

## COUNCIL POLICY

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|------------------------|------------------------------------|
| <b>TITLE:</b>          | <b>SIGNIFICANCE AND ENGAGEMENT</b> |
| <b>MEETING:</b>        | Council                            |
| <b>EFFECTIVE DATE:</b> | 1 April 2021                       |
| <b>FILE REFERENCE:</b> | 103015                             |
| <b>REVIEW:</b>         | April 2024                         |

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### 1 BACKGROUND

Every local authority is required by the Local Government Act 2002 to adopt a policy setting out its approach to determining significance and engaging with communities about decisions. This Council first adopted a significance and engagement policy in 2014 and conducts reviews every three years as part of developing its long term plans.

### 2 POLICY OBJECTIVES

The objectives of this policy are:

- To enable Council and the community to identify the degree of significance attached to particular issues, proposals, decisions, matters, assets and activities;
- To inform Council from the beginning of a decision-making process about the level and form of engagement required; and
- To provide clarity about how and when communities can expect to be engaged in decisions made by Council.

### 3 PRINCIPLES

Council's approach to engagement is underpinned by the following principles:

- Council needs to engage with communities and interested parties to understand their views and preferences.
- The more significant an issue, proposal, decision, matter, asset or activity, the greater the need for engagement.

### 4 DEFINITIONS

**Community** means a group of people who live in the Kawerau District and have a particular characteristic or set of characteristics in common.

**Engagement** means a public process in which the community and interested parties are invited to contribute to Council decisions about an issue, matter, proposal or decision. Forms of engagement range from providing information to empowering the community to make a decision. An Engagement Guide is attached as a Schedule to this policy.

**Early engagement** means Council engagement with a community or interested party to seek input before the development or release of a draft proposal about any issue, proposal, decision or other matter subject to engagement.

**Interested parties** means individuals or groups of people who are likely to be affected by, or to have an interest in an issue, matter, proposal or decision which concerns, or is before Council.

**Local Government Act** means the Local Government Act 2002 and its amendments.

**The public** means the community of Kawerau and interested parties.

**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:

- 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** 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.

**Special consultative procedure** means the procedure set out in section 83 of the Local Government Act 2002.

**Strategic asset** as defined in Section 5 of the Local Government Act is “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 1988;
  - ii) an airport company within the meaning of the Airport Authorities Act 1966.

## 5 POLICY STATEMENT

- 5.1 Council will apply a consistent and transparent approach to engagement.
- 5.2 Council will use the special consultative procedure set out in the Local Government Act as required by statute.
- 5.2 For all other issues, proposals, decisions, matters, assets and activities, Council will determine the appropriate level of engagement with reference to the Engagement Guide in the Second Schedule before a decision is made.
- 5.3 The groups and organisations listed in the Third Schedule will be included in Council engagement processes for all but the lowest level decisions. Alternative or additional groups may be included on a case-by-case basis to reflect the nature of the matter subject to engagement.
- 5.4 Determining Significance

A matter is likely to have a higher degree of significance and therefore a greater need for engagement if it is affected by a number of the criteria listed below:

- It relates to a strategic asset as identified in the First Schedule
- It affects the level of service of a Council activity to more than a minor extent
- It will affect a large proportion of the public
- Public interest is high
- The likely consequences are controversial
- There is likely to be a high impact on present and future community wellbeing, recognising Māori cultural values and the relationship of Māori to land and water
- It will require either:
  - a) unbudgeted expenditure of more than five percent of the total operational budget for the activity for that financial year; or
  - b) Capital expenditure of more than 2.5 percent of the total value of Council's fixed assets.

## 6 RELEVANT DELEGATIONS

The Chief Executive Officer or his/her nominee has delegated authority for the implementation of this policy.

## 7 REFERENCES AND RELEVANT LEGISLATION

Local Government Act 2002

## FIRST SCHEDULE – STRATEGIC ASSETS

1. The assets or groups of assets considered by the Council to be strategic assets are:
  - The roading network
  - The stormwater network
  - The water supply system as a whole
  - The wastewater treatment and disposal system as a whole.

## SECOND SCHEDULE – ENGAGEMENT GUIDE

Engagement is a process which involves some or all of the public and is focused on decision-making or problem-solving.

The International Association for Public Participation (IAPP) developed a Public Participation Spectrum to help identify the appropriate level of public participation in any engagement process. The spectrum shows the differing levels of participation which are considered to be commensurate with the degree of significance of the matters about which a decision is to be made. Most importantly, the spectrum sets out the promise being made to the public at each participation level.

It will not always be appropriate or practicable to engage with the public at the ‘collaborate’ or ‘empower’ end of the spectrum. Many minor issues will not warrant such an involved approach and people could be left feeling ‘over consulted’. Time and money may also limit what is possible on some occasions.

In determining the level of engagement it is also important to consider whether public views, including preferences about the form of engagement, are already known and the form of engagement used in the past for similar matters

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



For all other matters, the following table provides examples of the levels of engagement that might be considered appropriate, the tools that might be used and the expected timing of public participation.

| Level   | Inform  | Consult  | Involve  | Collaborate   | Empower  |
|---|---|--|--|---|--|
| <b>Public participation goal</b>                    | 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, 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. | Partnering with the public to develop understanding of all issues and interests, to work out alternatives and to identify preferred solutions.                      | To place final decision making in the hands of the public  |
| <b>Possible application</b>                         | Water restrictions  | Policy Review  | District Plan  | Strategy development  | Review of electoral system   |
| <b>Possible tools</b>                               | <ul style="list-style-type: none"> <li>• Website</li> <li>• Newsletter article</li> <li>• Public notice</li> <li>• Social media</li> </ul>          | <ul style="list-style-type: none"> <li>• Consultation partners</li> <li>• Formal submissions and hearings</li> <li>• Consult a Councillor</li> </ul> | <ul style="list-style-type: none"> <li>• Workshop</li> <li>• Focus group</li> <li>• Citizens panel</li> </ul>  | <ul style="list-style-type: none"> <li>• External working group</li> <li>• External advisors</li> </ul>   | <ul style="list-style-type: none"> <li>• Ballot</li> </ul>   |
| <b>When the community can expect to be involved</b> | Council would generally advise the public once a decision is made   | Council would advise the public once a draft decision is made and would generally provide up to 4 weeks to participate and respond                   | Council would generally provide the public with a greater lead in time to give sufficient time to be involved in the process.                                    | Council would generally involve the public at the start to scope the issue, again after information has been collected and again when options are being considered. | Council would typically provide the community with a month or more to allow sufficient time to be fully involved in the process. |

## **THIRD SCHEDULE – CONSULTATION PARTNERS**

1. Kawerau Business Association
2. Kawerau Enterprise Agency
3. Kawerau Industrial Symbiosis Steering Committee
4. Tūwharetoa ki Kawerau Health, Education and Social Services
5. Ngāti Tūwharetoa (BOP) Settlement Trust
6. TOHU Marae Trust
7. Te Rūnanga o Ngāti Awa
8. Kawerau Grey Power Association
9. Kawerau Seniors Forum
10. Three Peaks Kaumatua Group
11. Kawerau Youth Council
12. Kawerau Early Childhood Education providers
13. Tarawera High School
14. Kawerau Principals' Association
15. Kawerau Police
16. Kawerau Ministers' Association
17. Disabilities Resource Centre Trust
18. Kawerau Social Services Trust Board
19. Rangitaiki Budget Advisory Service
20. Rautahi Community Marae Committee
21. KADAP (Kawerau and Districts Ageing in Place)
22. Kawerau Friendship Society