

Palmerston North City Council

Significance and Engagement Policy

2018

Significance and Engagement Policy

Purpose of this Policy

This Policy lets Council know when and how people expect to be involved in its decision making. It also lets people know when and how they can expect to be involved in Council's decision making.

Palmerston North City Council engages with people and communities in many ways through its consultation, communication, community development, and customer services. The Council also engages and interacts with people through the provision of everyday services like water, roading, libraries, parks and playgrounds, animal control and health services. All of these are important in building a high level of trust between residents and Council.

The Council also has an Active Citizenship Plan. The purpose of this is "to build community capacity to take ownership and encourage community leadership of solutions, including better co-ordination between community organisations and groups."

Significance and Engagement Policy as amended on 25 June 2018.

It was adopted in accordance with the Local Government Act 2002 section 76AA.

The Meaning of Community Engagement in Decision Making

Community engagement is a very important part of Council's decision making.

Community engagement means Council and people connecting together to share ideas and build understanding.

Key elements of good engagement are:

- Council involving people throughout the process
- Council giving people the time and information they need to have their say
- Council and people listening to each other and feeling listened to
- Council valuing and genuinely considering peoples' ideas
- Council giving people information about the decisions it has made and the reasons for these
- That it is purposeful and aimed at shaping the decisions and actions of Council.

In community engagement, peoples' ideas may or may not be fully adopted, but they know that they have been genuinely listened to and that their ideas have been fully considered.

Community engagement is a planned process that occurs right through the decision making process. Hence it is a wider process than consultation, which tends to be more formal and to happen towards the end of the decision making process.

The Council's General Approach to Community Engagement

The Council wishes to engage in a way that meets peoples' expectations. This means using a wide range of techniques. However, it does not mean widely engaging in detail over every decision.

Previous research and engagement shows that people have different expectations of how much engagement the Council should do. Most people want Council to consult on major issues only. Other people expect the Council to engage with them in detail on most issues, while others expect Council just to make decisions and keep them informed. The number of people in these different groups will vary according to the specific issue.

The Council has to balance these different levels of desired community engagement.

The Council uses a model based on the IAP2 continuum to guide its engagement:

This shows that community engagement for decision making is a continuum. At one end of the continuum the Council gives people information about what it is doing. At the other end Council delegates decision making to the public. In the middle it uses a range of techniques to gather community views and to involve people in making its decisions.

Most of the Council's engagement will be in the middle of the continuum - at the Consult, Involve or Collaborate levels. In general, the more important (or significant) the decision, the more the Council will work at the Involve or Collaborate level.

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advise and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	<ul style="list-style-type: none"> • Fact sheets • Websites • Open houses 	<ul style="list-style-type: none"> • Public comment • Focus groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberate polling 	<ul style="list-style-type: none"> • Citizen Advisory committees • Consensus-building • Participatory decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Delegated decisions

The IAP2 model is at <http://www.iap2.org.au/documents/item/84>

In some cases the Council will use engagement techniques from a mix of levels and it may use different levels at different points of the engagement. For example, when it is exploring issues and options Council could use Collaborative techniques, and then use techniques from the Consult level to get community views on these options.

It is the Council that decides what level or levels of engagement are appropriate for each issue. When it makes these decisions it will consider peoples' preferences.

The Council also has a set of Community Engagement Principles to guide its community engagement. These principles sit alongside the consultation principles from s82 of the Local Government Act, and the wider decision making and consultation requirements in sections 76-90 of the Act.

The Council's Community Engagement Principles say that when it engages with local residents and organisations it will:

- Engage in a way that shows people that their contribution is valued and will be fully considered
- Be clear about the process being used and the level of influence that people have
- Encourage as many people as reasonably possible to take part from the start to the finish of the process, especially affected and interested people
- Make it easy for people to give their views to the Council

- Engage in the community by going to where people are and not always expecting them to come to the Council
- Give people time to think about the issues and respond to them
- Use honest and easy to understand information
- Listen to everybody who engages with the Council and gather other information so that it understands a reasonably wide range of peoples' views
- Tell people what it decides and why
- Use relevant information from previous engagement processes
- Take a common sense, cost effective approach.

The Council will use these principles when it designs its engagement processes. Council's approach is to select appropriate techniques based on the issue it is engaging on and the communities it is engaging with, within appropriate levels of resource.

These techniques could include things like social media, email, on line surveys, meetings, deliberative polling, fact sheets, citizens juries, polls, and advisory groups. More information on the range of techniques the Council could use in its engagement is set out in the Council's Community Engagement Guidelines for Staff.

In some instances the Council has to use the Special Consultative Procedure (public notice, draft document, submissions, hearings, decision). Under the LG Act this is when the Council adopts or amends the 10 Year Plan or a significant bylaw. Other legislation also requires use of the Special Consultative Procedure in some cases. These are listed in the Council's Community Engagement Guidelines for Staff.

Other legislation, such as the Resource Management Act 1991, also has prescribed forms of consultation.

The aim of community engagement is to make better decisions. However, community engagement on any particular issue can become an end in itself and turn into an open-ended process. As the principles indicate the Council will take a common sense, cost effective approach that involves as many people as reasonably possible. What is "reasonably possible" is a judgement call that the Council will make. When it makes this judgement it will take into account the views and preferences of affected and interested people, the extent to which their views are already known, the significance of the issue (including its likely impact from the perspective of interested and affected people), and the costs and benefits of any engagement process or procedure. (These criteria are a summary of the decision making criteria and consultation principles from s78 and s82 of the LG Act.)

The Council is committed to engaging with Rangitāne o Manawatū and with Māori generally in all aspects of the City, including how the Council will engage Māori in its decision making.

The Treaty of Waitangi is New Zealand's founding document and reflects an ongoing commitment to recognise, protect and promote mana whenua (local iwi or tribal communities) as kaitiaki (customary guardians). By implication the Treaty also acknowledges the ethos embodied in tikanga or Māori philosophy and practices. Local government and other bodies are required by legislation to take these into account to give effect to the Crown's intent to protect Māori Treaty rights. As well as acknowledging and working closely with local iwi, local government has a key role in shaping the communities all Māori people live in, and therefore the experience they have in those in those communities.

The Local Government Act Meaning of Significance

The LG Act (s5) says that significance 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.

Significance is a continuum that ranges from decisions of low significance to decisions of high significance. The Act says that a decision of high significance is 'significant' (s5). The legislation does not contain any specific criteria to distinguish between significant and non-significant decisions. Instead, the legislation says that that is a decision for each Council to make in each instance.

The Council will ensure that its community engagement and decision making is appropriate for the significance of each decision it makes, irrespective of whether or not the decision is significant.

If a decision is significant (under s5) then the Council will meet a higher standard of engagement and (as required by s76(3) of the LG Act) will ensure that the decision making and consultation principles of s77, 78, 80, 81 and 82 have been appropriately complied with.

Council's General Approach to Significance

Based on the above definitions the Council will determine the significance of a decision by assessing:

- Its impact on the achievement of the Council's 10 Year Plan (Long-Term Plan). The 10 Year Plan sets out what the Council is aiming to achieve (see the table on the next page). In general, a significant decision is one that has high and ongoing impact on the achievement of the Council's 10 Year Plan
- Its impact on those persons who are particularly affected by or interested in the decision. In general, a significant decision is one that has high and ongoing impact on or interest from many people across the community
- Its impact on the Council's resources and capacity to perform its role. In general, a significant decision is one that has high and ongoing cost.

It is the Council that decides whether or not a decision is significant. In making this decision the Council will take into account community views.

The Council has no pre-set triggers or thresholds to determine what is high or ongoing.

In making its decision the Council will take into account all three of the above criteria - a single criterion on its own does not necessarily determine significance. The Council will also consider the cumulative impact of closely related decisions.

10 Year Plan Vision and Goals

Vision:

Palmerston North: Small city benefits, Big city ambition

Goals:

An innovative and growing city

A creative and exciting city

A connected and safe community

An eco city

A driven and enabling Council

As at June 2018.

All reports that go to Council will contain an assessment of the significance of the recommended decisions. If the recommendations are considered to be significant a recommendation confirming this and that the Council has engaged appropriately will be included. A statement showing how the Council will (or has) appropriately observe(d) the applicable sections of the Act will also be included.

Whether or not a decision is significant, the Council will still engage appropriately.

Most recommended Council decisions will not be significant.

If the Council substantially changes the report's recommendations then it will have to assess the significance of the new recommendations before it adopts them.

Council's Strategic Assets

The Significance and Engagement Policy must list Council's strategic assets.

A strategic asset any "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" (s5).

The Act also says that any housing Council owns to provide affordable housing as part of its social policy and any airport company shares are strategic assets.

In general, if Council is making a decision about a strategic asset it will use a greater degree of engagement than it will for a non-strategic asset. In particular, the Council cannot transfer ownership or control of a strategic asset unless it has first consulted with the community through a Long-Term Plan Consultation Document (LG Act s97).

The Council's strategic assets are:

- social housing as a whole (for low-income older people or people on low incomes with additional needs)
- public rental housing as a whole
- shares in Palmerston North Airport Ltd
- roading and traffic network as a whole (including footpaths, street lighting & parking)
- wastewater reticulation network and treatment plant as a whole
- water supply, treatment, storage and reticulation network as a whole
- stormwater network and land drainage system as a whole
- The Square and Te Marae o Hine as a whole
- reserves zoned for recreation purposes or subject to the Reserves Act as a whole
- the Esplanade, Ongley Park, Fitzherbert Park and Manawaroa Park as a whole
- aquatic facilities as a whole
- Central Energy Trust Arena as a whole
- walkways as a whole
- Ashhurst Domain as a whole
- Memorial Park as a whole
- Te Manawa
- the Regent Theatre
- Caccia Birch
- City Library (including community libraries and mobile library) as a whole
- archives as a whole
- community centres as a whole
- cemeteries and crematorium as a whole
- that portion of the Civic Administration Building sited on The Square.

The Council considers each asset and groups of assets listed above as a single whole asset. This is because the asset or group of assets as a whole delivers the service.

“Strategic assets”, therefore refers to the whole asset or group of assets and not individual components unless that component substantially affects the ability of the Council to deliver the service. If the Council is considering a decision on any individual component of a strategic asset that substantially affects the ability of the Council to deliver or promote its services then that component will be treated as strategic.

The Council recognises that there will be some assets that, although not fitting the legal definition of strategic asset, are of high community importance and interest. The Council will appropriately engage with the community on issues relating to these assets. In these cases proposals or decisions regarding these assets may be significant.

Monitoring and Review

This Policy will be reviewed every three years through the 10 Year Plan.

Every year the Council will prepare an Annual Report on the Policy. This will look at feedback from people who participated in some of Council's engagement processes and at the cost-effectiveness of a range of techniques used by the Council.

All Policy reports to Council will also include an assessment of the community engagement. For draft Policies this will be an assessment of how Council should appropriately engage. For final Policies this will be an assessment of how well the engagement worked and what feedback has been provided / is proposed to be provided to participants.

Appendix 1: Local Government Act s82 Principles of Consultation

- (1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:
 - (a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons:
 - (b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority:
 - (c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented:
 - (d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons:
 - (e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration:
 - (f) that persons who present views to the local authority should have access to a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions, which may include, for example, reports relating to the matter that were considered before the decisions were made.