

Significance and Engagement Policy



South
Waikato
District
Council

POLICY



Significance and Engagement Policy

Kaupapa Here Whai Pūtake me te Tūhonohono

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Associated documents:	Memorandum of Understanding Raukawa DocSet ID - 142426 Joint Management Agreement Raukawa DocSet ID - 315703 Joint Management Agreement Te Arawa DocSet ID – 387663	

1. Policy Objectives/Ngā Whāinga Kaupapa Here

The objective of this policy is to clarify:

- the degree of significance for proposals and decisions.
- when and how communities can expect to be engaged.

2. Principles/Ngā Whanonga Pono

Council will:

- be consistent and transparent in how it engages the public.
- ensure Māori views are considered when engaging.
- consider language, accessibility and cultural needs in any engagement.
- act honestly and openly when analysing and presenting any engagement results.
- will provide appropriate information to help people understand what is being proposed.
- will prominently outline a proposals or decisions cost in any engagement.

3. Background/Kupu Tuarongo

Council's Significance and Engagement Policy was adopted in 2014 to meet our legislative requirements under the Local Government Act 2002 (LGA). The policy:

- Enables Council and our communities to understand the significance council places on certain issues, proposals, assets, decisions and activities.
- Identifies how and when communities can expect to be engaged or specifically consulted on these items.

The Significance and Engagement Policy applies across our council. When assessing the degree of significance and deciding on appropriate engagement or consultation processes, the policy requires us to take into consideration other legislative requirements, as well as any other agreements that might already be in place. To ensure Council engages as

effectively as possible with the South Waikato District's diverse communities, we gather information on people's views and preferences in a variety of ways. Sometimes that might be via formal statutory consultation, or it might be via a more informal engagement process. Either way, the overall intent is to ensure that, wherever possible, anyone who wishes to contribute ideas or information to important council processes and decisions has the opportunity to do so.

4. Policy Statements

Purpose and Scope | Te aronga me te korahi

- 1) To enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities.
- 2) To provide clarity about how and when communities can expect to be engaged in decisions made by Council.
- 3) To inform Council from the beginning of a decision-making process about the extent, form and type of engagement required.
- 4) This policy does not apply to decision making under the Resource Management Act 1991 and or other legislation that includes a prescribed consultative/engagement process.

Policy | Kaupapa here

- 1) Engaging with the community is needed to understand the views and preferences of people likely to be affected by or interested in a proposal or decision.
- 2) An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will therefore be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as a proposal develops.

Assessment of significance | He aromatawai | te pūtake

- 1) Council will consider the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:
 - If there is a legal requirement to engage with the community.
 - The level of financial consequences of the proposal or decision.
 - Whether the proposal or decision will affect a large portion of the community.
 - The likely impact on present and future interests of the community.
 - The likely impact on Māori cultural values and their relationship to land and water (also refer section 15).
 - Whether the proposal affects the level of service of a significant activity.
 - Whether community interest is high.
 - Whether the likely consequences are controversial and has a likely impact on the reputation of Council.
 - Whether community views are already known, including the community's preferences about the form of engagement.
 - The form of engagement used in the past for similar proposals and decisions.
- 2) Council will consider the degree to which the issue has a financial impact on Council or the rating levels of its communities, using the unbudgeted operating expenditure greater than 5 per cent of total operating expenditure in that year, excluding amortisation and depreciation.
- 3) If a proposal or decision is affected by the above considerations, it is more likely to have a high degree of significance.
- 4) In general, the more significant an issue, the greater the need for community engagement.

Engagement and consultation | Tūhonohono me te whakawhiti korero

- 1) Council will apply a consistent and transparent approach to engagement.
- 2) Council is required to undertake a special consultative procedure as set out in Section 83 of the Local Government Act 2002, or to carry out consultation in accordance with or giving effect to Section 82 of the Local Government Act 2002 on certain matters (regardless of whether they are considered significant as part of this policy).
- 3) For all other issues requiring a decision, Council may determine the appropriate level of engagement (section 82 of the Local Government Act 2002) on a case by case basis.

- 4) The Community Engagement Guide (schedule two, attached) identifies the form of engagement Council will use to respond to some specific issues. It also provides examples of types of issues and how and when communities could expect to be engaged in the decision-making process.
- 5) Where Joint Management Agreements, Memorandum of Understanding or any other similarly high-level agreements exist, these will be considered as a starting point when engaging with Māori.
- 6) For mana whenua groups without a formal agreement a separate engagement plan will be developed as appropriate.
- 7) When Council makes a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the Local Government Act 2002 will be undertaken.

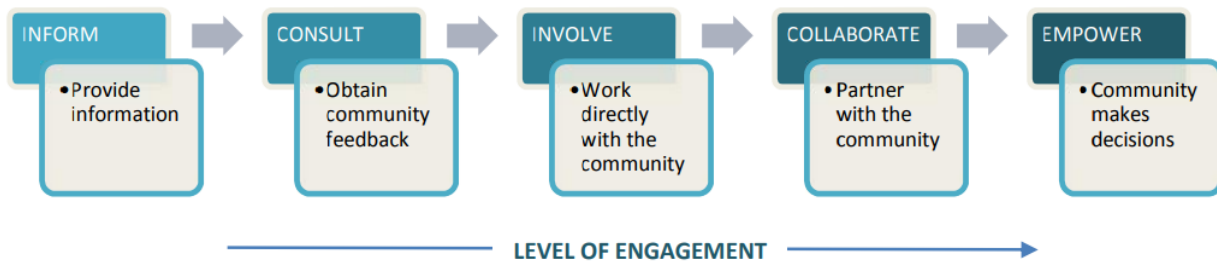
5. Community engagement/Tūhonohono Hapori

- 1) is a process
- 2) involves all or some of the public
- 3) is focused on decision-making or problem-solving

The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum to demonstrate the possible types of engagement with the community. This model also shows the increasing level of public impact as you progress through the spectrum from left to right - 'inform' through to 'empower'. In simply 'informing' stakeholders there is no expectation of receiving feedback, and consequently there is a low level of public impact. At the other end of the spectrum, 'empowering' stakeholders to make decisions implies an increase in expectations and therefore an increased level of public impact. Differing levels of engagement may be required during the varying phases of decision-making on an issue, and for different stakeholders.

It will not always be appropriate or practicable to conduct processes at the 'collaborate' or 'empower' end of the spectrum. Many minor issues will not warrant such an involved approach. Time and money may also limit what is possible on some occasions.

In general, the more significant an issue, the greater the need for community engagement.



When engaging with the community, Council will:

- Seek out and encourage contributions from people who may be affected by or interested in a decision.
- Provide reasonable access to relevant, timely and balanced information so people can contribute in a meaningful way.
- Provide a variety of appropriate ways and opportunities for people to have their say and;
- Tell the community what Council's decision is and the reasons for that decision.
- Provide a clear record or description of the relevant decisions made by council and explanatory material relating to the decision.

6. Engagement tools and techniques/Ngā Keteparaha Mo Ngā Tūhonohono

Over the time of decision making, Council may use a variety of engagement techniques on any issue or proposal and the tools may be adapted based on a range of other factors, including history and public awareness of the issue, stakeholder involvement, and timing related to other events and budgets. Council will also take into consideration other engagements underway, and combined initiatives will be utilised where appropriate to maximise efficiencies and to alleviate 'consultation/engagement fatigue'. Each situation will be assessed on a case-by-case basis.

7. Forms of engagement/Ngā Tāera Tūhonohono

Council will use the Special Consultative Procedure (as set out in section 83 of the LGA 2002) where required to do so by law, including the following issues requiring decisions:

- Adoption or amendment of the Long-Term Plan (sections 93(2) and 93A).
- Making, amending or revoking a bylaw that Council identifies using this policy as having significant interest to, or significant impact on, the public (section 156(1)(a)).
- The adoption, amendment or revocation of a Local Alcohol Policy.
- The adoption or review of a Local Approved Products (Psychoactive Substances) Policy.
- The adoption or review of a class 4 venue policy under the Gambling Act 2003.
- Adoption of an Annual Plan if the plan is significantly different to the Long Term Plan (section 95(2)).

Unless already explicitly provided for in the Long-Term Plan, Council will seek to amend its Long-Term Plan, and therefore use the Special Consultative Procedure, when it proposes to:

- alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity; or
- transfer the ownership or control of strategic assets, as listed in Schedule 1.

Council will consult in accordance with, or using a process or a manner that gives effect to the requirements of, section 82 of the LGA 2002 where required to do so by law, including for the following specific issues requiring decisions:

- Adopting or amendment the annual plan if required under section 95 of the LGA 2002.
- Transferring responsibilities to another local authority under section 17 of the LGA 2002.
- Establishing or becoming a shareholder in a council-controlled organisation.
- Adopting or amending a revenue and financing policy, development contributions policy, financial contributions policy, rates remission policy, rates postponement policy, or a policy on the remission or postponement of rate on Māori freehold land.

For such consultation, Council will follow these principles of consultation (from section 82 of the Act):

- identify people who will or may be affected by, or have an interest in, the decision;
- provide them with reasonable access to relevant information in an appropriate format on the process and scope of the decision;
- encourage people to give their views;
- give people a reasonable opportunity to present their views in an appropriate way;
- listen to, and consider those views, with an open mind; and
- after the decision, provide access to the decision and any other relevant material.

8. Engagement processes under other Acts

Council is required to engage under other Acts other than the Local Government Act 2002, such as the Resource Management Act and the Reserve Act. Council will follow the process outlined within the appropriate Act.

For all other issues, the following table provides an example of the differing levels of engagement that might be considered appropriate, the types of tools associated with each level and the timing generally associated with these types of decisions/levels of engagement.

9. Definitions/Ngā Whakamāramatanga

Asset class	Council operational assets and council infrastructure assets, as disclosed in Council's Annual Report - property, plant and equipment table
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.
Consultation	A subset of engagement; a formal process where the community can present their views to Council on a specific decision that is proposed and made public.
Council	South Waikato District Council

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 to be significant).
Engagement	Is a term used to describe the process of seeking information from the community to inform and assist decision making. There is a continuum of community involvement.
Māori	Includes Māori who have tribal links to the South Waikato District (i.e. Mana Whenua also known as iwi and hapū) and Māori with tribal affiliations outside of the district but reside or own property within the district (i.e. mataawaka).
Special Consultative Procedure (SCP)	The Special Consultative Procedure, as outlined in Section 83 of the LGA 2002, which sets out minimum requirements for engagement including (but not limited to): <ul style="list-style-type: none"> • Making available a Statement of Proposal. • Allowing a minimum of 1 month to receive written views. • Allowing persons to present views in a spoken manner.
Significance	As defined in Section 5 of the LGA2002 “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,— the district or region: <ol style="list-style-type: none"> a) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter b) the capacity of the local authority to perform its role, and the financial and other costs of doing so
Significant	Defined in Section 5 of the LGA 2002, in relation to any proposal or decision means that the proposal has a high degree of significance. Decisions made by Chief Executive or officers under delegated authority will not be deemed to be significant.
Significant Activity	Is an activity Council deems to be significant as per section 5 of the Local Government Act 2002, defined above.
Significant project or asset purchase	Any project or asset purchase where the total expenditure was in excess of 5% budgeted expenditure in accordance with Council’s Annual Plan and Long-Term plans. Budgeted expenditure includes external interest expenditure, accounting depreciation and excluding interest on internal loans, rates on council property, other internal expenditure, losses and gains of asset sales and transfers on equity.
Strategic asset	As defined in Section 5 of the LGA2002 “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— <ol style="list-style-type: none"> 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— <ol style="list-style-type: none"> 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”

Level	Inform	Consult	Involve	Collaborate	Empower
What does it involve	One-way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.	Two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision-making.	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	The final decision making is in the hands of the public. Under the LGA 2002, the Mayor and Councillors are elected to make decisions on behalf of their constituents.
Types of issues that we might use this for	Water restrictions	Rates review Local Alcohol Policy	South Waikato District Plan	The District Transport project	Election voting systems (MMP, STV or first past the post)
Tools Council might use	Websites Information flyer Public notices	Formal submissions and hearings, public meetings	Workshops Focus groups	External working groups (involving community experts)	Binding referendum Local body elections
When the community can expect to be involved	Council would generally advise the community once a decision is made	Council would advise the community once a draft decision is made Council and would generally provide the community with up to 4 weeks to participate and respond.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process.	Council would generally involve the community at the start to scope the issue, again after information has been collected and again when options are being considered.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process. e.g. typically a month or more.

Level	Inform	Consult	Involve	Collaborate	Empower
	Council led – this level is just as important as the other.	Council led – this is the standard Council role	Council led – this is where we invers in our stakeholder relationship.	Co-led – make sure you mean it. This is our partnerships, working together in collaboration	Community led – most under used role. This is where Council can take a step back and our communities can step up and take responsibility
Community participation goal	To provide balanced and objective information to assist the community in understanding the problem, alternatives, opportunities and/or solutions	To obtain feedback on analysis, alternatives and;/or decisions.	To work directly with the community through the process to ensure concerns and aspirations are consistently understood and considered	To partner with the community in each aspect of the decision including the development of alternative and the identification of the preferred solution	To place final decision making in the hands of the community
Promise to the community	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how our input influenced the decision	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	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	You will decide and we will implement what you decide
Examples techniques to consider	Social Media Websites Information flyers Public notices	Say It – Feedback Focus Groups Public meeting /Marae / community hui Formal submissions	Community workshops Partnership Forums Hapū/Iwi Management Plans	Citizens Advisory Committees Partnership Forums	Citizen jury Ballots Treaty Settlement legislation Local body elections

10. Relevant Delegations/Ngā Apatono

Council sign-off required

11. References and Relevant Legislation/Kohikohinga Pukapuka Rāhui me Whakatureture

SCHEDULE 1– STRATEGIC ASSETS WAHANGA 1 – RAWA RAUTAKI

Section 5 of the Local Government Act requires the following to be listed in this Policy:

- 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 1996.

The following is a list of assets or group of assets that Council needs to retain if it is to maintain its capacity to achieve or promote any outcome that it determines to be important to the current or future well-being of the community.

Strategic assets:

- Cemeteries
- Landfill
- Pensioner housing units
- Putāruru Plaza
- South Waikato Events Centre
- South Waikato Indoor, Tirau and Putāruru Swimming Pools
- Tokoroa and Putāruru Libraries
- Wastewater reticulation and treatment network
- Reservoirs and water reticulation and treatment network
- Stormwater reticulation network
- Transportation Network
- Council's investment fund

12. Annotations/Tākupu

Res No	Date	Subject/Description
14/257	October 2014	Policy adopted
18/80	29 March 2018	Policy adopted