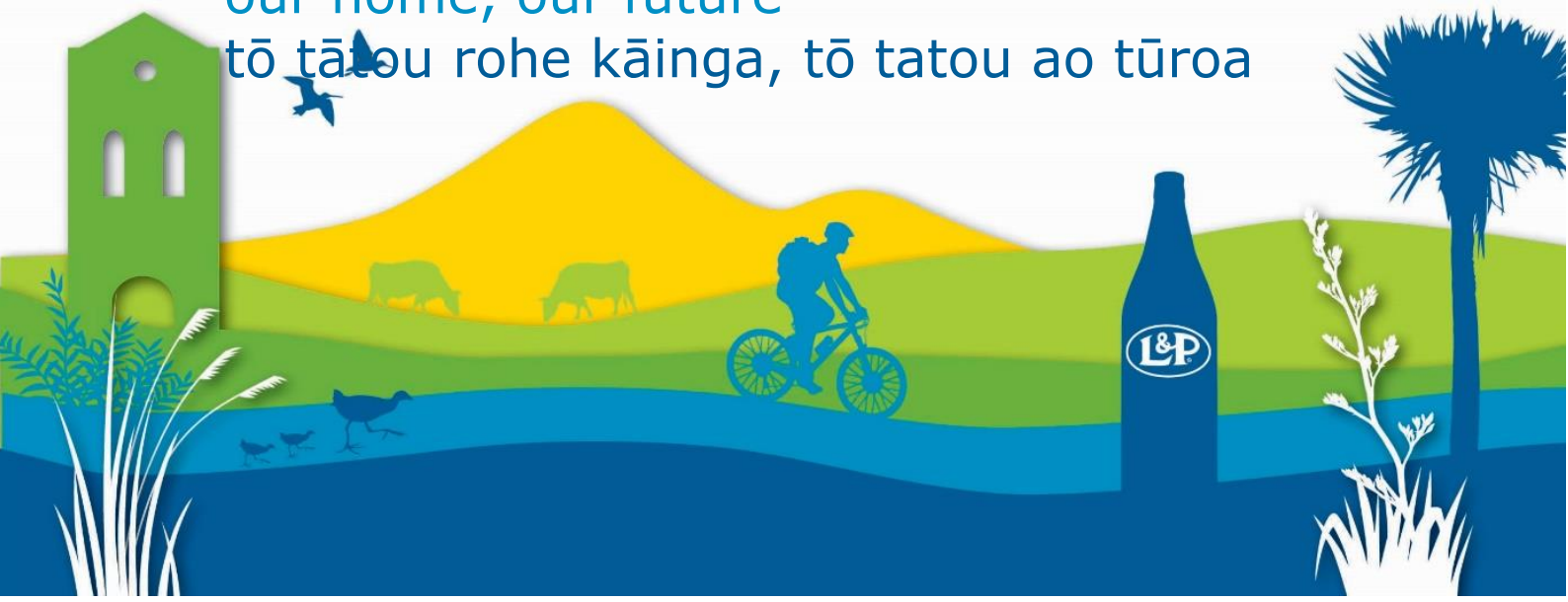




Significance and Engagement Policy 2023

Kaupapa here whai pūtake me te
tūhonohono

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



Contents

- 1. Purpose and scope 1
- 2. Legislative context 1
- 3. Policy 1
- 4. Glossary 1
- 5. Review 2
- 6. Document management and control 2
- Schedule 1 – Strategic Assets 3
- Schedule 2 – Community Engagement Guide 6
- Schedule 3 - Assessment Matrix 4

1. Purpose and scope

- 1.1. The purpose of this policy is to enable Council, Māori and 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, form 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 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 determine the level of significance of a proposal or decision to be low, medium or high and help guide the appropriate level of engagement. The Council will assess the degree of significance of a proposal or decision on a case by case basis using Schedule 2 – Assessment Matrix.

General Matters

- 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 community interest is high.
- vi. Whether the likely consequences are controversial.

- vii. Whether community views are already known, including the community's preferences about the form of engagement.
- viii. The form of engagement used in the past for similar proposals and decisions.
- ix. 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.
- x. 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
- xi. Whether the proposal affects the level of service of a significant activity.

Engagement with Māori

- xii. Whether the proposal will have significance to Māori cultural values and their relationship with land (including ancestral land), water, sites, wāhi tapu, valued flora and fauna, and other taonga.

Financial Matters

- xiii. Net financial cost/revenue of implementation, excluding any financial impact already included in a Long-Term Plan/Annual Plan:
 - a. Net capital expenditure >10% of total rates in year commenced, and/or
 - b. Net operating expenditure >1% of total rates in year commenced.
 - xiv. 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.
 - xv. 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.
- 3.4. 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. The Council will assess the degree of significance of a proposal or decision on a case by case basis using *Schedule 2 – Assessment Matrix*.
- 3.5. In general, the more significant an issue, the greater the need for community engagement.

Community engagement

- 3.6. The Council will apply a consistent and transparent approach to engagement.
- 3.7. Council may seek to develop ongoing relationships with the community on general matters, rather than purely on issues that require a decision. This will allow the community to raise matters that are not currently under consultation.
 - The Council will use the Special Consultative Procedure (as set out in the Local Government Act 2002) where required to do so by law.
- 3.8. 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 (in accordance with section 93A of the LGA 2002).
- 3.9. 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,

- 3.10. For all other issues requiring a decision, Council will determine the appropriate level of engagement on a case by case basis.
- 3.11. *Schedule 3- Community Engagement Guide* 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.
- 3.12. 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

- 3.13. Council recognises that Māori as Tangata Whenua have a unique relationship with Council through the Treaty of Waitangi and supporting legislation.
- 3.14. Council will recognise Māori cultural values and take into account Māori interests, particularly their relationship with land (including ancestral land), water, sites, wāhi tapu, valued flora and fauna, and other taonga.
- 3.15. Council will establish and maintain processes to provide opportunities for Māori to be consulted and contribute to decision-making processes.
- 3.16. Council will work in partnership with iwi and hapū to give effect to Treaty Settlement legislation and any provisions that result from these.
- 3.17. Council will give effect to the principles of meaningful partnership in working with Māori; as they are best placed to express and advocate for their aspirations, interests and values.

When will Council not engage?

- 3.18. 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.

Community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
Decisions	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).
Engagement	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.
Significance	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.
Significant Activity	The Hauraki District Council significant activities are as follows: i. Land Transport ii. Water Supply iii. Waste water iv. Stormwater v. Land Drainage.
Strategic Asset	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

Title	Hauraki District Council Significance and Engagement Policy 2023
Sponsor	Strategic Planning
Approved by:	Hauraki District Council
Adoption date:	20 December 2023
Review by:	December 2026
File ref:	3554600

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. Housing for older persons.

Schedule 2- Assessment Matrix

If there is a legal requirement to consult you will still be required to assess the level of significance of the issue.

Assessment as low/medium/high:


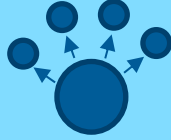
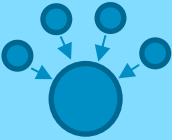

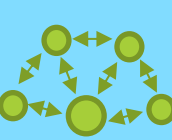
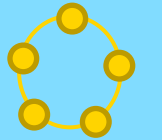
- a) If the proposal or decision triggers four or more key considerations which are under the high significance column, then the level of significance may be considered **high**.
- b) If the proposal or decision triggers five or more key considerations which are under the low significance column, then the level of significance may be considered **low**.
- c) If the level of significance of a proposal or decision is not deemed to be high or low, the level of significance may be considered **medium**.

This assessment will be provided to Council to inform their decision making.

Rating	Key Considerations	• Examples
High	<ul style="list-style-type: none"> • Affects a large portion of the community • Large impact on the current and future social, economic, environmental or cultural wellbeing of the district • High community interest • Highly controversial consequences • Significant engagement has been done for similar proposals in the past • Involves ownership or control, or abandonment, of a strategic asset • Large impact on the capacity of Council being able to carry out activities identified in the LTP • The proposal has high significance to Māori cultural values and relationship with; land (including ancestral land), water, sites wāhi tapu, valued flora and fauna, other taonga • High level of financial consequence CAPEX >10% Net capital expenditure of total rates in year commenced, OPEX >1% Net operating expenditure of total rates in year commenced. • One or more Councils Rates caps are breached • One or more of Council's Debt Caps are breached 	<ul style="list-style-type: none"> • Adopting or reviewing a bylaw • Adopting a policy that has wide community interest (e.g. Local Alcohol Policy) • A change to Council user fees and charges that affects a significant portion of the community • Transfer of a strategic assets • Adoption or amendment of a Long Term Plan
Medium	<ul style="list-style-type: none"> • Affect a subgroup/ portion of the community • Moderate impact on the current and future social, economic, environmental or cultural wellbeing of the district • Moderate community interest • Moderately controversial consequences • Moderate/some engagement has been done for similar proposals in the past • Involves ownership or control, or abandonment, of a strategic asset • Medium impact on the capacity of Council being able to carry out activities identified in the LTP • The proposal has medium significance to Māori cultural values and relationship with land (including ancestral land), water, sites wāhi tapu, valued flora and fauna, other taonga • Medium level of financial consequence 	<ul style="list-style-type: none"> • Adoption of policy that has medium community interest (e.g. public art policy) • A change to Council user fees and charges that affects a sub group of the community (e.g. Dog control fees) • Adoption of Annual Plan

	<ul style="list-style-type: none"> • Net financial cost/revenue of implementation, excluding any financial impact already included in a Long-Term Plan/Annual Plan CAPEX ≤ 10% but greater than 2.5% of total rates in year commenced, OPEX ≤ 1% but greater than 0.25% of total rates in year commenced • One of Councils Rates Caps is breached • One of Council's Debt Caps is breached 	
Low	<ul style="list-style-type: none"> • Low level of financial consequence • Affect individuals • Low impact on the current and future social, economic, environmental or cultural wellbeing of the district • Low community interest • Low controversial consequences • No engagement has been done for similar proposals in the past • Does not involve ownership or control, or abandonment, of a strategic asset • Low impact on the capacity of Council being able to carry out activities identified in the LTP • The proposal has low significance to Māori cultural values and relationship with land (including ancestral land), water, sites wāhi tapu, valued flora and fauna, other taonga • Low level of financial consequence • Net financial cost/revenue of implementation, excluding any financial impact already included in a Long-Term Plan/Annual Plan CAPEX ≤ 2.5% of total rates in year commenced, OPEX ≤ 0.25% of total rates in year commenced. • Rate or Debt caps not breached 	<ul style="list-style-type: none"> • Adoption of a policy that has low public interest and does not affect the wider community. • A minor change to fees and charges

Schedule 3– Community Engagement Guide

Increasing level of public impact 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Promise	 <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>
What it involves	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.
Types of issues	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)
Possible tools	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
When the community can be expected to be involved	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



For more information:

- **W** www.hauraki-dc.govt.nz
- **E** info@hauraki-dc.govt.nz
- **P** 07 862 8609 or 0800 734 834 (from within District)

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- Waihi: 40 Rosemont Road