



Auckland
Regional Council
TE RAUHITANGA TAIAO

LOCAL GOVERNANCE STATEMENT

Under the Local Government Act 2002

April 2008

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1. INTRODUCTION

This document is the Local Governance Statement required to be produced by the Council under Section 40 of the Local Government Act 2002.

2. FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES OF THE ARC

The purpose of the Auckland Regional Council (ARC) is to enable democratic local decision making to promote the social, economic, environmental and cultural well being of the Auckland region in the present and for the future.

In meeting its purpose the ARC has a variety of roles:

- Facilitating solutions to regional needs
- Regional leadership and community development (advocacy of behalf of the regional community with central government, other local authorities and other agencies).
- Transport strategy, passenger transport, public transport information
- Open space and recreation incorporating regional parks including Mt Smart Stadium
- The built environment
- Natural environment and heritage
- Economic development
- Safety (includes ARC role in Civil Defence and the Harbourmaster's Office).

In fulfilling its purpose the ARC exercises powers and fulfils responsibilities bestowed on it by legislation - a list of key legislation is included as Appendix A.

3. LOCAL LEGISLATION

In addition to the legislation that applies to all local authorities, the ARC is also bound by several pieces of (generally historic) local legislation (Acts that apply specifically to it). Those Acts are:

3.1.1 Mt Smart Reserve:

- Auckland Regional Authority (Mt Smart) Expenditure Act 1985
- Mt Smart Regional Recreation Centre Act 1985,

3.1.2 Auckland Regional Authority related:

- Auckland Regional Authority Act 1963
- Auckland Regional Authority Empowering Act 1972
- Auckland Regional Authority Establishment Act 1960
- Auckland Regional Planning Authority Act 1963

3.1.3 Auckland Harbour Board Empowering Acts:

- Several acts are still in existence

4. ELECTORAL SYSTEMS

The ARC currently operates its elections under the “First Past the Post” electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the Single Transferable Vote system (STV). This system is used in district health board elections. Electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters’ second preferences.

Under the Local Electoral Act 2001 the council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 per cent of electors signing a petition demanding that a poll be held. **Once changed, an electoral system must be used for at least the next two triennial general elections**, i.e. we cannot change our electoral system for one election and then change back for the next election.

No change was made to council's electoral system for the 2004 elections. The council considered the issue of the electoral system, and consulted the community on this issue, during 2005. Accordingly, the council resolved in 2005 not to change the system for the 2007 elections.

5. ARC CONSTITUENCIES

The council has six constituencies based on the region's local council boundaries, with representation as below.

Constituency	No. of Representatives	2004-2007 Representatives
Auckland	4	Barnett, Bassett, Carter, Lee
Franklin/Papakura	1	Glenn
Manukau	3	Burrill, Morrissey, Sinclair
North Shore	2	Cayford, Rankin
Rodney	1	Rose
Waitakere	2	Coney, Walbran

5.1.1 Maori Constituencies

The Local Electoral Act 2001 also gives council the ability to establish separate constituencies for Maori electors. The council may resolve to create separate Maori constituencies or conduct a poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5 per cent of electors within the district.

The council considered the issue of Maori constituencies, and consulted the community on this issue, during 2005. Accordingly, the council resolved in 2005 to maintain the status quo in regard to Maori constituencies for the 2007 elections.

5.1.2 Representation Arrangements

The council is **required to review its representation arrangements at least once every six years**. The first review under the Local Electoral Act 2001 took place in 2006 and included the following:

- The number of elected members (within the legal requirement to have a minimum of 6 and a maximum of 14 members)

- The boundaries and names of constituencies and the number of members that will represent each constituency

The council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The Act gives you the right to make a written submission to the council, and the right to be heard if you wish. You also have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal. Further details on the matters that the council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

6. THE RE-ORGANISATION PROCESS

The Local Government Act 2002 sets out procedures, which must be followed during proposals to:

- Make changes to the boundaries of a region
- Create a new region, unite regions or abolish a region
- Transfer a particular function or functions to another council

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal either from the local authority, the Minister of Local Government, or by a petition signed by 10 per cent of electors.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities, or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with matter. Proposals for the establishment of a new region or for the creation of a unitary authority will be dealt with by the Commission. These proposals cannot be implemented without a poll of electors. Further information on these requirements can be found in the Local Government Act. The Local Government Commission has also prepared guidelines on procedures for local government re-organisation.

7. ROLES AND CONDUCT

The Chair and the Councillors of the Auckland Regional Council have the following roles:

- Setting the policy direction of council
- Monitoring the performance of the council

- Representing the interests of the region (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the region)
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

7.1.1 Chair

The Chair is elected by the members of the council at the first meeting. In addition to this the Chairperson has the following roles as a:

- Presiding member at council meetings. The Chair is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders).
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council.
- Ceremonial head of the council.
- Provider of leadership and feedback to other elected members on teamwork and chairmanship of Committees.

7.1.2 Deputy Chair

The Deputy Chair is elected by the members of council at the first meeting of the council. The Deputy Chair exercises the same roles as other elected members. In addition, if the Chair is absent or incapacitated, or if the office of Chair is vacant, then the Deputy Chair must perform all of the responsibilities and duties, and may exercise the powers of the Chair (as summarised above).

7.1.3 Committee Chairs

The council may create one or more committees of council.

A Committee Chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by council, and as set out in the council's Delegations Manual. A Committee Chairperson may be removed from office by resolution of council.

7.1.4 Chief Executive

The Chief Executive is appointed by the council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the council's policies and objectives within the budgetary constraints established by the council. Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the council
- Providing advice to the council
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or

conferred by any Act, Regulation or Bylaw are properly performed or exercised

- Managing the activities of the council effective and efficiently
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the council
- Providing leadership for the staff of the council
- Employing staff (including negotiation of the terms of employment for the staff).

7.1.5 Elected Members

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct and Standing Orders
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

7.1.6 Code of Conduct

All elected members are required to adhere to a Code of Conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75 per cent or more vote of the council.

The Code sets out the council's understanding and expectations of how the Chair and Councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the council may impose if an individual breaches the code. Copies of the full Code of Conduct may be obtained from the Information Centre or from the website www.arc.govt.nz.

7.1.7 2008 Auckland Regional Triennial Agreement

That the Council endorses the 2008 Auckland Regional Triennial Agreement for authorisation by the signatories specified in section nine of the agreement.

Council: 25 October 2008

8. GOVERNANCE STRUCTURES

The council reviews its committee structure after each triennial election. At the last review the council established five standing committees, of which all councillors are members. Each standing committee has delegated powers, functions and duties, with roles as set out below.

The Council and standing committees meet on a monthly basis.

A schedule of meeting dates for 2008 can be found on the council website www.arc.govt.nz

8.1 STANDING COMMITTEES

8.1.1 Environmental Management Committee

Chair: Cr Dianne Glenn

To ensure the management, use, development and protection of the natural and physical resources of the region by giving effect to regional policies and plans.

In accordance with the relevant legislation, oversee the ARC's roles with respect to civil defence and emergency management and hazards.

In accordance with the relevant legislation, provide for the Council's maritime navigation and safety functions.

8.1.2 Finance Committee

Chair: Cr Bill Burrill

To deal with the Council's responsibilities for the oversight and monitoring of its financial situation and its audit and risk responsibilities.

To deal with the Council's responsibilities for the oversight and monitoring of its Council Controlled Organisations and the financial performance of AucklandPlus.

To deal with the Council's responsibilities for rates collection.

8.1.3 Parks and Heritage Committee

Chair: Cr Sandra Coney

To establish policy for the provision, operation, conservation, appropriate community use and development of a diverse regional parks and public open space system and to deal with relevant regional recreation matters.

To promote the protection, enhancement and value of a diverse range of heritage resources and biodiversity for the community.

8.1.4 Regional Strategy and Planning Committee

Chair: Cr Paul Walbran

To establish policy for the provision, operation, conservation, appropriate community use and development of a diverse regional parks and public open space system and to deal with relevant regional recreation matters.

To promote the protection, enhancement and value of a diverse range of heritage resources and biodiversity for the community.

8.1.5 Transport and Urban Development Committee

Chair: Cr Christine Rose

To implement policy and oversee performance of ARC programmes relating to transport, land use and economic development which involve implementation, advocacy, education, demonstration and pilot projects.

To develop policy relating to the Council's transport functions and to provide oversight in facilitating the integration of land use and transport.

8.2 SPECIAL AND SUB-COMMITTEES

From time to time, special committees and sub-committees may be established to consider particular issue or issues. These currently are:

8.2.1 CEO Review Committee

To review the Chief Executive's performance during the 2007/2010 term of the Council and to negotiate performance agreement details and annual remuneration.

Membership comprises Councillors Barnett, Bassett, Burrill, Coney, Glenn, Lee, Rankin and Walbran.

8.3 REGIONAL COMMITTEES

8.3.1 Auckland Regional Civil Defence Emergency Management Group

To be responsible for approval of local civil defence plans, and recommending approval of regional civil defence plans.

To oversee development of the proposed Emergency Management Strategy and supporting plans, for the Auckland region.

To put in place the structures necessary to implement new emergency management arrangements in the region.

Membership comprises Councillor Sinclair and one elected representative from each local authority in the region.

8.3.2 Regional Sustainable Development Forum

Addresses growth issues by co-ordination and development of regional strategies in accordance with the principles of the Resource Management Act.

Membership comprises Councillors Lee (Chair), Barnett and Walbran and an elected representative from each local authority in the region.

Memberships also comprises five Government non voting representatives as well as mana whenua.

8.3.3 Hauraki Gulf Forum

The purpose of the Forum is established in Section 15 of the Act:

- a) to integrate the management and, where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand;
- b) to facilitate communication, cooperation, and coordination on matters relating to the statutory functions of the constituent parties in relation of the Hauraki Gulf, its islands and catchments and the Forum;
- c) to recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and where appropriate, its catchments;
- d) to recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and where appropriate, its catchments.

Membership comprises Councillors Lee as a voting member and Councillors Coney and Glenn as non-voting members, an elected representative from each local authority bordering the Gulf, Environment Waikato, representatives from relevant government departments and ministries, and Tangata Whenua.

8.3.4 Regional Land Transport Committee

- a) Prepare for approval by the Auckland Regional Council The Regional Land Transport Strategy (RLTS), in accordance with section 175 of the Land Transport Act 1998.
- b) Monitor progress with implementation of the RLTS.
- c) Liaise and consult with key stakeholders to ensure their views are fully considered in the carrying out of the RLTC's functions.
- d) Enter into a Memorandum of Understanding to ensure the commitment of the member agencies to the RLTC and RLTS, and to effect the required actions within those agencies.

Membership comprises Councillors Rose (Chair), Barnett, Walbran, Lee, Cayford and Glenn, an elected representative from each local authority in the region and representatives from government departments and interest groups.

8.3.5 Regional Economic Development Forum

- a) Prepare for approval by the Auckland Regional Council The Regional Land Transport Strategy (RLTS), in accordance with section 175 of the Land Transport Act 1998
- b) Monitor progress with implementation of the RLTS.
- c) Liaise and consult with key stakeholders to ensure their views are fully considered in the carrying out of the RLTC's functions.
- d) Enter into a Memorandum of Understanding to ensure the commitment of the member agencies to the RLTC and RLTS, and to effect the required actions within those agencies.

Membership comprises Councillors Barnett and Rankin and representatives from the business community, government departments and community groups.

9. COUNCIL CONTROLLED ORGANISATIONS (CCO)

9.1.1 Auckland Regional Holdings (ARH)

One of two new entities of the Auckland Regional Council, Auckland Regional Holdings (ARH) was established on 1 July 2004.

Governed by a Board of Directors, ARH is responsible for owning and managing regional assets - the money from which will be used by the ARC to fund primarily transport and water quality projects throughout the region.

The \$1.3 billion in assets now owned by ARH are those previously owned by Infrastructure Auckland, which was disbanded on 1 July 2004. These include:

- Investments.
- An 100 per cent shareholding in Ports of Auckland Limited.
- America's Cup Village Limited, which is now a subsidiary of ARH, and owns land near the Viaduct Basin.
- Northern Disposal Systems Limited.

ARH has a statutory function of holding land transport assets and making them available to assist ARTA. ARC is working through with ARH and ARTA on this issue.

Each year, ARH will produce a long term funding plan, which will outline how it will manage its assets successfully so that it is able to provide the ARC with enough money to fund transport, stormwater and other activities. Where the money goes is subject to legislation which specifies that 85% of ARH funds must be spent on stormwater or transport.

9.1.2 Auckland Regional Transport Authority (ARTA)

The Auckland Regional Transport Authority (ARTA) was established on 1 July 2004 and became operational on 1 December 2004 with the transfer of transport staff and functions from the ARC.

ARTA's creation signalled a shift in how Auckland regional transport is governed and was established by the passing of the Local Government (Auckland) Amendment Act 2004. As part of the package of changes in Auckland transport, the Government also committed \$1.62 billion in transport funding to Auckland over the next decade.

ARTA's objective is to plan, fund and develop the Auckland regional land transport system in a way that contributes to an integrated, safe, responsive and sustainable land transport system for the Auckland region. In preparing its programmes, ARTA must give effect to the Regional Land Transport Strategy prepared by the ARC.

ARTA's activities are funded by Land Transport New Zealand and the ARC, and the ARC is ARTA's sole shareholder.

10. CONDUCT OF MEETINGS

The legal requirements for council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA). All council and committee meetings must be open to the public unless there is reason to consider some item 'in committee'. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with council. The LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The council agenda is a public document, although parts may be withheld if the above circumstances apply. The Chair or Committee Chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

10.1.1 Calling of Meetings:

For a scheduled meeting of council, at least 3 working days notice of the time and place of the meeting must be given.

Extraordinary meetings generally can be called on 3 working days notice and shorter under special circumstances.

During meetings the Chair and Councillors must follow Standing Orders (a set of procedures for conducting meetings). The council may suspend Standing Orders by a vote of 75 per cent of the members present. A copy of Standing Orders can be obtained from the Information Centre or from the council website www.arc.govt.nz.

11. CONSULTATION POLICY

The Local Government Act sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, **the Special Consultative Procedure**, is regarded as a minimum process.

The council can and does consult outside of the special consultative procedure. When it is adopting its Long-Term Council Community Plan, Annual Plan or other statutory plans it will hold meetings with community groups and other interested parties. At these meetings the council will seek views on the matters the council considers to be important and identify issues of concern to the community.

The Special Consultative Procedure consists of the following steps:

Step One: Preparation of a Statement of Proposal and a Summary

The council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the council office and may be made available elsewhere. The council also has to prepare a full and fair summary of the proposal, which must be distributed as widely as the council considers to be reasonably practicable. That statement must be included on an agenda for a council meeting.

Step Two: Public Notice

The council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.

Step Three: Receive Submissions

The council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission.

The council must allow at least one month (from the date of the notice) for submissions.

Step Four: Deliberate in Public

All meetings where the council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA).

Step Five: Follow up

A copy of the decision and a summary of the reasons must be provided to submitters.

There is no prescribed format for such a summary. By law, the council must follow the Special Consultative Procedure before it:

- Adopts a long-term council community plan (LTCCP) or annual plan
- Amends an LTCCP
- Adopts, revokes, reviews or amends a bylaw
- Changes the mode of delivery for a significant activity (for example from the council to a council-controlled organisation or from a council controlled organisation to a private sector organisation) if that is not provided for in an LTCCP

The council may be required to use the Special Consultative Procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

A copy of the Consultation Policy is attached in Appendix B.

12. LIAISING WITH MAORI

Over the past 10 years the ARC has made steady progress to improving its relationships with the Maori of the region. Traditionally, the ARC had focused its relationships on mana Whenua iwi and hapu. There are over 30 groups in this category which has unique capacity challenges. Since the new Act, there is the new challenge to widen the scope to work with taurahere and Maori urban authorities.

The ARC has a number of plans and policies, such as the Auckland Regional Policy Statement, which recognize the unique status of Maori. In 2003 the ARC entered a Memorandum of Understanding with Te Uri o Hau, the first agreement with Maori in a number of years.

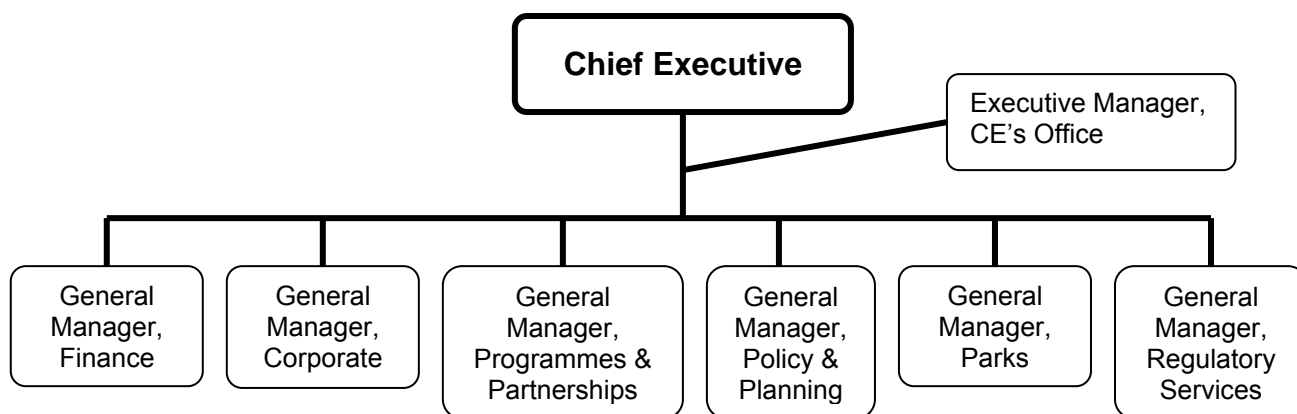
13. MANAGEMENT STRUCTURES AND RELATIONSHIPS

The Local Government Act 2002 requires council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the council, implement council decisions and provide advice to the council. Under the Local Government Act the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Chair or Councillors.

The Chief Executive is Mr Peter Winder who works with a team of General Managers (together with the Management Team) with responsibilities as set out in the chart.

Contact details are as follows:

Title	Name	Phone	Email
<i>Chief Executive</i>	Peter Winder	366 2007	peter.winder@arc.govt.nz
<i>General Manager, Regulatory Services</i>	Janine Bell	366 2030	janine.bell@arc.govt.nz
<i>General Manager, Programmes and Partnerships</i>	Louise Mason	366 2008	louise.mason@arc.govt.nz
<i>General Manager, Policy and Planning (Acting)</i>	Ann Magee	366 2197	ann.magee@arc.govt.nz
<i>General Manager, Parks</i>	Lance Vervoort	366 2145	lance.vervoort@arc.govt.nz
<i>General Manager, Finance</i>	Brian Monk	366 2142	brian.monk@arc.govt.nz
<i>General Manager, Corporate Services</i>	Wendy Busson	366 2001	wendy.busson@arc.govt.nz
<i>Executive Manager, Chief Executives Office (Acting)</i>	Harvey Brookes	366 2002	Harvey.brookes@arc.govt.nz



14. EQUAL EMPLOYMENT OPPORTUNITIES POLICY

14.1.1 Goal

To develop and foster a working environment free from discriminatory barriers which encompasses a diversity of backgrounds and individual contributions, while encouraging employees to achieve their full potential.

14.1.2 Objectives

- To ensure that recruitment policies and procedures select employees from the widest possible cross-section of the labour force in a non-discriminatory way.
- To continue to develop and review current staff policies and procedures in terms of EEO criteria.
- To publicise, maintain and review a harassment policy which is appropriate, accessible and meets the needs of all those in the organisation.
- To maintain a human resources database which provides information and reports on EEO goals and progress, whilst ensuring confidentiality.
- To ensure all staff have the opportunity to participate in training and educational opportunities both inside and outside the organisation.
- To raise awareness of EEO issues, and the EEO policy and programme throughout the organisation.
- Development initiatives to create a work and family friendly workplace.

15. KEY APPROVED PLANNING AND POLICY DOCUMENTS

Overall Documents	Role	Status
Auckland Regional Growth Strategy: 2050	To ensure that growth is accommodated in a way that enables people and communities to provide for their social, economic and cultural well being, whilst protecting the region's environment.	Adopted 1999. An evaluation of the Growth Strategy was completed in 2007/07, and endorsed by the ARC, the region's territorial authorities and the Regional Growth Forum.
Long-Term Council Community Plan 2006 - 16	Outlines the Community Outcomes, Long Term Financial Strategy and Revenue and Financing policy.	Ten year plan but subject to three yearly review due 2008/09.
Auckland Sustainable Framework	100 year framework to ensure that Auckland works towards being a sustainable city-region. The Framework acknowledges social, cultural, environmental and economic interdependencies and the need to work within ecological limits.	Endorsed by Council and RGF in September 07.
Biosecurity		
Auckland Regional Pest Management Strategy, 2007 - 2012 (ARPMS)	To minimise the adverse effects of plant and animal pests on the regional environment. To provide a strategic and statutory framework for effective management of plant and animal pests in the Auckland region.	Adopted by Council in 2007, and now operational.
Parks		
Botanic Gardens Management Plan	To guide the management of the Regional Botanic Gardens.	Review due over next 3 years.
Regional Parks Management Plan	To guide the management of the regional parks.	Scoping of review in 2008 with possible notification of intention to review at end of 2008, aiming to complete review by 2010/11.

Policy		
Regional Policy Statement	To provide an overview of resource management issues in the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.	Operative. Ongoing review process with the various plan changes in process. The scoping of an overall review of the RPS is underway with possible notification in mid-2010.
i) <i>Regional Plan: Air Land & Water</i>	To provide for the integrated management of the region's air, land, and water.	Operative 2-3 years from now and reviewed 10 years from operative period.
ii) <i>Regional Plan: Coastal</i>	To assist the regional Council in conjunction with the Minister of Conservation, in achieving the purposes of the RMA in the coastal marine area.	Operative- next review 2014 except those parts subject to variation. There are a number of proposed plan changes at various stages, including those relating to Auckland waterfront, coastal occupation charges, aquaculture, mangroves.
iii) <i>Regional Plan: Dairy Farm Discharge</i>	Managing dairy waste-water.	Operative- next review 2009.
iv) <i>Regional Plan: Sediment Control</i>	To control the use of land for the purpose of the maintenance and enhancement of the quality of water in water bodies and coastal water and the control of discharges of contaminants onto land or into water.	Operative- next review 2011.
Transport		
<i>Regional Land Transport Strategy</i>	To identify the future land transport needs of the region. To identify the most desirable means of responding to such needs in a safe and cost effective manner, having regard to environmental effects. To identify an appropriate role for each transport mode in the region.	Operative – adopted November 2005 . The timetable to review the RLTS is to be reconsidered in early 2008.

Civil Defence		
<i>Civil Defence Emergency Management Group Plan</i>	The broad purpose of this Mandatory Plan is to enable the management of regionally significant hazards and risks.	Effective for a period of 5 years and will be reviewed by May 2010.
Business Units		
<i>Mt Smart Management Plan</i>	To guide management of Ericsson Stadium	Operative but due for review over the next 3 years.

15.1 CONTACT INFORMATION

General Office Hours Enquiries:

21 Pitt Street
Private Bag 92-012
Auckland

Telephone 09-366 2000
Facsimile 09-366 2155

For Auckland region callers outside the
Auckland toll-free area call: 0800 80 60 40
Email info@arc.govt.nz
ARC Website www.arc.govt.nz

Maxx

For bus, train and ferry timetable information in the Auckland metropolitan calling area.
Telephone 7am–8pm Monday to Saturday, 8am–6.30pm Sunday and public holidays.
Closed Christmas day.

Text messaging 3666
Telephone 09-366 6400
For callers outside Auckland toll-free area call 0800 10 30 80
Internet www.maxx.co.nz

Mt Smart Stadium





Telephone 09-571 1603
Facsimile 09-571 1681
Events Line 09-571 1699
Internet www.mtsmartstadium.co.nz

After Hours/Emergency

24-Hour air pollution hotline 09-366 2000
24-Hour water pollution hotline 09-377 3107
Moorings and harbour safety patrol 09-362 0397
Regional Parks 09-366 2000

15.2 COUNCILLOR CONTACT DETAILS 2007 - 2010

The Chair and Councillors may be contacted through the Councillors Services Officer phone 3662111, facsimile 3662115

<p>Michael Lee (Auckland)</p>  <p>Chairman</p> <p>29 Omaha Road Omaha Waiheke Island</p> <p>Mob: 0274 943 198 Email: mike.lee@arc.govt.nz</p>	<p>Michael Barnett (Auckland)</p>  <p>Deputy Chairman</p> <p>Chamber of Commerce PO Box 47 Auckland</p> <p>Wk: 302 9916 Email: j.cooke@chamber.co.nz</p>
<p>Judith Bassett (Auckland)</p>  <p>17 Stilwell Road Mt Albert</p> <p>Hm: 849 2267 Wk: 366 2111 (c/- ARC) Email: judith.bassett@xtra.co.nz</p>	<p>Clive Carter (Auckland)</p>  <p>Deputy Chair, Finance</p> <p>PO Box 91776 Auckland</p> <p>Hm: 303 1615 Mob: 0275 778 921 Email: ccarter@calaw.co.nz</p>

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Bill Burrill (Manukau)



Chair, Finance

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Jan Sinclair (Manukau)



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Brent Morrissey (Manukau)



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Development

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Paul Walbran (Waitakere)



Chair, Regional Strategy & Planning
Deputy Chair, Environmental Mgmt

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Sandra Coney (Waitakere)



Chair, Parks and Heritage

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Christine Rose (Rodney)



Chair, Transport & Urban Development and
Regional Land Transport Committee
Deputy Chair, Parks and Heritage

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Dianne Glenn (Franklin/Papakura)



Chair, Environmental Management

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Pukekohe

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15.3 PROCESSING OF COMPLAINTS

The Council regards complaints (and compliments) as important tools in improving its services to the public.

Complaints are usually of three basic types:

- those of a regulatory nature e.g., air or water pollution incidents or harbour management issues
- those related to other service providers e.g., passenger transport contractors; and
- those related to the Council's own services.

Complaints relating to the Council's own services received in written or email form are dealt with through a standard procedure which includes advice to the Chief Executive, appropriate response to the complainant and process improvement (where possible).

Those received as part of the Parks visitor comment card system (mainly dealing with safety matters) are dealt with immediately by the relevant Parks sector office and reported to parks management.

Complaints received as part of a telephone service (eg Maxx) are recorded and dealt with by that service (eg update to a database).

15.4 REQUESTS FOR OFFICIAL INFORMATION

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA. However, requests should include specific details of the information required.

Once a request is made the council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person
- Prejudice maintenance of the law
- Compromise the privacy of any person
- Reveal confidential or commercially sensitive information
- Cause offence to tikanga Maori or would disclose the location of waahi tapu

- Prejudice public health or safety
- Compromise legal professional privilege
- Disadvantage the local authority while carrying out negotiations or commercial activities
- Allow information to be used for improper gain or advantage

The council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). The council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

Group Manager, Democracy Services
Auckland Regional Council
Private Bag 92 012
Auckland.

16. APPENDICES

16.1 KEY LEGISLATION

Key legislation enabling the Council to perform its functions includes:

- Local Government Act 2002
- Resource Management Act 1991
- Biosecurity Act 1993
- Civil Defence Emergency Management Act 2002
- Transit New Zealand Act 1989
- Land Transport Act 1993
- Transport Services Licensing Act 1989
- Reserves Act 1977
- Hazardous Substances and New Organisms Act 1996
- Hauraki Gulf Maritime Park Act 2000
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Government (Auckland) Amendment Act 2004

16.2 ARC - COMMUNITY CONSULTATION POLICY

Engage, Participate, Influence!

16.2.2 Context

The purpose of the Auckland Regional Council (ARC) is to:

- Enable democratic local decision-making and action by, and on behalf of, communities; and
- Promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future¹.

Decisions at the ARC are made by 13 Councillors who are elected every three years on a constituency basis (with four Councillors representing Auckland, three representing Manukau, two representing North Shore, two for Waitakere, one for Rodney and one for Franklin/Papakura). The Councillors make themselves available to the community, and undertake formal and informal consultation to assist them to make decisions that will benefit the Auckland regional community.

The Local Government Act 2002 has encouraged the ARC to review its consultation processes and develop this Consultation Policy to promote best consultation practice.

16.2.3 Consultation is ...

Meaningful consultation is a process with a clear purpose, by which the community contributes to Council decision-making.

16.2.4 Our Consultation Goals

Our Consultation Policy aims to make our consultation processes and outcomes effective, by helping us to:

- Be community, citizen and customer focused
- Build strong regional relationships
- Encourage a consistent and integrated consultation approach that makes the best use of our resources
- Make good, well-informed decisions that balance the needs of all the community
- Meet our communications objectives of building a regional citizenship / community, and building the ARC as a listening organisation.

¹ Local Government Act 2002, Section 10.

16.2.5 Who We Will Consult

The Auckland Regional Council has the legal responsibility to act in the best interests of the region as a whole. In addition to legislative requirements, when consulting on behalf of the people of the region, we will:

- Focus on regional, community and interest groupings, where appropriate.
- Focus on those whose stake in the decision is greatest.
- Recognise that Māori are a vital part of the regional community.
- Recognise the value of our partnerships with other community organisations and agencies, including the region's territorial authorities and Central Government agencies.

16.2.6 Who is Our Community?²

Our 'community' includes communities, citizens and customers. Communities are groups of citizens with common interests. Citizens are part of a society and have the right to be involved in that society's decision-making. Customers are individuals who are involved in a transaction with us for services.

The Auckland region's size and diversity raises particular opportunities and challenges for consultation:

- 1.3 million people live in the Auckland region – this is around one third of New Zealand's population. The ARC serves a bigger population than any other local authority in NZ.
- The Auckland region covers around 500,000 hectares, and stretches from Wellsford to Pukekohe. 89% of people live in the region's urban areas.
- 787,118 people are eligible to vote in the region's local elections (2001)
- Just over two-thirds (68%) of the region's population were born in New Zealand. 12% of the Auckland region's residents are Māori, 14% are Pacific Islanders and 14% are Asian.
- 12% do not speak English.
- There are over 114,000 businesses across the region, employing over 580,000 people. 85% of these employ 5 people or less. More than 1 in 3 of New Zealand's businesses are in the Auckland region.
- Every day, 3,300 overseas visitors come into the Auckland region.
- The region has around 400,000 homes. 52% of households have access to the Internet, and 9% have no phone.
- 80,000 people live in a household with no car.

² Sources: 'A Day in the life of Auckland' (Auckland Regional Council 2003); Electorate information (Auckland City Council 2003); Additional business information (Statistics NZ 2003).

- People 'belong' to and identify with the Auckland region, and a range of other geographic and interest-based communities.

16.2.7 How We Will Consult

When we consult, we will be guided by 8 Principles:

Community involvement

We will encourage community input and involvement in the decision-making process, and aim for balance and representation.

Transparency

We will be open and clear about when, why, who, and how we are consulting; and what range of influence people can have.

Information

We will provide people with reasonable access to relevant information in a manner and format that is appropriate to their preferences and needs.

Accessibility

We will provide people with a reasonable and timely opportunity to have their say in a way that suits them.

Openness

We will give due consideration to the views presented, and make decisions with an open mind.

Communication

We will tell people what we decided and why, and how the consultation influenced the decision.

Continuous improvement

We will continuously evaluate and improve our consultation processes, learning from experience about what works best.

Consultation with Māori

Whilst following the above 7 principles in all consultation, we will also recognise our specific responsibilities in respect of consultation with all Māori.

16.2.8 Consultation and Decision-Making

We see consultation as an ongoing process of engagement and participation, which relates to political/representative decision-making.

Participation in consultation covers a spectrum of 5 levels: Inform, Ask, Involve, Collaborate, Empower. (For more on this, see 'Levels of Participation' on page 6).

Consultation has a strong, two-way relationship with political/representative decision-making. This means:

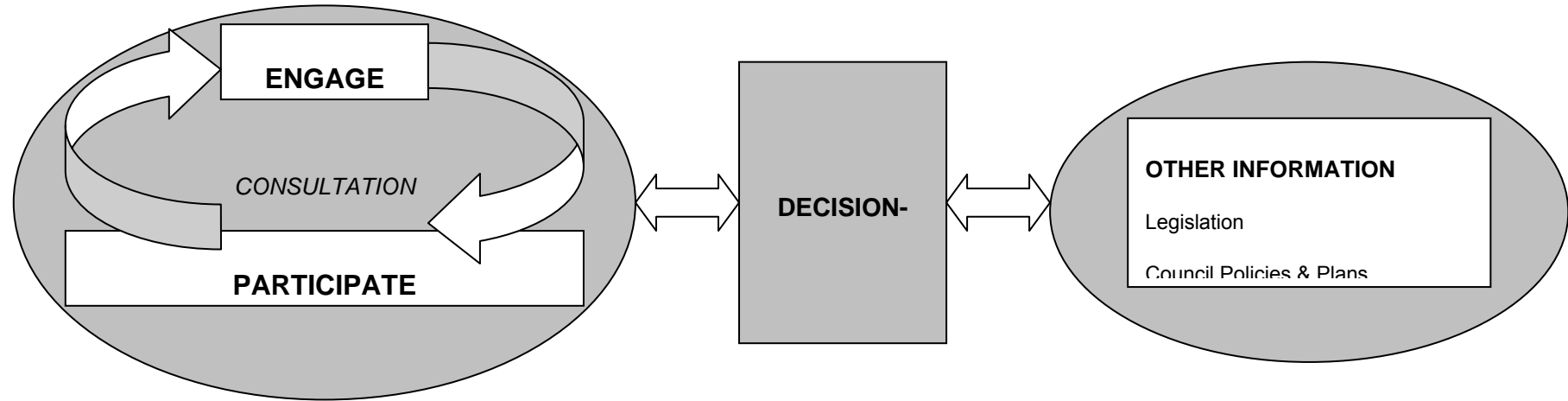
- Consultation findings influence decisions taken by politicians/representatives, and also
- The scale and nature of decisions influence what we consult on, and when and how we consult.

Consultation may take place several times within a single decision-making process. For example we may consult on what problem we want to solve, then consult again to identify and compare possible solutions. (For more on this, see 'When (at what stage(s)) will we consult?')

Consultation findings are not the only thing we consider when making decisions. We also consider other information, such as research, Council policies, legislation and input from partner organisations. The community may also influence this 'other information', for example by meeting with councillors, lobbying or participating in research.

The following diagram shows that:

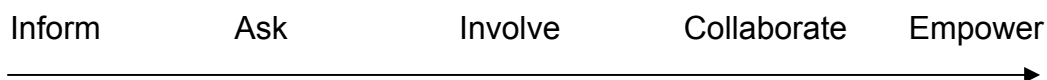
- Both consultation and other information relate to political/representative decision-making
- Consultation is an ongoing process of engagement and participation
- There are 5 levels of participation: inform, ask, involve, collaborate, empower.



**POLITICAL/
REPRESENTATIVE PROCESS**

16.2.9 LEVELS OF PARTICIPATION

Consultation covers a spectrum of 5 different levels of participation:³



Increasing community involvement in and impact on decision-making

When we consult, we will use this spectrum and will:

- Openly consider which level(s) of participation to use, on a case-by-case basis.
- Recognise that different levels of participation are appropriate for different issues and different members of the community.
- From the start, make it clear which levels of participation we are using, and why.
- Seek the appropriate degree of community input. For example if we are simply giving information, we will not ask community to input into decision-making, whereas if we are collaborating we will work jointly with the community throughout the decision-making process.
- Use more than one level of participation within a single decision-making process, where appropriate. For example we may both Inform and Collaborate, or both Ask and Involve.
- Use the level of Inform as a minimum standard in all our consultations.

Further information on the 5 levels of participate is outlined over.

³ This model, and the definitions on the table below, are adapted from the International Association for Public Participation (IAP2)'s Public Participation Spectrum (www.iap2.org).

LEVELS OF PARTICIPATION				
INFORM	ASK	INVOLVE	COLLABORATE	EMPOWER
<p>This means:</p> <p>Providing the community with clear, balanced information to assist them in understanding problems and issues, as well as options, alternatives and solutions.</p> <p>This level may be used once a decision has been taken, and is one way the Council is accountable to the community.</p> <p>ARC examples</p> <ul style="list-style-type: none"> • Regionwide • Advertising • Annual report • Educational materials • Posters, information booklets • Rates brochure • State of the Region Report • Taio Times newsletter • Website www.arc.govt.nz 	<p>This means:</p> <p>Seeking feedback from the community, including different options; then throughout the process keeping the community informed, listening and acknowledging concerns, and providing feedback on how their input influenced the decision.</p> <p>This level may be used where there are diverse interests/views that the Council needs to find out before making a decision. The decision can mediate between these interests.</p> <p>ARC examples</p> <ul style="list-style-type: none"> • RMA consents • Special Consultative Procedure (SCP) • Submission/ feedback forms • Surveys, e.g. Big Clean Up (BCU), Passenger Transport Users and Parks Awareness/ Satisfaction, Environ. Awareness. • Other research 	<p>This means:</p> <p>Working with the community throughout the decision-making process to ensure their issues and concerns are identified, understood and considered.</p> <p>This level may be used where it is likely that there is a consensus view or a single community is affected. The decision would be improved by involving the community in the detail of the decision.</p> <p>ARC examples</p> <ul style="list-style-type: none"> • Care groups • Parks volunteer programmes • Public hearings • Public seminars and workshops • Rural Land Users Group • Tangata Whenua Aquaculture Working Party 	<p>This means:</p> <p>Partnering with the community in each aspect of the decision, including developing alternatives and choosing solutions.</p> <p>This level may be used where decisions are truly shared between the Council and community. The Council will not own the decision alone, and will be a joint participant in a broader process or partnership.</p> <p>ARC examples</p> <ul style="list-style-type: none"> • Akl Conservation Forum • Auckland Regional Economic Development Strategy (AREDS) • Hauraki Gulf Forum • Regional Growth Forum • Regional Land Transport Committee (RLTC) • Rural Industry Liaison Gp • Total Mobility Advisory Board • Triennial Agreement 	<p>This means:</p> <p>Placing final decision-making in the hands of the community.</p> <p>This level may be used where the decision is a community responsibility, and the Council wishes to provide assistance, e.g. by providing fora, resources etc.</p> <p>ARC examples</p> <ul style="list-style-type: none"> • Council elections • Transfer of power to TAs, e.g. building permits • RMA Section 33 Transfer of Powers, e.g. to Iwi authority

16.2.10 Consultation Planning Checklist

This planning checklist should be used together with:

- Consultation Guidelines for Staff (forthcoming in early 2004): these will give practical advice on carrying out consultation, including methods, tools and processes (including feedback)
- The Active Community Engagement (ACE) software package: this is based on the 5 levels of participation, and assists with consultation planning, delivery, event management, and record keeping.

For each decision, we will use this consultation planning checklist to guide us on some initial steps:

Step One: Do we need to consult? (The checklist recognises that it is important to know when to consult, but also when NOT to consult).

Step Two: Who will we consult?

Step Three: What level(s) of participation will we use (i.e. Inform, Ask, Involve, Collaborate, Empower)?

Step Four: At what stage(s) of the decision-making process will we consult?

STEP ONE:			
DO WE NEED TO CONSULT?			
This first step will help you decide whether or not you need to consult. You may wish to complete the whole checklist as part of your consultation planning.			
a.	What is the issue, problem or opportunity?	<i>Describe here</i>	Describe and continue checklist
b.	Is there a legislative requirement to consult on this issue?	Yes/No	If Yes → Consult If No → Continue checklist
c.	Is this issue 'Significant'? (Use Significance Policy: see Appendix 1)	Yes/No	If Yes → Consult via Special Consultative Procedure (SCP) ⁴ If No → Continue checklist
d.	How 'important' is this issue?	<i>Write here</i>	If Very important or Important → Consult If less important → Continue checklist
e.	What decision(s) need(s) to be made?	<i>Describe here</i>	Continue checklist

⁴ Special Consultative Procedure: see Appendix 3

f.	What information do we need to help us make the decision(s)? (e.g. research, technical, consultation, Council policies and plans, legislation, other)	<i>Describe here</i>	Continue checklist
g.	What information do we already have?	<i>Describe here</i>	Continue checklist
h.	What information do we still need to find out?	<i>Describe here</i>	Continue checklist
i.	Will consultation give us some of this information?	Yes/No	If Yes → Consult If No → Continue checklist
j.	What are the costs (including risks) and benefits of consulting? ⁵ (e.g. Money, time, organisational, political, community view)	<i>Describe here</i>	If Benefits outweigh Costs/Risks → Consult Otherwise → Continue checklist
k.	What are the costs (including risks) and benefits of <u>NOT</u> consulting? (e.g. Money, time, organisational, political, community view)	<i>Describe here</i>	If Costs/Risks outweigh Benefits → Consult Otherwise → Continue checklist
l.	Is there any other reason <u>NOT</u> to consult on this issue? e.g. commercial sensitivity (e.g. Part 1 of Local Government Official Information and Meetings Act 1987), urgency, etc.	<i>Yes/No plus reason</i>	If Yes → Don't consult If No → Continue checklist
STEP TWO:			
WHO WILL WE CONSULT?			
m.	Who may be affected by or have an interest in the decision(s)?	<i>List here and refer to Consultation Guidelines for further guidance</i>	Continue checklist
n.	Is there anything of significance to Māori?	Yes/No	If Yes → Consult Māori using Māori consultation process ⁶ If No → No requirement to use Māori consultation process
STEP THREE:			
WHAT LEVEL(S) OF PARTICIPATION?			
There are 5 levels of participation: Inform, Ask, Involve, Collaborate, Empower. Remember that:			
<ul style="list-style-type: none"> You may wish to use more than one level: your score represents the MAXIMUM level you could use. The level of Inform is a minimum requirement. 			

⁵ See forthcoming Consultation Guidelines for more information on calculating consultation costs and benefits.

⁶ To be outlined in Consultation Guidelines (forthcoming).

o.	How far can the <u>community influence</u> the decision? (Score from 1: Not at all – it's a Council decision → 5: Significantly – it's a Community decision)	<i>Write score here</i>	If 1→ Inform If 2→ Ask If 3→ Involve If 4→ Collaborate If 5→ Empower.
<p>STEP FOUR:</p> <p>WHEN (AT WHAT STAGE(S)) WILL WE CONSULT?</p> <p>Remember it is consultation good practice to:</p> <ul style="list-style-type: none"> • consult as early as possible in the decision-making process • consult throughout the decision-making process 			
p.	When defining or identifying the issue or problem?	Yes/No	Continue checklist
q.	When setting our objectives/goals ('What do we want to achieve?')	Yes/No	Continue checklist
r.	When identifying possible solutions or options?	Yes/No	Continue checklist
s.	When comparing/assessing different solutions or options?	Yes/No	Continue checklist
t.	When the decision is made?	Yes/No	Checklist completed.

16.2.11 Evaluation And Review

This Policy will be evaluated and reviewed every 12 months. As part of this process we will seek feedback on the Policy's effectiveness from the regional community. Performance indicators are also being developed

16.2.12 Appendix 1: ARC Significance Policy

The Council needs to define the significance of the things it does. This is a new requirement under the Local Government Act 2002 and it determines the way in which decisions are made, including the extent to which impacts are quantified, the community is consulted and information is disclosed to the public.

There are two concepts:

– Significance, which is defined as a continuum from issues of high significance (which require a more rigorous approach to decision making such as greater quantification of costs and benefits and greater consideration of community views throughout the decision process) through to low significance issues (which have less rigorous requirements).

– Significant, which is a threshold defining a high degree of significance. Significant issues require the Council to consult the community specifically on that issue. Issues which are not significant can be decided through a decision process which uses existing information.

The significance policy also defines strategic assets. These are assets considered essential for community well-being.

As set out in the Local Government Act 2002, section 90, Significance means:

The degree of importance of any issue, proposal, decision, or matter that concerns or is before a local authority, as assessed by the local authority, in terms of its likely impact on, and likely consequences for:

(a) the current and future social, economic, environmental, or cultural well-being of the district or region

(b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter

(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

Significant means:

In relation to any issue, proposal, decision, or other matter, that the issue, proposal, decision, or other matter has a high degree of significance.

Part 1: General approach to determining the significance of its proposals and decisions (s.90(1)(a)).

When determining the question of the significance of proposals and decisions in relation to issues, assets or other matters, the Council will determine the extent to which:

– the consequences or impacts of the issue, proposals, decisions or other matters, would affect a large proportion of the community, now or in the future, to a moderate or greater extent.

– the consequences or impacts of the issue, proposals, decisions or other matters, would affect any proportion of the community, now or in the future, to a large extent.

– the issue, proposals, decisions or other matters have a history of generating public concern within the Auckland region or New Zealand generally.

Part 2: Thresholds, criteria & processes for determining which proposals and decisions are significant (s.90(1)(b)).

When determining whether issues, proposals, decisions or other matters are significant in accordance with s.90(1)(b), the Council will take into account the following thresholds, criteria and procedures:

Thresholds:

– Issues, assets, or other matters that would incur unbudgeted expenditure greater than 10% of the Council's total annual expenditure (except for the purchase of additional parkland in accordance with the Park Acquisition Strategy).

– Transfer of ownership or control, or the construction, replacement or abandonment, of a strategic asset as defined by the Act or determined in accordance with this policy on significance.

– A decision that will, directly or indirectly, significantly affect the capacity of the local authority, or the cost to the local authority, in relation to any activity identified in the long-term council community plan.

– Entry into any public-private partnership for the supply of an activity defined by the Act as significant or determined in accordance with this policy on significance.

Criteria:

– Whether the asset is determined to be strategic within the meaning of the Act or determined in accordance with this policy.

– The extent to which there is, or is likely to be, a change in the level of service provision for any significant activity.

– The extent to which there is, or is likely to be, a change in the way in which any significant activity is provided.

– The extent to which there is, or is likely to be, a change in the capacity of the Council to provide any significant service or activity.

Processes:

– Decisions on 'significance' will be made by Council Committees on the advice of officers and ratified by the Council in accordance with the Council's Governance Statement, standing orders and the Delegation Manual.

Part 3: In accordance with s.90(2) the Council has identified the following strategic assets and groups of strategic assets:

The Auckland Regional Parks

Although the Auckland Regional Council owns regional parks that it considers to be strategic assets, not all decisions made regarding these parks affect their status as strategic assets. For example, the purchase or disposal of small pieces of land may not amount to significant decisions.

Other assets might be defined as strategic if they meet the following criteria set out in the Local Government Act 2002 [s.5].

Strategic asset means:

In relation to the assets held by a local authority, an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes:

(a) any asset or group of assets listed in accordance with section 90(2) by the local authority; and

(b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and

(c) any equity securities held by the local authority in –

(i) a port company within the meaning of the Port Companies Act 1988

(ii) an airport company within the meaning of the Airport Authorities Act 1966.

Part 4: Statutory provisions

The following matters are accorded the status of significant decisions and therefore require statutory consultation as set out in the Local Government Act 2002:

– Establishing a council controlled organisation [s.56]

– Adoption review or amendment of any bylaw [s.86]

– Any proposal for an alteration in the mode by which a

significant activity is undertaken by or on behalf of the Council [88(1)]. Significance will be determined in accordance with the Act and this policy

– Adoption of the Council's Long Term Council Community Plan [s.93(2)]

– Alteration to the Council's Long Term Council Community Plan [s.93(5)]

– Adoption of the Council's Annual Plan [s.95(2)]

– Adoption or amendment of the Council's policy on significance [s.90(4) and s.103-s.108]

– Adoption or amendment of the Council's funding and financial policies [s.102(4)]

– Disposal of a regional park [s.138].

Part 5: "Small" council organisations

When considering whether a council controlled organisation, which is not a council controlled trading organisation, is a "small organisation" in terms of s.7(3) of the Local Government Act 2002, the Council will have regard to the matters set out in s.7(5) and apply a turnover threshold of less than, or equal, to 1% of the Council's total annual expenditure. Organisations so defined as small organisations can be exempted from some of the monitoring, reporting and other provisions of the Act

16.2.13 Appendix 2: Special Consultative Procedure

For issues or decisions which are Significant, as defined by the Council's Significance Policy, we will use a Special Consultative Procedure (SCP) as the minimum consultation process, as detailed in Sections 83-90 of the Local Government Act 2002.

The Local Government Act 2002 requires the Council to use this Special Consultative Procedure (SCP) when we:

- Adopt a Long-Term Council Community Plan (LTCCP) or Annual Plan
- Amend an LTCCP
- Adopt, revoke, review or amend a Bylaw
- Change the mode of delivery for a significant activity, if that is not provided for in an LTCCP.

The Council may also be required to use an SCP under other legislation, and may choose to use an SCP in other circumstances, if it wishes to do so.

The SCP has 4 steps:

Step 1: Statement of Proposal and Summary

We will prepare a Statement of Proposal, which includes a description of the proposed decision or action. We will also prepare and distribute a full and fair Summary of this Statement. The Statement will:

- Be included on a Council meeting agenda
- Be available for public inspection at ARC's main office and other places, as appropriate to the issue.
- Be available for distribution throughout the community, as appropriate to the issue.
- Where the significant decision affects land or a body of water, state the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

Step 2: Public Notice

We will give public notice of the Proposal. This public notice will include information on:

- Our consultation plans
- How to obtain the Summary
- How to access and inspect the Statement of Proposal
- The submissions period, including the deadline for written submissions.

Step 3: Submissions

We will:

- Allow at least one month for submissions, from the date of the Proposal's public notice.
- Acknowledge receipt of all submissions in writing
- Inform submitters about their opportunity to make an oral submission, and how to go about this
- Give all submitters (if they request) a reasonable opportunity to be heard by the Council.

Step 4: Public deliberations

Unless advised otherwise by the Local Government Official Information and Meetings Act 1987:

- All Council meetings which involve deliberations or submissions on the Proposal will be open to the public
- All written submissions on the Proposal will be made public.

16.2.14 Appendix 3: Consultation Requirements Under The Local Government Act 2002

Further information on the consultation requirements of the Local Government Act 2002 (LGA 2002) are outlined as follows:

Principles of Consultation	Section 82
Special Consultative Procedure	Sections 83-90
Significance Policy	Section 90
Decision-making: General	Sections 76-77, 79-80
Decision-making: Community Views	Section 78
Decision-making: Contributions by Māori	Section 81

Note that other legislation also includes consultation requirements, e.g. Resource Management Act (RMA) 1991. If a consultation process outlined in the LGA 2002 and any other legislation is inconsistent with the LGA 2002 consultation principles, the inconsistent principles are not to be observed for that consultation process.

16.3 STAFF GUIDELINES FOR THE PROVISION OF QUALITY INFORMATION AND DECISION-MAKING

Executive Summary

To improve Council processes for the provision of quality information [by officers to Councillors] and to assist Council's ability to make informed decisions, the Council has developed decision making guidelines that aim to:

- Standardise officer advisory and reporting process to enable elected members to make well-informed decisions; and
- Facilitate an organisational culture, which values:
 1. the provision of clear and concise information; and
 2. greater transparency and rigor around Council decision-making processes.

These guidelines provide the requirements for all decisions to be made by Council in accordance with sections 76-82 of the LGA 2002, in terms of the levels of reporting, analysis, consultation and information provision to assist or support the decision and the number of options to be considered.

These guidelines differentiate between two types of decisions:

- **“Significant” decisions** – if a decision is “significant” as defined by the Act and the Council’s “significance” policy
- **Non-significant decisions** – decisions may not meet the “significant” threshold for the purposes of the Act, but the Council still needs to determine their relative significance to decide how these decisions are made and reported to give effect to the requirements of the Act.

Non-significant decisions are then sub-classified by the degree of significance/importance as:

- Very important, and
- Important.

The significance rating should be determined by considering the following criteria:

1. Community Wellbeing:

- The importance of the decision in terms of promoting community wellbeing
- The impacts on social, economic, environmental and cultural well-being

- Long term effect (irreversibility) of the decision

2. *Individuals who are likely to be interested or affected by the decision*

- The likely impact the decision it will have on ARC group (including its business units and Council-controlled organisations) and the Auckland region
- Effects and impact(s) upon groups of the regional community
- Potential level of divergent views within the regional community

3. *Impact on Council's capacity and responsibility to perform its role and the costs of doing so.*

- Level of expenditure (specifying an amount, distinguishing between operating and capital expenditure, and the timeframe for expenditure)
- Level of non-financial costs
- Extent of departure from the LTCCP/Annual Plan (e.g. expenditure)
- Availability of information required to make the decision
- Risk or opportunity for the Council – which includes identifying the costs (financial and non-financial) and benefits for the ARC group (including its business units and Council-controlled organisations)
- The likely level of influence that Council will have on the decision. For example, consider the degree of control that Council will have over a decision being made as part of a joint arrangement between the Council and other local authorities or Council-controlled organisations
- Impact on Council's capacity and responsibilities
- Impact on the amenity value of ARC asset (e.g. Park)

The significance rating determines the appropriate level of analysis, consultation and reporting required for each decision.

Please refer to the guidelines for detailed guidance on the significance rating, decision making requirements and the provision of good quality information.