

Council Policy

Significance and Engagement Policy

1. Relevant Legislation

Local Government Act (LGA) 2002.

2. Purpose of Policy

The purpose of this Policy is to let both Council and the community identify the level of significance of particular proposals or decisions, and to understand when and how the community will be engaged in making decisions.

This Policy is one of the inputs into Council's approach to sustainable decision making. The approach to sustainable decision making is set out in Schedule 1 to this Policy.

3. Policy Objectives

3.1 To set out how the level of significance of a proposal or decision is determined.

3.2 To set out how Council will engage with the public about particular proposals or decisions, depending on its level of significance.

4. Policy

4.1 Council will take into account the following matters when determining the level of significance of a proposal or decision:

- Whether there is a legal requirement to engage with the community and what that requirement is (see policy 4.4 and 4.5)
- Whether the proposal or decision affects the level of service of a significant activity
- The level of financial consequence of the proposal or decision
- Whether the proposal or decision affects a large part of the community, and the extent to which they are affected
- The likely impact on future and present interests of the community, recognising Maori cultural values and their relationship to land and water
- Whether community interest in the proposal or decision is high, and /or there are divided community views
- Whether community views are already known from previous engagement processes
- Whether the decision is reversible

4.2 In general, if a proposal or decision is affected by a number of the above matters, the higher its level of significance, and greater the need for community engagement.

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- 4.3** Council will decide early in each process the appropriate level of engagement to support decision making, and will apply the principles of engagement set out in Part 5.
- 4.4** In some instances legislation requires Council to follow either the Special Consultative Procedure (SCP) set out in Section 83 of the LGA 2002, or the principles of consultation set out in Section 82 of the LGA 2002, regardless of the level of significance of a proposal or decision.
- 4.5** In accordance with Section 97 of the LGA 2002, some decisions will only be taken if they have been consulted on and provided for in a Long Term Plan. This includes a decision to alter significantly the intended level of service of a significant activity, and a decision to transfer the ownership or control of a strategic asset to or from a local authority. Council's strategic assets are listed in Schedule 2 to this policy.
- 4.6** For all other proposals or decisions Council will determine the appropriate level of engagement on a case by case basis, applying the engagement principles set out in Part 5 of this policy.
- 4.7** Engagement will be informed by Council's Community Engagement Guidelines and Tangata Whenua Engagement Guidelines and Protocols. A summary of the engagement spectrum and tools is provided in Schedule 3 to this policy.
- 4.8** Council, through its Tangata Whenua Engagement Guidelines and Protocols, recognises the specific obligations set out in Section 81 of the LGA 2002 to establish and maintain processes to provide opportunities for Maori to contribute to Council decision-making processes.
- 4.9** If Council makes a decision that is inconsistent with this policy, the steps identified in Section 80 of the LGA 2002 will be followed.

5. Principles of Engagement

Engagement will be:

- Meaningful - based on an open mind and willingness to listen.
- Respectful - with the aim of building council-community relationships.
- Supported by the provision of information which is balanced, sufficient and in plain language.
- Inclusive and endeavour to reach all those affected.
- Flexible and tailored to the needs of those who are being engaged.
- Coordinated across Council departments to minimise duplication and engagement fatigue.
- Pragmatic, efficient and value for money.

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6. Policy Procedures

- 6.1** Council will use an internal significance checklist, alongside each report to Council / Committee, to ensure the proposal or decision has been assessed against the matters set out in Policy 4.1.
- 6.2** Each Council report will include a section on Significance, detailing the level of significance of the particular proposal or decision and the rationale for why that level has been determined.
- 6.3** Each report seeking a decision will detail the level of engagement appropriate to the proposal or decision, and tools that will be used to engage. The Community Engagement Guidelines and Tangata Whenua Engagement Guidelines and Protocols will be used to inform engagement decisions.
- 6.4** The following financial thresholds will guide analysis of the level of financial consequence of a proposal or decision. Proposals or decisions above these thresholds will be considered to be of high significance:
- Decisions or proposals in excess of \$8 million or which would result in a 5% or more increase in the annual District rates.
 - Decisions or proposals which would result in a new or increased targeted rate of more than 10% of existing rates per property.
 - Decisions or proposals relating to capital expenditure in excess of \$6 million (total project cost) which has not been provided for in the 3-year term of the current long term plan.

7. Definitions

Community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
Decisions	Refers to all the decisions made by or on behalf of Council including those made by officers under delegation. (Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed as significant).
Engagement	A term used to describe the process of seeking public input to inform decision making. There is a continuum of community engagement (see Section 3 in Schedule 2 of this policy).

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Significance	As defined in Section 5 of the LGA 2002 this 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.
Significant	Significant means that the issue, proposal, decision or other matter is assessed as having a high degree of significance against the criteria of this policy.
Strategic asset	As defined in Section 5 of the LGA 2002 “in relation to the assets held by a local authority, means 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— (a) any asset or group of assets listed in accordance with section 76AA(3) 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 ”. Council’s strategic assets are listed in Schedule 2.

8. Policy Review

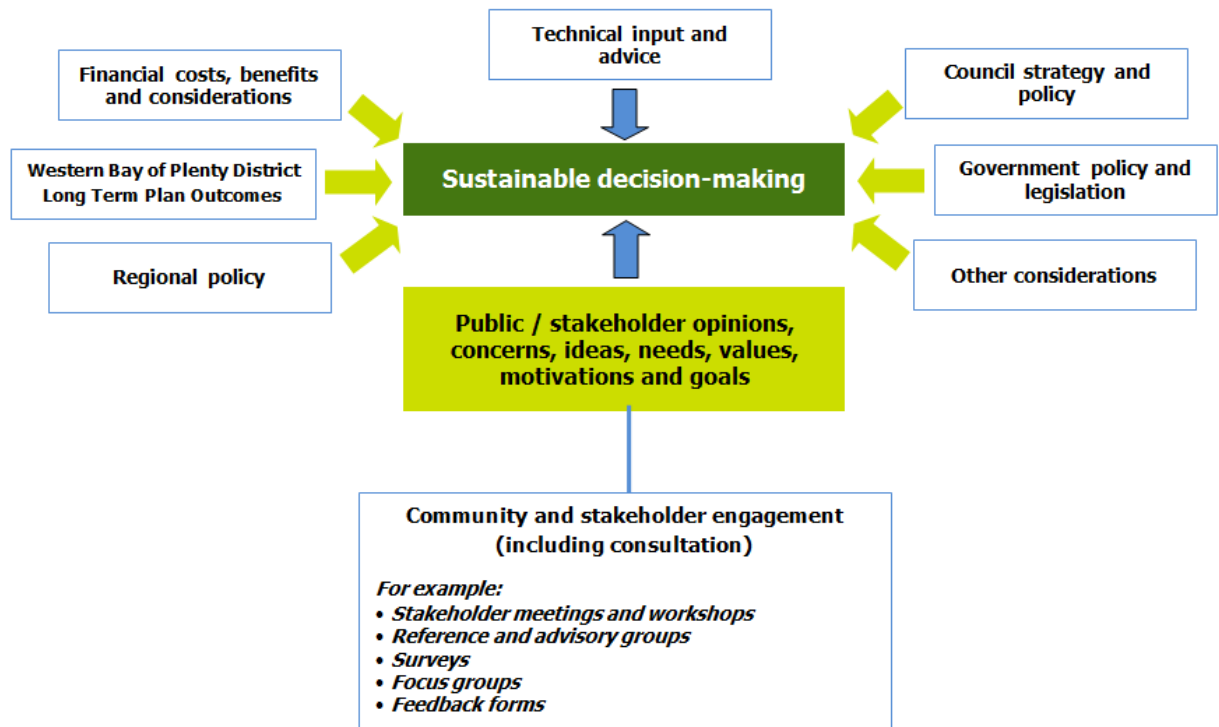
8.1 This Policy will be reviewed every 3 years following the commencement of a new triennium.

Group	Policy, Planning and Regulatory Services	Contact (3rd Tier Manager)	Policy and Planning Manager
Supersedes	Significance and Engagement Policy 2017		
Creation Date	24 March 2020	Resolution Reference	xxxxx
Last Review Date	7 September 2017	Resolution Reference	PP6.4
Review Cycle	Within 3 years of coming into effect		Date September 2020
Authorised by	Policy Committee	Date	7 September 2017

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Schedule 1 – Council’s approach to Sustainable Decision Making



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Schedule 2 – List of Strategic Assets

For the purposes of sections 5 and 76AA(3) of the Local Government Act 2002, Council considers the following assets to be strategic assets:

- The roading network as a whole
- Reserves listed and managed under the Reserves Act 1997 excluding:
 - (a) Reserves identified for investigation for disposal in an adopted Reserve Management Plan
 - (b) Local Purpose Reserves
- Land held under other Acts or as fee simple but listed as reserves or considered as reserves.
- Water reticulation network as a whole
- Wastewater plant and network as a whole
- Stormwater reticulation network as a whole
- Library network
- Pensioner housing network.

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Schedule 3 – Community engagement levels and methods of engagement

SPECTRUM LEVEL	COMMUNITY PARTICIPATION GOAL	PROMISE TO THE COMMUNITY	EXAMPLE TECHNIQUES TO CONSIDER
<p>Inform Whakamōhio</p> <p><i>Council led - this level is just as important as the other levels</i></p>	To provide balanced and objective information to assist the community in understanding the problem, alternatives, opportunities and/or solutions	We will keep you informed	<p>Have Your Say Western Bay/Social media</p> <p>Open days/drop-in sessions/Māori initiated events</p> <p>Media (Māori and mainstream)</p>
<p>Consult Whakauia</p> <p><i>Council led - this is the standard Council role</i></p>	To obtain feedback on analysis, alternatives and/or decisions	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how your input influenced the decision	<p>Feedback forms/surveys</p> <p>Focus groups</p> <p>Public meetings/Marae/ community hui</p>
<p>Involve Whakaura</p> <p><i>Council led - this is where we invest in our stakeholder relationships</i></p>	To work directly with the community throughout the process to ensure concerns and aspirations are consistently understood and considered	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how your input influenced the decision	<p>Community workshops</p> <p>Partnership Forums</p> <p>Hapu/Iwi Management Plans</p>
<p>Collaborate Mahi ngatāhi</p> <p><i>Co-led - make sure you mean it. This is our partnerships, working together in collaboration</i></p>	To partner with the community in each aspect of the decision including the development of alternatives and the identification of the preferred solution	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	<p>Citizen Advisory Committees</p> <p>Partnership Forums</p>
<p>Empower Whakamanahia</p> <p><i>Community led - most under used role. This is where Council can take a step back and our communities can step up and take responsibility</i></p>	To place final decision making in the hands of the community	You will decide and we will implement what you decide	<p>Citizen juries</p> <p>Ballots</p> <p>Treaty settlement legislation</p>