

Decision-making Process



Significance and Engagement Policy

PURPOSE

The purpose of this policy is to set out how the Council will identify the significance of an issue, proposal, decision or other matter in order to inform how, when and to what extent the Council will engage with the community in its decision-making processes.

POLICY STATEMENTS

Assessment of significance

1. "Significance" is defined by the Local Government Act 2002 as:
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:
 - a) 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.
2. The Council considers significance on a scale that ranges from of some importance to critical. A 'significant' decision has a high degree of significance.



3. The Council will consider the criteria in Schedule 1 when assessing the degree of significance of an issue, proposal, decision or other matter.

Assessment of whether to undertake engagement

4. As a minimum level of engagement, the Council will 'inform' the community on all issues, proposals, or other matters requiring a decision by the Council, unless there are applicable grounds to withhold information under the Local Government Official Information and Meetings Act 1987.
5. The greater the significance of an issue, proposal, decision or other matter, the more likely it is that seeking community input into the Council's decision-making processes will be appropriate. The Council will generally provide opportunities for individuals and communities to engage in the matter proportional to the assessed significance of the matter. Ultimately, determining whether or not to undertake any engagement will be carried out on a case-by-case basis, considering all of the particular circumstances.

Māori engagement

6. The Council is committed to providing opportunities for Māori to contribute to its decision-making processes in a meaningful way.
7. The Council will engage with Māori where any matter involves a significant decision in relation to land or a body of water to ensure that the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga is considered.
8. The Council will consider specifically engaging with Māori on other issues as they arise.

Assessment of method of seeking community input into decision-making

9. There may be situations when seeking community input into decision-making may be impractical, inappropriate, or unnecessary. These may include, but are not limited to:
 - An issue, proposal, decision or other matter the significance is assessed as being of some importance.

- The Council considers that it has sufficient existing and up to date information to enable it to understand the views and preferences of interested and affected persons on the matter.
 - The situation requires urgent decisions and there is insufficient time to engage the community.
 - The matter is of an administrative nature.
 - The Council is advocating a position, or submitting to, another organisation and the Council is not the ultimate decision-maker.
 - The nature of the decision is highly technical or specialist and is not amenable to community engagement (such as complex financial issues addressed in a liability management or investment policy).
 - The matter before the Council is confidential (such as due to it involving third parties' commercially sensitive information) and not suited to community engagement (such as evaluating tenders).
10. Where the Council determines that it is appropriate to seek the views of the community in its decision-making process, the level of engagement will be determined by considering the Engagement Guide in Schedule 2.
 11. Different types of engagement may be required for different stages of the decision-making process for an issue, proposal, decision or other matter.
 12. The Council will consider any known preferences of the affected part or parts of the community in relation to the issue, proposal, decision or other matter in determining its method of engagement.
 13. The Council is required by legislation to carry out engagement on some matters using specific procedures or processes, regardless of the significance assessment. The Council will follow these procedures and processes in those instances.
 14. For all other matters requiring a decision by the Council, including decisions made under delegated authority, the type of engagement will be determined on a case by case basis to ensure the most appropriate engagement is used.

Strategic assets

15. The Council's strategic assets are listed in Schedule 3 of this policy.
16. Section 97 of the Local Government Act provides that, unless the decision is explicitly provided for in the Long-Term Plan (and was included in the Consultation Document), the Council may not transfer the ownership or control of a strategic asset to or from the Council.
17. The Council will take a group or whole of asset approach to network strategic assets. Decisions that involve the transfer of ownership or control of a single element of a network where the remaining assets of the network enable the Council to still meet its strategic outcomes (including levels of service as stated in the Long-Term Plan) will not, on their own, be regarded as a strategic asset.

Long-Term Plan and Annual Plan consultation

18. The Council will consult on the Long-Term Plan by using a consultation document that identifies the significant issues facing the Council and key decisions and choices. The Council may undertake other engagement before issuing its consultation document to seek community views and preferences on some matters.
19. The Council is required to consult on an Annual Plan only if the Council proposes to include significant or material differences in that Annual Plan from the relevant financial year of the Long-Term Plan. The Council will consider whether differences are significant or material as follows:
 - it will determine if differences are "significant" by using the significance assessment in this policy; and
 - it will determine if differences are "material" using the generally accepted accounting practice definition for "material".

The Council will, as a minimum, consult using a consultation document on these significant and/or material variations but may, at its discretion, determine to consult on other changes to the Annual Plan that do not meet these thresholds.

Significance and Engagement Policy

Procedure for identification of significance and engagement

20. Council staff, or other professional advisers, will provide advice on significance and engagement using the following process:
 - Identify the issue, proposal, decision or other matter requiring a Council decision.
 - Assess whether there are particular legal obligations to engage or consult with the community (including whether the issue, proposal, decision or other matter involves a decision to transfer the ownership or control of a strategic asset to or from the Council).
 - Consider the matters in Schedule 1 to assess the significance of the issue, proposal, decision or other matter.
 - Determine whether engagement with the community, or particular individuals or groups, is appropriate.
 - Where some form of engagement is appropriate, determine the appropriate form and type of engagement (using Schedule 2 or by complying with particular legislative requirements).
21. Council officers (or other professional advisers) will provide advice on significance and engagement. Such advice will, in normal circumstances, come via the Council report format which alerts elected members to the significance of the issue, proposal, decision or other matter and the proposed form and type of engagement.
22. The Council will consider the advice in making a decision on the level of significance and the appropriate form and type of engagement, but is not necessarily bound to follow such advice.

SCHEDULE 1: Criteria for assessment of significance

In assessing an issue, proposal, decision or other matter requiring a Council decision, the following criteria will be used to assess its significance:

- Does the matter impact on the interests of the district and the community?
- Does the matter impact on the relationship of Māori (including their culture and traditions) with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga?
- How many people are affected by the matter, to what degree are they affected, and what is the likely impact on those people?
- Does the matter impact on the Council's statutory purpose, obligations, duties and requirements?
- Does the matter impact on levels of service as stated in the Council's Long-Term Plan (LTP)?
- Does the matter have financial costs for the community and the Council?
- Is the matter reversible (in part or in full) in the future?
- Does the matter align with previous Council decisions, such as whether it is implementing any adopted strategy, plan or position?
- Has the matter previously generated wide public interest or controversy within the district or particular communities?

If an issue, proposal, decision or other matter has substantial impacts and consequences for several of the above considerations it is likely to have a higher level of significance.

SCHEDULE 2: Engagement guide

The following table provides an example of the differing types of engagement that might be considered appropriate, the tools and techniques that can be used for each type and the timing of the engagement generally associated with each type. Every issue, proposal, decision or other matter is assessed on a case-by-case basis, having regard to its significance, the subject matter and relevant stakeholders, in determining the most appropriate form of engagement.

Level	Inform	Consult	Involve	Collaborate	Empower
Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Example Engagement	Water restrictions Council news	Rates review Policy review	New Plymouth District Plan	New Plymouth District Coastal Strategy	Election voting systems (STV or first past the post)
Tools and techniques the Council might use	Websites Letter/information flyer Fact sheets Public notices Newspapers	Public meetings Formal submissions and hearings Online/social media Focus groups Surveys	Workshops Focus groups Citizens panel Face to face	Advisory committees External stakeholder groups	Local body elections Binding referenda
When the community can expect to be involved	The community would generally be advised once a decision is made.	The community would be advised once a draft decision is made and would have the opportunity to participate and respond during a period of consultation.	The community would have a greater lead in time to be involved in the process.	The community would generally be involved at the following stages: <ul style="list-style-type: none"> • At the start to scope the issue. • After information has been collected. • When options are being considered. 	The community would generally have a greater lead in time to be engaged in the process.

Significance and Engagement Policy

SCHEDULE 3: Strategic assets

The following assets are considered to be the strategic assets of New Plymouth District Council:

- Govett-Brewster Art Gallery and Len Lye Centre.
- Housing for the elderly network.
- The equity securities held in Papa Rererangi i Puketapu Limited.
- Pukekura Park and the Coastal Walkway.
- Parks and reserves network.
- Puke Ariki and community libraries (Bell Block, Inglewood, Ōākura, Urenui and Waitara).
- TSB Stadium, TSB Bowl of Brooklands, TSB Showplace, Yarrow Stadium (the aspects of the Stadium's operations under the Council's control).
- Todd Energy Aquatic Centre and the district's summer pools (Waitara, Inglewood, Okato and Fitzroy).
- Road and footpath network.
- Solid waste infrastructure.
- Stormwater network, drainage, flood protection and control works.
- Water supply network and treatment.
- Wastewater network and treatment.



Māori Contribution to Decision-Making

Section 81 of the Local Government Act, 2002 requires the Council to provide opportunities for Māori to participate in Council decision-making. It also requires us to consider ways we can foster the development of Māori capacity to contribute to Council's decision-making. This section explains how we support these requirements.

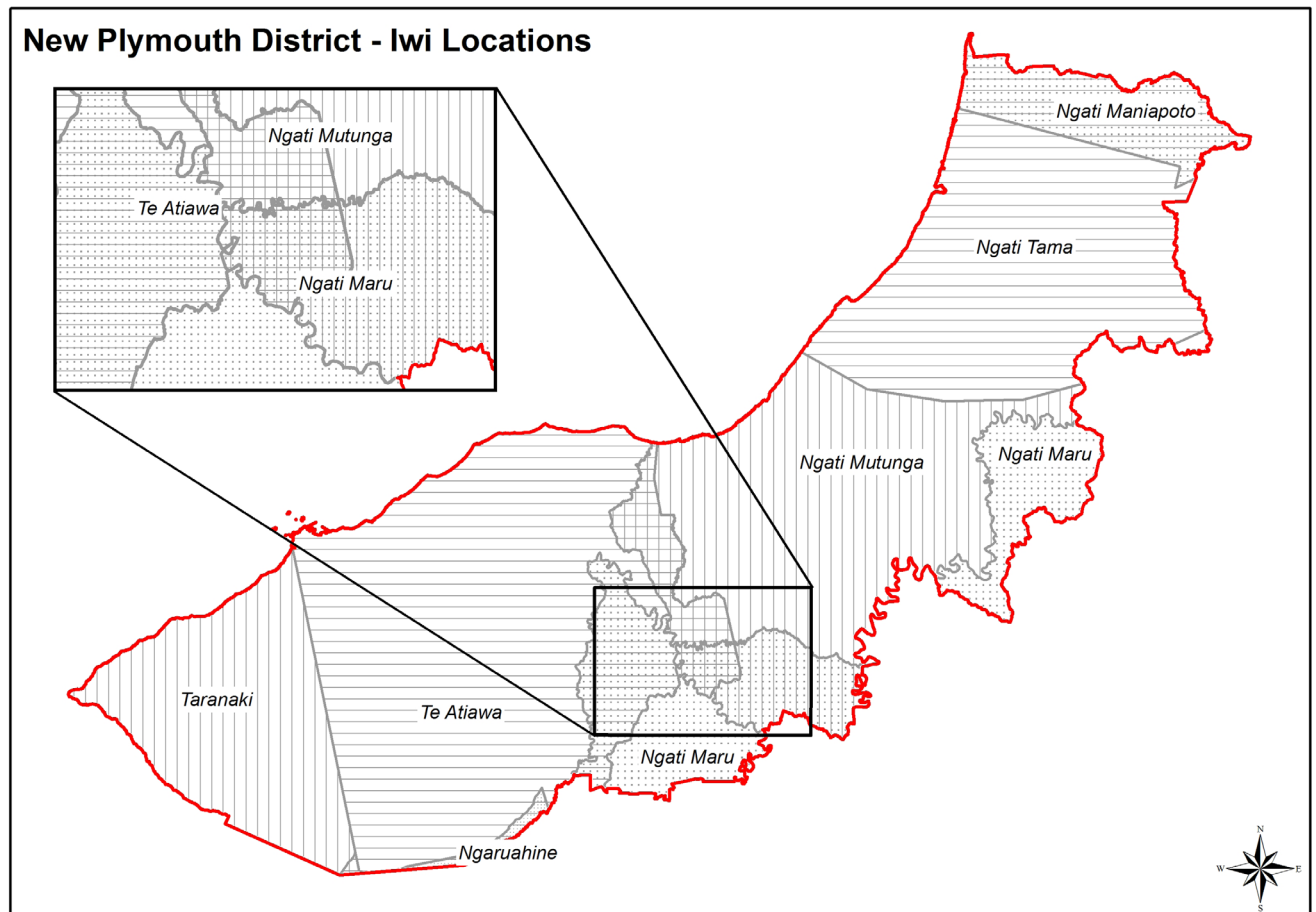
TANGATA WHENUA

The Council acknowledges the following six iwi as tangata whenua within the New Plymouth District.

- Ngāti Maniapoto.
- Ngāti Maru.
- Ngāti Mutunga.
- Ngāti Tama.
- Taranaki.
- Te Ātiawa.

Within the six iwi, we also recognise a further 11 hapū groupings.

- Ngā Hapū o Poutama.
- Manukorihi.
- Ngā Mahanga.
- Ngāti Tairi.
- Ngāti Rahiri.
- Ngāti Tawhirikura.
- Ngāti Te Whiti.
- Ngāti Tuparikino.
- Otaraua.
- Pukerangiora.
- Puketapu.



Māori Contribution to Decision-Making

STRATEGIC DIRECTION

The vision for this LTP is for the Council, together with the community, to be *He Whakatūtū Haupū Rawa Hei Āhua Noho/Building a Lifestyle Capital*. The community outcomes and guiding principles that support this vision are *He Tangata/People*, *Tiakina/Place* and *Āwhina/Prosperity*.

Together with strong, open and transparent relationships, these community outcomes and guiding principles will assist us to identify further opportunities for Māori to participate in, as well as support the development of Māori capacity to contribute to Council decision-making.

We already have in place a number of strategic and operational commitments, which align to these principles.

Moving forward, the Council will continue to build on existing commitments like internal cultural capacity and capability building, and strengthening relationships with iwi and hapū. A summary of next steps is shown in the table at the back of this section.



Council staff working alongside tangata whenua

To enhance effective engagement of Māori in decision-making, we have committed staff and other resources to support, advocate on behalf of, and guide the Council's interactions with Māori.

To further strengthen capacity, we intend to build the cultural competency of our staff. This includes building staff capability in basic te reo Māori (language) and tikanga (practices) and developing staff knowledge and understanding of Māori concepts, values, histories and experiences. It also includes enhancing staff confidence and skills in engaging with Māori to establish and manage effective relationships.

Significance and Engagement Policy

Our Significance and Engagement Policy sets out how we engage with tangata whenua on issues that are likely to affect them, or on issues where they have a clearly identified interest.

As part of operations, we regularly engage with tangata whenua in areas such as the Long-Term Plan, the District Plan, the Coastal Strategy, the Annual Plan, roading, heritage, walkways, reserves, and regulatory and environmental management.

We also have future plans to measure and monitor how well we are engaging with tangata whenua at both the strategic and operational levels.

Puke Ariki Kaumātua Committee

Te Kaumātua Kaunihera o ngā Whare Taonga o Puke Ariki was established in 2004. Made up of kaumātua (elders) from around Taranaki, the committee advises Puke Ariki on issues regarding Māori, the taonga Māori collection, and tikanga. The Kaunihera meets monthly and is open to kaumātua from all of Taranaki. While providing expert cultural advice, exploring further relationships with iwi may identify opportunities to better align the Puke Ariki experience to their aspirations.

Puke Ariki Refresh Plan 2015

Puke Ariki's mission statement is to inspire creativity and enrich lives by promoting the heritage of Taranaki and connecting local people and visitors to new ideas, and other cultures from around the world.

The Puke Ariki Refresh Plan 2015 ensures that the museum's acquisition, care, storage and display of its collections plan aligns to its mission statement. It also ensures Puke Ariki contributes to the Council's Community Outcomes.

Puke Ariki consults with the appropriate Māori community when making decisions regarding a particular taonga or group of taonga. As principle hub for the district's heritage, arts and culture, Puke Ariki will continue to ensure Māori involvement in the management of its cultural collection.

Exhibitions

Puke Ariki's long-term gallery exhibition, Te Takapou Whāriki o Taranaki is a major project telling the story of iwi from around Mount Taranaki. As stories are developed, it will be important that the exhibition is refreshed, and that iwi have an opportunity to engage with Puke Ariki to ensure displays meet their needs.



Ngā Kaitiaki

Every 10 years we review and prepare our District Plan. To assist with this process, and to ensure input from tangata whenua, we have established a working group, Ngā Kaitiaki. Made up of mandated iwi and hapū representatives, the role of this working group is to review the District Plan from a te ao Māori (Māori worldview) perspective.

We also engage an independent planner to provide technical planning support. As a result of this collaboration we have incorporated, where relevant, a Māori perspective into the Draft District Plan.

Having developed the capacity of Ngā Kaitiaki to engage with the Council's planning processes, we intend to continue working with this group in implementing the District Plan. We will also work together to develop indicators to measure and monitor how well our initiatives are contributing to Māori participation in decision-making.

Wāhi Tapu Review

In 2007, the Council initiated a wāhi tapu and archaeological site review, establishing a Wāhi Tapu Reference Group made up of mandated iwi and hapū representatives. Since that time, this group has worked alongside Council staff to accurately identify and record wāhi tapu sites in the Council's GIS database.

In 2016/17, we initiated a District Plan change to correct the locations of wāhi tapu sites within the rohe of Ngāti Rahiri and add additional sites. We are currently finalising the identification of wāhi tapu sites in the rohe of Ngāti Mutunga, Otaraua, Manukorihi and Ngāti Te Whiti.

This project, designed to improve our knowledge of cultural heritage sites, provides important information for resource consent planners. In 2017, the project won the Society of Local Government Managers (SOLGM) Award for Innovation in Policy and Regulatory Development. Ongoing work will include incorporating wāhi tapu sites into the Draft District Plan, refining our internal GIS mapping systems and processes, and developing iwi and hapū capability in using and managing the wāhi tapu portal.

Māori Contribution to Decision-Making



Te Huinga Taumatua

Te Huinga Taumatua is a joint-committee made up of elected Council and iwi members, currently co-chaired by a representative from each group. The committee's purpose is to provide strategic guidance and advice to the Council, and to receive submissions and other relevant reports on matters of importance to Māori.

The Committee is also authorised to make decisions on certain matters, including Marae Development Grants and the naming or re-naming of roads and Council-administered reserves.

We ensure the committee is well-serviced and well-resourced so it can make fully informed decisions. Moving forward, we will also ensure the committee is kept abreast of Council projects, initiatives and policies relating to Māori, and where relevant, provide comment.

Airport Project

We have engaged Puketapu Hapū to work with us and our contractors on the development of the new airport terminal. As part of the process, Puketapu has developed a cultural narrative which will inform elements of the terminal's internal design. The Council has resourced the hapū to participate in this process.

As part of establishing a Council-controlled organisation (CCO) to govern the airport facility, the Council established a new CCO Board of Directors, which has a representative from Te Ātiawa Iwi. Puketapu Hapū provided input into the iwi

nomination process and was given responsibility for naming the new airport company – Papa Rererangi o Puketapu Limited.

We intend to pursue further opportunities to collaborate with iwi and/or hapū on other regionally significant projects.

Funding support

We have recognised that Māori participation in the decision-making process is, in part, constrained by funding. This is particularly evident in relation to resource management issues, where access to expert scientific or legal advice is both costly and complex. As a result, we provide some funding to support tangata whenua engagement in resource management issues.

We provide Marae Development Grants and a Built, Cultural and Natural Heritage Protection Fund to support iwi with marae insurance and maintenance. Our intention is to ensure these funds are well subscribed, are used for their intended purpose, and contribute to the aspirations of iwi and hapū.

Treaty settlements

To date within the New Plymouth District, Ngāti Tama, Ngāti Mutunga, Te Ātiawa, and Taranaki have settled their Treaty of Waitangi claims with the Crown. In 2017, Ngāti Maru signed Terms of Negotiation with the Crown and now has a signed Agreement in Principle.

In 2017, Ngāti Maniapoto also signed an Agreement in Principle with the Crown. The area of interest extends south to the Waipingao Stream.

Settlement of Treaty claims provides opportunities for the Council to support the meaningful participation of iwi in all aspects of community decision-making. The Iwi Liaison Team plays a key role in this regard and works closely with iwi and hapū to facilitate effective reciprocal working relationships.

Statutory acknowledgements

All settlement legislation includes Statutory Acknowledgements and Deeds of Recognition. A Statutory Acknowledgement formally acknowledges areas or sites where iwi have a special relationship. A Deed of Recognition is an agreement

between an administering Crown entity and iwi/hapū, to ensure the latter has input into the management of an area or site.

The Council is obliged to notify iwi and hapū on all resource management-related matters when Statutory Acknowledgements and Deeds of Recognition interests are identified. As part of district planning and resource consent processes, we are committed to ensuring such interests are identified as early as possible. This means any issues and opportunities identified can be worked through, preferably before applications are lodged.

Memoranda of Understanding (MoUs)

A Memoranda of Understanding (MoU) is a non-binding agreement that outlines the terms and details of an understanding between the Council and iwi or hapū. In June 2009, we signed a MoU with Te Rūnanga o Ngāti Mutunga which is reviewed every three years.

Iwi Participation Agreements

A recent amendment to the Resource Management Act 1991 (RMA), gives iwi and hapū authorities the option to invite a regional or district council to form a Mana Whakahono ā Rohe.

A Mana Whakahono ā Rohe provides a mechanism for councils and iwi reach agreement on the ways tangata whenua can participate in RMA decision-making and assist councils with their statutory obligations to tangata whenua under the RMA.

Following a request from an iwi authority or hapū to form a Mana Whakahono ā Rohe, a council must convene a hui or meeting with the iwi or hapū, and invite any other iwi, hapū or councils to discuss participation, process and timing of the negotiations.

We are currently working with the other local authorities and eight mandated iwi organisations within the region to explore a collective approach to Mana Whakahono ā Rohe.

Parihaka Papakainga Trust


For the past few years, the Crown has established a relationship with the Parihaka Papakainga Trust to discuss ways the Crown can support the revitalisation of Parihaka. In 2016, the Crown and the Trust signed a Compact of Trust, committing the Crown to support greater capacity and capability within Parihaka.

The Crown has requested government agencies, the South Taranaki District Council, the New Plymouth District Council and the Taranaki Regional Council to identify how they will contribute to a relationship agreement with Parihaka. The New Plymouth District Council has identified a number of ways to support the people of Parihaka. This includes marae development, development planning and internships, and the facilities of Puke Ariki and the Govett-Brewster Art Gallery.

In June 2017, the Crown, the Parihaka Papakainga Trust, the New Plymouth District Council and other local authorities signed Te Huanga ō Rongo. We look forward to working with Parihaka to progress the initiatives we have committed to.

Māori Contribution to Decision-Making

TABLE 1: Key initiatives and proposed next steps

 HE TANGATA: Aroha ki te tangata		
Initiatives	Description	Proposed Next Steps
Council staff working alongside tangata whenua	To enhance effective engagement of Māori in decision-making, provide support, advocate on behalf of, and guide the Council's interactions with Māori.	Strengthen staff cultural competencies, including: <ul style="list-style-type: none"> a) capability in basic te reo Māori (language) and tikanga (practices); b) develop knowledge and understanding of Māori concepts, values, histories and experiences; and c) enhance skills and confidence to engage with Māori to establish and manage effective relationships.
Significance and Engagement Policy	Sets out the Council's commitment to engage with tangata whenua on any issue likely to affect them, or where they have a clearly identified interest.	Measure and monitor how well the Council is engaging with tangata whenua at both a strategic and operational level.
Puke Ariki	Kaumātua Committee Advises Puke Ariki on issues regarding Māori, the taonga Māori collection and tikanga.	Explore further relationships with iwi to identify opportunities to better align the Puke Ariki experience to their aspirations.
	Refresh Plan 2015 Ensures that the museum's acquisition, care, storage and display of its collections plan aligns to its mission statement.	Continue to ensure Māori involvement in the management of its cultural collection.
	Exhibitions Includes processes for ensuring iwi are engaged in the design, preparation and operation of a long-term exhibition at Puke Ariki.	Ensure the Te Takapou Whāriki o Taranaki exhibition is refreshed, and that iwi have an opportunity to engage with Puke Ariki to ensure displays meet their needs.



TIAKINA: Manaaki whenua, manaaki tangata, haere whakamua

Initiatives	Description	Proposed Next Steps
Ngā Kaitiaki	Review the draft District Plan from a te ao Māori (Māori worldview) perspective.	Continue to work with Ngā Kaitiaki in: <ol style="list-style-type: none"> a) implementing the new District Plan; and b) developing indicators to measure and monitor how well Council initiatives are contributing to: <ul style="list-style-type: none"> • Māori contribution to decision-making, and • the Council's new strategic framework.
Wāhi Tapu Review	Identify and record wāhi tapu sites for cultural, district and resource planning purposes.	<ol style="list-style-type: none"> a) Incorporate wāhi tapu sites into the draft District Plan (E-Plan). b) Enhance the use of internal GIS mapping and display systems and processes. c) Develop iwi and hapū capability to use and manage the wāhi tapu portal, including up-dating information.



Māori Contribution to Decision-Making



ĀWHINA: Awhi mai, awhi atu, tātou katoa

Initiatives	Description	Proposed Next Steps
Te Huinga Taumatua	Provides strategic guidance and advice to the Council, and receives submissions and relevant reports on matters of importance to Māori.	Ensure the committee is kept abreast of the Council.
Airport Project	A collaborative effort to develop a cultural narrative, governance processes, and name of the governance entity, <i>Papa Rererangi i Puketapu Limited</i> .	Support further opportunities to collaborate with iwi and/or hapū on regionally significant projects.
Funding support	Support marae insurance and maintenance through the Marae Grants Policy and Built, Cultural and Natural Heritage Protection Funds.	Ensure funding: <ul style="list-style-type: none"> • is well subscribed; • is used for its intended purpose; and • contributes to the aspirations of iwi and hapū.
Treaty settlements	Identify opportunities to support the meaningful participation of iwi in all aspects of Council's community decision-making.	Work closely with iwi and hapū to facilitate effective reciprocal working relationships.
Statutory acknowledgements	Formal acknowledgements in Treaty settlement legislation of areas or sites with which iwi have a special relationship.	Ensure that as part of District planning and resource consent systems and processes, such interests are identified as early as possible.
Memoranda of Understanding	A non-binding agreement that outlines the terms and details of an understanding between the Council and iwi or hapū, including roles and responsibilities.	Where an interest is signalled, work with iwi and/or hapū to develop MoUs.
Iwi participation agreements	Provides a mechanism for councils and iwi to agree on ways tangata whenua can participate in RMA decision-making and assist councils with their statutory obligations to tangata whenua under the RMA.	Explore a collective approach to responding to invitations from iwi and hapū to form a <i>Mana Whakahono a Rohe</i> .
Parihaka Papakainga Trust	<ul style="list-style-type: none"> • Administers, maintains and develops property on behalf of Parihaka beneficiaries. • Implements the Parihaka Papakainga Master Plan. 	Work with the Trust to support Parihaka in marae development, development and planning internships, and accessing Puke Ariki and Govett-Brewster Art Gallery services.