



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

SIGNIFICANCE AND ENGAGEMENT POLICY

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SIGNIFICANCE AND ENGAGEMENT POLICY

1. Purpose

This Policy explains how Council will determine the significance of decisions and when and how our communities can expect to participate in Council's decision-making processes. It gives certainty and consistency about the approach to community engagement by guiding Council on what is significant and ensures that we meet our obligations under the Local Government Act 2002 (the Act).

2. Scope

This policy applies to all Council decisions and activities and directs all staff around the type of engagement required related to the level of significance, or legislative requirements.

2.1. Objectives

The objectives of this policy are to:

1. Ensure consistency when determining the significance of proposals, assets and decisions
2. Identify the extent and type of public engagement required before a decision is made
3. Provide clarity about how and when communities can expect to be engaged in decisions
4. Build genuine relationships with Māori, key stakeholders and the wider community through a better understanding of their preferences, and encouraging co-operation, respect and mutual understanding of other points of view
5. To acknowledge the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki of the South Wairarapa
6. Comply with section 76AA of the Local Government Act 2002.

Definitions
Consultation is a formal type of engagement, often prescribed by legislation and time bound. It generally involves seeking community feedback on a draft proposal, plan, or document in order to inform Council's decision making.
Community is a group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
Engagement describes a broad range of activities, which might include consultation, designed to invite community participation in solving problems or making decisions related to Council's work. This means Council's work can better reflect or respond to the needs, views, preferences or aspirations of the community.
Significance is the degree of importance of an issue, proposal, decision, or matter that concern or is before Council. Significance relates to the likely impact on: 1. the outcomes for the district 2. people affected 3. the ability of Council to perform its role, and the financial and other costs of doing so. A more detailed definition can be found in section 5 of the Local Government Act 2002.

Special consultative procedure (SCP) is prescribed by legislation. It requires Council to prepare and adopt a statement of proposal and a summary of the information if needed to reduce or remove confusion, and to make this widely available for public consumption and feedback, within a timeframe of no less than one month. Council must also provide an opportunity for people to present their views orally, if they wish to do so. Further detail is set out in section 83 of the Local Government Act 2002.

Strategic assets are assets, such as infrastructure or properties, that Council needs in order to achieve outcomes it decides are important to the current or future well-being of the community. These are outlined in the appendix.

3. Our general approach to determining significance

Significance is determined in the early stages of a proposal before decision making occurs. If it becomes necessary to do so, the significance of a proposal may be re-assessed at any time.

Council is required to undertake a Special Consultative Procedure on certain matters that have a regulatory or legal requirement (as set out in Section 83 of the LGA) regardless of whether they are considered significant as part of this Policy. Outside of a regulatory or legal requirement, Council will be guided on determining the significance of an issue, proposal, or decision using the following criteria:

3.1. Criteria we use to assess significance

Our specific criteria for assessing the degree of significance are:

- The level of importance to the South Wairarapa District
- Whether the decision is inconsistent with previous Council decisions or current policies, according to Section 80 of the LGA
- The level of community interest and degree of impact on interested or affected people.
- The level of impact it will have on rates or services level in the Council's Long-Term Plan.
- The level of impact on Māori, Māori culture, traditions and values.
- The transfer of ownership or control of our strategic assets.

To aid the Council in the decision-making process, each decision-making report presented to the Council and its committees will include commentary on the low, medium or high significance of the issue. Depending on the level of significant, the report will propose how the Council may engage with communities.

We have identified the key criteria and the degree of significance in the table below. A decision is of high significance if one of the following applies:

- a. It involves the transfer of the ownership or control of a strategic asset (Schedule 2 to or from Council; or
- b. It is inconsistent with Council plans or policies and meets one of the thresholds shown in the table below:

3.2. Key factors to consider in assessment of significance

Criteria	Degree of significance		
	High	Medium	Low
Importance to South Wairarapa	- Creates or ceases a council activity - Large reduction in levels of service - Irreversible or difficult to reverse <i>e.g. change in library service hours</i>	- Adjusts a council activity - Adjusts the level of service - Will take effort to adjust in the future	- No change to an activity group - Little or no change in levels of service - Easily reversed
Community interest and impact on affected people	- High level of prior public interest or the potential to generate interest or controversy - Large division in community view on the decision - Large impact on specific group(s) of the population (e.g. Māori, youth, town) or individuals <i>e.g. adoption of a local gambling policy</i>	- Moderate level of prior public interest or a moderate change to generate interest or controversy - Moderate division in community view on the decision - Moderate impact on specific group(s) of the population (e.g. Māori, youth, town) or individuals	- Low level of prior public interest or low chance of generating interest or controversy - General consensus in community view on the decision - Low impact on a limited number of individuals - No particular group of the population or individual affected
Consistency with existing policies and strategies	- Decision is substantially inconsistent with current policies and strategies - Decision is inconsistent with community outcomes - Is a new direction from a prior decision	- Decision is similarly aligned with current policies and strategies - Decision is similarly aligned with community outcomes - Is a similar direction from a prior decision	- Decision is highly consistent with current policies and strategies - Decision aligns with community outcomes - Is a logical step from a prior decision
Unbudgeted financial impacts	- High impact on the Council being able to perform its role - High unbudgeted net capital or net operational expenditure - Large impact on Council's overall resources and rating level or debt <i>The proposal will incur unbudgeted net operational expenditure exceeding 5% of total rates in the year commenced OR unbudgeted net capital expenditure exceeding 10% of total rates in the year commenced.</i>	- Some impact on the Council being able to perform its role - Decision is consistent with LTP or Annual Plan budgets but has some variation	- Low impact on the Council being able to perform its role - Low capital or operational expenditure - Small impact on Council's overall resources and rating level or debt - Decision aligns with LTP or Annual Plan
Recognition of Mana Whenua values and aspirations	- Decision is strongly related to a site / area of significance to Mana Whenua or involves strategic initiatives.	- Decision would have a moderate impact on Mana Whenua.	- There is no impact on Mana Whenua.
Transfer of ownership or control of an asset (see schedule 2 of this Policy for a list of strategic assets)	- Impacts on ability to deliver a strategic asset or activity <i>e.g. the transfer of a strategic asset</i>	- Delivery of asset or activity is somewhat consistent but with variations.	- Little or no impact on integrity of the asset or activity

		e.g. selling a partial share of a strategic asset	
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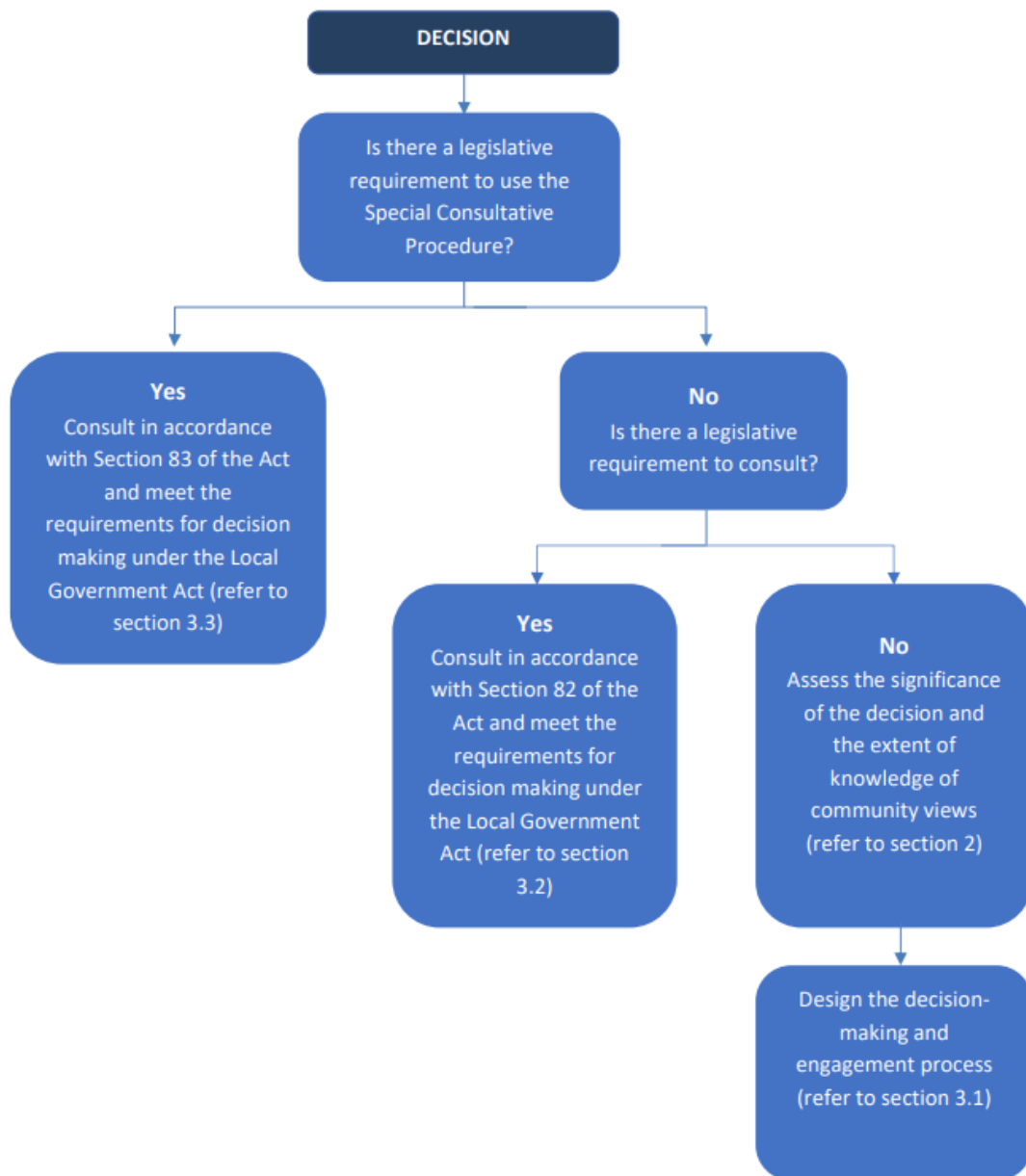
4. Our approach to decision making and engagement

Some decisions require the use of the Special Consultative Procedure, see appendix 1.

For all other decisions, Council is required to:

- Identify the objective of the decision.
- Identify all reasonably practical options and assess the advantages and disadvantages.
- Design the decision-making and engagement process, taking into account:
 - The significance of the matter, as identified in this Policy; and
 - Whether there is sufficient knowledge of the views and preferences of those likely to be affected by, or have an interest in, the matter (if not, further engagement is appropriate).

This is demonstrated in the following flowchart. Flowchart to identify Council's engagement approach:



4.1. How does Council engage?

Council works with its communities on a variety of levels including as customers, stakeholders, ratepayers, subject matter experts and partners. We also have working relationships with a wide range of groups such as community organisations, business organisations and government sectors.

As a general rule, an issue that is determined to be of lower significance will have a less intensive method of community engagement. This might be because it only relates to a small subsection of the community or is at the more operational end of the Council's activities. However, even for these less significant items the Council may still choose to engage widely, or over a longer time via several different engagement methods.

Council is also committed to engaging early so that the decision-making process is well informed by those impacted by a decision. An assessment of the degree of significance of proposals and decisions, and the appropriate level of community engagement, will be considered in the earliest possible stages of a proposal, before decision-making occurs, and if needed, be reviewed as the proposal develops.

4.2. Engaging with Māori

Council respects the intrinsic relationship mana whenua have with their ancestral land, water bodies, waahi tapu sites and other taonga in South Wairarapa. Council is committed to engaging with local hapū, marae, iwi entities and hāpori whānui authentically and with manaakitanga at the core.

The Māori Standing Committee are one mechanism to ensure the contributions of local hapū and marae are represented and can provide guidance to Council on matters of significant to Māori. The Pou Māori Advisor is key to providing strategic and operational direction for Council and embedding kaupapa Māori values, tikanga processes, engagement framework, policy and governance support into the fabric of Council.

We are committed to providing opportunities for Māori to contribute to the decision-making process and council recognises that early and authentic engagement will provide better outcomes for Māori and deliver on key objectives for Council.

4.3. Determining engagement

Council will determine the level of engagement required based on the table below and the following principles. Once the need for engagement is confirmed, the principles will be applied to determine the manner and extent of the engagement required. Engagement will take place in proportion to the significance of the matter being considered.

Significance	Description
Low	Council may inform the community once a decision is made and is being implemented.
Medium	The report to Council will include an assessment of the degree of significance of the issue, and whether engagement and consultation is recommended. If engagement and/or consultation are recommended, then an engagement plan will be developed.
High	This decision requires a report to Council outlining the assessment of the degree of significance of the issues, the degree of engagement proposed, the engagement plan proposed, and a recommendation. Council will apply the principles of consultation (LGA s82) and be guided by the operational guidelines in appendix 1.
Special Consultative	Review the issue, proposal or other matter to determine if any of these factors exist: - Development of, review, or amendments to the Long-Term Plan - Preparation of the Annual Plan

Procedure (SCP)	- It is considered that the Special Consultative Procedure is relevant and required. If yes, then follow the Special Consultative Procedure in line with s83 to s87 of the Act. There is further guidance in appendix 1.
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4.4. When might Council not engage?

There may be occasions when Council considers that it is not necessary or appropriate to engage with our communities on a particular matter.

This includes when:

- the decision is not of a nature or significance that requires engagement.
- Council already has an understanding of the views and preferences of interested or affected parties.
- a decision has already been made, or the likely decision is apparent.
- there is a need for commercial sensitivity or confidentiality.
- the likely costs of the consultation are not in proportion to the benefits.
- there is a threat to public health and safety or significant damage to property.
- an urgent response is required, and it is not reasonably practicable to engage.

5. Strategic Assets

Section 97 of the Act requires that any decision that significantly alters the level of service provided by the Council of a significant activity (including to commence or cease any activity) or transfers ownership or control of a strategic asset to or from the Council must be provided for and consulted on in the Long-Term Plan.

Strategic assets are defined in Section 5 of the Act as:

“... 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 1998;*
 - ii) an airport company within the meaning of the Airport Authorities Act 1966.”*

Our list of strategic assets is provided in appendix 2. Assets have been included where they are important in achieving Council's community outcomes or where Council ownership or control is essential to the long-term provision of the associated service.

Significant decisions in relation to strategic assets are decisions that concern the whole asset group and not each individual components within the group, unless that component substantially affects the ability of the Council to deliver the service. It is the principle of provision of the services, not individual components, that make these asset groups strategic.

6. Review

This policy will be reviewed every three years in alignment with the Long-Term Plan. It may also be amended from time to time.

7. Appendices

- iii) Appendix 1: Principles of Consultation
- iv) Appendix 2: Strategic Assets

Appendix 1: Principles of consultation

When undertaking consultation, Council will follow the principles set out in section 82 of the Act:

- identify the people who will or may be affected by or have an interest in the decision or matter
- provide them reasonable access to relevant information in an appropriate format
- give people clear information about the purpose of the consultation and scope of the decisions to be taken
- encourage people to give their views
- give people a reasonable opportunity to present their views in an appropriate way
- listen to views with an open mind and give them due consideration
- provide a clear record of decisions made and any other relevant material.

Where the Act requires Council to consult, we will make the following available to the public:

- the proposal and reasons for it
- an analysis of practical options
- a draft of the proposed plan, policy or relevant document to be adopted (or proposed changes to the plan, policy or document being amended).

Special Consultative Procedure

In some circumstances, Council must use the special consultative procedure (SCP), such as when adopting or amending the Long-Term Plan and making, amending or revoking bylaws of significant interest to or impact on the public. The Council may also choose to use the SCP for other matters where not specifically required by legislation.

This procedure is set out in section 83 of the Act and requires the Council to prepare a statement of proposal and make this publicly available. A period of at least 1 month must be given for feedback, and Council must provide an opportunity for people to present their views through spoken interaction or using New Zealand signage.

When using the SCP, we will accept submissions in a variety of forms (e.g. online survey, paper form, email, phone etc.) and publicly advise of all the ways submissions are being accepted. We will also hold public hearings to provide an opportunity for people to present their views to Council and consider all submissions prior to making decisions.

Appendix 2: Strategic assets

Below is a list of assets the Council considers strategic:

- » The roading network.
- » The wastewater networks.
- » The water treatment network.
- » The stormwater networks.
- » The network of open spaces, including parks, walkways and sports fields and land held under the Reserves Act 1977.
- » libraries.
- » Council-owned buildings, including the ANZAC Hall, Waihinga Centre and Greytown Town Hall.
- » Housing for elderly

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