

Significance and Engagement Policy

1. Introduction

Public input into significant decisions, policies or programmes undertaken by Waimakariri District Council is essential to ensure they reflect the aspirations and priorities of our community.

Engagement is a process of relationships and dialogue between decision-makers, partners, communities and stakeholders for the purpose of making better decisions, policies or programmes.

The Waimakariri District Council (Council) under the Local Government Act 2002 (LGA) is an organisation of representative democracy. The LGA gives it authority to make decisions for and on behalf of the community and makes it accountable for those decisions through electoral processes.

Councils are also directed by the LGA to seek out and take account of community views in the process of their decision-making.

This gives rise to both a need and desire by the Council for engagement through the processes of participatory democracy. Consultation principles and procedures for Councils to follow when engaging are set out in the LGA.

Attributes of a healthy democracy include:

- Ongoing engagement by the Council with the community to be well informed about matters before it
- The Council obtaining community views for consideration before making decisions (especially the views of those directly affected by a proposed decision and especially in relation to significant decisions)
- Promoting involvement by the community in local governance generally.

This Significance and Engagement Policy (SEP) aims to enable a flexible but focused approach to engagement that:

- Recognises the importance of involving diverse communities in the Council's work
- Provides a range of options and methods for engagement with different groups and communities
- Demonstrates our commitment to building and maintaining ongoing constructive relationships with Waimakariri communities and developing greater understanding of community views and preferences.

2. Policy Context

- 2.1 The Council is required by the LGA to adopt a Significance and Engagement Policy (SEP). Section 76AA of the LGA says the SEP must set out:
- The Council's general approach to determining the significance of proposals and decisions in relation to issues, assets and other matters
 - Any criteria or procedures that are to be used by the Council in assessing the extent to which issues, proposals, assets, decisions or activities are significant or may have significant consequences
 - How the Council will respond to community preferences about engagement on decisions relating to specific issues, assets or other matters, including the form of consultation that may be desirable.
- 2.2 The LGA sets the purpose of the SEP to:
- Enable the Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities
 - Provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets or other matters
 - Inform the Council from the beginning of a decision-making process about:
 - The extent of any public engagement that is expected before a particular decision is made; and
 - The form or type of engagement required.
- 2.3 The SEP must list the assets considered by the Council to be strategic assets. Decisions regarding the transfer to or from the Council of strategic assets cannot be made unless provided for in its Long Term Plan.

3. Policy Objectives

- 3.1. To set out for the Council and its communities how the significance of issues, proposals and decisions will be considered and taken account of.
- 3.2. To identify those assets the Council considers strategic to its capacity to achieve or promote any outcome that it considers to be important to the current or future well-being of the community.
- 3.3. To provide clarity about how and when communities can expect to be engaged in the process of decision-making by the Council.
- 3.4. To inform the Council from the beginning of a decision-making process about the extent, form and type of engagement required.

4. Policy Statement

This Policy applies to the Council, its Committees and to Community Boards (the Council) where decisions are made under the LGA or the delegated authority of the Council.

Other Acts place consultation requirements on the Council and this Policy provides guidance for the consideration of significance and engagement in giving effect to those requirements but does not limit those other statutory consultation obligations.

5. Significance

5.1. General Approach

The Council will consider each issue, proposal or decision on a case-by-case basis to

determine whether the decision is significant by applying the criteria and procedures and consider the thresholds set out in this policy. It will also consider each of the following:

- The likely impact/consequences of the issue, decision or proposal on the current and future well-being of the District
- The effect on parties who are likely to be particularly affected by or particularly interested in the issue, decision or proposal
- The financial and non financial costs and implications of the issue, decision or proposal having regard to the Council's capacity to perform its role
- The scale of any proposed change to levels of Council service.

5.2. **Thresholds, Criteria and Procedures**

When undertaking a process to determine the extent to which issues, proposals, decisions or other matters are significant, the Council will use the following thresholds, criteria and procedures.

5.3. **Financial Thresholds**

Issues, proposals, or decisions which would alter the Long Term Plan or Annual Plan by more than 5% of the total budgeted rating revenue of the Council are considered, because of this fact alone, to be significant. Note that expenditure on remedial work resulting from flooding or other natural disasters is excluded from this policy.

The application of the thresholds is not necessarily conclusive. An issue, proposal or decision which does not meet any particular financial threshold may still be significant if it meets the criteria in 5.4.

5.4. **Criteria**

If a decision or proposal satisfies one or more of the following criteria, the matter is likely to be significant :

- The impact or consequences of the decision or proposal will have a substantial impact on more than 5% of the resident population of the District based on estimates by Statistics New Zealand at 30 June each year.
- The implications of the decision on the Council's overall resources, potential change in function or the level of service provided are considered substantial.

5.5. **Procedures**

Every report to the Council will include a statement indicating that the issue of significance has been considered, which reflects an assessment of the significance of the issue, proposal or decision.

When an issue, proposal or decision is considered to be significant the report must also include a statement addressing community engagement in accordance with this Policy.

5.6. **Application of this Policy**

Pending significant decisions will mean:

- A consultation process will or has been undertaken rather than reliance on pre-existing knowledge of community views; and,
- The extent to which reasonably practical options have been identified and assessed will be greater than for matters of lesser significance.

The LGA requires that a proposed decision by the Council to alter significantly the intended level of service provision for any significant activity undertaken by or on its behalf, including a decision to commence or cease any such activity must be made

through a Long Term Plan or an amendment of one for which particular consultation procedures apply. Each of the Groups of Activities as a whole as set out in the Council's Long Term Plan are considered significant activities.

Management decisions made by Council staff under delegated authority from the Council in the course of implementing Council's policies, projects and programmes are not deemed to be significant for the purposes of this Policy.

This Policy does not apply to decisions that have been in the Long Term or Annual Plan unless there is a significant change being proposed to the initial decision reflected in a Plan.

6. Strategic Assets

- Roothing network as a whole
- Water, stockwater and sewerage system assets as a whole
- Drainage and stormwater system assets as a whole
- The Southbrook resource recovery park
- Libraries, aquatic centres and Oxford and Rangiora town halls
- Reserves and sports grounds
- Service Centres
- Rangiora Airfield
- MainPower Stadium.

7. Processes and Methods of Engagement

7.1. Forms of Engagement

Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds.

Council will follow an 'engagement spectrum' approach to determine the most appropriate processes and methods for engagement with affected and interested communities on particular decisions or issues. This approach is based on the International Association for Public Participation (IAP2) framework.

It also acknowledges the role of both representative and participatory democracy inherent to local government decision making.

The methods discussed below are not a definitive list, and are not prescriptive, but indicate the spectrum of engagement opportunities that may be useful for Council and our communities.

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empower

The Spectrum of Public Participation was developed by the IAP2 to help clarify the role of the public (or community) in planning and decision-making, and how much influence the community has over planning or decision-making processes. It identifies five levels of public participation (or community engagement).

The further to the right on the Spectrum, the more influence the community has over decisions, and each level can be appropriate depending on the context. It is important to recognise they are levels, not steps.

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal:	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public through-out the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public:	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

INFORM communities:

These methods are efficient and practical ways to raise awareness of a new or newly significant issue, to provide basic information about the issue, and to build community interest.

Communities are kept up to date with developing issues and new proposals, and communications can be targeted to interested and affected groups. These methods are essentially a one-way process, and more likely to be useful in the earliest stages of proposals or processes.

Examples of informing engagement activities may include:

- Distribution of pamphlets, factsheets, newsletters or other materials
- Information provided on the Council's website and social media.

CONSULT and INVOLVE communities:

A range of tools and methods can be used to bring communities and particular interested and affected groups into the process to contribute their views, priorities and preferences.

These methods allow Council and communities to research and explore the issues and background matters, and to consider the full range of implications of a proposal, policy or decision.

Opportunities are provided for community input into options and decision-making.

For relatively straightforward issues or proposals, methods such as surveys or focus groups may be effective. For more complex issues or proposals, including legislative issues, more technical issues and policy and service reviews, a more comprehensive level of consultation and engagement may be appropriate.

Examples of consulting and involving engagement activities may include:

- Surveys (phone, online, written)
- Formal public meetings
- Task groups, focus groups, working parties, local action groups
- Special Consultative Procedure (under the Local Government Act 2002) or other submissions processes.

The public consultation undertaken in the development of Long Term Plans, Annual Plans, Regional Policy Statements and other Plans helps to ensure robust policies and relevance to communities.

COLLABORATE with communities and EMPOWER their involvement:

Collaborative approaches are increasingly recognised in a wide range of policy and decision making contexts. Collaborative engagement is based in strong relationships and community networks.

These methods may be particularly useful where the issue or proposal carries a high degree of significance, and where there is strong community interest, capacity and commitment.

These methods allow for research into the issues and background, and exploration of a wide diversity of implications.

A collaborative approach establishes legitimacy through representative community participation, develops and affirms long-term relationships and understanding, and builds trust and community networks for future collaborative initiatives.

Examples of collaborating and empowering engagement activities may include:

- Multi-stakeholder processes such as Citizen Juries or Panels
- Multi-stakeholder groups such as the Canterbury Water Management Strategy Zone Committees
- Task groups, local action groups, advisory groups
- Memoranda of Understanding
- Co-management of places or resources of importance to communities and mana whenua
- Interactive and participatory technologies such as websites.

The Council has a special collaborative relationship with Te Ngāi Tūāhuriri Rūnanga on behalf of Ngāi Tūāhuriri people. This is undertaken in accordance with the LGA which provides principles and requirements for Councils that are intended to facilitate participation by Māori in local authority decision-making processes.

This is detailed in a Memorandum of Understanding between the Council and Te Ngāi

Tūāhuriri Rūnanga which is given effect to through regular joint meetings, ongoing dialogue and shared work programmes. This is an example of collaboration and empowerment.

8. Policy Implementation

To give effect to the Significance and Engagement Policy (SEP) the Council will, together with the Council's Management Team:

- Seek to ensure that this SEP and its supporting guidelines are understood and given effect to by all who represent the Council by resourcing:
 - Staff in-service training
 - Councillor and Community Board member training.
- Provide regular updates to staff/councillors/members on best practice community engagement initiatives and reviews of practice
- Publish the SEP and guidelines on the Council's internal and external websites
- Provide for all significant Council projects subject to decision to include an engagement plan as part of the project plan
- Maintain on a quarterly basis an overview of the proposed timing of impending engagement exercises with a view to if appropriate spreading the demands on the community over the year
- Maintain Schedule A to this Policy which identifies Groups and Organisations whose terms of reference contain an advisory role to the Council and with whom collaboration on relevant issues in accordance with this Policy will be sought for input to decision-making
- Maintain Schedule B to this Policy which identifies when consultation and any particular consultation procedures are required by legislation – for the information and guidance of the Council and the community
- Schedules A and B may be updated by the Management Team from time to time to ensure their accuracy and this shall not give rise to any process
- Maintain Guidelines to support implementation of this Policy by providing interpretation and practice guidance about the methods most suited to the differing forms of engagement set out in section 7
- Reference community views in every report providing advice to the Council assessing their relevance, indicating how they have been or are planned to be obtained, and summarising and analysing available responses and feedback. The receipt of any anonymous submissions will be disclosed and a decision sought as to whether the Council wishes to consider them.

9. Links to legislation, other policies and community outcomes

9.1. Legislation

The Council is required by section 76AA of the LGA to adopt a SEP. Section 97 requires any decision to transfer strategic assets listed in the SEP to be made through a Long Term Plan.

In adopting or amending a SEP the Council must give effect to section 82 of the LGA that sets out principles of consultation for the Council to give effect to. LGA sections 76-81 and 82A-87 set out procedures and requirements relevant to giving effect to these principles in the course of decision making.

These include giving consideration to community views, procedures and circumstances for consultation, and requirements in relation to information to inform consultations. A

'special consultative procedure' (SCP) is defined in section 83 for use in certain circumstances such as in preparing a Long Term Plan. Section 83A sets out requirements for information provision related to consultations.

The SCP is specified as the required consultation process to be used in certain circumstances (see Schedule B to this Policy), but otherwise the requirement to give consideration to community views under the LGA does not give rise to any requirement to undertake any consultation process or procedure. Also in Schedule B are set out the circumstances giving rise to consultation required by other Acts.

10. Definitions

Certain terms important to the SEP are defined by the LGA:

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:

1. The District or region.
2. Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter.
3. The capacity of the local authority to perform its role, and the financial and other costs of doing so.

Significant, in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance

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 well-being of the community, and includes:

1. Any asset or group of assets listed in accordance with section 76aa(3) by the local authority, and
2. 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
3. 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 1966.

11. Community Outcomes

There are wide ranging opportunities for people to contribute to the decision-making that affects our District:

- The Council makes information about its plans and activities readily available
- The Council takes account of the views across the community including mana whenua
- The Council makes known its views on significant proposals by others affecting the District's wellbeing
- Opportunities for collaboration and partnerships are actively pursued.

Public effect is given to the spirit of the Treaty of Waitangi

The Council in partnership with Te Ngai Tuahuriri continue to build our relationship through mutual understanding and shared responsibilities.

12. Questions

Any questions regarding this policy should be directed to the Communications and Engagement Manager in the first instance.

13. Effective date

26 January 2021

14. Review date

To be reviewed in 2023 for the 2024-34 LTP or as requested.

15. Policy owned by

Communications and Engagement Manager

16. Approval

Adopted by Waimakariri District Council on 26 January 2021

The following schedules may be updated from time to time recognising changes to groups and organisations under Schedule A and in legislative requirements under Schedule B.

Such factual updates do not constitute change to the Council's policy in relation to engagement.

Schedule A

Groups and Organisations with a Council, Committee or Community Board Advisory Role in their Terms of Reference or as set out in a Memorandum of Understanding.

- Te Ngai Tuahuriri Runanga
- Drainage, Parks and Community Facilities Advisory Groups, Working Parties, Steering Groups and Reference Groups constituted by the Council, Committee or Board for particular purposes from time to time
- Social Services Waimakariri
- Waimakariri Access Group
- Waimakariri Youth Council
- Waimakariri Health Advisory Group
- Community Safety Group
- Economic Recovery Advisory Group
- Others, as constituted from time to time with an explicit Council/Committee/Board advisory role or which are Council Controlled Organizations including Enterprise North Canterbury and Te Kohaka o Tuhaitara Trust.

Schedule B

When the Council is specifically required to undertake consultation by Acts of Parliament.

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 93A 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 or review of a Local Approved Products (Psychoactive Substances) Policy under the Psychoactive Substances Act 2013
- 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 under the Waste Minimisation Act 2008.

Unless already explicitly provided for in the Long Term Plan, the Council will seek to amend its Long Term Plan, and therefore use the SCP 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 the SEP.

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 an Annual Plan if required under section 95 of the LGA

- Transferring responsibilities to another local authority under section 17 of the LGA 2002
- Establishing or becoming a shareholder in a council-controlled organisation
- Disposal of parks that are not reserves under the Reserves Act 1977 in terms of section 138 of the LGA
- 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 Māori freehold land to the extent necessary under the LGA;

For such consultation, Council will develop information fulfilling the requirements of section 82A of the LGA.

A range of other Acts of Parliament may, depending on circumstances, require the Council to undertake consultation for particular purposes. In undertaking such consultation the Council will be mindful of the principles of consultation as set out in section 82 of the LGA.

These include:

- Biosecurity Act 1993 (pest management strategies)
- Building Act 2004
- Civil Defence Emergency Management Act 2002 (CDEM plans)
- Dog Control Act 1993
- Energy Companies Act 1992
- Food Act 1981 (also about transfer of functions)
- Food Act 2014 (setting fees, and transferring functions)
- Freedom Camping Act 2011
- Greater Christchurch Regeneration Act 2016
- Health Act 1956
- Land Transport Act 1998
- Land Transport Management Act 2003 (required when developing a land transport plan)
- Local Government Act 1974 - surviving provisions include Sections 336 (pedestrian malls) and 361 (toll gates)
- Local Government (Rating) Act 2002 (policy for early payment of rates, rates replacement proposals)
- Maritime Transport Act 1994 (navigation safety bylaws)
- Ngai Tahu Claims Settlement Act 1998
- Racing Act 2003 (to adopt a Board venue policy)
- Rating Powers Act 1988
- Reserves Act 1977
- Resource Management Act 1991 – District Plan Reviews and Changes, and Notified Resource Consents (Note non-statutory engagement is typical at formative stages of reviews and changes to the district plan; for structure plans of new growth development areas; and, for existing own centre development plans and strategies)
- Sale and Supply of Alcohol Act 2012.