
REVIEW OF SIGNIFICANCE AND ENGAGEMENT POLICY - 9 YEAR PLAN 2025-34

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 On 12 December 2023, Council approved a revised Significance and Engagement Policy (the revised Policy) for consultation purposes, noting that it would be included as a supporting document during the 10 year plan 2024 – 34 consultation process.
- 2 Following the decision to defer the 10 year plan, and instead complete a 9 year plan 2025-34, it is now proposed to consult on the revised Policy as part of the 9 year plan process. No changes have been made to the revised Policy that was approved on 12 December 2023. A copy of the revised Policy is at Attachment A, and copy of the report that went to this meeting is at Attachment B.

RECOMMENDATIONS

That the Council:

- a) **Notes** the December 2023 Council decision to approve the revised Significance and Engagement Policy for consultation purposes.
- b) **Approves** the revised Significance and Engagement Policy, with any amendments, for consultation as part of the 9 year plan consultation process.

BACKGROUND

- 3 On 12 December 2023, it was resolved:

Moved (Mayor Jules Radich/Cr Mandy Mayhem):

That the Council:

- a) **Approves** the revised Significance and Engagement Policy.
- b) **Notes** that the revised Significance and Engagement Policy would be included as a supporting document during the 10 Year Plan consultation.
- c) **Requests** staff to investigate the inclusion or otherwise of Foulden Marr as a strategic asset in time for the January 10 Year Plan 2024-34 meeting.

Motion carried (CNL/2023/001)

- 4 The 12 December 2023 report at Attachment B provides background on the legislative requirements relating to the Policy, and discussion on the changes that were proposed to the Policy at that time.

DISCUSSION

- 5 No further changes are proposed to the revised Policy from those approved at the 12 December 2023 meeting.

231 Stuart Street (formerly the Fortune Theatre)

- 6 The revised Policy in December 2023 proposed that 231 Stuart Street (formerly the Fortune Theatre) be removed from the list of Strategic Council-Owned Assets attached to the Policy. At the Council meeting on 25 November 2024, it was resolved:

Moved (Deputy Mayor Cherry Lucas/Cr Brent Weatherall):

That the Council:

- a) **Agrees** that Council would seek feedback on the removal of the Property at 231 Stuart Street from Schedule 2 of the Significance and Engagement Policy as part of the 9 year plan 2025-34 consultation process: and
- b) **Agrees** that Council would seek feedback on a proposal to sell the Property at 231 Stuart Street as part of the 9 year plan 2025-34 consultation process.

Division

The Council voted by division

For: Crs Bill Acklin, Sophie Barker, David Benson-Pope, Christine Garey, Kevin Gilbert, Carmen Houlahan, Cherry Lucas, Mandy Mayhem, Jim O'Malley, Steve Walker, Brent Weatherall and Andrew Whiley (12).

Against: Cr Lee Vandervis (1).

Abstained: Nil

The division was declared CARRIED by 12 votes to 1

Motion carried (CNL/2024/002)

- 7 The removal of 231 Stuart Street from the list of Strategic Council-Owned Assets will be consulted on as part of the 9 year plan consultation.

Foulden Marr

- 8 At its meeting on 12 December 2023, Council requested that staff investigate the inclusion or otherwise of Foulden Marr as a strategic asset in time for the January 10 year plan 2024-34 meeting.

- 9 Section 5 of the LGA provides the following definition of strategic assets:

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; and includes—

(a) any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and

(b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and

(c) any equity securities held by the local authority in—

(i) a port company within the meaning of the Port Companies Act 1988:

(ii) an airport company within the meaning of the Airport Authorities Act 1966.

- 10 Staff have considered the inclusion or otherwise of Foulden Marr as a strategic asset in reference to the definition of a strategic asset in the LGA and consider that it is not necessary to include Foulden Marr as a strategic asset within the Policy at this time. A separate report on Foulden Maar will be provided to Council during 2025.

OPTIONS

- 11 Council is required to have a Significance and Engagement Policy for consultation as part of the 9 year plan. Options have not been presented but Council is able to modify the revised Policy if it wishes.

NEXT STEPS

- 12 The revised Policy, with any amendments, will be finalised for consultation as part of the 9 year plan, seeking feedback to remove the Property at 231 Stuart Street from Schedule 2 of the Significance and Engagement Policy.

Signatories

Author:	Anne Gray - Policy Analyst
Authoriser:	Jeanette Wikaira - General Manager Arts, Culture and Recreation

Attachments

	Title	Page
A	Revised Significance and Engagement Policy	
B	Council report on Significance and Engagement Policy review - 12 December 2023	

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social, economic, environmental, and cultural well-being of communities in the present and for the future.

This decision adheres with Section 76AA of the Local Government Act 2002 which requires local authorities to have a Significance and Engagement Policy.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
3 Waters Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Future Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Policy applies to aspects of the Council's strategic framework, Te Taki Haruru (the Māori Strategic Framework) and the Council's Zero Carbon Plan.

Māori Impact Statement

The revised Policy aligns with Te Taki Haruru – the Māori Strategic Framework and to the DCC commitment to the principles of the Treaty of Waitangi. The DCC Māori Partnerships team was consulted with in the review of the Policy.

Sustainability

The revised Policy references the Council's commitment toward sustainability and the Zero Carbon Plan. Zero Carbon staff were consulted with in the review of the Policy.

Zero carbon

City and DCC emissions are unlikely to be materially affected by consulting on the revised Policy. The relevant updates to the (already approved) revised Policy included: reference to the Zero Carbon Plan, the addition of a sustainability principle to the principles of engagement, and acknowledgement of climate change as an overarching issue that impacts all areas of work at DCC.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

The Policy will be included in the 9 year plan 2025-2034.

Financial considerations

There are no financial implications.

Significance

The decision to approve a revised Policy for consultation is considered low in terms of the Council's Significance and Engagement Policy. The revised Policy will be consulted on as part of the 9 year plan consultation process, which uses the special consultative procedure.

SUMMARY OF CONSIDERATIONS***Engagement – external***

There has been no external engagement.

Engagement - internal

Staff from Communications and Marketing, Corporate Policy, Māori Partnerships, South Dunedin Future, Legal, and Zero Carbon teams were involved in the review of the Policy.

Risks: Legal / Health and Safety etc.

The In-House Legal Counsel were consulted on in the review of the Policy. There are no identified risks.

Conflict of Interest

There is no known conflict of interest.

Community Boards

There are no specific implications for Community Boards.

Significance and engagement policy | Kaupapa here hirahira whakatūtaka

1. Why do we engage?

The Dunedin City Council (DCC) is responsible for making decisions on behalf of its many communities and aims to achieve a high level of community understanding and support for DCC activities.

Engagement provides an opportunity for the public to discuss their views on a decision or proposal being considered by the DCC. The community views expressed through an engagement process will be considered, along with other information, when decisions are made.

Engagement may not necessarily result in consensus. However, engagement should allow for an exchange and examination of information and points of view between affected and interested people and decision-makers before a decision is made. Engagement ensures that decisions are informed by the community's involvement.

Consultation vs Engagement

Consultation involves obtaining public feedback on proposals; it is one form of engagement. The DCC regularly consults communities through processes such as the long-term plan which determine DCC's strategic direction as well as how it sets budgets and prioritises projects. The DCC can also decide to consult at any time on a decision, where it considers that appropriate. For most decisions, there is no statutory requirement to consult the public.

Engagement is a broader and ongoing process of sharing information with the community and seeking its feedback, with the purpose of involving the community in the process of decision making.

The Significance and Engagement Policy (the policy) is required under the Local Government Act 2002 (LGA). It establishes a general approach for determining the significance of DCC decisions and sets out when and how the DCC will engage the community in its decision-making relative to the significance of the decision.

2. Strategic Alignment

The DCC aims to engage meaningfully to implement the goals and strategic directions set up in the Strategic Framework.



Figure 1-DCC's Strategic Framework

In particular, the policy aligns with the commitment toward:

- Sustainability, implemented by the Zero Carbon Plan.
- The Treaty of Waitangi, implemented by Te Taki Haruru – The Māori Strategic Framework.

3. Purpose

The DCC will consider community views when making decisions. This policy establishes a general approach for determining the significance of decisions and sets out when and how the DCC will engage the community in its decision-making relative to the significance of the decision.

The objectives of this policy are:

- a) To establish a process for determining the significance of a decision.
- b) To support public involvement in significant decision-making, which will ensure good decision-making.
- c) To promote on-going engagement on the DCC's activities and projects.
- d) To build positive relationships with stakeholders and the wider community, encouraging co-operation, respect and mutual understanding of other points of view.
- e) To ensure that the DCC meets all legislative requirements in terms of consultation and community engagement, including the requirements of section 76AA of the LGA.

4. Principles of Engagement

The DCC will take a principle-based approach to its community engagement activities, in alignment with the International Association for Public Participation (IAP2) Core Values.

Principle 1: Engage effectively and openly.

- a) Genuine: We will engage honestly, and we will respect and listen to the views provided by the community with an open-mind and will give due consideration to them when making decisions.
- b) Timeliness: We will engage with the community as early as appropriate and ensure that engagement processes are an integral part of project planning. We will allow enough time for participants to contribute and for them to be able to raise unexpected issues.
- c) Purposeful: We will be clear about the purpose of engagement and the ability and scope of the engagement to influence decisions.
- d) Informed: We will provide clear, easy to understand and objective information relating to engagement and ensure it is readily available so that participants can make informed contributions.

Principle 2: Ensure appropriate delivery of engagement.

- a) Recognition of diversity: We will use engagement methods which are appropriate to the issue and those we are seeking to engage, having regard to their culture, age, ability and time availability.
- a) Inclusive and accessible: We will engage in a way which encourages participation of all who are likely to be affected by, or are interested in, a decision.
- b) Cost-effective: We will engage in a cost-effective manner, and resource engagement in proportion to the significance of the decision. We will ensure the least possible cost to all involved in the engagement (including the costs to the communities / affected parties).

Principle 3: Make provision for Māori to contribute to the decision-making processes actively and effectively.

- c) Engagement with Māori: In addition to all other principles, we will engage with Māori in the city in a way that is reflective of tikaka and kawa.

Principle 4: Consider the views, interests, needs and opinions expressed and report on their influence on the final decision.

- d) Responsive: We will be transparent about how we record, consider and respond to participants' contributions, and provide clear information on how the community's feedback has been taken into account in decision-making.

Principle 5: Consider the needs of future generations.

- e) Sustainable: We will consider the needs of the present without compromising the ability of future generations to meet their own needs.

International Association for Public Participation (IAP2) Core Values

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision-makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

Figure 2 – IAP2 Core values

5. Māori Engagement

In Te Taki Haruru – the Māori Strategic Framework for DCC – the value of Autūroa, referring to the concept and practice of mana and the longevity of ongoing influence and leadership in the community, relates to engagement and how we can effectively engage with Māori in Dunedin. Additionally, the value of Autakata, referring to the concept of whakapapa of mana whenua to the whenua of Ōtepoti, highlights why it is important to engage with mana whenua.

The implementation of Te Taki Haruru will provide avenues for DCC to engage with mana whenua and Māori, one of which is Tū Hono - the Māori Engagement Framework. Enabling DCC teams to assess the level of engagement required with mana whenua and mātāwaka Māori in Ōtepoti Dunedin.

Furthermore, Tū Kotahi - the Cultural Capability Framework will lift the ability and understanding of teams to engage with mana whenua and Māori communities of Ōtepoti Dunedin.

Finally, Te Pae Māori will provide a mana to mana forum in which Council, Mana Whenua and Mātāwaka are able to collaborate in decision making.

6. When do we engage?

- **Statutory Compliance:** The LGA and other legislation require the DCC to consult with the community in a range of circumstances. The LGA has also sets out principles to guide all consultation and prescribes specific consultative procedures, which must be followed in certain circumstances (refer to section 7). At a minimum, the Council will adhere to all legislative requirements.
- **Significant proposals or decisions:** The Council will determine the nature and form of the engagement in accordance with the significance of the particular decision. In general, the greater the significance of the decision, the more we will do to engage the community. A 'significant' decision will not automatically require the special consultative procedure but will require some method of engagement unless there are good reasons not to engage.
- **Reasons not to engage:** The Council acknowledges there are times when it is not necessary, appropriate or possible to engage the community on a proposal or decision. The Council may choose not to engage on a proposal or decision, but will only decide this in accordance with the criteria below:
 - a) The proposal or decision is not of a nature or significance that requires engagement.
 - b) The Council already has a sound understanding of the views and preferences of the persons likely to be affected by or interested in, the proposal or decision.
 - c) There is a need for confidentiality or commercial sensitivity.
 - d) The costs of engagement outweigh the benefits of it.
 - e) The proposal or decision has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.
 - f) An immediate or quick response or decision is needed or it is not reasonably practicable to engage.
- Whenever the Council does not formally engage, community views will still be considered before a decision is made and as much information will be provided to the public as possible. Figure 2 provides a summary of the factors the Council will consider when deciding when to engage.

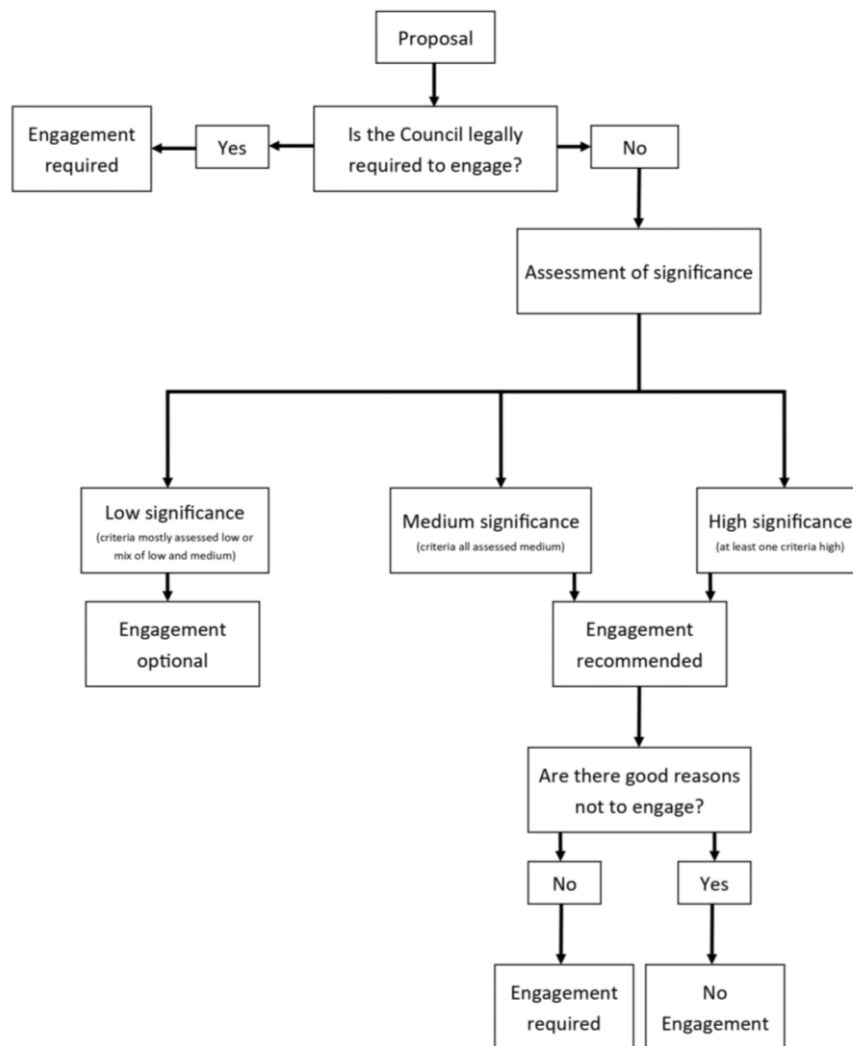


Figure 2-When to Engage Flowchart

6.1. Significance

Significance means the importance of an issue, proposal, decision, or matter, as assessed by the DCC, in terms of its likely impact on, and likely consequences for:

- Dunedin as a whole.
- The parties and communities who are likely to be particularly affected or interested in the issue, proposal, decision or matter.
- The financial and non-financial costs and implications, or the capacity of the DCC to perform its role/functions.

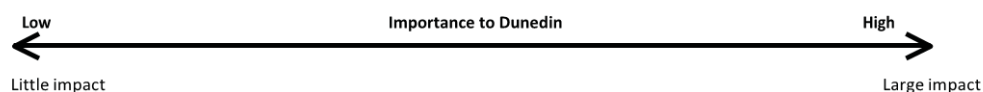
In considering DCC's strategic commitment to sustainability, climate change should be treated as an overarching issue that impacts all areas of work at DCC.

DCC staff and elected members will be responsible for assessing the significance of a potential decision, in accordance with legislation and this Policy. When determining the significance of an issue, proposal, decision or other matter the criteria in section 6.2 will be considered.

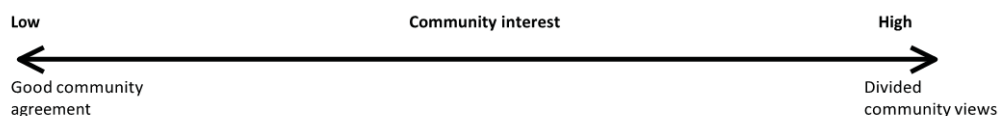
6.2. Criteria for Significance

The DCC has identified criteria to assess the degree of significance. The significance of an issue, proposal or decision lies somewhere on a continuum from low to high. Where the significance of a proposal or decision is unclear against one criterion, then the DCC will treat that criterion as being more, rather than less significant. If any of the following criteria are met, the proposal or decision may be 'significant'. However, the criteria should be considered collectively to get to this point.

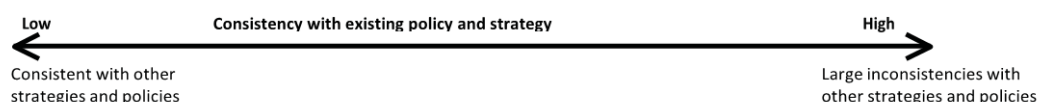
- **Importance to Dunedin:** The extent to which the matter impacts on DCC area, now and in the future. Factors to be considered include:
- a) The effect on existing levels of service provided by the DCC for significant activities (including a decision to begin or cease a significant activity).
 - b) The long-term social, economic, environmental and cultural impact of the decision on the needs of current and future generations.
 - c) The opportunity costs, the level of risk and how difficult it would be to reverse the effects of the decision.



- **Community interest:** The extent to which individuals, organisations, businesses, groups, communities and sectors within the community are particularly affected by, or are interested in, the matter. Factors to be considered include:
- a) The number of individuals, organisations, businesses, groups, communities and sectors within the community that are affected.
 - b) The extent of the impact on affected individuals, organisations, businesses, groups, communities and sectors within the community.
 - c) The level of public interest, or the potential to generate interest or controversy.
 - d) The extent to which community opinion is divided on the matter.

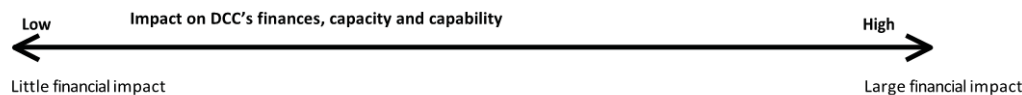


- **Consistency with existing policy and strategy:** the extent to which the matter is consistent with the DCC's community outcomes, Strategic Framework and policies (refer to Schedule 1). Factors to be considered include:
- a) The extent to which the decision is consistent with the DCC's community outcomes, Strategic Framework priorities and policies.
 - b) The extent to which the decision is consistent with previous DCC decisions.



- **Impact on DCC's finances, capacity and capability:** The impact of the decision on the ability to achieve the objectives set out in the DCC's Long Term Plan and Financial Strategy. Factors to be considered include:
- a) Transfers of strategic assets to or from the DCC (refer to section 6.3).
 - b) The financial cost of the decision, in the short, medium and long term.
 - c) The extent of the impact on rates and/or debt (including cumulative effects).

- d) The extent to which the decision is consistent with the Financial Strategy.
- e) The impact on DCC's capacity/capability to meet legislative requirements.



6.3. Strategic assets

Some assets or groups of assets are considered strategically important to achieve and promote the current or future wellbeing of the community and the priorities of the Strategic Framework. These assets are identified in Schedule 2.

In general, the DCC will, at a minimum, engage the community using the special consultative procedure (as described in section 7) on any significant changes to the DCC's ownership or control of strategic assets and any decisions to construct, replace or sell strategic assets.

6.4. Materiality and the Annual Plan

A local authority is required to prepare and adopt an Annual Plan for each financial year. Consultation on a proposed Annual Plan is only required if there are significant or material differences from the content of the Long Term Plan for the financial year concerned (Sections 95 and 95A of the LGA). However, the DCC can still choose to engage with the community on its plans if it wishes to do so.

Section 95A(5) of the LGA defines materiality: “For the purposes of this section a difference, variation or departure is material if it could in its own right, or in conjunction with other differences, influence the decisions or assessments of those reading or responding to the proposed Annual Plan.”

When assessing materiality, the key questions to consider are:

- Would this project/proposal cause a reasonable person to change their view of the affordability of the plan or of the service levels being provided?
- Would this project/proposal cause a reasonable person to want to/not want to provide feedback on the proposal?

Materiality in this context is not the same as the concept commonly used in financial reporting and cannot always be reduced to a dollar value.

7. How do we engage?

7.1. Level of Engagement

The DCC will determine which engagement tools, activities or processes to use based on the individuals, organisations, businesses, groups, communities and sectors within the community that are affected by, or interested in the proposal; and the extent of that interest/impact. In the first instance, DCC staff will be responsible for assessing the appropriateness of engagement activities for each proposal or decision at the project planning stage. The DCC will be flexible in its engagement approach and be responsive to new ideas. Reports to the Council and its Committees will outline a proposed engagement plan, to be approved by the Council or Committee.

The DCC recognises that differing levels of engagement tools, activities or processes may be required during the various stages of decision-making on an issue and for different stakeholders. Figure 3 is based on the International Association of Public Participation (IAP2) spectrum of engagement and sets out some engagement activities. It describes when these activities may be appropriate for particular kinds of decisions and when the community can expect to be involved in the decision-making. However, this does not commit the DCC to using specific tools or activities in any specific circumstance.

Level	Inform	Consult	Involve	Collaborate	Empower
Goal of engagement	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, or solutions.	To obtain public feedback on analysis, alternatives or decisions.	To work directly with the public throughout the process to ensure that public concerns are constantly understood and considered.	To partner with the community and stakeholders in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place the final decision-making in the hands of the public.
Examples of issues, decisions or matters where this engagement might be appropriate	Temporary road closure District Plan monitoring reports Council reports	Long Term Plan consultation Dog Control Bylaw	Review of the Community Grants Policy Revitalisation of an area (e.g. Warehouse Precinct)	Development of a Strategy (e.g. Economic Development Strategy) Upgrade of playgrounds	Triennial council election
Engagement activities the DCC might use – both in person and/or online	Public notice Letter drop Media release <i>Discussion paper</i> DCC website Multilingual radio FYI story <i>SDynamic</i> social media Animated videos Augmented reality	Exhibition Expo Public hearing Survey Special consultative procedure People's Panel Roadshow 'Graffiti' suggestion wall Social media	Community Board meeting Hui a iwi/ public meeting Working party Workshops Focus group Drop-in sessions Social media	Multi stakeholder process Advisory group Round table meeting Market pop-ups World cafe	Referendum Citizen juries Participatory budgeting
When the community can expect to be involved in the decision- making	The DCC will advise the community when a decision has been made.	The DCC will advise the community when a draft decision has been made and will provide the community with an opportunity to participate and respond before a final decision is made.	The DCC will provide the community with opportunities to be involved throughout the decision-making process, before a final decision is made.	The DCC will provide the community with opportunities to be involved throughout the decision-making process, including when the options are being considered before a final decision is made.	The DCC will provide the community with the power to make the final decision.

Figure 3: Types of Engagement Activities (IAP2 spectrum of engagement)

7.2. Engagement concerning local issues

Some local issues will be considered highly significant for particular communities. In these cases, the DCC will engage with affected communities directly. The DCC will take a flexible approach on how it engages with the community on local issues according to the community's preferences for engagement. This approach will often involve DCC staff, Councillors and, where relevant, Community Boards.

7.3. Engagement linked to day-to-day DCC business

DCC staff, in consultation with the relevant Councillors and Community Boards, will identify and manage community engagement activities associated with the organisation's usual work and projects. The responsible department will

establish the most appropriate engagement activities at the project planning stage. The department will then be responsible for providing information to the community on the issue and facilitating the community involvement.

7.4. Ongoing engagement activities:

The DCC recognises that engagement is not a one-off activity, and uses a number of initiatives regularly to engage with the community. Such activities enable early engagement on issues, and include:

- a) Advisory and stakeholder groups – The Council establishes advisory and stakeholder groups to engage with individuals, organisations, businesses, groups, communities and sectors within the community. These advisory and stakeholder groups may be ongoing or established for a particular timeframe. All advisory and stakeholder groups will be established by a Council resolution, have specific terms of reference and regularly report to a relevant Council Committee.
- b) Community Boards – The Council partners with Community Boards, which provide advice on matters affecting their communities and advocate for the interests of their communities. Community Boards may also make submissions to the DCC and other organisations on matters affecting their areas.
- c) Partnerships – The DCC facilitates a range of partnerships and networks between all levels of government, business and community organisations, including informal engagement with staff and key stakeholders.
- d) Place-based approach - The DCC works with a number of specific communities and neighbourhoods to set priorities in their area, improve the co-ordination of services being delivered within their area and enable consideration of all issues relating to their area.
- e) Online engagement – The DCC uses digital tools for engaging with the community, such as the People's Panel, social media and the DCC's website.

7.5. Special Consultative Procedure:

The DCC will engage with the community using the special consultative procedure when required by legislation, and when it is the most effective engagement tool for a particular proposal or decision. The special consultative procedure is outlined in section 83 of the LGA, and is summarised below.

- a) The DCC will prepare and the Council will adopt a written statement of proposal, and if relevant, a summary of that proposal, which will: clearly identify what the proposal is and the reasons for it; and provide an analysis of feasible options.
- b) The DCC will provide an opportunity for people to give feedback on the matter and will: ensure the summary and statement of proposal is widely available; enable interaction between the community and the Council, or its representatives; provide an opportunity for people to present their views to the Council; and provide at least one month for feedback.

8. Review

This Policy will be reviewed at least once every three years, and within 12 months following each triennial election.

Schedule 2: Strategic Council-Owned Assets

Strategic assets are those considered by the DCC to be strategically important to achieve and promote the current or future well-being of the community and the priorities of the Strategic Framework. Currently the DCC's strategic assets are:

Aquatic Facilities

Cemeteries

Community housing

Dunedin Botanic Garden

Dunedin Centre, Town Hall and Municipal Chambers

Dunedin Chinese Garden

Dunedin Public Art Gallery and collections

Dunedin Public Libraries and collections

Dunedin Railway Station

Edgar Centre

Forsyth Barr Stadium

Hereweka Harbour Cone

(changed to Waste management Facilities, see below)

Logan Park

(changed to Aquatic Facilities, see above)

Olveston House and collections

Parks, recreation and open space network

Regent Theatre

Shares in Dunedin International Airport Limited

Dunedin City Holdings Limited

Stormwater collection and disposal system

The Town Belt

Toitū Otago Settlers Museum and collections

Transportation Network

Waste management facilities

Wastewater collection, treatment and disposal system

Water collection, storage, treatment and distribution system

Notes:

- The DCC may consider any other asset or group of assets as being 'significant' by using the criteria of significance in section 2.
- Where a strategic asset is a network or has many components, decisions can be made on individual components within the network without it being regarded as significant, unless that component substantially affects the level of service provided to the community.
- Decisions can be made to physically alter strategic assets that are required to prevent an immediate hazardous situation arising, or repair an asset due to damage from an emergency or unforeseen situation.
- As agreed by the Council, in the case of Council Controlled Organisations (CCO), decisions relating to the management, acquisition or divestment of assets are taken by the independent board of the CCOs under the Statement of Intent.

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10 YEAR PLAN 2024-34 - REVIEW OF THE SIGNIFICANCE AND ENGAGEMENT POLICY

Department: Corporate Policy

EXECUTIVE SUMMARY

- 3 This report updates Council on the review of the Significance and Engagement Policy (the Policy) undertaken as part of the 10 Year Plan 2024-34 process and requests approval of the proposed changes. The revised Policy is provided as Attachment A. A version showing tracked changes in the document is provided as Attachment B.2 Every local Council in Aotearoa New Zealand is required to have a Significance and Engagement Policy under the Local Government Act 2002 (LGA). Council is responsible for making decisions on behalf of the city, and for engaging with the community on significant decisions. The role of the Policy is to guide Council on assessing what, when and how significant decisions are made.
- 4 The review of the Policy has found that it is largely fit for purpose. Some improvements were identified, and these are detailed in this report.

RECOMMENDATIONS

That the Council:

- a) **Approves** the revised Significance and Engagement Policy.
- b) **Notes** that the revised Significance and Engagement Policy will be included as a supporting document during the 10 Year Plan consultation.

BACKGROUND

- 5 The Policy is required by Section 76AA of the LGA. It must set out:
- The general approach the council takes to determining the significance of an issue, a matter or decision.
 - The criteria and procedures used for determining significance.
 - What the community can expect in terms of consultation and engagement on matters with different degrees of significance.
 - The list of assets considered by the Council to be strategic assets.
- 6 Section 5 of the LGA provides the following definition of strategic assets:
- 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; and includes—*
 - (a) any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and*
 - (b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and*
 - (c) any equity securities held by the local authority in—*
 - (i) a port company within the meaning of the Port Companies Act 1988:*
 - (ii) an airport company within the meaning of the Airport Authorities Act 1966.*
- 7 The DCC's current Policy was first adopted on 24 November 2014, and last reviewed in 2021 for the 10 year plan 2021-2031.
- 8 The last review of the Policy included minor amendments to provide further clarity for staff implementing the Policy, as well as one minor change from the previous strategic assets list – listed in Schedule 2 of the Policy: from 'Fortune Theatre' to '231 Stuart Street (formerly the Fortune Theatre)' to reflect the change in usage of this asset.
- 9 In the last review, the Dunedin City Council's (DCC) Māori Participation Working Party recommended elevating the principle of Māori engagement in the list of principles included in the Policy, as well as endorsing revised wording in the current Policy.
- 10 The current Policy includes criteria to determine 'significance' in relation to a strategic decision.
- 11 The current Policy outlines a brief description of strategic assets, which are Council-owned assets or groups of assets that are considered strategically important for the wellbeing of residents and in achieving strategic priorities for the city.
- 12 The current list of Council-owned strategic assets varies from individual assets such as Moana Pool, to groups of assets such as the transportation network. If the Council wanted to make any changes to the ownership or control of the strategic assets, Council would at the least, engage with the community using the consultative procedures outlined in the policy.
- 13 The council must consult when amending the Policy unless it considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.

DISCUSSION

- 14 The current Policy has been reviewed and is still considered fit for purpose as it provides a framework for assessing the significance of decisions, and an outline of engagement approaches in line with the International Association of Public Participation (IAP2) spectrum of public participation.
- 15 From a legal perspective, the DCC's current Policy meets the requirements of section 76AA of the LGA.

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- 16 However, after DCC staff researched and reviewed other Significance and Engagement policies in Aotearoa New Zealand, the following changes in form and structure are proposed:

Introduction and principles

- 17 The DCC's strategic framework includes two strategic principles; the Treaty of Waitangi and sustainability which are not reflected in the current Policy.
- 18 It is proposed to strengthen the Policy by introducing a reference to the recently adopted Zero Carbon Plan and Te Taki Haruru - The Māori Strategic Framework
- 19 To clarify the engagement principles and underline their influence on all engagement activities, it is proposed to move the principles of engagement to the beginning of the Policy and to reorganise them in five overarching principles as follows, with a new principle addressing sustainability:
 - Principle 1: Engage effectively and openly with community.
 - Principle 2: Ensure appropriate delivery of engagement.
 - Principle 3: Make provision for Māori to actively and effectively contribute to decision-making processes.
 - Principle 4: Consider the views, interests, needs and opinions expressed during engagement and report on their influence on the final decision.
 - Principle 5 (new): Consider the needs of future generations.

Māori Engagement

- 20 It is proposed to include a specific paragraph referencing Te Taki Haruru – The Māori Strategic Framework and its complementary frameworks Tū Hono (Māori Engagement Framework) and Tū Kotahi (Cultural Capability Framework). This addition will promote alignment between the Policy and the new frameworks which implement the DCC's commitment to the Treaty of Waitangi.

Determining when to engage

- 21 It is proposed to revise the flowchart for deciding how to engage by including additional guidance for staff for the overall assessment of the significance of a decision, to better guide the implementation of the Policy.

Strategic assets list

- 22 Apart from the legally required assets, detailed below, it is a decision for Council as to what assets or groups of assets Council needs to retain.
- 23 In reviewing the current Strategic Assets list for the DCC, the rationale for why some assets have been included, or not, is based on two broad indicators as outlined in the Policy:
 - Achievement and promotion of the current and future well-being of the community.
 - Achievement and promotion of the priorities of the Strategic Framework.

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- 24 Given the definition of strategic assets in Section 5 (b) and (c) of the LGA, the following cannot be deleted from the list of strategic Council-owned assets:
 - Community Housing. It is important to note that this inclusion does not mean that the sale of an individual community housing complex would necessarily be regarded as significant, but it does mean that the sale of a major part of DCC's Community Housing stock would be a significant decision. The Policy currently states that where a strategic asset is a network or has many components, decisions can be made on individual components within the network without it being regarded as significant, unless that component substantially affects the level of service provided to the community.
 - Shares in Dunedin International Airport Limited.
- 25 Three changes to the current strategic assets list are proposed:
 - Removal of the Fortune Theatre, in preparation for the sale of the asset.
 - Change 'Moana Pool' to 'Aquatic Facilities'.
 - Change 'Landfills' to 'Waste Management Facilities'.

OPTIONS

Option One – Recommended Option – Approves the revised Significance and Engagement Policy

- 26 The Council approves the revised Policy, with any additional amendments, for inclusion in the draft 10 year plan 2024-34.

Advantages

- Fulfils the DCC commitment to review the Policy once every three years.
- Strengthens the aspirational dimension and alignment of the Policy with the DCC's Strategic Framework, while keeping its current characteristics.
- Provides an updated list of strategic assets aligned with the DCC's activities.

Disadvantages

- There are no identified disadvantages.

Option Two – Status Quo – Does not approve the revised Significance and Engagement Policy

- 27 The Council does not approve the revised Policy, as attached, for inclusion in the draft 10 year plan 2024-34, and the current Policy is included in the draft 10 year plan 2024-34.

Advantages

- There are no identified advantages

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Disadvantages

- Does not fulfil the DCC commitment to review the Policy once every three years.
- Missed opportunity to strengthen the aspirational dimension and alignment with DCC's strategic framework.
- Maintain a list of Strategic assets inconsistent with DCC's activities.

NEXT STEPS

- 28 If approved by Council, the revised Policy will be included as a supporting document in the draft 10 year plan 2024-34.
- 29 If the revised Policy is not approved, the current Policy developed for the 10 year plan 2021-31 will be included as a supporting document in the draft 10 year Plan 2024-34.

Signatories

Author:	Jasmin Lamorie - Senior Corporate Planner
Authoriser:	Jeanette Wikaira - General Manager Arts, Culture and Recreation

Attachments

	Title	Page
A	draft Revised Significance and Engagement Policy - 10 year plan 2024-34	
B	draft Revised Significance and Engagement Policy 10 year plan 2024-34 TRACKED CHANGES VERSION	

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social, economic, environmental, and cultural well-being of communities in the present and for the future. This decision adheres with Section 76AA of the Local Government Act 2002, which requires local authorities to have a Significance and Engagement Policy, and .

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Waters Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spatial Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Significance and Engagement Policy applies to aspects of the DCC's Strategic Framework, Te Taki Haruru (the Māori Strategic Framework) and the DCC's Zero Carbon Plan.

Māori Impact Statement

The revised Significance and Engagement Policy aligns with Te Taki Haruru – the Māori Strategic Framework and to the DCC commitment to the principles of the Treaty of Waitangi. The DCC's Māori Partnerships team has been consulted with in the development of the revised policy.

Sustainability

The revised Significance and Engagement Policy references the DCC commitment toward sustainability, the Zero Carbon Plan. Zero Carbon staff have been consulted with in the development of the revised policy.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

The Significance and Engagement Policy will be included in the Long Term Plan (10 year Plan) 2024-34.

Financial considerations

There are no financial implications.

Significance

The revised Significance and Engagement Policy will be included as a supporting document in the draft 10 year Plan 2024-34 that will undergo public consultation in 2024.

Engagement – external

There has been no external engagement.

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SUMMARY OF CONSIDERATIONS

Engagement - internal

The DCC's Communication and Marketing, Corporate Policy, Māori Partnerships, South Dunedin Future, Legal, and Zero Carbon teams have been involved in the development of the revised Significance and Engagement Policy.

Risks: Legal / Health and Safety etc.

The DCC's in-house Legal team has been consulted on the revised Significance and Engagement Policy. There are no identified risks.

Conflict of Interest

There is no conflict of interest.

Community Boards

Community Boards areas will be included in the public consultation on the draft 10 year Plan 2024-34.