

Significance and Engagement POLICY

About this Policy

This Policy aims to clarify the degree of significance for proposals and decisions and when and how communities can expect to be engaged.



South
Waikato
District
Council

Significance and Engagement Policy

Kaupapa Here Whai Pūtake me te Tūhonohono

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1. Policy Objectives/Ngā Whāinga Kaupapa Here

1.1. The purpose and scope of this policy is to:

- Provide guidance on the degree of significance to be attached to particular issues, proposals, assets, decisions and activities.
- Clarify how and when communities can expect to be engaged in providing input into decisions to be made by Council.
- Guide Council decision making on consultation and engagement.

2. Definitions

Activity	Means goods or a service provided by, or on behalf of, South Waikato District Council and includes the following. 1. The provision of facilities and amenities; and 2. The making of grants; and 3. The performance of regulatory and other governmental functions. (Section 5 Local Government Act 2002)
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 (ie, 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 (ie, 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): • 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	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: a) the current and future social, economic, environmental, or cultural well-being of the South Waikato District 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. (Section 5 Local Government Act 2002)

Significant	In relation to any proposal or decision means that the proposal has a high degree of impact on the community or a group within the community. Decisions made by Chief Executive or officers under delegated authority will not be deemed to be significant (Section 5 Local Government Act 2002).
Significant Activity	Is an activity Council deemed 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% of total budgeted expenditure in accordance with Council's Annual Plan and Long-Term plans.
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 benefit 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". (Section 5 of the Local Government Act 2002)

3. Principles/Ngā Whanonga Pono

3.1. 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.
- provide appropriate information to help people understand what is being proposed.
- prominently outline a proposals or decisions cost in any engagement.
- commit to genuine and authentic community engagement.

4. Application of the Significance and Engagement Policy.

4.1. This policy applies to any proposal presented to the Council for a decision and is applied in two steps:

- Step 1 – Determining the significance of the proposal/decision.
- Step 2 – Determining the requirement to engage or not (guided by the level of significance). If there is a requirement to engage the level of engagement is set out.

4.2. 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.

4.3. Where Council makes a decision that is significantly inconsistent with this policy, the steps identified in section 80 of the LGA 2002 will be applied.

4.4. There may be occasions when the Council may not follow this policy for example where failure to make a decision urgently would result in unreasonable or significant damage to property, risk to peoples health and safety, or the loss of a substantial opportunity to achieve the Council's strategic objectives. The LGA 2002 Act sets out a process for the Council to follow if the Council has a good reason to make a decision outside of this policy.

4.5. Step 1 – Determining the level of significance.

Schedule 1 – Determining significance outlines key considerations relative to a decision or the proposals impact on the:

- Service provided by the Council.
- Transfer of ownership or control of strategic assets.
- Level(s) of financial consequence.
- Ability to reverse a decision.
- Consistency with a prior decision.
- Levels of public interest known.
- Impact on proportion of the community.
- Community (as a whole or part).

4.6. The Council will assess the degree of significance of a proposal or decision on a case-by-case basis using Schedule 1 – Determining significance and determine the level of significance of the proposal or decision to be high, medium or low.

4.7. If the proposal or decision triggers four or more key considerations which are categorised as high, the level of significance will be deemed to be high.

4.8. If the proposal or decision triggers five or more key considerations which are categorised as low,, the level of significance will be deemed to be low.

4.9. If the level of significance of a proposal or decision is not deemed to be high (under clause 8) or low (under clause 9), the level of significance will be deemed to be medium.

4.10. Step 2 – Determining engagement approach.

Details of engagement activities will be developed in an engagement plan specific to each project or initiative.

Council may use a variety of engagement techniques based on a range of factors including history and public awareness of the issue, stakeholder involvement, and timing related to other events and budgets.

The engagement approach will consider the following:

Multiple opportunities for the community and interested parties to have their say such as:

- Face to Face conversations.
- Social media comments/polls.
- Survey – online/paper.
- Taking a holistic approach by bundling this matter with other engagement activity (where practical).
- Early engagement and collaboration with partners and community.
- Targeting a balance of specific demographic groups.
- A localised approach to engagement and talking with the community about issues that matter to them/what's going on in their neighbourhood.
- A focus on accessibility and use a variety of languages and channels that will best meet the needs of our diverse community.

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

4.11. The engagement approach the Council will take will be determined on a case-by-case basis using Schedule 2 – Determining engagement for guidance.

4.12. The proposed engagement approach will be supported by rationale outlined in the Council or Committee reports.

4.13. Post engagement, the engagement insights will be provided in a meaningful and timely way to Council.

5. Use of Special Consultative Procedure

5.1. The Council will use the Special Consultative Procedure (as set out in section 83 of the LGA 2002) where required under the LGA or any other legislation.

5.2. The Council will develop a proposal to fulfil the requirements of Section 82A of the LGA 2002, 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.

5.3. Specific issues where Council may use this form of consultation as a minimum will include:

- The adoption of an Annual Plan where it differs significantly from the content of the 10-Year Plan.
- The adoption of the Development Contributions Policy where it differs significantly from the content of the previous Policy.
- The making, amending or revoking of bylaws or any other situation as defined by s87.

5.4. A special consultation procedure is to be used for the adoption or amendment of a long-term plan but in accordance with the changes described in s93.

5.5. Where an engagement is not subject to the SCP (s83 of the LGA 2002), the Council will apply the Principles of Consultation (s82 of the LGA 2002).

6. Monitoring and Implementation

This policy will be reviewed, at the request of the Council, in response to any relevant legislative amendment, or every three years (whichever comes first). Implementation of this policy will be monitored by the Executive Manager Business Services.

Schedule 1 – Determining significance.

Key Consideration	Significance Level		
	High	Medium	Low
Alteration of a service which comes under the Council's significant activities (see significant activities listed in the definitions table).	Ceasing or commencing a service. (eg the closure of a pool).	A more than nominal alteration of a service. (eg the digitisation of most hard copy books at public libraries).	A nominal or no alteration of a service. (eg the undertaking of a tender with a different contractor).
Involves the transfer of ownership or control of strategic assets to or from the Council.	Majority transfer (ie more than 51%) or transfer in its entirety. (eg a full transfer of a theatre facility).	Minority transfer. (eg long term lease of a pool).	Nominal or no transfer. (eg the transfer of a council owned statue).
Level of financial consequences in relation to unbudgeted operating cost or capital cost in the 10 year plan.	Unbudgeted operating cost(s) greater than 10% of total expenses in the financial year of the proposal / decision. (eg a \$6m unbudgeted increase in lease costs). AND/OR Unbudgeted capital cost(s) greater than 1% of total assets in the financial year of the proposal / decision. (eg the construction of a \$10m unbudgeted building).	Unbudgeted operating cost(s) greater than 5% but less than 10% of total expenses in the financial year of the proposal / decision. (eg a \$3m unbudgeted increase in lease costs). AND/OR Unbudgeted capital cost(s) greater than .5% but less than 1% of total assets in the financial year of the proposal / decision. (eg the construction of a \$5m unbudgeted building).	Unbudgeted operating cost(s) less than 5% of total expenses in the financial year of the proposal / decision. (eg a \$1m unbudgeted increase in lease costs). AND/OR Unbudgeted capital cost(s) less than .5% of total assets in the financial year of the proposal / decision. (eg the construction of a \$1m unbudgeted building).
Ability to reverse the decision.	Highly difficult. (eg constructing a purpose built building).	Moderately difficult. (eg adoption of the Speed Limit Bylaw).	Low difficulty. (eg minor amendment to a policy).
Consistency with a prior decision or decisions (ie proposal or decision which is consistent with current policies and strategies)	Decision or proposal is significantly inconsistent. (eg a decision or proposal that retires a Council adopted strategy).	Decision or proposal is consistent but with some notable variations. (eg a decision or proposal contrary to the public places policy allowing restaurants to use entire width of public footpaths for outdoor entertainment).	Decision or proposal is consistent. (eg adopting the public places bylaw to enforce the public places policy).
Levels of public interest known.	High levels of public interest known. (eg the adoption of the psychoactive substances policy).	Moderate levels of public interest known. (eg the adoption of the Event Sponsorship policy).	Low levels of public interest known. (eg the adoption of the staff support policy).

	Significance Level		
Key Consideration	High	Medium	Low
Impact on proportion of the community.	Impacts a large proportion of the community. (eg a change in the rubbish collection timeframes).	Impacts a subgroup or groups within the community. (eg the creation of a neighbourhood playground).	Impacts an individual person or household. (eg the removal of a street tree).
Degree of impact on affected people in the community.	High degree. (eg the change of a road name).	Moderate degree. (eg the investment in a small playground).	Low degree. (eg the changing the style of bus stop waiting areas).

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

- any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and
- 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
- any equity securities held by the local authority in –
 - a) a port company within the meaning of the Port Companies Act 1988.
 - b) 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
- South Waikato Events Centre
- Libraries
- Wastewater reticulation and treatment network
- Reservoirs and water reticulation and treatment network
- Stormwater reticulation network
- Transportation Network
- Council's investment fund.

Schedule 2 – Determining engagement approach.

Type of engagement	Purpose of engagement	Example engagement tools	Understandings of communities' view	Response sought from community	Level of significance
Advise	To provide information to the community on action being taken by Council	Media In Touch Website Social media E-newsletters	Prior engagement and research has established an understanding of the communities views on this issue	No feedback is actively sought Public may make representation in public forum when the item is being discussed at Council	Low
Inform	To seek the view of the community on options Council is considering	Survey Website Social media E-newsletters Targeted letters / email Signage on site	Prior engagement and research has established an understanding of the communities views on this issue	Survey response No formal option to present views to Council via hearings Public may make representation in public forum when the item is being discussed at Council	Low to Medium
Consult	To seek the view of the community on options and allow the community to propose suggestion to Council for consideration	Survey Social media Signage on site Open day / information session(s)	Prior engagement and research has established an understanding of the communities views on this issue	Survey response Formal option to present views to Council via hearings Public may make representation in public forum when the item is being discussed at Council	Medium to High
Involve	To seek community input into options being considered by Council	Face to face conversations Focus groups Open day / information session(s) Survey Media Social media	Prior engagement and research has established an understanding of the communities views on this issue seeking more information on community led solutions	Ideas to refine the options Survey response Option to present views to Council via hearings	Medium to High