Policy for Responding to External Consultations

May 2025

Purpose

The purpose of the Policy for Responding to External Consultations is to provide a clear approach to guide officers about when and how to engage with Council to prepare Council submissions for external consultations, and to provide more certainty to Elected Members about how their views and how Council endorsement of a submission will be sought.

Please note: This Policy does not supersede Council's Standing Orders.

Driver/s for making a Submission

The main drivers for making a submission are when an external organisation is consulting on:
1. proposed new, or changes to existing, legislation/regulation that has the potential to affect and/or impact the work that Council undertakes, or

2. an issue or topic that has potential to affect and/or impact the work that Council undertakes, or

3. an issue that may affect the local community.

This can be something that Council supports (in part or in full) or does not agree with.

Officers will monitor consultations by external agencies and provide Council with regular updates about those open and those expected.

Submission Development

The consultation may be about a matter of policy or about technical matters.

   (a) Consultation on technical or operational issues

 Where a matter is of a technical or operational nature, the Chief Executive will advise Elected Members whether officers will prepare a submission.

(b) Consultations on policy matters

Early provision of information

When it is signalled a policy matter will be consulted on, Council will be asked for early signals about whether a submission should be prepared and the preferred type of submission.

Information to assist this will be provided to Council including:

-   The detail of the proposal known at the time

-   An initial indication of local implications and whether this differs from the wider area consulted (eg nationwide, regional implications) and how Council will involve partners and stakeholders.

As many consultation periods are short this will be provided via email to determine interest and initial feedback in the most timely manner.

Workshop

Where Elected Members indicate a discussion would be beneficial to determine Council's approach, a workshop will be held at the earliest opportunity to discuss the matter and determine whether a submission be made and the direction of any such submission.

Officers will draft the submission following guidance from Council and follow the approval process in the section below.

Types of submission

The examples below include types of submissions that have or could be made. This is not intended to be an exhaustive list or to restrict Council's ability to determine when or how feedback is provided on a matter.

- Submission with full support of Council
- Submission with support of a majority of Council, noting some Council Members do not support this.*
- Submission in support of an LGNZ and/or Taituarā submission.*
- Joint submission with other Councils.*
  *Where there is not full support from Council, it is acknowledged that Council may be asked to make a resolution asking that the names of those dissenting and/or the dissenting views be recorded.

Submissions may also include support for or from partners, stakeholders and/or other parts of the Horowhenua community. This would be worked out at the time, with the continued intention of being inclusive and collaborative in Council's approach.

This Policy does not change Elected Member's existing ability to make a submission in their personal capacity.

Consultations arising at short notice

Where consultation on a policy matter opens at short notice, best efforts will be made to follow the process above. The intent throughout will be to provide information to Council to enable timely decisions about the making of a submission, type of submission, and development and agreement of the content.

Depending on the content and impact of the consultation, alternative approaches could include, and are not limited to, scheduling additional workshops, an extraordinary Council meeting, or agreeing an approach via email or other discussion.

Submission Approval

Submissions to external organisations are approved by Council at a Council meeting except:

(a) If there is insufficient time for the matter to be determined by Council before the submission 'close date', in which case the submission can be agreed by the Mayor and Chief Executive.

   (noting all councillors must be advised of the submission to contribute during drafting and provided a copy of the final).

(b) If the submission is of a technical and operational nature, in which case the submission can be approved by the Chief Executive (in consultation with the Mayor prior to lodging the submission).

(c) During the formal pre-election period, in which case submissions are approved by the Chief Executive.

For (b) and (c):
*   Councillors will be provided with a copy of the final submission as soon as practicable before submission being made to an external organisation; and
*   The submission approved by the Chief Executive will be reported, retrospectively, to the next Council meeting.

The table next page sets out the approval pathway and governance involvement for different types of submissions.

Review

This Policy will be reviewed on as 'as needed' basis, and that need will be informed by feedback from Council and officers about better approaches to be considered.

Governance Involvement and Approval Pathway

Pathway	Description	Initiator	Governance Involvement	Submission Approval
1	**Chief Executive initiated: Technical or operational matter with no significant governance implications**	Chief Executive	Not required.	Chief Executive
2	**Chief Executive-initiated: Matter with governance implications, submission recommended**	Chief Executive	Elected Member input sought • May be informal (via email, workshop) • Approach/Direction may be formalised via Council resolution* *Depending on significance/perceived importance*	Dependent on Governance Involvement: Chief Executive (with Mayoral endorsement) OR Informal Council endorsement OR Council resolution
3	**Chief Executive identifies consultation process and seeks elected member direction (submission not recommended at outset)**	Chief Executive	Elected Member input required – response dependent on member interest. • May be informal (via email, workshop) • If feedback does not indicate a shared position, seek Council resolution.	Dependent on Governance Involvement: Informal Council endorsement OR Council resolution
4	**Mayor-initiated recommendation to make a submission**	Mayor	Elected Member input required • May be informal (via email, workshop) • May be formal (via Council resolution)* *Depending on significance/perceived importance*	Informal endorsement OR Council resolution
5	**Elected Member request or recommendation to make a submission**	Elected Member	Requires informal support from majority of Council (via email, workshop). If three or more elected members object, then can request formal Council decision / referral to next meeting.	Informal Council endorsement (majority)
6	**Elected Member request via formal resolution or notice of motion**	Elected Member	Formal: Council decision required.	Council resolution