

Significance and Engagement Policy

December 2014





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He mihi

Tāmaki – makau a te rau, murau a te tini, wenerau a te mano,
kāhore tō rite me tō kotahi i te ao nei,
ka whītiki nei au i taku hope ki ngā pepeha o onamata,
ki ōku tūmanako mō āpōpō
me ōku whakaritenga kua tutuki mō te rā nei.

Auckland – beloved of hundreds, famed among the multitude, envy of thousands,
you stand alone, unique in the world,
I gird myself with the promises of yesteryear,
my hopes for tomorrow and plans for today.

1 Context

Introduction

Auckland Council's new Significance and Engagement Policy is effective from 1 December 2014. This policy is required under the Local Government Act 2002 (the LGA).

The policy:

- identifies how and when communities can expect to be engaged in, or specifically consulted on, decisions about issues, proposals, assets, decisions and activities;
- enables the council and our communities to understand the significance that the council places on certain issues, proposals, assets, decisions, and activities.

The council considers community views and preferences when making decisions. We gather information about the views and preferences of Auckland's diverse communities in many ways and use this information to inform our decisions. We consult or engage on a wide range of specific decisions because we recognise how important they are to our communities, or because we are required to by statute.

We view engagement as a genuine dialogue with our diverse communities to help us make better decisions. Public input is important in ensuring our decisions reflect the aspirations of mana whenua, residents, ratepayers, community groups and businesses.

We are committed to meeting our broad legal obligations to Māori including responsibilities under Te Tiriti o Waitangi, the Treaty of Waitangi. The council recognises these responsibilities are distinct from the Crown's and fall within a local government Tāmaki Makaurau context. We also recognise the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki (stewards) in Tāmaki Makaurau.

Auckland Council works with the Independent Māori Statutory Board on matters that affect Māori, and takes into account their advice.

Auckland's increasing diversity is an important consideration for many engagement processes and we regularly refine our tools and methods so that we can engage more effectively with groups and communities who have often been less involved in council decisions.

The Significance and Engagement Policy applies across the council group including to our Council Controlled Organisations (CCOs) through the CCO Accountability Policy.

2 Engaging Auckland's communities

Effective community engagement is central to the success of Auckland Council

Auckland's Thriving Communities Action Plan identifies that thriving communities have citizens who care about, and want to participate in, their democracy. The council will actively seek to improve opportunities for engagement and demonstrate how public input has influenced decisions.

The council engages with communities on a number of levels including as customers, citizens, ratepayers, subject matter experts and as partners. For the purposes of this policy, the use of the term communities is used to reflect these different roles and includes mana whenua, stakeholders, residents and ratepayers.

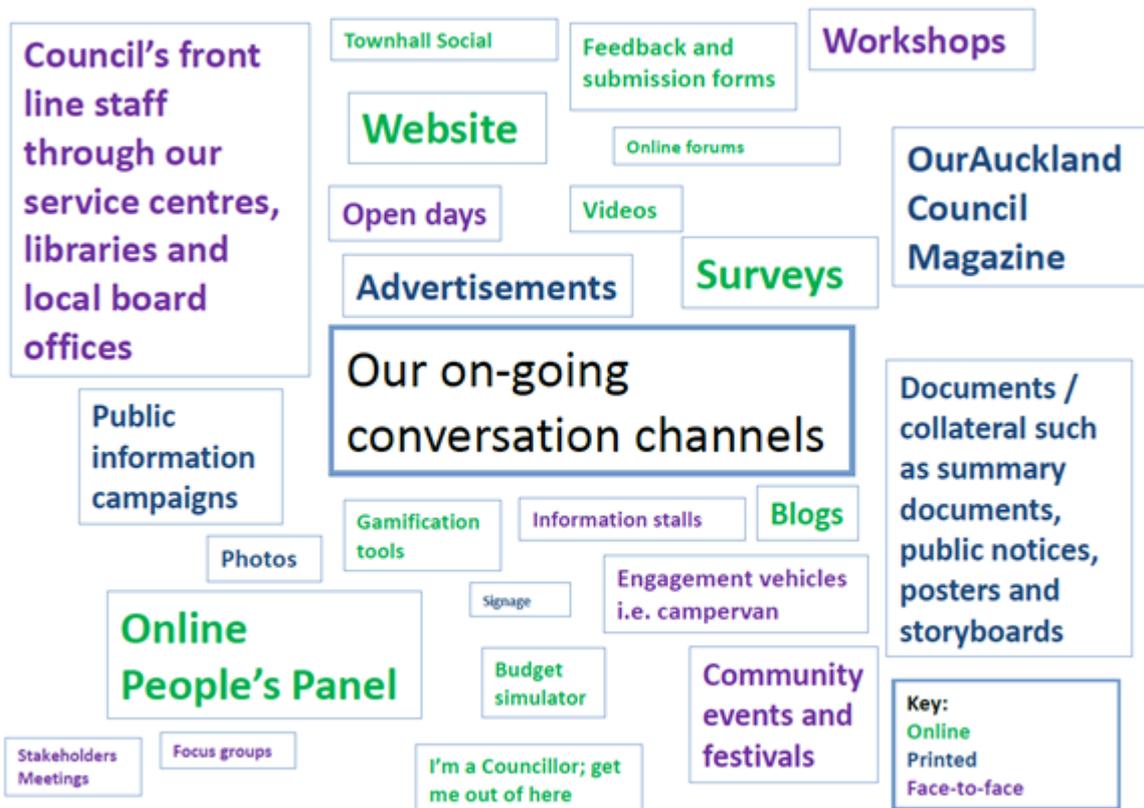
The mayor has a responsibility to ensure there is effective community engagement. Local boards are also responsible for communicating with local communities to help inform local decision making and communicate local views to the governing body on regional issues.

As well as carrying out consultation on certain decisions, we will seek to establish ongoing relationships with our communities to provide opportunities for matters to be raised which are not currently under consultation. We may do this in a variety of ways including having a presence at markets and public spaces, through our ongoing conversation channels such as those below, front line staff, workshops and community events.

In general, the council aims to keep the community informed of opportunities to be engaged through:

- digital approaches such as email newsletters and social media;
- Shape Auckland (the council's website for consultations);
- advertisements and articles in the media;
- information and displays in libraries and service centres;
- the council's newsletter, OurAuckland; and
- the People's Panel – a survey-based mailing list.

Consultation and engagement is about an ongoing conversation with Aucklanders. It takes many shapes and forms through a variety of channels including:



2.1 Māori

Auckland Council has duties, obligations, and commitments to Māori and to the Independent Māori Statutory Board (IMSB). Where appropriate, these guide our decision-making including on matters of significance and our engagement approach.

Our duties, obligations, and commitments are to:

- consider the recognition and protection of Māori rights and interests within Tāmaki Makaurau, Auckland
- consider Treaty principles
- enable Māori participation in the council's decision-making processes
- recognise Māori cultural values and perspectives including mātauranga Māori (Māori knowledge), tikanga (Māori principles and protocols) and kaitiakitanga (Māori stewardship)
- contribute to Māori capacity
- enable and promote Māori well-being
- work with and take into account the advice of the IMSB on ensuring that mana whenua groups and mataawaka of Tāmaki Makaurau input is reflected in the council's strategies, policies, and plans, and on other matters.

Māori in Auckland includes mana whenua and mataawaka. Mana whenua are the indigenous population who have occupied the region for almost a millennium, made

up of iwi and hapū of Tāmaki Makaurau, Auckland. The council recognises 19 tribal authorities as representing mana whenua interests in Tāmaki Makaurau.

Mataawaka are Māori whose tribal affiliations are from outside Auckland and are part of the wider Māori community as residents and ratepayers.

Auckland Council acknowledges that it has different requirements for engaging with mana whenua and mataawaka.

In addition to meeting our statutory requirements, where appropriate we aim to achieve best practice in working with mana whenua as partners. Māori are best placed to express and advocate their cultural interests, values and mātauranga (traditional knowledge). We aim to ensure due weight is given to Māori cultural interests, values, and mātauranga in the exercise of their cultural obligations as kaitiaki.

2.2 Diverse and changing communities

Around twenty per cent of Aucklanders have some kind of access need. This includes, but is not limited to, people with visual, hearing or literacy impairments and those who speak English as a second language.

The Census 2013 results show:

- Nearly 60 per cent of Aucklanders identified as European. This is a relatively low proportion when compared to New Zealand as a whole (74 per cent). Within this group we include New Zealand European or Pakeha, British, Irish, Dutch, Australian and German peoples.
- Just over 23 per cent of Aucklanders identified with an Asian ethnicity, a much higher proportion than for New Zealand as a whole (11.8 per cent), and higher than recorded at the previous census. Within this group we include Chinese, Indian, Korean, Filipino and Sri Lankan peoples.
- Nearly 15 per cent of Aucklanders identified as Pacific peoples with Fijian and Tongan showing the biggest increases since the 2006 Census. Within this group we include Samoan, Tongan, Cook Islands Maori, Niuean, Tokelauan and Fijian.
- While Auckland has a younger population than many other parts of New Zealand, there was also a 26.9 per cent increase in the number of residents who were aged 65 years and over between 2006 and 2013.

In any engagement programme we will consider how to meet the needs of our communities in respect of language, accessibility and cultural expectations.

2.3 Engagement principles

The LGA lists principles we are expected to meet. When we engage with the community, there are a number of good practice measures listed that the council will follow to meet some of those principles. We have set these out in this section.

Conduct its business in an open, transparent, and democratically accountable manner; and give effect to its identified priorities and outcomes in an efficient and effective manner

To meet this principle, we will:

- conduct engagement in a genuine effort to listen to, and consider with an open mind, community input
- ensure options are realistic and deliverable when presenting them for community feedback
- ensure questions are objective (i.e. not leading), allowing people to express their views freely
- allow enough time and provide adequate resources to ensure participants have fair opportunity to understand the matter and contribute their views
- allow time for issues that might arise during an engagement process
- value contributions made and time given
- give timely feedback on the results of the input and decisions made
- value, respect and give weight to local knowledge.

A local authority should make itself aware of, and should have regard to, the views of all of its communities.

To meet this principle, we will:

- build ongoing relationships with communities through a range of approaches such as advisory panels, the People's Panel, reference groups and forums, mana whenua and mataawaka hui
- provide the community with a reasonable opportunity to present their views, and actively consider the best way to engage with them
- provide ways for the community to raise issues directly with the council so that it is a two-way relationship
- identify opportunities to work in partnership with community organisations and leaders to encourage greater community ownership and participation
- ensure good information sharing of community views and preferences within the council.

When making a decision, a local authority should take account of the diversity of the community, and the community's interests; and the interests of future as well as current communities; and the likely impact of any decision on them.

To meet this principle, we will:

- identify ways of reaching out to affected communities and stakeholders, including those who are typically heard from least often
- provide more than one way for people to participate
- invest in community capacity building to enable participation when required
- use plain language and avoid jargon and acronyms
- make the process of engagement inclusive and accessible
- consider how to meet other community needs in respect of language, accessibility and cultural expectations.

A local authority should provide opportunities for Māori to contribute to its decision-making processes

To meet this principle we will:

- recognise the enduring presence, aspirations, and cultural obligations of mana whenua as kaitiaki (stewards) in Tāmaki Makaurau
- actively consider the recognition and protection of Māori rights and interests within Tāmaki Makaurau and how we contribute to the needs and aspirations of Māori
- where a significant decision relates to land or a body of water, take into account the relationship of Māori, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga
- ensure all council reports consider impacts on Māori
- establish and maintain processes to provide opportunities for Māori to contribute to our decision-making processes including partnership approaches where appropriate
- support Māori to fully engage with us, for example through (but not limited to) capability and capacity building
- build ongoing relationships with Māori through a range of approaches that enables:
 - early engagement with Māori in the development of appropriate plans and policies
 - Māori to guide how they want to engage with the council.

A local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and

To meet this principle, we will:

- consider the appropriateness of the engagement approach for the particular decision being made.

2.4 Methods for engagement

This policy sets out the engagement and decision-making principles which we will follow; our statutory consultation requirements; and explains how we will go about determining significance.

All of these matters guide and inform the level and type of engagement that the council will undertake for any particular issue. The council follows the International Association of Public Participation (IAP2) approach (set out below) which indicates different engagement approaches on a spectrum from providing information through to community empowerment.

IAP2 Spectrum of Public Participation



Auckland Council will seek opportunities to involve or collaborate with our communities, such as through place-making initiatives and community-led planning.

The type and nature of the decision also guides how the council will go about communicating with and engaging with our communities. This table provides an indicative guide to this:

Type or nature of decision	Examples of how we may engage
Small and simple (low significance) (e.g. redevelopment of community halls, park improvements, footpath and road works)	Localised promotion, for example, through display boards and local media. Targeted engagement, for example through service users where appropriate. Promotion through e-newsletters and social media. Information online and in local libraries and service centres. Surveys and open days may also be appropriate.
Medium (e.g. cycle lanes, works on main roads, action plans, local area plans)	Targeted engagement, online engagement which may include a survey and social media. Hui or events. Information in libraries and service centres. Promotion through e-newsletters, the local media or through OurAuckland.
Large or complex (high significance) (e.g. major new roads, changes to the passenger transport network, Local Alcohol Policy, Long-term Plan)	Large-scale publicity and promotion. There could be an informal engagement/ discussion phase plus a formal phase of consultation. Likely to need consideration of different cultural styles and needs for engagement. Likely to include a range of events and a focus on online activities. Promotion through OurAuckland and e-newsletters.

3 Consultation requirements

The council must consider the community's views and preferences in all decisions we make. We gather information about the views and preferences of Auckland's diverse communities in many ways and use this information to inform our decisions. Consultation is one form of engagement. We will consult our communities on certain decisions because we recognise how important they are to our communities, or because we are required to by statute. Consultation processes under the LGA have been amended and now allow the council greater flexibility in how we go about consulting with our communities.

The council regularly consults communities through processes such as the local board plans and the Long-term Plan which determine council's strategic direction at a local and regional level, as well as how we prioritise projects and set budgets. In addition, we consult on a wide range of operational issues such as park upgrades and service improvement.

The LGA contains principles which guide our consultation process. These are set out below. The LGA refers to consultation in two different but closely related ways: 'consultation' and the 'special consultative procedure' (SCP). As the name implies, the 'special consultative procedure' is a particular kind of consultation. This is discussed further below.

This policy sets out what a "significant" decision is (see below at 4.3). We will consult our communities on "significant" decisions.

We can also decide to consult at any time on any decision, where we consider that this is appropriate. For most council decisions, there is no express requirement to consult the public, but we will consider people's views and preferences.

3.1 Consultation (Section 82/82A of the LGA)

Before the council makes a significant decision, the council will consult the public, following the principles set out at section 82 of the LGA. In practice, this means that we will:

- identify people who will be affected by or have an interest in the decision;
- provide them with reasonable access to relevant information in an appropriate format on the process and scope of the decision;
- encourage people to give their views;
- give people a reasonable opportunity to give their views in an appropriate way;
- listen to, and consider those views, with an open mind; and

- after the decision, provide access to the decision and any other relevant material.

When the LGA requires us to consult on a particular draft policy or decision, then we will prepare and make available:

- a description of what we want to do, and why;
- an analysis of the practical options (with advantages and disadvantages);
- a draft of the policy or relevant document (or details of the changes to any policy or document).

This is set out in section 82A of the LGA.

3.2 Special consultative procedure (SCP)

Part 6 of the LGA specifies the use of the special consultative procedure (SCP) for some plans and processes, including:

- long-term plan
- local board plans
- setting rates
- bylaws of significant interest to the public or of significant impact

The SCP can also be used where the governing body (for a regional decision) or local board (for a local board decision) deems the issue to be significant (see section 3.3 below). In addition to the consultation principles listed above, under the SCP, we must:

- develop a statement of proposal and make this publicly available (and make the summary or full proposal widely available);
- allow feedback for a minimum of a month;
- ensure people are given an opportunity to present their views to the council through spoken interaction (or using sign language).

3.3 Determining Significance

This section describes:

- the council's general approach to determining the significance of proposals and decisions;
- any thresholds, criteria or procedures for assessing the extent to which issues are significant;
- the council's list of 'strategic assets'. This is a requirement under the LGA.

General approach to determining significance

The governing body and local boards will consider the following matters when determining the degree of significance of a decision:

- the number of people affected, the degree to which they are affected and the likely impact of a decision;
- whether this type of decision has a history of generating wide public interest within the local board area (for a local board decision) or Auckland or New Zealand generally (for a governing body decision);
- the impact of the decision on the governing body or local board ability to deliver on actions that contribute to the Auckland Plan, as well as any statutory responsibility;
- the impact of the decision on intended service levels for a group of activities, including the start/or stop of any group of activity;
- the degree to which the decision or proposal can be reversed should circumstances warrant.

Thresholds

The council's thresholds relevant to determining significance are:

- creating a new group of activity;
- stopping carrying out a group of activity;
- increasing (by 33 per cent or more) or decreasing (by 20 per cent decrease or more) spending on a group of activity;
- transferring the ownership or control of our strategic assets.

Where a decision meets this criteria it will be "significant" and will automatically trigger a requirement to consult.

Strategic assets

Our strategic assets are those vital for delivering services to Auckland. We consider them as whole networks because it is the asset class as a whole that delivers the service. A network includes components which are integral to the functioning of the network as a whole. We also have some iconic assets with strategic significance. In addition, the LGA determines that shares in a port/airport company and assets required to provide affordable housing as part of the council's social policy are strategic.

Our strategic assets are:

- public transport network, including Britomart
- roading network

- stormwater network
- water and wastewater network
- parks network
- network of swimming pools
- network of community centres and halls
- community library network
- cemeteries, heritage scheduled buildings and structures
- freehold interest in waterfront land held by the Ports of Auckland Limited and the Auckland Waterfront Development Agency
- shares in substantive CCOs
- Auckland Central Library and the historical library collection
- Civic Theatre, Aotea Centre, Zoo, Viaduct Events Centre, North Harbour Stadium, Bruce Mason Theatre, Q Theatre, Auckland Art Gallery (including the art collection owned by Regional Facilities Auckland), Mt Smart Stadium and the council's contractual rights and interests in Auckland City Arena (known as Vector Arena)
- social housing network including housing for the elderly
- shares in Auckland International Airport Limited
- shares in Ports of Auckland Limited.

Strategic assets, as defined by this policy, that are owned and/or managed by a substantive CCO, are identified in the CCO accountability policy. CCOs must comply with that policy when making decisions on strategic assets under their control.

Other matters relating to significance

Where a significant decision is in relation to land or a body of water we will take into account the relationship of Māori, and their culture and traditions with their ancestral land, water, sites, waahi tapū, valued flora and fauna, and other taonga.

All reports by officers to the council, a council committee or a local board which are seeking a decision will include a statement addressing the issue of significance. If the proposal is considered to be significant the report will include a statement about how the relevant sections of the LGA and this Significance and Engagement Policy have been addressed.

The Significance and Engagement Policy will not apply where, in the opinion of the council, failure to make a decision urgently would result in unreasonable or significant damage to property, or risk to people's health and safety. The LGA separately sets out a process for the council to follow if the council has a good reason to make a decision significantly inconsistent with this policy.

Bylaws

When we are making, changing or revoking a council bylaw, we will follow the SCP consultation process if the bylaw is:

- of significant interest to the public (the general significance criteria listed above will apply here); or
- likely to have a significant impact on the public.

For all other council bylaw matters we will consult following the principles in section 82 of the LGA.

4 Applying the policy

4.1 Supporting information

The following have been developed to support staff implement the policy:

- The Consultation and Engagement Guidebook provides more detailed guidance on engagement principles and good practice
- Guide on Engaging with Māori
- Quality Policy Advice guidelines
- Templates and other related guidance such as the Accessible Communications and Information Guide.

In addition, the council provides regular engagement training opportunities through the International Association of Public Participation and there is a consultation and engagement network which was established as a way of sharing good practice, lessons learned and to support those who regularly engage with the community.

4.2 Reference material

There are many sources of information that help to guide the council on what is already known about community views and preferences. This includes, but is not limited to:

- Local board plans
- Submissions on the council's other strategic documents
- IMSB's [Schedule of Issues of Significance to Māori in Tāmaki Makaurau](#)
- Iwi management plans
- Past consultation and market research data
- People's Panel survey results

4.3 Policy development and monitoring

This policy is effective from 1 December 2014 and will be incorporated into the Long-term Plan (in summary form). The council will monitor the effectiveness of the policy as part of the annual reporting process by measuring satisfaction with the decision-making process.

4.4 Managing conflicts of interest

We have a code of conduct to help guide elected representatives and staff to manage conflicts of interest within the engagement and decision-making process.

4.5 Other legislation

The Resource Management Act 1991 sets out processes for public involvement in certain decisions, for example for resource consents and preparing and changing district plans. Not all of these decisions are required to be publicly notified but when they are, we will follow the relevant legal provisions.

There are specific processes under different legislation for certain policies (for example, under the Gambling Act, Sale and Supply of Alcohol Act or Psychoactive Substances Act). Some of these have specific consultation requirements. When consulting on these policies, the council will set out clearly the consultation process that will be followed.

4.6 For more information

Visit Shape Auckland to find out more about the council's consultation and engagement process. For more information:

- Go to: shapeauckland.co.nz
- Email: consultation@aucklandcouncil.govt.nz
- Phone us: 09 301 0101

Appendix 1 – Auckland Council’s decision-making

Local government is charged with enabling democratic local decision-making and action by, and on behalf of, communities. Our governing body makes regional decisions while local boards make local decisions. Local boards also have a key role in identifying and communicating the views of local communities on regional strategies, policies, plans and bylaws to the governing body.

The mayor and governing body

The governing body, comprising the mayor and councillors, focuses on region-wide strategic decisions and must ensure that consultation and engagement requirements are met when making those decisions.

The mayor is responsible for ensuring effective engagement with Aucklanders, including those too young to vote. We have a number of advisory panels to provide us with advice on issues of importance to their communities (youth, ethnic people, pacific people, seniors, disability, rural) and to advise on effective engagement with those communities.

Local boards

With regard to community engagement and consultation, they are responsible for:

- making decisions about non-regulatory local matters, including negotiating the standards of services delivered locally
- making decisions about regulatory local matters delegated to it by the governing body
- identifying and communicating the views of local people on regional strategies, policies, plans and bylaws to the governing body
- providing local leadership and developing relationships with the community, community organisations and special interest groups in the local area.

Appendix 2 – Definitions

Term	Definition
Governing body	The term used to refer to the mayor and councillors
Group of activities	One or more related activities and services provided by the Auckland Council and, where appropriate, the activities and services provided by those entities that comprise the Auckland Council Group (including all subsidiaries, associates and joint venture arrangements). For example, water supply or public transport travel demand management
Hapū	A number of whānau related through a common ancestor – section of a large kinship group
Hui	To meet, meeting
IAP2	The International Association of Public Participation is a member association which seeks to promote and improve the practice of public participation or community engagement
Independent Māori Statutory Board	A board established through statute (Local Government (Auckland Council) Act 2009) to assist the Auckland Council to make decisions, perform functions, and exercise powers by promoting cultural, economic, environmental, and social issues of significance for mana whenua groups and mataawaka of Tāmaki Makaurau, and by ensuring that the council acts in accordance with statutory provisions referring to the Treaty of Waitangi
Iwi	A number of hapū related through a common ancestor
Iwi management plans	Documents prepared by iwi that councils must consider when developing or amending RMA plans
Kaitiaki	Steward, guardian
Local board	Auckland's 21 local boards are a key part of the council's governance, representing and making decisions for local communities
LGA	Local Government Act 2002
Mana whenua	The people of the land who have mana or customary authority – their historical, cultural and genealogical heritage are attached to

	the land and sea
Mataawaka	Māori whose tribal affiliations are from outside the Auckland region
People's Panel	The People's Panel is a way for Aucklanders to have their say on the council's plans, activities and services by taking part in short emailed surveys
SCP	Special Consultative Procedure is a particular kind of consultation defined by the LGA
Shape Auckland	The council's website for all consultation information (shapeauckland.co.nz)
Te Tiriti o Waitangi	The Māori language version of the Treaty of Waitangi: this differs in parts to the English version
Tāmaki Makaurau	The Māori name for Auckland
Taonga	A treasured item: it can be tangible or intangible
Tikanga	Principles and protocols
Waahi tapu	Sacred ancestral sites and places of significance to iwi, hapū or whanau
Whānau	Family, extended family



