

QLDC Council

24 March 2017

Report for Agenda Item: 1

Department:

Corporate Services

2017-2018 Annual Plan Consultation Document

Purpose

To adopt the Council's 2017-2018 Annual Plan Consultation Document and supporting document for public consultation.

Executive Summary

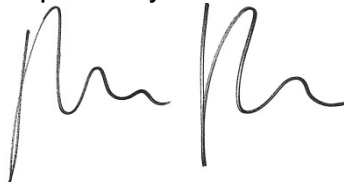
The 2014 amendments to the Local Government Act 2002 now require Councils to use a Consultation Document to consult with the community on the Council's Annual Plan. The Plan itself will not be adopted until the consultation process has been completed and any changes made (30 June 2017).

Recommendation

That Council:

- a. **Adopts** the 2017-2018 Annual Plan supporting document;
- b. **Adopts** the 2017-2018 Annual Plan Consultation Document for consultation; and
- c. **Approve** the Council entering into consultation on the proposed amendments to the Policy on Development Contributions in accordance with section 102 (4) (b) of the Local Government Act 2002.

Prepared by:



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GM Corporate Services

13/03/2017

Reviewed and Authorised by:



Mike Theelen
Chief Executive

13/03/2017

Background

- 1 The Consultation Document is a requirement for all Councils to produce under the 2014 amendments to the Local Government Act.

2 The supporting document informing the Consultation Document includes but is not limited to the following (Section 95):

- *the proposed annual budget and funding impact statement for the year to which the annual plan relates; and*
- *identify any variation from the financial statements and funding impact statement included in the local authority's long-term plan in respect of the year; and*
- *provide integrated decision making and co-ordination of the resources of the local authority; and*
- *contribute to the accountability of the local authority to the community.*

3 The supporting document must be adopted prior to the adoption of the Consultation Document in accordance with section 95A of the Local Government Act.

Comment

4 The legislation provides some guidance on what can and cannot be included in the Consultation Document but there remains a high level of flexibility as to how this information is presented to the community. It is important the document is accessible and contains the key themes and messages from the supporting document.

5 Section 95A (purpose and content of consultation document for annual plan) of the LGA sets out that:

(1) The purpose of the consultation document under section 82A(3) is to provide a basis for effective public participation in decision-making processes relating to the activities to be undertaken by the local authority in the coming year, and the effects of those activities on costs and funding, as proposed for inclusion in the annual plan, by:

(a) identifying significant or material differences between the proposed annual plan and the content of the long-term plan for the financial year to which the annual plan relates; and

(b) explaining the matters in paragraph (a) in a way that can be readily understood by interested or affected people; and

(c) informing discussions between the local authority and its communities about the matters in paragraph (a).

(2) The content of the consultation document must be such as the local authority considers on reasonable grounds will achieve the purpose set out in subsection (1), and must—

(a) explain identified differences, if any, between the proposed annual plan and what is described in the long-term plan in relation to the financial year to which the annual plan relates, including (but not limited to)—

(i) an explanation of any significant or material variations or departures from the financial statements or the funding impact statement; and

(ii) a description of significant new spending proposals, the costs associated with those proposals, and how these costs will be met; and

(iii) an explanation of any proposal to substantially delay, or not proceed with, a significant project, and the financial and service delivery implications of the proposal; and

(b) outline the expected consequences of proceeding with the matters referred to in paragraph (a), including the implications for the local authority's financial strategy.

(3) The consultation document:

(a) must be presented in as concise and simple a manner as is consistent with this section; and

(b) without limiting paragraph (a), must not contain, or have attached to it—

(i) a draft of the annual plan as proposed to be adopted; or

(ii) a full draft of any policy; or

(iii) any detailed information, whether described in Part 2 of Schedule 10 or otherwise, that is not necessary or desirable for the purposes of subsections (1) and (2); and

(c) must state where members of the public may obtain the information held by the local authority that is relied on by the content of the consultation document, including by providing links or references to the relevant information on an Internet site maintained by or on behalf of the local authority; and

(d) may be given the title of the local authority's choice, provided that the title or subtitle make reference to this being a consultation document for the proposed annual plan for the relevant year.

(4) The local authority must adopt the information that is relied on by the content of the consultation document, as referred to in subsection (3)(c), before it adopts the consultation document.

(5) For the purposes of this section, a difference, variation, or departure is material if it could, itself or in conjunction with other differences, influence the decisions or assessments of those reading or responding to the consultation document.

6 As outlined the supporting document will be amended in response to the submission and hearing process and will be recommended for adoption as the 2017-2018 Annual Plan on 29 June 2017.

Proposed Amendments to the 2017/18 Policy on Development Contributions

7 The Local Government Act 2002 (LGA) allows Council to amend the Policy on Development Contributions at any time in accordance with section 102 (4) (b) of the Local Government Act 2002.

- 8 As in previous years, Council intends to update the policy in parallel with the Annual Plan consultation. The Annual Plan supporting documents include the proposed amendments to the Policy on Development Contributions.
- 9 The main reason for the amendment is to simplify and clarify areas of the policy that have not been amended since it was first introduced. Many of the proposed changes involve the introduction of clearer definitions and a simpler assessment methodology for non-residential subdivisions where the details of the proposed development are not known.
- 10 As well as the annual update of contribution levels as a result of the incorporation of the latest actual expenditure and the revised capital programme proposed by the Annual Plan 2017/18, the additional proposed amendments to the Policy on Development Contributions include:
 - a. Clarification of when Council will assess development contributions when a development requires both resource and building consent.
 - b. Remove the 2012 provision to allow for recalculation of development contributions after 24 months.
 - c. Clarification of when a development contribution assessment may be reviewed.
 - d. Amendment to Country Dwelling Category in the Dwelling Equivalent Calculation Table.
 - e. Change to the methodology of how non-residential developments are assessed at subdivision stage.
 - f. Amendment of the multi-unit residential development definition to include reference to apartments.
 - g. Inclusion of the rates Residential flat definition to provide clarification of when a development contribution is required under either a Resource Consent or Building Consent.
 - h. Update to the Greenfield and Brownfield definitions as they relate to reserve land requirements.
 - i. Inclusion of Unusual Development definition to allow Council to assess those developments that have unusual demand characteristics.
 - j. Inclusion of reference to the ability of Council to withhold a certificate of acceptance under the Building Act as per the Local Government Act.
 - k. Simplification and clarification of the rules determining when credits may apply.

Financial Implications

- 11 There are no financial implications in relation to adopting the Annual Plan supporting documents and Consultation Document. The cost of consultation is budgeted.

Local Government Act 2002 Purpose Provisions

- 12 The Annual Plan is a statutory requirement under the Local Government Act 2002 (section 95).

Council Policies

13 The following Council Policies were considered:

- 2015-25 10 Year Plan
- 2016/17 Annual Plan

Consultation

14 Following its adoption, the 2017-2018 Annual Plan Consultation Document will be published online, available from Libraries and Council offices and circulated as per Scuttlebutt (Council newsletter) distribution, in accordance with section 82. The following is an outline of consultation key dates:

24 March 2017	Consultation Document and Supporting Document adopted for consultation
27 March 2017	Public Submissions open
28 April 2017	Public Submissions close
31 May – 1 June 2017	Hearing of Submissions
29 June 2017	Annual Plan recommended for Adoption

Attachments [In Attachments Booklet]

- A 2017-2018 Annual Plan supporting documents – includes proposed amendments to the Policy on Development Contributions (to be circulated separately)
- B Statement of Proposal: Proposed Amendments to the Policy on Development Contributions