

CONSULTATION POLICY

POLICY OBJECTIVES

The Gisborne District Council values and is committed to effective community consultation because better decisions are made when there is community input.

Council's purpose is to make decisions and take action on behalf of its communities. This purpose is met when the community is knowledgeable about the issues and the effect of them on their wellbeing. Informed feedback to the decision-makers is also necessary. Through this policy, Council intends to –

1. promote a sense of ownership of its decisions by the people of the District
2. inform people and communities about the issues that affect them
3. provide an opportunity for meaningful input into decisions
4. create an awareness of the diversity of opinion within the community
5. show leadership
6. enable staff to be innovators in the approaches that they recommend and take
7. meet its legal obligations.

Meaning of Consultation

Consultation is a genuine exchange of information, points of view and options for decisions between affected and interested people and decision-makers before a decision has been made.

Consultation is one technique for community engagement. Its purpose is to obtain feedback on analyses, alternatives, proposals and intended decisions. The promise that Gisborne District Council makes when it consults is to keep you informed, to provide reasonable time for you to come to a view, to listen to what you have to say with an open mind, to acknowledge what you tell us and to inform you how your input influences the decision we make.

It does not mean that the decision will be delegated to those involved in the consultation process, but rather that the decision, when made, is likely to be improved by community involvement.

Consultation is not:

- just about providing information
- a substitute for decision making
- always about reaching an agreement or consensus
- always about negotiation
- just promoting a decision already made

Nor is consultation always appropriate when:

- the likely costs of consultation are not in proportion to the benefits
- there is a need for commercial sensitivity
- there is a threat to public health or safety and a decision is required without delay
- Council has a sound understanding of the views and preferences of people likely to be affected

There is a range of ways that communities can participate in decision making by Councils on their affairs other than consultation.

Council accepts the following definitions from the International Association for Public Participation in the following table and will be guided by it when considering how and when to seek community input into its decisions. This policy covers the spectrum of interaction from inform to collaborate; community empowerment is beyond the scope of the policy.

Inform	Consult	Involve	Collaborate	
Objective	Objective	Objective	Objective	
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, or solutions, as part of the decision-making process.	To obtain public feedback on analyses, alternatives and decisions and to endeavour to develop better policies and solutions.	To work directly with the public throughout the process to ensure that public concerns are 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.	
The council's commitment to the public	The council's commitment to the public	The council's commitment to the public	The council's commitment 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 reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice in formulating solutions and incorporate your advice into the decisions to the maximum extent possible.	

Consultation Principles

Council will apply the following principles to its approach to community consultation. The principles are common to all consultation processes, but the emphasis or weighting will reflect the needs of the issue or question.

The principles have been adopted from the Local Government Act 2002 (Sections 78 and 82). Other principles have been added to reflect the Council’s commitment to bettering the standard.

- **Access to Information** - we will provide reasonable access to relevant information in a manner and format that is appropriate to needs of people, provided that information is not commercially sensitive.
- **Encouragement to Present Views** - we will encourage all those affected by or who have an interest in an issue or project to present their views.
- **Transparency** - we will provide information about the purpose of the consultation and the scope of the decisions, for example, why the Council is consulting, what issues are and are not up for decision making, how the decisions will be made and who will be making them. The Council will be clear on how decisions will be made and who will be making them so that the participants know and understand the impact of their involvement.

- **Opportunity to Present your Views** - we will be flexible in allowing a variety of means of delivery. Anyone who wishes to have their views considered will be provided with a reasonable opportunity to present those views.
- **Feedback** - we will provide information regarding the outcome of the decision-making process and the reasons for the decisions.
- **Openness** - we will receive presented views with an open mind and will give those views due consideration when making a decision. The Council welcomes indications of support for or opposition to proposed projects or issues.
- **Responding to Diversity** - we will seek the views of a wide cross-section of the community using the most appropriate ways of consulting with various sector and interest groups in the community.
- **Consulting with Tāngata Whēnua and Māori** - we will continue to maintain and further look for appropriate mechanisms for engagement with Māori and Tāngata Whēnua, and provide opportunities for them to contribute to our decision-making processes.
- **Timeliness** - we will build consultation into the planning process from the start. Sufficient time will be allowed for considered responses from all groups with an interest in or who are affected by the issue.
- **Coordination** - we will encourage planning, coordination and collaboration amongst Council departments and entities over consultation processes.

Consultation Practice

Council will, as a minimum, use best practice in its consultation. As a norm we will be innovators.

We will:

- assess if the particular issue warrants or is appropriate for consultation;
- consider the costs and benefits of any consultation procedure;
- choose the type of consultation most suited to each issue that is to be consulted on and form a consultation plan;
- consider the extent that Council is already aware of views of potentially affected and interested people;
- commit to consider the views of people and their communities when:
 - problems and objectives related to the matter are defined;
 - options are identified;
 - proposals are developed;
 - proposals are adopted;
- have regard for the nature and significance of the decision and its likely impact on those affected;
- consult as early as possible and appropriate in a decision-making process and ensure consultation processes are an integral part of project planning in its earliest stages;
- integrate and combine consultation and decision making processes across departments as appropriate and wherever practicable;

- be sensitive to consultation becoming a burden, and people becoming reluctant to participate (effectively losing faith in the process);
- seek to use the Annual Plan and Long Term Council Community Plan consultation processes for as many key issues as is appropriate and practical;
- spread costs by consulting jointly with other authorities where appropriate;
- resource and delegate other members of the community to carry out consultation where appropriate and cost-effective;
- where necessary, use a variety of consultative techniques including (but not limited to):
 - market research
 - quantitative and opinion surveys,
 - qualitative focus groups and individual interviews
 - facts sheets, web sites and open houses
 - works shops
 - community advisory groups
 - road shows
 - leaflet and letter drops
 - submissions

Consultation with Tāngata Whēnua and Māori

Council recognises its obligations under the Local Government Act 2002 (part 6 section 81) to establish and maintain processes to provide opportunities and capacity for Māori to contribute to its decision-making processes and make information available to them.

The contribution by Tāngata Whēnua and Māori to decision-making processes is provided for by way of direct public forum, petitions, deputations and representation from Tāngata Whēnua to all committees of Council. Additionally, Council has a number of project specific “protocols” with affected Tāngata Whēnua that deal with culturally significant issues that pertain directly with a project. Council encourages all developers to investigate the advantages of using protocols as an outcome for their own consultation processes. General Tāngata Whēnua relationship protocols are in place and are being promoted as another avenue to better inclusion into the processes of Council.

For consultation under the Resource Management Act, the Council acknowledges the Crown's responsibility to inform Council of the iwi and hapū groups that are required to be consulted.

The current Government directory of organisations to represent their iwi and/or hapū for the purposes of the Resource Management Act 1991 are:

- Te Runanga-ō-Ngāti Porou
- Te Runanga-ō-Ngāti Oneone
- Ngāi Tāmanuhiri Whānui Charitable Trust
- Rongowhakaata Charitable Trust
- Te Aitanga-ā-Māhaki Trust
- Ngā Ariki Kaiputahi Whānau Trust (Ngā Ariki)

Consultation with Tāngata Whenua and Māori over decision-making also needs to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

Council will honour all processes, agreements and memorandums of understanding developed with Māori as they relate to consultation as part of its decision-making policies.

Consultation under other Acts

Section 82(5) of the LGA 2002 says that where specific consultation is required under the LGA or any other enactment and is inconsistent with any s82 principle – the other provisions will prevail (to the extent of the inconsistency). Those other Acts include the Reserves Act 1977, the Biosecurity Act 1993, and the Resource Management Act 1991.

Special Consultative Procedure

Where any decision requires a special consultative procedure to be followed, Council will follow the procedure prescribed in the relevant Act. This will also occur when the issue triggers the Council's Significance Policy.