

# Draft Significance & Engagement Policy 2024

Kaupapa here hirahira  
whakatūtaka

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## 1. Introduction

The Kāpiti Coast District Council makes decisions every day on behalf of its community, ranging from day-to-day matters to those with a very high level of impact or public interest.

The Local Government Act 2002 (LGA) requires councils to ensure that all engagement and consultation follows the principles set out in sections 77, 78, 80, 81, 82 and 83 to support good Council decision-making.

This policy sets out when and how our community can expect to be engaged in our decision-making processes.

It includes:

- our general approach to determining the degree of significance of a proposal or decision; and
- a list of strategic assets owned by the Council.

## 2. Our approach to community engagement

Engagement is the ongoing practice of actively bringing community or public voices into decisions that affect or interest them. It involves a range of different approaches.

Legislative obligations for engagement are laid out in the LGA 2002 section 81 (Contributions to Decision-Making Processes by Māori), section 82 (Principles of Consultation), and section 83 (Special Consultative Procedure).

In addition, Council works to the following principles:

We will:

- seek community views on significant issues to ensure we have enough information to make our decisions;
- consider the needs of our diverse communities in respect of demographics, accessibility, language, and cultural expectations and make it easy for you to get involved;
- consider who will be most affected by or interested in the decision and try to reach as many people as possible within that group;
- acknowledge the unique perspective of our iwi partners, being the iwi and hapū of Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa) and Ngāti Toa Rangatira; and seek guidance from Te Whakaminenga o Kāpiti on how best to engage with Māori;
- be transparent about how we record, consider and respond to your contributions, and clearly explain the 'why' behind our decisions; and
- continue to improve how we engage with you.

### 3. When and how we will engage

Different levels of community engagement will be used in different situations. The Council uses the [International Association of Public Participation \(IAP2\) framework](#) and principles to guide its engagement. The framework helps clarify the role of the community in the planning and decision-making process.

Sometimes we already have a good understanding of community views and preferences, but at other times we may need more information to help inform our decisions.

#### Special consultative procedure

In some cases, Council is required to follow a 'Special Consultative Procedure' (SCP), which is prescribed in section 83 of the LGA. It is applied in the following situations:

- adoption or amendment of a Long-term Plan;
- making, amending, or revoking a bylaw that is considered to be of significant interest to the public or there is likely to be significant impact on the public; and
- when Council decides it is prudent to do so.

#### When we may choose not to engage

The Council may choose not to engage on a proposal or decision but will only decide this in accordance with the circumstances below. When this happens, the Council will inform the community.

The Council will generally not engage in the following circumstances:

- the proposal or decision is not of a nature or significance that requires engagement;
- the Council needs to make a significant decision quickly and the likely cost of delay is likely to outweigh the benefits of consultation;
- the Council already has a sound understanding of the views and preferences of the persons likely to be affected by, or interested in, the proposal or decision;
- there is a need for confidentiality, or the matter is commercially sensitive; and
- emergency management activities require an immediate or quick response or decision, and it is not reasonably practicable to engage.

The LGA sets out a process for the Council to follow if the Council has a good reason to make a decision outside of this policy.

### 4. Our key considerations

When making a decision about engagement we will always consider the following:

- legislative requirements in the Local Government Act 2002 (LGA) and any other statute that applies to the Council activities or the proposal itself;
- the likely impact on, and consequences of, the social, cultural, environmental, and economic wellbeing of the district;

- the likely level of impact on those who are affected by or likely to have an interest in or want to be involved in decision-making on the issue and what we know about their preferences for engagement;
- the likely impact on iwi and tangata whenua and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga;
- our commitments to our iwi partners and how they would like to be involved in decision-making;
- what we already know about community views;
- the circumstances in which the issue has arisen;
- options, benefits, and costs (current and future);
- the extent to which the cost of engagement methods outweighs the benefits of engagement;
- the financial impact on the Council, including the impact on debt and increases to annual rates;
- the likely impact on service delivery, levels of service described in the operative Long-term Plan, or any of the Council's strategic assets;
- the level of information or research required to inform decision-making; and
- how we'll inform you of the final outcome of the decision or issue.

## 5. How we define significance

Distinguishing which decisions are significant, and which are not, is not always black and white.

Significance relates to the importance of an issue, proposal, decision, or matter, as assessed by the Council in terms of its likely impact on, and likely consequences for:

- the Kāpiti Coast District as a whole;
- the people and communities who are likely to be affected by or interested in the issue, proposal, decision or matter; and
- the financial and non-financial implications, or the capacity of the Council to perform its roles and functions.

Significance is determined in the early stages of developing a proposal before decision-making occurs. The significance of a proposal may be re-assessed at any time if needed.

When the Council is assessing significance, we use the table below to guide the decision, but ultimately significance will be assessed on a case-by-case basis, taking overall circumstances into account.

Does the matter being considered involve:	Degree of significance	What this means
<p><b>Strategic assets</b></p> <p>The proposal involves the transfer or divestment of the ownership or control of a strategic asset to or from Council. (Refer to point 6 on page 7)</p>	Significant	We will consult with our communities
<p><b>Unbudgeted financial impacts</b></p> <ul style="list-style-type: none"> <li>The proposal will incur unbudgeted net operational expenditure exceeding 5% of its annual budget for that year.</li> <li>The proposal is not reflected in the Council's long-term or annual plans and will incur unbudgeted capital expenditure of more than 10% of rates revenue in the year of the decision.</li> </ul>	Significant	We will consult with our communities
<p><b>Level of service</b></p> <p>The proposal is likely to result in a major and/or long-term change in the level of service published in the operative Long-term Plan.</p>	Significant	We will consult with our communities
<p><b>Legislation</b></p> <p>There is a legislative requirement to consult.</p>	Significant	We will consult with our communities
<p><b>Thresholds</b></p> <p>The matter triggers two or more of the following thresholds.</p>	<p>Likely to be significant</p>	<p>We will determine the best approach which may be to:</p> <ul style="list-style-type: none"> <li>consult</li> <li>involve/collaborate</li> <li>inform</li> </ul>
<p>Of specific interest to iwi and mana whenua.</p> <ul style="list-style-type: none"> <li>The proposal has a major and long-term impact on iwi/hapū/whānau and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.</li> <li>The proposal has an impact on Council-iwi partnerships and any ongoing formal agreements with tangata whenua.</li> </ul>		
<p>Large divisions in community interest or high levels of prior public interest across the district.</p>		
<p>The proposal is likely to have an impact on the social, economic, environmental, or cultural wellbeing of the district or an aspect of the district (eg, a particular ward, a community of interest, a geographic area, or demographic).</p>		
<p>The decision is irreversible, has a high degree of risk, or significance of the decision is largely unknown.</p>		

Does the matter being considered involve:	Degree of significance	What this means
<p><b>Everyday operations</b> The matter is part of our normal day-to-day operations or is provided for in our operative Long-term Plan or Annual Plan.</p>	Not significant	We will follow usual operational decision-making procedures.

All reports to the Council that require a decision will include an assessment of the significance of the matter and advice on how the Council can meet its engagement obligations.

## 6. Strategic assets

Strategic assets are those assets, such as infrastructure or property, that Council needs to deliver community wellbeing to its communities now and into the future. A more detailed definition of a strategic asset can be found in section 5 of the Local Government Act 2002. Council's strategic assets include the following:

- the roading and footpath network as a whole, including bridges, lighting, signage and off-street parking;
- water treatment plants, reservoirs, and water reticulation systems, as a whole, including all land, structures, tanks, pipes, pump stations, and other miscellaneous related plant;
- wastewater treatment plants and reticulation systems, as a whole, including all land, buildings, pipes, pump stations, and other miscellaneous related plant;
- stormwater reticulation systems, as a whole, including all land, structures, pipes, pump stations, and other miscellaneous related plant;
- the open space network as a whole, including parks, walkways, sports fields, and other facilities under the Reserves Act 1977;
- district libraries, including branch library buildings, books, the Māori collection, other special collections and lending resources;
- district swimming pools;
- housing for older persons;
- Council properties, including land, buildings, and structures;
- refuse transfer stations and landfills; and
- Council-owned cemeteries, including all land, buildings, and structures.

The Council manages its strategic assets “as a whole”. This means that while the whole of an asset is considered strategic, some components may not be. For example, the roading network is a strategic asset but individual sections of the network might not be. That means that some decisions relating to a strategic asset may not constitute a significant decision.

## **7. Reviewing this policy**

The Council intends to review this policy every three years. Any consultation required will be carried out at the same time as future consultation on our annual or long-term plans.