

STRATFORD DISTRICT COUNCIL

POLICY: <u>SIGNIFICANCE AND ENGAGEMENT</u>	
DEPARTMENT: Community Services	RESPONSIBILITY: <ul style="list-style-type: none">• Communications Manager
SECTION:	
REVIEW DATE: 2019/2020	NEXT REVIEW: 2022/23
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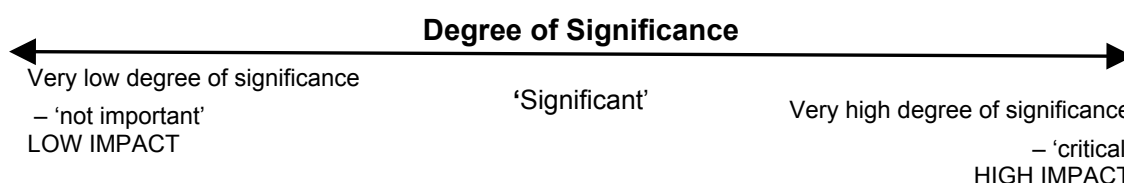
PURPOSE

The purpose of this policy is to inform and enable Stratford District Council and the community to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities. This will determine the level of research and assessment and information to be provided, and the nature and extent of public input.

This policy will tell you:

- When the community can expect to be engaged in Council's decision-making processes.
- How the Council is likely to engage with the community.
- How Council will assess the significance of the decisions.

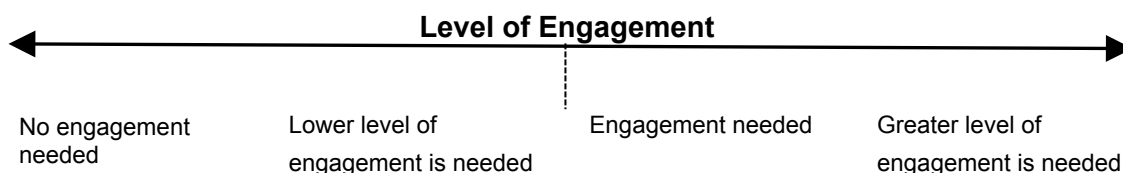
DETERMINING SIGNIFICANCE



1. Local authorities make decisions about a wide range of matters and most will have a degree of significance but not all issues will be considered to be ‘significant’. An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will be considered in the early stages of a proposal before decision making occurs.
2. Council will take into account the following matters when assessing the degree of significance of decisions and the appropriate level of engagement:
 - The impact on the community, how many people are affected and by how much;
 - The impact on levels of service provided by Council or the way in which services are delivered;

- The level of community interest already apparent; or the potential to generate community interest;
 - Possible environmental, social and cultural impacts, including the likely impact on Māori cultural values and their relationship to land and water;
 - Whether the decision is reversible, and the likely impact on future generations;
 - Whether the ownership or function of a strategic asset(s) listed in *Appendix 1* of this policy is affected;
 - The degree of impact on Council's expenditure or debt levels. Significance may be triggered where unbudgeted expenditure is more than 5% of the annual total expenditure or gross debt increases by more than 20%.
3. In determining significance, Council may take into account knowledge it has previously gained about community opinion e.g. community plans, community outcomes, previous public debate, media coverage and public submission.
 4. It may be that only one of the above criteria applies but to such a high degree that the decision will be considered 'significant'. At the other end, several criteria may be applicable but to only a low degree and therefore will be considered to have a lower level of significance.
 5. In general, the more significant an issue, the greater the need for community engagement.
 6. *Appendix 2* of this policy sets out how the criteria will be used to assess significance.

ENGAGEMENT



Engagement provides an opportunity for the public to express a view on the decision or proposal being considered by the Council. The community views expressed through an engagement process will be considered and taken into account, along with other information such as costs and benefits, legislative requirements and technical advice.

When the Council will engage

1. There are situations where Council is required to undertake a special consultative procedure as set out in Section 83 of the Local Government Act 2002 or where Council will carry out consultation in accordance with or giving effect to Section 82 of the LGA 2002 on certain matters (regardless of whether they are considered significant as part of this policy).
2. In other engagement processes, however, there are no explicit statutory or legal rules constraining or defining community engagement processes. The LGA 2002 has given local authorities the ability to determine this as appropriate for their communities.

3. In some cases, including where a decision is close to, but does not exceed, the significance test under this policy, the Council may decide to consult or undertake some other form of engagement on the matter.
4. The Engagement Guide (refer to *Appendix 2*) identifies the form of engagement Council may use to respond to some decisions. It also provides examples of types of issues and how and when communities could expect to be engaged in the decision-making process.

Principles of engagement

When engagement takes place, other than simply providing information, we will:

- Seek to hear from everyone affected by a decision;
- Ask for views early in the decision-making process so that there is enough time for feedback to be provided and for this to be considered properly;
- Listen and consider views in an open and honest way;
- Respect everyone's point of view;
- Provide information that is clear and easy to understand;
- Consider different ways in which the community can share views with us; and
- Ensure that the engagement process is efficient and cost effective.

Council will also take into consideration that the community can feel 'over consulted'.

Council will ensure that, when conducting any engagement or consultation process in relation to a significant decision, it will provide clear information on:

- What is being proposed
- Why it is being proposed
- What options we have
- What the impacts are (if any)
- How you can have a say
- The timeframes
- How we will communicate the outcome to you

In addition we may add – if we know:

- What our preferred option is
- Any costs and rating impact

Engagement with Māori

Council acknowledges its unique relationship with Māori and will support this through:

- Establishing and maintaining processes to provide opportunities for Māori to contribute to decision-making;
- Taking into account the relationship Māori have with their ancestral land, water, sites, waahi tapu, and other taonga, when a significant decision relates to land or a body of water;
- Building ongoing relationships with Māori to enable early engagement in the development of appropriate plans and policies.

When Council may not engage

There are times when it is not appropriate or possible to engage with the community on certain matters.

Examples of this include where Council:

- Has determined the matter is not of a nature or significance that requires consultation (s82(4)(c) LGA 2002).
- Already has a sound understanding of the views and preferences of the persons likely to be affected by or interested in the matter (s82(4)(d) LGA 2002).
- Is maintaining confidentiality or commercial sensitivity (s82(4)(d) LGA 2002).
- Has determined the cost of consultation as outweighing the benefits of it (s82(4)(e) LGA 2002).
- Is acting with urgency in a crisis (for example, under the Civil Defence Emergency Management Act 2002).
- Has a clear direction on a strategy or plan as part of its business as usual operations, and has already made up its mind about an issue, therefore cannot carry out meaningful engagement.
- Has consulted on the issue in the last 24 months.

Where the above listed circumstances apply and consultation is not to be undertaken, the Council is still required to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter (s78(1) LGA 2002). The LGA 2002 requires that this consideration be in proportion to the significance of the matters affected by the decision (s79(1)).

RELEVANT LEGISLATION AND REFERENCES

- Local Government Act 2002
- Privacy Act 1993
- Local Government Official Information and Meetings Act 1987
- Civil Defence Emergency Management Act 2002
- Stratford District Council Communication and Engagement Strategy

APPENDIX 1 - STRATEGIC ASSETS

Section 5 of the Local Government Act 2002 states:

- 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

In respect to “strategic assets”, a key consideration is whether the assets are essential to the continued delivery of an “outcome” that Council considers important for the well-being of the community.

Decisions to transfer ownership or control of a strategic asset to or from Council or to construct, replace or abandon a strategic asset cannot be made unless they are first included in the Long Term Plan.

For the purpose of section 76AA(3) of the LGA 2002, Council considers the following assets to be strategic assets:

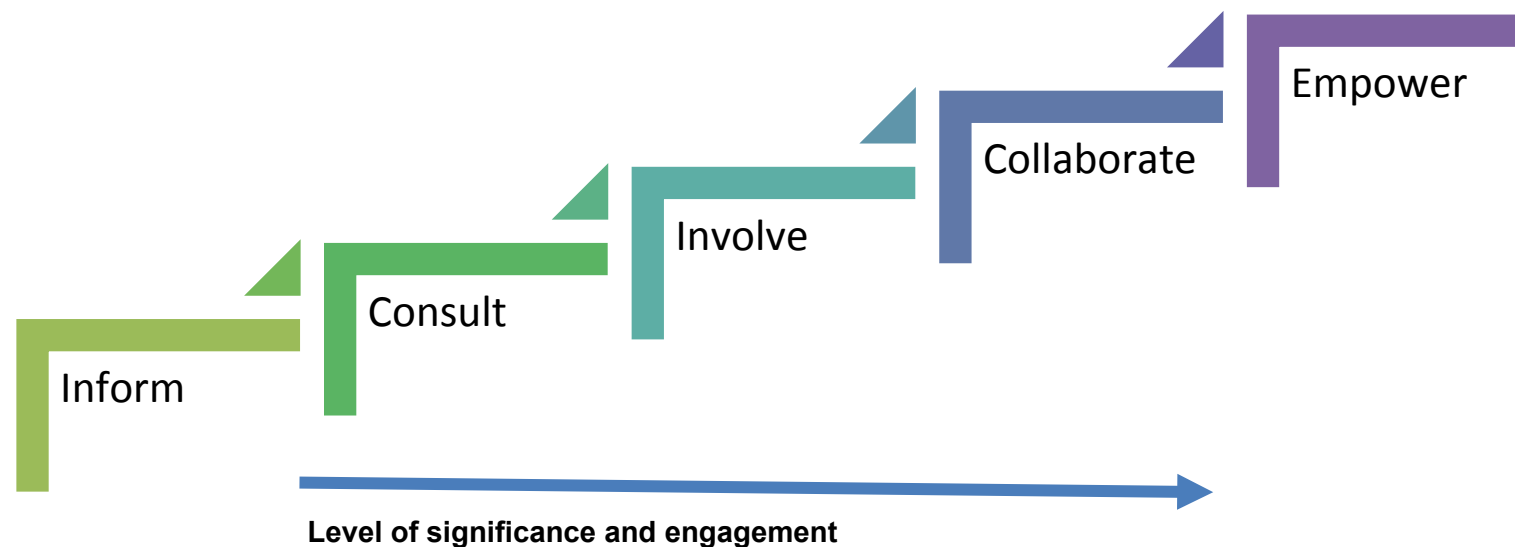
- The roading network, footpath, streetlights and parking
- Water supply schemes
- Wastewater scheme
- Reserves listed and managed under the Reserves Act
- Stormwater network
- Housing for the Elderly
- Swimming pool
- Library
- War Memorial Centre
- Cemeteries
- Percy Thomson Trust

APPENDIX 2 – ENGAGEMENT GUIDE

The International Association for Public Participation (IAP2) Spectrum demonstrates the possible types of engagement Council can have 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. You can see more on this model in Council's Communication and Engagement Strategy.

It will not always be appropriate or practicable to conduct processes at the 'collaborate' or 'empower' end of this spectrum. Many minor issues will not warrant such an involved approach. Time and money may also limit what is possible on some occasions.



Level of Significance	Low	Moderate	High
Key Considerations	<ul style="list-style-type: none"> Affects individuals Has very little public interest Low consequences for the district Low impact on Council being able to perform its role Expenditure incurred is less than a set percentage of the budgeted annual total expenditure Unbudgeted expenditure is less than a set percentage of the annual total expenditure 	<ul style="list-style-type: none"> Affects sub-group of the community Has moderate public interest Moderate consequences for the district Moderate impact on Council being able to perform its role Expenditure incurred is more than a set percentage of the budgeted annual total expenditure Unbudgeted expenditure is more than a set percentage of the annual total expenditure Moderately difficult to reverse Flows from a prior decision but with some notable variations 	<ul style="list-style-type: none"> Affects a wide range of people Has high public interest Large consequences for the district Large impact on the Council being able to perform its role Expenditure incurred is more than a set percentage of the budgeted annual total expenditure Unbudgeted expenditure is more than a set percentage of the annual total expenditure. Highly difficult to reverse Does not have a strong and logical flow from a prior decision

Depending on the level of significance, Council will apply one of the below engagement processes. For example: A decision of high significance could be anywhere between Consult and Empower.

Level of Engagement	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 communication 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 Council may use this for	Water Restrictions	Rate Remission Policy	District Plan	Community or Economic Development Strategy	Election voting systems (MMP, STV or first past the post)
Tools Council may use	Website Social Media Flyer Public Notices	Formal submissions Hearings User Focus groups On-line surveys	Community workshops Focus groups	External working groups (involving community experts)	Binding referendum Local body elections
When the community can expect to be involved	This process could mean Council would generally advise the community once a decision is made.	This process could mean Council would advise the community once a draft decision is made and may provide the community with up to four weeks to participate and respond.	This process could mean Council would generally provide the community with a greater lead in time to allow them 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 them time to be involved in the process, e.g. typically a month or more.

