



## **Submission of Civic Trust Auckland**

### **Significance and Engagement Policy**

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### **Civic Trust Auckland**

Civic Trust Auckland (CTA) is a non-profit public interest group, incorporated in 1968, with activities and interests throughout the greater Auckland region.

The aims of the Trust include:

- protection of natural landforms
- preservation of heritage, in all its aspects
- encouragement of good planning for the city and region.

CTA is a regular submitter on matters of interest to its members, both at a local government level and also on national matters where they may affect the Auckland region. Since 2020, we have been included on Council's list of regional stakeholders.

CTA has made 100 submissions since 2009 (these submissions being [listed](#) on our website) and many more prior to this, most of them to Auckland Council. During the more than 50 years of our existence, we have engaged with many other community groups and individuals who have shared similar concerns to us.

We have read the Significance and Engagement Policy Consultation Document, the Draft Significance and Engagement Policy 2021, and referred to the Significance and Engagement Policy 2014 – which we submitted on – and the Engagement Guidelines.

Overall, CTA's opinion of the proposed policy refresh is in the "Other" category, as we agree with some parts and disagree with other parts.

We make the following points.

1. CTA strongly supports the proposed change to the assets list from "roading network" to "roading and footpath assets" and the reason for this change, namely, *"to reflect the importance of the footpath network to Aucklanders."* In our feedback on the draft policy in 2014, we said that footpaths should be included as strategic assets. The importance of the footpath network to Aucklanders includes recognition of the contribution of walking to health and to reducing emissions from motorised transport. The inclusion of footpath assets means that walking is more likely to be

taken into consideration when Council is making decisions about transport, urban design, public health, climate change and community development.

2. We are concerned about the proposed change from “cemeteries, heritage scheduled buildings and structures” to “cemeteries” alone. The removal of “heritage scheduled buildings and structures” from the list of strategic assets suggests that the public will not be consulted about these buildings and structures owned by Council on behalf of all Aucklanders. The reason given by Council for their removal from the list is that they are not used for the delivery of services. Such assets often have collective appeal, and the fact that they may be unused by Council at any particular point in time does not preclude the possibility of Council finding an appropriate use which may contribute to the wellbeing of Aucklanders. In the case where buildings with apparent heritage value are to be sold, a prerequisite should be that a heritage assessment is undertaken and the building be appropriately protected prior to sale. Given the scope for adaptive reuse, this constraint need not necessarily render a building incapable of reasonable use.

We note Aucklanders place a high value on their heritage. According to a 2019 Auckland People’s Panel survey, as recorded in [Auckland Heritage Counts 2020](#), 91% of respondents thought that heritage was either “important” or “very important.” We also point to the fact that while the Resource Management Act remains in force, the protection of historic heritage remains a matter of national importance. Furthermore, we note a significant number of submitters on the Natural and Built Environment Bill (which will, in part, replace the RMA), submitted that historic heritage be included in the National Planning Framework.

3. Further to our support for the inclusion of footpaths in the list of strategic assets, we note that our 2014 submission also asked that the following be included in this list:

- heritage buildings which are not on the schedule
- any real property assets held by Council’s CCOs, and, in the case of ACPL, any property adjacent to ACPL properties
- maunga / volcanic cones
- the assets of substantive CCOs
- the assets of Auckland International Airport Limited
- the assets of Ports of Auckland.

4. In response to “Is there anything else you think we should consider?” CTA provides the following comments:

(a) Significance, as assessed by Council (page 6 of the draft policy), needs to take into account that what may be deemed of little significance by Council could be of great importance to those individuals who identify as being affected by a proposal, and that if a proposed change may happen in their identified locality, be it neighbourhood or street (e.g., increased artificial lighting at night, loss of sunlight, or increased noise, especially at night) then such individuals should be consulted, at least on a limited notification basis. It should also be taken into account that those affected by, or having an interest in certain matters may not reside in the area but spend time there for other reasons.

(b) The draft policy on pages 10-11 states: “*The consultation and engagement approach used will reflect the following key principles:*”

- *Enabling the voice of the community – not making irrevocable decisions on assets before engaging with the affected community and enabling them to make their view*

heard.

• *Efficient engagement – targeting consultation and engagement to the communities that are particularly interested in or affected by the decision. Avoiding consultation fatigue and not asking the community for their views about the same asset multiple times unnecessarily.*

As per our point made in 4(a) above, irrevocable decisions can have a huge impact on the wellbeing of individuals, including their financial wellbeing, if, for example, their property is devalued by a Council decision. Any impact can also include the very disempowering effect if an individual (or a community) is not consulted at all or, if consulted, holds the view that Council has not listened.

(c) Rather than “consultation fatigue,” the view that we tend to hear is that there is not enough consultation and often that it is not genuine. We hear that people feel that Council has already made up its mind and that any feedback the community gives will not make a difference to the project or other matter under consultation. Furthermore, we feel that it would help the robustness of any consultation if those potentially affected could have some input into the consultation questions. This would also assist with Engagement Principle 1 (page 15): *“Ensure questions are objective (i.e., not leading, allowing people to express their views freely.”*

(d) Page 12 states that Council *“will actively seek to improve opportunities for engagement and demonstrate how public input has influenced decisions.”* CTA suggests that a useful and straightforward way to demonstrate how public input has influenced decisions would be to make available, in addition to the initial document put out for consultation and the final policy released, a third document which would track changes in Council’s draft document and include references to submission points that led to these changes. At a simple level, if members of the public can see what, if any, effect there is as a result of their engagement, they will naturally feel more inclined to engage with Council.

(e) Regarding Principle 2, that Council will *“ensure the community can proactively raise issues with council so that it is an authentic, two-way relationship”* and *“proactively identify opportunities to work in partnership with community organisations and leaders,”* these are areas where groups we have engaged with feel that at both councillor and local board level, engagement has been difficult, for example, community views are criticised by Council in the media (both social media and mass media) and some individuals and group representatives have felt unwelcome in public forum at meetings, and if they do get to present, the details of their input are often not reflected in the minutes of meetings. Principle 3 includes to *“make the process of engagement inclusive and accessible.”* This principle in particular needs better application, as groups have reported to us that they have felt ignored, dismissed or shut out when they respond to consultations or approach Council with local information and perspectives.

(f) “Engagement Guidelines” have been formulated for the benefit of Council employees. Page 5 reinforces that, *“Simply put, ‘engagement’ at council means any two-way conversation or sharing of information and perspectives. It is the reciprocal element that defines the process. We may well speak when we engage, but our main task is to listen and to do something useful with the ideas entrusted to us.”*

The five engagement principles (page 9), as follows, would seem to need to be better applied by Council:

- “1. You must conduct council business in an open, transparent and democratically accountable manner; and give effect to council’s identified priorities and outcomes efficiently and effectively.*
- 2. You must make yourself aware of, and have regard to, the views of all of Auckland’s communities.*
- 3. When making a decision you must 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.*
- 4. You must provide opportunities for Māori to contribute to your decision-making processes.*
- 5. You must be careful, responsible, efficient and effective when using council resources.”*

Given the financial constraints in these times, it would be useful if the Guidelines would provide appropriate checks and balances to prevent unnecessary expenditure. Somewhere in the process, provision needs to be made for the question to be asked whether there is any underlying community demand for capital projects initiated by Council.

(g) We further suggest (as we did in our 2014 submission) that on the assumption that the results of the communication with the community are held in Council’s computer system, it would be mutually beneficial for all dialogue between community and Council (raw data, assessment and reporting) to be accessible to all of the parties in the communication in an online environment. Council could purposefully develop its online presence to provide information it holds digitally (and for which there is, pursuant to Local Government Official Information Act 1997, no reason to withhold). On the assumption that most property files have now been digitised, not only would such easy online access to information promote public engagement, it would also represent an efficiency gain for Council not having to pay for employees to repeatedly handle that information. As a matter of process, Council would, in the first instance, make a decision whether or not to tag a document as “withhold.”

(h) Finally, where Council defines what is meant by consultation and engagement, it is recognised that these can arise from various communities’ expression of their needs and preferences. It is important that consultation on matters initiated by the public are provided for with the same respect afforded Council-initiated consultations.

Date of submission: 18 October 2021

Signature:



A handwritten signature in black ink, appearing to read "Audrey van Ryn". The signature is fluid and cursive.

Audrey van Ryn  
Secretary, Civic Trust Auckland