

Significance and Engagement Policy

1 Purpose

This Policy lets both you and the Council know when and how you can expect to be engaged in Council's decision-making processes. It also enables Council and the community to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities. It also enables the Council to comply with the Local Government Act requirements to give appropriate consideration to the views and preferences of interested and affected persons, when making a decision.

2 General approach to determining significance

At the earliest stage in the decision-making process, consideration must be given to the significance of an issue, proposal or other matter. Prior to using the criteria to inform an assessment of the degree of significance, Council will first consider the following:

- the likely impact of the decision on present and future interests of the community, recognising Māori culture values and their relationship to land and water;
- how the decision aligns with historical Council decisions;
- the potential effect on delivering Council's strategic aspirations;
- the level of community interest in the decision and whether community views on the issue are already known;
- the impacts on Council's capacity to meet its statutory responsibilities now and in the future;
- if it has been clearly described already in the Long Term Plan (LTP), including the nature and extent of the proposed action;
- if it is an operational matter.

The greater the potential effect/impact, the higher the significance. The greater the alignment with operational matters and/or the Long Term Plan, the lower the significance.

The flowchart on the following page summarises the process.

PROCEDURE FOR DETERMINING SIGNIFICANCE



3 Criteria to be used to inform an assessment of the degree of significance

The Council will consider the following matters when determining the degree of significance of a decision, and therefore the type of engagement required. Where a decision is determined to be significant it will automatically trigger a requirement to consult.

	Criteria	Influencing aspects
a.	The degree to which the issue has a financial impact on Council or the rating levels of the local community.*	The higher the financial impact the greater the degree of significance.
b.	The degree to which the issue affects the community or the city of Upper Hutt.*	The higher the degree of community interest in a decision the greater the likely degree of significance.
c.	The impact of a decision to significantly alter the intended level of service provision for a group of Council activities, including a decision to commence or cease any such group of activity.	Commencing or ceasing a significant activity. Changing Council's total annual rates funding requirement by 10 percent, or 50 percent of the total annual rates funding for the significant activity, whichever is the lesser amount.
d.	The degree to which a decision will directly, or indirectly, significantly affect the capacity of Council, or the cost to Council, in relation to any activity identified in the Long Term Plan.	Changing Council's total annual rates funding requirement by 10 percent, or 50 percent of the total annual rates funding for any activity, whichever is the lesser amount.

*The existence of these criteria alone is not necessarily determinative of significance.

4 Approach to engagement

Following two surveys of Upper Hutt residents, involving well over 500 people, it is clear that the Upper Hutt community prefers online engagement/communication and that it must feel strongly about something before it would be willing to be involved in an engagement process.

With this knowledge in mind, Upper Hutt City Council seeks to move towards a more effective process of engagement, which will also include more online activities and a greater focus on engaging with a wider cross-section of the community.

The extent to which the Council will engage communities and stakeholders about an issue or decision to be made will match how significant the issue or decision is. The attached *Community engagement – operational guidelines*¹ provide an example of the differing levels of engagement relative to different levels of significance, and the types of methods that might be associated with each level.

Engagement may be required at various stages of the decision-making process and may take different forms depending on the stage. Both significance and the form of engagement will be assessed on a case-by-case basis.

Council is also required to undertake a special consultative procedure as set out in Section 83 of the Local Government Act 2002 (LGA 2002) on certain matters (regardless of whether they are considered significant as part of this policy).

5 Procedures

When a matter is considered to be 'having significance', but it is not sufficiently important to be 'significant', then Council is required to make a formal resolution before action may be taken. This requirement excludes matters already covered by the Long Term Plan. The report for Council must address transparently the requirements identified in sections 76 to 81 of the Act.

When any issue is determined as having a high degree of significance, then:

- a. the issue will be considered by Council; and
- b. the report to Council will include an assessment of the degree of significance of the issue, the degree of engagement proposed, the engagement plan proposed and a recommendation.

When Council makes a decision that is inconsistent with this policy, the steps identified in Section 80 of the Local Government Act 2002 will be undertaken.

Council will apply the principles of consultation (section 82 of the Local Government Act 2002) and use the Community Engagement Guidelines (point 8 – overleaf) for consultation planning.

6 Strategic assets

The following are considered to be strategic assets for Upper Hutt City Council in terms of the Act:

- Upper Hutt City primary (regional) and secondary (district) arterial roading routes
- Upper Hutt Civic Administration Building
- Expressions Arts and Entertainment Centre

¹ The *Community engagement – operational guidelines*, attached at Schedule One, supplement this policy, but they do not form part of the policy.

- H²O Xtream
- The City Library and Pinehaven Library
- Harcourt Park, Trentham Memorial Park, and Maidstone Park
- Upper Hutt City water supply network
- Upper Hutt City stormwater network
- Upper Hutt City wastewater network, including the Upper Hutt City Council share of the Hutt Valley Wastewater network
- Akatarawa Cemetery

For the removal of doubt, each strategic asset is listed as a whole entity, and the term 'strategic asset' does not apply to the individual elements of that asset.

7 Definitions

Significance ²	<p>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> <ol style="list-style-type: none"> 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.
Significant	<p>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>
Having significance	<p>Significance is a continuum and significant is any matter beyond a point on the continuum where there is a high degree of significance. As an issue moves along the spectrum (from low to high) Council assigns it an incremental level of significance. If a matter is determined to 'have significance' then it will require a formal resolution from Council before action can be taken.</p> <p>Council determines if a matter has significance by taking into account the law, relevant Council policies' and then making a judgement on the particular issue/decision, with respect to if it triggers/exceeds some</p>

² As defined by the Local Government Act 2002.

	of the 'general approach' and/or the 'criteria'.
Not significant	The issue/decision does not trigger/exceed the policy criteria or thresholds.
Operational matters	The matter concerns the day-to-day operations of Council, is carried out under delegated authority and is in accordance with the Long Term Plan, Annual Plan or relevant legislation.
Decisions	Refers to the decisions of Council by formal resolution at Council and Council Committee meetings. It also refers to decisions made by officers or others under delegated authority.
Engagement	Is a term used to describe the process of sharing information with the community and seeking their feedback, with the purpose of getting the community involved in helping make decisions to inform and assist decision making.
Activity	The term 'activity' refers to the list of Council Activities identified in the Long Term Plan, which is a service or function provided by, or on behalf of, the Council.
Strategic asset	As defined in Section 5 of the LGA 2002.
Strategic aspirations	Refers to any high level, direction setting goal or document that the Council aims to deliver, including the city vision priority areas, which represent the community outcomes for the city.

8 Policy exclusions

This policy will not apply and engagement will not be required where:

- in the opinion of the Council, failure to make a decision urgently would result in unreasonable or significant damage to property, or risk to people's health and safety.
- any physical alterations to strategic assets that are required to:
 - o prevent an immediate hazardous situation arising
 - o repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

Schedule One

Community engagement – operational guidelines

In the course of reaching decisions on a particular issue or proposal at different times and stages, Council may use a variety of engagement techniques and the engagement methods may be adapted based on a range of other factors, not least history and public awareness of the issue, stakeholder involvement, and timing related to other events or engagement, budgets and many other factors.

The following table provides an example of the differing levels of engagement, and the types of methods that might be associated with each level.

Significance	Description	Example approach
Low	The audience is relatively small in number or very targeted. The issue or decision is relatively straight forward and is not of high general public interest. For example, temporary road closures on minor roads, placement of a memorial, and water restriction notices.	Promotion of the topic via the website and the local newspaper. It may also include targeted engagement with an affected audience where appropriate.
Medium	The audience is fairly broad, diverse or targeted. The issue is not necessarily straightforward and there may be mixed views from the community. For example, Arts, Culture and Heritage Strategy, Gambling Policy, Liquor Control Bylaw review, District Plan changes, and the Local Alcohol Plan.	Promotion of the topic via social media, the website, information flyers, inserts with the rates notice, the local paper, and/or via display boards at key public venues e.g. the library. It could also include targeted engagement with an affected audience where appropriate. Likely to include a range of engagement methods including seeking submissions and holding hearing meetings, focus group workshops, and phone/online surveys.
High or complex	The audience affected is large and diverse and the issue is of importance to the entire community. It either involves significant financial investment and it has wide relevance, or it is of a complex	This involves community-wide promotion, which could include informal pre-engagement or a discussion phase, plus a formal phase of consultation. Promotion of the topic via social media, the website, information flyers, inserts with

	<p>nature.</p> <p>For example, items could include the Long Term Plan, the Upper Hutt Rural Strategy, and the Urban Growth Strategy.</p>	<p>the rates notice, the local paper, other media channels, and/or via display boards at key public venues e.g. the library.</p> <p>Likely to include a range of engagement methods such as online activities, seeking submissions and holding hearing meetings, focus group workshops (often involving subject matter or community experts), and surveys.</p>
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