

POLICY: **CONSULTATION**

GROUP RESPONSIBLE: Customer and Financial Services

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POLICY DETAIL:

1.0 INTRODUCTION

The Southland District Council's mission is "Working together for a better Southland". The Council recognises that consultation plays an important part in the way it goes about its business. The fundamental premise of this policy is that Southland District Council should continue to provide for meaningful consultation and consistently look for new ways to enhance public input.

This policy supplements existing regulations that prescribe specific consultative requirements applicable to the Council's activities, such as those outlined in the Local Government Act 2002 and Resource Management Act 1991. The Council's 'Procedural Guidelines for Planning Consultation' should be referred to for additional information. (See Appendix 1).

2.0 PURPOSES OF THIS POLICY

The purposes of this policy are to:

- Improve the acceptability, efficiency, feasibility, durability and transparency of the Southland District Council's decisions.
- Reaffirm the Council's commitment to early and meaningful consultation.
- Ensure the Council makes its decisions considering the interest and concerns of affected people and organisations.
- Promote the use of a wide variety of consultation techniques.
- Establish clear and effective guidance for conducting public involvement activities.

3.0 COUNCIL'S GOALS FOR CONSULTATION

The Council recognises that it has a legal and moral obligation to inform residents and adequately consult with them before significant* decisions are made. Community input into the decision-making process is welcomed and essential to arrive at acceptable solutions, help avoid the possibility of litigation and recognise that the Council needs the support of its communities.

* Refer to Council's Policy on Significance.

The Southland District Council's goals for consultative processes are to:

- Foster a spirit of trust and openness between the Council and the public.
- Ensure the public has timely, accessible and accurate information about Council activities, significant issues and proposed changes - in a variety of formats - so that people can understand and participate in a meaningful way in the democratic process.
- Consult with interested or affected segments of the public and take their viewpoints into consideration when making decisions.
- Anticipate conflict and encourage early discussions of differences among affected parties.
- Explain to the public how its input has affected the Council's final decision.

Adequate consultation involves appropriate communication prior to and during the resolution of the issue or construction of the project. *Appropriate* consultation means that a consultation plan (described in Section 6.0) is developed aiming to reach all affected residents or interested parties over a specified timeframe with a specifically targeted strategy for issues of a moderate or high level.

4.0 TYPES OF CONSULTATION

4.1 Statutory and Non-Statutory Consultation

There are two distinct types of consultation that the Council is obliged to carry out. The first is where consultation is a statutory requirement; the second is non-statutory consultation where no timeframes or processes are laid down in legislation.

4.2 Statutory Consultation

Specific consultative requirements are prescribed in legislation for selected activities or decisions of the Council. For further information please refer to the full clauses of the relevant Act, as detailed below.

4.2.1 Resource Consents

The Council is required to comply with the statutory consultation processes and timeframes, which are outlined under the Resource Management Act 1991 in the processing of resource consents. The Council's Resource Management staff will comply 100% of the time with these statutory requirements when processing resource consents; statutory timeframes will be adhered to 100% of the time after all required information has been provided.

4.2.2 Statutory Plans

Long-Term Council Community Plans, Annual Plans and District Plans have statutory requirements for consultation that must be met as outlined in the Local Government Act 2002 and Resource Management Act 1991. The Council must follow the special consultative procedure outlined in the Local Government Act 2002 (Section 83) before it adopts a Long-Term Council Community Plan or Annual Plan. For changing the District Plan or preparing a new District Plan, the Council must follow the consultation process outlined in the First Schedule of the Resource Management Act 1991.

For statutory plans, a consultation plan must be developed containing timeframes and strategies for consultation and be submitted to the Executive and the Council (or a committee of Council) for approval.

When the Council is adopting a Long Term Council Community Plan, Annual Plan, or a new District Plan it will specifically:

- Send a summary of the proposed plan to all Southland District residents and non-resident ratepayers and provide freepost submission forms.
- In addition to giving public notice, advertise the consultation process for the proposed plan at least four times as a run-of-paper ad in the Southland Times and at least once in the Southland Express.
- Make copies of the proposed plan available to be read/viewed at all of the Council's eight offices and via the Council's internet site. In the case of Long Term Council Community Plans and Annual Plans, make personal copies of the proposed plan obtainable.

When the Council is adopting a District Plan change it will specifically:

- Send a summary of information on the proposed changes to residents and non-resident ratepayers in the geographic area of interest and provide freepost submission forms.
- In addition to giving public notice, advertise in a local paper in the geographic area of interest, if any.
- Make copies of the proposed plan changes available to be read/viewed at the Council's main Invercargill office, relevant area offices and via the Council's internet site.

4.2.3 Identification of Community Outcomes

The Local Government Act 2002 requires all local authorities to undertake a process to identify community outcomes. Whilst legislation does not dictate specific consultation requirements for this process, it does provide some general requirements, under section 91.

4.2.4 Other Decisions Requiring Statutory Consultation

The Council is required to use the special consultative procedure outlined in the Local Government Act 2002 (Section 83) for significant decisions in terms of the Council's 'Policy on Significance' and decisions involving:

- Significantly altering the level of service of a significant activity.
- Altering the mode by which a significant activity is undertaken.
- Transferring ownership or control of a strategic asset.
- Constructing, replacing or abandoning a strategic asset.
- Any activity that will significantly affect capacity of the Council or cost to the Council of an activity in the Long-Term Council Community Plan.
- Changes to the LTCCP.

A consultation plan containing timeframes and consultation processes must be developed (with Councillor, Community Board or CDA Committee input where appropriate) and be submitted to the Executive for approval.

4.3 **Non-Statutory Consultation**

It is recognised that many issues arise that require consultation with Southland District residents for which there are no statutory processes or timeframes in legislation. In planning and conducting consultative processes in such circumstances, staff and management should rely on the sound use of discretion, which is provided for under the Local Government Act 2002. In exercising its discretion, Council staff should have regard to:

- The extent to which the Council is already aware of the views of those who will or may be affected by the decision, or have an interest in the decision.
- The nature and significance of the decision, including its likely impact from the perspective of those who will or may be affected by the decision, or have an interest in the decision.
- The provisions of Part 1 of the Local Government Official Information and Meetings Act 1987 (which, among other things, sets out the circumstances in which there is good reason for withholding local authority information).
- The benefits and costs (including resource constraints) of any consultation process or procedure.

4.3.1 High Level Mandatory

Decisions/issues that are of a high level of significance and require mandatory consultation are identified in Sections 4.2.2, 4.2.3 and 4.2.4. These issues must follow the special consultative procedure. A consultation plan must be developed (with Councillor, Community Board or CDA Committee input where appropriate) and be submitted to Executive for approval.

4.3.2 Moderate Level Discretionary

Decisions/issues that are of a moderate level of significance, where consultation is discretionary, are mainly local issues such as closing a public toilet block. Such decisions will require the preparation of a consultation plan, which must be reported to the Group Manager of the appropriate department. For decisions relating to local services, consultation through the relevant Community Board or CDA Committee, with a resolution passed and recorded, would be the absolute minimum consultation undertaken.

4.3.3 Low Level Routine

Routine or low level decisions will be dealt with by the appropriate staff member as part of routine work. Consultation will follow/comply with any existing statutory requirements.

5.0 **STEPS IN PLANNING CONSULTATION**

There are eight basic steps to consider when planning the consultation process. Staff should exercise judgment and carefully consider the particular circumstances of each situation in determining how to carry out these steps. Staff and managers should strive to provide opportunities for the most meaningful public involvement appropriate to each situation. The eight steps are:

1. Set objectives.
2. Identify target audience.
3. Identify consultation constraints.
4. Select the consultation methods that will be used.

5. Appoint Council representatives.
6. Identify the timelines for your consultation.
7. Determine how feedback will be communicated to participants.
8. Prepare a consultation budget.

These steps are fully explained in the Council's 'Procedural Guidelines for Planning Consultation'.

6.0 CONSULTATION PLAN

A consultation plan template has been produced for project leaders to complete. This must be prepared for all High Level Mandatory and Moderate Level Discretionary decisions/issues and assists staff in thinking through consultation. It includes:

- Consultation level.
- Outline of the project/issue.
- Consultation objectives.
- Which residents and interest groups are affected.
- Any consultation constraints.
- Most appropriate consultation methods to be used.
- Timeframe for consultation and feedback, staff resources required and tasks they would each be responsible for.
- Estimated cost of consultation

The Council's Communications Officer are available for advice in the development of consultation plans. Copies of all approved consultation plans are to be forwarded to Council's Communications Officer.

7.0 EVALUATION AND MONITORING

Council staff will regularly evaluate the effectiveness of their consultation policies and major consultation exercises. A meeting to review consultation strategies will be held with applicable project leaders six-monthly, facilitated by Council's Communication Officer.

Statutory consultation monitoring will continue to be monitored through the Council's Quarterly Report and Annual Report. All issues and projects requiring or projected to require consultation need to be reported in the Quarterly Report and noted on the Organisational Business Plan Group Projects database. Resident satisfaction with levels of consultation undertaken will continue to be monitored through the Council's annual resident survey; the Council targets 80% resident satisfaction with consultation.

PROCEDURAL GUIDELINES FOR PLANNING CONSULTATION

EXECUTIVE SUMMARY

These guidelines have been prepared to help staff and managers in planning and implementing effective consultation as outlined in the Council's 'Consultation Policy'.

There are two distinct types of consultation that the Council is obliged to carry out. The first is where consultation is a statutory requirement; the second is non-statutory consultation where no timeframes or processes are laid down in legislation.

In this document, actual requirements are specified for statutory consultation such as the processing of resource consents. For non-statutory consultation, guidelines are provided for planning consultation.

A key point in Council's consultation policy is that consultation should be tailored to the complexity and potential of controversy of the issue, the segments of the public affected, the timeframe for decision-making and the desired outcome. In exercising its discretion, Council staff should have regard to the nature and significance of the decision and the extent to which the Council is already aware of the views of the affected public.

The degree of public consultation is categorised into three basic levels:

- High Level Mandatory.
- Moderate Level Discretionary.
- Low Level Routine.

A consultation plan must be prepared for all High Level Mandatory and Moderate Level Discretionary decisions/issues. This plan guides project leaders through eight steps in planning consultation. The Council's Communications Officer is available for advice in the development of consultation plans.

A meeting to review consultation strategies will be held with applicable project leaders six-monthly, facilitated by Council's Communication's Officer. All issues and projects requiring, or projected to require, consultation are to be reported in the Quarterly Report and noted on the Organisational Business Plan Group Projects database.

INTRODUCTION

The Southland District Council's mission is "Working together for a better Southland". The Council recognises that consultation plays an important part in the way it goes about its business and that it must continue to integrate, in a meaningful way, the knowledge and opinions of others into its decision-making processes. Effective consultation can both improve the content of the Council's decisions and enhance the deliberative process. It also promotes democracy and builds public trust in local government.

The Southland District Council has long been committed to public involvement and consultation. Southland District Council has an extensive network of representation with a network of 12 Community Boards and 16 Community Development Area (CDA) Committees. Where practical Council's services and responsibilities are decentralised, which provides Council with a very effective means of ensuring local input into decision-making.

Council delegates to each Community Board policy determination in respect of local activities, and Community Boards are also responsible for setting the level of local rates. CDA Committees further encourage local input in addressing the needs of local communities and assessing priorities. Council also prepares twenty-eight community services strategies as part of its strategic planning processes. Through Venture Southland, concept plans are developed to identify local ideas and priorities for coordinated development of the District's communities, using a process that ensures appropriate community input is obtained with opportunities for all views to be represented and the diversity of communities to be recognised.

The fundamental premise of the Council's 'Consultation Policy' is that Southland District Council should continue to provide for meaningful consultation and consistently look for new ways to enhance public input.

CONSULTATION

Definition of Consultation

Consultation refers to the process of obtaining public feedback on a proposal, alternatives and/or decisions, and taking the public's concerns, values and preferences into consideration when making decisions.

Consultation is greater than providing information. While consultation will involve giving information to communities to enable them to participate meaningfully, it is at a stage in the decision-making process where local authorities seek individual and community views before making decisions.

Council's Goals for Consultation

The Southland District Council's goals for consultative processes are to:

- Foster a spirit of trust and openness between the Council and the public.
- Ensure the public has timely, accessible and accurate information about Council activities, significant issues and proposed changes - in a variety of formats - so that people can understand and participate in a meaningful way in the democratic process.
- Consult with interested or affected segments of the public and take their viewpoints into consideration when making decisions.
- Anticipate conflict and encourage early discussions of differences among affected parties.
- Explain to the public how its input has affected the Council's final decision.

To achieve these goals the Council should strive to provide for, encourage and assist public involvement in the following ways:

- Make every effort to tailor consultation to the complexity and potential for controversy of the issue, the segments of the public affected, the timeframe for decision-making and the desired outcome.
- Consult and engage the public early and throughout the decision-making process.
- When possible involve members of the public with relevant expertise in developing options and alternatives and, before making decisions, seek the public's opinion on options or alternatives.
- Use public input to develop options that facilitate resolution in cases where there are differing points of view.
- Identify, communicate with and listen to affected sectors of the public.

- Plan and conduct consultation activities that provide equal opportunity for individuals and groups to be heard, and be conscious of the diversity of the District's communities when considering ways in which to undertake consultation.
- Provide the public with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons.
- Know what is on the consultation agenda so that unnecessary duplication of effort, content and expenditure is avoided.
- Give clear information concerning the purpose of the consultation and the scope of the decisions to be made following the consideration of views presented.
- Be clear that consultation informs its decision-making, but that this does not mean that the Council will agree with the views of all of those being consulted. The Council will consider all views received during consultation and will make the final decision based on its judgement of the views and arguments put forward.
- Encourage the public to present their views to the Council.
- Provide sufficient time for compiling submissions (bearing in mind relevant statutory constraints). For example, many voluntary organisations meet monthly; it takes time for them to consider issues, come to a view and prepare a submission. Working with Māori, where consensus is often required to be obtained via hui, may take longer.
- Provide anyone who wishes to have their views considered with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons.
- Provide time for presenting submissions, balancing the need to give sufficient time for individual submitters with the need to give all submitters a fair hearing; this means providing longer time for submissions that deal with more than a single issue, or issues that are especially complex.
- Receive views presented and proposals raised in the consultation process with an open mind and give them due consideration, in making a decision. Elected members and Council staff must listen, and be seen to listen, to views expressed and be prepared to change their mind on the basis of the views and information put forward.
- Avoid capture or being seen to give favour to any particular sector when making decisions. The Council should balance up the different abilities of sectors to influence policy when making decisions as part of its consideration of allowing people to present information in ways that meet their needs.
- Having considered relevant information including community views and preferences, show leadership and make a decision.
- Provide anyone who presents views to the Council with information concerning both the relevant decisions and the reasons for those decisions.

Adequate consultation involves appropriate communication prior to and during the resolution of the issue or construction of the project.

Appropriate consultation means that a consultation plan is developed aiming to reach all affected residents or interested parties over a specified timeframe with a specifically targeted strategy for issues of a moderate or high level.

STATUTORY CONSULTATION

Resource Consents

The Southland District Council is required to comply with the statutory consultation processes and timeframes, which are outlined under the Resource Management Act 1991 in the processing of resource consents. There are differing consultation requirements under the Act for notified, limited-notified and non-notified applications (refer to figure 1 below). The Council's resource management staff will comply 100% of the time with these statutory requirements when processing resource consents; statutory timeframes will be adhered to 100% of the time after all required information has been provided. The Resource Management Act provides for resource management staff to exercise some discretion as to whether applications should be dealt with as notified, limited-notified or non-notified applications and also with respect to whom it is required to consult.

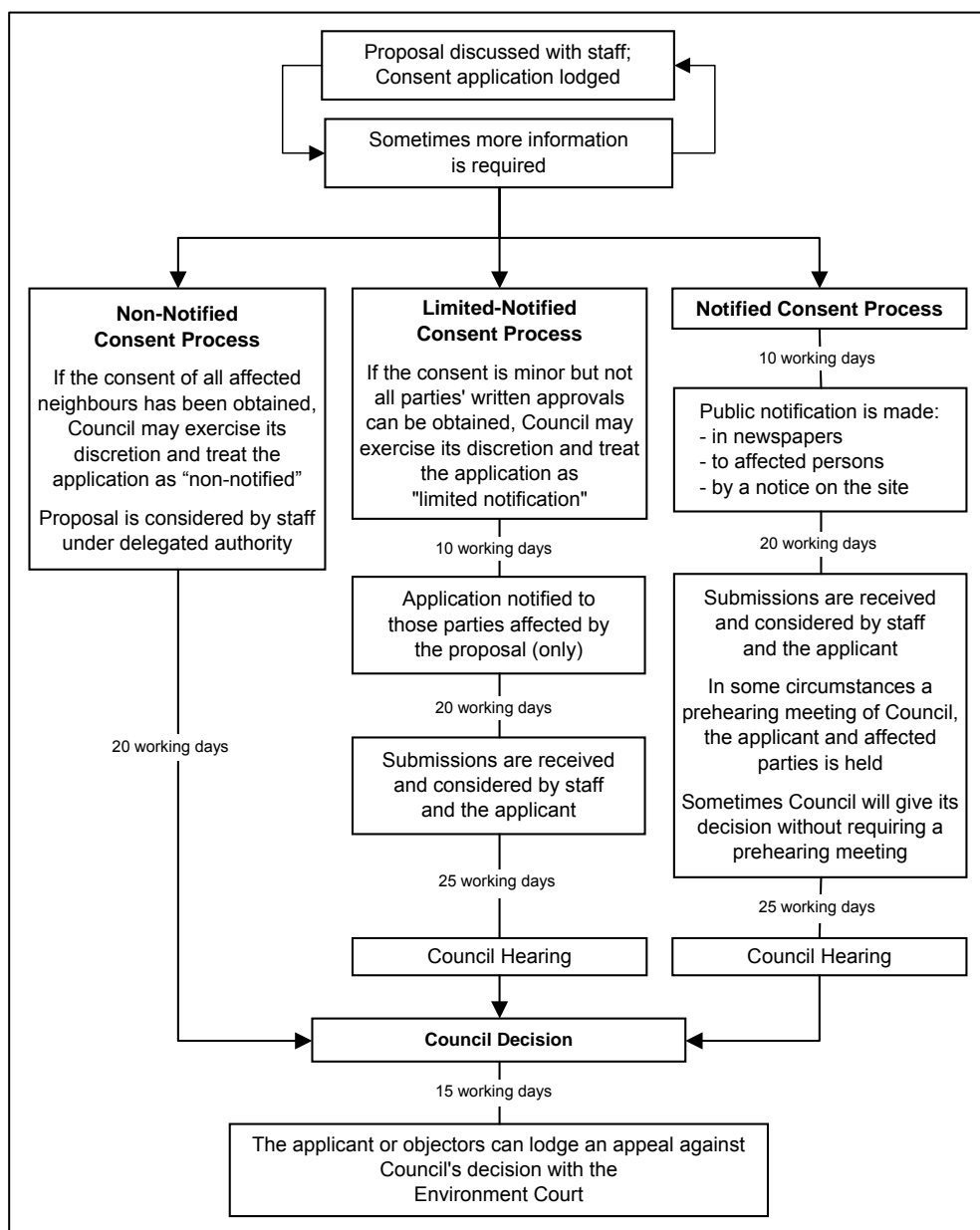


Figure 1: Resource Consent Process

Often the Southland District Council may also be the applicant for a resource consent. Schedule 4 of the Resource Management Act 1991 requires that an applicant outline in such application the extent of consultation that they have undertaken with affected parties prior to lodging the application. District Council staff involved in a particular development will consult with affected parties and relevant interest groups before lodging an application for resource consent. However, once the application is lodged, the responsibility for meeting the statutory requirements for consultation, such as the public notification process, then rests with the consent authority processing the application.

Statutory Plans

Long-Term Council Community Plans, Annual Plans and District Plans have statutory requirements for consultation that must be met as outlined in the Local Government Act 2002 and Resource Management Act 1991. The Council must follow the special consultative procedure outlined in the Local Government Act 2002 (section 83) before it adopts a Long-Term Council Community Plan or Annual Plan (refer to figure 2 below). For changing the District Plan or preparing a new District Plan, the Council must follow the consultation process outlined in the First Schedule of the Resource Management Act 1991.

The Southland District Council Long-Term Council Community Plan, Annual Plan, and District Plan require widespread input from the community and therefore a consultation plan must be developed for each containing timeframes and strategies for consultation and be submitted to the Executive and the Council (or a committee of Council) for approval.

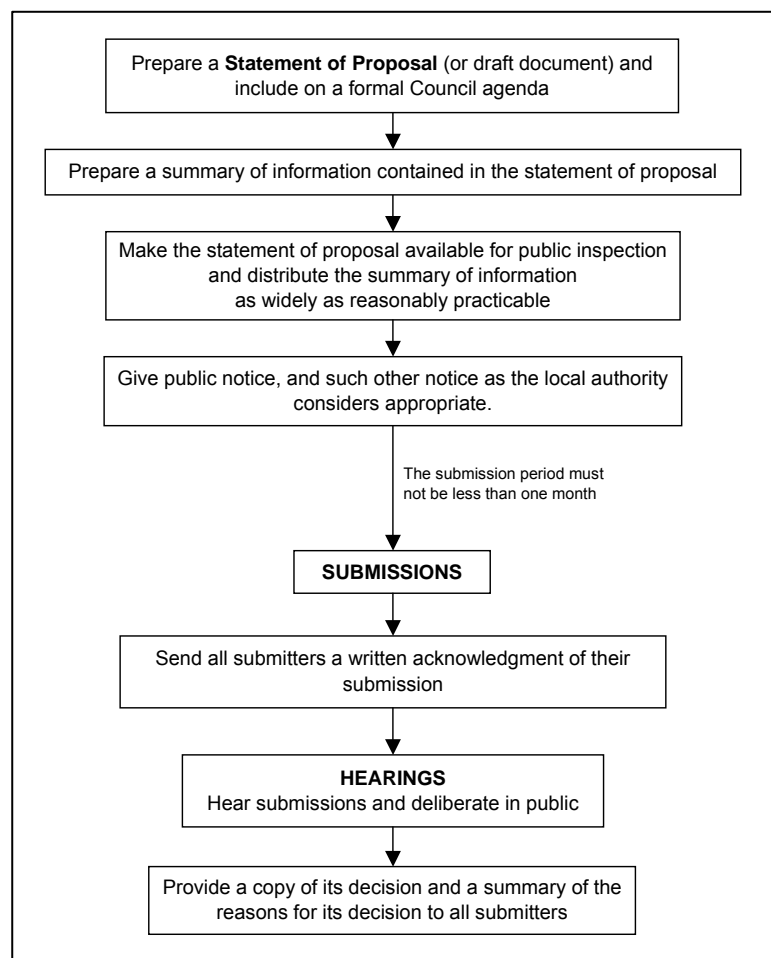


Figure 2: Special Consultative Procedure

When the Council is adopting a Long-Term Council Community Plan, Annual Plan, or a new District Plan it will specifically:

- Send a summary of the proposed plan to all Southland District residents and non-resident ratepayers and provide freepost submission forms.
- In addition to giving public notice, advertise the consultation process for the proposed plan at least four times as a run-of-paper ad in the Southland Times and at least once in the Southland Express.
- Make copies of the proposed plan available to be read/viewed at all of the Council's eight offices and via the Council's internet site. In the case of Long-Term Council Community Plans and Annual Plans, make personal copies of the proposed plan obtainable.

When the Council is adopting a District Plan change it will specifically:

- Send a summary of information on the proposed changes to residents and non-resident ratepayers in the geographic area of interest and provide freepost submission forms.
- In addition to giving public notice, advertise in a local paper in the geographic area of interest, if any.
- Make copies of the proposed plan changes available to be read/viewed at the Council's main Invercargill office, relevant area offices and via the Council's internet site.

Identification of Community Outcomes

The Local Government Act 2002 requires all local authorities to undertake a process to identify community outcomes. These outcomes are then used to guide Councils' future plans and activities, along with the actions of the numerous other community groups and organisations.

Whilst legislation does not dictate specific consultation requirements for this process, it does state that Councils must:

- Take steps to identify, so far as reasonably practicable, other organisations and groups capable of influencing either the identification or the promotion of community outcomes;
- Secure, if practicable, the agreement of those organisations and groups to the process and to the relationship of the process to any existing and related plans; and
- Ensure that the process encourages the public to contribute to the identification of community outcomes (section 91).

Southland District Council sees this as a major consultation exercise and seeks to involve the entire community in creating a positive vision for Southland's future. It requires not only widespread input but also buy-in from the Southland community, particularly in the final two stages of the project (creating the vision and developing an action plan).

The project for identification of community outcomes is to be undertaken for the first time over 2003-2005 (and thereafter six-yearly).

Other Decisions Requiring Statutory Consultation

The Council is required to use the special consultative procedure outlined in the Local Government Act 2002 (section 83) for significant decisions in terms of the Council's 'Policy on Significance' and decisions involving:

- Significantly altering the level of service of a significant activity.
- Altering the mode by which a significant activity is undertaken.
- Transferring ownership or control of a strategic asset.
- Constructing, replacing or abandoning a strategic asset.
- Any activity that will significantly affect capacity of the Council or cost to the Council of an activity in the Long-Term Council Community Plan.
- Changes to the LTCCP.

Figure 2 (on page 6) outlines the special consultative procedure that the Council must follow in these instances.

A consultation plan containing timeframes and consultation processes must be developed (with Councillor, Community Board or CDA Committee input where appropriate) and be submitted to the Executive for approval.

NON-STATUTORY CONSULTATION

It is recognised that many issues arise that require consultation with Southland District residents for which there are no statutory processes or timeframes in legislation. The need for consultation arises from the 'legitimate expectation' of residents that they be consulted on important issues, and by the Council's genuine desire to involve the community in decisions to arrive at acceptable solutions that are in the best interests of the District, in accordance with its *People First* principle.

In planning and conducting consultative processes in such circumstances, staff and management should rely on the sound use of discretion, which is provided for under the Local Government Act 2002. In exercising its discretion, Council staff should have regard to:

- The extent to which the Council is already aware of the views of those who will or may be affected by the decision, or have an interest in the decision.
- The nature and significance of the decision, including its likely impact from the perspective of those who will or may be affected by the decision, or have an interest in the decision.
 - Likely media interest in the proposal/decision.
 - Sensitivity of the decision.
 - Need for timely action.
- The provisions of Part 1 of the Local Government Official Information and Meetings Act 1987 (which, among other things, sets out the circumstances in which there is good reason for withholding local authority information).
- The benefits and costs (including resource constraints) of any consultation process or procedure.

The Council's resource constraints, the need for timely action and other considerations may affect the nature and extent of public consultation and involvement. For example, a compelling need for immediate action may make it appropriate to limit public involvement.

The desire to reach agreement among all parties, while valuable, should not prevent the Council from carrying out its responsibility to make decisions or take actions to preserve and protect the environment and/or community well-being. Nevertheless the Council should approach all decision-making with a bias in favour of significant and meaningful public involvement. Experience throughout local government has shown that a lack of adequate participation or of effective means for participation can result in decisions that do not appropriately consider the interests or needs of those that will be most affected by them. Furthermore, early involvement can ultimately reduce delay, by avoiding time-consuming review, public debate or litigation. Finally, decisions based on meaningful public involvement are likely to be better in substance and stand the test of time, avoiding the need to reopen controversial issues.

LEVELS OF CONSULTATION

High Level Mandatory

Decisions/issues that are of a high level of significance and require mandatory consultation are identified in the earlier section on statutory consultation (also refer to the Council's Policy on Significance). Examples of decisions that could fall within this category are:

- Level of Service
 - Allowing low-use sealed roads to revert to gravel, District-wide.
 - Adopting a programme to progressively close all refuse sites.
 - Changes to representation structure of the Council.
- Mode of Service Delivery
 - Contracting out the management of a regional landfill site.
- Strategic Assets
 - Transferring ownership of Stewart Island Electrical Supply Authority (SIESA).
 - Transferring control of a District Reserve.
 - Establishing a new sewerage or water supply scheme.
- Adopting Long-Term Council Community Plan, Annual Plan or District Plan, including:
 - Change to rating mechanisms.
 - Adoption of new financial contributions for developers via the District Plan.

Issues of a high level of significance must follow the special consultative procedure. A consultation plan must be developed (with Councillor, Community Board or CDA Committee input where appropriate) and be submitted to Executive for approval.

Moderate Level Discretionary

Decisions/issues that are of a moderate level of significance, where consultation is discretionary, are mainly local issues such as:

- Changing the hours of a local transfer station.
- Expanding the sewerage reticulation of a community.
- Redesigning and upgrading a town centre.
- Adopting a programme to have sealed footpaths on both sides of every road of a township.
- Closing a public toilet block.
- Removing a local playground.
- Altering area office or library hours.
- Building Act 1991 waivers/modifications.

Non-statutory consultation for decisions that are considered to have moderate significance will require the preparation of a consultation plan, which must be reported to the Group Manager of the appropriate department. For decisions relating to local services, consultation through the relevant community board or community development area committee, with a resolution passed and recorded, would be the absolute minimum consultation undertaken.

Low Level Routine

Routine or low level decisions would include:

- Internal delegations eg purchases in accordance with Information Technology Strategic Plan.
- Processing of non-notified resource consents that meet District Plan requirements.

Decisions of low significance will be dealt with by the appropriate staff member as part of routine work. Consultation will follow/comply with any existing statutory requirements.

EIGHT STEPS FOR EFFECTIVE CONSULTATION

This guidance is to help staff and managers in implementing the eight steps for effective consultation outlined in the Council's consultation policy.

1. Set Objectives

The purpose for consultation must be defined. The Council must be specific on what it is prepared to change as a result of the consultation and what existing restraints there are on any change taking place. This needs to be initially decided at a Council or Community Board level and then communicated to the relevant community. The Council must be honest with the community about what the givens are.

- What are the questions or choices being presented?
- How do you intend using the information obtained in the consultation?

2. Identify Target Audience

Key stakeholders and communities of interest must be identified to help select the most effective consultation methods to use.

- Who are the key stakeholders with regard to the issue under consultation?
- Whose feedback is expected to be valuable to the consultation process?
- Who else do you want to consult with?
- Does the Council have any key partners who should be consulted or informed?
- Is it appropriate to consider Māori separately? If so, does this relate to consultation with Ngai Tahu only as tangata whenua or with all Māori?
- Have you considered both internal and external parties?

3. Identify Consultation Constraints

A number of restrictions may be placed on the level of consultation able to be undertaken.

- Are there any legislative restrictions or requirements on the form of your consultation eg a requirement to use the special consultative procedure?
- How and when will a decision be made? How much time do you have to complete the consultation?
- How does the decision-making process impact on the consultation process?
- Are there other consultation processes planned or underway that impact upon your consultation?
- Are there confidentiality issues?
- Are some aspects of the proposal non-negotiable and therefore not able to be modified as a result of consultation? Which parts of the proposal can the community influence?

4. Select Consultation Methods

It is important to select the consultation methods most appropriate to those being consulted and to the matter under consultation. To be effective consultation processes must reflect the nature of the community and its capacity to respond. Communications should aim to reach all affected residents/ratepayers and interest groups.

- What do you consider is an appropriate level of participation?
- Does the Council already have access to information that will meet the consultation objectives without requiring further consultation?
- Have you identified which consultation method(s) will best suit the objectives of the consultation?
- What are the risks of adopting the method(s) chosen and how can those risks be mitigated?
- Will the selected method(s) reach the target audience? How will you invite those identified to participate in the consultation process?
- If specific consultation with Māori is proposed, have these requirements been taken into account?
- If specific consultation with people with disabilities is proposed, have these requirements been taken into account? Will consultation be undertaken through specialist agencies?
- Have you determined whether or not submitters will be heard, and has the Council endorsed this decision?

Table 1 on the following page provides information about the advantages and disadvantages of different types of consultation, and guidance on when different types of consultation may be useful. For more information on the involvement of Māori in consultation and decision-making processes, refer to the Council’s policy ‘Iwi Input into Plans and Policy Statements’. Communication/consultation techniques can be plotted on a spectrum relating to the depth of engagement required (see figure 3 below).

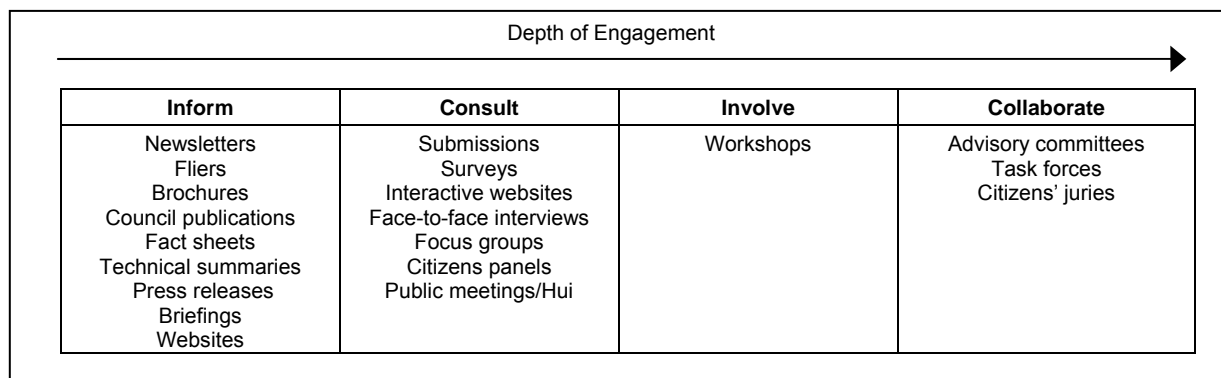


Figure 3: Spectrum of Engagement

Wherever possible staff should:

- Provide the public with adequate and timely information concerning a forthcoming action or decision.
- Provide information to the affected public and interested parties at the earliest practicable times, to enable those potentially affected or interested persons to make informed and constructive contributions to decision-making.
- Provide information at places easily accessible to interested and affected persons and organisations.
- Summarise complex technical materials for the public.
- Write information documents in plain language the public will easily understand.
- Write engineering and technical documents as clearly and concisely as possible.
- Conduct public consultation activities at times and places that, to the maximum extent feasible, facilitate attendance or involvement by the affected public.

The content of outreach materials may include but are not limited to:

- Background information (for example, statutory basis, specific goal(s) of consultation activities or the triggering event of the action).
- Timetable of proposed actions.
- Summaries of lengthy documents or technical material, if relevant.
- An outline of issues and the interests that they may affect.
- Alternative courses of action or tentative determinations the Council or Community Board may have made.
- Information on the social, economic, environmental and cultural consequences of proposed decisions and alternatives prepared in connection with the proposed decision.
- Specific encouragement to stimulate active involvement by the public, including describing the nature of its influence and potential impact on the decisions.
- Name and contact information to reach Council staff for further information.

Table 1: Advantages and Disadvantages of Different Types of Consultation

	Advantages	Disadvantages	When Useful
Written submissions	<ul style="list-style-type: none"> ▪ Allows opportunity to consider issues and do background preparation before preparing a submission ▪ Gives everyone the opportunity to have their say ▪ Potentially a good source of new ideas ▪ Easily collated and recorded 	<ul style="list-style-type: none"> ▪ Low response rates therefore may not be representative ▪ Time consuming to prepare ▪ Off-putting to those unfamiliar with the process ▪ Excludes the illiterate and those uncomfortable with communicating in writing ▪ Less appealing for oral cultures (especially Māori) 	<ul style="list-style-type: none"> ▪ When the special consultative procedure is required ▪ For complex or technical issues ▪ For legislative issues
Oral submissions	<ul style="list-style-type: none"> ▪ Appropriate for oral cultures ▪ Can be held in venues that are familiar to participants (eg marae) 	<ul style="list-style-type: none"> ▪ Can be intimidating for those not used to public speaking ▪ Submissions may be difficult to interpret ▪ Requires taking a record of the discussion 	<ul style="list-style-type: none"> ▪ When consulting with oral cultures (esp Māori) ▪ When consulting with those unable to, or uncomfortable with, communicating in writing
Written surveys (completed face-to-face)	<ul style="list-style-type: none"> ▪ Often quick and easy to complete ▪ Large numbers so able to obtain a representative view ▪ Information collected can be represented statistically ▪ Cheaper than using interviewers ▪ Can obtain views of non-users as well as users ▪ Comparable from year-to-year if the same questions are asked 	<ul style="list-style-type: none"> ▪ Effectiveness is highly dependent on the survey design ▪ Little scope for in-depth comment ▪ Doesn't allow for two-way dialogue ▪ More costly to conduct than self-completed questionnaires ▪ Can be costly to process 	<ul style="list-style-type: none"> ▪ When gauging views on relatively straight-forward issues ▪ Where the questions and issues are understood (eg about people's personal experiences) but need to be quantified ▪ When attempting to consult with a large number of people ▪ When quantitative rather than qualitative data is required
Written surveys (self-completed)	<ul style="list-style-type: none"> ▪ Cheap ▪ Less scope for interviewer bias ▪ Easier to reach people geographically dispersed 	<ul style="list-style-type: none"> ▪ Questions may be misinterpreted ▪ May be unrepresentative depending on who decides to complete them ▪ Response rates are generally poor ▪ Excludes the illiterate ▪ Less appealing for oral cultures ▪ Doesn't allow for two-way dialogue 	<ul style="list-style-type: none"> ▪ When issues are clear-cut and can be spelled out simply in a survey form ▪ When attempting to consult with a large number of people

	Advantages	Disadvantages	When Useful
Telephone surveys	<ul style="list-style-type: none"> ▪ Guarantees a particular level of response ▪ Often quick and easy to complete ▪ More scope for additional comment ▪ Can obtain views of non-users as well as users ▪ Comparable from year-to-year if the same questions are asked ▪ Lower refusal rate than postal surveys 	<ul style="list-style-type: none"> ▪ May be seen as an unwelcome intrusion into people's homes ▪ Effectiveness is highly dependent on the survey design ▪ Excludes those without a phone, or with unlisted numbers ▪ Can be expensive, particularly if qualitative feedback is desired 	<ul style="list-style-type: none"> ▪ When gauging views on relatively straight-forward issues ▪ When attempting to consult with a large number of people in a comparatively short period of time
Face-to-face interviews	<ul style="list-style-type: none"> ▪ Opportunity for in-depth responses in response to follow-up questions ▪ Appeals to oral cultures ▪ Minimises respondent errors in interpreting questions ▪ Likely to result in a wide range of views ▪ Flexible enough to allow new issues to be raised and explored ▪ Attractive to people not comfortable speaking in groups. 	<ul style="list-style-type: none"> ▪ Expensive to run ▪ Can introduce interviewer bias ▪ Effectiveness is highly dependent on the survey design and interviewer skills ▪ Results can be difficult to interpret ▪ Small numbers of interviewees means that results may not be representative of the wider community 	<ul style="list-style-type: none"> ▪ Where issues are complex and/or open-ended
Interactive websites	<ul style="list-style-type: none"> ▪ Low cost ▪ Accessible locally, nationally and internationally 	<ul style="list-style-type: none"> ▪ Only available to those with access to the internet ▪ Excludes the illiterate 	<ul style="list-style-type: none"> ▪ In association with other methods ▪ Where views from beyond the local community are appropriate
Focus groups (either issue-based or geographically-based)	<ul style="list-style-type: none"> ▪ Allows for in-depth discussion of complex issues ▪ Good for gauging the opinions of those who do not normally participate ▪ Can be representative of wider community views depending on composition ▪ Can identify what is important to users ▪ Groups allow participants to spark off each other 	<ul style="list-style-type: none"> ▪ Effectiveness is highly dependent on a good facilitator ▪ Effective participation requires a good grasp of language ▪ Can be unrepresentative of wider community views depending on composition ▪ Geographic-based groups don't capture absentee owners ▪ Lack of confidentiality in a group may inhibit some members 	<ul style="list-style-type: none"> ▪ Where a high level of engagement and qualitative views are sought ▪ Where in-depth discussion on particular issues is sought

	Advantages	Disadvantages	When Useful
Public meetings or hui (may be formal or informal, purpose-specific or part of a wider meeting)	<ul style="list-style-type: none"> Provides an opportunity for dialogue where clarification can be sought by all parties Can be used to keep interested members of the public informed while obtaining some feedback Highly transparent way to demonstrate public consultation People feel more comfortable in familiar surroundings (where Council attends another organisation's meetings) Useful when identifying views of a particular sector Presents personal face of Council to the public. 	<ul style="list-style-type: none"> Participation often low Attendees may not be representative of the wider view (often only attract those with strong views) Can be intimidating for those not used to public speaking Effectiveness is highly dependent on a good facilitator Can become confrontational if not facilitated well (resulting in bad media profile) 	<ul style="list-style-type: none"> For small scale and localised consultation For issues that impact significantly on particular interest groups
Citizens' panels (ongoing panels surveyed several times a year)	<ul style="list-style-type: none"> Repeated use of same panel reduces recruitment costs Will identify changing views over a period of time 	<ul style="list-style-type: none"> People on the panel become more knowledgeable and therefore less representative of the wider community Will need to rotate panel members to keep the panel 'fresh' 	<ul style="list-style-type: none"> To track general public opinion over a period of time
Polls	<ul style="list-style-type: none"> Decisive way of resolving an issue Provides a clear mandate for action Likely to be very representative of the community's view 	<ul style="list-style-type: none"> Limited number of questions can be asked Qualitative responses not possible Minority voters alienated by acting on the majority vote 	<ul style="list-style-type: none"> Where issues are easy to understand Where the community is well-informed on an issue Where it is appropriate that everyone has the opportunity to have their say

Fact sheets, news releases, summaries and similar publications in print and on the internet may be used to provide notice of availability of materials and to facilitate public understanding of more complex documents, but should not be a substitute for public access to the complete documents. The Council should provide information via its website, at all area offices for District-wide issues and in the main Invercargill office and relevant area office for local issues/decisions.

5. Appoint Council representatives

Which elected members, staff or third parties (neutral facilitators or mediators) should be used in consultation processes needs to be considered.

- What levels of authority are required for the consultation to be successful? This will depend on the objectives of the consultation and the people and groups being consulted.
- What level of expertise and specialist knowledge is required for the consultation to be successful?
- Are current relationships with those to be consulted likely to increase or reduce the likelihood of this consultation being a success?
- Would an internal or external representative of Council be better suited to facilitate the consultation?
- Have the roles of Council members and staff (ie project advocate, technical expert, impartial facilitator) been determined and communicated to all those involved in the consultation?
- Will Councillors be accused of bias if they participate in the consultation process and are subsequently a decision-maker?

6. Identify the timelines for your consultation

Consultation timeframes will vary according to the issue.

The more complex the issue and greater the potential for controversy or misunderstanding, the earlier Council should distribute outreach materials. High level projects and decisions should be identified in Council's Long-Term Council Community Plan wherever possible. Where this is not practical, significant issues will be included in the Council's Annual Plan, produced in the years a Long-Term Council Community Plan is not produced.

Timeframes for consultation need to be set to work in with the timing of decision-making processes ie Council and community board or community development authority committee meetings, as well as any statutory requirements.

- At what stage(s) of your project will consultation occur?
- When will the formal consultation begin?
- How long will each stage of the consultation be?
- Are there specified statutory timeframes that need to be met?
- What will happen if those being consulted request a time extension?
- Is Council prepared to re-consult if there are issues raised during the consultation that warrant further investigation by staff or the community?
- If the consultation proceeds to expectation, when will decisions be made?
- Are these timeframes appropriate within the constraints and capacity of those you wish to consult with?

When there is a formal public comment process, the Council should, wherever possible, notify major stakeholders of the expected timing of that process to enable them to plan for participation and provide the most useful response. Furthermore, the comment period should not open until the materials are available for the public to obtain and review.

Legislation often specifies minimum public comment periods. Generally the Council should provide materials for public comment as soon as they are available and should allow at least 20 working days (or one month) for public submissions.

7. Determine how feedback will be communicated to participants

- Is it important that the results of the consultation are fed back to the community promptly?
- What level of information generated from the consultation will be fed back?
- How will it be fed back (mail out, letter drop, press article)?
- How and when will the consultation be linked to a decision?
- How will this linkage be communicated?
- Who do those in the consultation process contact for further information?

8. Prepare a consultation budget

Are sufficient resources available to effectively conduct the consultation? Consider staff and elected member time, venue costs, survey costs, participant costs, facilitation costs, display costs, advertising costs, provision of information costs, koha (if any).

CONSULTATION PLAN

A consultation plan template has been produced for project leaders to complete. The form helps ensure the appropriate issues are considered for each project and standardises the process. A consultation plan must be prepared for all High Level Mandatory and Moderate Level Discretionary decisions/issues.

The consultation plan assists staff in thinking through consultation, demonstrates that staff have fully worked through the consultation process in a logical and appropriate way, allows other staff and Executive to know how the issue is being dealt with and is a form of accountability. Specifically it includes:

- Consultation level – High Level Mandatory or Moderate Level Discretionary.
- Outline of the project/issue.
- Consultation objectives.
- Which residents and interest groups are affected.
- Any consultation constraints.
- Most appropriate consultation methods to be used.
- Timeframe for consultation and feedback, staff resources required and tasks they would each be responsible for.
- Estimated cost of consultation

The Council's Communications Officer is available for advice in the development of consultation plans. Copies of all approved consultation plans are to be forwarded to Council's Communication's Officer.

Consultation Plan

Project Name: Project Name

Project Leader: Project Leader

Date: Date

File Reference: Type file number

Consultation Level: High Level Mandatory or Moderate Level Discretionary

Brief Description of the Project/Issue:

Describe the project or issue requiring consultation including whether it is covered by a current plan, policy or statutory requirement.

Objectives of Consultation:

State objectives/purpose of consultation.

Target Audience:

Define key stakeholders and communities of interest, which may or may not be geographical.

Consultation Constraints:

State any restrictions on consultation - legislative, time, confidentiality, non-negotiables.

Consultation Method(s):

Detail what consultation methods are to be used, including any involvement required of elected members and how feedback will be communicated to participants.

Timeframe:

Outline the timeframe for consultation and feedback, staff resources required and tasks they would each be responsible for.

Estimated Cost of Consultation:

Provide a consultation budget.

EVALUATION

Consultation is a significant part of the activity carried out by local authorities. It is what communities increasingly expect and is integral to the accountability framework introduced in the new Local Government Act. Council staff will regularly evaluate the effectiveness of their consultation policies and major consultation exercises. A meeting to review consultation strategies will be held with applicable Project Leaders six-monthly, facilitated by Council's Communications Officer.

The following questions will be considered when evaluating consultation exercises.

- Objectives:
 - Were the objectives of the consultation achieved?
 - Were all applicable legal requirements met?
- Choice of consultation technique:
 - Was the consultation technique suitable for the objectives set?
 - Are there other techniques that, in hindsight, would have better met the objectives?
 - Did the selected technique reach the target audience?
- Process:
 - Was the method of identifying who to consult with appropriate?
 - Did the consultation process follow the planned timeframes? Was the planned timeframe appropriate (did it leave enough time for those being consulted to respond effectively)?
 - Was information easily accessible to those being consulted?
 - Was plain language used throughout the process?
 - Was there appropriate (in the eyes of those being consulted) feedback to those being consulted?
 - Were any complaints or issues raised about the process?
- Outcomes
 - How did the results of the consultation feed into the decision-making process?
 - Has the consultation resulted in a change in Council's policy or service delivery?
- Costs
 - What was the estimated cost of staff time? What was the cost of external services? What other costs were there?
 - Where (if anywhere) could costs have been better spent?
 - Was the cost reasonable given the scale of the issue being consulted on?
- Critical analysis
 - What would you do differently if given the chance?
 - What training needs have been identified?

CONSULTATION MONITORING

Resident satisfaction with levels of consultation undertaken will continue to be monitored through the Council's annual resident survey. Council targets 80% resident satisfaction with consultation.

Statutory consultation monitoring will continue to be monitored through the Council's Quarterly Report and Annual Report.

The following procedures will be taken to monitor and report on non-statutory consultation:

- High Level Mandatory decisions/issues require the staff responsible to develop a consultation plan and report to Executive (with appropriate liaison with Councillors, Community Boards and/or CDA Committees).
- Moderate Level Discretionary decisions/issues require the staff responsible to develop a consultation plan and report to the Group Manager of the appropriate department (with appropriate liaison with Community Boards and/or CDA Committees).
- All issues and projects requiring or projected to require consultation need to be reported in the Quarterly Report and noted on the Organisational Business Plan Group Projects database.
- Meetings will be held six-monthly to review consultation strategies.

