



Significance and Engagement Policy



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Significance and Engagement Policy

Council is required via legislation to make decisions, within processes also set by legislation. Whether the final decision or the process behind reaching that decision is considered significant, depends in part on how that decision will impact the district, residents and the businesses within. There is no one definitive answer as to what level of engagement is right, which is why even this policy is consulted on.



Part A

Purpose

1. To provide guidance for 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. To operate in a way that meets the needs of local communities, sector good practice and the intent of the Local Government Act 2002.

Context

5. A Significance and Engagement Policy is a device for letting the public know what decisions or matters the Council and the community consider particularly important, how the Council will go about assessing the importance of matters, and how and when the community can expect to be consulted on both.

Determining Significance

6. The range of issues requiring decisions by local authorities is very wide, and the ability to openly consider individual views on whether their input can be sought, is frequently very limited. For example, individual views on fracking relating to Oil and Gas exploration are unable to be considered by Council when assessing applications by companies for well drilling and exploration sites. Council will use the table below to consider how many of the specific thresholds are met, as to whether the potential decision requires a higher level of specific community engagement.
7. In determining the degree of significance of any issues, proposals, assets, decisions, or activities, Council will assess and consider the following criteria and measures:

Criteria	Measure
The degree to which the issue/decision affects the district	Has a substantial tangible impact on the whole District based on changes to services levels or the manner in which revenue is to be obtained.
The degree to which the issue / decision affects the level of service of a significant activity	A significant multi-year change in the levels of service at an activity level.
The impact on the ability of future Councils to reverse the decision, where financial or legislative agreements permit	Future Councils will be committed to long-term (>5 year) contract costs (>5% of Council operational costs), without the ability to periodically consider viable alternatives.
The degree to which the issue / decision has a new financial impact on Council or the rating levels of its communities	Impact on rates is not within the Financial Strategy limit (LGCI plus or minus 2% in one year).
The degree to which a decision or action would require a change in an underlying strategic policy	The decision represents a new strategic direction for Council.
The level of district interest in the decision	A decision or proposal on a matter where the majority of a community expresses considerable interest or the community is deeply divided.

8. The degree of importance attached to each criteria and measure will be considered on a decision by decision basis. If an issue exceeds at least two of the above criteria, the matter is more likely to be considered significant, requiring a higher level of community engagement.



Strategic Assets

9. For the purpose of this Policy, the Council considers its network and other large assets as completely single assets because it is the asset class as a whole that delivers the service.
10. Listed below are the assets that Council considers to be strategic. Council needs to retain these assets to maintain its capacity to achieve or promote outcomes that it determines to be important to the well-being of the community.
 - The roading network
 - Wastewater reticulation and treatment network
 - Water supply reticulation and treatment network
 - Pensioner housing
 - Storm water collection and disposal network
 - The total of the land designated as Reserves under the Reserves Act 1977
11. Decisions on transferring the ownership or control of strategic assets have Special Consultative Procedure requirements required under the Local Government Act 2002, and hence supersede this Policy.
12. The Council would not undertake significant engagement for decisions that relate to changes to a part of a strategic asset, unless that part would have a tangible and significant effect on the level of service being sought and provided to the community.
13. In emergency situations physical alterations to strategic assets may be required without formal consultation to:
 - prevent an immediate hazardous situation arising; or
 - repair an asset to ensure public health and safety.

When Council May Not Consult or Engage

14. The size and scale of any decision includes the longer-term consequences, not just the immediate impacts. Some decisions made by Council are bound by other legislation or processes that can restrict the ability of Council to select a flexible process with the community.

15. There are times when Council will not normally consult with the community because the issue is routine, operational or because there is an emergency. The Council will not engage on:

- Emergency management activities such as during a state of emergency.
- Decisions that have to be made urgently and it is not reasonably practicable to consult.
- Decisions to act where it is necessary to comply with the law.
- Decisions that are confidential or commercially sensitive as prescribed under the Local Government Official Information and Meetings Act 1987.
- Organisational decisions (such as staff changes and operational matters) that have been delegated to the Chief Executive or staff to

deliver in accordance with Council policies. This includes decisions with regard to delivery of regulatory and enforcement activities as required by legislation or existing Council policy.

- Procurement and tendering processes that are under agreed Council Policies.
- Compliance with standards set by National Policy Statements .
- Any decisions that are made by delegation/ sub-delegation to officer, except where the Council specifically requires separate consultation.
- Any matter where the costs of consultation outweigh the expected benefits of any consultation process or procedure.
- An issue where Council already has a good understanding of the views of the persons or community likely to be affected by or interested in the matter.
- A matter that Council has specifically consulted on in the last 24 months where there has been no material change to the issue over this period.

Policy Review

16. The policy will be reviewed at a minimum of every three years during the first six months of the new triennium, as required by any legislative changes or other reason.

17. Changes to this policy do not have to be made through the Special Consultative Procedure and may be made by Council resolution.



Part B

Procedures and Guidelines

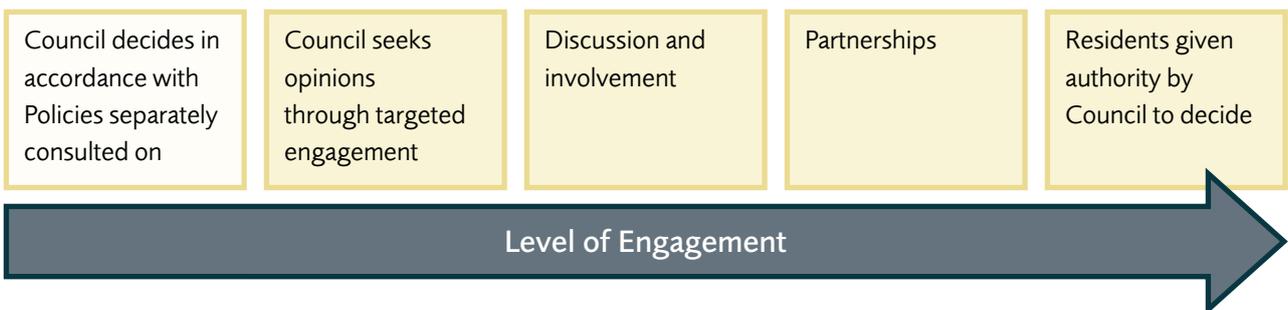
When Considering Significance

1. In considering the degree of significance of every issue requiring a decision, Council will be guided by the following:

- The potential effect on delivering Council's vision and strategic goals.
- The potential impact on the current and future well-being of the Tararua district.
- Whether the proposal or decision will affect a large portion of the community.
- How the decision aligns with historical Council decisions.

- The impact on Māori cultural values and their relationship to land and water.
- The level of community interest in the decision and whether community views on the issue are already known.
- The impact on the scale and cost of services delivered by the Council.

2. On every issue requiring a decision, Council will consider the degree of significance and the corresponding level of engagement (unless a special consultative procedure is required by legislation) including how and when communities can expect to engage.
3. In general, the more significant an issue, the greater the need for community engagement.



4. Council will make available background information on the options available relative to the issue, including previous reports and background documents that are not confidential. The level of information and the assessment of options will reflect the significance of the decision, the interest and involvement of the community and Sections 76-79 of the Local Government Act 2002.
5. Significance and engagement will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as the proposal develops.
6. Differing levels of engagement may be required during the varying phases of decision-making on an issue, and for different stakeholders.
7. Memorandum of Understanding or any other similar high-level agreements will be considered as a starting point when engaging with Māori and the community in general.
- b. The use of digital media including websites and e-mail based surveys.
- c. Background information through local newspapers.
- d. Written and oral submissions.
- e. Inclusive planning sessions open to the public.
- f. Formal public meetings only if requested by affected communities or required by legislation.
11. The Council will select the exact method that it considers appropriate after considering criteria or circumstances such as:
 - who is affected by, interested in, or likely to have a view on the issue, that is to say who is the target audience, who else might be affected by the issue or is likely to submit;
 - the significance of the matter, both to your local authority and those who are or may be interested in or affected by the issue;
 - the community's preferences for engagement;
 - what information already exists on community views on the proposal or decision and the circumstances in which that information was gathered (for example when was the information gathered, what changes in circumstances have there been since that time);
 - the circumstances in which the decision is taken, or the issue arose.

When and How to Engage

8. When any issue is determined as having a high degree of significance:
 - The issue will be considered by Council
 - The report to Council will include an assessment of the degree of significance of the issue, and a recommendation on the degree of engagement proposed.
9. Council will apply the principles of consultation (section 82 of the Local Government Act 2002) and consider the options stated in the Community Engagement Toolbox (Appendix 1) as a guide for engagement planning. This will provide a consistent but flexible process to guide Council on how and when communities can be engaged in decision making.
10. Council will choose the form of consultation that best suits the community affected and the decision being made. While this will vary between specific issues, assets, or other matters the Council has a preference for:
 - a. Direct communication with the most affected parties.
12. Council will cater for sign language interaction but will require reasonable advance notice (at least one week) in order to organise a translator and forum convenient to all parties.
13. Council will normally respond to written/oral submissions in formal hearing processes. In other processes involving large numbers of resident input, the Council response will be a more general feedback through local newspapers, local newsletters or the Council website.



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. The following table is not a definitive list of available engagement techniques. Other techniques may also be used in addition to those listed below.

Level	Council decides	Council seeks opinions
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.
Types of issues that we might use this for	Water restrictions Procurement of goods and services Maintenance and renewals of existing Council assets Restricted fire season	Dog Control Policy Playground equipment design Combined service centre / libraries Local Alcohol Policy Gambling Policy Speed Limits Bylaw Footpath priority list Dannevirke wastewater treatment Dannevirke impounded water supply
Tools Council might use	Websites Information flyer Public notices Council Reports	Formal submissions and hearings, focus groups, surveys
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 and would generally provide the community with up to 4 weeks to participate and respond



Discussion and Involvement	Partnership	Residents Decide
<p>Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision-making.</p>	<p>Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.</p>	<p>The final decision making is in the hands of the public.</p>
<p>Rates Review Reserve Management Plan Mainstreet upgrades Swimming pool upgrades Coastal erosion Earthquake prone public buildings Long Term Plans and Annual Plans</p>	<p>River Accord Community Response plans under Civil Defence and Emergency Management Iwi</p>	<p>Election voting systems (MMP, STV or first past the post)</p>
<p>Workshops Focus groups Citizens Panel Community Boards and Committees</p>	<p>External working groups (involving community experts) Community Boards and Committees</p>	<p>Binding referendum Local body elections</p>
<p>Council would generally provide the community with a greater lead in time to allow them time to be involved in the process.</p>	<p>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</p>	<p>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</p>



Appendix 1

Community Engagement Toolbox and Principles

Decision Making

Community engagement is part of a good decision making process. The extent of engagement required is relative to the significance of the decision being made.

It is important to identify how results will be used before beginning an engagement process, and who are the decision makers. This will help to set community expectations at the beginning of the process.

Hence, in developing engagement plans for each issue requiring a decision, the following things should be considered:

- Engagement objectives – the feedback that is sought from communities.
- Timeframe and completion date.
- Communities to be engaged with.
- Engagement tools and techniques to be used.
- Resources needed to complete the engagement.
- Communication planning needed.
- Basis of assessment and feedback to the communities involved.

For most routine decisions, the Council already has a good understanding of the views of the community. This is supported by the local knowledge of the elected

members, regular customer surveys and service requests. In these cases, it is not cost effective or timely for Council to carry out consultation. In other cases, Council has already consulted and prepared plans and strategies that guide the future provision of assets and changes to levels of service. These plans include Asset Management Plans and Reserve Management Plans.

Cost Benefit Analysis

Community engagement occurs across a spectrum at differing levels. As you move from providing information to full community engagement, Council must balance the benefits of community input against the time and cost of achieving this.

Council does not always have control over decision making timeframes, and the costs must be in proportion to the issue being addressed.

However, Council does recognise that the costs of poor decisions can be very high over time. Over the time of a decision making process, a variety of techniques may be used on any issue or proposal.

Engagement Tools and Techniques

Over the time of decision making, Council may use a variety of engagement techniques on any issue or

proposal 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 that the community can feel "over consulted". Each situation will be assessed on a case-by-case basis.

Council will have regard to—

- the extent to which the current views and preferences of persons who will or may be affected by, or have an interest in, the decision or matter are known to the local authority; and
- the nature and significance of the decision or matter, including its likely impact from the perspective of the persons who will or may be affected by, or have an interest in, the decision or matter; and
- the provisions of Part 1 of the Local Government Official Information and Meetings Act 1987 (which Part, among other things, sets out the circumstances in which there is good reason for withholding local authority information); and
- the costs and benefits of any consultation process or procedure.

Which Tool(s) to Use and When?

There are a range of situations where engagement is necessary or desirable and a wide selection of approaches to choose from for any given situation. Each situation, therefore, needs to be assessed according to both the issue and the phase of decision making and the individual circumstances it presents.

It will not always be appropriate or practicable to conduct processes at the participatory end of the consultation continuum. Many minor issues will not warrant a participatory approach and constraints of time and money will limit what is possible on some occasions.

It should also be remembered that even in situations where there is plenty of opportunity to gain community input, it may not be possible to have significant control over what is done with the results. There are a number of government legislative and regional council policies that can influence, or in some cases limit, the options for Council decisions.

Information Requirements when Consulting with the Community

There are some legal minimum requirements for Council that are set out in the Local Government Act 2002 (Section 82A(2)). This includes the following specific issues requiring decisions:

- Adopting or amendment to the annual plan if required under Section 95 of the Local Government Act 2002.
- Transferring responsibilities to another local authority under Section 17 of the Local Government Act 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 develop information fulfilling the requirements of Section 82A of the Local Government Act 2002, and will make this available to the public, allow written submissions for a period of up to four weeks, and will consider all submissions prior to making decisions.

The local authority must, for the purposes of section 82(1) (a) and (c), make the following publicly available:

- (a) the proposal and the reasons for the proposal; and
- (b) an analysis of the reasonably practicable options, including the proposal, identified under section 77(1); and
- (c) if a plan or policy or similar document is proposed to be adopted, a draft of the proposed plan, policy, or other document; and
- (d) if a plan or policy or similar document is proposed to be amended, details of the proposed changes to the plan, policy, or other document.



Appendix 2

Definitions

Legal purpose of this Policy (Local Government Act 2002, Section 76AA) The purpose of a significance and engagement policy is:

- a) to enable the local authority and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and
- b) activities; and
- c) to provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets, or other matters; and
- d) to inform the local authority from the beginning of a decision-making process about –
 - (i) the extent of any public engagement that is expected before a particular decision is made; and
 - (ii) the form or type of engagement required.

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. Specifically this would be:

- An urban area (Dannevirke, Woodville, Pahiatua and Eketahuna)
- Rural townships combined (such as Norsewood, Pongaroa, Mangatainoka)
- Rural residents
- Businesses

Decisions Refers to all the decisions made by or on behalf of Council including those made by officers under delegation. Decisions include deliberations on any issue, proposal or other matter. Management decisions made by officers under approved delegations will generally not be deemed significant.

Engagement 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.

Special Consultative Procedure (SCP) A defined and mandated form of consultation that must be used for:

- adoption/amendment to the Long Term Plan (including significant alterations to levels of service, financial strategy or the rating system)
- adoption or amendment to a significant bylaw
- transfer of ownership of a significant strategic asset (such as pensioner housing)
- changes to some policies that are specified under other legislation, such as a Local Alcohol Policy, the Waste Management and Minimisation Plan or a class 4 venue policy under the Gambling Act 2003
- adoption of an Annual Plan (where a material change from the Long Term Plan is proposed).

The SCP includes a formal proposal, at least one month for submissions, and a formal hearing.

Significance 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 –

- the district or region
- any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter
- the capacity of the local authority to perform its role, and the financial and other costs of doing so

Significant Significant, in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance.

The relationship between Significance and Significant is shown in the diagram below.

Strategic asset (Section 5 Local Government Act 2002) Strategic asset, 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.

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 90 (2) 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

Strategic aspirations Refer to any high level, direction setting goal or document that councils aim to deliver.

