

FINANCIAL SERVICES

# SIGNIFICANCE AND ENGAGEMENT POLICY

Date of adoption: 9 June 2021

Resolution number: 21/RDC/125

Date by which review  
must be completed: Not applicable

Relevant legislation: Local Government Act 2002  
s76AA

Statutory/Policy: Statutory

Included in the LTP: Yes

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<b>Statutory or Operational Policy</b>	Statutory
<b>Included in the LTP</b>	Yes

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## **1 Purpose and Scope**

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

## **2 Legislative Context**

- 2.1 Every decision made by a local authority must be made in accordance with the provisions of the Local Government Act 2002.
- 2.2 Councils are required to adopt a Significance and Engagement Policy to enable it to determine the significance of the decision to be made and, where appropriate, engage with its community<sup>1</sup>.
- 2.3 The Council will not make a decision or proceed with a proposal which it considers to be significant, unless it is first satisfied that the following requirements have been met:
  - Requirements in relation to decisions<sup>2</sup>
    - Identify all reasonably practicable options for the achievement of the objective of a decision
    - Assess the advantages and disadvantages of the options.
    - Take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.
  - The views of those affected<sup>3</sup>
    - In the course of decision making the views of persons likely to be affected or likely to have an interest in the matter must be considered.
  - Contributions to decision-making by Maori<sup>4</sup>
    - Processes to encourage and foster participation in decision-making by Maori<sup>5</sup>
    - Mana Whakahono ā Rohe<sup>6</sup>
  - Principles of consultation<sup>7</sup>
    - Provide reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of persons likely to be affected by, or to have an interest in, the matter
    - Encourage affected/interested persons to present their views to the local authority

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<sup>1</sup> Section 76AA

<sup>2</sup> Section 77

<sup>3</sup> Section 78

<sup>4</sup> Section 81

<sup>5</sup> See the Development of Maori Capacity to Contribute to Council Decision-making Policy

<sup>6</sup> Section 58L to 58U, Resource Management Act 1991

<sup>7</sup> Section 82

- Provide reasonable opportunity to present those views to the local authority and clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented
  - Receive the views with an open mind and provide a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions.
- 2.4 When Council makes a decision that deviates from this policy, it will clearly identify the inconsistency, the reasons for the inconsistency and any intention to amend the policy to accommodate the decision<sup>8</sup>.

### **3 Community Engagement**

- 3.1 The Council believes that public engagement is an essential part of good local government. Good consultation and engagement processes allow individuals and organisations to contribute to democratic local decision-making.

### **4 Special Consultative Procedure**

- 4.1 The following decisions require consultation through the special consultative procedure:
- Establishing a council-controlled organisation.
  - Making, amending or revoking a bylaw which is of significant public interest or likely to have a significant impact on the public.
  - Before adopting a long term plan, using the consultation document.
  - Before amending a long term plan, using the consultation document.
  - Before adopting an annual plan, using the consultation document (unless there are no significant or material differences to the long-term plan projections for that year).
  - Assessing Council's water and other sanitary services.
  - Setting administrative charges under the Resource Management Act (and making a policy for discounting administrative charges)<sup>9</sup>
- 4.2 The special consultative procedure requires consultation for at least 1 month, the development of a 'statement of proposal' outlining the proposal, a summary of the information contained within the statement of proposal, information about how anyone interested in the proposal may present their views, and the opportunity to present their views in a way that allows for spoken (or New Zealand sign language) interaction with the Council<sup>10</sup>.

### **5 Non-SCP Engagement**

- 5.1 Council will decide on the scope and scale of engagement for decisions which do not require the use of the special consultative procedure on a case-by-case basis. The level

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<sup>8</sup> Section 80 of the Local Government Act 2002

<sup>9</sup> Resource Management Act 1991, sections 36 and 36AA.

<sup>10</sup> Section 93 of the Local Government Act 2002. This also provides that Council may allow people to present their views using an audio link or audio-visual link.

of community engagement on a particular issue or decision will be decided by considering the following three factors:

- A. The level of significance of the matter.**
- B. Whether the issue is District-wide, or only affects easily identified communities.**
- C. The desired level of participation.**

5.2 An Engagement Plan (schedule 2) will be prepared and approved for every consultation process.

## 6 Determining Significance

6.1 Council will use the criteria identified below and the potential effects on Council's strategic assets as a guide to determining the significance of a decision. This criteria will be used in other Council decisions for significance.

### Criteria

6.2 In considering the degree of significance of every issue requiring a decision, Council will be guided by the following criteria to help determine if specific proposals are significant:

	Degree of significance		
	Low (minor and/or short-term)	Medium (moderate/medium-term)	High (major and/or long term)
The potential effect on Council's ability to act in accordance with the statutory principles relating to local government			
The enhancement of community well-being			
The level of community interest in the issue			
The potential effects of climate change			
The financial costs/risk associated with the decision			
The non-financial costs/risk associated with the decision			
The number of people likely to be affected			

### Strategic Assets-

6.3 The following is a list of assets which are considered to be strategic assets<sup>11</sup>. These assets are needed to maintain Council's capacity to achieve or promote outcomes that it determines to be important to the well-being of the community.

- Sections of the roading network where:
  - Loss of that section would create significant disruption (time for an alternative, number of vehicles affected).

<sup>11</sup> As required by section 76AA and required by section 76AA(3) of the Local Government Act 2002

- There are no alternative routes.
- Each bridge within the District.
- Street-lighting
- Wastewater network and treatment plant in Ratana
- Wastewater network and treatment plant in Bulls
- Wastewater network and treatment plant in Marton
- Wastewater network and treatment plant in Hunterville
- Wastewater network and treatment plant in Mangaweka
- Wastewater network and treatment plant in Taihape
- Water treatment, storage, and supply networks in Ratana
- Water treatment, storage, and supply networks in Bulls
- Water treatment, storage, and supply networks in Marton
- Water treatment, storage, and supply networks in Hunterville
- Water treatment, storage, and supply networks in Mangaweka
- Water treatment, storage, and supply networks in Taihape
- Stormwater networks in Ratana
- Stormwater networks in Bulls
- Stormwater networks in Marton
- Stormwater networks in Hunterville
- Stormwater networks in Mangaweka
- Stormwater networks in Taihape
- Recreation facilities
- Community amenities
- Community housing<sup>12</sup>
- District libraries
- District cemeteries
- Marton administration building
- Emergency Operation Centres
- Waste transfer stations

## **7 District-wide issue**

- 7.1 Where an issue or decision has effects which are district-wide, then Council will consult with the whole District. Where an issue or decision is only likely to impact on an easily identified group (e.g. a decision that affects only a specific community) localised engagement only with this group may occur.

## **8 Degree of Participation**

- 8.1 The degree of participation will be determined using the Public Participation Model (schedule 1). The model will be used in conjunction with the consideration of the following factors:
- The extent to which the current views of parties who will, or may be affected by, or have an interest in, the decision are known.

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<sup>12</sup> 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. (LGA 2002, s5)

- The costs and benefits of any engagement process.
- Statutory timeframes.
- If there is an increased risk to health and safety from delaying the decision.
- Whether the decision aligns with previous Council decisions.
- Community preferences for engagement on specific issues.

## **9 Engagement principles**

9.1 When undertaking engagement, the Council will use the following set of principles:

- Select appropriate tools and techniques for engagement, depending upon the level of engagement sought and the impact of the issue being consulted upon.
- Use simple and straightforward language when asking for feedback on proposals.
- Ensure that documents are accessible.
- Encourage councillors, community boards and community committees to engage with local communities and assist Council in consulting on public proposals.

## Schedule 1 - Public Participation Model

	COUNCIL DECIDES	COUNCIL SEEKS OPINIONS	DISCUSSION AND INVOLVEMENT	PARTNERSHIP	COMMUNITY DECIDES
<b>What does it involve</b>	To provide the public with balanced and objective information to assist them in understanding the problems, options, or solutions	To obtain public feedback on options or proposed decisions	To work directly with the public throughout the process to ensure that concerns are understood and considered prior to decision making	To partner with the public in aspects of the decision including the development of alternatives and the identification of preferred solution(s)	To place the final decision-making in the hands of the public
<b>Types of issues it might be used for</b>	Annual report Procurement of goods and services Opening hours of Council facilities Upcoming legislative changes	Bylaws Statutory policies Long Term Plan consultation phase Annual Plan consultation phase	District Plan Review Long Term Plan development phase Major projects that have a significant impact on the community.	Community development projects	To elect representatives (Councillors, Community Board members, Community Committee members)
<b>Tools Council might use</b>	Website Newspaper adverts and inserts Public meetings Social media	All tools from 'Council decides' and potentially the following: Written submissions Oral hearings Public meetings Stakeholder meetings Letters to affected parties	Workshops Stakeholder meetings Social media	External working groups Social media Website Displays	Referendum Local body elections Election (show of hands or ballot) at public meeting
<b>When the community might expect to be involved</b>	Council will generally advise once a decision has been made	Council will generally advise the community once a draft decision is made. Council would generally provide the community with up to 4 weeks to participate and respond	Council will generally provide the community with greater lead-in time to allow them to be involved in the process	Council will generally involve the community at the start to scope the issue, after information has been collected, and when options are being considered	Council will generally provide the community with sufficient lead in time to be involved in the process.



## **Schedule 2: Engagement Plan template**

### **Project description and background**

*This will describe the nature of the engagement to be undertaken, clarify the decision to be made, the circumstances that led to it, related council decisions already made, and legislation applying.*

### **Engagement objectives**

*Identify what feedback or decisions we want from communities.*

*What decisions will be made by council that need to be informed by the community's input?*

### **Timeframe and completion date**

*Describe each stage of the project, including when key decisions need to be made by Council.*

### **Communities to be engaged with**

*List the communities and key stakeholders to engage with.*

### **Engagement tools and techniques to be used**

*Describe the tools and techniques that will be used to engage with each of the identified communities and stakeholders. Refer to the Public Participation Model to determine the level of engagement for each.*

### **Resources needed to complete the engagement**

*This includes time allocations for council staff and councillors and costs involved to undertake the selected engagement tools and techniques.*

### **Communication planning**

*This outlines any potential reputation risks associated with the project and mitigations. It will outline the key messages to be communicated to the public, and where necessary will include a communications plan.*

### **Basis of assessment and feedback to the communities involved**

*This will describe how the community input will be analysed and how results will be communicated to the Council and to participating communities. Also includes an indication of when this feedback will occur – prior to, or after Council decisions are made.*

### **Project team roles and responsibilities**

*This identifies who will be involved in this project, excluding external providers, and who the key contact point within Council will be.*