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**ORDINARY MEETING**

**OF**

**WELLINGTON CITY COUNCIL**

**AGENDA**

**Time:** 5.30pm  
**Date:** Wednesday, 5 November 2014  
**Venue:** Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**MEMBERSHIP**

Mayor Wade-Brown

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Free  
Councillor Lee  
Councillor Lester

Councillor Marsh  
Councillor Pannett  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.*



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The report was not available at the time the agenda went to  
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## 1 Meeting Conduct

### 1.1 Apologies

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Wellington City Council; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### 1.2 Announcements by the Mayor

### 1.3 APW Awards

### 1.4 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

### 1.5 Confirmation of Minutes

The minutes of the meeting held on 30 September 2014 will be put to the Council for confirmation.

### 1.6 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows:

#### ***Matters Requiring Urgent Attention as Determined by Resolution of the Wellington City Council***

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

#### ***Minor Matters relating to the General Business of the Wellington City Council***

No resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Wellington City Council for further discussion.

### 1.7 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.



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### 3. General Business

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## APPROVAL OF DISTRICT PLAN CHANGES

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### Purpose

1. This report seeks approval to make the following District Plan Changes operative:
  - Plan Change 58: Heritage Listings
  - Plan Change 72: Residential Review
  - Plan Change 73: Suburban Centres Review
  - Plan Change 78: General Minor Amendments to District Plan Text and Maps

### Summary

2. All appeals on Plan Changes 58, 72 and 73 have now been resolved. Plan Change 78 was approved by Council in August 2014 and the 30 working day appeal period has closed without any appeals received. The current report is the final step in the process and will allow these Plan Changes to become fully operative.
3. The final provisions mirror changes already approved by the Council and the Environment Court, and there is no ability to make any further amendments. The approval process under Schedule 1 of the Resource Management Act is purely procedural and the sealed changes will reflect what has already been determined.

### Recommendations

That the Council:

1. Receive the information.
2. Agree to approve the following Plan Changes in full, in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991:
  - Plan Change 58: Heritage Listings
  - Plan Change 72: Residential Review
  - Plan Change 73: Suburban Centres Review
  - Plan Change 78: General Minor Amendments to District Plan Text and Maps
3. Agree that the Plan Changes will become operative on Wednesday 19 November 2014.

### Discussion

#### Plan Change 58

4. Plan Change 58: Heritage Listings was notified on 11 August 2007, and decisions on submissions were notified on 10 July 2008. The Plan Change added 16 buildings, one object and two heritage areas to the District Plan Heritage Inventory List.

5. Plan Change 58 was made partially operative on 10 July 2009, with the exception of outstanding appeals relating to properties at 186 Oriental Parade and 32 The Terrace (Braemar building). These appeals have now been resolved by mediation.

### **Plan Change 72**

6. Plan Change 72: Residential Review was notified on 29 September 2009, and decisions on submissions were notified on 29 September 2010.
7. Plan Change 72 replaces operative Chapters 4 and 5 in the District Plan. The Plan Change also affected definitions, design guides, and maps associated with the Residential Area. Key changes included:
  - two new Medium Density Residential Areas (MDRAs) surrounding the Johnsonville and Kilbirnie town centres to provide for the ongoing residential intensification of these areas;
  - a new character area to recognise the unique character of Wellington's residential coastal edge;
  - amendments to the Inner Residential Area rules covering the demolition of buildings built prior to 1930; and
  - amendments to various other policies, rules, definitions and planning maps to improve the effectiveness of the Plan.
8. Six Environment Court appeals were received. These appeals have either been withdrawn, resolved through mediation, or in the case of the Johnsonville MDRA approved by the Environment Court.

### **Plan Change 73**

9. Plan Change 73: Suburban Centres Review was notified alongside Plan Change 72 on 29 September 2009, with Council's decision on submissions also released on 29 September 2010.
10. Plan Change 73 replaces operative Chapters 6 and 7 in the District Plan. All aspects of the Suburban Centres chapters were reviewed, apart from those business related provisions within the Urban Development Area at Lincolnshire Farm (Plan Change 45). Plan Change 73 also covers definitions, design guides and maps associated with the Suburban Centre areas. A number of significant new provisions were included to enable the Council to better manage the effects of new development within Suburban Centres. These include:
  - splitting the existing Suburban Centre zone into two new zones - Centres and Business Areas. This was in order to recognise their differing roles and better manage the activities that locate in these areas
  - increased policy guidance regarding urban design and the management of retail activities
  - new design guides for Centre and Business Areas to help improve the quality of new development
  - rezoning various parcels of land to better reflect existing uses
  - amendments to other policies, rules, definitions and planning maps to improve the effectiveness of the Plan.

11. Fourteen Environment Court appeals were received. These have all now been withdrawn or resolved through mediation.

### **Plan Change 78**

12. Plan Change 78: General Minor Amendments to District Plan Maps and Text was notified on 6 May 2014. A hearing was held on 4 August 2014 and decisions on the six submissions received were notified on 16 September 2014.
13. Plan Change 78 is one of a series of Plan Changes that are periodically initiated to make minor amendments to the District Plan. The Plan Change includes 33 minor amendments that aim to ensure the efficient functioning of the District Plan. No appeals have been received.

### **Next Steps**

14. Under clause 17, Schedule 1 of the Resource Management Act 1991, the Council is now required to approve the operative provisions. These provisions will be given effect to by official sealing of the documents. Because of the volume of the changes, the amended sections of the District Plan have not been appended to this report. Copies are available for inspection at Democratic Services.
15. The final provisions mirror the text changes already approved by the Council and the Environment Court, and there is no ability to make any further amendments at this stage. The approval process under Schedule 1 is purely procedural and the sealed changes will reflect what has already been determined.
16. The Council is also required to publicly notify the date on which the Plan Changes become operative. The operative date must be at least 5 working days after the date on which the Council has publicly notified its intention to make the plan change operative. In this case, the public notice will be included in the Dominion Post on Tuesday 11 November 2014 and the operative date will be Wednesday 19 November 2014.

### **Attachments**

Nil

Author	Nathan Stocker, Planning Officer
Authoriser	Anthony Wilson, Chief Asset Officer

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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

Consultation has been carried out in accordance with the Resource Management Act 1991.

### **Treaty of Waitangi considerations**

All District Plan work is required to take into account the principles of the Treaty of Waitangi under section 8 of the Resource Management Act 1991.

### **Financial implications**

There are no financial implications.

### **Policy and legislative implications**

There are no policy or legislative implications.

### **Risks / legal**

There are no legal or other risks.

### **Climate Change impact and considerations**

There are no climate change impacts.

### **Communications Plan**

N/A

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## 4. Committee Reports

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### REPORT OF THE ENVIRONMENT COMMITTEE MEETING OF 16 OCTOBER 2014

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Foster, Councillor Free, Councillor Lee, Councillor Pannett (Chair), Councillor Ritchie, Councillor Sparrow.

**The Committee recommends:**

**PUBLIC PLACES BYLAW - PROPOSED NEW CAMPING PROVISIONS**

That Council:

1. Adopt the proposed camping provisions, Attachment 1, to replace the current camping provisions in Part 12 of the Public Places Bylaw as amended and agreed to at the Environment Committee 16 October 2014.

**REVIEW OF THE COLLECTION AND TRANSPORTATION OF WASTE BYLAW**

That Council:

1. Agree to reinstate the proposed Collection and Transportation of Waste Bylaw as agreed to by the Environment Committee on 16 October 2014.

**PROPOSED RESERVE REVOCATION - 23 BATCHELOR STREET**

That Council:

1. Agree to revoke the reserve status of 23 Batchelor Street, Newlands, pursuant to section 24 of the Reserves Act 1977.
2. Authorise the Chief Executive Officer to conclude the reserve revocation of 23 Batchelor Street, Newlands.  
Notes:
  - i. Public submissions received as part of the section 24 of the Reserves Act 1977 process will guide the Council on the reserve revocation.
  - ii. A further report will be presented to the Council to summarise submissions received and to decide whether to uphold objections or not.
3. If the reserve revocation option is chosen and completed successfully, agree that the property at 23 Batchelor Street is not required for a public work and is surplus to requirements.

4. If 23 Batchelor Street is declared surplus, authorise Council officers to commission a section 40 Public Works Act 1981 report to identify whether the land at 23 Batchelor Street must be offered back to a former owner or their successor in title, or whether an exemption from offer back applies under section 40(2), 40(3) or 40(4) PWA.
5. If 23 Batchelor Street is declared surplus, approve its disposal.
6. Delegate to the Chief Executive Officer the power to take all actions necessary to sell 23 Batchelor Street in accordance with the provisions of the Public Works Act 1981.  
Notes:
  - i. The consent of the Minister of Conservation is to be obtained, in accordance with section 24 of the Reserves Act 1977.
  - ii. Any future use of the site would be guided by the 'Open Space A' zoning of the Land. A separate zoning plan change process is recommended if other uses are proposed.

**APPROVAL FOR AN EASEMENT OVER RESERVE - 500 QUEENS DRIVE, HOUGHTON BAY**

That Council:

1. Approve the granting of the registered easement for the access over part of the Wellington City Council's Reserve (Scenic) land at 500 Queens Drive, Houghton Bay (Sec 30 SO Plan 31517), in favour of 44 The Esplanade, Houghton Bay (Lot 1 DP 15775 and Lot 1 DP 46805), pursuant to Section 48 of the Reserves Act 1977.

**Attachments**

Attachment 1. Public Places Bylaw - Proposed New Camping Provisions

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*The following proposed wording and schedules are to be included in part 5 (Public Places) of the Wellington Consolidated Bylaw, as part 12 Camping, and as an amendment to the existing part 12. (Amendments by Environment Committee on 16 October 2014 in red)*

## **Part 12 – Camping**

### **Purpose**

12.1 The purpose of this bylaw is to encourage responsible camping in Wellington, as part of a nationally consistent approach to freedom camping. This bylaw regulates camping in specific public places to:

- protect the area
- protect the health and safety of people who may visit the area
- protect access to the area.

[Note: This bylaw addresses camping as defined by the Freedom Camping Act 2011. The Wellington City Council Homeless Strategy addresses issues relating to homelessness.](#)

### **Interpretation**

12.2 The following definitions apply to the camping bylaw:

The Act means the Freedom Camping Act 2011.

**Definitions:** where this bylaw uses terms also used in the Act, those terms have the same meaning as defined in section 4 of the Act.

Camp or camping means to stay overnight, or more than one night, at any public place:

- a. in a building, tent, or other structure; or
- b. in a car, campervan, caravan, or other vehicle.

[For clarity, camping does not include the following activities:](#)

- [a. temporary and short-term parking of a motor vehicle](#)
- [b. recreational activities commonly known as day-trip excursions](#)
- [c. resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.](#)

Certified self-contained vehicle (CSC vehicle) means a vehicle designed and built for the purpose of camping, which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste, and complies with New Zealand Standard 5465:2001.

### **Restricted and prohibited areas as outlined in Schedule One**

12.3 A person must not camp in an area in which camping is prohibited, as identified in Schedule One: Restricted and prohibited areas for camping, unless they have prior written consent from the Council.

12.4 A person may camp in an area in which camping is restricted, as identified in Schedule One: Restricted and prohibited areas for camping, but must comply with the specific restrictions listed for that site unless they have prior written consent from the Council that waives these restrictions.

#### Areas where camping is permitted

12.5 Camping is permitted in any local authority area in Wellington City, unless it is restricted or prohibited in an area under:

- a. this bylaw; or
- b. under any other enactment. ~~the Reserves Act 1977.~~

12.6 Camping is prohibited on all land managed under the Reserves Act 1977 and Wellington Town Belt unless allowed in a reserve management plan. Campers are advised to camp in the restricted areas identified in Schedule One of this bylaw. For clarity, the Act's non-site-specific offences do apply to Council reserves, and any site-specific restrictions or prohibitions on Council reserves to be administered under this bylaw must be included in Schedule One of this bylaw.

#### Prior written consent from the Council

12.7 If written consent is sought in accordance with clause 12.3 above then it must be applied for in writing to the Council at least two weeks in advance of the date planned for freedom camping in the prohibited area.

12.8 If written consent is sought from the Council in accordance with clause 12.4 above then it must be applied for in writing to the Council at least two weeks in advance of the date planned for camping in the restricted area.

#### Approval process

12.9 Applications will be considered for camping in public places for special purposes. Consent may be granted at the Council's sole discretion, with or without conditions. Applications to camp in accordance with clauses 12.3 and 12.4 above must be made in writing and provide the following information:

1. the location
2. the duration of occupation
3. the number of people
4. the provisions to ensure that there is no damage or effects to the public place and
5. the reason why the camping is proposed.

12.10 The Council will consider applications based on the information requested in clause 12.9 above. In general, the applicant will be notified of the outcome within 10 working days. The Council may require modifications to the application and these will be discussed with the applicant before consent is granted.

#### Schedule One: Restricted and prohibited areas for camping

Camping in Wellington is restricted or prohibited as illustrated and described within the following aerial photographs.

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## REPORT OF THE REGULATORY PROCESSES COMMITTEE MEETING OF 16 OCTOBER 2014

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer (Chair), Councillor Foster, Councillor Lee, Councillor Pannett, Councillor Sparrow.

### **The Committee recommends:**

#### **DECISION ON OBJECTIONS - ROAD STOPPING - 47 MANNERS STREET**

That Council:

1. Agree to not uphold the objection to the road stopping of 88m<sup>2</sup> of unformed legal road adjacent to 47 Manners Street, Te Aro, and the related exchange of 53m<sup>2</sup> and 16m<sup>2</sup> of fee simple land.
2. Delegate to the Chief Executive Offer the power to approve and conclude any action relating to Environment Court proceedings, if needed.

#### **ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 18 BALFOUR STREET, MORNINGTON**

That Council:

1. Agree that approximately 134m<sup>2</sup> of unformed legal road land in Balfour Street (Road Land) adjoining 18 Balfour Street (Adjoining Land) is not required for a Public Work.
2. Approve the disposal of the Road Land.
3. Authorise Council officers to undertake a section 40 Public Works Act 1981 (PWA) report to identify whether the Road Land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.
4. Delegate to the Chief Executive Officer the power to either offer the Road Land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA(if appropriate).
5. Authorise Council officers to initiate the road stopping process for the Road Land in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.
6. Delegate to the Chief Executive Officer the power to formally approve the road stopping, issue all relevant public notices, declare the Road Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Road Land, and conclude all matters in relation to this transaction.

Item 4.2

**Attachments**  
Nil

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## REPORT OF THE GOVERNANCE, FINANCE AND PLANNING COMMITTEE MEETING OF 15 OCTOBER 2014

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester (Chair), Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Woolf, Councillor Young.

### **The Committee recommends:**

#### **SIGNIFICANCE AND ENGAGEMENT POLICY 2014**

That Council:

1. Adopt the Significance and Engagement Policy (2014), Attachment 1, as amended and agreed to at the Governance and Finance Planning Committee meeting of 15 October 2014.

### **Attachments**

Attachment 1. Significance and Engagement Policy

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# Significance and Engagement Policy

(Amendments by GFP Committee on 15 October 2014 in ***bold italics***)

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## 1 Introduction

- 1.1 The Act requires that councils adopt a Significance and Engagement policy that sets out how the significance of a decision will be determined and how the degree of significance will influence the type and method of engagement with communities. This policy sets out to allow for greater flexibility when consulting and engaging with communities on issues and matters.
- 1.2 This Significance and Engagement Policy is required to show:
- Council's general approach to determining the significance of proposals and decisions
  - Procedures, factors and criteria Council will use in determining which proposals and decisions are of significance
  - When, how and to what extent communities can expect to be engaged in Council's decision-making processes
  - A list of strategic assets owned by Council.

## 2 Purpose

The purpose of a Significance and Engagement Policy is to:

- Enable the local authority and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities
- Provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets, or other matters
- Inform the Council from the beginning of a decision-making process about the extent of any public engagement that is expected and the form or type of engagement involved

## 3 General Approach

- 3.1 An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as a proposal develops. The significance of a decision will be assessed according to the likely impact of that decision on:
- The current and future wellbeing of the city

- Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter
- The capacity of Council to perform its role, and the financial and other costs of doing so.

The particular criteria that are to be applied in assessing significance and the impact of a decision on the matters listed above are set out in more detail in section 4.1 and 4.3 of this policy and Schedule 1.

- 3.2 Usually, decisions assessed to be of high significance to Council and community will be proposed within the Long-term Plan process so they:
- are linked to desired community outcomes
  - are proposed in context with other major decisions
  - are put before the community using established processes and timing
  - meet legislative requirements.
- 3.3 The Act requires that any decision that significantly alters the level of service provided by Council of a significant activity (including a decision to commence or cease such an activity), or transfers ownership or control of a strategic asset to or from Council, must be explicitly provided for in the Long-term Plan and can only be consulted on in the Long-term Plan, in accordance with Section 93E. (Section 97(1)(a) and (b)).
- 3.4 There will be circumstances where a decision of high significance must be made outside of the Long-term Plan process. In such circumstances, Council will ensure an engagement and decision-making process is followed in proportion with the high significance of the decision and that this is addressed in a report to Council.
- 3.5 Any such report will address Council's responsibilities under sections 76, 77, 78, 80, 81 and 82 of the Act (as applicable). In general, these sections of the Act require Council to:
- Identify and assess all reasonably practical options, including the advantages and disadvantages of those options.
  - Take into account the views and preferences of persons likely to be affected or have an interest in the matter
  - Identify and explain any significant inconsistency between the decision and any policy or plan adopted by Council
  - Provide opportunities for Māori to contribute to the decision-making process
  - Promote compliance with the principles of consultation, including giving interested persons a reasonable opportunity to present their views.
- 3.6 For decisions that do not have a high level of significance, Council's aim is to comply with sections 76 to 82 in its decision-making processes. However, for decisions that are to be made under delegated authority, and for which there is no Council or committee report, Council will not

necessarily formally document the assessment of significance, and compliance with sections 76 to 82.

- 3.7 Council will ensure that in fulfilling the above requirements, the level of attention, consideration, disclosure, and engagement taken is in proportion to the significance of the decision.

#### 4 Procedures for Assessing Significance

- 4.1 In general, the significance of an issue lies somewhere on a continuum from low to high. Council has identified the following criteria to assess the degree of significance:

- Importance to Wellington City
- Community Interest
- Consistency with Existing Policy and Strategy
- Impact on Council's capacity and capability

- 4.2 The factors relevant to assessing against these criteria are set out in **Schedule 1: List of Criterion and Factors**

- 4.3 Other criteria that can be taken into account are:

- The cost of the decision (the higher the cost the greater the degree of significance)
- Reversibility of the decision (the more difficult to be undone generally the higher the significance)
- Degree of impact on affected individuals and groups (assessing the consequences of the decision)
- Impact on the Levels of Service/rates or debt (the greater the impact the higher the likelihood that the proposal will be significant)
- Involvement of a strategic asset in the decision (should the decision involve a strategic asset/group of assets, it is more than likely to have a higher degree of significance attached to it).

- 4.4 When a high degree of significance is indicated by two or more criteria, the issue is likely to be significant. The criteria merely provide a mechanism for identifying whether a matter is likely to be significant – they are not necessarily determinative of significance. Ultimately, in assessing the significance of a decision, Council will need to have regard to all relevant circumstances.

#### 5 Engagement Overview

- 5.1 Purpose of Engagement

Wellington City Council (Council) is committed to engaging with the people of Wellington, communities and other stakeholders. This Policy will enable people to participate in and contribute to decisions advancing the city.

This Policy also relates to the integrated approach Council takes as an organisation to continue building and strengthening its engagement with all stakeholders through a range of channels.

The aim of this Policy is to enable Council to engage on a continuous basis with its communities using a variety of methods to invite individuals and groups to present their views in the most appropriate format.

#### 5.2 Local Government Act

This Policy is informed by the Local Government Act 2002, as amended in August 2014. This legislation sets out Council's obligations when exercising its responsibilities in terms of the prudent stewardship of its resources. In doing so, the legislation requires Council to understand the different needs and aspirations of its people and communities by taking diverse views and interests into account.

Under the amended legislation Councils have more flexibility on how to engage with their communities and stakeholders. At the same time Council must provide for how it takes community preferences about engagement into account in this policy.

## 6 Context

### 6.1 Policy Goals

Council managers and staff are guided by a set of goals when they engage with the community. Council aim to:

- shape its proposals and decisions informed by the involvement of, and feedback from the community
- work to ensure its decision-making processes are accessible to all.

### 6.2 Legal Obligations

Council takes many factors into account when determining its activities and how it involves the community. Factors include legislative requirements, such as those in the Local Government Act 2002 and the Resource Management Act 1991, Council bylaws, policies and plans, and Council's role.

Council affirms its obligations to the involvement of Māori in decision-making processes as set down in the Local Government Act 2002, which includes recognition of the Treaty of Waitangi. For example: Section 4 – Treaty of Waitangi which says: "In order to recognise and respect the Crown's responsibility to take appropriate account of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes...".

At different times, Council can be a decision-maker, regulator, service provider, licensing entity, funder or an enforcement entity. Sometimes Council can be acting as a community advocate or participating in another organisation's

decision-making processes. Consequently, this Policy and accompanying documents take a principle-based approach to Council's role. This enables the public to have clear expectations of how Council will engage despite the varying ways it operates.

Consultation is a subset of engagement. This Policy sets out Council's aspirations around engagement. It does not mean that Council will need to consult before every decision.

#### 6.3 Engagement with Māori

Council will continue to work with the city's two mana whenua iwi, the Port Nicholson Block Settlement Trust and Te Rūnanga o Toa Rangatira Incorporated, to ensure their contributions are represented and their status is publicly recognised.

Council acknowledges the unique status of Māori and will continue to utilise a range of different mechanisms to engage with the wider Māori community and ensure their views are appropriately represented in the decision-making process. Council is committed to providing relevant information to inform Māori contribution and improve their access to Council's engagement and decision-making processes.

#### 6.4 Engagement with Diverse Communities

Council will engage with Wellington's diverse communities, including those who may be harder to reach. Appropriate mechanisms and techniques will be chosen to ensure all communities have equal opportunity to have their views represented in the decision-making process.

As it is Council's aim to include as many as possible individuals and groups in its engagement processes, special and specific opportunity will be given to accommodate spoken and sign language interactions.

## 7 Organisational Approach

### 7.1 Informed Engagement

Council has a commitment to engage with its stakeholders and its communities, and will use, as a reference, the International Association of Public Participation (IAP2) spectrum and decision-orientation approach as the foundation for its engagement. The spectrum will help Council to decide what type of engagement is required to match the degree of significance of the matter at hand and enable decisions to be made.

*IAP2 spectrum- current version<sup>2</sup>*

<b>Inform</b>	<b>Consult</b>	<b>Involve</b>	<b>Collaborate</b>	<b>Empower</b>
Provide balanced and objective information to assist people to understand the issue	Obtain public feedback on analysis, options and/or decisions	Work directly with the public throughout the process to ensure that public concerns and aspirations are understood and considered	Partner with the public on each aspect of the decision, including the development of options and identification of the preferred solution	Public makes final decisions
<b>Types of issues that we might use for this</b>	<b>Types of issues that we might use for this</b>	<b>Types of issues that we might use for this</b>	<b>Types of issues that we might use for this</b>	<b>Types of issues that we might use for this</b>
Water restrictions	Council Policy and Strategy and Bylaws	Wellington City Council District Plan	Catchment Management Plan	Election voting system (MMP, STV or first past the post)
<b>Example of Engagement type</b>	<b>Example of Engagement type</b>	<b>Example of Engagement type</b>	<b>Example of Engagement type</b>	<b>Example of Engagement type</b>
Website News articles Press releases Briefings Fact sheets	Submissions Surveys Focus group and Public meetings SCP	Workshops Hui Online engagement tools Surveys/Polling	Advisory groups Committees Hui Citizen's panel	Binding referendum Devolved decision-making Ballots

Recent surveys and feedback from stakeholders, interest groups and the community indicate a large portion prefer online engagement methods, while some residents still prefer the traditional method of written submissions during the formal engagement process.

## 7.2 Spheres of Engagement and Approaches

Any engagement Council initiates will focus on engaging stakeholders. Council will ensure that when proactive engagement is planned, it will use the following

<sup>2</sup> In using the spectrum as a reference tool, the Council will always consider the most up to date version of the spectrum.

'spheres of engagement' to help determine the relative priority and resourcing of its work. It will also ensure that clear and consistent messages are given to foreshadow the degree of significance of decisions to be made.

When the significance assessment indicates that a decision is significant (ie has a high level of significance) under Sphere A, Council will use the Long-term plan and/or the Annual Plan as a mechanism to facilitate full engagement with its community.

Sphere	Purpose	Description	Approach	Examples
<b>A</b>	Critical strategic questions	Each year the Council and its business units will identify the critical few big conversations to advance the city through collaboration and empowering stakeholder and community activity.	Tailored approaches designed for strategically significant deliberation and engagement. <ul style="list-style-type: none"> <li>• SCP</li> <li>• Referendum</li> <li>• Hui</li> <li>• Citizens' panel</li> </ul>	Long-term Plan Alcohol Management Strategy Local Alcohol Policy Regional amalgamation Sea-level rise and climate change
<b>B</b>	Key projects and activities	Each year the Council and its business units will identify the key projects that need stakeholder and community involvement.	Robust standardised and consistent engagement processes. <ul style="list-style-type: none"> <li>• Submissions</li> <li>• Surveys</li> <li>• Workshops</li> <li>• Public meetings</li> </ul>	Town centre upgrade Policy development Park renewal or improvements
<b>C</b>	Business as usual and implementation point activities	The Council will use all of its processes to listen, and capture the views, concerns and values of the people, to inform its policies and actions.	Use of efficient and effective tools and points of contact <ul style="list-style-type: none"> <li>• News media</li> <li>• Briefings</li> <li>• Website</li> </ul>	Road repairs Traffic resolutions Service interactions

## 8 Relationship-Focused Engagement

This engagement approach emphasises the importance of Council's network of relationships with individuals, communities and other stakeholders. These relationships enable Council to connect with a broad set of perspectives, which reflect the needs and aspirations of different communities of interest.

On a continuing basis, Council and its business units will identify partners and relationships needed to advance the development of the city. These relationships will be maintained using a range of agreements, memoranda of understanding, meetings and forums.

One of the outcomes of this engagement approach is to partner with organisations as hosts for the key conversations for the city. Partners will include:

- mana whenua, iwi and Māori organisations
- community and business organisations
- government and education sectors.

Relationships can occur at different levels within Council – governance (the Mayor and Councillors), the executive, and at an operational level.

Knowledge gained from Council's relationships will be effectively coordinated and managed internally to enhance the outcomes for Wellington City.

## 9 Service-Focused Engagement

### 9.1 Experience of Council Services

People engage with Council through everyday Council services, Council staff and contractors, and by using Council facilities. Their experience of any or all of this contact shapes their opinion of Council and the work it does. For this reason, Council seeks service-focused engagement that:

- results in a positive experience where possible
- is timely, responsive and accessible
- meets the community needs and expectations
- promotes an overall positive image of Council
- actively looks for improvement.

Service-focused engagement is a routine occurrence between staff and/or contractors and the wider public.

### 9.2 Information from Service-Focused Engagement

Everyday comments, feedback and communication are received by Council from its service-focused engagement. These provide a rich source of information for Council to use not only as part of its engagement processes but also as part of business planning and innovation processes. Consequently, at the start of any engagement process, Council will be able to have more meaningful discussions because it will be better informed by what people have already said about the issue at hand.

Council collects information through:

- personal service interactions
- the service and contact centres
- stakeholder meetings
- the media and social media
- public submissions, feedback and commenting.

## 10 Decision-making Focused Engagement

Council is responsible for making many decisions on behalf of its community. As part of decision-making engagement, Council will, where appropriate, engage with interested and/or affected stakeholders to ensure they are able to make their views known and that they are able to inform and influence the decisions. This part of the Policy describes how Council would like to engage in relation to different types of decisions.

### 10.1 How will Council engage?

Council's decision-making activities will be prioritised as either:

#### **Critical strategic questions – big conversations**

Council will design tailored approaches to specifically guide these strategically significant conversations. These approaches will be guided, in general, by Section 82 of the Local Government Act 2002, having regard to the matters in Section 82 (4) (a) – (e).

Individuals, communities and other stakeholders will be part of the conversation and activities will be tailored to the issue and enable large-scale formal participation if needed. Council will use the Special Consultative Procedure (SCP) (Section 83) of the Local Government Act 2002 where required by law.

*Engagement tools include:* Activities to be used in addition to, or as an alternative to, the SCP include citizen juries, focus groups, surveys, online discussion boards, ballots and deliberative budgeting.

*Examples are:* Long-term Plan, Annual Plan, issues on climate change and sea level rise, local alcohol management and regional governance matters.

#### **Key projects and activities:**

Council will use robust standardised and consistent engagement processes. This may or may not involve the use of a Special Consultative Procedure. Individuals, communities and other stakeholders will be asked to participate.

*Engagement tools include:* Community meetings, regular project newsletters, submission forms, surveys, and public hearings.

Council acknowledges that the people of Wellington engage with Council all the time in different ways. This 'total engagement' approach means that information gained from engagement will inform Council's decision-making processes and increase the impact of people in decision-making. In particular, Council will review available information before determining the issues for the critical strategic questions and key projects and activities.

*Examples are:* Key new projects e.g. Convention centre, local speed limits, or activities such as town centre upgrade projects, policy development and park renewal or improvements.

***Hot button issues***

These are issues that have a lot of public interest or are emotive but costs, impacts and consequences are limited or very low (eg fluoridation).

*Engagement tools include:* Public comment, surveys and polling

*Examples are:* Alcohol Management Strategy.

***Business as usual***

This include the everyday business of Council.

*Engagement tools include:* Fact sheets and websites.

*Examples are:* Water restrictions or any action within Council's current policy framework.

10.2 Who will Council engage with?

When Council decides the critical questions for the big conversations each year, it will identify who is likely to be affected by or have an interest in the decisions. Council will identify participants from its relationship and service-focused engagement processes. These approaches will also give Council an indication of what has already been said or conveyed to those identified about the matters at hand.

Council will ensure, as appropriate and relevant, that representation is obtained from across the spectrum and that engagement is not dominated by single organisations or sectors of the community. It will also involve participants who can provide information and expertise Council may not otherwise have access to.

Where groups claim to represent a community or sector, Council will encourage them to provide:

- evidence of the authority to represent the community or sector, including a summary of the people and organisations they represent
- information on how they formed their position on the issue concerned.

There may be situations where Council may want a specific group to be involved, but finds the group does not have the capacity or skills needed to engage to an appropriate level. In this case, Council will consider providing opportunities or support that will enable the group to enhance its ability to be involved.

Wellington City stakeholders and community groups have their own relationship with communities and individuals. From time to time, Council may ask for assistance and support to reach these communities and individuals to ensure that their views are represented in the decision-making.

Council recognises that decision-making engagement can facilitate improved mutual understanding between groups with different aspirations and perspectives.

#### 10.3 When might the Council not carry out formal engagement?

From time to time Council may need to make decisions where it is not appropriate to carry out formal engagement, even though the decision might otherwise fit in one of the categories discussed above. For instance, particular time constraints may mean that it is not feasible in the circumstances to carry out formal engagement or consultation.

For example, Council will not undertake formal engagement where:

- in the opinion of the Council, failure to make a decision urgently would result in unreasonable or significant damage to property, or risk to people's health and safety, or the loss of a substantial opportunity to achieve the Council's strategic objectives
- any physical alterations to strategic assets that are required to:
  - prevent an immediate hazardous situation arising
  - repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

## 11 Strategic Assets

11.1 Any decision that transfers ownership or control of a strategic asset to or from Council, can only be taken if "explicitly provided for" in the Long-term Plan and consulted on in accordance with section 93E.

11.2 List Criteria: Strategic assets are listed in this Policy (Schedule 2) and include any asset of a group of assets that Council has determined to be important to achieving its community outcomes. In addition, an asset or groups of assets have been listed as strategic if Council ownership or control is essential to the long-term provision of the associated service.

11.3 Council will take a group or whole of asset approach<sup>1</sup>. Without limiting the application of this provision to other assets, the following examples of the application of this Policy to group assets are given:

- Water supply network assets, means those group assets as a whole and not each individual pipeline, reservoir, and pump station. Council does not consider that addition or deletion of parts of that group asset (being a part of the group asset as a whole) will affect the overall group assets strategic nature.
- Roading and reserve assets (respectively), means those group assets as a whole. Therefore if Council acquires land for a new road (or the formed road itself) or new reserve lands as a result of subdivision, these additions are part of the day-to-day business of managing the roading and reserves assets.
- Decisions that involve the transfer of ownership or control of an element of a group strategic asset where the remaining assets of the

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<sup>1</sup> Does not apply to equity securities in Wellington International Airport Limited.

group enable Council to still meet its strategic outcome, will not on their own be regarded as a strategic asset. Examples include:

- Decisions to facilitate the development of the Waterfront in accordance with the Waterfront Framework (April 2001) or other similar policy for the Waterfront;
- Disposal of former roads provided that the Council has followed the road stopping processes under the Local Government Act 2002;
- Disposal of individual reserves provided that the Council has followed the procedures in the Reserves Act 1977.

## **12 Feedback**

Council will continue to make available all information regarding the decisions it makes in response to all written and verbal submissions from individuals and groups in the community.

## **13 Policy Term and Review**

Council will review the Significance and Engagement Policy every three years or as necessary. These will be amended and confirmed through public consultation if necessary, separately or as part of the Long-term Plan.

**Schedule 1: Factors and Criterion of assessing significance**

<b>Criterion</b>	<p><b>4.3.1 Importance to Wellington City</b></p> <p>The extent to which the matter under consideration impacts on the environment, culture and people of Wellington City, now and in the future (Large impacts would indicate high significance).</p>
<b>Factors</b>	<p>Factors that might impact on community well-being are:</p> <ul style="list-style-type: none"> <li>a) Any decision that would significantly alter the level of service provided by Council of a significant activity (including a decision to commence or cease such an activity).</li> <li>b) Extent of costs, opportunity costs, externalities and subsidies.</li> <li>c) Uncertainty, irreversibility, and the impact of the decision in terms of the community's sustainability and resilience.</li> </ul>
<p><b>High</b> <span style="margin-left: 100px;"><b>Degree of Significance</b></span> <span style="float: right;"><b>Low</b></span></p> <p>← Large Impact <span style="margin-left: 300px;">Little Impact</span> →</p>	

<b>Criterion</b>	<p><b>4.3.2 Community Interest</b></p> <p>The extent to which individuals, organisations, groups and sectors within the community are particularly affected by the matter.</p>
<b>Factors</b>	<p>Factors that would indicate a high degree of significance are:</p> <ul style="list-style-type: none"> <li>a) High levels of prior public interest or the potential to generate interest or controversy.</li> <li>b) Large divisions in community views on the matter.</li> <li>c) A moderate impact on a large proportion of the community.</li> <li>d) A large impact on a moderate number of persons.</li> </ul>
<p><b>High</b> <span style="margin-left: 100px;"><b>Degree of Significance</b></span> <span style="float: right;"><b>Low</b></span></p> <p>← Large divisions in community views <span style="margin-left: 150px;">Significant community agreement</span> →</p>	

<b>Criterion</b>	<p style="text-align: center;"><b>4.3.3 Consistency with Existing Policies and Strategies</b></p> <p>The extent to which the matter is consistent with Council's current policies and strategies.</p>
<b>Factors</b>	<p>Factors that would indicate a high level of significance are:</p> <p>a) Decisions which are substantially inconsistent with current policies and strategies.</p>
<p style="text-align: center;"><b>High</b> <span style="margin-left: 100px;"><b>Degree of Significance</b></span> <span style="float: right;"><b>Low</b></span></p> <p style="text-align: center;">← <b>Inconsistent with other strategies and policies</b> <span style="margin-left: 100px;"><b>Well within other strategies and policies</b></span> →</p>	

<b>Criterion</b>	<p style="text-align: center;"><b>4.3.4 Impact on Council's Capacity and Capability</b></p> <p>The impact of the decision on Council's ability to achieve the objectives set out in its Long-term Financial Strategy, Long-term Plan and Annual Plan.</p>
<b>Factors</b>	<p>Factors that would indicate a high level of significance are:</p> <p>a) Transfers of strategic assets to or from Council.</p> <p>b) High capital or operational expenditure.</p> <p>c) A financial transaction with a value of greater than 10% of rates revenue in the year of the decision.</p>
<p style="text-align: center;"><b>High</b> <span style="margin-left: 100px;"><b>Degree of Significance</b></span> <span style="float: right;"><b>Low</b></span></p> <p style="text-align: center;">← <b>Large Impact/consequence</b> <span style="margin-left: 100px;"><b>Small Impact/consequence</b></span> →</p>	

## Schedule 2: Strategic Asset List

Asset
<b>Assets Council owns that are strategic assets under Section 5 of the Local Government Act 2002</b>
Equity securities in Wellington International Airport Limited*
<i>The public rental housing held by Council to maintain affordable housing</i>
<b>Assets Council has determined to be strategic assets and those that are strategic group assets</b>
The sewage collection, treatment and disposal system, including the sewer network, pump stations and treatment works
The land drainage system, including the storm water pipe network, waterways, and retention areas.
The water supply system, including reservoirs, pump stations and reticulation
The roading network including the public transport infrastructure system
The Council's brand, Absolutely Positively Wellington
The core data set used to deliver Council services
Waterfront land and assets held on trust by Wellington Waterfront Limited for Council
The Town Hall and the <b>Michael Fowler Centre</b>
<b>Civic Square and any associated buildings in the civic campus and any aspect of the Civic Square</b>
St James Theatre and Opera House, Embassy Theatre
<b>Libraries</b>
Artwork and literature collections, including public art and collections held by libraries
The buildings and collections of the Museum of the City and Sea, City Gallery, Plimmer's Ark Gallery, Colonial Cottage Museum, Wellington Cable Car Museum and the Carter Observatory
Reserves lands, including the Town Belt, land held under the Reserves Act and land used for parks, cemeteries, gardens, sports fields and recreational areas
Swimming Pool Facilities
The ASB Sports Centre
Community Centres
Wellington Zoo
The Quarry
Southern Landfill

\*11.3 does NOT apply to these assets

### Schedule 3: Aspirational public commitment on how we engage

Wellington City Council is committed to working towards effective engagement in partnership with the community. This will help us deliver on our commitments to 'position Wellington as an affordable, internationally competitive city' and 'deliver what's right'.

#### 1. Te Tiriti o Waitangi/Treaty of Waitangi

We will continue to engage with the Māori community and ensure their views are appropriately represented in our decision-making.

#### 2. Listen first and seek to understand

We will collect and reflect on what we hear from the community, **including, for example, council advisory groups and community boards**, before we develop and engage on any proposal.

#### 3. Early and **on-going Engagement**

We will engage when proposals are still at a high level and there is flexibility to address any issues raised. **While undertaking a major project we will continue to engage with affected residents and businesses.**

#### 4. Seek diverse perspectives

We will seek and use the rich diversity of insights from the community to enable good problem-solving, policy development and decision-making.

#### 5. Build commitment and contributions to advance Wellington City

We will engage in ways that give the community opportunities to not only contribute their ideas and views, but also partner with us to advance the city.

#### 6. Give and earn respect

We will give respect to everyone we engage with and work to earn the respect of the people who engage with us.

#### 7. Trust

We will work to build trust and credibility for engagement with the community and act with integrity when we analyse and present the results.

#### 8. Transparency

We will provide all relevant information to help people understand a proposal and its implications, and be open and clear about the engagement at each stage of the process.

#### 9. Report back

We will give feedback to those we have engaged with and show how their contribution has influenced the decision.

10. Monitor and evaluate

We will monitor and evaluate how we engage with the public.

## Schedule 4: Definitions

### 1 *Significance\**

Significance, in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for-

- The current and future wellbeing of the district or region
- Any persons who are likely to be particularly affected by, or interested in the issue, proposal, decision, or matter
- The capacity of the local authority to perform its role, and the financial and other costs of doing so

### 2 *Significant\**

Significant, in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance. Significant is any matter beyond a point on the continuum defined as being where there is a high degree of significance. This policy aims to assess where on the continuum a matter is deemed significant.

### 3 *Engagement*

Engagement is a term used to describe the process of sharing information with the community and seeking their feedback, with the purpose of getting the community involved in helping make decisions to inform and assist decision making. There is a continuum of community involvement.

### 4 *Consultation*

A formal or informal encounter to impart information and elicit feedback or a response

### 5 *Strategic Asset\**

Strategic assets are defined in section 5 of the Local Government Act 2002 as:

"..in relation to the assets held by a local authority, means 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 76AA(3) 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

\* Statutory definitions

## 5. Public Excluded

Resolution to Exclude the Public:

THAT the Council :

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
5.1 Wellington Convention Centre Proposal Report 2	<p>s7(2)(b)(ii) The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(i) The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>s7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.</p>
5.2 Appointments to a Council Controlled Organisation	<p>s7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p>	<p>s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.</p>

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| 5.3 Public Excluded Report of the Environment Committee Meeting of 16 October 2014 | Section s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. | Section s48(1)(a) - That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7. |
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