

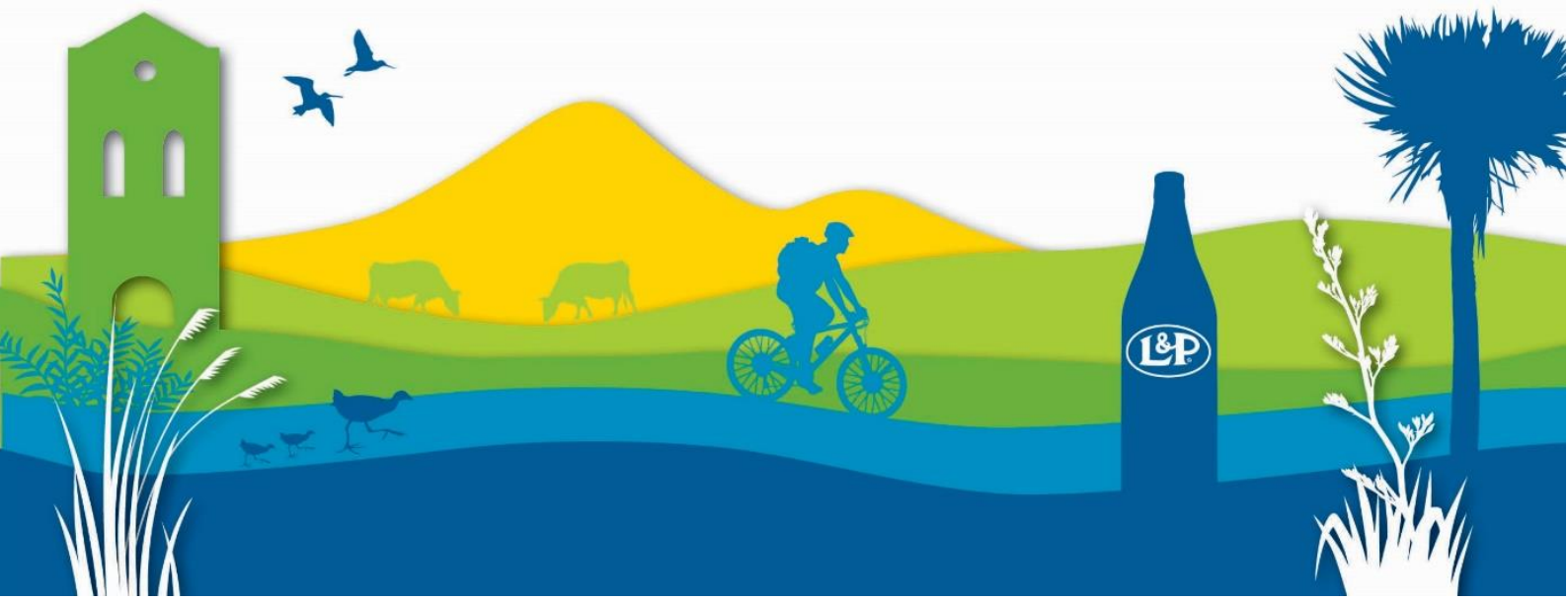


2020

# Significance and Engagement Policy

Kaupapa here whai pūtake me te  
tūhonohono

our home, our future  
tō tātou rohe kāinga, tō tatou ao tūroa



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## 1. Purpose and scope

- 1.1. The purpose of this policy is to enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities.
- 1.2. To provide clarity about how and when communities can expect to be engaged in decisions made by Council.
- 1.3. To inform Council from the beginning of a decision-making process about the extent, from and type of engagement required.
- 1.4. To set out those assets considered by Council to be strategic assets.

## 2. Legislative context

- 2.1. This policy is made in accordance with Local Government Act 2002.
- 2.2. This policy will not apply where significance and engagement provisions are provided for in other legislation under which Council operates, such as the Resource Management Act, 1991.

## 3. Policy

### Determining significance

- 3.1. Engagement with the community is needed to understand the views and preferences of people likely to be affected by or interested in a proposal or decision.
- 3.2. An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as a proposal develops.
- 3.3. The Council will take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:
  - i. Whether there is a legal requirement to engage with the community.
  - ii. The level of financial consequences of the proposal or decision.
  - iii. Whether the proposal or decision will affect a large portion of the community.
  - iv. The likely impact on the current and future social, economic, environmental, or cultural well-being of the district.
  - v. Whether the proposal will have significance to Maori cultural values and their relationship to land and water.
  - vi. Whether the proposal affects the level of service of a significant activity.
  - vii. Whether community interest is high.
  - viii. Whether the likely consequences are controversial.

- ix. Whether community views are already known, including the community's preferences about the form of engagement.
  - x. The form of engagement used in the past for similar proposals and decisions.
- 3.4. If a proposal or decision is affected by a number of the above considerations, it is more likely to have a higher degree of significance.
- 3.5. When undertaking a process to determine the extent to which proposals and decisions are significant, the Council will use the following thresholds as an initial guide:
- i. Net financial cost/revenue of implementation, excluding any financial impact already included in a Long-Term Plan/Annual Plan:
    - a. Net capital expenditure >20% of total rates in year commenced, and/or
    - b. Net operating expenditure >5% of total rates in year commenced.
  - ii. Any transfer of ownership or control, or abandonment, as a strategic asset as defined by the Local Government Act, 2002, or listed in Schedule 1 of this policy.
  - iii. A decision that will, directly or indirectly, significantly affect the capacity of the Council to carry out any Activity identified in the adopted Hauraki Long Term Plan.
  - iv. Entry into any partnership with the private sector to carry out a significant activity.
  - v. A decision that will trigger a breach of one or more of Council's Rates Caps as detailed in the Council's operative financial strategy.
  - vi. A decision that will trigger a breach of one or more of Council's Debt Caps as detailed in the Council's operative financial strategy.
- 3.6. In general, the more significant an issue, the greater the need for community engagement.

### Community engagement

- 3.7. The Council will apply a consistent and transparent approach to engagement.
- 3.8. The Council will use the Special Consultative Procedure (as set out in the Local Government Act 2002) where required to do so by law, including for the following issues requiring decisions:
- The adoption or amendment of a Long Term Plan (in accordance with section 93A of the LGA 2002)
  - The adoption, amendment or revocation of bylaws if required under section 156(1)(a) of the LGA 2002
  - The adoption, amendment or revocation of a Local Alcohol Policy
  - The adoption or review of a Local Approved Products (Psychoactive Substances) Policy
  - The adoption or review of Class 4 Venue Policy under the Gambling Act 2003
  - The preparation, amendment or revocation of a Waste Management and Minimisation Plan
- 3.9. Unless already explicitly provided for in the Long Term Plan, the Council will seek to amend its Long Term Plan, and therefore use the Special Consultative Procedure, when it proposes to:

- Alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity; or
  - Transfer of ownership or control of strategic assets, as listed in Schedule 1.
- 3.10. The Council will consult in accordance with, or using a process or a manner that gives effect to the requirements of, section 82 of the LGA 2002 where required to do so by law, including for the following specific issues requiring decisions:
- Adopting or amending the annual plan if required under section 95 of the LGA 2002
  - Transferring responsibilities to another local authority under section 17 of the LGA 2002
  - Establishing or becoming a shareholder in a council-controlled organisation
  - Adopting or amending a revenue and financing policy, development contributions policy, financial contributions policy, rates remission policy, rates postponement policy, or a policy on the remission or postponement of rates on Māori freehold land
- 3.11. For all other issues requiring a decision, Council will determine the appropriate level of engagement on a case by case basis.
- 3.12. The Community Engagement Guide Schedule 2 identifies the form of engagement Council may use to respond to some specific issues. It also provides examples of types of issues and how and when communities could expect to be engaged in the decision making process.
- 3.13. When Council makes a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the Local Government Act 2002 will be undertaken.

### Engagement with Māori

- 3.14. Council recognises that Māori as Tangata Whenua have a unique relationship with Council through the Treaty of Waitangi and supporting legislation.
- 3.15. Council will recognise Māori cultural values and take into account Māori interests, particularly their relationship to land and water.
- 3.16. Council will establish and maintain processes to provide opportunities for Māori to be consulted and contribute to decision-making processes.

### When will Council not engage?

- 3.17. There are times when it will not be appropriate to engage with the community on certain matters. Examples of this include when Councils is:
- protecting the privacy and safety of individuals (as provided for in the Privacy Act 1993).
  - maintaining confidentiality and/or commercial sensitivity to enable Council to carry out commercial activity or negotiations without prejudice (as provided for in the Local Government Official Information and Meetings Act 1987).
  - acting with urgency in a crisis (for example, under the Civil Defence Emergency Management Act 2002).

## 4. Glossary

- 4.1. Unless the context requires otherwise, the definitions of words or terms used in this Policy that are also used in the Local Government Act 2002 are those defined in that Act.

<b>Community</b>	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
<b>Decisions</b>	Refers to all the decisions made by on or behalf of Council including those made by officers under delegation. (Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed to be significant).
<b>Engagement</b>	Is a term used to describe the process of seeking information from the community to inform decision making. There is a continuum of community involvement.
<b>Significance</b>	As defined in Section 5 of the Local Government Act 2002 "in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of an issue, proposal, decision or matter, as addressed by the local authority, in terms of its likely impact on, and likely consequences for, - (a) The current and future social, economic, environmental, or cultural well-being of 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.
<b>Significant Activity</b>	The Hauraki District Council significant activities are as follows: i. Land Transport ii. Water Supply iii. Waste water iv. Stormwater v. Land Drainage.
<b>Strategic Asset</b>	As defined in Section 5 of the Local Government Act 2002 "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”

## 5. Review

- 5.1. The policy will be reviewed three yearly to ensure alignment with statutory changes and Councils expectations and practices.

## 6. Document management and control

<b>Title</b>	Hauraki District Council Significance and Engagement Policy 2020
<b>Sponsor</b>	Strategic Planning
<b>Approved by:</b>	Hauraki District Council
<b>Adoption date:</b>	9 September 2020
<b>Review by:</b>	September 2023
<b>File ref:</b>	2817802

Property of Hauraki District Council

## Schedule 1 – Strategic Assets

Section 5 of the Local Government Act 2002 requires the following to be listed in this Policy:

- (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.


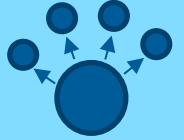
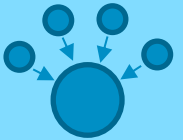
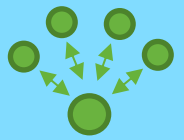
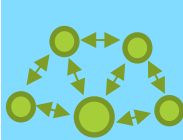
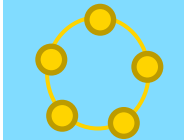
The following is a list of assets or group assets that the council needs to retain if it is to maintain its capacity to achieve or promote any outcome that it determines to be important to the current or future well-being of the community.

### **Hauraki District Council Strategic Assets:**

- i. The Hauraki District Council roading network as a whole;
- ii. The Hauraki District Council land drainage network as a whole;
- iii. The Hauraki District Council wastewater network as a whole;
- iv. The Hauraki District Council water network as a whole;
- v. The Hauraki District Council urban Stormwater network as a whole;
- vi. Memorial halls in Ngatea, Paeroa and Waihi;
- vii. Elderly Housing.



## Schedule 2 – Community Engagement Guide

Increasing level of public impact 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
					
<b>Promise</b>	<i>We will keep you informed</i>	<i>We will listen to and acknowledge your concerns</i>	<i>We will work with you to ensure your concerns and aspirations are directly reflected in the decisions made</i>	<i>We will look to you for advice and innovation and incorporate this in decisions as much as possible</i>	<i>We will implement what you decide</i>
<b>What it involves</b>	One-way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.	Two-way communication designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision-making.	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision-making.	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	The final decision making is in the hands of the public. Under the LGA 2002, the Mayor and Councillors are elected to make decisions on behalf of their constituents.
<b>Types of issues</b>	Hauraki Water Restrictions	Hauraki Long Term Plan	Draft Hauraki District Plan Pre-Consultation	Community Plans	Election voting systems (MMP, STV or first past the post)
<b>Possible tools</b>	Websites/Social media Information flyer Public notices Media releases	Through SCP seek formal submissions and hold hearings, focus groups, surveys.	Workshops Focus groups Citizens panel Online surveys	External working groups (involving community experts)	Binding referendum Local body elections
<b>When the community can be expected to be involved</b>	Council would generally advise the community once a decision is made.	Council would advise the community once a draft decision is made	Council would generally provide the community with more informal and longer lead time to allow them time to be involved in the process.	Council would generally involve the community at the start to scope the issue, again after information has been collected and again when options are being considered.	Council would generally provide the community with a greater lead in time to allow them to be involved in the process. E.g. typically a month or more.

IAP public participation spectrum

## Schedule 3 - Assessment Matrix

If yes is answered to any of the general approaches or criteria/thresholds below then the matrix will need to be completed fully to consider the issues and a proposal as to the degree of significance will need to be prepared that includes the Assessment matrix/community engagement guide (schedule 2) and associated decision-making report templates.

Policy	Standard	Yes	No	Matters for consideration
Legal requirement	<p><i>Is there a legal requirement to engage with the community?</i></p> <p><i>(If yes ensure all legislative requirements are met but complete the remainder of the matrix to ascertain if any additional engagement is required)</i></p>	✓		
General approach	<p><i>Does the proposal or decision affect a large portion of the community?</i></p>			
	<p><i>Is there a significant impact on the current, future social, economic, environmental, or cultural well-being of the district?</i></p>			
	<p><i>Are the likely consequences controversial?</i></p> <p><i>(Have they been controversial historically within the District, Regional or New Zealand generally?)</i></p>			
	<p><i>Is community interest high?</i></p> <p><i>Are community views already known, including the community's preferences about the form of engagement?</i></p> <p><i>(Consider what form of engagement was used in the past for similar proposals or decisions)</i></p>			
	<p><i>Does the proposal have significance to Māori cultural values and their relationship to land and water?</i></p>			
Criteria/ Thresholds	<p><i>Net financial cost/revenue of implementation, excluding any financial impact already included in a Long Term Plan/Annual Plan:</i></p> <ul style="list-style-type: none"> <li>• <i>Net capital expenditure &gt; 20% of total rates in year commenced and/or</i></li> <li>• <i>Net operating expenditure &gt; 5% of total rates in year commenced.</i></li> </ul>			
	<p><i>Does it involve any transfer of ownership or control, or abandonment of a strategic asset?</i></p>			
	<p><i>Will there be a change in the level of service?</i></p>			
	<p><i>Private Sector partnership?</i></p>			
	<p><i>Will the decision trigger a breach of one or more of Council's Rates Caps as detailed in the Council's operative financial strategy.</i></p>			
	<p><i>Will the decision trigger a breach of one or more of Council's Debt Caps as detailed in the Council's operative financial strategy.</i></p>			

**Recommendation** [include this in the 'Significance Assessment' section of the report]

The decision **IS/IS NOT considered significant** under the Council's Significance and Engagement Policy 2020.

**Rationale** [include this in the 'Significance Assessment' section of the report]

**Engagement level/requirements (having considered Schedule 2 – Community Engagement Guide)** [include this, if appropriate, in the 'Significance Assessment' section of the report]



For more information:

- **W** [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz)
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- Waihi: 40 Rosemont Road