

Objectives

- To outline in what situations Council will consult with the District community on issues of significance that fall outside other specific provisions of the Act.
- To outline the basis on which Council considers issues to be of significance.
- To outline which assets Council considers strategic.
- To comply with Section 90 of the LGA.

Principles

This policy is developed in compliance with Section 90 of the LGA. It addresses the criteria and procedures by which issues, decisions, proposals or other matters that fall outside of other specific LGA provisions, will be considered as significant by Council and consulted on (in accordance with Section 79 (1) (a)). The Policy also determines which assets of Council it considers strategic.

The Significance Policy targets the following Community Outcomes (COs):

- CO 4: A District which takes ownership over issues of health provision, education provision and infrastructure maintenance.
- CO 12: Key service providers consult with the community and common goals are identified and worked towards.
- CO 16: A community that encourages participation in planning around community or district issues and promotes community responsibility.

Background

Section 90 of the LGA states:

- (1) *Every local authority must adopt a policy setting out-*
 - (a) *that local authority's general approach to determining the significance of proposals and decisions in relation to issues, assets, or other matters, and*
 - (b) *any thresholds, criteria, or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, decisions, or other matters are significant.*

- (2) *The policy adopted under subsection (1) must list the assets considered by the local authority to be strategic assets.*
- (3) *A policy adopted under subsection (1) may be amended from time to time.*
- (4) *A local authority must use the special consultative procedure both in relation to*
 - (a) *the adoption of a policy under subsection (1), and*
 - (b) *the amendment, under subsection (3), of a policy adopted under subsection (1).*

Section 79 of the LGA states:

- (1) *It is the responsibility of the local authority to make, in its discretion, judgements-*
 - (a) *about how to achieve compliance with sections 77 and 78 that is largely in proportion to the significance of the matters affected by the decision.*

Policy Statement

1. Definitions

Significance (LGA Part 1, Section 5):

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 social, economic, environmental, or cultural 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 or other costs of doing so.

Significant (LGA Part 1, Section 5):

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.

Strategic Asset (LGA Part 1, Section 5):

Strategic asset, 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

- Any asset or group of assets listed in accordance with section 90(2) by the local authority.
- 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.
- Any equity securities held by the local authority in:
- A port company within the meaning of the Port Companies Act 1988.
- An airport company within the meaning of the Airport Authorities Act 1966.

2. General Approach

In considering whether any issue, proposal or decision or other matter is of significance under this Policy, Council will be guided by the following:

The likely impact or consequence of the issue, proposal, decision or other matter, on the current and future social, economic, environmental and cultural wellbeing on the community.

The parties who are likely to be affected by or interested in the issue, proposal, decision or other matter.

The likely impact or consequences of the issue, proposal, decision or other matter from the perspective of those parties.

The financial and non-financial costs and implications of the issue, proposal, decision or other matter having regard to Council's capacity to perform its role.

3. Criteria

To determine the significance of any issues, proposal, decision or other matter Council will consider whether it:

- Is determined to be significant by Council through resolution, and has not been previously consulted on by the Special Consultative Procedure through Council's Annual Plan or LTP.
- May have significant cost implications for the community, in terms of:
- A possible increase in funding requirement in excess of:
 - 20% of the total asset class' value, or
 - 20% of total Council operating budget costs, or
 - Capital expenditure in excess of 2.5% of the total value of Council's assets.
- Emergencies and emergency works of Council are excluded from this policy as, by their very nature, they are unplanned and must be responded to immediately.
- Will severely affect the capacity (including financial capacity) of Council to carry out any significant activity identified in the LTP.
- May lead to significant change to levels of service, or service provision, to Ruapehu communities, or District-wide, in terms of:
 - Potential reduction in levels of service below any level of service standards agreed on through the LTP by Council, including change to service delivery points.
 - Increases in levels of service that invoke cost implications as outlined under (b).
 - Involves the sale, transfer of ownership or management control of Council's shareholding in any Council Controlled Organisation.
 - Involves Council's entry into any partnership, transfer of ownership or management control to be exercised over an entire Significant Activity (as defined by Council's Revenue and Financing Policy).
- Results in the construction, replacement or abandonment of a strategic asset, defined as:
 - Road network, in entirety
 - Wastewater treatment plants, and reticulation network in entirety
 - Water treatment plants, and reticulation network in entirety

- Stormwater reticulation, in entirety
- Solid waste disposal network, in entirety
- Cemeteries
- District libraries, in entirety
- Information Centres, in entirety
- Community Halls
- Community housing, in entirety
- Recreation reserves and facilities, in entirety

“In entirety”: Where this is stated, it refers to the overall network, and does not refer to the individual components that make up the network. Issues of significance pertaining to individual components will be evaluated against the other significance criteria in this Policy.

The issue, decision, proposal or other matter that triggers a criterion [from (a) to (g)] will be consulted on through the Special Consultative Procedure with

Maori, affected communities and other stakeholders, after first demonstrating compliance with Section 76 (Decision Making) and Section 82 (Principles of Consultation).

4. Exceptions

There may be cases where the significance and/or consultation requirements of a specific issue, proposal, decision or other matter are determined by statutory processes or legislative requirements other than in the LGA, such as under the Resource Management Act 1991. These cases may fall outside the scope of this Policy and will be considered on a case-by-case basis.

Delegations

Refer to Council’s Delegations Manual.