

# Attachment A

## Significance and Engagement Policy

### Legislative process, analysis and consultation requirements

This document summarises all relevant legislative requirements for the process of amending Council's current Significance and Engagement Policy, provides an overview of the associated analysis undertaken and includes the consultation activities proposed in accordance with legislative requirements. Noting these steps are based on Council resolving to accept all recommendations in the main agenda report as tabled relating to the proposed process.

#### 1. Process overview

1. The Local Government Act 2002 (LGA), specifically s76AA, requires every council to adopt a Significance and Engagement Policy (SEP).
2. Council's current SEP was last reviewed in 2017.
3. Section 76AA (4) provides that the SEP may be amended from time to time.
4. Section 76AA (5) provides that Council must consult in accordance with section 82 of the LGA, unless it considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the SEP to be achieved, before amending the SEP.
5. Section 82A of the LGA provides further information requirements for any consultations that are required in the LGA to be undertaken in accordance with s82. The following items must be made publicly available for the proposed process:
  - the proposal and the reasons for the proposal
  - an analysis of the reasonably practicable options, including the proposal identified under section 77(1) (LGA)
  - details of the proposed changes to the SEP.

#### 2. Analysis and application of the process requirements

1. Council requested a review of the SEP in 2019.
2. Staff completed the review and subsequently have presented the proposed amendments to the SEP to Council at the April, May and June 2020 LTP Briefings.
3. In consideration of the requirements of S76AA(5) of the LGA; given the scale of the proposed amendments and the lack of any previous engagement on this matter, it is considered that Council does not have sufficient information about community interests and preferences, and that therefore consultation in accordance with s82 of the LGA is required before Council makes any amendments to the SEP.
4. The proposal and the reasons for the proposal are detailed in the Consultation Document provided in Attachment B to this report.

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5. The analysis of reasonably practicable options is provided here:

The SEP is a statutory requirement. As a result of the review process to date, Council has two reasonably practicable options to consider.

Option	Description	Advantages	Disadvantages
Option A – retain the existing SEP	Keep the existing SEP in its current format.	No need to consult	The current SEP lacks clarity and is difficult to follow and interpret consistently.
Option B – propose the amendments to the SEP	Propose the amendments for consultation and amend the Policy incorporating any further changes considered by Council as a result of consultation	The proposed amendments provide for a clear, easier to read document to support staff and community understanding.	Council must consult on the proposal prior to making a final decision.

Staff recommend Option B. The cost of consultation will be covered through existing operational costs and staff resources.

6. The details of the proposed changes to the SEP are provided in the consultation document, together with a draft SEP reflecting all proposed amendments.

## 3. Summary of consultation activities

This section details the proposed process and activities designed to meet the consultation requirements of s82 of the LGA for the proposed amendments.

1. Council resolves to consult on the proposed amendments at a meeting of Council and to approve the Consultation Document as provided in Attachment B to this report to meet the requirements of s82A LGA.
2. The Consultation Document contains the following to meet legislative requirements:
  - the proposal and the reasons for the proposal
  - details of the proposed changes to the SEP and a draft of the revised SEP incorporating all amendments
  - a link to this agenda item for information on the reasonably practicable options.
3. Council establishes a Significance and Engagement Panel of three elected members with the delegated authority to undertake the necessary engagement activities and report back to Council with a final recommendation.
4. Council gives public notice of the proposal on the KDC website and in the Kaipara Lifestyler and the Kaipara Focus, advising members of the public of the proposal.
5. The Consultation Document is made available for public inspection on Council's website and at Council offices in Dargaville and Mangawhai and at Council's public libraries.
6. Feedback will be invited through written submissions, attendance at a hearing, or both.

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7. The submission period for the proposal is scheduled to start 3 August and close 3 September 2020. Section 82 of the LGA does not stipulate a minimum consultation period.
8. Email notifications will be sent to People's Panel members as well as Council's database of contacts who have asked to be advised of Council consultations.
9. A hearing is scheduled for 29 September 2020 to provide an opportunity for persons to present their views in person to the Panel.
10. The Panel will consider all feedback received and any other comment or advice sought from staff or other persons and deliberate on these matters at a public meeting. This meeting is scheduled for 27 October 2020.
11. Based on the decisions made at the deliberations meeting, staff will make any necessary further amendments to the proposed amended SEP and will prepare a final report on behalf of the Panel to Council.
12. Subject to the above process and all associated decisions of Council, the amendments to the SEP are scheduled to be made by resolution at the Council meeting in November 2020.