



Significance & Engagement Policy

Policy type: Governance & Strategy

Policy Owner	Group Manager, Governance and Strategy		
Adopted by	Council 8 December 2020		
Description of policy	This policy is to guide community engagement in relation to Council decision making.		
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1 Purpose

The purpose of the policy is to enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities. As well, the policy is intended to:

- a) provide clarity about how and when communities can expect to be engaged in decisions made by Council; and
- b) inform Council from the beginning of a decision-making process about the extent, form and type of engagement required.

2 Principles

The policy is guided by the following principles:

- Decision-makers are well informed, aware of and consider the community's views.
- The Council will use a consistent approach to establish the significance of a matter requiring a decision.
- The level of engagement will be tailored to the level of significance for each issue, proposal or decision.
- Decision-making and engagement processes are transparent and clearly expressed.
- The community will have clarity on the range of engagement methods the Council may use relative to the significance of a matter.
- Engagement is honest, proactive, inclusive, accessible, a two-way dialogue, and people are aware of and understand the final decisions taken.

3 Policy statement

- 3.1 The Council seeks meaningful exchange with the community through engagement on local decision-making. Engaging with the community is needed to understand the views and preferences of people likely to be affected by or interested in a proposal or decision.
- 3.2 Genuine engagement will be encouraged in a manner that is consistent with the significance of the issue, proposal or decision, is transparent and clearly communicated. An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will therefore be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as a proposal develops.
- 3.3 Under the Local Government Act 2002 (LGA), Councils are required to develop a policy on significance and engagement (section 76AA). The intent of this is to give greater clarity and certainty to the community about how and when it can expect to be engaged.
- 3.4 Council is required to undertake a special consultative procedure as set out in section 83 of the LGA, or to carry out consultation in accordance with or giving effect to section 82 of the LGA on certain matters. This is required regardless of whether they are considered significant under this policy. For all other issues requiring a decision, Council will determine the appropriate level of engagement on a case by case basis.

4 General Approach to Determining Significance and Level of Engagement

The Council will follow a three-step process to inform decision-making:

1. **Determine significance** – the Council will use agreed criteria to decide if a matter is of higher or lower significance.
2. **Link level of significance to level of engagement** – the level of significance will link to a corresponding level of engagement to be undertaken.
3. **Consider methods of engagement** – each level of engagement will have a range of methods that the Council is able to choose from to undertake the engagement required.

As well as the views of communities and affected and interested parties, there is a wide range of information sources, considerations and perspectives that informs the Council's decisions, including the requirements of Government policy, technical matters and the financial implications. Refer to **Appendix 1** for the process to be followed for determining significance and level of engagement.

Engaging with Māori

The LGA provides principles and requirements that are intended to facilitate participation by Māori in local authority decision-making processes. The Council must act in accordance with the principle that it should provide opportunities for Māori to contribute to its decision-making processes.

If the Council is proposing to make a significant decision in relation to land or a body of water, it 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. The Council's goal for engagement with Māori is for strengthened and ongoing partnerships. This aims to ensure the Council receives appropriate information, advice and understanding about the potential implications and/or effects of proposals on tangata whenua values.

Strategic Assets

An important objective of the Council is to achieve or promote outcomes that it believes are important to the current or future well-being of the community. Achieving these outcomes may require the provision of roads, water, wastewater and stormwater collection as well as libraries, museums, reserves and other recreational facilities and community amenities.

Council-owned assets that provide these services are considered to be of strategic value and the Council has determined they need to be retained if its objective is to be met. These assets must be listed in the Council's Significance and Engagement policy. A decision to transfer the ownership or control of a strategic asset cannot be made unless it is explicitly provided for in the Council's LTP and the public is consulted through the special consultative procedure.

The Council's strategic assets are set out in **Schedule 1** below.

Schedule 1- Strategic Assets

Section 5 of the LGA requires the following to be listed in this policy:

- 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.

The following is a list of assets or group of assets that the council needs to retain if it is to maintain its capacity to achieve or promote any outcome that it determines to be important to the current or future well-being of the community:

Infrastructural fixed assets owned or maintained by Thames-Coromandel District Council relating to:

- Roads
- Water
- Stormwater
- Wastewater
- Reserves
- Community Housing (land owned by Council where this housing is located).

5 Glossary

The following terms are relevant to this policy.

Definition	Meaning
Community	A group of people living in the same place or having a particular characteristic in common. This includes interested parties, affected people and key stakeholders.
Decisions	Refers to all the decisions made by or on behalf of Council including those made by officers under delegation.

Definition	Meaning
	Management decisions made by officers under delegation during the implementation of council decisions will not be deemed to be significant.
Engagement	Is a term used to describe the process of seeking information from the community to inform and assist decision making. There is a continuum of community involvement.
Significance	As defined in Section 5 of the LGA <i>“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,—</i> <i>(a) the district or region;</i> <i>(b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter;</i> <i>(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.”</i>
Significant Activity	Is an activity (or group of activities) where the annual expenditure for the current financial year is equal to or greater than \$5 million.
Strategic asset	As defined in Section 5 of the LGA <i>“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—</i> <i>(a) any asset or group of assets listed in accordance with section 90(2) by the local authority; and</i> <i>(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</i> <i>(c) any equity securities held by the local authority in—</i> <i>(i) a port company within the meaning of the Port Companies Act 1988;</i> <i>(ii) an airport company within the meaning of the Airport Authorities Act 1966.”</i>

6 Implementation and review

This policy will be effective from 8 December 2020.

This policy will be reviewed every three years, to be adopted and effective by the beginning of the upcoming financial year following the review.

Appendix 1 – General approach to determining significance and level of engagement

A summary of the three step process to be followed is outlined below.

1. Determine Significance

The Council is responsible for judging for itself how it achieves compliance with the decision-making requirements of the LGA. This must be in proportion to the significance of the matters affected by decisions to be made.

The Council will assess the importance of an issue, proposal or decision on the basis of its likely impact on the people expected to be most affected by or to have an interest in the matter, as well as the Council's capacity to perform its role, and the financial and other costs of doing so.

The criteria below need to be considered when determining the level (low to high) of significance of an issue, proposal or decision. The greater the cumulative impact of the decision as assessed by these criteria, the more significant the issue, proposal or decision will be. The criteria are:

- Whether there is a legal requirement to engage with the community.
- What the level of financial consequences of the proposal or decision.
- Number of people affected and/or with an interest in the decision being made. Will the proposal or decision affect a large portion of the community?
- Level of impact on those people affected by the decision.
- Level of community interest apparent for the issue, proposal or decision; or the potential to generate community interest.
- Level of impact on Māori, Māori culture and traditions.
- Likely impact and consequences (both positive and negative) on the current and future social, economic, environmental, or cultural well-being of the district or region.
- Does the proposal affect the level of service of a significant activity.
- Are the likely consequences controversial.
- The form of engagement used in the past for similar proposals and decisions.
- Level of impact on the capacity of the Council to carry out its role and functions.
- Whether the impact of a decision can be easily reversed.
- Whether the ownership or function of a strategic asset(s) is affected.

Examples of decisions of low significance include plans for a new or renewed playground in a suburban area, or the upgrade of a reserve area. Examples of decisions of high significance include a decision to introduce a new system for kerbside waste collection or a plan to construct a boardwalk in a dune area.

Urgency and Confidentiality - Sometimes the nature and circumstances of a decision to be made will not provide the Council with the opportunity to engage or consult with the community. Examples include where urgency is required, the matter is commercially sensitive, and where the health and safety of people or the immediate need to protect property are reasons for making urgent decisions.

Confidential decision-making may be required when engagement is likely to considerably increase the cost of a commercial transaction to the Council.

In these situations, the Council will either not engage at all, or tailor its engagement to suit the circumstances in which the decision is to be made.

2. Link level of significance to level of engagement

The significance of the issue, proposal or decision being addressed will influence how much time, money and effort the Council will spend exploring and evaluating options and obtaining the views of affected and interested parties. In linking the level of significance to the level of engagement, it is important to find the right balance between the costs of engagement and the value it can add to decision-making.

The Council will consider the extent of community engagement that is necessary to understand the community's view before a decision is made about the form of engagement that might be required. This also includes the degree to which engagement can influence the decision and the value of investing in engagement (e.g. if there is only one or very limited viable options such as a specific change required by new legislation).

Using International Association of Public Participation engagement spectrum (**Appendix 2**, Figure 1) as a basis, the method(s) of engagement adopted by the Council before it makes a decision may depend on whether or not:

- The matter is of low or no significance (e.g. technical and/or minor amendments to a bylaw or Council policy) and there may be a very small group of people affected by or with an interest in the decision.
- The matter is significant only to a relatively small group of people or is of low impact to many. They should be **informed** about the problem, alternatives, opportunities and/or solutions and/or **consulted** so that any concerns, alternatives and aspirations they have are understood and considered.
- The matter is significant not only to a small group of people particularly affected but also to a wider community that may have an interest in the decision to be made. They may be **informed, consulted** and/or **involved** to seek public input and feedback on analysis, alternatives and/or decisions.

For more significant matters, the Council may elect to **collaborate**, or **partner**, with a community in any aspect of a decision including the development of alternatives and the identification of preferred solutions. This is more likely to occur where there is a distinct group of affected or particularly interested people. Depending on the level of significance and the nature of the issue, proposal or decision being made, by using a range of engagement methods communities may be **empowered** to participate in the decision-making process.

3. Consider Methods of Engagement

There is a variety of ways in which the Council engages with the community. This policy relates to the types of engagement described relate specifically to Council, Community Boards and delegated decision-making.

Once the level of significance of an issue, proposal or decision has been determined, the Council will consider the level and form of community engagement. Depending on the matter being considered and the stakeholders involved, the preferred method(s) or combination of engagement tools will be identified and applied to meet the goals of the specific engagement.

The Council will build on existing relationships and networks with individuals and communities, as well as look to extend the range of parties involved in the community engagement as appropriate. The Council will consider engagement methods and tools relative to the level of

significance. These will support communities' participation through an engagement spectrum approach, as set out in the table in **Appendix 2, Table 1**.

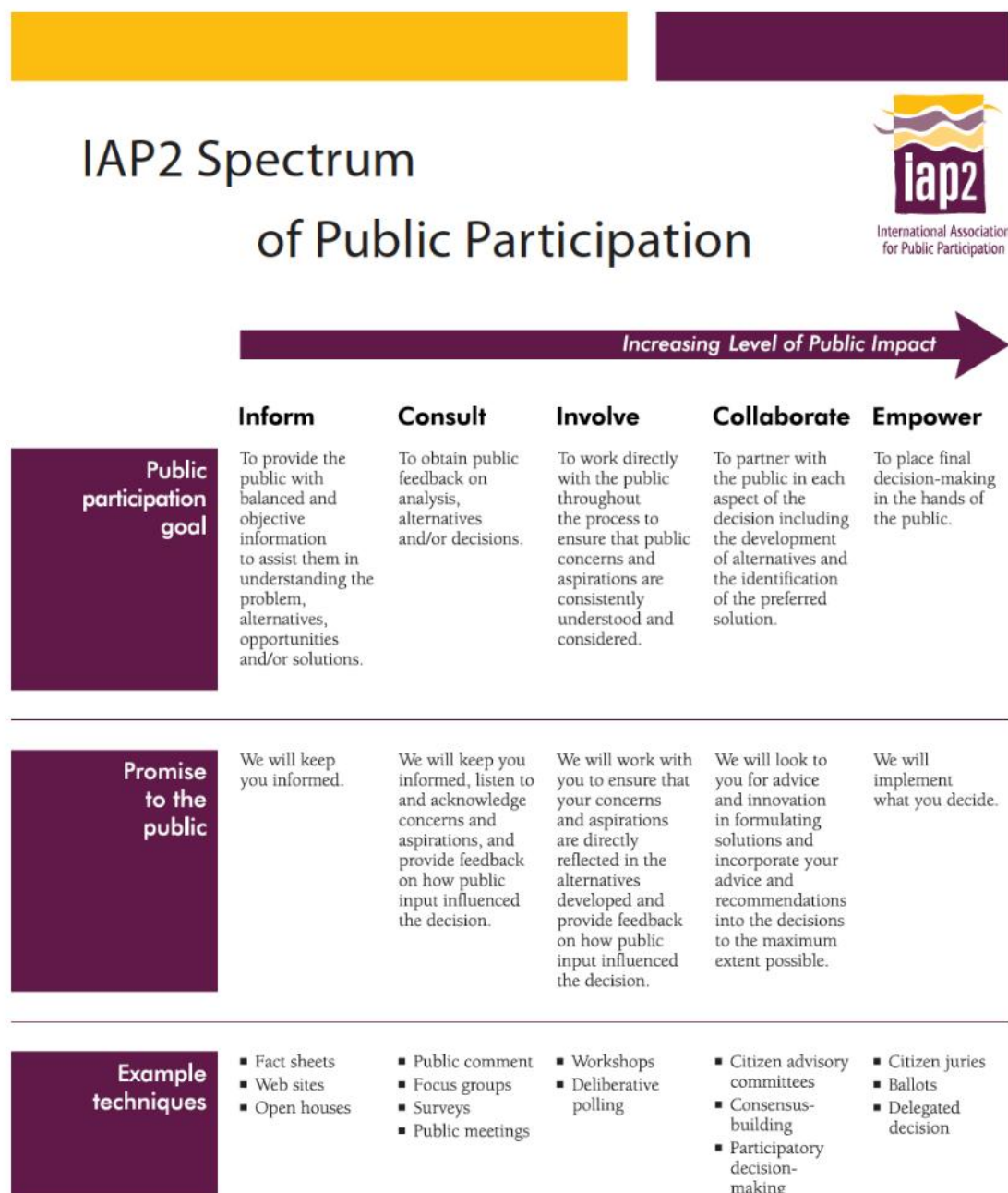
Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue or proposal, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as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

There may be occasions in which the Council chooses to carry out engagement at a level higher than that indicated by the significance of the decision as part of its commitment to promote participatory democracy. The Council will work to ensure the community is sufficiently informed to understand the issue(s) or proposal, options and impacts and has time to respond, so they are able to participate in engagement processes with confidence.

Appendix 2 – Community Engagement Guidelines

Community engagement is a process, involves all or some of the public and is focussed on decision-making or problem-solving.

The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum to demonstrate the possible types of engagement with the community. This model 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.

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

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

Forms of engagement

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, 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.
- 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.

Unless already explicitly provided for in the Long-Term Plan, the Council will seek to amend its Long-Term Plan, and therefore use the Special Consultative Procedure, 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 Schedule 1.

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 the annual plan if required under section 95 of the LGA.
- Transferring responsibilities to another local authority under section 17, LGA.
- Establishing or becoming a shareholder in a council-controlled organisation.
- Adopting or amending a revenue and financing policy, development contribution policy, financial contributions policy, rates remission policy, rates postponement policy, or a policy on the remission or postponement of rates on Maori freehold land.

For such consultation, Council will develop information fulfilling the requirements of Section 82A of the LGA, will make this available to the public, allow written submissions for a period of up to 4 weeks, and will consider all submissions prior to making decisions.

For all other issues, Table 1 provides an example of the differing levels of engagement that might be considered appropriate, the types of tools associated with each level and the timing generally associated with these types of decisions/levels of engagement.

Engagement tools and techniques

Over the time of decision making, Council may use a variety of engagement techniques on any issue or proposal based on a range of other factors, including history and public awareness of the issue, stakeholder involvement, and timing related to other events and budgets. Council will also take into consideration that the community can feel 'over consulted'. Each situation will be assessed on a case-by-case basis.

Table 1: Examples of Engagement Activities

Level	Inform	Consult	Involve
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 communications 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.
Types of issues that we might use this for	Water restrictions	Rates review. Bylaw review. Long Term Plan.	District Plan review
Tools Council might use	Websites Information flyer Public notices	Formal submissions and hearings, focus groups, phone surveys, surveys.	Workshops Focus groups Citizens Panel
When the community can expect to be involved	Council would generally advise the community once a decision is made	Council would advise the community once a draft decision is made Council and would generally provide the community with up to 4 weeks to participate and respond.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process.
Level	Collaborate	Empower	
What does it involve?	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	Final decision- making is in the hands of the public. Under the LGA, the Mayor and Councillors are elected to make decisions on behalf of their constituents.	
Types of issues that we might use this for	Hauraki Gulf Marine Spatial Plan	Election voting systems (MMP, STV or first past the post).	
Tools Council might use	External working groups (involving community experts)	Binding referendum.	
When the community can expect to be involved	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. a month or more.	