

Significance and Engagement Policy

Policy Owner:	Corporate Planning Team Leader
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Required by legislation:	Local Government Act 2002 (Section 76AA)

1 Introduction

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.

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.

2 Purpose

- 2.1 To enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities.
- 2.2 To provide clarity about how and when communities can expect to be engaged in decisions made by Council.
- 2.3 To inform Council from the beginning of a decision-making process about the extent, form and type of engagement required.

3 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

Core Service: includes

- a. network infrastructure;
- b. public transport services;
- c. solid waste collection and disposal;
- d. the avoidance or mitigation of natural hazards;
- e. libraries, reserves, and other recreational facilities and community amenities.

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.

Significance: as defined in Section 5 of the Local Government Act 2002 (LGA) ‘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: as defined in Section 5 of the (LGA) ‘means that the issue, proposal, decision, or other matter has a high degree of significance’.

Significant Activity: is a term used to describe those groups of activities which Council has historically invested substantial funding. These include:

- Roading
- Water
- Wastewater
- Stormwater
- Libraries
- Reserves
- Recreational facilities
- Solid waste

Strategic asset: as defined in Section 5 of the Local Government Act (LGA) ‘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’.

4 Application

- 4.1 This policy applies to all Decisions taken where there is or likely to be an impact on the community.

5 Policy statements

The Council will take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:

- a. Whether there is a legal requirement to engage with the community.
- b. The degree to which the issue has a financial impact on Council or the rating levels (both targeted and general) of its communities:
 - i. Any transfer of ownership or control, or the construction, replacement or abandonment, of a strategic asset as defined in the LGA or listed in this policy.
 - ii. Decisions or proposals in excess of 10% of operating expenditure or which would result in a 5% or more increase to rates that are charged to all properties in the district, including the General Rate and the Uniform Annual General Charge, which has not been provided for in the Long Term Plan.
 - iii. Decisions or proposals which would result in a new or increased targeted rate of more than 10% of existing rates per property, except where the 10 per cent targeted rate increase is less than \$20.
 - iv. Decisions or proposals relating to capital expenditure in excess of 10% of operating expenditure, which has not been provided for in the of the Long Term Plan.
 - v. The formation of a new Council Controlled Organisation (CCO), or any decision or proposal relating to the sale of more than 40% of the Council's shareholding in any CCO.
- c. Whether the proposal or decision will affect a large portion of the community
- d. The likely impact on present and future interests of the community, recognising Maaori Tikanga (culture values) and their relationship to land and water
- e. Whether the proposal affects the level of service of a significant activity
- f. Whether community interest is likely to be high
- g. Whether the likely consequences are controversial
- h. Whether community views are already known, including the community's preferences about the form of engagement
- i. Whether there is more than one viable option.

If a proposal or decision is affected by a number of the above considerations, it is more likely to have a higher degree of significance.

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

The Council will apply a consistent and transparent approach to engagement.

Council is required to undertake a Special Consultative Procedure as set out in Section 83 of the LGA, or to carry out consultation in accordance with or giving effect to Section 82 of the LGA on certain matters (regardless of whether they are considered significant as part of this policy).

For all other issues requiring a decision, Council will determine the appropriate level of engagement on a case by case basis.

The Community Engagement Guide (Schedule 2) 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 local communities could expect to be engaged in the decision making process.

Council recognises the important role community boards, and other community committees and groups have in connecting our communities to Council. Council engage these groups as and when appropriate.

Council will also engage with its Maaori communities in forums including long-standing hui such as poukai or Marae committee hui, and/or other iwi, hapuu and mana whenua forums where appropriate. Hui associated with formal agreements such as Joint Management Agreement and MOU's will also be utilised when appropriate.

When Council makes a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the LGA will be undertaken.

Once Council has made a decision following public consultation the decision will be made publicly available.

6 Policy review

This policy shall be reviewed at three yearly intervals or as otherwise required by the Chief Executive or Corporate Planning Team Leader.

Schedule 1 – Strategic Assets

Section 76AA of the LGA 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 1966

The following is a list of assets or group of assets that the 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.

Waikato District Council's strategic assets

- The roading network as a whole
- Reserves listed and managed under the Reserves Act 1977
- Water plants and reticulation network as a whole
- Consents for watertakes
- Wastewater treatment plants and network as a whole
- Stormwater network as a whole
- Raglan Wharf and Raglan Harbour endowment properties
- Pensioner housing/housing for the elderly buildings
- Shareholding in Waikato Regional Airport Ltd and any other companies

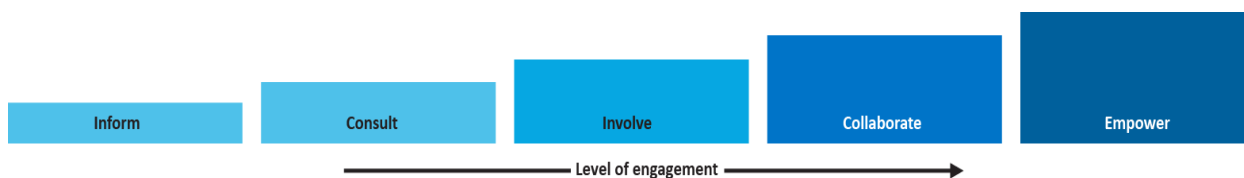
Schedule 2 – Community Engagement Guide

Community engagement is a process, involves all or some of the public and 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.



Forms of engagement

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

- The adoption or amendment of a Long Term Plan in accordance with section 93 A of the LGA
- The adoption, amendment, or revocation of bylaws if required under section 156(1)(a) of the LGA
- The adoption, amendment or revocation of a Local Alcohol Policy
- The adoption, amendment or revocation of an Easter Trading 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
- The preparation, amendment or revocation of a waste management and minimisation plan

Unless already explicitly provided for in the Long Term Plan, the 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.

The 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 where required to do so by law, including for the following specific issues requiring decisions:

- Adopting or amending 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 Maaori freehold land

For such consultation, Council will develop information fulfilling the requirements of Section 82A of the LGA, will make this available to the public, allow written submissions for a period deemed appropriate by Council but which is not usually less than four weeks, and will consider all submissions prior to making decisions.

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.

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, the Mayor and Councillors are elected to make decisions on behalf of their constituents.
Types of issues that we might use this for	<ul style="list-style-type: none"> - Water restrictions - Library office hours 	<ul style="list-style-type: none"> - Long Term Plan or Annual Plan Consultation Document (CD) - proposed District Plan - Rates review - Local Alcohol & Gambling Policy - Bylaws* e.g. Solid Waste - Walking and Cycling Strategy - Plan Changes 	<ul style="list-style-type: none"> - Community Plans - District Plan Review* - Long Term Plan* - Annual Plan* - Policies and Strategies 	<ul style="list-style-type: none"> - JMA with Waikato Tainui and Ngati Maniapoto - MOU with Ngati Maahanga - Any other JMAs or MOUs - Reserve Management Plans* - Structure Plans - Management Plans* - Blueprints 	<ul style="list-style-type: none"> - Local Authority Elections
Tools Council might use	<ul style="list-style-type: none"> - Websites - Information flyer - Public notices - Social media - Media releases - Community notices - Community Boards/local committees 	<ul style="list-style-type: none"> - Formal submissions and hearings - Focus groups/panels - Surveys - Community Boards/local committees 	<ul style="list-style-type: none"> - Workshops - Focus groups/panels - Community Boards/local committees 	<ul style="list-style-type: none"> - External working groups (involving community experts) - Community Boards/local committees 	<ul style="list-style-type: none"> - Binding referendum (Local body elections) - Community Boards/local committees

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.
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* Will require Special Consultative Procedure as per relevant legislation.

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.