

Mayor and Councillors
COUNCIL

27 NOVEMBER 2014

Meeting Status: **Public**

Purpose of Report: For Decision

SIGNIFICANCE AND ENGAGEMENT POLICY

PURPOSE OF REPORT

- 1 Council needs to adopt a Significance and Engagement Policy by 1 December 2014 because of amendments to the LGA earlier this year.

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 Amendments to the LGA earlier this year mean that Council must adopt a Significance and Engagement policy no later than 1 December 2014. A proposed policy is attached. This policy should be viewed as an interim policy until consultation has been completed and any changes incorporated, as part of the LTP decision making process.
- 4 Council already has a Significance policy, and it has a Consultation policy, both of which were developed with public consultation. The Significance and Engagement policy merges and modifies these two current policies.

CONSIDERATIONS

Financial Considerations

- 5 The development and implementation of the policy will be funded from current budgets.

Legal Considerations

- 6 This policy is required under the Local Government Act 2002: section 76AA requires the policy; clause 4, Schedule 1AA specifies the transitional provisions; and clause 11, Schedule 10 requires inclusion in the Long Term Plan (LTP).

Delegation

- 7 Council must make this decision.
- 8 Council's Governance Statement will also need to be amended.

Consultation

- 9 Council would normally consult on a draft policy before adopting a final version. The legislation recognises that expecting Councils to develop a draft for consultation before adopting the policy by 1 December would be challenging.

- 10 Because of the tight timetable imposed by legislation, section 76AA enables Council to adopt the policy without formal consultation providing that Council “considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved”.
- 11 Community feedback over the past two years on various Council proposals has also given Council a high level of understanding about community preferences re consultation.
- 12 On the basis of these factors, Council may therefore consider that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.
- 13 In addition, Council can take advantage of its forthcoming consultation on the LTP to consult on the interim policy, so that the policy can take further account of community preferences. This timing will have the added advantage of saving on consultation costs.
- 14 A summary of the policy will also be included in the LTP.

Policy Implications

- 15 This policy incorporates the major provisions of Council’s current Significance policy and its Consultation policy, which can then be revoked.
- 16 Guidance has been prepared for Council officers to assist in the implementation of the policy. It shows, in a series of flow-charts, how to assess significance and provides some indications about engagement forms and processes. An example of the decision tree that will form part of the Guidance is attached [K519838].

Tāngata Whenua Considerations

- 17 Council’s primary engagement with tāngata whenua is via its Memorandum of Partnership.

Publicity Considerations

- 18 Council would normally consult on a draft policy before adopting a final version. However Parliament has imposed difficult timelines on Councils. Therefore, Kāpiti Coast District Council will consult on the policy with its Long Term Plan. This timing will have the added advantage of saving on consultation costs.
- 19 Because the policy guidance that has been developed for Council officers may also be of interest to the District’s communities, it will be published on Council’s website.

RECOMMENDATIONS

20 That Council

- a) adopts the Significance and Engagement interim policy in Appendix 1 [SP-14-1399], and
- b) revokes its current Significance policy, and
- c) revokes its current Consultation policy, and
- d) agrees to consult on the Significance and Engagement policy as part of the 2015 Long Term Plan process.

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ATTACHMENTS:

Significance and Engagement Policy, [KCDC 505789]

Significance Decision Tree (for operational guidance).[K 519838]