

# Engagement Policy



Policy References	
• Sponsor:	Judy Campbell
• Effective:	September 2014
• Review Date:	June 2018
• Legal Compliance:	In general the Local Gov t Act 2002 (sections 78 , 82, 40/1/h) and the Resource Management Act 1991. In some cases Reserves Act 1977, and Biosecurity Act 1993.
• Associated Documents/ References:	Consultation Policy 2008 GDC Long Term Plan GDC Local Governance Statement. Significance and Engagement Policy 2014 Tairāwhiti Piritahi – GDC Maori Responsiveness Framework
• Policy Number	15/04

## Purpose

This policy outlines Gisborne District Council's commitment to ensuring the community participates in Council decision-making processes through effective engagement.

## Policy

All public engagement, as defined in this policy, is to be considered and carried out in accordance with this policy.

## Application

This policy applies to all procedures, practices and activities of Gisborne District Council unless contrary to special purpose legislation.

This policy fulfils the requirements of a Consultation policy under section 40/1/h<sup>1</sup> in the Local Government Act 2002 (LGA).

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Authorised by

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Date of approval

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<sup>1</sup> Section 40 LGA: Local governance statements

## Objectives

The Gisborne District Council values and is committed to effective community engagement because better decisions are made when there is community input.

Council's purpose is to make decisions and take action on behalf of its communities. This purpose is met when the community is knowledgeable about the issues and the effect of them on their well-being. Informed feedback to the decision-makers is also necessary. Through this policy Council intends to:

- promote a sense of ownership of its decisions by the people of the district
- inform people and communities about the issues that effect them
- provide an opportunity for meaningful input into decisions
- create an awareness of the diversity of opinion within the community
- show leadership
- enable staff to be innovators in the approaches that they recommend and take
- meet its legal obligations.

## Meaning of Engagement

"Engagement" is about making meaningful connections between groups of people.

It does not mean that the decision will be delegated to those involved in the engagement process but, rather, that the decision – when made – is likely to be improved by community involvement.

Engagement is not:

- just about providing information
- a substitute for decision-making
- always about reaching an agreement or consensus
- always about negotiation
- just promoting a decision already made.

There is a range of ways that communities can participate in decision-making by Councils on their affairs.

## Levels of Engagement

Council accepts the following definitions from the International Association of Public Participation in the following table and will be guided by it when considering how and when to seek community input into its decisions.

IAP2 Levels of Engagement	
Level	Goal
Inform	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.
Consult	To obtain public feedback on analysis, alternatives and/or decisions.
Involve	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
Collaborate	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
Empower	To place final decision-making in the hands of the public.

In some cases community engagement is not always appropriate, such as when:

- Organisational decisions (ie staff changes and operational matters) that do not materially reduce a Level of Service
- Emergency management activities during a state of emergency – Civil Defence Emergency Management 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 serious 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 commercially sensitive (i.e. awarding contracts);
- Any decisions that are made by delegation/sub-delegation to officers for action;
- Entry or exit from a development agreement (private contract) as per section 207A Local Government Act 2002;
- Decisions in relation to regulatory and enforcement activities;
- Council has a sound understanding of the views and preferences of people likely to be affected.

## Principles of Engagement

Council will apply the following principles to its approach to community engagement. The principles are common to all engagement processes but the emphasis or weighting will reflect the needs of the issue or question.

The principles have been drawn from and are consistent with sections 78, 81, 82 and 82A<sup>2</sup> of the LGA. Other principles have been added to reflect the Council's commitment to improving the standard.

**Access to Information** – we will provide reasonable access to relevant information in a manner and format that is appropriate to needs of people, provided that information is not commercially sensitive.

**Encouragement to Present Views** – we will encourage all those affected by or who have an interest in an issue or project to present their views.

**Transparency** – we will provide information about the purpose of the consultation and the scope of the decisions – for example, why the Council is consulting, what issues are and are not up for a decision, how the decisions will be made and who will be making them. The Council will be clear on how decisions will be made and who will be making them so that the participants know and understand the impact of their involvement.

**Opportunity to Present Your Views** – we will be flexible in allowing a variety of means of delivery. Anyone who wishes to have their views considered will be provided with a reasonable opportunity to present those views in ways that are appropriate to their needs.

**Feedback** – we will provide information regarding the outcome of the decision-making process and the reasons for the decisions.

**Openness** – we will receive presented views with an open mind and will give those views due consideration when making a decision. The Council welcomes indications of support for or opposition to proposed decisions.

**Responding to Diversity** – we will seek the views of a wide cross-section of the community using the most appropriate ways of consulting with various sector and interest groups in the community.

**Consulting with Tangata Whenua** – we will continue to maintain and further look for appropriate mechanisms for engagement with Maori and Tangata Whenua and provide opportunities for them to contribute to our decision-making processes.

**Timeliness** – we will build consultation into the planning process from the start. Sufficient time will be allowed to consider responses from all groups with an interest in or who are affected by the issue.

**Co-ordination** – we will encourage planning, co-ordination and collaboration amongst Council departments and entities over engagement processes.

## Engagement Practice

Council will, as a minimum, use good practice in its engagement. As a norm we will be innovators. We will:

- assess if the particular issue warrants or is appropriate for engagement

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<sup>2</sup> Section 78 LGA: Community views in relation to decisions; Section 81 LGA: Contributions to decision-making processes by Māori; 82 LGA: Principles of consultation; 82A LGA: Information requirements for consultation required under this Act.

- consider the costs and benefits of any engagement
- choose the level of engagement most suited to each issue and form an engagement plan
- consider the extent that Council is already aware of views of potentially affected and interested people
- commit to consider the views of people and their communities when:
  - problems and objectives related to the matter are defined
  - options are identified
  - proposals are developed
  - proposals are adopted
- have regard for the nature and significance<sup>3</sup> of the decision and its likely impact on those affected
- engage as early as possible and appropriate in a decision-making process and ensure engagement processes are an integral part of project planning in its earliest stages
- co-ordinate engagement and decision-making processes across departments as appropriate and wherever practicable
- be sensitive to engagement becoming a burden and people becoming reluctant to participate (effectively losing faith in the process)
- seek to use the Annual Plan and Long Term Plan engagement processes for as many key issues as is appropriate and practical
- spread costs by engaging jointly with other authorities, where appropriate
- resource and delegate other members of the community to carry out engagement, where appropriate and cost-effective
- use engagement methods that are most appropriate for the community and the issue.

## Consultation with Tangata Whenua and Māori

Council recognises its obligations under the section 81 in the LGA to establish and maintain processes to provide opportunities and capacity for Māori to contribute to its decision-making processes and make information available to them. Engagement with Tangata Whenua and Maori is guided by Tairawhiti Piritahi, Council's strategic framework to effect Maori and Tangata Whenua participation in Council planning and decision-making processes.

Some transactions such as straight forward customer service transactions may require a standard response, however some of Council's interactions may require deeper understanding of Maori concepts, society or language in order to adequately respond and assist Maori to undertake their customary roles and responsibilities.

The Council considers these general principles as appropriate for guiding our role in working with Maori communities, given not one way of engaging will fit all Maori.

*Partnership:* acting reasonably, honourably and in good faith to ensure the strategic relationship has integrity and respect, in the present and for the future of Tairawhiti.

*Participation:* recognising that both parties can reciprocate and contribute, for mutual benefit, in deciding the future of the district;

*Protection:* actively protecting the taonga of local iwi, hapu, whanau and safeguarding cultural concepts, values and practices to be celebrated and enjoyed for all people of Tairawhiti.

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<sup>3</sup> Refer to GDC's Significance and Engagement policy 2014.

The contribution by Tangata Whenua and Māori to decision-making processes is provided for by way of direct public forum, petitions deputations and representation from Tangata Whenua to all committees of Council.

Additionally, Council has a number of project specific “protocols” with affected Tangata Whenua that deal with culturally significant issues that pertain directly with a project. Council will honour all protocols, processes, agreements and memorandum of understanding developed with Māori as they relate to engagement as part of its decision-making policies

Engagement with Tangata Whenua and Māori over decision-making needs to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wahi tapu, valued flora and fauna and other taonga.

## **Consultation under other Acts**

Section 82(5)<sup>4</sup> of the LGA says that – where specific consultation is required under the LGA or any other enactment and is inconsistent with any section 82 principle – the provisions will prevail (to the extent of the inconsistency). Those other Acts include the Reserves Act 1977, the Biosecurity Act 1993 and the Resource Management Act 1991.

## **Special Consultative Procedure**

Where any decision requires a special consultative procedure to be followed, Council will follow the procedure prescribed in the relevant Act.

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<sup>4</sup> Section 82 LGA: Principles of consultation.