

Significance & Engagement Policy

Part I

1. PURPOSE [LGA S76AA (2)]

1.1. The purpose of the Westland District Council's Significance and Engagement Policy (SEP) is —

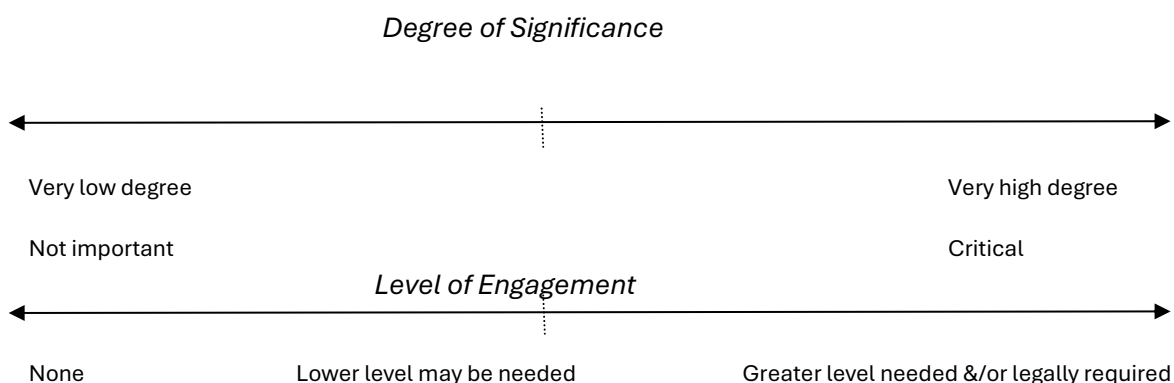
To enable the local authority and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

To provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets, or other matters.

To articulate the relationship between the significance of a matter and the corresponding level of engagement of parties that is required.

1.2. The Council believes in the importance of having a SEP as it provides a useful and accountable decision making framework for both the Council and the community.

Figure 1 determining significance and engagement



1.3. **Significance**, in respect to this policy, is the degree of importance of an issue, proposal or decision as assessed by the local authority, in terms of its likely impact on and likely consequences for —

- The current and future social, economic, environmental, or cultural well-being of the district or region.
- Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter.
- The capacity of the local authority to perform its role, and the financial and other costs of doing so.

A matter will be determined “Significant” if it has a “high degree of significance”. This is in accordance with the Local Government Act 2002 (LGA), section 5.

1.4. The LGA definition and/or use of the terms “significant”, “significance” and “engagement” apply in regard to this policy. Unless otherwise stated, common dictionary definitions apply for other terms in this policy.

- 1.5. The Council has a Consultation and Engagement Policy in place (adopted in 2022).
- 1.6. Engagement, in respect to this policy, is a process that can be undertaken at the outset, throughout, or at points during a decision-making process in order to inform the Council and to allow potentially affected parties to identify options for addressing the matter.
- 1.7. Consultation is a process that generally occurs after a proposal has been formed i.e. the Council shares the formed proposal with parties and receives final feedback. A decision can then be made. Consultation is an additional requirement under legislation, including the Local Government Act, Resource Management Act, Reserves Act, Rating Act and Land Transport Management Act. This SEP does not replace the Council's legal responsibility to consult.

2. GENERAL APPROACH [LGA s76AA (1)(a)]

- 2.1 Council's decision-making about the degree of significance of an issue, proposal or decision will be guided by Part II of this Policy.
- 2.2 Council's engagement practices will be guided by Part III of this Policy.
- 2.3 The Council will use the Special Consultative Procedure (SCP) whenever it is specifically required to by the LGA or other legislation.
- 2.4 Whenever a matter is identified by the Council as being of high significance, it will use the SCP procedure as a minimum procedure for consultation. It will undertake what it considers to be a corresponding high level of engagement about the proposal.
- 2.5 The Council will apply the principles of LGA section 82 in other instances of consultation.
- 2.6 The Council may choose to undertake engagement and/or consultation on occasions other than when a matter has been determined to be of high significance. In this instance it will justify why it is choosing to do so.

Part II

1. DETERMINING SIGNIFICANCE [LGA s76AA (1)(b)]

- 1.1 As per the LGA, section 5; a matter is "significant" if it has been determined to have a high degree of significance. The following list provides key questions that will help assess the overall degree of significance of a matter:
 - a. Does it involve a Council strategic asset? The LGA states that it is a significant decision to transfer ownership or control, or to construct, replace or abandon a strategic asset.
[The Council's *Strategic Assets* are listed in Part II, clause 2.2].
 - b. What is the impact on Council's levels of service, rates and/or Council debt?
 - c. How will the action or decision promote the Council's Vision or other priorities of Council, and to what degree?
 - d. What is the degree of impact on the community, individuals or groups?
 - e. Is there a likely impact on Māori cultural values and their relationship to land and water?
 - f. Is there a high degree of public interest?
 - g. Could the action or decision have significant consequences? The action itself may be minor but what will the outcome be.

- h. Is it a reversible decision? The more difficult an action or decision is to reverse, generally the higher the significance is.
- i. Will climate change have an impact? The greater the impact, generally the higher the degree of significance.

2. COUNCIL'S STRATEGIC ASSETS [LGA s76AA (3)]

2.1 The LGA, section 76 AA (3) requires that the SEP must list the assets considered by the local authority to be Strategic Assets. These assets must be considered to be of high significance and as such corresponding engagement and consultation practices followed by the Council if transfer ownership or control of a strategic asset, or a decision to construct, replace or abandon a strategic asset is proposed.

2.2 The LGA, section 5, defines Strategic Assets as being the asset or group of assets held (owned) by the Council that it needs to retain if it is to maintain the capacity to achieve or promote an outcome that it determines to be important to the current or future well-being of the community.

- Hokitika Airport
- Urban roads, rural roads, bridges, footpaths
- Water, treatment, storage and reticulation network
- Wastewater reticulation and treatment facilities
- Stormwater reticulation
- Cass Square
- Community Reserves
- Community Halls
- Community Domains
- Hokitika Cemetery
- Kumara Cemetery
- Ross Cemetery
- Hokitika Museum/Carnegie Building
- Public Toilets
- Jackson Bay Wharf
- Westland District Library
- Council Headquarters
- Information Technology Infrastructure
- Pakiwaitara Building
- Hokitika Swimming Pool
- Ross Swimming Pool
- West Coast Wilderness Trail
- Westroads Ltd

Part III

1. ENGAGEMENT EXPECTATIONS [LGA s82 (3) & (4)]

1.1 The Council will engage with parties *unless* it is unnecessary, inappropriate or impossible to do so. That is: a case must be proven in order to decide to not engage and it may be because of one or more of the following factors:

- a. The Council can demonstrate that it already has a sound understanding of the views and preferences of the persons likely to be affected by or interested in the matter.
- b. There is a need for confidentiality or commercial sensitivity.

- c. The costs of engagement or consultation outweigh the benefits of it.
 - d. The matter has clearly already been addressed by the Council's policies or plans, which have previously been consulted on.
 - e. An immediate or urgent response or decision is needed so that it is not reasonably practicable to engage.
 - f. Works are required unexpectedly, or following further investigations, on projects that have already been approved by the Council.
 - g. It is business as usual i.e. the works required are related to the operation and maintenance of a Council asset and responsible management requires the works to take place.
- 1.2 In instances where active engagement with parties is not going to occur, Council officers still must give consideration to the views and preferences of persons likely to be affected by, or to have an interest in the matter.

2. APPROPRIATE FORMS OF ENGAGEMENT [LGA s76AA (1)(c)]

- 2.1 The Westland District encompasses a large geographic area; townships can be several hours drive from one another and there are many dispersed rural communities. This impacts on how the Council can effectively hold conversations with its citizens.
- 2.2 Poutini Ngāi Tahu, in their capacity as a Treaty Partner, are an important identity to engage with over many matters. Council's relationship with Poutini Ngāi Tahu and their associated Rūnanga, Te Runanga o Ngāti Waewae and Te Rūnanga o Makaawhio should remain fluid and evolve in accordance with these organisations' preferences. Although all of the SEP processes do include the engagement of Iwi, a separate and more specific policy or agreement could also be developed with Iwi about different kinds of Council decision-making.
- 2.3 The Council must also be mindful of tangata whenua in the District and whether an issue could be of importance to Māori people.
- 2.4 The Council believes it is important that it has a presence across the District and in particular that elected representatives and staff are active in all of its communities. Successful engagement exercises have been achieved when they were structured around having the conversations in the community that the issue affected, rather than expecting the community to come to Hokitika. If it is a District wide issue, then careful consideration is required about how best to distribute messages and be positioned to receive feedback.
- 2.5 Some communities in the Westland district have limited broadband internet coverage, which can limit electronic communications.

3. IN DETERMINING APPROPRIATE FORMS OF ENGAGEMENT, THE COUNCIL WILL: [LGA s76AA (1)(d)]

- 3.1 Recognise the relationship between determining the significance of an issue and the level and type of engagement that will be required.
- 3.2 Select engagement processes and methods that are appropriate to the stakeholders that will be involved (including the public's time commitment and travel requirements, location of information and/or meetings).

- 3.3 Ask potentially interested parties if they consider themselves to be stakeholders and/or how they would like to provide input into the development of the proposal.
- 3.4 Be responsive to new methods identified by stakeholders for better engagement.
- 3.5 Bear in mind Council and other agency engagement initiatives that are underway, planned or likely to occur soon in the District. Combined initiatives will be utilised where appropriate so as to achieve efficiencies and avoid the public experiencing engagement / consultation fatigue.
- 3.6 Determine whether the Council already holds relevant information from the public or key stakeholders about the matter (from previous engagement or consultation efforts) and can utilise it instead of initiating another round of conversations.
- 3.7 Recognise the possible role of stakeholders and contacts Council already has a relationship with, including the Iwi, resident and community associations, business and industry representative groups.
- 3.8 Provide reasonable access to free information and reasonable methods for the public and key stakeholders to be able to respond (timeframes and suitable forms of submission).
- 3.9 Consider the best use of Council money and other resources to achieve the chosen engagement plan.

Part IV

1. PROCEDURE [LGA 76AA (2)(b) & (c)]

- 1.1 The procedure for determining the level of significance and the corresponding engagement required:
 - 1.1.1 In the first instance Council Officers will be responsible for assessing a matter to determine its level of significance, in accordance with Part II of this Policy.
[To facilitate this operational process, the Council may choose to provide staff with a template, separate to but based upon Part II of this policy].
 - 1.1.2 Council Officers will then consider the corresponding extent and type of engagement that should occur, in accordance with Part III of this Policy. In general, the more significant an issue, the greater the need for community or stakeholder engagement.
 - 1.1.3 Any matter will be reported to the Council if it requires a Council decision to be made. The report will include –
 - a. An assessment of significance.
 - b. An assessment about the extent and type of community or stakeholder engagement that should occur.

2. THIS POLICY MAY BE AMENDED FROM TIME TO TIME [LGA s76AA, 4&5]

- 2.1 If the Council wants to amend this policy, it will consult in accordance with the Local Government Act, section 82, unless a decision is recorded that it “considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.”

3. DEVIATION FROM THIS POLICY [LGA s76AA, 6]

- 3.1 If the Council wishes to deviate from this policy it will follow the requirements of the Local Government Act, section 80, clearly identifying the inconsistency and the reasons for not following this policy, and stating any intention to amend the policy to accommodate the decision.