



Significance and Engagement Policy



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poriruacity

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Introduction

We want to make sure that the choices we make, meaningfully consider the views of tangata whenua, residents, businesses and community groups who live, work and play in our city. We engage with our communities every day in many ways - sometimes, this is us providing information or services, and at other times it's us asking our communities for feedback to help inform decisions we make about the city.

The way we engage is usually set by legislation in the Local Government Act and there are many formal steps to follow. Sometimes, depending on the level of significance, we can engage more informally but we usually combine the two methods.

Purpose of this Policy

- Clarifies how and when communities can expect to be involved in decision-making
- Enables the Council and communities to identify the degree of significance (importance) of issues, proposals, assets, decisions, and activities the city is considering
- Guides how we engage with communities about important Council decisions

What's in it

- Outlines how we decide what issues, proposals, decisions, assets, and activities are significant
- Sets out how and when communities can expect to input into Council's decision-making processes
- Describes the criteria, thresholds and guidelines that we'll use to assess significance

Why we need a policy

As a Council we are responsible for making decisions about our city. Outcomes from these decisions will affect residents in different ways. It is important for people who are likely to be affected to know about what may happen and to have an opportunity to tell us what they think.

The legal requirement for the Significance and Engagement Policy under Section 76AA of the Local Government Act 2002 (LGA) is part of the broader legal framework for local government. Section 80 of the Act will apply if the Council's decision is significantly inconsistent with this policy or any other enactment. Under section 80 of the LGA, if Council makes a decision that is significantly inconsistent with this policy, it must clearly identify the inconsistency, the reasons for the inconsistency, and any intention to amend the policy to accommodate the decision.

Consultation principles

If we determine that consultation is required, we will carry out consultation in a way that meets the principles in section 82 of the LGA.

Commitment to Māori

Council will make sure processes are in place when consulting with Māori.

Open-mindedness and fairness

Council will receive community views with an open mind and give due consideration to those views when making decisions.

Clarity

Council will provide clear information about the purpose of consultation, and the scope of the decision Council will make after considering the community views.

Accessibility

Council will provide access to relevant information, in a form people can understand. This means we need to engage in ways that show we understand the make-up of our communities, respecting cultural and individual differences.

Encouragement

Council will encourage people to present their views.

Opportunity

Council will provide reasonable opportunity for people to present their views in a way that suits those people's needs and preferences.

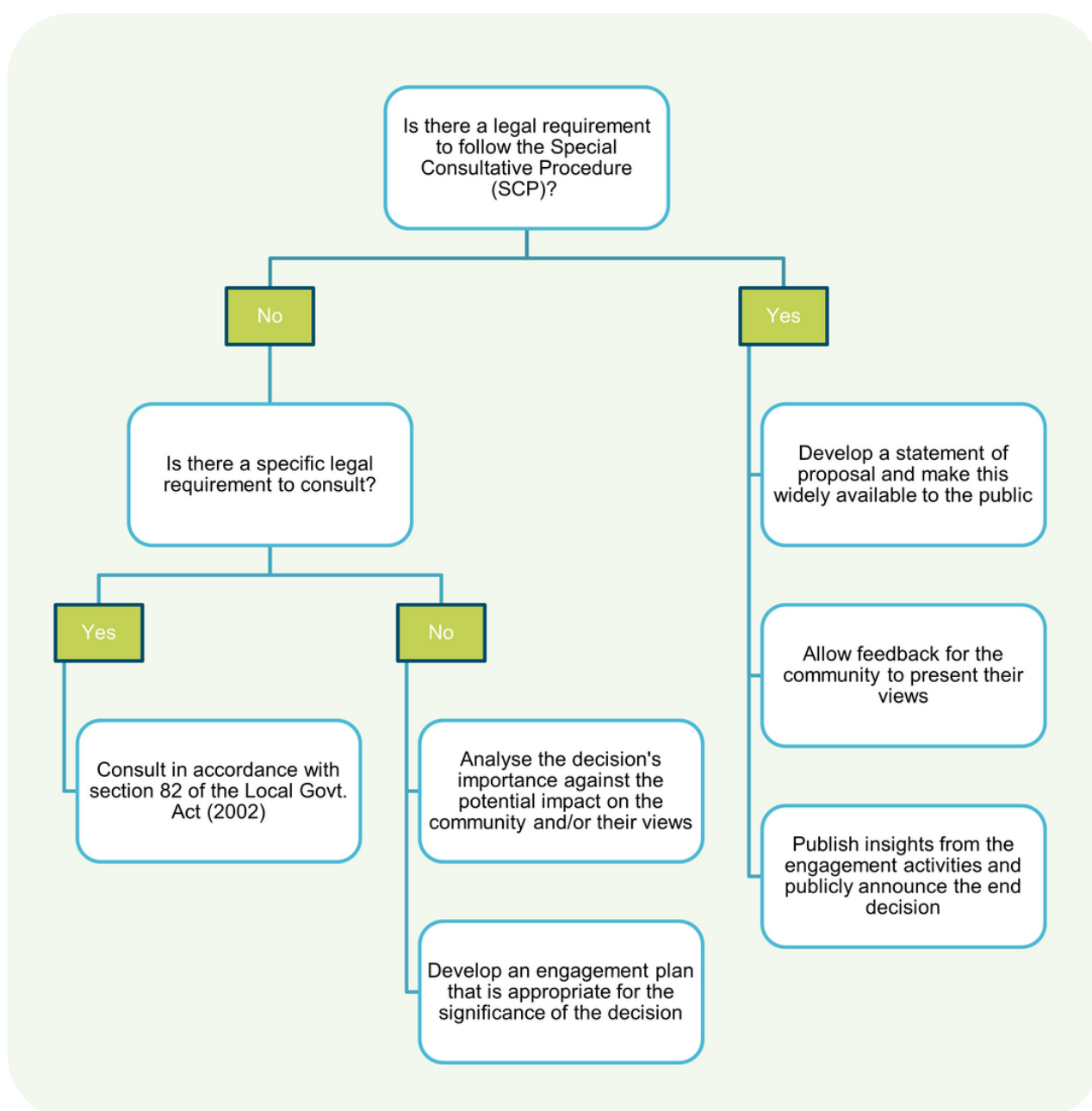
Transparency

Council will provide access to a clear record of decisions made and available explanatory materials.

Determining how we engage

The appropriate level of engagement can be determined using the Community Engagement Guide (Schedule 4) after the level of significance of a matter for proposal or decision has been determined using this policy. Our mana whenua play a key role in the decisions we make in Porirua City. We engage with Ngāti Toa through their iwi authority, Te Rūnanga O Toa Rangatira. The Council and Te Rūnanga have signed a partnership agreement and any engagement activity on behalf of Council must consider the impact on mana whenua early in the engagement planning process.

The following flowchart illustrates steps we will take to determine the most appropriate engagement pathway for any decision.



SCHEDULE 1: DETERMINING SIGNIFICANCE

For every decision that Council makes, we need to work out how important or significant it is for our community. We have criteria to help us to do this. Even if we find that consultation is not required, we will take the community's view and preferences into account during the decision-making process.

Council officers will provide the following information in Council reports to help with decision-making:

- The degree of significance of the issue
- Whether the decision involves strategic assets (Schedule 3)
- The appropriate level of engagement given the level of significance
- An engagement approach/plan.

Three of the eight criteria have thresholds that, if met, mean that the matter for decision is of high significance. If any of these thresholds are met, the matter for decision would most likely be included in a draft Annual Plan or Long-term Plan and would therefore be consulted on via a SCP.

The three criteria and their respective thresholds are:

- Impact on level of service (including commencing or ceasing an activity)
- Changes in net cost (capital expenditure exceeding 1% of total value of Council's assets or operational expenditure exceeding 5% of Council's total operating expenditure)
- Strategic assets - transfer of ownership or control, disposal or abandonment.
- The criteria are not of equal weight in determining the level of significance

The assessment will in most circumstances be applied to the criteria as a set, and a decision reached based on the overall picture on the level of significance.

We will take a precautionary approach to determine the overall significance of a matter if one criterion registers as significant and the others are marginal; or many or all criteria register as just below "significant".

Significance Criteria

This table provides additional information on the set of criteria that we will use to determine the significance of a matter.



Yes	Is the matter identified in the adopted Long-term Plan or Annual Plan?	No	If the matter is identified in the adopted Long-term Plan or Annual Plan, it is likely to be considered "less significant" because consultation may have already taken place. If a matter is not included in either plan, the issue should be treated as being "more significant".
Low	What is the level of community interest?	High	The higher the degree of community interest in a matter for a proposal or decision, the greater the degree of significance and need for engagement. This includes considering those affected by or with an interest in social, economic, environmental, and cultural-related decisions.
No	Is there interest to Māori?	Yes	Council has a partnership agreement with Ngāti Toa through Te Rūnanga o Toa Rangatira. The level of interest to Māori for a particular matter for proposal or decision, and the appropriate level of engagement, will be determined in discussion with Te Rūnanga o Toa Rangatira. We will also need to consider engaging with Māori in Porirua that have other iwi affiliations.
Low	What is the level of impact on affected individuals and groups?	High	Generally, the greater the impact on affected individuals and groups, the greater the significance and need for engagement. We need to consider the impact on, and opportunities to engage with, different age groups (including children and young people), ethnic communities (particularly with English as a second language), community groups and social service organisations.
Yes	Will the outcome be reversible?	No	The outcomes of some decisions are difficult to reverse (eg, industrial development, subdivision, new road, reclamation) and need careful consideration. In general, the degree of significance will increase as the difficulty of reversing the outcome increases.
Low	What is the impact on the Council's levels of service? *	High	In general, the greater the impact of a decision on the Council's level of service for an activity (or group of activities) the greater the significance and need for engagement. Impacts can include adjustments to how we carry out an activity, a decision to stop or start an activity, or an option that could significantly hinder our capacity to carry out any activity listed in our Long-term Plan, either directly or indirectly. *Threshold: The significant alteration to the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity.
No	Will the outcome result in a change in the net cost to the Council? *	Yes	In general, the higher the cost to the Council, the greater the degree of significance. If the outcome of a matter for proposal or decision will result in no or low net cost, it will be regarded as "less significant". With this criteria, there is a threshold to trigger more analysis, planning and engagement when operational and capital expenditure is involved. *Threshold: Any one issue, asset, or other matter that will incur capital expenditure exceeding 1% (\$20 million) of the total value of Council's assets or operational expenditure exceeding 5% (\$7.1 million) of Council's total operating budget for that year.
No	Is a Council Strategic Asset involved? *	Yes	If a Council strategic asset is involved (Schedule 3) then the matter will be treated as being "more significant", particularly if it involves the transfer of ownership or control, or the disposal or divestment of the asset. *Threshold: The transfer of ownership or control, or the disposal or abandonment, of a strategic asset as defined by the LGA 2002 or listed in this policy.

SCHEDULE 2 – LOCAL GOVERNMENT STATUTORY FRAMEWORK

The purpose of local government is set out in s.10 of the Act, to:

- (a) enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Section 76-81 of the Act sets out the requirements for local government decision-making; s.82-87 sets out principles for consultation, information requirements for consultation and the SCP.

In making decisions and performing its work, local government needs to consider and show evidence that it has considered several factors when making decisions.

These factors include:

- identifying and assessing all reasonably practicable options
- quantifying benefits and costs
- taking into account those affected by or having an interest in the decision or matter
- determining the amount of information to be provided
- providing evidence of compliance with the significance and engagement policy
- providing processes to encourage and engage with Māori
- acting in accordance with the principles relating to local authorities (set out in s.14 of the Act) including:
 - being aware of, and having regard to, the views of its communities
 - taking account of the diversity of the community and its interests
 - taking account of the interests of current and future generations
 - prudent stewardship and efficient and effective use of resources
 - taking a sustainable development approach that reasonably foresees the needs of future generations which includes considering the social, economic, and cultural wellbeing of communities and the need to enhance the quality of the environment.

SCHEDULE 3 – STRATEGIC ASSETS

Section 76AA (3) of the Local Government Act requires the Significance and Engagement Policy to list the assets we consider are strategic assets.

A strategic asset is any asset that we need to maintain our capacity to achieve or promote the strategic direction (outcomes, priorities, key projects) that are important to the current or future wellbeing of Porirua City. The definition applies to the assets because the asset delivers the service. Consideration will still be given, however, to determine whether a matter affecting a component might substantially affect our ability to deliver the service. Under s.97(2)(a) of the Act, any decision to transfer the ownership or control of a strategic asset to or from the Council can only be made if the decision has been explicitly provided for by a statement of proposal in the Council's Long-term Plan.

We consider the following assets in their entirety to be strategic assets:

- Road network
- Water network
- Wastewater network
- Wastewater treatment plant
- Stormwater network
- Reserves network
- Landfill
- Whenua Tapu crematorium
- Te Rauparaha Arena
- Pātaka Art + Museum
- Library network

For example, the road network is strategic, but small parcels of land that make up the road network generally will not be, and the purchase or sale of such small pieces of land may not amount to significant decisions.

There may be instances where central government legislation dictates how we manage our assets (eg. water reform) and this may affect how we consult with our communities about these changes.

SCHEDULE 4 – COMMUNITY ENGAGEMENT GUIDE

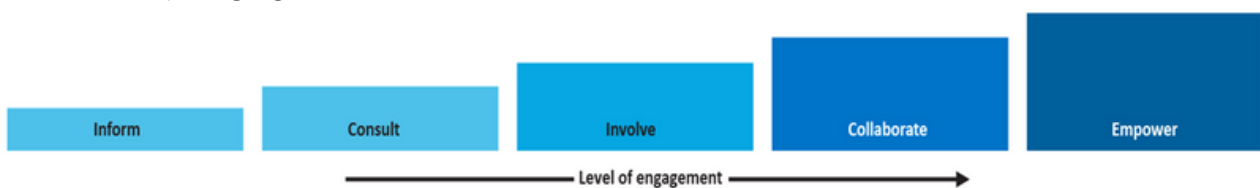
There are many ways that Council can engage communities in its decision making. This section goes into more detail about the legislative requirements that Council must follow in some situations. It also describes Council's approach to carrying out engagement, which is based on the International Association of Public Participation (IAP2) framework. Read more about [IAP2 here](https://cdn.ymaws.com/www.iap2.org/resource/resmgr/communications/11x17_p2_pillars_brochure_20.pdf) https://cdn.ymaws.com/www.iap2.org/resource/resmgr/communications/11x17_p2_pillars_brochure_20.pdf.

Our commitment

When engaging with the community, the Council will:

- Seek the views of people who may be affected by, or interested in, a decision.
- Provide relevant, timely and balanced information so people can contribute in a meaningful way
- Provide appropriate ways for people to have their say.
- Tell the community what we decide, and why, after the decision has been made
- Consider feedback from communities during previous engagement activities to inform planning

The International Association for Public Participation has developed a public participation spectrum to demonstrate the types of engagement with the community. In general, the more significant an issue, the greater the need for community engagement.

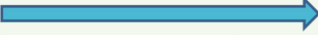


Using the IAP2 spectrum, an issue of low significance would tend towards the left side of the spectrum under 'inform'. An issue of higher significance, with likely greater public impact, needs higher-quality information and more opportunities to be informed and provide feedback. Issues of higher significance tend towards the right side of the spectrum.

Forms of engagement

We can use a variety of engagement techniques during the decision-making process. These can be tailored to consider the history of the matter, the current level of public awareness (prior knowledge), the range of stakeholders involved, the relationship to other events (eg, opportunities for collaboration with Council engagement practitioners) and budgetary constraints. We acknowledge the needs of our diverse communities, and we will take these into consideration during our planning process.

The following table provides examples of different levels of engagement that may be appropriate, the tools that might be used, and general timing for issues other than those listed above.

Increasing level of impact and engagement 					
Level of engagement	Inform	Consult	Involve	Collaborate	Empower
What does this level of engagement involve?	The Council provides balanced and objective information to help understand the problem, alternatives, opportunities, and solutions	Two-way communications: for the Council to provide information and public feedback on analysis, alternatives, and decisions	Participatory process to help identify issues and views to ensure that concerns and aspirations are consistently understood and considered in decision-making	Working together to develop an understanding of issues and interests to work out alternatives and identify preferred solutions	Placing final decision-making in the hands of the public
Types of issues that we might use this level of engagement for	Local water restrictions; road closures; promotion of events	Rates review; change to bylaws; Local Alcohol Plan	Changes to the Porirua District Plan	Te Awarua-o-Porirua Harbour Strategy	Deciding election voting systems (eg, STV, FPP)
Tools the Council might use for this level of engagement	Websites; information flyers; public notices in newspapers	Formal submissions and hearings. focus groups; surveys	Workshops; Focus groups; citizens' panels	External working groups (involving community experts)	Binding referenda; Local body elections
When the community can expect to be involved for this level of engagement	Generally, once a decision is made	The Council would advise the community once a draft decision is made with a proposal and generally provide up to four weeks to participate and respond	The Council would generally provide the community with earlier involvement and discussion of the issues and describing contributing factors	The Council would generally involve the community at the start to help scope the issue, after information has been collected and when options are being considered	The Council would generally provide the community with more time and information to allow involvement

Special Consultative Procedure (SCP)

In some cases, the law says that Council must use a more formal process for engagement requiring specific procedures to be followed. This is known as a Special Consultative Procedure.

The SCP requires a council to prepare and adopt a statement of proposal. The council must make the statement of proposal publicly available and describe how and when the public can share their views with the council. The dates for the sharing of views must be not less than one month after issuing the statement of proposal.

The council is required to undertake a SCP as set out in section 83 of the Act in the following circumstances:

- adoption or amendment of a Long-term Plan (s.93A of the Act)
- adoption, amendment, or revocation of bylaws (s.156(1)(a) of the Act) if of significant interest to the public or there is, or is likely to be, a significant impact on the public
- adoption, amendment, or revocation of a Local Alcohol Policy
- adoption or review of a Local Approved Products (Psychoactive Substances) Policy
- adoption or review of a Class 4 venue policy under the Gambling Act 2003
- preparation, amendment or revocation of a waste management and minimisation plan; and
- where other Acts require it (eg, Reserves Act 1977).

Council will consider implications of legislative changes that impact the SCP.

Unless already explicitly provided for in the Long-term Plan, we will seek to amend our Long-term Plan using SCP, when proposing to:

- Significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity
- make changes in net cost (capital expenditure exceeding 1% of total value of Council's assets or operational expenditure exceeding 5% of Council's total operating expenditure) or;
- transfer the ownership or control of strategic assets, as listed in Schedule 2.

In these circumstances we will develop information that meets the requirements of s.82A of the Act, making this available to the public, allowing submissions for a period of up to four weeks, and will consider all submissions prior to making decisions.