



Department of Conservation  
*Te Papa Atawhai*

# CONSULTATION POLICY

QD C1212

# 1. Overview

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## **DOC is committed to consultation**

In the interest of getting the best information to make decisions which are good for both conservation and the people of New Zealand, the Department of Conservation is committed to

- consulting with tangata whenua, associates, and the community, and
  - managing effective and efficient consultation processes.
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## 2. Why We Consult

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**Why we consult** The department consults to :

- get more information to help make better decisions for conservation;
- meet our legal obligations under legislation, including Section 4 requirements of the Conservation Act.

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**What we consult about** The department consults about policy, plans and operations.

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**Legislative precedence** Where legislation specifies the way consultation shall be undertaken, the statutory process takes precedence over this policy. For example, Concessions and Conservation Management Strategies have their consultation processes prescribed in the Conservation Act.

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**When DOC does not consult** When making discretionary decisions or policy, the department reserves the right to decide whether or not to consult. (See the decision-tree on page 5 of the Consultation Guidelines.)

If the department decides to consult, then the Consultation Policy, and Consultation Guidelines must be followed.

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**Decision-making and consultation** Figure 1 shows how consultation provides one source of information to help in the decision-making process.

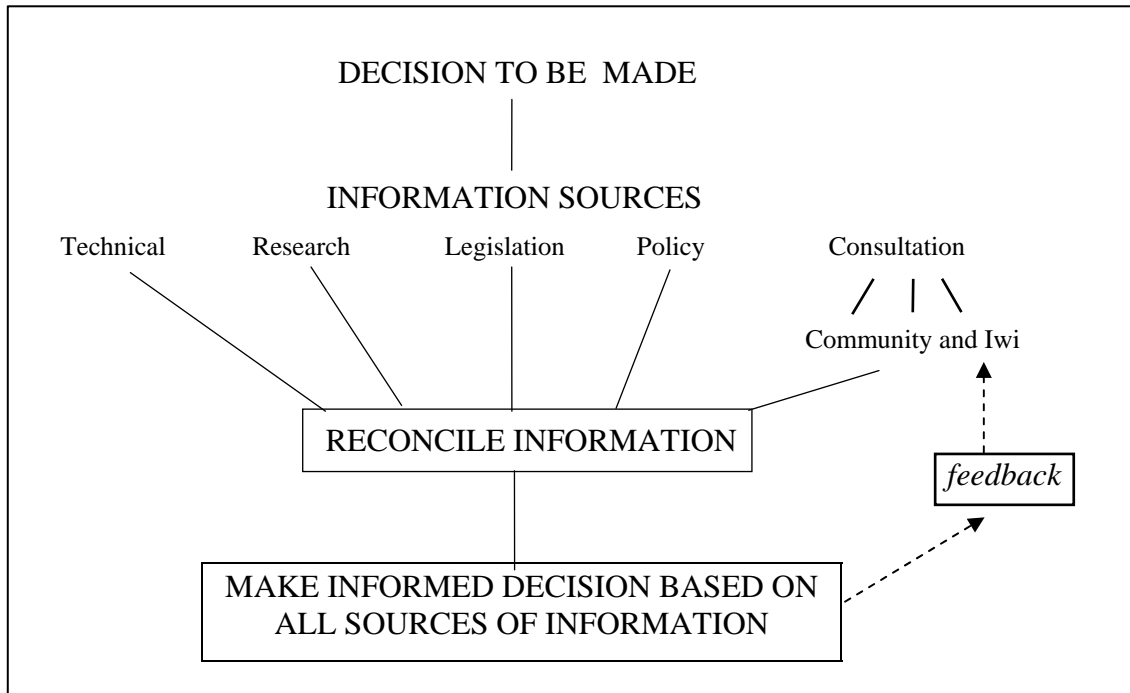
Note that this consultation policy does not look at how decisions are made, but how information is collected.

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## 2. Why We Consult, Continued

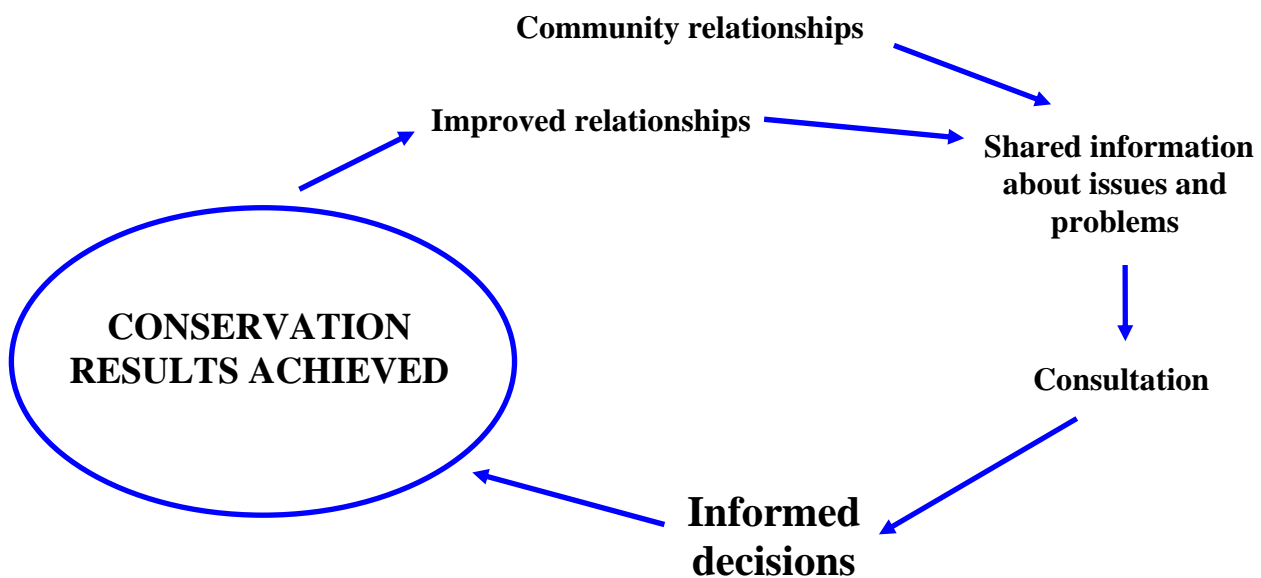
**Figure1.** Consultation is one of the ways to get information needed to make decisions.



### Putting consultation in context

Figure 2 shows how consultation is a part of a larger process. This aims to produce positive conservation outcomes through a decision-making process that is influenced by and influences` our relationships with the community.

**Figure 2.** How consultation helps achieve conservation results and good working relationships



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## 2. Why We Consult, Continued

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### Definition of consultation

**Consultation** is a stage in the decision-making process where the department seeks community and tangata whenua views on issues and proposals. The Department of Conservation keeps an open mind about the final decision it might make, and makes its final decision after consultation has been completed. It may end up keeping its preferred option, but will be able to justify clearly why. The department will have informed the community and tangata whenua of the problem, issues and options, and will keep the flow of information open throughout the consultation process.

The department may also choose to go back to some groups to seek further information, clarify points raised by those groups, or engage in **policy dialogue**. Policy dialogue is when, having received information from the community and tangata whenua, the department asks a small number of groups who represent various positions to discuss further the decision options. The department is still responsible for making the decisions.

Figure 3 shows where the consultation stage fits into the decision making framework.

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### Consultation is not...

Consultation is not :

- Partnership
- Persuading
- Negotiation
- Providing a veto to any group

By itself, education/information provision does not constitute consultation. However education/information is important to enable effective consultation.

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### Definition of community

In the Consultation Policy and Guidelines, **community** is a term used to summarise the range of organisations, groups and general public the department interacts with. It includes conservation groups, the Conservation Authority (NZCA) and Conservation Boards, outdoor recreation groups, businesses, local community organisations, schools, and individuals.

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### Definition of tangata whenua

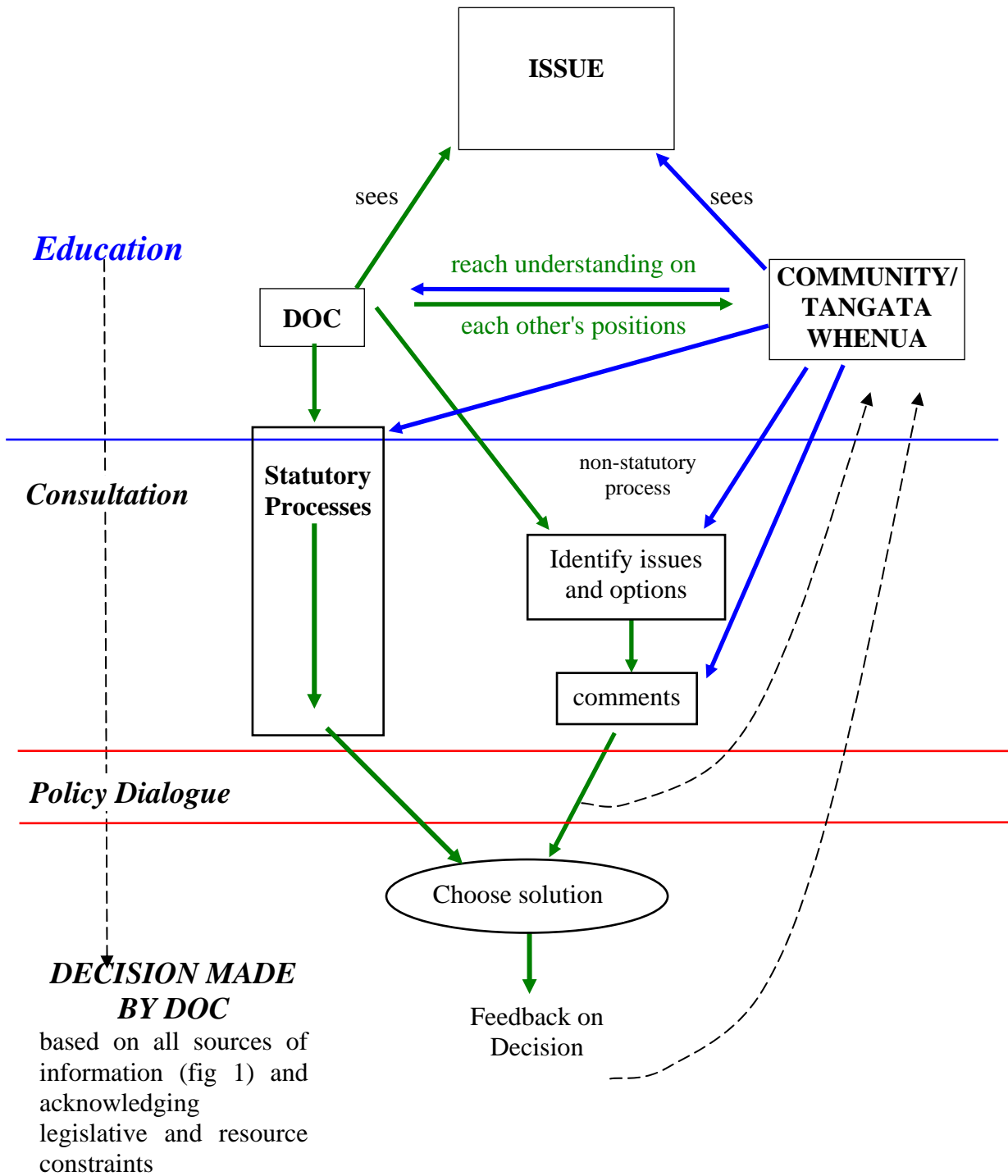
In the Consultation Policy and Guidelines, **tangata whenua** includes iwi, hapu, and whanau.

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## 2. Why We Consult, Continued

Figure 3 : Decision-Making Process, showing where consultation happens.



### 3 Principles

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#### **Open to new ideas**

The department will :

- Be prepared to take new ideas on board.
  - Respect the diverse range of interests and opinions.
  - Maintain its independence and avoid appearing to be 'captured' by any particular group.
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#### **Run an efficient consultation process**

For each consultation exercise, the department will :

- Define the scope of each consultation and manage the process so the community and tangata whenua understand what decisions or components of decisions they are able to influence.
  - Use the most appropriate consultation methods.
  - Plan carefully, and resource the process with staff time and money.
  - Identify and manage risks.
  - Meet legislative requirements.
  - Coordinate with other consultation exercises being run by the department and other agencies.
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#### **Get the best information from the community**

To get the best information from the community and tangata whenua, the department will:

- Encourage input from the public, tangata whenua and staff.
  - Be clear about what the issue is.
  - Provide good information about the issues and options.
  - Provide enough time for communities to respond.
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#### **Consult with tangata whenua**

The department will undertake consultation with tangata whenua and act in accordance with its responsibility to give effect to the principles of the Treaty of Waitangi, to :

- Act reasonably and in good faith;
  - Make informed decisions;
  - Consider whether active steps are needed to protect Maori interests;
  - Avoid actions which would prevent redress of claims;
  - Recognise that the government must be able to govern;
  - Acknowledge special relationships that have been defined through Treaty settlements.
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#### **Complete the consultation process**

The department will :

- Provide participants with information on the final decisions reached.
- Evaluate the process to ensure the consultation was :
  - ◇ effective (an implementable decision was reached)
  - ◇ efficient (see “Run an efficient process”, above.)

## 4. Consultation Goals and Outcomes

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- Consultation policy goals**
1. To provide useful information to contribute to decision-making process;
  2. To ensure statutory consultation requirements are met;
  3. To improve/increase the efficiency of consultation carried out by the department;
  4. To improve community relations.
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### Consultation policy outcomes

<b>Gaining useful information</b>	<b>Statutory requirements</b>	<b>Efficiency</b>	<b>Community relations</b>
<ul style="list-style-type: none"> <li>• information is provided to tangata whenua and the community to enable their contribution</li> <li>• enough time is allowed for tangata whenua and the community input</li> <li>• tangata whenua and the community are encouraged to make their views known to the department</li> </ul>	<ul style="list-style-type: none"> <li>• legislative procedures are followed for concessions and Conservation Management Strategies</li> </ul>	<ul style="list-style-type: none"> <li>• scope of each consultation is defined</li> <li>• appropriate methods are chosen</li> <li>• staff and money are budgeted for</li> <li>• risks are identified and managed</li> <li>• consultation is co-ordinated with other consultation processes</li> <li>• skilled staff are used</li> <li>• process is evaluated</li> </ul>	<ul style="list-style-type: none"> <li>• methods are selected to meet the needs of the community/tangata whenua</li> <li>• feedback is provided to those consulted with</li> </ul>

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## 5 Accountabilities

<p><b>National Policy</b></p> <p><b>Planning</b></p> <p>General Manager, Conservation Policy</p> <ul style="list-style-type: none"> <li>• Development of policies</li> <li>• Development of consultation plan for each national policy exercise</li> </ul> <p>General Manager, External Relations</p> <ul style="list-style-type: none"> <li>• Advice &amp; support to General Manager (Policy)</li> </ul> <p>Tumuaki Kaupapa Atawhai</p> <ul style="list-style-type: none"> <li>• Advice &amp; support to General Manager(Policy)</li> </ul> <p>Regional General Managers</p> <ul style="list-style-type: none"> <li>• Sign off of the national consultation plan</li> </ul>	<p><b>Conservancy Policy/Operations</b></p> <p>eg. Conservation Management Strategies, Concessions</p> <p>Conservator</p> <ul style="list-style-type: none"> <li>• Some delivery of consultation</li> </ul> <p>Area Manager</p> <ul style="list-style-type: none"> <li>• Delivery of consultation to local communities</li> <li>• Development of conservancy consultation plan for each policy/operation (assistance can be provided by the Community Relations Manager and Kaupapa Atawhai Manager)</li> </ul>	<p><b>Area Operations/Over the Fence (1 on 1)</b></p> <p>Area Manager</p> <ul style="list-style-type: none"> <li>• Development and delivery of plan for each consultation exercise associated with local operations</li> <li>• One-on-one consultation with people about delivery of local conservation outputs</li> </ul>
<p><b>Delivery</b></p> <p>Conservators and Area Managers</p> <ul style="list-style-type: none"> <li>• Delivery of the consultation on national policy in Conservancy in a way that is consistent with the national plan.</li> </ul> <p>General Manager External Relations</p> <ul style="list-style-type: none"> <li>• Delivery of consultation to national agencies and organisations</li> </ul>		

