TE KAUPAPAHERE MŌ TE TĀPUATANGA ME TE WHAKAPĀNGA SIGNIFICANCE AND ENGAGEMENT POLICY

Kupu whakataki|Introduction

Waikato Regional Council's Significance and Engagement Policy was adopted in 2014 and has since been reviewed every three years to meet our legislative requirements under the Local Government Act 2002 (the LGA). The policy:

- enables Council and our communities to understand the significance Council places on certain issues, proposals, assets, decisions and activities, and
- identifies how and when communities can expect to be engaged or specifically consulted on these items.

The Significance and Engagement policy applies across our Council. When assessing the degree of significance and deciding on appropriate engagement or consultation processes, the policy requires us to take into consideration other legislative requirements, as well as any other agreements that might already be in place. To ensure Council engages as effectively as possible with the Waikato region's diverse communities, we gather information on people's views and preferences in a variety of ways. Sometimes that might be via formal statutory consultation, or it might be via a more informal engagement process. Either way, the overall intent is to ensure that, wherever possible, anyone who wishes to contribute ideas or information to important council processes and decisions has the opportunity to do so.

Koronga me te aronga|Purpose and scope

1. To enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities.
2. To provide clarity about how and when communities can expect to be engaged in decisions made by Council's Elected Members.
3. To inform Council's Elected Members from the beginning of a decision-making process about the extent, form and type of engagement required.
4. This policy does not apply to decision making under the resource management legislation and or other legislation that includes a prescribed consultative/engagement process.

Rārangi whakamārama|Definitions

Asset class	Council operational assets and council infrastructure assets, as disclosed in the council's Annual Report - Property, Plant and Equipment table.
Community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
Decisions	Refers to all the decisions made by or on behalf of Council' Elected Members including those made by officers under delegation. (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 providing information to or seeking information from the community to inform and assist decision making. There is a continuum of community involvement.
Materiality / Material	A statement, omission, fact, or item of such a nature or amount that its disclosure, or the method of treating it, could reasonably be expected to influence readers' overall understanding in making decisions or assessments.
Significance	As defined in Section 5 of the LGA "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 Activity**~~	~~Council does not provide activities that are defined as significant in the LGA.~~
Strategic Asset	As defined in Section 5 of the LGA "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— (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 1996".

Kaupapahere|Policy

- Engaging with the community is necessary to understand the views and preferences of people likely to be affected by or interested in a proposal or decision.

- 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.

Whakataunga o te tāpuatanga|Assessment of significance

1. Council will take into account the following matters, on a case-by-case basis, when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:

    - Whether there is a legal requirement to engage with the community,
    - The level of financial consequences of the proposal or decision,
    - Whether the proposal or decision will affect a large portion of the community,
    - The likely impact on present and future interests of the community,
    - The likely impact on Māori cultural values and their relationship to land and water (also refer section 10),

- Whether the proposal materially ~~-~~impacts on the levels of service provided by Council or the way in which the level of service is delivered, ~~proposal affects the level of service of a significant activity~~
- Whether community interest is high,
- Whether the likely consequences are controversial and/or has a likely impact on the reputation of Council,
- Whether community views are already known, including the community's preferences about the form of engagement,
- Whether Elected Members have already made a commitment to consult with the community on a specific matter, and
- The form of engagement used in the past for similar proposals and decisions.

2. Council governance will take into account the degree to which the issue has a material financial impact on Council or the rating levels of its communities, using the following thresholds:

   - An unbudgeted operating expenditure greater than 5 per cent of Council's total operating expenditure in that year, excluding amortisation and depreciation.
   - An unbudgeted capital expenditure greater than 2 per cent of the total value of Council's assets in that year, excluding amortisation and depreciation.

3. If a proposal or decision is affected by the above considerations, it is more likely to have a high degree of significance.

~~3.~~4. Assessing the level of significance of a decision or proposal will be a matter of Elected Member judgment. All the above criteria will be considered holistically but, depending on the circumstances, some criteria may be more relevant than others. The outcome of the assessment will be High, Medium or Low.

~~4.~~5. In general, the more significant an issue, the greater the need for effective community engagement.

Te whakapānga me te akoakotanga|Engagement and consultation

~~5.~~6. Council will apply a consistent and transparent approach to engagement.

~~6.~~7. 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 (regardless of whether they are considered significant as part of this policy).

~~7.~~8. For all other issues requiring a decision, ~~the council~~Elected Members may determine the appropriate level of engagement (section 82 of the LGA) on a case by case basis.

~~8.~~9. The Community Engagement Guide (schedule two, attached) identifies the form of engagement Council will use to respond to some specific issues. It also provides examples of types of issues and how and when communities could expect to be engaged in the decision-making process.

~~9.~~10. Where Joint Management Agreements, Memorandum of Understanding or any other similar high-level agreements exist, these will be considered as a starting point when engaging with Māori.

~~10.~~11. For mana whenua groups without a formal agreement a separate engagement plan will be developed as appropriate.

~~11.~~12. When ~~the council~~Council's Elected Members make~~s~~ a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the LGA will be undertaken.

Note: A Māori Engagement Framework, developed in 2017, initially formed Schedule 3 of the Significance and Engagement Policy. This framework is now a standalone document which provides guidance on best practice engagement to those looking to engage with Māori. The framework can be accessed on our website here.

WĀHANGA 1|SCHEDULE 1
NGĀ RAWA MAUROA|STRATEGIC ASSETS

Section 5 of the Local Government Act 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 1996.

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 the Waikato Regional Council such as its river management, flood protection and drainage assets,
- the overall system of communications for flood and resource monitoring and control, including the radio communication system and associated computer systems,
- Council's investment fund, and
- data held in Council's geographic information system (GIS) and environmental databases.

WĀHANGA 2|SCHEDULE 2
NGĀ TOHUTOHU WHAKAPĀNGA HAPORI| COMMUNITY ENGAGEMENT GUIDE

Te whakapānga ki te hapori | Community engagement

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

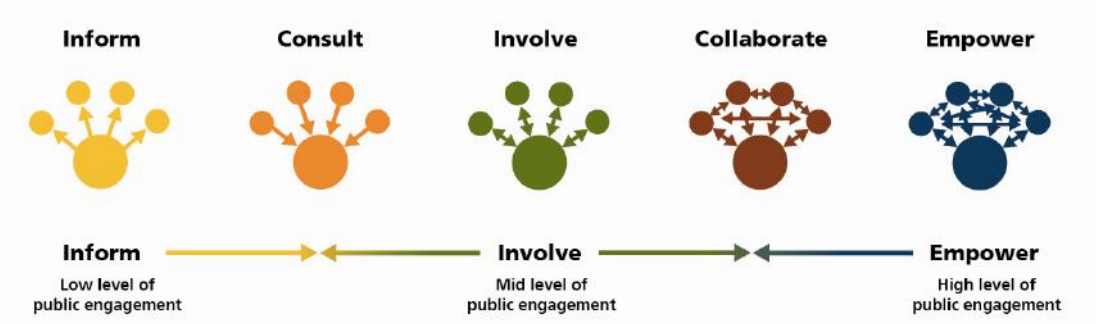
The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum to demonstrate the possible types of engagement with the community. This model also shows the increasing level of public impact as you progress through the spectrum from left to right - 'inform' 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 effective community engagement.

When engaging with the community, Council will:

- Seek out and encourage contributions from people who may be affected by or interested in a decision,
- Provide reasonable access to relevant, timely and balanced information so people can contribute in a meaningful way,
- Provide a variety of appropriate ways and opportunities for people to have their say,
- Tell the community what Elected Members' decision is and the reasons for that decision, and
- Provide a clear record or description of the relevant decisions made by Elected Members and explanatory material relating to the decision.



Ngā tūmomo hanga o te whakapānga|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 the following issues requiring decisions:

- Adoption or amendment of the long term plan (sections 93(2) and 93A).
- Making, amending or revoking a bylaw that Council identifies using this policy as having significant interest to, or significant impact on, the public (section 156(1)(a)).

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

For such consultation, Council will develop information fulfilling the requirements of Section 82A of the LGA.

For all other issues, the following table 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.

Ngā utauta me ngā āhua ā-mahi o te whakapānga|Engagement tools and techniques

Over the time of decision making, Council may use a variety of engagement techniques on any issue or proposal and the tools may be adapted 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 other engagements underway, and combined initiatives will be utilised where appropriate to maximise efficiencies and to alleviate 'consultation/engagement fatigue'.

Each situation will be assessed on a case-by-case basis.

Level	Inform	Consult	Involve	Collaborate	Empower
What the consultation involves	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.	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	The final decision making is in the hands of the public, however, under the LGA, the Regional Council Chair and Councillors are elected to make decisions on behalf of their communities.
Types of issue that we might use this for	Flood warnings Annual Reports Civil Defence preparedness	LTP consultation Drainage Infrastructure funding	Regional Policy Statement Regional Plan	Healthy Rivers: Plan for Change/Wai Ora: He Rautaki Whakapaipai Catchment planning	Local body elections
Tools we might use	Websites Social media Apps (e.g. Antenno) Digital and/or print advertising Newsletters Public notices Subscribed email/text alerts	Formal submissions and hearings Social media Apps (e.g. Antenno) Digital and/or print advertising EngagementHQ Newsletters Websites Public notices Focus groups, surveys.	Websites EngagementHQ Workshops Focus groups Citizen's panels	Websites EngagementHQ Collaborative stakeholder group Technical alliance Citizen's assemblies	Binding referendum Local body elections
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 and Council 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.	Council would generally involve the community throughout the process - at the start to scope the issue, throughout the information collection, and to consider options.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process. e.g. typically, a month or more.