

Central Hawke's Bay District Council	POLICY MANUAL	
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<i>SIGNIFICANCE POLICY</i>	Approved by:	Council
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The Local Government Act 2002 introduced the matter of 'significance' to local government. Any matters, issues, or assets deemed 'significant' require extensive consultation requirements. Each local authority must define its own 'significance' as a matter which may be of great significance to a small local authority could be found to be of minimal or no significance in relation to a large local authority when considering:

- a) The impact on the well-being of the district or region;
- b) Consequences for persons likely to be particularly affected, and
- c) The operational or financial capacity of the local authority to perform its role.

INTRODUCTION

Section 90 of the Local Government Act 2002 requires that every local authority adopts a policy setting out its general approach to determining significance, and list its strategic assets.

This Council has a history and a culture of consultation on significant issues both informally and formally and especially through the Annual Plan process. In order to meet its legal requirements Council has adopted the following policy.

1. PURPOSE

This policy is to be used by Council to assist it in determining the significance of matters, proposals and decisions in a consistent manner.

Every decision Council makes must be made in accordance with the decision making requirements set out in Sections 77, 78, 80, 81 and 82 of the LGA 2002. However, the nature, extent and detail of compliance that is appropriate in any particular case will be guided by the "significance" of the matter (see Section 79). The level of "compliance" includes:

- The extent to which different options are considered.
- The degree to which benefits and costs are quantified.
- The extent and detail of information to be considered.
- The extent and nature of any written records to be kept of the manner in which Council has complied.

(See Section 79(1) (b) of the Local Government Act 2002.)

The significance of a matter will also assist in determining whether a special round of consultation is required, and the extent of information disclosed to the community, whether as part of consultation or in reporting to the community.

In addition, if a decision is determined to be "significant" in accordance with the general approach, criteria and procedures in this policy, a higher standard of compliance is required. Section 76(3) (b) requires that Council must ensure, before a significant decision is made, that subsection 76(1) has been "appropriately observed".

It is also possible that a significant decision might be caught by Section 97 (decisions that may only be taken if provided for in the LTCCP) or Section 88 (decisions relating to a change in mode of delivery that must be made by special consultative procedure).

2. "GENERAL APPROACH" AND CRITERIA FOR DETERMINING SIGNIFICANCE

In accordance with the definition of "significance", Council will determine the significance of any issue requiring a decision by making judgments about the likely impact of that decision on:

- (a) The current and future social, economic, environmental, or cultural well-being of the Central Hawke's Bay district.
- (b) Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter.
- (c) Council's capacity to perform its role and carry out its activities, now and in the future and the financial, resources and other costs of doing so.

As part of its consideration the Council will take into account how important the decision, matter or thing is in terms of the achievement of, or ability to achieve, the community outcomes in the Long Term Council Community Plan (LTCCP)*.

(*Until Council has adopted its first LTCCP, significance will be assessed in terms of how important the decision, matter or thing is to achievement of, or ability to achieve, the strategic issues and objectives as set out in Council's Long Term Strategic Plan.)

Note

The following matters must be consulted on using the Special Consultative Procedure, regardless of the Policy on Significance:

- Long Term Council Community Plan.
- Annual Plan.
- A decision to alter significantly the level of service of a significant activity.
- The transfer of a strategic asset.
- Constructing, replacing or abandoning a strategic asset.
- Any decision which will significantly affect the capacity of Central Hawke's Bay District Council, or the cost to Central Hawke's Bay District Council of an activity in the LTCCP.

3. PROCEDURE FOR DETERMINING SIGNIFICANCE

The range of issues requiring decisions by local authorities is very wide and it is impossible to foresee every possibility. It is therefore decided that thresholds are not used to determine significance.

The criteria for determining significance is set out in Section 2: General Approach and Criteria for Determining Significance.

The following procedure will be used to determine significance:

1. Identification of an issue requiring a Council decision (generally by staff).
2. Assessment of significance by staff, using the criteria set out in Section 2.
3. If the matter is significant or there is any doubt about whether the matter is significant, the decision will be referred to Council for a determination of the significance of the matter. The referral may include recommendations from staff addressing the issue of significance and relevant considerations having regard to the criteria set out in Section 2.
4. If the matter is referred to Council, Council will make a finding as to the:
 - (a) Degree of significance of the issue; and
 - (b) If the matter is "significant", the appropriate method of observing section 76(1) of the LGA in making that decision.

Advice from Council staff will, in normal circumstances, be included in the approved report format. Reports to Council will specifically consider the impacts of decisions as set out in the criteria above.

4. STRATEGIC ASSETS

This policy must also list those Council owned assets, considered by Council to be "strategic assets" (Section 90(2)).

"Strategic asset" is defined in the LGA 2002 as:

"...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."*

The assets and groups of assets that CHBDC considers to be strategic are:

- The constructed Roding network.
- Wastewater networks and treatment.
- Water supply networks and treatment.
- Stormwater network systems in urban rating areas.

- Reserves and sportsfields.
- Retirement housing.
- Cultural Facilities (Civic Theatre, CHB Settlers Museum, etc.).
- Community Halls, Ward Halls, Waipawa Town Hall, War Memorials.
- Public toilets.
- Shares in Infracon (formerly CHB Works a division of Infracon).
- Cemeteries.
- Libraries.