

# Draft Council Policy

## Significance and Engagement

Effective date: June 2025  
Review date: March 2027  
File reference: 103015

# 1. Introduction

Kawerau District Council (Council) is responsible for making decisions that affect the community. It is Council's responsibility to gather information, views and preferences from the Kawerau community and use that information to inform decision-making.

Council is committed to an open dialogue and working relationship with Māori, Tangata Whenua and Iwi and will continue to take steps towards growing our relationships. Council recognises its responsibility and obligations to Māori under Te Tiriti o Waitangi.

Council will continue to refine our processes to engage more effectively with groups and communities, to increase reach across the district, to have a better consensus of what the community wants and therefore, help inform decision-making.

## 2. Pūtake | Policy Purpose

The purpose of this policy is to let both the Council and community identify the level of significance of engagement for proposals, matters or decisions. This policy will help the community understand when and how they will be engaged in decision-making.

- To enable Council and the community to identify the degree of significance attached to a particular issue, proposal, decision, matters, assets and activities;
- To inform Council from the beginning of the decision-making process about the level and form of engagement required; and
- To provide clarity about when and how communities can expect to be engaged in decisions made by Council.

## 3. Whānuitanga | Scope

- This policy applies to Council elected members and staff
- This policy applies to any proposal presented to Council and its committees for a decision
- This policy does not affect any statutory requirement to undertake any specific consultation and decision-making processes (e.g. under the Local Government Act 2002 (LGA) or Resource Management Legislation).

## 4. Ngā Tikanga Whakahaera | Engagement Principles

### Engagement will be:

- Meaningful – based on an open mind and willingness to listen
- Respectful – with the aim of building Council-community relationships
- Supported by the provision of information which is balanced, sufficient and in plain language

- Inclusive and endeavour to reach all those impacted / affected.
- Flexible and tailored to the needs of those who are being engaged
- Coordinated across Council departments to minimise duplication, engagement fatigue and make sure no misinformation is going out to the community
- Pragmatic, efficient and value for money

These principles align with LGA 2002 principles, ensuring Council meet their statutory responsibilities. [Appendix 4 – Determining and assessing significance.]

## How Council engages:

Council works with its communities on a variety of levels including as customers, stakeholders, ratepayers, subject matter experts and partners. We also have working relationships with a wide range of groups such as community organisations, business organisations and government sectors.

We seek to have ongoing conversations with the community and use a wide variety of channels to do so including the Council website, pānui (newsletter), social media (Facebook and Antenna), local newspapers, radio, Annual and Long-Term Plans, elected members, public meetings, workshops, events, libraries, and surveys.

Council is guided by the type and nature of the decision when determining how it will go about communicating and engaging with its communities.

Council will consider the significance of the matter and the extent to which views and preferences of those likely to be affected by, or have an interest in, the matter are already known in designing the engagement process.

Council will make available all information regarding decisions it makes in response to all submissions from the community.

## 5. He Whakamārama | Definitions

| Definition         | Detail   |
|--------------------|--|
| Council            | Te Kaunihera ā rohe o Kawerau   Kawerau District Council – the territorial authority for the Kawerau District governed by the Mayor and eight Councillors (as elected by the district).  |
| Community          | A group of people living in the same place or having particular characteristics in common. Includes interested parties, affected people and key stakeholders.  |
| Community Interest | The extent to which individuals, organisations, groups and sectors within the community are particularly affected by the matter.   |
| Consultation       | A subset of engagement; a formal process to gain input or feedback from the community about an identified Council option(s) or proposal subject to decision.   |
| Decision           | A decision made by or on behalf of Council, including those made by its committees, the chief executive or staff under delegated authority. Decision implies that a proposal has been considered if required, that the views of the community have been considered in the decision-making process (if required). |
| Early Engagement   | Council engagement with a community or interested party to seek input before the development or release of a draft proposal  |

|  |   |
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|  | about any issue, proposal, decision or other matter subject to engagement.  |
| Engagement   | A public process in which the community and interested parties are invited to contribute to Council decisions about an issue, matter, proposal or decision. Forms of engagement range from providing information to empowering the community to assist with decision-making.  |
| Interested Parties   | Individuals or groups of people who are likely to be affected by, or to have an interest in an issue, matter, proposal or decision which concerns, or is before Council.  |
| Local Government Act 2002  | <a href="#">Local Government Act (LGA) 2002</a>   |
| Proposal   | A suggestion of change presented to Council, subsequently resulting in a decision being made by or on behalf of Council at a Council or Committee Meeting.  |
| Identification of Inconsistent Decisions<br>Section 80 Local Government Act (LGA) 2002 | Outlines the requirements for Council to identify if a decision is significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with, any policy adopted by the local authority or any plan required by this Act or any other enactment.   |
| Principles of Consultation<br>Section 82 Local Government Act (LGA) 2002               |   |
| Special Consultative Procedure (SCP)<br>Section 83 Local Government Act (LGA) 2002     | The Special Consultative Procedure (SCP), as outlined in section 83 of the LGA 2002, which sets out minimum requirements for engagement including (but not limited to): <ul style="list-style-type: none"> <li>• Making available a Statement of Proposal</li> <li>• Allowing a minimum of one month to receive written views</li> <li>• Allowing people to present views in a spoken manner</li> </ul>   |
| Significance   | As defined in Section 5 of the LGA 2002 this means the degree of importance of the issue, proposal or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequence for: <ol style="list-style-type: none"> <li>a. The district or region</li> <li>b. Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter</li> <li>c. The capacity of the local authority to perform its role, and the financial and other costs of doing so</li> </ol>  |
| Significant  | Significant means that the issue, proposal, decision or matter is assessed as having a high degree of significance against the criteria of this policy.   |
| Stakeholder  | A stakeholder is a person, group or organisation with a particular interest, or stake in the decision-making and activities or a particular project.  |
| Strategic Asset  | As defined in section five of the LGA 2002 “in relation to the assets held by 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: <ol style="list-style-type: none"> <li>a. Any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and</li> <li>b. Any land or building owned by the local authority and required to maintain the local authority’s capacity to</li> </ol> |

|  |  |
|--|--|
|  | <p>provide affordable housing as part of its social policy; and</p> <p>c. Any equity securities held by a local authority in:</p> <ol style="list-style-type: none"> <li>i. A port company within the meaning of the Port Companies Act 1988:</li> <li>ii. An airport company within the meaning of the Airport Authorities Act 1966</li> </ol> <p>The following are Council's strategic assets at the time of the adoption of this policy:</p> <ol style="list-style-type: none"> <li>a. Roothing and footpath network</li> <li>b. Wastewater reticulation and treatment network (as a whole)</li> <li>c. Stormwater reticulation network (as a whole)</li> <li>d. Reservoirs and drinking water reticulation and treatment network (as a whole)</li> </ol> |
| Tangata Whenua (to be finalised)   | <p>The people of the land who have mana or customary authority – their historical, cultural and genealogical heritage are attached to the rohe   district. Within the Kawerau district, Tūwharetoa ki Kawerau Iwi is recognised as Tangata Whenua. Council also recognises Te Rūnanga o Ngāti Awa and Ngāti Rangitihi as consultation partners as both Iwi have a historical tribal interest in the rohe and surrounds.</p>  |
| Iwi Māori (to be finalised)  | <p>Māori whose tribal affiliations are from outside the rohe   district but who are living within the Kawerau rohe are recognised by the Council as having significance.</p>   |
| IAP2 - International Association of Public Participation                                 | <p>The International Association of Public Participation is a member association that seeks to promote and improve the practice of public participation or community engagement. The IAP2 model of public participation is widely recognised as best-practice by Councils.</p>   |
| Impacted Parties or Affected Parties (as referred to in the Resource Management Act RMA) | <p>Individuals or groups of people who are likely to be impacted or affected by the issue, matter, proposal or decision which concerns, or is before Council.</p>  |

## 6. Kaupapa Here | Policy

This policy is applied in two steps

1. Determining the significance of the proposal, decision or matter
2. Determining the requirement to engage or not, and if there is a requirement to engage, what the level of engagement should be.

Where Council makes a decision that is significantly inconsistent with this policy, the steps identified in section 80 of the LGA 2002 will be applied.

There may be occasions when Council may not follow this policy, for example where failure to make a decision urgently would result in unreasonable or significant damage to property, risk to people's health and safety, or the loss of a substantial opportunity to achieve Council's strategic objectives.

### 6.1 Whakahirahiratanga | significance

Council will take into account the following matters when determining the level of significance of a proposal or decision:

- Whether there is a legal requirement to engage with the community and what that requirement is
- Whether the proposal or decision affects the level of service of a significant activity
- The level of financial consequence of the proposal or decision
- Whether the proposal or decision affects a large part of the community, and the extent to which they are affected
- The likely impact on the future and present interests of the community, recognising Tangata Whenua and their relationship to the land and water
- Whether community interest\* in the proposal or decision is high, and/or there are divided community views
- Whether community views are already known from previous engagement processes
- Whether the decision is reversible
- The factors relevant to assessing against these criteria are set out in Appendix 4 [Appendix 4 Determining and assessing significance]

6.1.1 In general, if a proposal or decision is affected by a number of the above matters, the higher its level of significance, and greater the need for community engagement

6.1.2 Council will decide early in each process the appropriate level of engagement to support decision-making, and will apply the principles of engagement set out in section 4

6.1.3 In some instances legislation requires Council to follow either the Special Consultation Procedure (SCP) set out in Section 83 of LGA 2002, or the principles of consultation set out in Section 82 of the LGA 2002, regardless of the level of significance of a proposal or decision

6.1.4 In accordance with Section 97 of LGA 2002, some decisions will only be taken if they have been consulted on and provided for in a Long Term Plan. This includes a decision to alter significantly the intended level of service of a significant activity, and a decision to transfer the ownership or control of a strategic asset to or from a local authority. Council's strategic assets are listed in section 5 of this policy

6.1.5 For all other proposals and decisions Council will determine the appropriate level of engagement on a case by case basis, applying the engagement principles set out in part 4 of this policy.

\*Refer to table of definitions for explanation of Community Interest

## 6.2 Tūtakitakitanga | Engagement

6.2.1 Council acknowledges that community engagement occurs across a spectrum at differing levels and is broader than consultation. Engagement is a process that involves all or some of the community and can be focused on sharing information, generating ideas, decision-making, and/or problem solving

6.2.2 Council staff will consider existing information on the community's views and perceptions related to a proposal before undertaking any further community engagement

6.2.3 The engagement approach (platform, questions, audiences, tactics, analysis, reporting) and associated communications, will be outlined by Council staff in a comms' plan specific to the proposal

6.2.4 Each Council comms' plan will be informed by the proposal details. Council may use a variety of engagement techniques based on a range of factors, including history and public awareness of the issue/proposal, stakeholder involvement, and timing related to other events and budgets as relevant to the significance. [Appendix 4 Determining and assessing significance]

6.2.5 There are times when it will not be appropriate to engage with the community on certain issues, proposals, decisions, or matters. Examples of this include:

- Organisational decisions (e.g. staff changes and operational matters) that do not materially reduce a level of service;
- Decisions that are consistent with Council's Long Term Plan, or another policy or plan that has already been subject to consultation, or directives from central government;
- Protection of the privacy and safety of individuals (as provided for in the Privacy Act 2020 and Local Government Official Information and Meetings Act 1987);
- Maintenance of 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);
- Where Council is acting with urgency (for example under the Civil Defence Emergency Management Act 2002);
- Decisions to act where is necessary to:
  - Comply with the law;
  - Save, or protect life, health or amenity and 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 in relation to regulatory and enforcement activities

6.2.6 Council will use a customised version of an internationally recognised approach to public engagement from IAP2 [See Appendix 2]. Council's Community Engagement Spectrum outlines its approach to determining the appropriate level of engagement. Progressing from left to right of this figure shows increasing levels of community engagement in decision-making and expectations for each.

6.2.7 In general, the more significant an issue, the greater the need for community engagement

6.2.8 The proposed engagement approach will be supported by rationale outlined in Council and Committee reports. If the matter is considered significant, under this policy, then the Council may carry out a consultation process. [See Appendix 1 for Making a Decision How to Engage].

6.2.9 Post engagement, the engagement insights will be provided in a meaningful and timely way to Council

## 7. Use of Special Consultative Procedure

7.1 Council will use the Special Consultative Procedure (SCP) (as set out in section 83 of the LGA 2002) where required under the Local Government Act (LGA) or any other relevant legislation.

7.2 Council will develop a proposal to fulfil the requirements of section 82A of the LGA 2002, will make this available to the public, allow written submissions for a period of one month, will allow verbal submissions to the council, and will consider all submissions prior to making decisions.

7.3 Specific issues where Council may use this form of consultation will include:

- The adoption of an Annual Plan where it differed significantly from the content of the Long Term Plan
- The making, amending or revoking of bylaws
- Or another situation as defined by section 87 of the LGA 2002

7.4 A special consultation procedure is to be used for the adoption or amendment of a Long Term Plan but in accordance with the changes described in section 93 of the LGA 2002

7.5 Where an engagement is not subject to the SCP (section 83 of the LGA 2002), Council will apply the Principles of Consultation (section 82 of the LGA 2002).

## 8. Monitoring and Implementation

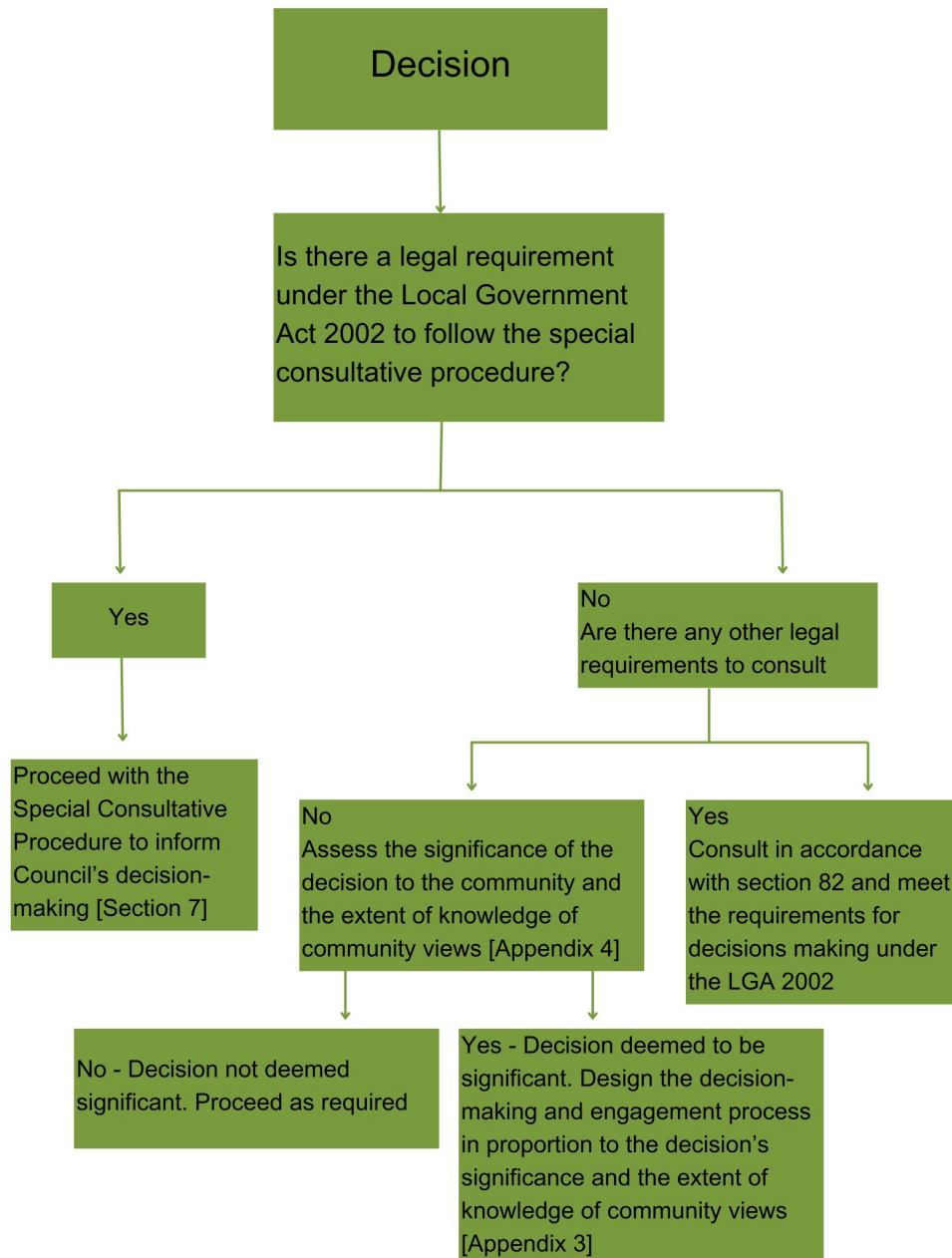
8.1 Implementation of this policy is the responsibility of the Chief Executive Officer or their nominee.

8.2 This policy will be reviewed, at the request of Council, in response to any relevant legislative amendment, or every three years (which ever comes first).

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|----------------------|---------------------------------------|
| Responsibility       | Communications and Engagement Manager |
| Last Adopted         | 1 April 2021                          |
| Revisions/Amendments | March-June 2025                       |
| Review Cycle         | Three yearly                          |
| Review Required      | March 2027                            |
| Authorised By        | Kawerau District Council              |



## Appendix 2 - Flow Chart: Making a decision to engage




Appendix 3 - Note: the IAP2 model of public participation, which is widely renowned as the best practice aspirational model for engagement, is currently being updated and the new model will be incorporated into the policy in due course.

| INCREASING IMPACT ON THE DECISION |  |  |   |   |  |
|-----------------------------------|--|--|---|---|--|
|                                   | INFORM   | CONSULT  | INVOLVE   | COLLABORATE   | EMPOWER  |
| PUBLIC PARTICIPATION GOAL         | To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions. | To obtain public feedback on analysis, alternatives and/or decisions.  | To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.  | To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.                     | To place final decision making in the hands of the public. |
| PROMISE TO THE PUBLIC             | We will keep you informed.   | We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. | We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision. | We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible. | We will implement what you decide.                         |

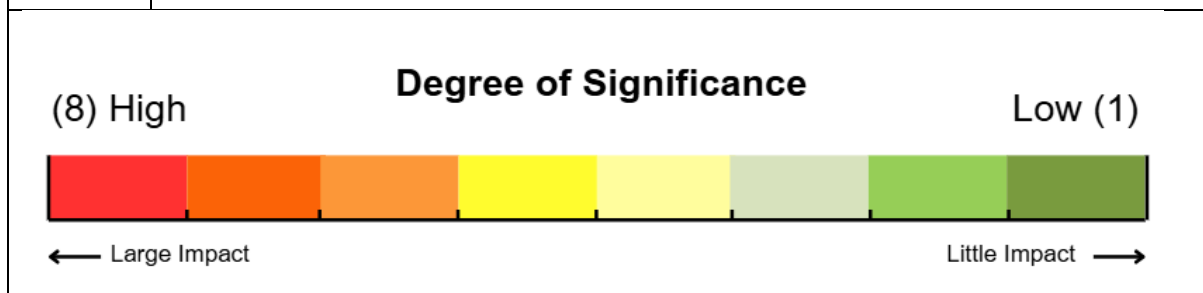
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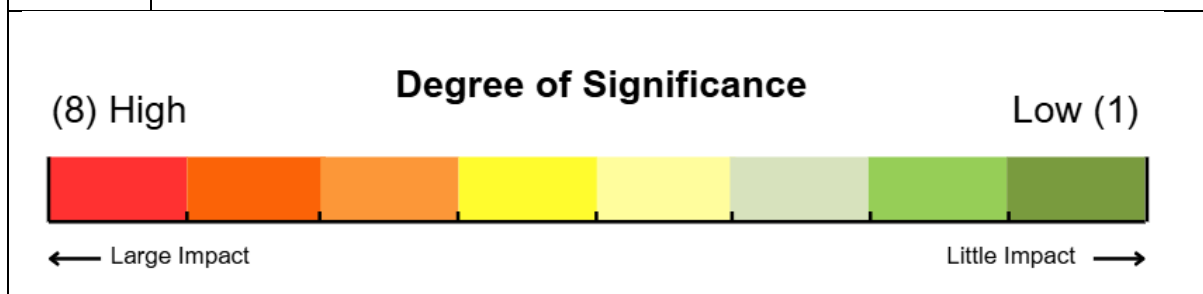
## Appendix 4 – Determining and Assessing Significance

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|--|--|
| Criterion  | <b>Importance to the Kawerau District</b><br><br>The extent to which the matter under consideration impacts the environment, culture and people of Kawerau, now and in the future (large impacts would indicate high significance).  |
| Factors  | Factors that might impact on community well-being are: <ul style="list-style-type: none"> <li>Any decision that would significantly alter the level of service provided by the Council of a significant activity (including a decision to commence or cease such an activity).</li> <li>Extent of costs, opportunity costs, externalities and subsidies.</li> <li>Uncertainty, irreversibility, and the impact of the decision in terms of the community's sustainability and resilience.</li> </ul> |
| <div style="text-align: center;"> <b>Degree of Significance</b> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <span>(8) High</span> <span>Low (1)</span> </div>  <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <span>← Large Impact</span> <span>Little Impact →</span> </div> |  |


|           |  |
|-----------|--|
| Criterion | <b>Importance to Tangata Whenua and Mana Whenua</b><br><br>The extent to which the matter under consideration impacts on the environment, culture and people of Tangata Whenua and Mana Whenua, now and in the future (large impacts would indicate high significance).  |
| Factors   | Factors that would indicate a high degree of significance are: <ul style="list-style-type: none"> <li>• High levels of prior public interest or the potential to generate interest or controversy.</li> <li>• Large divisions in views on the matter.</li> <li>• Extent of costs, opportunity costs and subsidies.</li> <li>• Uncertainty, irreversibility, and the impact of the decision in terms of the sustainability and resilience as determined by Tangata Whenua and Mana Whenua.</li> </ul> |




|           |  |
|-----------|--|
| Criterion | <b>Consistency with Existing Policies and Strategies</b><br><br>The extent to which the matter is consistent with the Council's current policies and strategies. |
| Factors   | Factors that would indicate a high level of significance are:<br><br>Decisions which are substantially inconsistent with current policies and strategies.        |



|           |   |
|-----------|---|
| Criterion | <b>Community Interest</b><br><br>The extent to which individuals, organisations, groups and sectors within the community are particularly affected by the matter.   |
| Factors   | Factors that would indicate a high degree of significance are: <ul style="list-style-type: none"> <li>• High levels of prior public interest or the potential to generate interest or controversy.</li> </ul> |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• Large divisions in community views on the matter.</li> <li>• A moderate impact on a large proportion of the community.</li> <li>• A large impact on a moderate number of persons.</li> </ul> |
| <p><b>Degree of Significance</b></p> <p>(8) High <span style="float: right;">Low (1)</span></p>  <p>← Large Impact <span style="float: right;">Little Impact →</span></p> |   |

|   |   |
|---|---|
| Criterion   | <p><b>Impact on the Council's Capacity and Capability</b></p> <p>The impact of the decision on the Council's ability to achieve the objectives set out in its Long-term Financial Strategy, Long-term Plan and Annual Plan.</p>   |
| Factors   | <p>Factors that would indicate a high level of significance are:</p> <ul style="list-style-type: none"> <li>• Transfers of strategic assets to or from the Council.</li> <li>• The financial cost of the decision, in the short, medium and long-term.</li> <li>• The extent of the impact on rates and/or debt (including cumulative effects).</li> <li>• The extent to which the decision is consistent with the Financial Strategy.</li> <li>• A financial transaction that involves an unbudgeted expenditure of \$2.5 million or greater based on 10% of Council's total expenditure.</li> </ul> |
| <p><b>Degree of Significance</b></p> <p>(8) High <span style="float: right;">Low (1)</span></p>  <p>← Large Impact <span style="float: right;">Little Impact →</span></p> |   |