

2013 Policy on Significance

Christchurch City Three Year Plan
Christchurch Ōtautahi

Christchurch City Council

2013 Policy on Significance

Changes from 2009 Policy

When compared to the Policy on Significance in the 2009/19 Long Term Plan changes have occurred as a result of changes to the Local Government Act in 2010, and also changes to some strategic assets as a result of the Canterbury earthquakes.

Purpose

The Christchurch City Council is committed to conducting its business in an open, transparent and democratically accountable way. This policy sets out the Council's general approach to determining the significance of proposals and decisions in relation to matters before it and the thresholds, criteria and procedures to be used in assessing the extent to which such matters are significant. It reflects the requirements of section 90 of the Local Government Act 2002.

General Approach to determining significance

The Council will comply with section 97 of the Local Government Act 2002 when it considers the following decisions:

- a. to alter significantly the intended level of service provision for any significant activity undertaken by the Council;
- b. to transfer the ownership or control of a strategic asset to or from the Council.

These decisions will not be made unless they are explicitly provided for in the Council's Long Term Plan.

In all other respects the decision-making process to be adopted by the Council, a Committee, a Community Board and any other sub-ordinate decision-making body of the Council, will be largely in proportion to the significance of the matters affected by the decision. Significance, as defined by the Local Government Act 2002, means the degree of importance of the issue,

proposal decision or matter, as assessed by the Council, in terms of its likely impact on and likely consequences for:

- a. the Council's district;
- 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.

Each assessment will be made on a case by case basis.

Thresholds, criteria and procedures

It is expected that the majority of decisions to be made by the Council will flow consequentially from decisions in a Long Term Plan or Annual Plan. If not, or if the proposal has not been the subject of a process involving a public hearing, then the Council will consider undertaking a special consultative procedure in respect of decisions to:

- a. undertake a significant capital project, programme or activity that is not specified in a Long Term Plan or an Annual Plan or the 2013/16 Three-year Plan;
- b. not undertake a significant capital project, programme or activity that is specified in a Long Term Plan or an Annual Plan or the 2013/16 Three-year Plan.

However, the Council will not consult, or will tailor its consultation to the circumstance, in respect of decisions which, in the Council's judgement, are:

- a. urgent, where failure to make a decision urgently would result in the loss of opportunities which contribute to achieving the Council's strategic directions;

- b. commercially sensitive, in circumstances where public consultation on an issue would compromise commercial sensitivity and could potentially result in substantially increased costs to the Council or the loss of opportunities which contribute to achieving the Council's strategic directions.

In these circumstances the Council will tailor its decision-making processes to allow as much evaluation and consultation as is practicable while either achieving the timeline required or maintaining an appropriate level of commercial sensitivity.

Strategic assets

Section 90 (2) of the Local Government Act 2002 requires the Council to list the assets it considers to be strategic assets. Section 97 of the Act requires that a decision to transfer the ownership or control of a strategic asset to or from the Council, can be taken only if the decision has been explicitly provided for in a statement of proposal in the Council's LTP.

- The assets that the Christchurch City Council considers to be strategic assets are:
- its equity in Christchurch City Holdings Ltd;
- the equity that Christchurch City Holdings Ltd holds in each of the following subsidiaries (each subsidiary is treated as a separate strategic asset for the purposes of this policy);
 - Lyttelton Port Company Limited;
 - Christchurch International Airport Limited;
 - Orion New Zealand Limited;
 - Redbus Limited;
 - Enable Services Ltd Ltd;
 - City Care Limited;
 - Eco Central.

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- the equity in VBase Ltd held either directly by the Christchurch City Council or through Christchurch City Holdings Limited;
- the following properties held by VBase Ltd:
 - Westpac Stadium;
 - Christchurch Convention Centre*;
 - AMI stadium;
 - Christchurch Town Hall.
- the equity in Civic Building Ltd held either directly by the Christchurch City Council or through Christchurch City Holdings Limited;
- its equity in Transwaste Canterbury Limited;
- the land and buildings as a whole owned by the Council for its public rental housing provision;
- the Christchurch Art Gallery and its permanent collection;
- the library network as a whole including the Central Library*, the suburban libraries and the mobile library service;
- the Christchurch City roading network as a whole;
- the water supply network as a whole including reservoirs, pump stations and reticulation;
- the sewage collection, treatment and disposal system as a whole including the sewers;
- pump stations and treatment works;
- the land drainage system as a whole including the storm water pipe network, the open river system, waterways, wetlands and retention basins;
- the reserves lands as a whole including land held under the Reserves Act and land used for parks, gardens, sports fields, recreational areas and cemeteries;
- the Council's built recreational facilities including its suburban swimming pools (Waltham and Halswell) and indoor pool complexes;
- the system as a whole of off-street parking facilities owned or operated by the Council;
- the public transport infrastructure system as a whole including the Bus Exchange*, bus shelters and other bus related facilities;
- the Council's portfolio of Heritage Assets as a whole (excluding assets specifically acquired for on-selling after providing them with protective covenants);
- harbour structures as a whole, including wharves, jetties, slipways, breakwaters and seawalls;
- the waste management system as a whole including transfer stations.

* *When rebuilt by the Council and if in Council or Council Controlled Organisation ownership.*

Strategic assets as defined above are the assets in total and not the separate elements of the assets. That is, the requirements of section 97 are only triggered if the proposal relates to the asset as a whole or a major sub-part of the asset.

For the avoidance of doubt, the restructuring or renaming of companies in which Council holds equity does not constitute a transfer of ownership or control in relation to Section 97 of the Act provided that Council retains the value of its equity and its existing level of control over subsidiary and associate companies.

There are no proposals in this Draft Three Year Plan that suggest the sale or transfer of ownership of any strategic asset.

Council's obligations under the Local Government Act

The Local Government Act places several obligations on the Council which operate in parallel to this policy. These obligations are:

Section 97, which lists those decisions that can only be made if they are provided for in an LTP, including decisions to significantly alter levels of service for significant activities undertaken by the Council, or to transfer the ownership or control of a strategic asset.

Section 77(1)(c), which requires certain considerations to be made in respect to significant decisions that impact on the relationship of Māori with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.



Christchurch Airport

All Departures