

P17-003 SIGNIFICANCE AND ENGAGEMENT POLICY

Council Meeting 5 September 2017

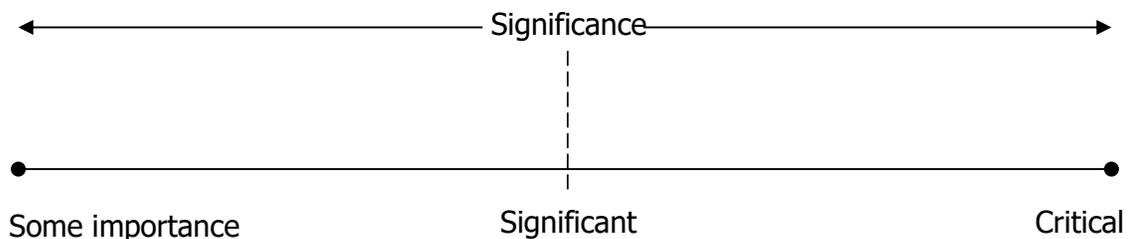
Purpose

The purpose of this policy is to set out how the Council will identify the significance of an issue, proposal, decision or other matter in order to inform how, when and to what extent the Council will engage with the community in its decision-making processes.

Policy Statements

Assessment of significance

1. "Significance" is defined by the Local Government Act 2002 as:
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
2. The Council considers significance on a scale that ranges from of some importance to critical. A "significant" decision has a high degree of significance.



3. The Council will consider the criteria in Schedule 1 when assessing the degree of significance of an issue, proposal, decision or other matter.

Assessment of whether to undertake engagement

4. As a minimum level of engagement, the Council will 'inform' the community on all issues, proposals, or other matters requiring a decision by the Council, unless there are applicable grounds to withhold information under the Local Government Official Information and Meetings Act 1987.

5. The greater the significance of an issue, proposal, decision or other matter, the more likely it is that seeking community input into the Council's decision-making processes will be appropriate. The Council will generally provide opportunities for individuals and communities to engage in the matter proportional to the assessed significance of the matter. Ultimately, determining whether or not to undertake any engagement will be carried out on a case-by-case basis, considering all of the particular circumstances.

Māori engagement

6. The Council is committed to providing opportunities for Māori to contribute to its decision-making processes in a meaningful way.
7. The Council will engage with Māori where any matter involves a significant decision in relation to land or a body of water to ensure that the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga is considered.
8. The Council will consider specifically engaging with Māori on other issues as they arise.

Assessment of method of seeking community input into decision-making

9. There may be situations when seeking community input into decision-making may be impractical, inappropriate, or unnecessary. These may include, but are not limited to:
 - An issue, proposal, decision or other matter the significance is assessed as being of some importance
 - The Council considers that it has sufficient existing and up to date information to enable it to understand the views and preferences of interested and affected persons on the matter
 - The situation requires urgent decisions and there is insufficient time to engage the community
 - The matter is of an administrative nature
 - The Council is advocating a position, or submitting to, another organisation and the Council is not the ultimate decision-maker
 - The nature of the decision is highly technical or specialist and is not amenable to community engagement (such as complex financial issues addressed in a liability management or investment policy)
 - The matter before the Council is confidential (such as due to it involving third parties' commercially sensitive information) and not suited to community engagement (such as evaluating tenders).
10. Where the Council determines that it is appropriate to seek the views of the community in its decision-making process, the level of engagement will be determined by considering the Engagement Guide in Schedule 2.
11. Different types of engagement may be required for different stages of the decision-making process for an issue, proposal, decision or other matter.

12. The Council will consider any known preferences of the affected part or parts of the community in relation to the issue, proposal, decision or other matter in determining its method of engagement.
13. The Council is required by legislation to carry out engagement on some matters using specific procedures or processes, regardless of the significance assessment. The Council will follow these procedures and processes in those instances.
14. For all other matters requiring a decision by the Council, including decisions made under delegated authority, the type of engagement will be determined on a case by case basis to ensure the most appropriate engagement is used.

Strategic assets

15. The Council's strategic assets are listed in Schedule 3 of this policy.
16. Section 97 of the Local Government Act provides that, unless the decision is explicitly provided for in the Long-Term Plan (and was included in the Consultation Document), the Council may not transfer the ownership or control of a strategic asset to or from the Council.
17. The Council will take a group or whole of asset approach to network strategic assets. Decisions that involve the transfer of ownership or control of a single element of a network where the remaining assets of the network enable the Council to still meet its strategic outcomes (including levels of service as stated in the Long-Term Plan) will not, on their own, be regarded as a strategic asset.

Long-Term Plan and Annual Plan consultation

18. The Council will consult on the Long-Term Plan by using a consultation document that identifies the significant issues facing the Council and key decisions and choices. The Council may undertake other engagement before issuing its consultation document to seek community views and preferences on some matters.
19. The Council is required to consult on an Annual Plan only if the Council proposes to include significant or material differences in that Annual Plan from the relevant financial year of the Long-Term Plan. The Council will consider whether differences are significant or material as follows:
 - it will determine if differences are "significant" by using the significance assessment in this policy, and
 - it will determine if differences are "material" using the generally accepted accounting practice definition for "material".The Council will, as a minimum, consult using a consultation document on these significant and/or material variations but may, at its discretion, determine to consult on other changes to the Annual Plan that does not meet these thresholds.

Procedure for identification of significance and engagement

20. Council staff, or other professional advisers, will provide advice on significance and engagement using the following process:
 - Identify the issue, proposal, decision or other matter requiring a Council decision.
 - Assess whether there are particular legal obligations to engage or consult with the community (including whether the issue, proposal, decision or other matter involves a decision to transfer the ownership or control of a strategic asset to or from the Council).
 - Consider the matters in Schedule 1 to assess the significance of the issue, proposal, decision or other matter.
 - Determine whether engagement with the community, or particular individuals or groups, is appropriate.
 - Where some form of engagement is appropriate, determine the appropriate form and type of engagement (using Schedule 2 or by complying with particular legislative requirements).

21. Council officers (or other professional advisers) will provide advice on significance and engagement. Such advice will, in normal circumstances, come via the Council report format which alerts elected members to the significance of the issue, proposal, decision or other matter and the proposed form and type of engagement.

22. The Council will consider the advice in making a decision on the level of significance and the appropriate form and type of engagement, but is not necessarily bound to follow such advice.

Schedule 1: Criteria for assessment of significance

In assessing an issue, proposal, decision or other matter requiring a Council decision, the following criteria will be used to assess its significance:

- Does the matter impact on the interests of the district and the community?
- Does the matter impact on the relationship of Māori (including their culture and traditions) with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga?
- How many people are affected by the matter, to what degree are they affected, and what is the likely impact on those people?
- Does the matter impact on the Council's statutory purpose, obligations, duties and requirements?
- Does the matter impact on levels of service as stated in the Council's Long-Term Plan (LTP)?
- Does the matter have financial costs for the community and the Council?
- Is the matter reversible (in part or in full) in the future?
- Does the matter align with previous Council decisions, such as whether it is implementing any adopted strategy, plan or position?
- Has the matter previously generated wide public interest or controversy within the district or particular communities?

If an issue, proposal, decision or other matter has substantial impacts and consequences for several of the above considerations it is likely to have a higher level of significance.

Schedule 2 Engagement Guide

The following table provides an example of the differing types of engagement that might be considered appropriate, the tools and techniques that can be used for each type and the timing of the engagement generally associated with each type. Every issue, proposal, decision or other matter is assessed on a case-by-case basis, having regard to its significance, the subject matter and relevant stakeholders, in determining the most appropriate form of engagement.

Type	Inform	Consult	Involve	Collaborate	Empower
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 throughout 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.
Example engagement	<ul style="list-style-type: none"> • Water restrictions. • Council news. 	<ul style="list-style-type: none"> • Rates review. • Policy review. 	<ul style="list-style-type: none"> • New Plymouth District Plan. 	<ul style="list-style-type: none"> • New Plymouth District Coastal Strategy. 	<ul style="list-style-type: none"> • Election voting systems (STV or first past the post).
Tools and techniques the Council might use	<ul style="list-style-type: none"> • Websites. • Letter/ information flyer. • Fact sheets. • Public notices. • Newspapers. 	<ul style="list-style-type: none"> • Public meetings. • Formal submissions and hearings. • Online/social media. • Focus groups. • Surveys. 	<ul style="list-style-type: none"> • Workshops. • Focus groups. • Citizens Panel. • Face to face. 	<ul style="list-style-type: none"> • Advisory committees. • External stakeholder groups. 	<ul style="list-style-type: none"> • Local body elections. • Binding referenda.
When the community can expect to be involved	The community would generally be advised once a decision is made.	The community would be advised once a draft decision is made and would have the opportunity to participate and respond during a period of consultation.	The community would have a greater lead in time to be involved in the process.	The community would generally be involved at the following stages: <ul style="list-style-type: none"> • At the start to scope the issue. • After information has been collected. • When options are being considered. 	The community would generally have a greater lead in time to be engaged in the process.

Schedule 3 Strategic Assets

The following assets are considered to be the Strategic Assets of New Plymouth District Council:

- Govett-Brewster Art Gallery and Len Lye Centre.
- Housing for the Elderly network.
- The equity securities held in Papa Rererangi i Puketapu Limited.
- Pukekura Park and the Coastal Walkway.
- Parks and reserves network.
- Puke Ariki and District Libraries (Bell Block, Inglewood, Oakura, Urenui and Waitara).
- TSB Stadium, TSB Bowl of Brooklands, TSB Showplace, Yarrow Stadium (the aspects of the Stadium's operations under the Council's control).
- Todd Energy Aquatic Centre and District Summer Pools (Waitara, Inglewood, Okato and Fitzroy).
- Road and Footpath Network.
- Solid Waste Infrastructure.
- Stormwater Network, Drainage, Flood Protection and Control Works.
- Water Supply Network and Treatment.
- Wastewater Network and Treatment.