be guided by:
 - a. Legislative requirements including the Local Government Act 2002 (LGA), the Resource Management Act 1991 (RMA), and Treaty Settlement (TS) legislation including Memoranda of Understanding (MOU)
 - b. Whether the decision is inconsistent with previous Council decisions or current policies, according to section 80 of the LGA
 - c. Commitments made in relationship agreements such as any MOU and/or mana-enhancing agreement
 - d. Historic levels of community impact or interest in the proposal
 - e. The likely impact on iwi/hapū/whanau and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

9. CLIMATE CHANGE

1. From 31 December 2021 the RMA requires councils to have regard to emissions plans and adaptation plans under the Climate Response Act 2002.
2. Council routinely considers the implications of its actions on climate change mitigation and adaption in its decision-making.
3. The criteria in the next section are considered sufficient to assess the significance of decisions that have a climate change element, cause or impact.

10. MATTERS OF SIGNIFICANCE

1. A decision is of high significance if one of the following applies:
 - a. It involves the transfer of the ownership or control of a strategic asset (Appendix A) to or from Council; or
 - b. It is inconsistent with Council plans or policies and meets one of the thresholds shown in the table below:

Criteria	Threshold
Transfer of a strategic asset	The proposal involves the transfer of the ownership or control of a strategic asset (Appendix A) to or from Council.

Unbudgeted financial impacts	The proposal will incur unbudgeted net operational expenditure exceeding 2.5% of total rates in the year commenced OR unbudgeted net capital expenditure exceeding 10% of total rates in the year commenced.
Of specific interest to Māori	The proposal has a major and long-term impact on iwi/hapū/whanau and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga
Level of public interest	The proposal is likely to generate considerable interest or community views render the community deeply divided.
Effect on the community and its demographics	The proposal is likely to have an impact on the social, economic, environmental or cultural wellbeing of the District or an aspect of the District (e.g. a particular ward, a community, a geographic area, or demographic).
Level of service	The proposal is likely to result in a change in the level of service and that the change will be major and long-term.

11. DETERMINING ENGAGEMENT

1. Council looks at the level of significance of a proposal when deciding what type of engagement is appropriate.
2. If a proposal is determined to be of high or medium significance, Council will conduct some form of engagement to inform the decision-making process.
3. If a proposal is determined to be of low significance, Council may inform the community once a decision has been made, or it may choose not to engage with the community at all (section 13).
4. Council applies the International Association of Public Participation (IAP2) spectrum to guide its approach to engagement.
5. Schedule 2 sets out the type of engagement the community can expect for proposals at different levels of significance.

12. SPECIAL CONSULTATIVE PROCEDURE

1. In some cases, the type of consultation required is set out in the legislation, i.e. the LGA. This is called a special consultative procedure and is prescribed in section 83 of the LGA, and is applied in the following situations:
2. Adoption or amendment of a Long Term Plan
3. Making, amending or revoking a bylaw that is considered of significant interest to the public or will likely cause significant impact on the public
4. When Council decides it is prudent to do so.

5. In these circumstances, the Special Consultative Procedure is a minimum requirement – Council may choose to conduct other engagement in addition to this process.

13. WHEN COUNCIL MAY CHOOSE NOT TO ENGAGE

Things Council will generally not engage on include, but are not limited to:


1. Operational matters that do not reduce a level of service
2. Emergency management activities
3. Those decisions made by delegation to Council staff
4. Commercially sensitive decisions (e.g. awarding contracts)
5. Decisions made to manage an urgent issue
6. Decisions where action is necessary to:
 - a. comply with the law
 - b. protect life, health, or amenity and infrastructure
 - c. prevent serious damage to property
 - d. avoid, remedy, or mitigate an adverse effect on the environment.

SCHEDULE 1: STRATEGIC ASSETS

The following is a list of assets that Council requires in order to achieve outcomes important to the current or future well-being of the community:

1. Council Headquarters
2. The roading network
3. The stormwater network
4. The wastewater network
5. The water supply network
6. The open space network, including parks, walkways and sports fields under the Reserves Act 1977
7. Council-owned cemeteries
8. Libraries
9. Shares in Far North Holdings Limited
10. Housing for the elderly.

SCHEDULE 2: ENGAGEMENT ASSESSMENT

Significance	LOW	MEDIUM		HIGH					
Expectation	MINIMUM	Local Government Act 2002 s82 and s83							
Level of engagement	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER				
Engagement Focus	This is what we are doing	Tell us what you think	Help us decide	Let's work together	You make the decision				
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 is in the hands of the public. Under the LGA, the Mayor and Councillors are elected to make decisions on behalf of their constituents.				
When the community can expect to be involved	Council would generally advise the community once a decision is made.	Council 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.	Council would generally provide the community with a greater lead-in time to allow them time to be involved in the process.	Council 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.	Council 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.				
Tools Council can use	Website and publications Social media Media release	+	Surveys Focus groups Submissions	+	Formal Hearings Public meetings Drop-in Centres	+	External Working Groups MOUs	+	Referenda Elections Polls

5.2 JOINT LOCAL AUTHORITY CLIMATE CHANGE COMMITTEE - AGREEMENT AND APPOINTMENT OF MEMBERS

File Number: A2992651

Author: Roger Ackers, Manager - Strategy Development

Authoriser: Darrell Sargent, General Manager - Strategic Planning and Policy

PURPOSE OF THE REPORT

To recommend the Far North District Council agree with the Northland Regional Council, Whangārei District Council and Kaipara District Council to appoint a Joint Climate Change Adaptation Committee and appoint members to the Committee.

EXECUTIVE SUMMARY

The Climate Change Working Group (comprised of staff from the four Northland region local authorities, Northland Transport Alliance and the Four Waters Advisory Group) has concluded that the success of climate change adaptation initiatives relies heavily on having clear governance and oversight groups in place. To provide that governance and oversight the Northland Regional Council has proposed a joint committee be formed of elected members from the four Northland local authorities and iwi and hapū representatives.

A joint committee of local authorities can be appointed under Clause 30A of Schedule 7 of the Local Government Act 2002, if all the local authorities agree to do so. The agreement in this instance will be achieved by all the Northland region local authorities agreeing to the Terms of Reference (Attachment 1) for a Joint Climate Change Adaptation Committee. The Strategy and Policy Committee, at its meeting on 30 July 2020, agreed to establish the joint committee however, under the Local Government Act 2002, the Committee does not have the power to make those decisions. This report describes events that have occurred in relation to the proposed joint committee since July and seeks new, recommendation only, decisions from the Committee.

The only practicable option for the Far North District Council to agree to appoint the Joint Climate Change Adaptation Committee is if the Terms of Reference are amended to:

- provide for equal remuneration of iwi/hapū members (in accordance with the Northland Regional Council Appointed Members' Allowances Policy, Attachment 2)
- correct wording errors that are inconsistent with the applicable provisions in the Local Government Act 2002.

If appointment of a joint committee is agreed, the Far North District Council will have two members on the Joint Climate Change Adaptation Committee: one elected member and one iwi/hapū member. The Council will also appoint alternatives for both members to serve on the committee in the event of a member's absence. Councillor Clendon is recommended to be the elected member with Councillor Stratford as the alternative elected member. The appointment of the iwi/hapū member (and alternative) is recommended to be based on nominations sought by His Worship the Mayor from Te Kahu o Taonui (a collective of Taitokerau iwi chairs).

RECOMMENDATION

The Strategy and Policy Committee

- a) **revokes the decision made at the Committee meeting on 30 July 2020 (resolution 2020/2)**

4.1 JOINT CLIMATE CHANGE ADAPTATION GOVERNANCE COMMITTEE

Agenda item 4.1 document number A2905655, pages 14 - 22 refers.

COMMITTEE RESOLUTION 2020/1*Moved: Cr Rachel Smith**Seconded: Cr John Vujcich**That the Strategy and Policy Committee:*

- a) approve the forming of a Joint Climate Change Adaptation Governance Committee with one tangata whenua representative from each of the four Councils that are contained in the Northland Region, these being Northland Regional Council, Whangarei District Council, Kaipara District Council and Far North District Council and that; and*
- b) approve that Councillor Clendon as the climate change portfolio holder, Councillor Stratford as an alternative, to be appointed as the Far North District Council elected member representative on the proposed Joint Climate Change Adaptation Governance Committee and that;*
- c) approve that Te Kahu O Taonui be asked to nominate a representative and an alternate as tangata whenua representation on the proposed Joint Climate Change Adaptation Governance Committee and that;*
- d) approve the development of a policy for the remuneration of non-elected members to committees of Council.*

CARRIED**The Strategy and Policy Committee recommends Council**

- b) agrees, under clause 30A(1) of Schedule 7 of the Local Government Act 2002, with the Northland Regional Council, Whangārei District Council and Kaipara District Council to appoint a joint committee called the Joint Climate Change Adaptation Committee as specified in the Terms of Reference (A2994705), subject to the Terms of Reference being amended by:**
 - replacing, in the Membership section, the words “nominated”, “nomination” and “nominate” with the words “appointed”, “appointment” and “appoint” respectively
 - replacing, in the Committee Chair and Deputy Chair section, the words “elected from” with the words “appointed by”
 - replacing, in the Remuneration section, the words “non-elected members remuneration policy of that Council” with “the Northland Regional Council Appointed Members’ Allowances Policy”.
- c) appoints Councillor Clendon as the Far North District Council elected member on the Joint Climate Change Adaptation Committee.**
- d) appoints Councillor Stratford as the Far North District Council alternative elected member on the Joint Climate Change Adaptation Committee.**
- e) request His Worship the Mayor and Cr Clendon invite Te Kahu o Taonui to nominate two people with skills, attributes, or knowledge that will assist the work of the Joint Climate Change Adaptation Committee to be the Far North District Council iwi/hapū member and alternative iwi/hapū member of the Committee.**

1) BACKGROUND

On 23 July 2018 representatives of the Kaipara District Council, Far North District Council, Whangārei District Council, Northland Regional Council and Northland Transport Alliance met to collaborate on issues and approaches to responding to climate change. At this meeting the attendees agreed that for regional collaboration to be effective, it needed a mandate for a cross-

council working group to be established. This mandate was sought from the Northland Chief Executive Officers Forum and Mayoral Forum.

On 20 August 2018 the Chief Executive Officers Forum endorsed Terms of Reference for a Climate Change Working Group (“the Working Group”) and appointed the Chief Executive Officer of Kaipara District Council as the project sponsor of the Working Group. The members of the Working Group are staff from the four Northland region local authorities, Northland Transport Alliance and the Four Waters Advisory Group. The purpose of the Working Group is to develop a regional collaborative approach to climate change adaptation planning for local government in Northland, including a draft climate change strategy for Northland and a work programme that identifies and addresses priority issues at both a regional and district level.

Based on advice and direction provided by the Ministry for the Environment, and case studies from across New Zealand, the Working Group has concluded the success of climate change adaptation initiatives relies heavily on having clear governance and oversight groups in place. To provide governance and oversight, in February 2020, the Northland Regional Council proposed to the Mayoral Forum that a joint committee be formed of elected members from the four Northland local authorities and iwi and hapū representatives. The Northland Regional Council also provided a draft Terms of Reference for the joint committee. The Mayoral Forum’s response was “that while the concept was supported there needed to be more consultation with Māori advisory groups from each council before moving forward”.

The Far North District Council does not have a Māori advisory group, but it is a signatory to the Mayoral Forum/Iwi Chairs Memorandum of Understanding: Whanaungatanga Ki Taurangi. Appointing a representative of the Far North iwi/hapū to a joint committee is consistent with the Council’s commitments in Whanaungatanga ki Taurangi.

The Strategy and Policy Committee, at its meeting on 30 July 2020, considered the proposal to establish the joint committee. The Strategy and Policy Committee made resolutions approving the joint committee and appointing members, including asking Te Kahu o Taonui (a collective of Taitokerau iwi chairs) to nominate an iwi/hapū representative. However, under the Local Government Act 2002, the Strategy and Policy Committee does not have the power to make those decisions. This report therefore seeks recommendations from the Committee (consistent with its previous decisions) to the Far North District Council’s governing body.

2) DISCUSSION AND OPTIONS

Agreement to appoint a Joint Climate Change Adaptation Committee

Clause 30A of Schedule 7 of the Local Government Act 2002 gives a local authority the power to appoint a joint committee with any other local authority. This power can only be exercised by the governing body of a local authority, not a committee. Clause 30A(1) requires the appointment of a joint committee to be preceded by an agreement between the local authorities to appoint the committee. The agreement in this instance will be made when each local authority agrees to the Terms of Reference for the joint committee. The Terms of Reference are in Attachment 1 and they comply with the requirements of clause 30A(2) for matters that must be specified in the agreement.

Option One: Agree to appoint the Joint Climate Change Adaptation Committee as specified in the attached Terms of Reference

This option is not practicable for the Far North District Council for the following reasons:

- The Terms of Reference require each local authority to remunerate and reimburse its tāngata whenua representative “in accordance with [its] non-elected members remuneration policy”. The Far North District Council does not currently have a policy on remuneration of non-elected members, so will need to develop a policy in order to comply with the Terms of Reference. There is not enough time to develop a policy before the first meeting of the joint committee is expected to occur (February 2021), nor is a policy necessary for the local authority to make a decision on remuneration. Further, this provision in the Terms of Reference will result in unequal payment of tāngata whenua representatives – this matter is considered further in option three below.

- Some of the words used in the Terms of Reference are different from the relevant provisions in the Local Government Act 2002 and are therefore wrong and, if agreed to, would make any decisions about appointment of members to the joint committee legally incorrect.

Option Two: Do not agree to appoint a Joint Climate Change Adaptation Committee

This option is not practicable for the Far North District Council for the following reasons:

- While the Council has currently “paused” work on its Climate Change Roadmap (adopted on 07 May 2020), pending the recruitment of staff to lead the work, this does not mean it needs to disengage from the regional collaboration at a governance level. The Far North District Council does not have the resources (financial or staff) to develop and implement climate change adaptation measures for the Far North District on its own.
- The costs of agreeing to the joint committee are minor in comparison to the costs the Council would incur to develop its own climate change response approaches.
- Ceasing the Council’s involvement in the cross-council collaboration on climate change potentially leads to inconsistent approaches to climate change adaptation activity across the region and reduces the Council’s access to regional skills and data and national funding.

Option Three: Agree to appoint the Joint Climate Change Adaptation Committee subject to changes being made to the attached Terms of Reference

This option is the only practicable option for the Far North District Council. The advantages of appointing the joint committee are:

- supporting the Climate Change Roadmap for the Far North District
- improving the governance relationships with tāngata whenua
- ensuring a regionally consistent approach to climate change adaptation and allowing for greater synergies with policies and strategies and Resource Management Act 1991 planning
- enabling Northland local authorities to lobby for central government financial contributions for projects through the collaborative nature of the joint committee.

The only disadvantage is the cost of remunerating the members appointed to the joint committee. As noted in option two, this cost is minor when compared to the costs that would be incurred if the Far North District Council worked on its own. The advantages of this option therefore outweigh the disadvantages.

As noted in option one, the Terms of Reference for the joint committee need to be changed to enable the Far North District Council to comply with them and for the appointment of the joint committee to be lawful.

The version of the Terms of Reference considered by the Strategy and Policy Committee (in July 2020) specified the remuneration of the tāngata whenua representatives would be “in accordance with the Northland Regional Council Non-Elected Members Remuneration Policy”. The Northland Regional Council, when it agreed to the appointment of the joint committee, changed that provision in the Terms of Reference to “in accordance with the non-elected members remuneration policy” of each local authority. As noted in option one, this change of wording is not practicable for the Far North District Council and therefore cannot be agreed to. This changed wording has already resulted in decisions by the other Northland local authorities to pay their tāngata whenua representatives different amounts. The Northland Regional Council and the Kaipara District Council are paying \$170 per meeting plus mileage. Whangārei District Council is paying \$280 per meeting (with no mileage allowance). This inequality in remuneration is unfair and unjustified. The representatives will be doing the same work and therefore should be paid the same amount. This situation would not have occurred if the Terms of Reference had retained the original wording i.e.: referring to using the Northland Regional Council policy to determine the remuneration. A copy of the Northland Regional Council policy is in Attachment 2. Note: The correct name of the policy is “Appointed Members’ Allowances Policy”.

As noted in option one, there are some wording mistakes in the Terms of Reference. Under the Local Government Act 2002, members are “appointed” to committees, whereas the Terms of Reference specify they are “nominated”. Also the Local Government Act 2002 states the chairperson and deputy chairperson of a committee are “appointed” by the members of the committee, whereas the Terms of Reference specify they are “elected”. These mistakes need to be corrected to ensure the appointment of the joint committee, and its chair and deputy, is lawful.

The Far North District Council can only agree to appoint the joint committee if the Terms of Reference are changed by:

- replacing, in the Membership section, the words “nominated”, “nomination” and “nominate” with the words “appointed”, “appointment” and “appoint” respectively
- replacing, in the Committee Chair and deputy Chair section, the words “elected from” with the words “appointed by”
- replacing, in the Remuneration section, the words “non-elected members remuneration policy of that council” with “the Northland Regional Council Appointed Members’ Allowances Policy”.

Appointment of Far North District Council members to the Joint Climate Change Adaptation Committee

If the Far North District Council agrees to appoint the Joint Climate Change Adaptation Committee as described in option three, the Terms of Reference require the Council to:

- Appoint an elected member and an alternative elected member
- Appoint an iwi/hapū member and an alternative iwi/hapū member

Elected member appointment

Councillor Clendon holds the elected member portfolio for Climate Change and therefore would be the appropriate elected member to be appointed to the joint committee. The Strategy and Policy Committee, when it considered the proposed joint committee at its meeting in July 2020, decided Councillor Stratford should be the alternative elected member for Councillor Clendon.

Iwi/hapū member appointment

Under clause 31(3) of Schedule 7 of the Local Government Act 2002, a non-elected member can be appointed to a committee if “in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee”. The Terms of Reference for the joint committee specify the appointment of the iwi/hapū member should, where possible, “follow recommendations from council Māori advisory groups or committees”. Far North District Council has no such advisory groups or committees, but Te Kahu o Taonui is a collective of Taitokerau iwi chairs from Te Aupouri, Ngāti Kuri, Te Rarawa, Ngāti Kahu, Ngāi Takoto, Ngāpuhi, Kahukuraariki, Whangaroa, Ngāti Wai, Ngāti Whātua ki Kaipara and Te Roroa. The Strategy and Policy Committee, when it considered the proposed joint committee at its meeting in July 2020, decided to ask Te Kahu o Taonui to nominate a person to be the Council’s iwi/hapū member on the joint committee.

The communication with Te Kahu o Taonui needs to be at the governance level, therefore His Worship the Mayor should ask for the nomination (Note: two people need to be nominated, one as the iwi/hapū member and one as the alternative iwi/hapū member).

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Proposed remuneration can be met from existing budgets, so there are no financial implications associated with the recommendations made in this paper. The remuneration amount for the iwi/hapū member on the joint committee is lower than the amount currently paid to the only other non-elected member of a Far North District Council committee (the deputy chair of the Audit, Risk and Finance Committee). It is possible the remuneration amount may be increased if one of the following occurs:

- the Far North District Council iwi/hapū member is appointed co- or deputy chair of the joint committee

- the joint committee recommends back to the local authorities that a higher amount is more reasonable for the work involved.

In that event, a further report will be provided with new advice and recommendations about the remuneration and financial implications.

ATTACHMENTS

1. **Joint Council Climate Change Adaptation Committee - Draft Terms of Reference August 2020 - A2994705** [↓](#) 
2. **NRC Appointed Members Allowances Policy - A2994706** [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. 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.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The proposals in this report are low significance under the Council's Significance and Engagement Policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Clauses 30, 30A and 31 of Schedule 7 to the Local Government Act 2002 give local authorities the power to appoint a joint committee with another local authority. The recommendations in this report comply with those provisions.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Appointment of joint committees is not a matter that can be delegated to Community Boards.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Māori will be disproportionately affected by the impacts of climate change. Including Māori representatives on the joint committee will provide Māori with direct input into local authority decisions about climate change adaption.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	There are no specific persons that will be affected by or have an interest in the recommendation in this report that require consideration of their views or preferences.
State the financial implications and where budgetary provisions have been made to support this decision.	Costs can be met within existing budgets.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

Joint climate change adaptation committee Terms of Reference

August 2020

Background

Climate change poses significant risks to the environment and people of Te Taitokerau - local government has responsibilities in reducing the impact of climate change (adaptation). It is essential that councils, communities and iwi / hapū work collaboratively to ensure an effective, efficient and equitable response to the impacts of climate change. Work on adaptation has already started between council staff with the formation of the joint staff working group Climate Adaptation Te Taitokerau and the development of a Climate Change Adaptation Strategy for Taitokerau. The formation of a joint standing committee of the Far North, Kaipara and Whangarei district councils and Northland Regional Council elected council members and iwi / hapū is fundamental to ensuring these outcomes are achieved in a coordinated and collaborative way across Te Taitokerau.

Role and Responsibilities

- 1) Provide direction and oversight of the development and implementation of climate change adaptation activities by local government in Te Taitokerau
- 2) Receive advice and provide direction and support to Climate Adaptation Te Taitokerau
- 3) Make recommendations to member councils to ensure a consistent regional approach is adopted to climate change adaptation activities
- 4) Act collectively as an advocate for climate change adaptation generally and within the individual bodies represented on the Committee
- 5) Ensure the bodies represented on the Committee are adequately informed of adaptation activity in Te Taitokerau and the rationale for these activities
- 6) Ensure the importance of and the rationale for climate change adaptation is communicated consistently within Te Taitokerau
- 7) Receive progress reports from Climate Adaptation Te Taitokerau

Membership

The Joint Climate Change Adaptation Committee (the committee) is a standing committee made up of elected members from the Far North, Kaipara and Whangarei district councils, the Northland Regional Council and representatives from Northland hapū and iwi.

The committee shall have eight members as follows:

One elected member from:

Kaipara District Council
Far North District Council
Whangarei District Council
Northland Regional Council

Iwi / hapū members:

One representative from iwi / hapū nominated by each council from within their jurisdiction. Where possible, this nomination should follow recommendations from council Māori advisory groups or committees.

Each council shall also nominate one alternative elected member and one alternative iwi / hapū member who will have full speaking and voting rights when formally acting as the alternate.

Status

The Committee is a joint standing committee of council as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 and shall operate in accordance with the provisions of Clause 30A of that Act. The committee is an advisory body only and has no powers under the Local Government Act 2002 (or any other Act) other than those delegated by decision of all member councils. The joint standing committee shall operate under Northland Regional Council Standing Orders.

Committee Chair and deputy Chair:

The Chair and Deputy Chair is to be elected from members at the first meeting of the committee.

Quorum

At least 50% of members shall be present to form a quorum.

Meetings

The Committee shall meet a minimum of two times per annum.

Service of meetings:

The Northland Regional Council will provide secretarial and administrative support to the joint committee.

Draft agendas are to be prepared by Climate Adaptation Te Taitokerau and approved by the Chair of the Committee prior to the Committee meeting.

Remuneration

Remuneration and / or reimbursement for costs incurred by council members is the responsibility of each council.

Respective iwi / hapū representatives will be remunerated and reimbursed by the nominating council in accordance with the non-elected members remuneration policy of that council.

Amendments

Any amendment to the Terms of Reference or other arrangements of the Committee shall be subject to approval by all member councils.



Appointed Members' Allowances Policy

Last updated: 12 June 2020

Document owner: Governance Support Manager/Administration Support Staff

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1. Statement of purpose

This policy explains the circumstances in which the Northland Regional Council will pay allowances to Appointed (non-elected) Members¹ who are appointed to its standing committees, subcommittees, working parties, working groups and external bodies, and sets out the conditions that must be met for a claim to be paid.

2. Policy goal

The goal of this policy is to ensure the council's position and procedures for the payment of allowances to appointed members is transparent, accountable, and fair.

3. Key principles

- a. The council recognises that appointed members from time to time incur personal expense as a result of participating in standing committees, subcommittees, working parties, working groups and external bodies.
- b. The council wishes to ensure appointed members are not financially disadvantaged by their participation, or that the financial impact of their participation acts as a disincentive to participation.
- c. The council also recognises that a commitment to public service motivates appointed members to participate.
- d. The application of a transparent, fair and balanced policy on the payment of allowances to appointed members promotes public confidence in the council's financial stewardship.

4. Eligibility

Subject to the restrictions noted below, appointed members are eligible to claim allowances for attendance² at the following:

- a. Standing Committee Meetings: i.e. a permanent committee appointed by the council (only) that meets on a regular basis to address specific issues covered by the committee's delegations
- b. Subcommittee/Working Party Meetings if their appointment and the meeting schedule has been approved by council resolution.
- c. Standing Committee/Subcommittee/Working Party Workshops if the membership and workshop schedule have been approved by council resolution.
- d. Meetings of any other sub-ordinate bodies set up by Standing Committees/Subcommittees/Working Parties if the membership and meeting schedule has been approved by council resolution.
- e. Scheduled meetings of External Bodies; provided council has approved by resolution that the appointed member will represent council at these meetings.³

¹ Elected members' remuneration, expenses and allowances are governed by the Remuneration Authority. The Authority does not concern itself in a council's methods or policies for rewarding or recompensing non-elected members.

² For completeness, it should be noted that appointed members are eligible to claim travel and meeting allowances if a meeting lapses due to lack of a quorum.

³ External Body is defined as a government agency, local authority or private/public interest group.

or otherwise:

- f. The Chair of the Regional Council has granted them an exception under Section 8 of this policy.

5. Restrictions

Allowances will not be paid:

- a. To council's independent financial advisor, as that member is paid a fixed annual fee.
- b. To any appointed member whose participation on a committee, subcommittee, working party or external body is remunerated by another organisation). This will be determined by a declaration statement included on the claim form. To avoid doubt, the council will reimburse the member (unless otherwise advised by the member); any issues regarding remuneration in these cases are a matter to be resolved between the member and the organisation concerned.
- c. To any appointed member of a Working Group (for the avoidance of doubt this includes all Catchment Working Groups and River Working Groups)
- d. For any mileage that is not associated with travel between a member's primary residence and properly scheduled meetings of a committee, subcommittee or working group, in the member's own vehicle, and by the most direct route that is reasonable in the circumstances.
- e. If a meeting/workshop is cancelled.

6. Meeting (workshop) allowance

The council will pay a maximum daily meeting (workshop) allowance of \$170 subject to the provisions of this policy. For clarity, if a member attends two meetings (workshops) on the same day, the allowance may only be claimed once for that day. Members may choose to not claim this allowance.

7. Vehicle mileage allowance

The council will pay the 'the vehicle mileage allowance as set out in its current Elected Members' Expenses and Allowances Policy, subject to the provisions of this policy. For clarity, the annual cap and minimum distance requirements of the Elected Members' Expenses and Allowances Policy apply. Eligible appointed members may choose to not claim mileage.

8. Exceptions

particular circumstances detailed in an appointed member's written application, and the Auditor-General's 2007 good practice guide on "Controlling Sensitive Expenditure: Guidelines for Public Entities", and make a recommendation for decision by the Chair of the regional council:

- a. From appointed members who are otherwise ineligible for the travel and meeting allowances. Allowances provided must not exceed those provided for in this policy.
- b. From appointed members who seek an allowance or reimbursement for an expense not detailed in this policy.

As a guiding principle, the meeting and travel allowances should only be exceeded in exceptional circumstances.

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9. Procedures

- a. The Finance Manager shall advise the Administration Support Staff the account to which allowances are to be charged.
- b. The Administration Support Staff is to ensure that a Claim for Meeting Allowances is attached to every notice of a meeting sent to appointed members.
- c. At each meeting, the Administration Support Staff is to note the time and date of the meeting, and a list of attendees, and collate returned completed claim forms.
- d. Claims are to be presented to the Chief Executive or their delegated officer for approval.
- e. Payment will be made by the Payroll Officer by direct credit by the 25th of each month.

10. Linkages

For related information, see Northland Regional Council's Elected Members' Expenses and Allowances Policy.

11. Responsible persons

The Governance Support Manager and Administration Support Staff are responsible for overseeing implementation of this policy and for providing guidance for decisions that may not align to the policy.

12. Amendments and review dates

DATE	AMENDMENT	AUTHORISED BY
18 April 2017	Amended policy presented to council and approved.	Council resolution
14 Feb 2020	Minor formatting amendments	N/A
21 April 2020	Clause 4(c)(1) removed to allow all members of TTMAC to be reimbursed for attending marae based hui.	Council resolution dated 21 April 2020
12 June 2020	Updated to new corporate template	N/A

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5.3 CONSULTATION ON DRAFT DISTRICT PLAN

File Number: A3000902

Author: Greg Wilson, Manager - District Planning

Authoriser: Darrell Sargent, General Manager - Strategic Planning and Policy

PURPOSE OF THE REPORT

To seek the authorisation of the Committee to undertake consultation on the draft District Plan (the Plan), incorporating targeted engagement on Significant Natural Areas (SNA), integrated with engagement on Council's Strategic Planning document FN2100.

EXECUTIVE SUMMARY

Council is fully reviewing the Operative Far North District Plan (District Plan). It is important that landowners, tangata whenua, communities and stakeholders have the opportunity to become aware of the making of the new plan and what it means for them and for the sustainable management of our district - creating great places and supporting our people.

Administration are seeking the authorisation of the Strategic Planning and Policy Committee to publish a draft proposed version of the new district plan for feedback and refinement.

A draft proposed version of the district plan allows far north communities to become aware of the new digital format of the document, observe the changes that can affect them, their community and their environment and give feedback on key elements. A draft plan also allows the community to get informed about key changes to the management of regional and national planning matters which will factor strongly in the new plan, including the mapping of SNA.

Consultation on a draft plan that allows for a balanced discussion on resource management methods across the district will enable far north communities to effectively participate in the making of the statutory planning instrument whilst recognising the strategic direction being charted for the district through FN2100. This also enables administration to make changes outside of any formal Resource Management Act 1991 (RMA) process.

Joint engagement on the draft district plan with FN2100 will provide for efficiency and better understanding of the integration with statutory land use and long-term strategic planning.

This also enables administration to make changes outside of any formal RMA process and no proposed change will have any immediate legal effect.

RECOMMENDATION

That the Strategy and Policy Committee:

- a) endorse the approach to include "Significant Natural Areas" in the consultation process on the draft District Plan and FN2100.**
- b) request a workshop be scheduled early in the new year to provide Elected Members insight into the detail of the documents prior to consultation.**

1) BACKGROUND

Section 79 of the RMA establishes that a local authority must commence a review of a provision of any of the following documents it has, if the provision has not been a subject of a proposed policy statement or plan, a review, or a change by the local authority during the previous 10 years. The following are key contributors to the development of the draft plan supported by public participation:

1. The role of a district plan under the RMA is to manage land use and subdivision. The Plan has a ten-year life and certain content is subject to review within shorter periods. A consolidated

review is being undertaken to align with a range of national and regional directions that have direct implications for Far North communities.

2. The Plan is being authored in accordance with new national planning standards, changing the structure of the Plan and incorporating mandatory content.
3. The Plan must also play a role in representing a new strategic direction for the district. The Plan's ten year lifespan must bring together strands from Council's long term strategic direction that will be represented in FN2100. This will allow us to demonstrate how we can meet our statutory requirements to ensure that the supply of zoned land and infrastructure meets the district's expected demands for housing and business land.
4. The Plan has been developed in a new digital format designed to allow more direct access to site specific information, allowing individuals, landowners and communities more direct access to property information and how land use and subdivision is managed. This new format will require guidance and support to maximise utility and efficiency.
5. Making available the draft proposed plan offers value to the plan making process:
 - a. Feedback on the draft will allow for validation of key plan elements and adjustment to address gaps and new information
 - b. Refinement of SNA and other spatial mapping (e.g. heritage areas) may reduce the number of potentially affected parties, and will allow for additional engagement on the need for management and proposed methods
 - c. Raised community awareness of how housing and business land is supplied, and how this balances with protection of highly versatile soils, rural industry and production, and lifestyle development
 - d. Offers a valuable opportunity for tangata whenua engagement and fulfills statutory requirements by taking into consideration further tangata whenua feedback in associated evaluation of plan methods under s32 of the RMA
 - e. Demonstrated integrated narrative with strategic planning
 - f. Providing our community with an opportunity to explain how things may have changed for them as a result of the COVID-19 pandemic
6. Assisting the community to become aware, understand and engage with the suite of Council planning documents while comprehending the overall strategic direction is the purpose of the Strategic Planning and Policy Group's engagement programme 'Jump on Board'. The premise of this initiative is consolidating all of Council's engagement activities over the next nine months under a single, cohesive narrative. This means that there will be high level messaging that can feed into the topics, to ensure language and style is consistent and is in support of an overarching approach to consultation.
7. Segmented engagement activities can take place referencing the broader narrative of 'Jump on Board'. This includes the draft district plan as well as more segmented consultation with iwi and with landowners affected by potential SNA mapping.

A range of web resources and supporting information will be provided to allow for understanding of the key elements, including a synopsis of the different zones and resources of the draft plan and relevant metrics for supply of housing and business land.

2) DISCUSSION AND OPTIONS

Consultation with the Minister for the Environment, other Ministers of the Crown who may be affected by the plan and local iwi through iwi authorities, is mandatory during the development of a proposed plan under Clause 3 of Schedule 1 of the RMA. Council may otherwise consult with any other party during this process. Administration have worked in accordance with this requirement via engagement on the draft policy framework of the new plan, including public consultation. There are two options available in advancing the making of the new district plan:

Option 1 Consult on the draft proposed district plan including new zones / overlays and SNA mapping with affected landowners. This means draft SNA mapping is shared along with other draft plan content providing for a balanced discussion with communities on matters that will affect them prior to notification of the proposed plan. The program would be incorporated into the 'jump on board' engagement initiative.

Option 2 Consult only on SNA mapping with affected landowners. This engagement process, originally scheduled for May 2020, would allow for landowner awareness, opportunities for ground truthing by ecologists guided by landowner request and finalisation of an updated version of the maps. The completed maps would be incorporated into a proposed district plan, notified after the completion of the SNA engagement.

It is recommended that the Strategy and Policy Committee and/or Council endorse and support the recommendation in Option 1.

Reason for the recommendation

Making available a draft version of the plan is considered to extend the participatory approach taken thus far with plan development and offer value if implemented and resourced appropriately.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Council has a legal obligation to have a district plan and review that plan. The options outlined above will allow for the advancement of the plan making process.

There may be relevant matters that fall outside of the current version of the plan, that must be given regard to under the RMA, such as new responsibilities for biodiversity, highly productive land and inclusion of large volumes of heritage and cultural resources. These matters will be necessary to contemplate in long term and annual plan processes.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. 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.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The level of significance associated with consultation on the draft plan is considered low, as it is part of a programmed consultative method to promote awareness in plan making.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Resource Management Act 1991 – Sections 32, 74, 75, 79, Schedule 1.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The proposal has District wide relevance, as the District Plan and submissions management for plan and policy making generally affect the entire District.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	As part of the District Plan review process a tangata whenua reference group has been established. Any draft material created as a result of this project will be brought before this group. Consultation on a draft plan will fulfil further obligations to consult with tangata whenua under section 32 and Schedule 1 of the RMA.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Plan making involves public participation at different stages of plan development. The development of the plan has offered innovative means to gather a broad spectrum of community involvement including digital engagement, a series of 18 separate information sessions across the district and attendance as special interest forums.
State the financial implications and where budgetary provisions have been made to support this decision.	The development of the draft district plan has conformed to the budgetary allocation for the development of the plan.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

7 MEETING CLOSE