

SIGNIFICANCE AND ENGAGEMENT POLICY

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1. Purpose

Waimate District Council has developed the Significance and Engagement Policy (the Policy) to determine the significance of issues within the District, and how to align our engagement with the public based on the degree of significance of the issue. The Policy aligns with the provisions of the Local Government Act 2002 (the Act).

This policy exists to:

- Inform you, the public, what you can expect from the Waimate District Council regarding community engagement and the ways you can influence and participate in the decision-making of the Council.
- To provide Council with a tool that guides the assessment of significance during decision-making. A decision on significance and engagement provides direction on the level of community engagement that might be desirable to enable Council to develop a clearer understanding of community views and preferences on an issue or proposal.

2. Definitions

- **Significance** — 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.
- **Significant** — in relation to any issue, proposal, decision, or other matter, means that the issue, proposal or decision or other matter has a high degree of significance.
- **Strategic asset** — in relation to the assets held by an 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.
- **Significant activity** — is an activity (or group of activities) as detailed in Council's Long Term Plan.

3. General approach to determining significance and decision-making

3.1 Determining Significance

On every issue requiring a policy or strategic decision (other than the issues which require processes specified under legislation – see Section 7 below), Council will consider the degree of significance of the issue and the corresponding level of engagement.

The significance of the issue and appropriate forms of engagement will be considered at the earliest possible stages of a proposal or process, before decision-making occurs. If necessary, significance and engagement will be reviewed as the proposal develops and as community views, preferences and values become better known.

3.2 Compliance with sections 76-82 of Local Government Act 2002

In making any decision, Council will comply with the decision-making requirements of the Act, regardless of the degree of significance of the decision or issue. The relevant sections of the Act prescribe procedural steps to be followed as may be applicable, and ensure that Council:

- Is clear about why it is making the decision and issues involved;
- Has considered and evaluated all reasonably practical options for achieving the objective for which the decision is being made; and
- Invests appropriate time, money and effort into researching and evaluating the issues and options, proportionate with the significance of the matter, including its importance to the community.

3.3 Decision-making checks

In making any decision, Council will be satisfied:

- It has sufficient information on the relevant issues and options; and
- It knows enough about, and has given adequate consideration to the views and preferences of affected and interested parties.

3.4 Relevant effort

The significance of the issue, proposal or decision will determine how much time, money and effort Council will invest in exploring and evaluating options and obtaining the view of affected and interested parties.

3.5 Implications for Maori

In some instances, there may be particular requirements to learn about the implications of an issue or decisions for Ngai Tahu as mana whenua and kaitiaki of the Waimate District.

3.6 Covering diversity

There may also be issues or decisions where there are diverse groups within the community with different concerns, interests, views and preferences, where multiple processes will be appropriate to distinguish and recognize the range of positions.

3.7 Limitations

The commitment to invest in exploring options and obtaining the views of communities and affected and interested parties does not mean that Council will have to fully consult with the public for every decision it makes, nor does it bind Council to the views of communities and interested or affected parties.

3.6 Other influences

As well as the views of communities and affected and interested parties, there are a wide range of information sources, considerations and perspectives that will inform Council's decisions, including the requirements of Government policy, technical matters and the financial implications.

4. Criteria and procedures for assessing significance

4.1 Degree of significance

In considering whether any issue, proposal, decision or other matter is of significance under this Policy, Council will be guided by the following:

Criteria	Measure
The degree to which the issue affects the District	Major and long term effect on one or more town/ward/District
The degree to which the issue affects the community	Major and long term effect a demographic/community/district
The degree to which the issue affects the level of service of a significant activity	Results in isolation or limited access to core services
The degree to which the issue has a financial impact on Council or the rating levels of its communities	>10% of Council revenue (exclusive of investment assets)
The degree to which the issue has cultural relevance	Major and long term effect on an ethnicity, religion or culture

A matter will be considered significant when one or more of the above criteria are met.

If an issue exceeds one or more of the above criteria measures, the matter is more likely to have a high degree of significance.

Other matters that will be taken into account when determining significance can include:

- The potential effects on delivery of Council policy and strategy;
- the degree to which the decision promotes Council's Community Outcomes and Vision;
- the impact on rates and/or debt; and
- the reversibility of the decision;

All decisions will be made with sensitivity to a decisions potential impact on, and interest held within, the community.

While this Policy sets out a distinct financial threshold, there may be financial decisions that do not trigger this threshold but need to be considered as significant due to triggering some or all of the other criteria listed.

Generally, the greater the amount of money concerned the higher the impact on the community, a higher degree of public interest, and therefore a higher degree of significance. However, this is not necessarily definitive. There may be some cases in which small financial transactions may attract great public interest, while some large financial transactions may accrue very little attention at all.

Council may take into account knowledge it has previously gained about community opinion eg, Long Term Plan consultation, Community Outcomes, previous public debate, media coverage and public submissions to assess significance.

4.2 Procedure

Council will balance the requirements of efficient decision-making, and the information requirements of sections 76-82 of the Act, across the different levels of significance from minimal to major.

Reports to Council and Committees proposing policy or strategy decisions will include a statement of Assessment of Significance.

This statement will include:

- whether or not the matter being reported on is considered significant in accordance with this Policy;

And if required:

- an outline of what has been done to ensure compliance with the decision-making requirements of the Act;
- a recommendation of further actions required to ensure compliance;
- discussion of any issues and the views and preferences of affected and interested parties; and
- a recommendation that Council or the Committee determines the degree of significance of the particular issue or decision.

In accordance with section 77(1)(c) of the Act, when significant proposals or decisions relate to land or a body of water, Council will take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

Council officers preparing these reports will have regard to this Significance and Engagement Policy and to all relevant legislative requirements.

5. Strategic Assets

In respect to strategic assets, a key consideration is whether the assets are essential to the continued delivery of Council's Community Outcomes which are important for the well-being of the community. Decisions to transfer ownership or control of a strategic asset to or from Council or to construct, replace or abandon a strategic asset cannot be made unless they are first included in the Long Term Plan or through a Long Term Plan amendment.

For the purpose of section 76AA (3) of the Act, Council considers the following assets to be strategic assets:

Strategic Assets
Regent Theatre
Waimate Public Library - building and collections
Resource Recovery Park
Parks and Reserves
Cemeteries
Roading Networks and connected infrastructure
Sewerage Networks and Treatment Plants
Norman Kirk Memorial Pool
Stormwater Networks
Water Treatment, Storage and Supply Networks
Community Housing
Local Government Centre
Waimate Event Centre

6 Engagement

Once Council has determined the significance of a matter and has determined it needs more information on the range of views held, Council will consider how and when it should engage with the community. Depending on the matter being considered, and the identified stakeholders involved, the preferred method(s) or combination of engagement tools will be identified and applied to meet the goals of the specific engagement.

Council will respond to community preferences about engagement, including the form of consultation that may be desirable, by informing and seeking guidance from Elected Members.

In determining the processes and methods appropriate for engaging with communities on particular proposals and decisions Council will be guided by the following:

- the degree of significance of the issue, decision, proposal, asset or other matters – as determined by the criteria set out in this Policy;
- the objectives of the engagement – the level of information sought from residents and affected and interested parties;
- the preferences, capacities, views and values of the community groups and individuals affected by and/or interested in the decision or proposal;
- the diversity of preferences, capacities, views and values of the community groups and individuals affected by and/or interested in the decision or proposal;

- the benefits, limitations and costs of the range of possible processes and methods for engaging with the community groups and individuals affected by and/or interested in the decision or proposal;
- timing issues, including any concurrent engagement processes on other matters involving the same or similar groups or communities; and
- opportunities provided by innovative technologies for efficient and effective engagement.

6.1 Methods of engagement

Many methods of engagement can be used by Council, subject to the degree of significance of the issue. It is essential that Council does not use a homogenous approach to engagement, and utilises engagement tools appropriate to the nature and significance of the issue, and community affected.

Council will use an 'engagement spectrum' approach to determine the most appropriate process and methods for engagement on particular decisions or issues. See Appendix 2 – Community Engagement Spectrum and Appendix 3 – Toolbox for Engagement. These are guidelines for approaching engagement and do not limit or determine the methods or degree of engagement.

6.2 Inform Communities

These methods generally one-way communication approaches that are efficient and practical means to raise awareness of a new or newly significant issue. The aim is to provide basic information about an issue, and to build community interest:

- distribution of media releases, advertising, pamphlets or other material;
- information provided on Council's website and through social media.

Communities are kept up to date with developing issues and new proposals, and communications can be targeted to interested and affected groups. These methods are essentially a one-way process out to communities, and as such are more useful in the earliest stages of proposals or processes. Other limitations of these methods include the costs of printing and distribution, and the challenges in reaching as widely within the communities as may be necessary.

6.3 Consult and Involve

A range of community engagement tools and methods can be used to have communities and particular interested and affected groups contribute their views, priorities and preferences as part of Council's decision-making process.

For relatively straightforward issues or proposals, methods such as surveys in various media or focus groups may be effective.

For more complex issues, particularly significant planning documents and strategies more comprehensive engagement is required.

Engagement approaches used for these types of processes will include printed consultation documents, information on the Council website and social media sites and community

meetings to engage with residents. These processes can be costly and time-consuming and can result in low participation rates with a narrow range of people and groups engaging.

Council will continue to look for ways to effectively include opportunities for residents and affected groups and organizations to provide feedback on key planning documents.

Online engagement tools that offer cost-effective and timely feedback channels are likely to enable Council to more frequently seek community feedback on issues being considered by Council.

6.4 Collaborate and Empower

The value of a collaborative approach is increasingly recognised in a wide range of policy and decision-making contexts. These kinds of methods and approaches are particularly useful when there is a high degree of significance of the issue or proposal, and when there is strong community interest, capacity and commitment. These kinds of issues and proposals tend to be complex with multiple values, perspectives and interests at stake and often involve complex technical or scientific questions.

Methods include:

- collaborative working groups including Council and other representatives;
- multi-stakeholder processes such as Citizen Juries or Panels;
- multi-stakeholder groups
- interactive online tools

These methods allow for research into the issues and background, and exploration of a wide diversity of implications. Multiple goals and values can be recognised and achieved. In addition, a collaborative approach establishes legitimacy through representative community participation develops and affirms long-term relationships and understanding, and builds trust and community networks for future collaborative initiatives.

These processes do require on-going skilled facilitation and considerable time and resourcing to be effective.

7 Engaging with communities on other matters

7.1 Local Government Act

The Act prescribes the particular processes for councils to follow to consult and engage with communities on particular matters.

Special Consultative Procedure:

The Act specifies that a special consultative procedure (SCP), as defined under section 83, must be followed for community engagement on certain plans and processes including:

- Long Term Plan;
- Annual Plan (if the Annual Plan includes significant new proposals not included in the Long Term Plan); and
- Bylaws of significant interest.

Other provisions in the Act specify particular decisions or activities when community engagement is to be addressed through the public consultation for a Long Term Plan. These include:

- a decision to transfer the ownership or control of a strategic asset to or from Waimate District Council or a decision to construct, replace or abandon a strategic asset;
- a decision to alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Waimate District Council, including a decision to commence or cease any such activity.

7.2 Other legislation

Many decisions made by Council will be made under legislation that prescribes the consultation and decision-making procedures required, including the procedures that must be used for public notification, considering submissions and making decisions. This legislation includes:

- Resource Management Act 1991;
- Reserves Act 1977;
- Civil Defence Emergency Management Act 2002; and
- Land Transport Act 1998.

Even if a decision is clearly a significant one within the meaning of the Act, where procedures for decision-making are set out in other legislation, these will be used.

8 Engaging with Iwi/Maori

The Act provides principles and requirements for Council that are intended to facilitate participation by Maori in local authority decision-making processes.

Section 81 of the Act states that a local authority must —

- a establish and maintain processes to provide opportunities for Maori to contribute to the decision-making process of the local authority; and
- b consider ways in which it may foster the development of Maori capacity to contribute to the decision-making process of the local authority; and
- c provide relevant information to Maori for the purposes of paragraphs (a) and (b)

Section 82(2) of the Act states that Council must ensure that it has in place processes for consulting with Maori in accordance with the principles of consultation (as detailed in section 82 (1) of the Act).

9 When Council will not engage

Information is always necessary for the decision making process. However, there are times Council won't consult because the issue is routine, operational or because there is an emergency. If Council chose not to consult on a matter this determination will be made in accordance with the criteria below and notwithstanding any legislative requirements.

The Council will not engage when:

- the matter is not of a nature or significance that requires consultation (s82(4)(c) of the Act); or
- the Council already has a sound understanding of the views and preferences of the persons likely to be affected by or interested in the matter (section 82(4)(b) of the Act); or
- there is a need for confidentiality or commercial sensitivity (section 82(4)(d) of the Act); or
- the costs of consultation outweigh the benefits of it (section 82(4)(e) of the Act); or
- the matter has already been addressed by the Council's policies or plans, which have previously been consulted on; or
- Emergency Management activities during a state of emergency (Civil Defence Emergency Management Act 2002); or
- an immediate or quick response or decision is needed or it is not reasonably practicable to engage; or
- works are required unexpectedly or following further investigations on projects, already approved by the Council; or
- business as usual - the works required are related to the operation and maintenance of a Council asset and responsible management requires the works to take place; or
- when Council has consulted on the issue in the last 24 months.

Where the above listed circumstances apply and consultation is not to be undertaken, the Council is still required to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter (section 78 (1) of the Act). The Act requires that this consideration be in proportion to the significance of the matters affected by the decision (section 79 (1)).

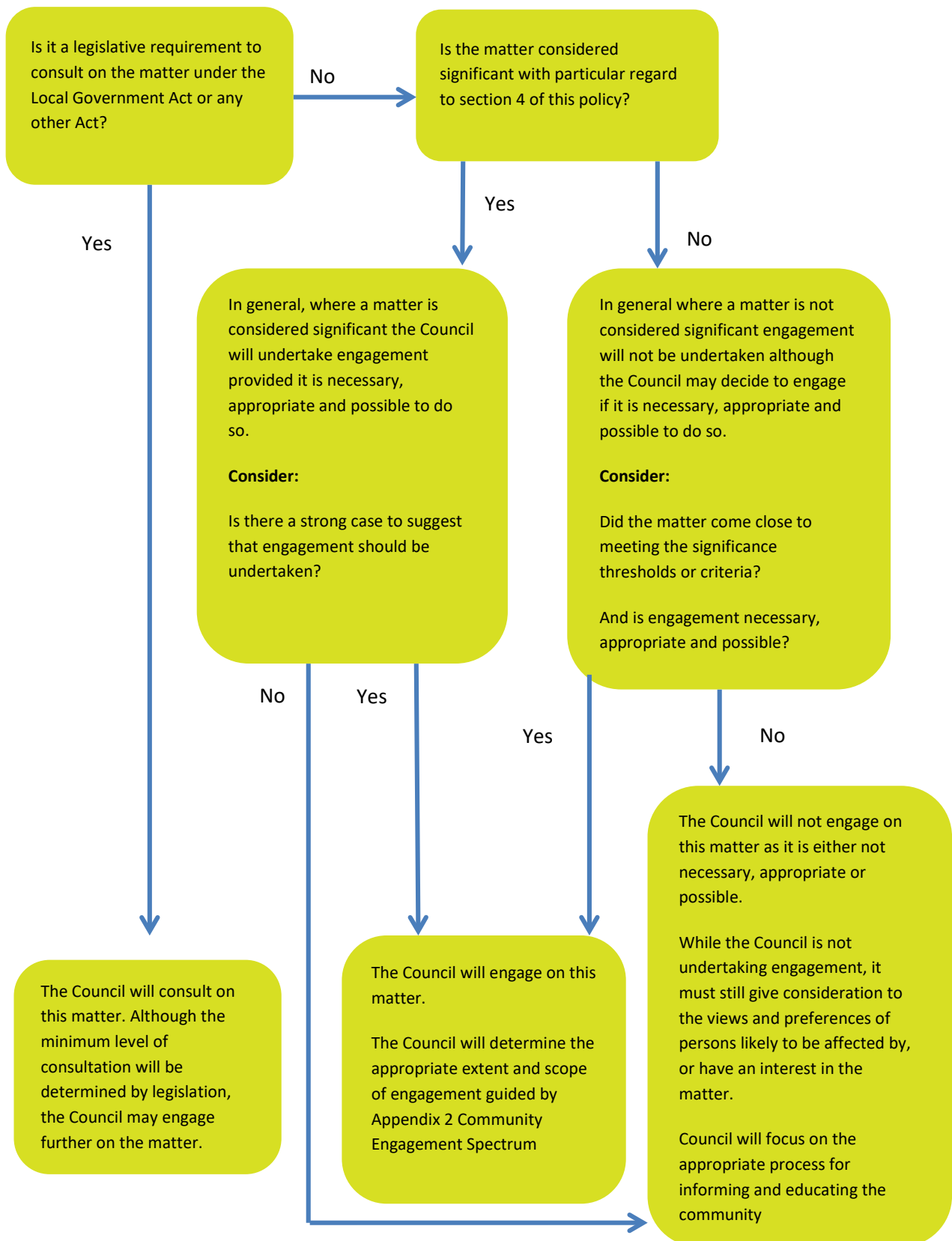
10 Identification of inconsistent decisions

When Council makes a decision that is inconsistent with this policy, the steps identified in section 80 of the Local Government Act 2002 will be undertaken.

Council will clearly identify:

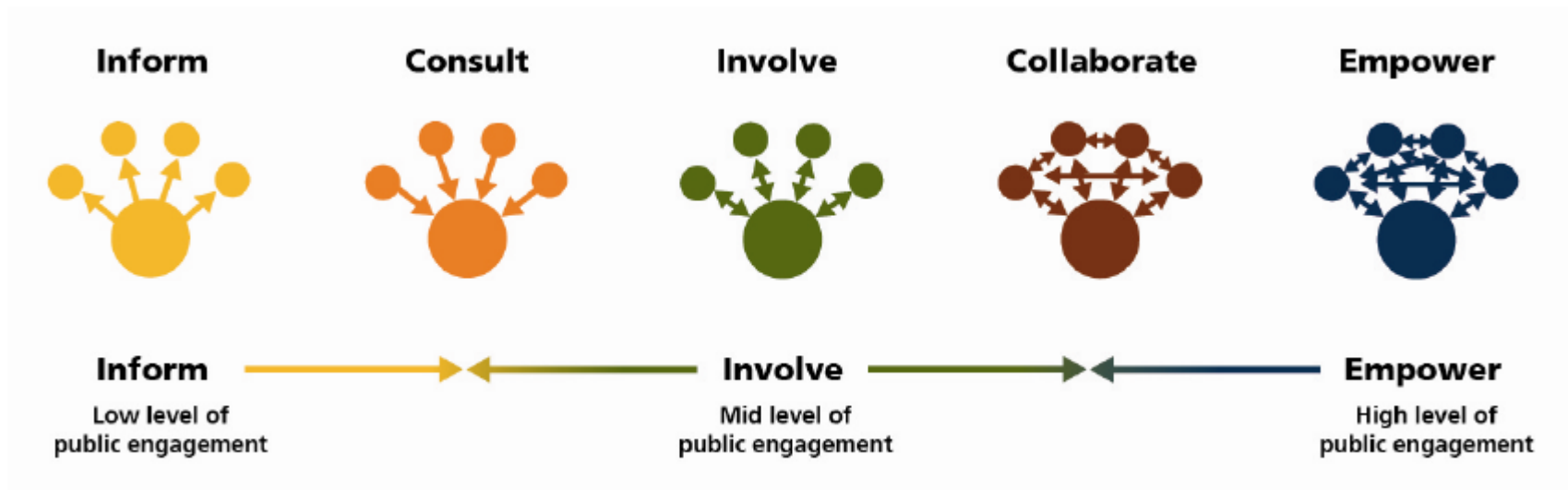
- d the inconsistency; and
- e the reason for the inconsistency; and
- f any intention of Council to amend the policy or plan to accommodate the decision.

Appendix 1: Significance and Engagement Flowchart

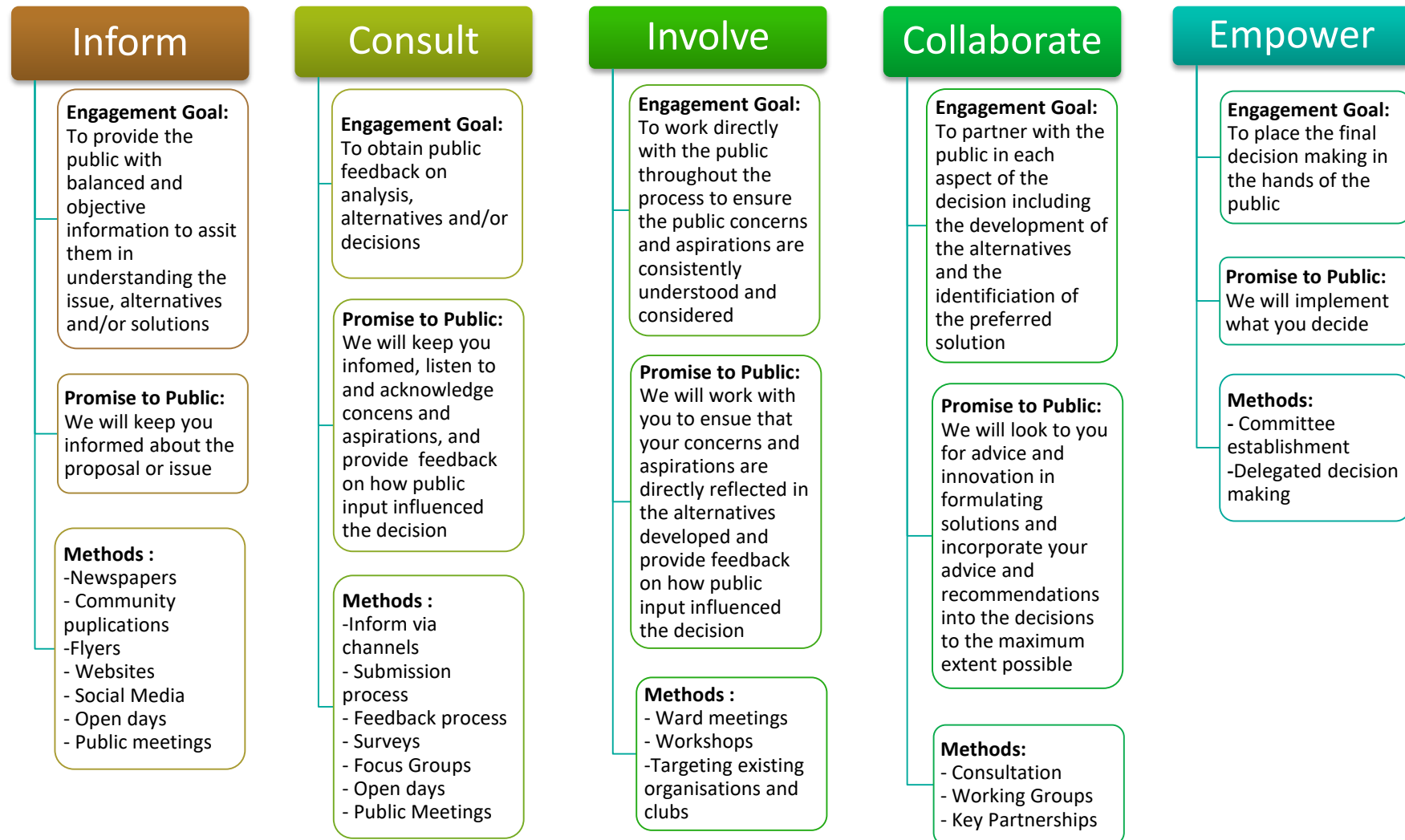


Appendix 2: Community Engagement Spectrum

This diagram details how Council may engage with the public based on the level of significance. Both significance and engagement are flexible along the spectrum, and Council is not limited to these methods of engagement with the public.



Appendix 3: Tool Box for Engagement



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