

**Mayor and Councillors**  
COUNCIL

21 MARCH 2013

Meeting Status: **Public**

Purpose of Report: For Decision

## **DRAFT 2013 AMENDMENT TO 2012 LONG TERM PLAN**

### **PURPOSE OF REPORT**

- 1 To consider and formally resolve to adopt the Statement of Proposal for an amendment to the 2012 Long Term Plan (LTP), Revenue and Financial Policy and levels of service performance measures for the solid waste activity.

### **SIGNIFICANCE OF DECISION**

- 2 Any change to the Revenue and Financing Policy requires a formal amendment to the LTP and triggers a Special Consultative Process.

### **BACKGROUND**

- 3 Elected Members have reviewed and discussed the content of the provisional draft of the 2013 Amendment to the 2012 LTP for the solid waste activity through Corporate Business Committee workshops held during February and March 2013. The workshops were open to the public and attended by officials from Kāpiti Coast Grey Power and the Council of Elders.

### **CONSIDERATIONS**

- 4 The Council adopted its audited 2012 LTP on 28 June 2012. No changes to the Revenue and Financing Policy can be made through the Annual Plan process, unless there is an amendment to the LTP. However, any amendment to the LTP and the Annual Plan can be consulted on and adopted concurrently. The amendment to the 2012 LTP proposes a change to the Revenue and Financing Policy and change to the levels of service performance measures for the solid waste activity.
- 5 The proposed amendment attached as Appendix 3 to this report SP-13-848 is produced as a “slim-line version” which sits alongside the full document being the 2012 LTP. The proposed amendment explains the background and reasons for the change to the Revenue and Financing Policy and services provided by the Council and the performance measures for the solid waste activity.

#### **Financial Considerations**

- 6 The financial implications of the changes are included in the Draft Amendment to the 2012 Long Term Plan.

#### **Legal Considerations**

- 7 Council has a legal obligation to ensure that any amendment that it proposes to make to the 2012 LTP must be audited, before it can be adopted for consultation.

- 8 That audit has been undertaken by Ernst and Young as Council's auditors who, as required by section 84(4) of the Local Government Act 2002, have reported on the extent to which the Statement of Proposal complies with the requirements of the Act; and the quality of information and assumptions underlying the forecast information provided in the Statement of Proposal.
- 9 The draft Audit opinion from Ernst and Young will be circulated early next week when it is received from them. The draft audit opinion will be published as the final Audit opinion after the consideration of this item at this 21 March 2013 Council meeting.

## Delegation

### COUNCIL'S POWERS

- 11 This Framework recognises the provisions of Clause 32, Schedule 7 of the Local Government Act 2002 which states:
  32. *Delegations—*
    - (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*
      - (a) *the power to make a rate; or*
      - (b) *the power to make a bylaw; or*
      - (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
      - (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
      - (e) *the power to appoint a chief executive; or*
      - (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
      - (g) *[Repealed]*
      - (h) *the power to adopt a remuneration and employment policy.*

## Consultation

- 10 The draft 2013 amendment to the 2012 LTP must be released for public consultation and comment in accordance with section 83 of the Local Government Act 2002, being the Special Consultative Procedure. The development of the draft document has been consistent with the Local Government Act 2002 intent to increase citizen participation. All workshops have been advertised and have been open to the public.
- 11 The consultation associated with adopting the draft LTP Amendment will meet the statutory requirements of the Local Government Act 2002. The draft Amendment will be delivered to key agencies that have traditionally received our draft corporate planning documents and will also be available from Council on request and via the website.

- 12 In addition, the Local Government Act 2002 requires that the Council produce a summary document of the 2013 Amendment to the 2012 Long Term Plan and this will be produced in the Kapiti Observer on Thursday 28 March 2013.
- 13 The consultation period will officially commence on 28 March 2013 and the deadline for receiving submissions will be 29 April 2013. The Council will hear submissions on 21, 22 and 23 May 2013; consider submissions on 6 June 2013 and adopt the 2013 Amendment to the 2012 Long Term Plan on 20 June 2013.

### Policy Implications

- 14 The LTP Amendment proposes a change to the Revenue and Financing Policy.

### Tāngata Whenua Considerations

- 15 Implicit in the delivery of the proposed 2013/14 LTP Amendment is the need to work with all three Iwi. Te Whakaminenga o Kāpiti contributed their thoughts (both in Maori and English) on the general future of the Kāpiti Coast to the 2012 LTP – pages 8-12 of Part One refer. They will be invited to make a submission to this process.

### Publicity Considerations

- 16 A public notice will appear in the Kapiti Observer on Thursday 28 March 2013 advising that the Summary Document as required under section 89 of the Local Government Act 2002 has been published in the same edition of that newspaper.

### Other Considerations

- 17 In addition to their involvement in the workshop process to develop this proposed amendment Community Boards will give formal consideration as to whether they wish to make a submission.

## RECOMMENDATIONS

- 18 That the Council approves as the Statement of Proposal the Proposed 2013 Amendment to the 2012 Long Term Plan attached at Appendix 3 (SP-13-848) developed by the Kāpiti Coast District Council for public consultation and comment in accordance with section 83 of the Local Government Act 2002, being the Special Consultative Procedure noting that:
  - the document will be released for public consultation and comment in accordance with section 83 of the Local Government Act 2002, being the Special Consultative Procedure from 28 March to 29 April 2013.
  - the Council will hear submissions on 21, 22 and 23 May 2013.
  - the Council will consider submissions on 6 June 2013.
  - the Council will adopt the 2013 amendment to the 2012 Long Term Plan on 20 June 2013.

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**ATTACHMENTS:**

Appendix 1: Draft 2013 Amendment to the 2012 Long Term Plan.