



Mackenzie
District Council

Significance and Engagement Policy

Mackenzie District Council 2020

Introduction

The Council engages with our communities every day and in many ways. It can be a one-way simple communication to keep people informed or it can be a two-way process of consultation or engagement.

This policy has been developed to provide certainty on:

- When and how the Council will engage or consult with communities.
- What the Council will take into account when deciding what is significant, and;
- When the community will have a direct opportunity to contribute to decision-making.

In short – we want to have the right conversations with the right people about the right issues - before making significant decisions.

This policy outlines the type of things that you can expect to be consulted about like: the sale of assets; the key issues in the 10 Year Plan and Annual Plan; a decision that will change a service that you expect and/or value, or something that will add a cost to the ratepayer.

For the Council, the policy guides our assessment of whether an issue or proposal is important (significant) to the community. It gives certainty that those important decisions will be treated in an agreed way with the community, and that Council will follow the local government rules of engagement and meet the requirements of Local Government “to enable democratic local decision-making by, and on behalf of, communities...” (Local Government Act 2002).

Why does the Policy exist?

This is the formal process which enables the community to have a say on a significant decision. The Council will take the community’s views into account before making a decision. This is more a formal process than inviting feedback. There are rules about how we undertake special consultation (see Appendix 4). Comments are treated as formal submissions (which will be made publicly available) and submitters can choose to present their views at a hearing before elected members. See page 3 for matters that the Council must use the procedure for, by law. See page 5 for ‘how’ and ‘when’ the Council will consult using this procedure.

What is the term of the policy?

The Policy will reviewed every three years as part of the Special Consultative Procedure.

What is the ‘Special Consultative Procedure’?

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Principles of engagement

This is what you can expect from us:

- We will be genuine in our consultation and engagement.
- We will have an open mind to feedback from our communities and stakeholders and consider this before making decisions.
- We will give our community a timely opportunity to have their say.
- We will strive to meet the expectations of our communities regarding consultation and engagement.
- We will empower our communities to give informed feedback and whenever possible enable the community to consider options relating to the decision.
- We want to ensure that we engage and consult with our communities appropriately.
- We will not treat engagement or consultation as a poll or referendum: feedback will be weighted accordingly and balanced against other considerations.
- We will always provide feedback to those who made the effort to share their views and options with us and we will explain our decisions.

Providing information

We know that people need full and clear information to base their opinions on.

You can therefore expect that if we ask your views, we will always let you know:

- What is proposed?
- Why we are asking, and why we are making a proposal.
- What options do we have?
- Our preferred option and why.
- Costs and rating impact if applicable.
- How you can have your say.
- The impacts (if any).
- The timeframe and decision making process.
- How we will communicate the outcome.

How will we consult and engage?



We will communicate across multiple channels to reach ratepayers, residents and stakeholders.

These tools and channels will vary on a case-by-case basis.

We acknowledge that just as we have a responsibility to provide opportunities for people to engage with us, the Community in turn has a responsibility to consider whether to accept them and engage with the council. We will respect every individual's right to choose or refrain from engagement with Council.

We will continue to explore and develop ways to enable us to engage more effectively with our communities.

When we won't consult or engage

There are times when we won't normally consult the community because the issue is routine, or operational, or because there is an emergency. We also recognise that 'consultation fatigue' can cause people to tune out of conversations with Councils, so we want to concentrate on the issues that are genuinely significant.

Here are some of the things that we won't generally be asking about:

- Organisational decisions (i.e. staff changes and operational matters) that do not materially reduce a Level of Service.
- Emergency management activities during a state of emergency – under the Civil Defence Act 2002.
- Decisions taken to manage an urgent issue, or;
- Decisions to act where it is necessary to:
 - Comply with the law;
 - Save or protect life, health or amenity;
 - Prevent damage to property;
 - Avoid, remedy or mitigate an adverse effect on the environment.
 - Protect the integrity of existing and future infrastructure and amenity.
- Decisions that are made by delegation or sub-delegation to officers.
- Decisions that are commercially sensitive (e.g. awarding contracts).
- Entry or exit from a development agreement (private contract) as per section 207A of the Local Government Act 2002.
- Decisions in relation to regulatory and enforcement activities.
- Where we are not required to consult by law, we can consider making a decision without consultation on a case-by-case basis.

Less formal engagement

There are many times when we will consult or engage with our communities in a less formal way without using the special consultative process.

Engagement Toolbox

The table below gives some examples of what types of issue Council may engage on, and list some of the ways in which this might be achieved.

The Special Consultative Procedure is a statutory process and more information on when this procedure is adopted and the implications of it can be found later in this policy document.

What?	How?	When?
Community Matters	<ul style="list-style-type: none"> • Let's Talk engagement website • Council website • Community newsletters (Twizel Update & Fairlie Accessible) • Media Releases • Social Media • Email to stakeholder databases • Targeted communication to special interest groups 	<ul style="list-style-type: none"> • Events • Social Issues • Advocacy • Facilitation
<p>Information on Projects (when the decision has been made to undertake a project)</p> <p>Service Provision (e.g. sport & recreation, event funding, grants)</p> <p>Education (e.g. community resilience)</p>	<ul style="list-style-type: none"> • Statutory Notice (if required) • Let's Talk engagement website • Council website • Community newsletters (Twizel Update & Fairlie Accessible) • Media Releases • Social Media • Email to stakeholder databases • Targeted communication to special interest groups 	<ul style="list-style-type: none"> • Road works • Landscaping • Trees • Water, wastewater, stormwater • Reserve works • Service disruptions (eg water outage) • Civil Defence Preparedness • Weather & hazard warnings • Democratic processes (Electoral Act) • Mandatory requirements/amendments (from Central Government)

If the length of engagement isn't prescribed by law, we will work on a 20 working day principle.

What?	How?	When?
<p>Consultation (non Special Consultative Procedure. Genuine consultation on options and consideration of feedback before a decision is reached).</p>	<ul style="list-style-type: none"> • Let’s Talk engagement website • Council website • Community newsletters (Twizel Update & Fairlie Accessible) • Media Releases • Social Media • Email to stakeholder databases • Targeted communication to special interest groups • Drop in sessions/public events • Printed copies available at Council facilities (offices, event centres, community halls, libraries) • Submissions • Hearings • Public discussion • Direct feedback to submitters 	<ul style="list-style-type: none"> • Reserves Act <ul style="list-style-type: none"> ○ Management plans • Resource Management Act • Project delivery • Road closures • Minor Bylaw changes (as per LGA 2002 Section 156) which must be changed by publicly notified resolution.
<p>Special Consultative Procedure</p>	<ul style="list-style-type: none"> • Let’s Talk engagement website • Council website • Community newsletters (Twizel Update & Fairlie Accessible) • Media Releases • Social Media • Email to stakeholder databases • Targeted communication to special interest groups • Drop in sessions/public events • Printed copies available at Council facilities (offices, event centres, community halls, libraries) • Submissions • Hearings • Public discussion • Direct feedback to submitters 	<ul style="list-style-type: none"> • Adoption of, and amendments to, the Long Term Plan (ten year plan). <ul style="list-style-type: none"> ○ Changes to levels of service ○ Non-funded capital projects ○ Asset management plan • Making, amending or revoking a bylaw. • Transfer of ownership of a significant strategic asset • Changes to financial policies • Setting rates • As required by other Acts (eg Local Government (Rating) Act 2002).

If the length of engagement isn’t prescribed by law, we will work on a 20 working day principle.

Special Consultative Procedure: what is it?

The Special Consultative Procedure is a formal consultation process that is triggered when a decision is deemed significant. We explain how we decide if a decision is significant on the next page.

Under this Procedure, Council must:

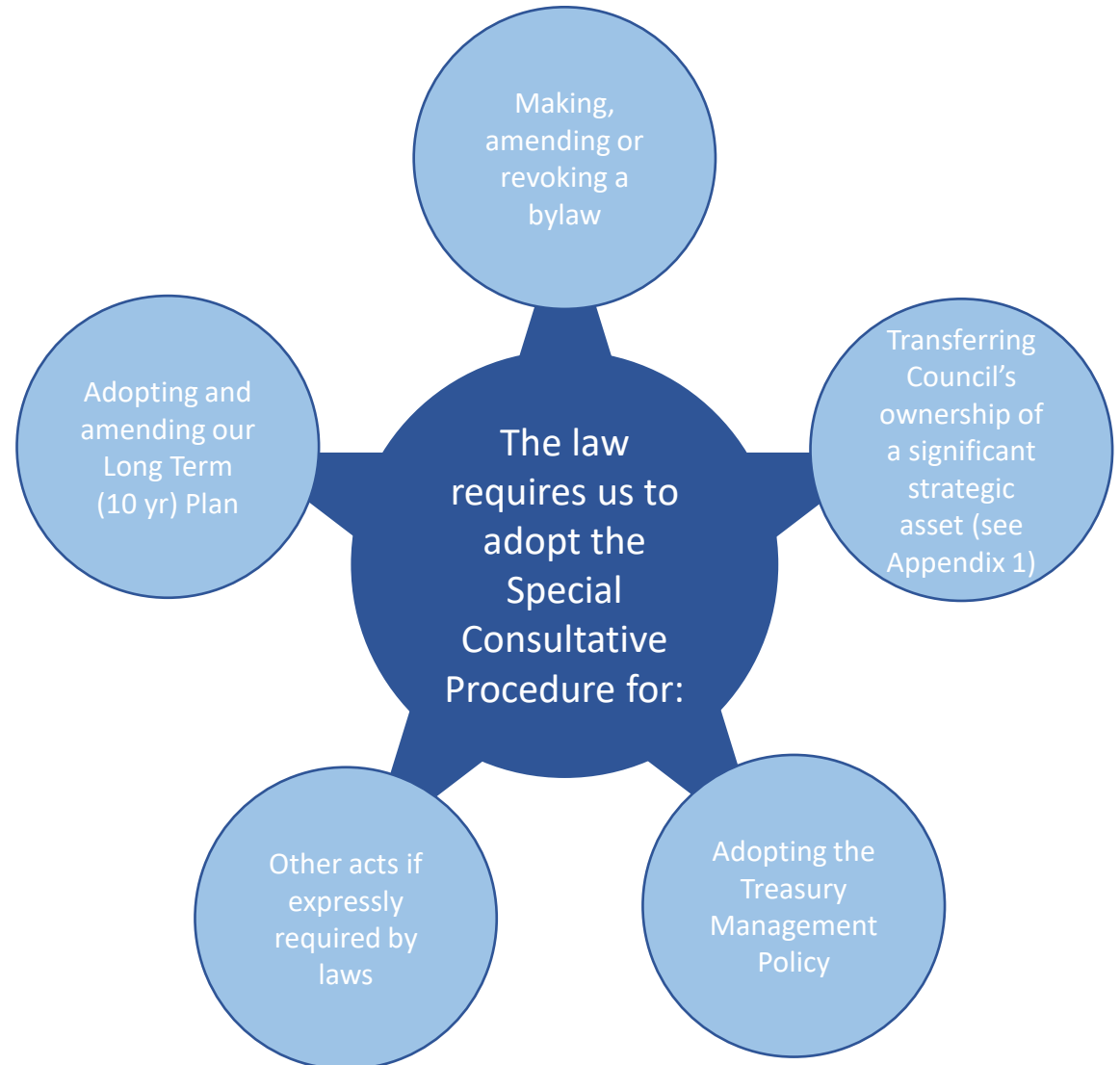
Develop a Statement of Proposal and Summary, and make it widely available.

Allow a minimum feedback period of one month.

Ensure people are given the opportunity to present their views to elected members at a hearing.

For all other decisions, the council may choose whether or not it will undertake community engagement/consultation.

When and how this is undertaken will depend on the issue and will be decided on a case by case bases, bearing in mind that we aim to provide as many opportunities for our communities to have meaningful input as possible.



Special Consultative Procedure: when is it applied?

How will we determine the significance of a decision, and when will we use the Special Consultative Procedure?

The council will determine Significance in two ways – outlined below.

A. Assessment

Thresholds and criteria for determining Significance:



- I. Importance to the Mackenzie District – the extent to which the matters impact on the environment, culture and people of the district (e.g. significant capital projects).
- II. Community Interest – the extent to which individuals, organisations, groups and sectors in the community are affected by the Council’s decisions.
- III. Inconsistency with existing strategy and policy – the extent of inconsistency and the likely impact.
- IV. The impact on Council’s capability and capacity – the impact on objectives set out in the Financial Strategy, the Long Term (10 year) Plan and Annual Plan.

Council staff will need to consider each of the four criteria and make a recommendation about the decision’s significance to elected members. The final decision about the significance of any matter rests with elected members. When making this determination other factors may need to be considered; e.g. urgency, safety, commercial sensitivity and public good.

B. Strategic Assets

Any decision relating to the sale or transfer of shareholding of any significant strategic assets is assessed as a matter of high impact and will trigger the Special Consultative Policy. This means:

- Any decision that transfers or changes ownership or control of strategic assets to or from the Council.
- The sale or transfer of any shareholding of any of the Significant Strategic Assets (as outlined in Appendix II).
- Any long term lease of strategic assets (other than land).

Guidelines

- Every agenda item requiring a decision of Council will require the author to consider significance and engagement.
- Each proposal or decision will be considered on a case-by-case basis to determine significance.
- The consideration, disclosure and consultation will be proportional to the significance of the decision.

Hearings and Feedback

- Where practical, hearings will be held in the location of the affected community(ies).
- Where a district-wide consultation has been undertaken, hearings will be held in both Fairlie and Twizel.
- The Council can allow any person to present his or views to the local authority by way of audio link or audio-visual link.
- In asked to do so, the council will facilitate interpretation (including Te Rea and sign language).
- There is no requirement under the amendment to the Local government Act to provide individual feedback but we are required to provide access to decisions. Our policy is to go further than the act requires, and:
 - We will acknowledge the recipient of any submission and notify the submitter of the decision by email or letter.
 - We will make all decisions available online.
 - We will provide free access to computer terminals so that residents and ratepayers can read and download decisions online (via Council offices).

Changes to the Significance and Engagement Policy

Changes to the Significance and Engagement Policy do not have to be made through the Special Consultative Procedure, and may be made through Council resolution.

Council will review the policy whenever we prepare our Long Term (10 year) Plan (i.e. every three years). Any material changes to the policy will be highlighted in the Long Term Plan.

Alternatively, the council will consult on any material changes using the Special Consultative Procedure.

Appendix I: Schedule of Assets

Appendix II: Legislation