



# **SIGNIFICANCE AND ENGAGEMENT POLICY**

**Adopted: December 2014**

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## **1. Introduction**

The Significance and Engagement Policy outlines Council's general approach to determining the significance of proposals and decisions. This Policy includes procedures, criteria and some thresholds the Council will use in assessing which issues, proposals, decisions and other matters are significant. It also lists assets Council considers to be strategic assets.

The policy also highlights when something is significant how Council will engage with the community when a proposal is considered to be significant. This will be in line with Council's commitment to applying best practice consultation methods.

This Policy exists to inform you about what you can expect from Horowhenua District Council regarding consultation and ways to influence and participate in the decision-making of the Council.

## **2. Background**

Councils must have a Significance and Engagement Policy. This requirement is set out in Part 6 of the Local Government Act 2002 (the Act).

Section 10 of the Act defines the purpose of local government as:

- Enabling democratic local decision-making and action by, and on behalf of, communities; and
- Meeting the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses.

Whenever a Council makes a decision on any matter it must determine the significance of the decision to be made and, where appropriate, engage with its community.

Under legislation there are clearly defined principles for making decisions, determining significance and engaging with communities. These include:

- Identification and assessment of options
- Quantification of benefits and costs
- The amount of detail
- Evidence of compliance with the significance and engagement policy
- Providing processes to encourage and engage with Māori

Once a decision is determined as significant according to the approach, criteria and procedures of this policy, or by Council resolution, the decision-making and associated engagement provisions contained in section 76(1) of the Act will be observed.

### **3. Horowhenua District Council's general approach to significance**

The Act requires local authorities to set out their "general approach to determining the significance of proposals and decisions in relation to issues, assets, or other matters" (section 76AA).

Horowhenua District Council will determine all decisions to be significant unless the impact on the:

- Current or future cultural, economic, environmental and social well-being of the district is minimal
- Achievement of, or ability to achieve, the Council's stated levels of service as set out in the current Long Term Plan is minimal
- Capacity of the Council to perform its role and carry out its activities, now and in the future is unaffected
- Financial resource and other costs of the decision are minimal or included in an approved Long Term Plan.

If the issue, proposal, decision or other matters concerned involved a significant decision in relation to land or a body of water, Horowhenua District Council will take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.

When making decisions, Council will:

- Identify and assess as many options as are practicable
- Quantify the costs and benefits resulting from the decision to be made
- Provide detailed information accessible to the public

- Maintain clear and complete records showing how compliance with the Significance and Engagement Policy was achieved.

As part of the engagement process for the adoption of this policy, and subsequent reviews, the Council will work with people in the Horowhenua their engagement preferences and will review these preferences each Long Term Plan process, as part of a review of the Community Engagement Strategy.

The Council will also take into account views already expressed in the community, where there has been no material change to the issue since previous engagement, and make judgements on the level of support for those views, when determining the significance of a decision.

#### **4. Criteria and procedures**

Any criteria and procedures used for assessing the significance of a matter must be set out in the Significance and Engagement Policy (section 76AA).

The range of issues requiring decisions by the Council is very wide and it is impossible to foresee every possibility. The use of the following proposed procedure will be used to determine significance.

If a decision or proposal satisfies one or more of the following criteria, the matter is likely to have a high degree of significance:

- the decision or proposal affects all or a large portion of the community in a way that is not inconsequential
- the impact or consequences of the decision or proposal on the affected persons (being any number of persons) will be substantial
- the financial implications of the decision on Council's overall resources are substantial.

By way of guidance, a proposal or decision will not be deemed to be significant unless it is of similar importance to the following examples:

- involves an activity that will significantly affect capacity or cost to Council
- alteration to the level of service of a significant activity as defined in Council's LTP
- alteration to the mode by which a significant activity is undertaken
- transfer of ownership, control, construction, replacement or abandonment of a strategic asset
- a change to the LTP
- adoption of the LTP

Matters which do not satisfy these criteria may have a high degree of significance where it is known that the decision will nevertheless generate a high degree of controversy.

#### 4.1 Procedure for determining significance

- Identification of an issue requiring a Council decision
- An assessment of significance, using Horowhenua District Council's general approach to significance (set out above)
- Council officer or other professional advice on significance and options.
- Council consideration and final decision-making on the degree of significance of the issue and appropriate level and type of engagement.

Every report to Council will include an overall assessment of the significance of the matter(s) under consideration, together with a recommendation regarding the extent and form of consultation appropriate to the proposal. This format specifically alerts elected members to significance impacts as set out in the Council's general approach outlined above.

#### 5. Strategic assets

The Significance and Engagement Policy must list those Council-owned assets, considered by the Council to be strategic assets (section 76AA).

The Act defines strategic assets 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 wellbeing or the community; and includes:

- Any asset or group of assets listed in accordance with section 76AA by the local authority; and
- 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
- Any equity securities held by the local authority in:
  - A port company within the meaning of the Port Companies Act 1988.
  - An airport company within the meaning of the Airport Authorities Act 1996.”

The assets and groups of assets the Council deems to be significant are:

| Activity/Group of Activities Asset |   |
|------------------------------------|---|
| Recreation                         | The public cemeteries, parks, reserves asportsgrounds |

|                      |   |
|----------------------|---|
| Land Transport       | The roading network system as a whole                       |
| Water Supply         | Each water supply system as a whole (excluding water races) |
| Wastewater Disposal  | Each wastewater drainage system as a whole                  |
| Solid Waste Disposal | Hokio landfill  |
| Libraries            | Levin Library (Te Takere), Foxton Library, Shannon Library  |
| Property             | Pensioner Flats as a whole                                  |
| Stormwater           | Each stormwater drainage system as a whole                  |
| Aquatic Centres      | Levin Aquatic Centre and Foxton Aquatic Centre              |

Some are described 'as a whole' so as to permit (even though not explicitly provided for in the LTP) the opportune purchase, replacement, sale or other dealings with components of the system without affecting the provision of the service.

## 5. Horowhenua District Council's general approach to engagement

This section of the policy is guided by the Horowhenua District Council's Community Engagement Strategy. This strategy sets out Council's commitment to community engagement, its vision for empowering community engagement and in particular how it will enable implementation of the consultation principles set out in Section 14 of the Act.

Section 14 of the Act sets out the principles relating to local authorities, including:

- Conducting its business in an open, transparent and democratically accountable manner
- Making itself self aware of, and having regard to, the views of all its communities
- When making a decision, taking account of: the diversity of the community and the community's interests within its district or region; the interests of future as well as current communities; and the likely impact of any decisions on the interests
- Providing opportunities for Māori to contribute to its decision-making processes.

Horowhenua District Council is committed to engaging its community and stakeholders in a meaningful way, and to applying the assessment criteria outlined below. Council acknowledges that "communities" may be communities of place or communities of issue and will use appropriate tools and techniques to enable meaningful and timely connections that encourage feedback and participation in Council processes.

This policy and the Community Engagement Strategy require a Communications and Engagement Plan to be prepared for each decision or group of interrelated decisions.

A Communications and Engagement plan will outline the:

- Engagement objectives – the feedback that is sought from communities
- Timeframe and completion date
- Communities to be engaged with
- Engagement tools and techniques to be used
- Resources needed to complete the engagement
- Communication planning needed
- Basis of assessment and feedback to the communities involved
- Project team roles and responsibilities

## 6. Engagement assessment criteria

The significance of a matter should guide the local authority's decisions concerning the extent and nature of the consultation to be undertaken with the persons likely to be affected or interested in the decision or matter.

The Council must comply with the principles of consultation set out in section 82 in such a manner that Council considers, at its discretion, to be appropriate. In determining what is appropriate, Council must have regard to various matters including the nature and significance of the decision or matter (including its likely impact from the perspective of the persons who will or may be affected by the decision). The more significant a matter from the perspective of the persons who may be affected by the decision, the more likely Council will need to consult with them on their views.

The level to which Council will engage will align with the significance of the decision to be made and will be at one of the levels shown below. A change in level during a consultation or engagement process could occur if deemed appropriate at that time.

| Level   | Goal  |
|---------|---|
| Inform  | To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions. |
| Consult | To obtain public feedback on analysis, alternatives and/or decisions  |
| Involve | To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.        |

|             |  |
|-------------|--|
| Collaborate | To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution |
| Empower     | To place final decision-making in the hands of the public.   |

- In some circumstances the Council is required to use the special consultative procedure, set out in section 83 of the Act and described below.
- All decisions must be informed as a minimum
- High significance decisions must use engagement tools and techniques beyond inform and consult, involve and collaborate where appropriate.
- The actual location on the engagement spectrum will be made on a case by case basis. This decision will guide the selection of appropriate engagement tools and techniques to be used.

The significance of a decision will assist in determining the extent and detail of information to be provided by the local authority when consulting with or reporting to the community. The principles of consultation (section 82) include the principle that persons interested in decisions should be provided with reasonable access to relevant information, and should be given clear information concerning the purpose of the consultation. In addition, persons who present views to Council should be provided information concerning both the relevant decisions and the reasons for those decisions. In determining how to comply with these and the other principles of consultation, Council will take into account the nature and significance of the decision.

## 7. Special Consultative Procedure

In some cases the Act and other enactments require use of the special consultative procedure set out in section 83 of the Act. This process requires the Council to:

- Prepare and adopt a statement of proposal and in some cases a summary of the statement of proposal which must:
  - Be a fair representation of the statement of proposal
  - Be in a form determined by the Council
  - Indicate where it is available
  - State the period it is open for public submission
- Make publically available
  - The statement of proposal
  - A description of how people will be able to present their views
  - A statement of the period the proposal is open for comment/submission
- Make the summary of proposal widely available

- Allow people to present their views to the Council ensuring that they have a reasonable opportunity to do so and know how and when this opportunity will be available to them
- Allow people to present their views by audio link or audio visual link.

The Council may also request advice or comment from a Council officer or any other appropriate person.

Where a Council is required to use the special consultative procedure in relation to making, amending or revoking bylaws the statement of proposal must include:

- A draft of the proposed bylaw, or the proposed amendment or a statement of revocation of the bylaw
- The reasons for the proposal
- A report on any determinations made under section 155 of the Act on whether a bylaw made under this Act is appropriate.

Where none of section 86 to 93a of the Act apply but a Council is required or chooses to use the special consultative procedure the statement of proposal is a draft of any plan, policy or similar document or in any other case a detained statement of the proposal which must include:

- The reasons for the proposal
- An analysis of options
- Any other relevant information

## **8. Review of this policy**

This policy will be reviewed at least once every three years. The review will typically occur when a Long Term Plan review is taking place and will include community engagement. The review will be undertaken alongside the review of the Community Engagement Strategy.