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Appendix 5 - Draft Significance Policy

1 Introduction

- 1.1 The Council must ensure that its processes and decision-making comply with the Local Government Act 2002 (the Act). The Act gives Council discretion to decide the appropriate level of attention, consideration, disclosure, and consultation given to decisions, based on their relative importance to the district or region (section 79).
- 1.2 The Council must therefore consider the degree of significance of every matter; and ensure its consultation and decision-making processes are in proportion to the significance of the matters affected by the decision (section 79).
- 1.3 The Act requires that councils adopt a significance policy that sets out how the significance of a decision will be determined. Significance is defined within section 5 of the Act as:
- ...the degree of importance of any issue, proposal, decision, or matter, which concerns or is before a local authority, in terms of its likely impact on, and likely consequences for, —
- (a) The current and future social, economic, environmental, or cultural well-being of the district or region.
 - (b) Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter.
 - (c) The capacity of the local authority to perform its role, and the financial and other costs of doing so.
- 1.4 The use of 'significant', for example in 'significant activity' or 'significant decision', refers to an activity or decision which has a high degree of significance, in relation to the above definition.
- 1.5 This Significance Policy is required to show:
- a) The Council's general approach to determining the significance of proposals and decisions.
 - b) Procedures, thresholds and criteria the Council will use in determining which proposals and decisions are significant.
 - c) A list of strategic assets owned by the Council.

2 General Approach

- 2.1 The Council will consider each proposal or decision in relation to issues, assets or other matters on a case-by-case basis to determine its significance. The significance of a decision will be assessed according to the likely impact of that decision on:
- a) The current and future social, economic, environmental, or cultural wellbeing of the city.
 - b) Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter.
 - c) The capacity of the Council to perform its role, and the financial and other costs of doing so.

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- 2.2 The Act requires that any decision that significantly alters the level of service provided by the Council of a significant activity (including a decision to commence or cease such an activity), or transfers ownership or control of a strategic asset¹ to or from Council, can only be taken if “*explicitly provided for*” in the Long Term Plan (section 97). Usually, decisions assessed to be of high significance to the Council and community will be proposed within the Long Term Plan process so they:
- a) are linked to desired community outcomes
 - b) are proposed in context with other major decisions
 - c) are put before the community using established processes and timing
 - d) meet legislative requirements.
- 2.3 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 a consultation and decision-making process is followed in proportion with the high significance of the decision.
- 2.4 Every report to the Council or Council Committee must include a statement indicating whether or not the matter has been identified as significant.
- 2.5 For any matter considered significant, the report will address Council’s responsibilities under sections 77, 78, 80, 81 and 82 of the Act (as applicable). In general, these sections of the Act require the Council to:
- a) Consider all reasonably practical options, including the costs and benefits of those options, the extent to which they achieve desired community outcomes in an integrated and efficient manner, and their impact on the capacity of the Council to meet its statutory obligations.
 - b) Consider the views and preferences of persons likely to be affected or have an interest in the matter.
 - c) Identify and explain any significant inconsistency between the decision and any policy or plan adopted by the Council.
 - d) Provide opportunities for Maori to contribute to the decision-making process.
 - e) Promote compliance with the principles of consultation, including giving interested persons a reasonable opportunity to present their views.
- 2.6 Council will ensure that in fulfilling the above requirements, the level of attention, consideration, disclosure, and consultation taken is in proportion to the significance of the decision.

3 Procedures for Assessing Significance

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

- community well-being
- community interest

¹ Strategic assets are defined and listed in section 4 of this policy.

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- consistency and variability
- impact on Council's capacity and capability

When a high degree of significance is indicated by factors or thresholds under two or more criteria, the issue is likely to be significant.

3.1 The criteria merely provide a trigger for identifying whether a matter is likely to be significant – they are provided to assist in the assessment of significance.

3.2 Criteria and Thresholds

Criterion	3.3.1 Community Well-being The extent to which the matter under consideration impacts on the social, economic, environmental, or cultural well-being of the community, now and in the future (Large impacts would indicate high significance).
Factors and Thresholds	Factors that might impact on community well-being are: <ol style="list-style-type: none"> a) A decision that would significantly alter the level of service provided by the Council of a significant activity (including a decision to commence or cease such an activity). b) The extent of costs, opportunity costs, externalities and subsidies. c) Uncertainty, irreversibility, and the impact of the decision in terms of the community's sustainability and resilience.
High Large Impact	Degree of Significance Low Little Impact

Criterion	3.3.2 Community Interest The extent to which individuals, organisations, groups and sectors within the community are particularly affected by the matter.
Factors and Thresholds	Factors that would indicate a high degree of significance are: <ol style="list-style-type: none"> a) High levels of prior public interest, or the potential to generate high levels of interest or controversy. b) Large divisions in community views on the matter. c) A moderate impact on a large proportion of the community. d) A large impact on a moderate number of persons.
High Large divisions in community views	Degree of Significance Low Good community agreement

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Criterion	<p>3.3.3 Consistency and Variability</p> <p>The extent to which the matter is consistent with Council's current policy and strategy.</p>
Factors and Thresholds	<p>Factors that would indicate a high level of significance are:</p> <ul style="list-style-type: none"> a) Decisions which are substantially inconsistent with current policies and strategies.
<p>High Degree of Significance Low</p> <p>Inconsistent with other strategy and policy ← → Consistent with other strategy and policy</p>	

Criterion	<p>3.3.4 Impact on Council's Capacity and Capability</p> <p>The impact of the decision on the Council's ability to achieve the objectives set out in its Long-term Financial Strategy, Long-term Plan and Annual Plan.</p>
Factors and Thresholds	<p>Factors that would indicate a high level of significance are:</p> <ul style="list-style-type: none"> a) Transfers of strategic assets to or from council. b) High capital or operational expenditure. c) A financial transaction with a value of greater than 10% of rates revenue in the year of the decision.
<p>High Degree of Significance Low</p> <p>Large Impact ← → Little Impact</p>	

4 Strategic Assets

4.1 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.

4.2 **Definition:** Strategic assets are defined in section 5 of the Act 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:

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- (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.

4.3 **List Criteria:** From the definition above, strategic assets to be listed in this policy include any asset or group of assets that Council determines to be important to achieving its community outcomes, or must be listed under clauses (b) and (c) above.

In addition, asset or groups of assets will be listed as strategic if Council ownership or control is essential to the long-term provision of the associated service.

4.4 The Council will take a group or whole of asset approach. Without limiting the application of this provision to other assets, the following examples of the application of the Policy to group assets are given:

- a) Water supply network assets, means those group assets as a whole and not each individual pipeline, reservoir, and pump station. The 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.
- b) Roothing and reserve assets (respectively), means those group assets as a whole. Therefore if the 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.

4.5 List of Strategic Assets

Asset	Strategic Importance
Equity in Wellington International Airport Limited	Listed under section 5 of the Act. Strategic importance for social and economic well-being.
The public rental housing held by Council to maintain affordable housing	
The sewage collection, treatment and disposal system, including the sewer network, pump stations and treatment works	Strategic importance for the delivery of all outcomes and well-beings.
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	

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Waterfront land and assets held on trust by Wellington Waterfront Limited for Council	Assets of strategic importance for delivering social, cultural or environmental well-being. Services provided to the community include access to heritage, art, information and recreation. Linked to Connected City, People-centred City, Dynamic Central City and Eco-City outcomes.
The Town Hall and Convention Centre complex	
<i>St James Theatre and Opera House, Embassy Theatre</i>	
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 <i>Carter Observatory</i>	
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	
<i>The ASB Sports Centre</i>	
Community Centres	
Wellington Zoo	
The Quarry	Strategic importance for social and economic well-being.
Southern Landfill	