

DRAFT SIGNIFICANCE AND ENGAGEMENT POLICY

Purpose

This policy is required under **Section 76AA** of the Local Government Act 2002. It sets out:

- How Greater Wellington Regional Council will assess the relative importance of decisions or matters in terms of the likely impact or consequence
- How Greater Wellington Regional Council will engage with the community as part of the decision-making process.

General approach

- a. Engaging with the community is important to understand the views and preferences of people likely to be affected by or interested in a proposal or decision.
- b. The degree of importance of proposals and decisions, and the appropriate level of engagement, will be considered in the early stages of the decision making process and, if necessary, reconsidered as a proposal develops.
- c. The level of engagement with the community will reflect the significance of the proposal and the need for public involvement.

Determining significance

- d. Greater Wellington Regional Council will consider each proposal or decision in relation to issues, assets and other matters on a case-by-case basis to determine its significance.
- e. When determining the **degree of significance**, Greater Wellington Regional Council will consider the extent to which the matter:
 - (i) is likely to affect the current and future social, economic, environmental and cultural well-being of the Wellington region
 - (ii) is likely to affect residents or ratepayers (proposals with a moderate impact on a large number of residents or ratepayers, or proposals with a major impact on a small number of residents or ratepayers will have greater significance than those of a minor impact)
 - (iii) has a history of generating public concern within the Wellington region or New Zealand generally
 - (iv) is likely to affect Greater Wellington Regional Council's capacity to perform its role (proposals that affect Greater Wellington Regional Council's capacity to perform its role and carry out its existing activities, now and in the future, will have greater significance than those that do not).
- f. Greater Wellington Regional Council will consider a decision or other matter to be **significant** if it is assessed to:
 - (i) have a high degree of significance (based on an assessment of the factors set out above); or,
 - (ii) it meets any one or more of the following criteria:
 - The proposal substantially affects Greater Wellington Regional Council's ability to deliver the levels of service outlined in its Long-Term Plan

- The proposal results in the transfer of ownership or control of a strategic asset as defined by the Act or listed in this policy (see Schedule 1).
- g. Greater Wellington Regional Council officers will use decision-making guidelines to assist them to provide advice to the Council on the significance of decisions.

Engagement

Special consultative procedure

- h. The Council will use the Special Consultative Procedure (as set out in section 83 of the LGA 2002) where required to do so by law (Refer to Table 3 of Schedule 2 to this policy).

Engagement on all other matters

- i. Any consultation that is carried out by Greater Wellington Regional Council will be in accordance with the principles of consultation set out in section 82 of the Act.
- j. Greater Wellington Regional Council will carry out consultation on those matters or decisions where required to do so by law.
- k. Where not required by law to consult on a particular matter or decision, the need for consultation and the appropriate extent and form of any engagement will be assessed and determined by Greater Wellington Regional Council on a case by case basis.
- l. In general, the more significant an issue, the greater the need for community engagement.
- m. Matters that are in accordance with Greater Wellington Regional Council's Long-Term Plan, or are specified within another policy or plan that has been subject to public consultation as required by the Act or other legislation will not usually require further engagement.
- n. The 'Community Engagement Approach' (Schedule 2 to this policy) provides further guidance as to the approach that Greater Wellington Regional Council will take in determining the appropriate level and method of engagement and how this responds to community preferences on engagement.

Engagement with Māori

- o. Greater Wellington Regional Council has appropriate processes for consulting with Māori.¹

Reporting

- p. Every report to the Council (or its committees) that seeks a decision will include a statement of the significance of the decision and any engagement that is proposed or has been undertaken, assessed under this policy and in accordance with the relevant guidelines.
- q. When Council makes a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the Local Government Act 2002 will be undertaken.

Feedback

- r. Information relating to the final decision will be provided in a form appropriate to the significance of that decision and the level and form of the engagement.

¹ A Greater Wellington Regional Council Māori Engagement Strategy is currently being developed on a similar timeframe to the development of the 2015 Greater Wellington Regional Council Long Term Plan.

SCHEDULE 1– STRATEGIC ASSETS

Section 5 of the Local Government Act defines "strategic asset" as including the following:

- 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

Assets and groups of assets that Greater Wellington Regional Council holds and considers to be strategic assets are:

- Greater Wellington Regional Council's regional bulk water supply network, including storage lakes, treatment plants, pipelines and reservoirs
- Greater Wellington Regional Council's flood protection assets on the region's major waterways, including stopbanks
- Greater Wellington Regional Council's regional parks and forests network (including water supply catchments)
- Greater Wellington Regional Council's plantation and reserve forest lands (taken as a whole)
- Greater Wellington Regional Council's ownership interest in CentrePort Limited (being the shares held by Port Investments Limited)
- Greater Wellington Regional Council's harbour navigation aids and communications systems (taken as a whole)
- Greater Wellington Regional Council's rail rolling stock and other rail infrastructure required for the operation of the passenger rail system in the region (taken as a whole) held via the WRC Holdings Group.

In addition, Greater Wellington Regional Council is a joint settlor with the Wellington City Council of the Wellington Regional Stadium Trust and although it has no ownership interest in the Stadium Trust, Greater Wellington Regional Council considers the stadium to be a strategic asset of the region.

A decision to transfer ownership or control of a strategic asset cannot be made unless it has first been included in the Long-Term Plan (and in a statement of proposal relating to the Long-Term Plan).

Acquisition or disposal of a component of a strategic asset will not trigger this provision, unless it is considered that the component is an integral part of the strategic asset and that its acquisition or disposal would substantially affect the operation of the strategic asset.

SCHEDULE 2 – COMMUNITY ENGAGEMENT APPROACH

Engagement approach

Community engagement is a process, involves all or some of the community and is focussed on decision-making or problem-solving. GWRC recognises the value of community engagement and uses the following definition:

Community engagement is the process of ensuring that communities of people within our region are able to be involved through a range of mechanisms in the planning, development and delivery of programmes and services affecting their communities. It includes the provision of timely, accessible and complete information; appropriate forms of consultation; and enabling communities to actively participate in influencing decision-making and service delivery where applicable.

GWRC has adopted a public participation spectrum to demonstrate the possible types of engagement with the community, adapted from work of the International Association for Public Participation. This model shows the increasing level of public impact as you progress through the spectrum from left to right - 'informing' through to 'collaborating'. 'Informing' stakeholders has no expectation of receiving feedback, and consequently there is a low level of public impact. At the other end of the spectrum, 'collaborating' with stakeholders 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.

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

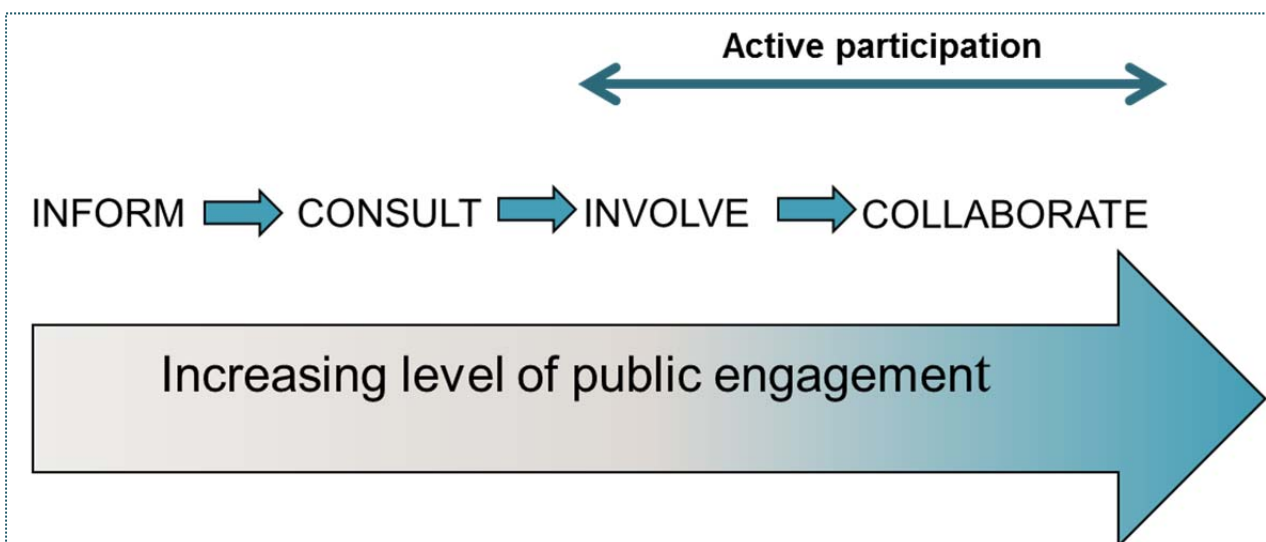


Figure 1: public participation spectrum

Community preferences for engagement

Community views about consultation and engagement preferences were sought as part of the Long Term Plan development process.

The feedback received included:

- For *major initiatives and decisions*, there was a clear preference for online engagement tools. However, some people would still like to use formal submission and hearing processes or focus groups and community workshops for these matters. Around 10% of respondents preferred consultation to be kept to a minimum.
- For *other initiatives and decisions*, there is a lower preference for formal submissions and hearings and more respondents would prefer consultation to be kept to a minimum.
- Need for more representative methods of obtaining views and feedback – such as surveys - to ensure views of majority are better reflected and consultation is not dominated by small groups of individuals or interest groups.
- Need for time efficient engagement tools to enable more people to contribute.
- Need to have options for those without access to the internet to provide feedback.
- Early and open minded engagement before options are developed and decisions made were sought by some, who felt consultation processes are not always meaningful.

GWRC will have regard to these preferences when considering the appropriate engagement method for a particular matter.

Table 1: Characteristics and examples of different levels of engagement

Inform	Consult	Active participation	
		Involve	Collaborate
<p>One-way communication providing information that is accurate, relevant and easy to understand about something that is going to happen or has happened.</p>	<p>Two-way process designed to obtain public feedback about issues and proposals initiated and defined by GWRC to inform decision making.</p>	<p>Two-way participatory process which involves working directly with community members. Participants have opportunity to actively identify issues and options to ensure that their concerns and aspirations are understood and considered prior to decision-making.</p>	<p>Working in partnership with the community in each aspect of the decision-making process, to ensure understanding of all issues and interests and develop alternatives and identify preferred solutions.</p>
<p>Example – <i>Issue:</i> Household emergency plans and preparedness <i>Tools:</i> Leaflets, local newspaper articles, website information <i>When:</i> Following the development of information and guidance</p>	<p>Example – <i>Issue:</i> Annual Plan <i>Tools:</i> Submissions and hearings process <i>When:</i> When a draft Plan has been developed</p>	<p>Example – <i>Issue:</i> Parks Network Plan amendment - Baring Head/Ōrua-pouanui <i>Tools:</i> Focus groups and online discussion forum to identify issues and develop options. <i>When:</i> At an early stage, prior to a draft plan being developed.</p>	<p>Example – <i>Issue:</i> Regional Plan development <i>Tools:</i> Whaitua Committee approach – form of community advisory committees <i>When:</i> Regularly throughout the process</p>

Potential engagement tools and techniques

The following table has been developed to provide examples of the differing levels of engagement techniques that might be considered appropriate, and the types of tools that may be used at each level. The engagement techniques and particular tool/s for that technique will be decided on a case by case basis as appropriate. The technique considered appropriate may not be the highest level available within the range highlighted by the arrows below. For example, for a proposal deemed to be of medium or high significance the council may determine that consultation by way of surveys is sufficient.

Table 2: Examples of possible engagement methods

COMMUNITY ENGAGEMENT TECHNIQUES	SIGNIFICANCE		
	Low	Med	High
<p>1. Informing</p> <ul style="list-style-type: none"> • Posters, newsletters, postcards, advertising and publications • Local newspaper press releases, publications, radio and TV interviews • Public meetings, open days, exhibitions • Website or email updates • Social media updates via Twitter, Facebook, podcasts 			
<p>2. Consulting</p> <ul style="list-style-type: none"> • Submissions and hearings processes • Surveys, feedback form, polls • Interviews • Citizens panels, focus groups • Public meetings or surgeries 			
<p>3. Involving</p> <ul style="list-style-type: none"> • Meetings and workshops with interested parties to identify issues and shape options • Public visioning events, ideas competitions • Consensus conference (questioning experts before making recommendation) • Workshops, roadshows, world café • Online discussion forums • Citizens' juries and panels 			
<p>4. Collaborating</p> <ul style="list-style-type: none"> • Community advisory committee • Consensus building and participatory decision making forums 			

Table 3: Mandatory consultation

<i>Type</i>	<i>Applies</i>	<i>Engagement method</i>
<p>Special consultative procedure (Refer to s 83 of the LGA 2002)</p>	<ul style="list-style-type: none"> ▪ When adopting or amending our long-term plan ▪ When making, amending or revoking bylaws that are likely to involve significant interest or significant impact on the public ▪ When legislation other than the Local Government Act 2002 requires that it be used, e.g. section 36(2) of the Resource Management Act 1991. 	<ul style="list-style-type: none"> ▪ Prepare and adopt a statement of proposal (and summary if necessary) ▪ Make the statement of proposal publically available, along with information about how the community can present their views and the relevant timeframe (not less than one month) ▪ Distribute the proposal (and summary if applicable) as widely as is practical ▪ Provide an opportunity for views to be presented to Greater Wellington Regional Council via spoken/sign language means, which may include via an audio or audio-visual link.
<p>Other consultation specifically required by the LGA 2002 - regardless of its level of significance</p>	<ul style="list-style-type: none"> ▪ When transferring responsibilities between a regional council and a territorial authority ▪ When proposing to establish a council-controlled organisation ▪ When adopting an annual plan (which differs significantly from the content of the long-term plan) ▪ Adopting or amending a policy under sections 102, 106,108-110 of the LGA 2002 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 rate on Māori freehold land ▪ When proposing to dispose part of a protected regional park in accordance with section 139 of the Act ▪ When prescribing a fee or charge ▪ When making, amending or revoking bylaws, which have not been identified as being of significant interest or impact ▪ When adopting or amending its significance and engagement policy 	<ul style="list-style-type: none"> ▪ The engagement will be carried out in accordance with the six principles set out in Section 82 of the LGA2002 <p>These can be summarised as:</p> <ul style="list-style-type: none"> - providing people with reasonable access to relevant information - encouraging people to present their views - giving clear information on the purpose and scope of the consultation - providing reasonable opportunities for people to present their views to the local authority - receiving those views with an open mind - providing submitters with information relating to the decision. <ul style="list-style-type: none"> ▪ Information will be developed fulfilling the requirements of Section 82A of the LGA 2002 ▪ The engagement level will be at the 'consult' level described in Table 1 above as a minimum. ▪ The appropriate method of engagement will be selected following consideration

		of a number of factors such as those outlined in Table 4 below and section 82(4).
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Table 4: Other non-mandatory consultation

<i>Type</i>	<i>Applies</i>	<i>Engagement method</i>
Other non-mandatory consultation	<ul style="list-style-type: none"> ▪ When the views of the community need to be better understood in relation to any other matter or decision where consultation is not specifically identified by the LGA 2002 or other Act(s). 	<ul style="list-style-type: none"> ▪ The engagement will be carried out in accordance with the six principles set out in Section 82 of the LGA 2002 ▪ The method of engagement will depend on a number of factors and circumstances, such as: <ul style="list-style-type: none"> - Who is affected, interested in, or likely to have a view on the issue - Whether community interest is high - The extent to which the community views on the matter are known - The significance of the matter - Whether there is any good reason for withholding information - The costs and benefits of any consultation process - The community’s preferences for engagement - The circumstances in which the decision is taken or the issue arose. ▪ In some cases, the assessment of the above factors may lead to the conclusion that no engagement is required for a particular matter or decision.

Definitions

Community	<p>A group of people living in the same place or having a particular interest in common. This includes:</p> <ul style="list-style-type: none"> • Communities of place (towns, suburbs, neighbourhoods) • Communities of interest (special interest groups).
Decisions	<p>Refers to all the decisions made by or on behalf of Council including those made by officers under delegation.</p>
Engagement	<p>Community engagement is the process of ensuring that communities of people within our region are able to be involved through a range of mechanisms in the planning, development and delivery of programmes and services affecting their communities. It includes the provision of timely, accessible and complete information; appropriate forms of consultation; and enabling communities to actively participate in influencing decision-making and service delivery where applicable.</p>
Significance	<p>As defined in Section 5 of the LGA2002 “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,—</p> <ul style="list-style-type: none"> (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	<p>Significant, in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance</p>
Strategic asset	<p>As defined in Section 5 of the LGA2002 “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—</p> <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (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”