

SIGNIFICANCE AND ENGAGEMENT POLICY

2017

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Issue	Date	Policy owner
1	November 2014	Manager - Strategy
2	July 2017	

PURPOSE AND SCOPE

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.

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	Is a term defined in Section 11A of the LGA2002: 'In performing its role, a local authority must have particular regard to the contribution that the following core services make to its communities: (a) network infrastructure; (b) public transport services; (c) solid waste collection and disposal; (d) the avoidance or mitigation of natural hazards; (e) libraries, museums, 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.
Group of activities	Is a term used to describe a whole-of-asset approach. Without limiting the application of this provision to other assets, it means the group of assets as a whole and not each individual component of the group.
LGA2002	Local Government Act 2002.
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,

	<p>decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for:</p> <ul style="list-style-type: none"> (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 LGA2002 ‘means that the issue, proposal, decision, or other matter has a high degree of significance’.
Significant activity	<p>Is a term used to describe those groups of activities which are both a core service of Council AND in which Council has historically invested substantial funding. These include:</p> <ul style="list-style-type: none"> ▪ Roothing ▪ Stormwater ▪ Wastewater ▪ Water ▪ Libraries ▪ Museums ▪ Reserves ▪ Recreational facilities
Strategic asset	<p>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:</p> <ul 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: <ul style="list-style-type: none"> (i) a port company within the meaning of the <u>Port Companies Act 1988</u>; (ii) an airport company within the meaning of the <u>Airport Authorities Act 1966</u>’.

POLICY

4. 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.
5. 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.
6. 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:
 - Whether 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 (refer to Schedule 2 of the Community Engagement Guide).
 - Whether the proposal affects the level of service of a significant activity.
 - Whether community interest is high.
 - Whether the likely consequences are controversial.
 - 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.
7. 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.
8. In general, the more significant an issue, the greater the need for community engagement.
9. The Council will apply a consistent and transparent approach to engagement.
10. 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).
11. For all other issues requiring a decision, Council will use the policy and Schedule 2 to determine the appropriate level of engagement on a case-by-case basis.

12. The Community Engagement Guide (attached) identifies the form of engagement Council may 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.
13. Joint Management Agreements, Memoranda of Understanding or any other similar high level formal agreements with Māori will be considered as part of this process.
14. 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.

APPLICATION AND REVIEW

15. The policy will be reviewed as required, to meet the needs of the organisation and best practice.
16. The policy will take effect from the date it is signed by both the policy owner and Chief Executive; however a one (1) year period from that point will be allowed for implementation and full compliance to be achieved.

Signed: Date: 7 February 2018

Conan Magill
Strategic Projects Team Leader

SCHEDULE 1 – STRATEGIC ASSETS

The following is a list of assets or group of assets that the Council must list in the Significance and Engagement Policy in terms of Section 5 LGA2002.

Strategic Assets:

- Pensioner housing:
 - Dallinger Court, Cambridge
 - Wallace Court, Cambridge
 - Dr Tod Court, Cambridge
 - Vaile Court, Cambridge
 - Lyon Street, Te Awamutu
 - ~~Palmer Street, Te Awamutu~~
 - Churchill Street, Te Awamutu and
 - Mangapiko Street, Te Awamutu
- Equity securities in the Waikato Regional Airport Ltd.

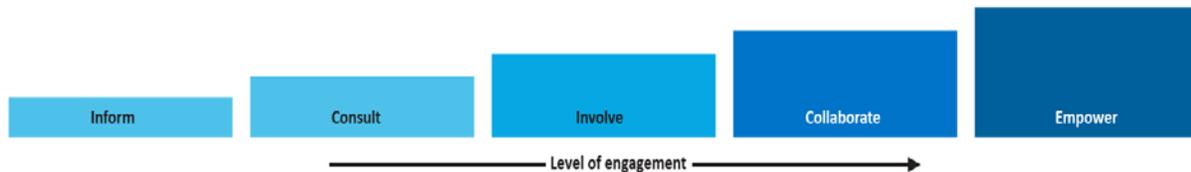
SCHEDULE 2 – THE COMMUNITY ENGAGEMENT GUIDE

Introduction

Community engagement is a process, involves all or some of the public and is focussed 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 2002) 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 2002).
- The adoption, amendment, or revocation of bylaws if required under Section 156(1)(a) of the LGA 2002.
- 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 Gambling 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 10 Year 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 has a policy obligation to have regard to the principles of the Treaty of Waitangi and to recognise and provide for the special relationship between Māori, their culture, traditions, land and taonga. The obligation to consult includes recognising those who have mana whenua, or inherited rights of land ownership or customary authority.

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 2002 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; and
 - Policy on the Remission or Postponement of Rates on Māori Freehold Land.

For such consultation, Council will develop information fulfilling the requirements of Section 82A of the LGA 2002, make this available to the public, allow written submissions for a period of up to 4 weeks, and consider all submissions prior to making decisions.

For all other issues, an engagement/consultation plan aligned with Section 78 of the LGA 2002 is to be decided at the beginning of the process, and 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 2002, the Mayor and Councillors are elected to make decisions on behalf of their constituents.
Types of issues that we might use this for	Annual Report, Infrastructure upgrades, Results of hearings	Rates reviews, Bylaw reviews, Substances Policy Local Alcohol Policy	Long Term Plan development, Infrastructure projects that impact on people	Resource consents, Shared services issues	Annual SmartWater campaign, Locally based policies and bylaws and initiatives (TV takeback), local body elections, EnviroSchools programme
Tools Council might use	Public notices, Advertising, Facebook, Council's website and social media, news media, meetings, customer services function, internal communication, fact sheets.	Formal consultation processes (e.g. District Plan review), Informal meetings and feedback, Iwi liaison, survey, focus groups, stakeholder meetings/letters, emails.	Local groups that represent parts of the community e.g. Resident/Ratepayer Groups, Community Boards, Youth and Senior Councils, Chambers of Commerce, Meetings, Social media, attendance at events and community occasions, polling, voting, surveys (both paper and/or on-line), discussion/focus groups (youth/iwi and others), email, local paper, use of noticeboards with post-it notes for written feedback, project advisory groups, stakeholder breakfasts.	External working groups (involving community experts), Joint Committees, Police liaison, Heritage New Zealand, Maungatautari and Karapiro committees, reserves committees, social media, news media, more face-to-face.	Advertising campaigns, local group involvement, staff buy in and support, planning with community, news media, social media, conversation cafes, hotline, more giving people the tools to do it themselves.

Level	Inform	Consult	Involve	Collaborate	Empower
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 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 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 time to be involved in the process. e.g. typically a month or more, or it could potentially be an ongoing relationship that is activated at certain points.

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, the demographic characteristics and other relevant characteristics of the affected parties, 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.



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