

GENERAL POLICIES



SUMMARY OF SIGNIFICANCE AND ENGAGEMENT POLICY

PURPOSE

The Significance and Engagement Policy (SEP) establishes a general approach for determining the significance of Council decisions and sets out when and how the Council will engage the community in decision-making relative to the significance of the decision.

The Policy explains how Council:

- Assesses how important something is i.e. its level of significance.
- Determines how and when our communities and stakeholders can expect to be involved in Council decisions.
- Informs and guides elected members and staff on the extent of engagement required before a decision is made and give an indication of ways we can go about it.

DETERMINING SIGNIFICANCE

Our general approach to determining the significance of proposals or decisions is to have regard to a range of criteria prior to decisions being made.

Whilst not an exclusive list Council will be guided by the following:

- **The potential level of financial consequence, in particular rates impact.**

- The degree of impact on or change to levels of service, positive or negative.
- How many residents and ratepayers might be affected by the proposal or decision.
- The likely degree of community interest in the proposal or decision.
- The extent to which the consequences of the decision might be controversial.
- The degree to which the decision or proposal deviates from community outcomes or Long Term Plan, Annual Plan or policy.
- The potential impact on current and future well-being of the community.
- Whether there is a legal requirement to engage with the community.
- The degree of impact on a strategic asset, particularly if it involves transferring ownership or control.
- A matter will be considered significant when one or more of the above criteria are considered high, or are met.

ENGAGEMENT

Council has identified criteria to assess the degree of significance and determine the level of engagement required. The significance of an issue, proposal, decision or matter varies on a level of significance continuum from low to high. Generally, the greater the significance of the decision, the higher the level of engagement. Elected members of Council will approve the method of engagement for matters

with a high degree of significance and Council staff determine engagement methods for other matters. Some matters may not require community engagement, for example:

- The proposal or decision is not of a nature or significance that requires it, e.g. there would be little public interest, or
- The matter has already been addressed by Council's policies or plans, which have previously been consulted on, or
- There is a need for commercial sensitivity, or
- There is a threat to public health or safety or a risk to the environment, and a decision needs to be made quickly.

When the above circumstances apply and engagement is not to be undertaken, Council will still give consideration to the views and preferences of persons likely to be affected by or have an interest in the matter. This will be in proportion to the significance of the matter.

The Local Government Act 2002 and other legislation require Council to consult with the community in a range of circumstances. Council also recognises its legislative obligations under section 81 of the Local Government Act 2002 to establish and maintain processes to provide opportunities for Māori to contribute to decision making processes. Council will continue to seek and develop relationships with Māori, taking into account the nature and significance of the decision to Māori.

A full copy of the SEP is available at the main Council office, Council service centres or online at: www.cluthadc.govt.nz

DEVELOPING MĀORI PARTICIPATION AND CAPACITY IN COUNCIL DECISION-MAKING

Clutha District Council is currently on a journey to genuinely engage with all Māori associated with the District to foster and further develop positive relationships, improve communication and consultation processes, and to develop a greater understanding of issues.

Relationships are being developed with Te Rūnanga o Ōtākou and Hokonui Rūnanga, and we continue to work with tangata whenua whānau rōpū groups Waikoau Ngāi Tahu Rūnaka and Moturata Taieri Whānau; Māori land owners/trustees; and with matawaka (Nga Whānau O Tokomairiro).

To further develop genuine relationships, Council staff have been liaising regularly with Aukaha, (an environmental consultancy that represents the Kāi Tahu Papatipu Rūnanga within the Clutha District) and Te Ao Marama Inc, (an Iwi liaison entity that represents the Southland Kāi Tahu Rūnanga that also have shared interests within Clutha District).

As part of Clutha District Council striving for genuine relationships, initiatives are being undertaken within Council to improve cultural competency. Cultural competency training is scheduled for Council staff and elected officials, and cultural tours of the district have been undertaken by a representative of Waikoau Rūnaka to assist with staff

and elected officials understanding of the District's history. Council's citizenship ceremonies have also introduced a stronger cultural element, and Council staff have met with local whānau regarding signage in the District. Council staff are also working towards training with agencies, establishing an internal committee to facilitate cultural initiatives, and elected official Jock Martin has been elected as the community board representative on the Te Maruata Rōpū Whakahaere (a sub-committee of the National Council of Local Government New Zealand).

In preparing this policy on Developing Māori Participation and Capacity in Council Decision-Making, Aukaha and Te Ao Marama Inc were provided the opportunity to give feedback on the policy. For the Long Term Plan consultation process, a Council staff member key contact was established to proactively discuss LTP matters with Aukaha and Te Ao Marama Inc and facilitate further discussion as required.

Council currently has the following arrangements in place to facilitate Māori participation in decision making:

- **Regular Hui used for discussing general matters, resource consent and infrastructure**

matters with Aukaha and Te Ao Marama Inc (with a focus in the long term in developing a Partnership Agreement).

- Consideration is given to the Aukaha Natural Resource Management Plan and the Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan in Council's resource consent and planning processes.
- Council as a matter of practice consults Kāi Tahu, through Aukaha and Te Ao Marama Inc, on matters that may affect the interests or values of mana whenua specifically and Māori generally.
- Where issues are being considered by a Council committee that may be of significant interest to mana whenua or Māori generally Council has invited the nomination of members representing the interests of the appropriate hapū or whānau to the committee.
- Direct communication with representatives of the Waikoau Ngāi Tahu Rūnaka (South Otago) and the Trustees of SILNA lands on a case by case basis.

Other existing relationships include Kāi Tahu Papatipu Rūnanga of Otago through the Otago Mayoral Forum and Te Rōpū Taiao, and with Ngāi Tahu ki Murihiku through the Charter of Understanding – He Huarahi mō Ngā Uri Whakatupu and the associated Te Rōpū Taiao advisory group for Southland. These forums are a foundation for consultation on a wide range of local government issues including Long Term and Annual Plans and assists Council through Aukaha and Te Ao Mārama Inc. to consult with mana whenua who have a shared interest in the Clutha District.

In addition, and within a wider regional context, the Clutha District Council has agreed to the following in relation to the principles of the Treaty of Waitangi and building the capacity of Māori to contribute to local government decision-making processes:

- **Local authority decision-making – where a significant decision relates to land or a body of water, Clutha District Council will take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.**
- **Contributions to and involvement in decision-making processes – Clutha District Council will provide opportunities for the engagement of Māori in decision-making.**
- **Consultation with Māori – Clutha District Council has processes in place for consulting with Māori in accordance with the principles of the Local Government Act. Effective consultation is required to improve existing relationships with Māori, and to ensure that processes and protocols relating to local government and resource management issues take into account Māori needs, expectations and aspirations.**

- **Iwi Management Plans – supporting implementation, use and understanding of the Aukaha Natural Resource Management Plan and Te Tangi a Tauria – The Cry of the People – the Ngāi Tahu ki Murihiku**
- **Resource and Environmental Management Plan.**
- **Resource Management - Supporting projects initiated by Māori that involve direct management of the region’s natural resources.**

In addition to the Local Government Act obligations set out above under Māori relationships, the Resource Management Act 1991 and the Ngāi Tahu Claims Settlement Act 1998 set local authorities specific obligations regarding kaitiakitanga, the principles of the Treaty of Waitangi and the relationship between Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. To give effect to the obligations under the Local Government Act, and the related obligations under the Resource Management Act and the Ngāi Tahu Claims Settlement Act, Clutha District Council will continue to develop its relationships with the relevant Rūnanga in Otago and Southland through Aukaha and Te Ao Marama, and with Te Rūnanga o Ngāi Tahu, the iwi authority. This is essential for achieving the sustainable management of natural resources and landscapes within the Clutha District.

The Ngāi Tahu Claims Settlement Act 1998 included as cultural redress a number of mechanisms to recognise and give practical effect to Ngāi Tahu mana over tāonga resources and landscapes.

These mechanisms include statutory acknowledgment of Ngai Tahu’s cultural, spiritual, historic, and traditional association with:



- **Mata-au (Clutha River)**
- **Kuramea (Lake Catlins)**
- **Tokatā (The Nuggets)**
- **Te Tai O Arai Te Uru (Otago Coastal Marine Area)**

The objective of statutory acknowledgments is to ensure that Ngāi Tahu is engaged in decision-making when activities impact on these statutory areas. While the Local Government Act sets out provisions relating to all Māori it is recognised that within the Clutha District Kāi Tahu are mana whenua. They have a special status in terms of Clutha District Council activities and are not just another interest group. Overall, Council is committed to continually developing genuine, long-term relationships for the future.

¹ In the south of the South Island, the local Māori dialect uses a ‘k’ interchangeably with ‘ng’. The preference is to use a ‘k’ so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu.

² Tangata whenua in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area.