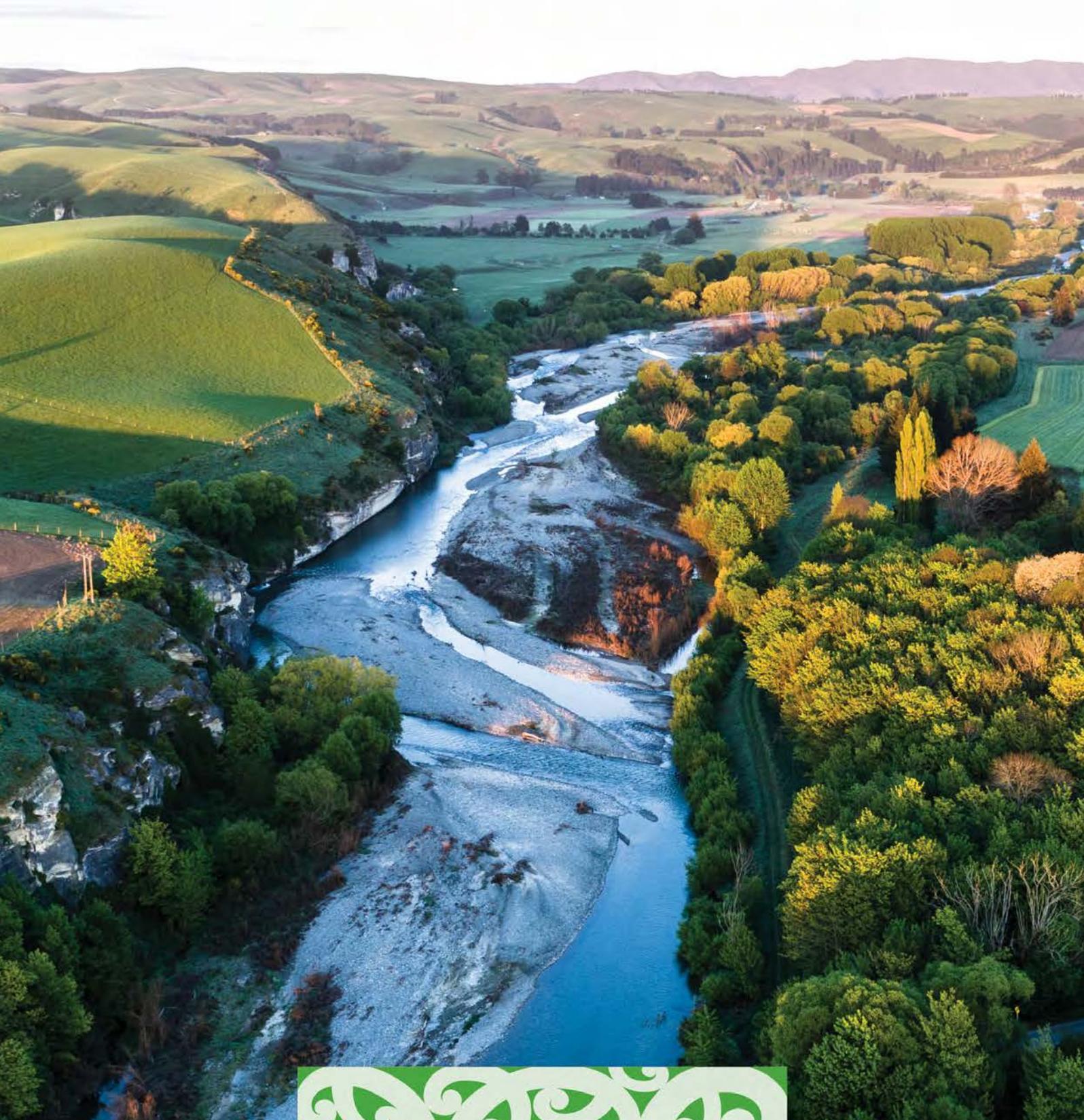


SIGNIFICANCE AND ENGAGEMENT POLICY



Significance and Engagement Policy

Introduction

The purpose of this Significance and Engagement Policy is to:

- enable Environment Canterbury and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities
- provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets or other matters
- inform Environment Canterbury from the beginning of a decision-making process about:
 - the extent of any public engagement that is expected before a particular decision is made
 - the form or type of engagement required.

Public input into significant decisions, policies or programmes undertaken by Environment Canterbury is essential to ensure they reflect the aspirations and priorities of communities, Ngāi Tahu and interested groups throughout the Canterbury region.

This policy is a revision of the Significance and Engagement policy adopted in 2014 to meet legislative requirements under the Local Government Act 2002 (the Act).

Interpretation: Section 5 of the Act provides the following definitions:

- **significance**, 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,—
 - 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
- **significant**, 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
- **strategic asset**, 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 community.

General approach to determining significance and making decisions

On every issue requiring a policy or strategy decision, Environment Canterbury will consider the degree of significance of the issue and the corresponding level of engagement. Matters which require processes specified under other legislation and formal systems are outlined in Section 5.

The significance of the issue and appropriate forms of engagement will be considered in the earliest possible stages of a proposal or process, before decision-making occurs. If necessary, significance and engagement will be reviewed as the proposal develops and as community views, preferences and values become better known.

In making any decision, Environment Canterbury will be satisfied that:

- it has sufficient information on the relevant issues and options
- it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties.

The significance of the issue, proposal or decision will determine how much time, money and effort Environment Canterbury will invest in exploring and evaluating options and obtaining the views of affected and interested parties.

In some instances, there may be particular requirements to learn about the implications of an issue or decision for Ngāi Tahu as mana whenua and kaitiaki of the Canterbury region.

There may also be issues or decisions where there are diverse groups within the community with different concerns, interests, views and preferences, where multiple processes will be appropriate to distinguish and recognise the range of positions.

The commitment to invest in exploring options and obtaining the views of communities and affected and interested parties does not mean that Environment Canterbury will have to fully consult with the public for every decision it makes, nor does it bind Environment Canterbury to the views of communities and interested or affected parties.

As well as the views of communities and affected and interested parties, there are a wide range of information sources, considerations and perspectives that will inform Environment Canterbury’s decisions, including the requirements of Government policy, technical matters and the financial implications.

Criteria for assessing significance

In considering the degree of significance of proposals and decisions in relation to issues, assets and other matters, Environment Canterbury will be guided by the following:

<p>Policy and outcomes:</p>	<ul style="list-style-type: none"> • the potential effects on delivery of Environment Canterbury’s policy and strategies • the degree to which the decision or proposal contributes to promoting and achieving particular community outcomes • the magnitude of the overall benefits that will be achieved for the region, its communities and present and future interests • the magnitude of the net costs of the proposal or decision to Environment Canterbury and / or to affected communities or groups • any impact on Environment Canterbury’s capacity to undertake its statutory responsibilities • the extent to which the proposal or decision flows logically and consequentially from a decision already made or from a decision in the Long-Term Plan or the Annual-Plan • any inconsistencies with any existing policy, plan or legislation.
<p>Communities:</p>	<ul style="list-style-type: none"> • the level of community interest in the proposal, decision or issue • the extent to which the proposal or decision impacts upon community members or groups, and the numbers of people or groups affected • the extent to which the community’s views on the matter are already known

	<ul style="list-style-type: none"> the timeframes for community engagement with the issues and information, including any concurrent engagement processes on other matters involving the same, similar or contiguous groups or communities any wider interest or concerns at national or international levels.
Ngāi Tahu:	<ul style="list-style-type: none"> the values and interests of Ngāi Tahu whānau, hapū and rūnanga, as mana whenua for the region where proposals or decisions relate to land or a body of water, the implications for the relationships of Ngāi Tahu and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna and other taonga.
Contexts and implications:	<ul style="list-style-type: none"> the variation between the effects of the options identified (including the ‘do nothing’ option where appropriate), or the extent to which they have different effects in terms of, amongst other things: their costs, their benefits, and the extent to which they impact on the community and affected or interested groups the extent to which the proposal or decision could have an adverse effect on environmental outcomes as set out in Environment Canterbury plans and policies, or could have unintended adverse effects on other community interests if the proposal or decision impacts (positively or adversely) upon a physical or community resource that is scarce, rare or unique and/or under threat if the proposal or decision would be irreversible if there are high levels of controversy around the proposal or decision the practical demands of efficient decision-making in situations of urgency the need to be cautious about decision-making in the face of uncertainty, lack of clarity or unresolved matters.

Processes and methods for engagement

In determining the processes and methods appropriate for engaging with communities to consider proposals and decisions in relation to issues, assets and other matters covered under this Significance and Engagement Policy, Environment Canterbury will be guided by the following:

- the degree of significance of the issue, decision, proposal, asset or other matters – as determined by the criteria set out in the preceding section of this Policy
- the objectives of the engagement – the feedback that is sought from communities and affected and interested parties
- the preferences, capacities, views and values of the community groups and individuals affected by and / or interested in the decision or proposal and diversity of these
- Environment Canterbury’s existing relationships and interactions with the community groups and individuals affected by and / or interested in the decision or proposal
- the benefits, limitations and costs of the range of possible processes and methods for engaging with the community groups and individuals affected by and / or interested in the decision or proposal
- timing issues, including any concurrent engagement processes on other matters involving the same, similar or contiguous groups or communities – including those being undertaken by other agencies
- opportunities provided by innovative technologies for efficient yet effective engagement
- opportunities for relatively informal community-based meetings and discussions.

Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. Environment Canterbury will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds, with input from the relevant communities and groups.

Environment Canterbury will follow an ‘engagement spectrum’ approach to determine the most appropriate processes and methods for engagement with affected and interested communities on particular decisions or issues. This approach is based on the International Association for Public Participation (IAP2) framework, taking the principles and spectrum approach of that framework and developing them into a flexible and practical ‘menu’ of engagement options.

The methods discussed in the table below are not a definitive list, but an indication of the spectrum of possible engagement opportunities that may be useful for Environment Canterbury and our communities.

Engagement Level	Inform	Consult	Involve	Collaborate	Empower
What does it involve	One-way communication to provide basic information about an issue to assist understanding and build community interest.	Two-way communication to obtain feedback on community views, priorities and preferences to inform decision making.	Formal participatory process to identify issues and views so these are understood and considered in decision making.	Working together to understand the key issues, work out alternatives and find preferred solution.	Final decision making is in the hands of the public – noting that under the Act the council is elected to make decisions on behalf of their communities.
Examples of tools ECan might use (these tools may be applicable across many levels of engagement)	<ul style="list-style-type: none"> • distribution of printed materials such as the Living Here publication. • information provided on ECan website. • information provided via social media. 	<ul style="list-style-type: none"> • surveys (whether by phone, online or written). • focus groups. • submissions and hearings. • online engagement tools. 	<ul style="list-style-type: none"> • Special Consultative Procedure (under LGA). • other submission processes. • formal public meetings. • task groups, focus groups, working parties, local action groups. 	<ul style="list-style-type: none"> • multi-stakeholder processes such as panels. • multi-stakeholder groups such as the Canterbury Water Management Strategy Zone Committees. • task groups, local action groups, advisory groups. • Memoranda of Understanding. • interactive online tools. 	<ul style="list-style-type: none"> • Local body elections.
Types of issues we might use this for	<ul style="list-style-type: none"> • new or newly significant issue or event. 	<ul style="list-style-type: none"> • policy reviews. • Long-Term Plans Annual Plans. 	<ul style="list-style-type: none"> • Regional Policy Statements and other plans. 	<ul style="list-style-type: none"> • development of options for a proposal on a significant issue. 	<ul style="list-style-type: none"> • Local body elections

Engagement Level	Inform	Consult	Involve	Collaborate	Empower
	<ul style="list-style-type: none"> Annual Reports. Flood warnings. 				
When the community is likely to be involved	Once decision has been made.	Once draft decision has been made or a number of possible solutions are offered.	In the development of the proposal.	From the start and throughout.	Adequate lead in time to allow public to be involved in process.

Engaging with communities on other matters

Local Government Act:

The Act prescribes particular processes for councils to follow to consult and engage with communities on particular matters.

Special Consultative Procedure:

The Act specifies that a Special Consultative Procedure (SCP), as defined under section 83, must be followed for community engagement on certain plans and processes including:

- Long-Term Plans
- Annual Plans
- Bylaws of significant interest.

Other provisions in the Act specify particular decisions or activities where community engagement is to be addressed through the larger public consultation processes for a Long-Term Plan:

- a decision to transfer the ownership or control of a strategic asset to or from Environment Canterbury or a decision to construct, replace or abandon a strategic asset. Strategic assets are listed in Section 8
- a decision that will, directly or indirectly, significantly affect Environment Canterbury's capacity, or the cost to Environment Canterbury, in relation to any activity identified in the Long-Term Plan
- a decision to alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Environment Canterbury, including a decision to commence or cease any such activity.

Other legislation:

Many of the decisions made by Environment Canterbury at the Council level and under delegated authority will be made under legislation that prescribes the consultation and decision-making procedures that are required, including the procedures that must be used for public notification, considering submissions and making decisions. This legislation includes the Resource Management Act 1991, the Biosecurity Act 1993, the Civil Defence Emergency Management Act 2002, the Land Transport Act 1998 or the Ngāi Tahu Claims Settlement Act 1998.

Even if a decision is clearly a significant one within the meaning of the Act, where the procedures for decision-making are set out in other legislation, those procedures will be used instead of those contained in this Significance and Engagement Policy. Section 82(5) of the Act broadly allows the authorising legislation's procedures to apply. This Significance and Engagement Policy will not be used in making decisions taken under the RMA and the Biosecurity Act 1993 on the following matters – rather, Environment Canterbury will follow the statutory frameworks within that legislation:

- resource consents or other permissions
- submissions on plans
- decisions required when following the procedures set out in Schedule 1 of the RMA
- references to the Environment Court
- decisions to proceed with enforcement procedures under various legislation including Environment Canterbury bylaws.

There are also numerous administrative and personnel decisions that are entirely internal to Environment Canterbury. This Significance and Engagement Policy will not apply to these processes and decisions.

Ngāi Tahu and Tuia

The Act provides principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes. This is to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes.

While the Act sets out provisions relating to all Māori, it is recognised that within the Canterbury region, Ngāi Tahu are the tangata whenua. They have a special status in terms of Environment Canterbury's resource management activities, and are not just another interest group. In addition to the Local Government Act obligations, the Resource Management Act 1991 (RMA) gives regional councils specific obligations regarding kaitiakitanga, the principles of the Treaty of Waitangi and the relationship between Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. In the Canterbury region, the Ngāi Tahu Claims Settlement Act 1998 includes confirmation of the ability for Ngāi Tahu to express its traditional kaitiaki relationship with the environment.

Above and beyond these statutory obligations, Environment Canterbury has committed with Ngāi Tahu leadership to engage as partners in a constructive and progressive relationship. This commitment is based on the recognition that the relationship of Ngāi Tahu with their ancestral land within Canterbury is inextricably affected by the powers and functions of Environment Canterbury. It is supported by the joint programme Tuia, which translates as 'working together shoulder to shoulder'.

Tuia is a practical partnership of Environment Canterbury with the ten Papatipu Rūnanga of Ngāi Tahu in Canterbury and the tribal authority, Te Rūnanga o Ngāi Tahu.

Environment Canterbury is also a partner with Ngāi Tahu in the 2012 co-governance agreement for Te Kete Ika a Rākaihautū, the catchment for Te Waihora/Lake Ellesmere. This establishes a shared stewardship commitment to sustainable management and the rejuvenation of the lake and catchment.

Environment Canterbury is committed to a multi-tiered framework of ongoing regular engagement with Ngāi Tahu to support the Tuia partnership.

Canterbury Water Management Strategy

The Canterbury Water Management Strategy (CWMS) is an integrated approach to water management in which solutions are developed by communities of interest, balancing diverse environmental, economic, social and cultural perspectives in a collaborative process.

The CWMS is a unique partnership between Environment Canterbury, Canterbury's territorial authorities, Ngāi Tahu and key stakeholders. Ten Zone Committees and a regional committee bring together a wide range of community interests to focus on the challenges and opportunities involved in managing water in our region. Ten areas of focus shape the work plans for ongoing initiatives:

ecosystem health and biodiversity.	braided rivers and their natural character.
kaitiakitanga.	drinking water.
recreational and amenity opportunities.	water-use efficiency.
irrigated land area.	energy security and efficiency.
the regional and national economies.	environmental limits.

Environment Canterbury and the region's territorial authorities support the implementation of the CWMS, including policy and technical support for the Zone Committees, implementation of the Immediate Steps Biodiversity Programme, and liaison with Ngāi Tahu and with interested stakeholder and industry groups.

The Zone Committees and wider community networks involved with the diverse range of CWMS activities are a direct and immensely valuable system of interconnection between Environment Canterbury Councillors and staff and the region's communities. Information about local issues, aspirations and priorities informs and shapes the work of the ten Zone Committees.

Environment Canterbury strategic assets

The assets of Environment Canterbury that are considered strategic assets are:

- the overall system of river control and drainage infrastructure as a whole, including the system of stopbanks, groynes, drains, erosion control planting and associated works and structures such as floodgates, culverts, roads, tracks and bridges; these may be located on private and Crown land as well as on reserve lands
- the overall system of communications for flood and resource monitoring and control, including the radio communication system, rainfall and river level gauges, calibration equipment, air quality and water quality monitoring stations, repeater stations, data loggers and associated computer systems
- the regional Civil Defence Emergency Management response and control infrastructure as a whole, including the communications systems, response equipment, emergency response vehicles and operations and training centres.

