

1. What is a Significance and Engagement Policy (SEP)?

Council is required to have a SEP under [Section 76AA](#) of the Local Government Act 2002 (LGA).

The purpose of a SEP is to make sure Council takes a consistent and transparent approach in determining the significance of a decision and the appropriate level of engagement for that decision. The SEP outlines for Council and the community how we decide what issues, proposals, decisions, assets, and activities are significant. It also provides guidance on how and when communities can expect to be engaged.

Council is required to identify its Strategic Assets in its SEP - those assets or groups of assets needing to be retained by Council to achieve or promote the outcomes that Waitaki has determined to be important to the current or future wellbeing of its communities. Under the SEP, if a Council strategic asset is involved, then the matter should be treated as being “more significant,” but this does not automatically trigger consultation.

2. Why review the SEP?

Council’s SEP was adopted in November 2014. There have been no formal reviews or amendments made to this policy. The current SEP does not meet legislative requirements and is no longer fit for purpose. Since the policy was adopted, the make-up of Waitaki’s community has changed, the four community well beings have been reinstated into the LGA02 and there are a number of best practice changes that should be reflected in this policy. A new SEP is scheduled to come into effect on 1 July 2023.

3. Key changes proposed to the SEP

- an updated Strategic Assets list
- updated significance criteria
- the inclusion of significance assessment guidelines to promote consistent significance assessments

4. Council’s current Strategic Assets

- The roading network
- Water collection, treatment, and distribution systems (including water rights and resource consents)
- Stormwater and disposal systems
- Oamaru and Palmerston Landfills
- Oamaru Airport
- Oamaru Harbour Breakwater
- Community housing

5. Proposed Council Strategic Assets from 1 July 2023

- its roading network
- its water collection, storage, treatment, and distribution system
- its wastewater collection, treatment, and disposal system
- its stormwater collection and disposal system
- Ōamaru (closed) and Palmerston Landfill
- Ōamaru Airport
- waterfront facilities owned and operated by the Council at Ōamaru Harbour (see Map 1 in Schedule 1)

- all land and buildings comprising the Council's community housing stock
- Council cemeteries
- Ōamaru Public Gardens
- Alps to Ocean Cycle Trail (within Waitaki District boundaries)
- Waitaki Aquatic Centre
- Ōamaru Opera House
- Public libraries
- Waitaki Museum and Archive
- Forrester Gallery
- Shareholdings - Tourism Waitaki Limited, Waitaki District Health Services Limited, Omarama Airfield Limited, Whitestone Contracting Limited, Observatory Village Charitable Trust Group, Waitaki Whitestone Geopark Trust

6. SEP community feedback and next steps

To provide feedback on the Draft SEP and Guidelines, please refer to Council's 2023/24 Annual Plan engagement questionnaire. Council will consider community feedback on the draft policy and guidelines until 30 April 2023 in conjunction with the Annual Plan engagement campaign.

Changes will be made in response to community feedback, with a new SEP scheduled to come into effect from 1 July 2023.

Draft Significance and Engagement Policy 2023

Revision History

Date	Ver	Author/Reviewer	Description
14 March 2023	5	Victoria van der Spek	Draft Waitaki District Council Significance and Engagement Policy 2023 for community consultation – March 2023

Authorisation and Status

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1. Purpose

This Significance and Engagement Policy has been developed in response to the requirements set out in [Section 76AA](#) of The Local Government Act 2002 (the Act). The Act requires every local authority to have a policy on significance and engagement.

The purpose of the policy is to make sure Council takes a consistent and transparent approach in determining the significance of a decision and the appropriate level of engagement for that decision. Attachment 1 defines some of the words Council uses in this policy.

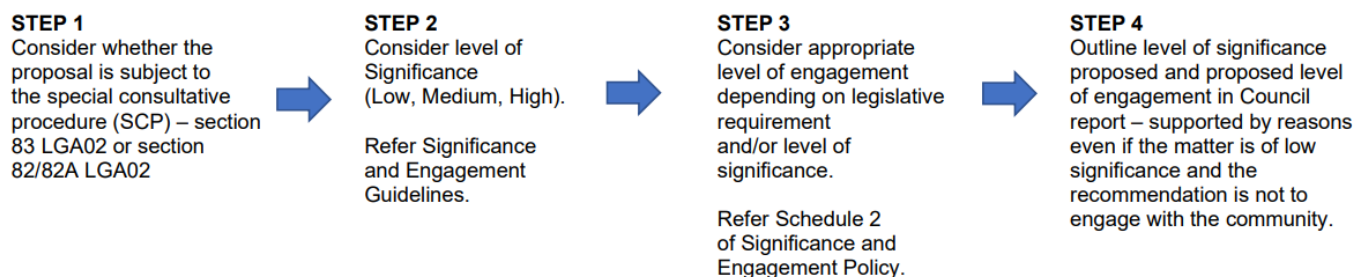
This Significance and Engagement Policy (SEP):

- guides how we engage with communities about important Council decisions;
- enables us to identify the significance that we place on decisions about issues, proposals, assets, and services; and
- provides clarity about how and when communities can expect to be engaged in decisions made by Council.

2. General approach to determining significance and level of engagement

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 Council determines that consultation is not required, community views and preferences will still be considered in the decision-making process.

Council will follow the following four-step process to inform decision-making:



3. Strategic Assets

Council’s strategic assets are those vital for delivering services to the communities of the Waitaki district.

For the purpose of this Policy, Council considers its networks and other large assets as complete single assets. It is the group of assets as a whole that delivers the service. Council needs to retain these assets to maintain its capacity to achieve or promote outcomes that it determines to be important to the well-being of the community.

The Council’s Strategic assets are set out in **Schedule 1** of this policy. The list of Strategic assets will be updated as required following changes to the Annual Plan or Long-Term Plan (LTP).

A decision to transfer the ownership or control of a strategic asset cannot be made unless it is explicitly provided for in the Council’s LTP or Annual Plan, and the public is consulted through the Special Consultative Procedure (SCP).

In emergency situations alterations to strategic assets may be required without formal consultation to:

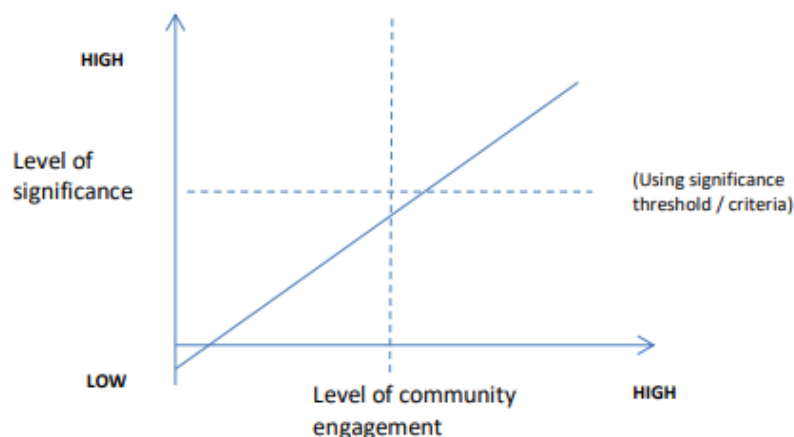
- Prevent an immediate hazardous situation arising, or
- Repair an asset to ensure public health and safety.

Any actions taken will be reported in the relevant Annual Report.

4. Criteria for Significance

The significance of an issue, proposal or decision lies somewhere on a continuum from low to high ranging from the day-to-day matters with low impact on the community, right up to those with a very high significance.

As an issue moves from left to right along the spectrum, a higher degree of significance is assigned, but past a certain point on the continuum the issue is deemed significant.



In assessing the degree of significance or significant consequences, Council will consider the following:

- **Number of people affected**
- **Level of community interest**
- **Alignment with mana whenua aspirations**
- **Consistency with Council's Strategic Framework, strategies, and significant decisions already made**
- **Impact on Council's capability to deliver agreed projects and BAU projects**
- **Net financial cost / revenue of implementation, excluding any financial impact already included in a Long-Term Plan / Annual Plan**
- **Impact on levels of service provided by Council or the way in which services are delivered**
- **Reversibility of the decision**
- **Expected impact on the performance or intended performance of Council's Strategic Assets**

Council will assess matters to be of 'low', 'medium' or 'high' significance in consideration of the above criteria.

The significance criteria will be considered collectively to make the determination on the degree of significance. It may be that only one of the criteria applies, but to such a high degree that the decision will be considered "significant". Conversely, several criteria may be applicable, but not to such an extent that the decision is of high significance.

Where the significance of a proposal or decision is unclear against any criterion, Council will treat that criterion as being more, rather than less significant.

In some cases, particularly where a decision has relatively high significance, Council may decide to consult or undertake some other form of engagement on the matter. This will be considered on a case-by-case basis.

Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed to be significant.

5. Linking level of significance to level of engagement

On every issue requiring a decision, the degree of significance will be considered using this policy. The significance of the issue, proposal or decision will influence how much time, money and effort Council will invest in exploring and evaluating options and obtaining the views of affected and interested parties. In linking the level of significance to the level of engagement it is important to find the right balance between the costs of engagement and the value it can add to decision-making.

Council will consider the extent of community engagement that is necessary to understand the community's view before a decision is made and the form of engagement that might be required. This also includes the degree to which engagement can influence the decision and therefore the value of investing in engagement (eg. if there is only one or very limited viable options such as a specific change required by new legislation).

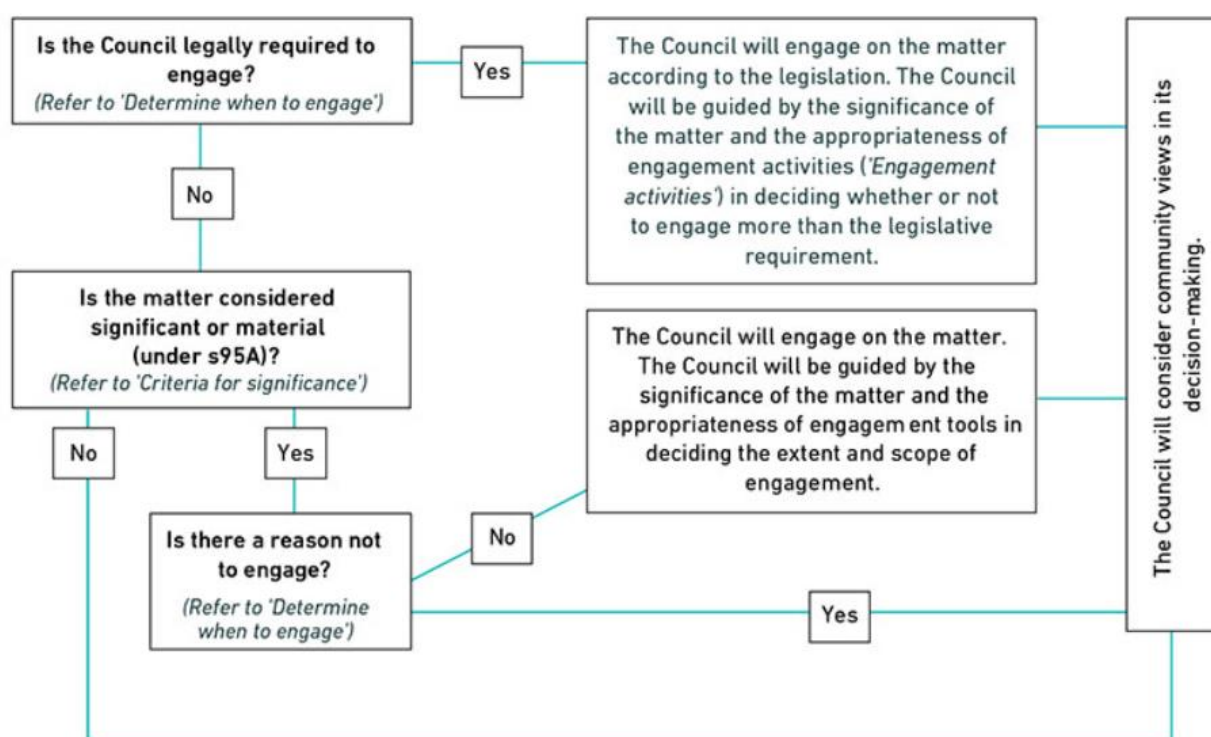
6. Determining when to engage

Engagements will be activated when there is a legislative requirement or when Council deems the level of significance is high enough to do so.

Council will use the legislative requirements as a guide as a minimum standard.

Council may choose to consult further depending on the level of significance of the matter being considered. If so, Council will consider the principles of consultation in [section 82\(1\)](#) of the Act, but only to the extent that they are consistent with the legislative requirements.

A 'significant' decision will not automatically trigger application of the SCP.



Certain instances of non-SCP consultation must comply not just with [section 82](#) of the LGA, but also [section 82A](#). This requires Council to prepare and provide a proposal-type document as part of the consultation.

For consultation that does not require a SCP, Council is required to follow the principles in section 82 of the LGA. Council must provide an opportunity for people to present their views to Council and consider submissions with an open mind.

Council will consult with the community in a way that complies with both sections 82 and 82A of the LGA for the following types of decisions:

- adopting or amending the annual plan if required under [section 95](#) of the LGA (if there are significant or material differences from the year of the LTP to which the Annual Plan relates)
- adopting, amending, or revoking a bylaw if required under [section 156\(1\)\(b\)](#) 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 SEP where Council considers that it does not have sufficient information about community interests and preferences to enable the purpose of the policy to be achieved
- 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.

7. Special Consultative Procedure

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 SCP and includes the following decisions:

- adoption or amendment of a LTP (in accordance with [section 93A](#) of the LGA, requiring the use of a special consultation document)
- unless already explicitly provided for in the LTP and having been the subject of consultation that complies with [section 93E](#) of the LGA, a decision to:
 - alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity, or
 - transfer the ownership or control of a strategic asset (as listed in **Schedule 1**).
- adoption, amendment, or revocation of bylaws, if required under [section 156\(1\)\(a\)](#) of the LGA
- adoption, amendment, or revocation of a Local Alcohol Policy
- adoption of a Local Approved Products (Psychoactive Substances) Policy
- adoption of a Class 4 Venue Policy under the Gambling Act 2003
- preparation, amendment, or revocation of a waste management and minimisation plan; and
- adoption of fees and charges where specifically required to use a SCP under relevant legislation (for example, fees and charges under section 36 of the Resource Management Act 1991).

A SCP requires Council to:

- prepare and adopt a statement of proposal;
- make sure the information is publicly available for at least one calendar month; and
- provide an opportunity for people to present their views to Council and consider submissions with an open mind.

For this type of consultation, Council must follow the principles of consultation in section 82 of the Act.

8. When Council may not engage

There are times when it is not necessary, appropriate, or possible to engage the community on a matter or decision.

The Act provides for Council to consider the practicality of undertaking extensive consultation, considering the range of options, and obtaining the views and preferences of other people. In some circumstances, failure to make an urgent decision would result in an inability to achieve the intended outcomes and a loss of opportunity.

Where an urgent decision must be made, Council will tailor its decision-making process to include as much consultation and evaluation as is practicable within the specified timeframe.

If, due to time limitations, a potentially significant decision is made without extensive consultation, Council will communicate the details of the decision to the public at a level appropriate to the nature of the matter.

Where a decision is made or is to be made that is significantly inconsistent with this policy, Council when making the decision will identify the inconsistency and the reason for the inconsistency.

Council will generally not engage:

1. When the matter is not of a nature or significance that requires consultation; or
2. When Council already has a sound understanding of the views and preferences of the persons likely to be affected by or interested in the matter; or
3. Where there is a need for confidentiality or commercial sensitivity; or
4. Where the costs of consultation outweigh the benefits of it; or
5. For organisational decisions (ie. operational matters and staff changes); or
6. Where the matter has already been addressed by Council's policies or plans, which have previously been consulted on; or
7. During emergency management situations in a State of Emergency; or
8. For any decisions that are made by delegation to officers; or
9. For an urgent, immediate, or quick response or decision is needed, or it is not reasonably practicable to engage; or
10. When works are required unexpectedly or following further investigations on projects, already approved by Council; or
11. For business as usual - the works required are related to the operation and maintenance of a Council asset and responsible management requires the works to take place; or decisions to act where it is necessary to comply with the law.

9. Engagement selection

Once the level of significance of an issue, proposal or decision has been determined, Council will consider the level and form of community engagement.

Depending on the matter being considered and the stakeholders involved, the preferred method(s) or combination of engagement tools will be identified and applied to meet the goals of the specific engagement.

The majority of Council decisions requiring consultation under this policy are likely to fall into the “inform” and “consult” categories.

When legislation warrants engagement under sections 82, 82A or 83 (Special Consultative Procedure) of the LGA02, the option is likely to be “Consult.”

A written engagement plan will generally be developed only for proposals or decisions with a high degree of significance.

10. Engagement principles

Council will endeavour to apply the following general principles to community engagement:

- *Appropriate* – Council will determine the appropriate level of engagement on a case-by-case basis, according to the degree of significance.
- *Genuine* – Engagement will be based on an open mind to community feedback and willingness to listen before making decisions.
- *Timely* – Where reasonably practicable, Council will give the community a timely opportunity to have a say.
- *Informed* – Council will seek to ensure the community can give informed feedback and wherever possible enable the community to consider options relating to the decision.
- *Balanced* – Council will weight consultation or engagement feedback accordingly with other considerations.
- *Two-way* – Council will always provide feedback to those who made the effort to give us their opinions and will explain our decisions.

11. Methods of engagement

Once the appropriate level of engagement has been assessed, Council will then consider the range of engagement methods that are appropriate utilising the International Association of Public Participation engagement spectrum.

Council will select the method it considers appropriate in the circumstance, taking into account a range of factors, such as who is affected or who is likely to have a view. Council will remain flexible in its approach to engagement, to ensure that the most appropriate methods are used.

A summary of engagement options is found in **Schedule 2**.

Attachment 1 - Definitions

Community	A group of people living in the same place or having a characteristic in common. Includes interested parties, affected people and key stakeholders.
Decisions	Refers to all the decisions made by or on behalf of Council including those made by officers under delegation.
Engagement	Talking to you and getting your feedback. Engagement is a process which involves all or some of the community and is focused on better understanding views and preferences relevant to Council's decision-making or problem-solving. There is a continuum of engagement.
Significance	As defined in Section 5 of the Act: <i>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,—</i> <i>(a) the current and future social, economic, environmental, or cultural well-being of the district or region:</i> <i>(b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter:</i> <i>(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.</i>
Significant	How important is it As defined in Section 5 of the Act, <i>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.</i>
Special consultative procedure	A formal consultation process prescribed in section 83 of the Act that must be used to consult on certain matters and can be chosen by the Council to consult on other matters as considered appropriate.
Strategic asset	As defined in Section 5 of the Act: <i>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</i>

	<p><i>community and includes—</i></p> <p><i>(a) any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and</i></p> <p><i>(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</i></p> <p><i>(c) any equity securities held by the local authority in—</i></p> <p><i>(i) a port company within the meaning of the Port Companies Act 1988:</i></p> <p><i>(ii) an airport company within the meaning of the Airport Authorities Act 1966.</i></p>
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SCHEDULE 1: WAITAKI DISTRICT COUNCIL STRATEGIC ASSETS

Council has identified the following Strategic assets. This list will be updated as required following any changes to the Annual Plan or LTP.

- a) its roading network
- b) its water collection, storage, treatment, and distribution system
- c) its wastewater collection, treatment, and disposal system
- d) its stormwater collection and disposal system
- e) Ōamaru (closed) and Palmerston Landfill
- f) Ōamaru Airport
- g) waterfront facilities and assets owned and operated by the Council at Ōamaru Harbour (see Map 1)
- h) all land and buildings comprising the Council's community housing stock
- i) Council cemeteries
- j) Ōamaru Public Gardens
- k) Alps to Ocean Cycle Trail (within Waitaki District boundaries)
- l) Waitaki Aquatic Centre
- m) Ōamaru Opera House
- n) Public libraries
- o) Waitaki Museum and Archive
- p) Forrester Gallery
- q) Shareholdings - Tourism Waitaki Limited, Waitaki District Health Services Limited, Omarama Airfield Limited, Whitestone Contracting Limited, Observatory Village Charitable Trust Group, Waitaki Whitestone Geopark Trust

Map 1:

*Area of focus - waterfront facilities and assets owned and operated by the Council at Ōamaru Harbour



SCHEDULE 2: ENGAGEMENT OPTIONS

Inform – *To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.*

Examples of the tools Council may use include:

- email newsletter to local communities and networks
- information flyer to neighbourhoods
- public notices and information in community
- newspapers
- website

Consult – *To obtain public feedback on analysis, alternatives and/or decisions.*

When legislation warrants engagement – refer LGA02 sections 82, 82A and 83 (Special Consultative Procedure)

Examples of the tools Council may use include:

- formal submissions and hearings
- focus groups
- community meetings
- online opportunities to submit ideas/feedback

Involve – *To work directly with the public throughout the process to ensure that public concerns and aspirations are consistency understood and considered.*

Examples of the tools Council may use include:

- workshops, focus/stakeholder group meetings
- public meetings
- drop-in sessions
- online surveys/forums

Collaborate – *To partner with the public in each aspect of the decision including the development of alternatives and identification of the preferred solution.*

Examples of the tools Council may use include:

- external working groups involving community experts
- community advisory groups and forums
- other forums



Significance Assessment Guidelines

Revision History

Date	Ver	Author/Reviewer	Description
14 March 2023	5	Victoria van der Spek	Draft Waitaki District Council Significance Guidelines 2023 for community consultation – March 2023

1. Roles

Elected members	<ul style="list-style-type: none">• Due consideration of the assessment of significance and engagement prior to any resolution on an issue• Endorse degree of significance of an issue• Endorse linking level of significance to appropriate levels of engagement• Determine whether to engage• Confirm how much time, money and effort Council will invest in exploring and evaluating options and obtaining the views of affected and interested parties
Executive Leadership Team	<ul style="list-style-type: none">• Ensure that engagement with the community meets the degree of significance determined by Council
All Council staff	<ul style="list-style-type: none">• Ensure that the policy is given full effect• Undertake an assessment of the issue in the earliest stages of a proposal against the SEP• All decision-making reports presented to Council will include a summary of the assessment of significance, and the recommended corresponding level of engagement <p><i>Note: This does not apply where officers are implementing Council policies, projects and programmes already determined by Council where engagement has already been agreed.</i></p>

2. Significance assessment guidelines

The significance criteria should be considered collectively to make the determination on the degree of significance.


As a general guide, decisions may be significant when:


- There is a **high** score for **two or more criterion**; and/or
- There is a **medium** score for **four or more** criterion


Where the significance of a proposal or decision is unclear against any criterion, this criterion will be treated as being more, rather than less significant.


In some cases, particularly where a decision has relatively high significance, Council may decide to consult or undertake some other form of engagement on the matter. This will be considered on a case-by-case basis.

Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed to be significant.

#	Criterion	Degree of Significance			
					
		Low	Medium	High	Score – Low, Medium or High
1	Number of people affected	<i>Small number of people affected</i> <i>eg. a site or part of a neighbourhood.</i>	<i>eg. a small town, a rural community or neighbourhood.</i>	<i>Large number of people affected</i> <i>eg. a Ward, Ōamaru town or the entire District.</i>	
2	Level of community interest (the expected level of community interest, opposition or controversy)	<i>Consistent community agreement / views or generally low historic community interest.</i>	<i>Some community agreement / some historic community interest.</i>	<i>Divided community views / controversy / opposition / or strong historical community interest.</i>	
3	Alignment with mana whenua aspirations Refer Council Policy - Māori contribution to decision-making, WDC Partnership Agreement with mana whenua (currently under development), Waitaki Iwi Management Plan	<i>Full support from mana whenua.</i>	<i>Some support from mana whenua.</i>	<i>Limited or no support from mana whenua.</i>	

#	Criterion	Degree of Significance			
					
		Low	Medium	High	Score – Low, Medium or High
4	Consistency with Council's Strategic Framework, strategies, and significant decisions already made	Consistent with Council's Strategic Framework, Annual Plan / Long-Term Plan direction, policies and / or other big decisions already made by Council.	Considered by Council but no formal decision made.	New issue or proposal never considered by Council.	
5	Impact on Council's capability to deliver agreed projects and BAU projects	Short-term (less than 1 year).	Medium-term (1-3 years).	Long-term (greater than 3 years).	
6	Net financial cost / revenue of implementation, excluding any financial impact already included in a Long-Term Plan / Annual Plan	Net capital expenditure up to 2% of total rates in year commenced, and / or; Net operating expenditure less than 0.5% of total rates in year commenced.	Net capital expenditure 2-3% of total rates in year commenced, and / or; Net operating expenditure 0.5% to 1.5% of total rates in year commenced.	Net capital expenditure >3% of total rates in year commenced, and / or; Net operating expenditure >1.5% of total rates in year commenced.	
7	Impact on levels of service provided by Council or the way in which services are delivered	The proposal or decision will result in no / minor change	The proposal or decision will result in some change (increase	The proposal or decision will result in a substantial change	

#	Criterion	Degree of Significance			
					
		Low	Medium	High	Score – Low, Medium or High
	<p>(including commencing or ceasing an activity)</p> <p><i>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.</i></p>	<i>(increase or decrease) to the service levels provided by Council.</i>	<i>or decrease) to the service levels provided by Council.</i>	<i>(increase or decrease) to the service provided by Council, either to the District overall, or to specific community sectors.</i> <i>(This could include a proposal to commence or cease a service or activity).</i>	
8	<p>Reversibility of the decision</p> <p><i>The expected level of difficulty to reverse the proposal or decision, once committed to.</i></p>	<i>Where the outcome can be largely reversed.</i>	<i>There are increasing difficulties associated with reversing the decision.</i>	<i>The decision is effectively irreversible.</i>	
9	<p>Expected impact on the performance or intended performance of Council's Strategic Assets (refer Schedule 1) for the purpose for which they are held</p>	<p><i>If a Council Strategic Asset is involved, then the matter should be treated as being "more significant."</i></p> <p><i>A decision to transfer the ownership or control of a strategic asset cannot be made unless it is explicitly provided for in Council's Long-Term Plan and the public is consulted through the Special Consultative Procedure.</i></p>			

#	Criterion	Degree of Significance			
					
		Low	Medium	High	Score – Low, Medium or High
	SIGNIFICANCE ASSESSMENT: <i>The decision is likely to be significant where:</i> <ul style="list-style-type: none"> • <i>There is a high score for two or more criterion; and/or</i> • <i>There is a medium score for four or more criterion</i> 				
	Number of medium criteria triggered				
	Number of high criteria triggered				
	Significance assessment recommendation to Council:				