

# SUBMISSION POLICY



2 August 2023



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## **POLICY NUMBER: MDC049**

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<b>Adopted by:</b>	Council Meeting (2 August 2023)
<b>Review Date</b>	June 2026

## Introduction

Submissions made by the community to Council are an important part of Local Government decision-making processes. Council receives submissions in response to a proposal or matter that is being consulted on with the community.

## Purpose

The purpose of this policy is to outline Masterton District Council's submissions process and minimum requirements for submissions content.

## Scope

This policy relates to the receiving and processing of submissions through a Council consultation process, including submissions received under the Local Government Act 2002 (including Annual and Long-term Plans). The principles in this policy may also be used for other areas of legislation. It does not cover submissions under the Resource Management Act 1991, where a separate process is required by legislation.

## What is a submission?

A submission is formal feedback to Council from an individual or an organisation/group in response to a proposal or matter upon which a decision is required by Council. It is one of the main ways Council can be better informed by community views on an issue and consider them in their decision making.

For avoidance of doubt, a submission does not include ad hoc or informal feedback provided to Council. This includes comments received on Council social media platforms or comments made in the wider media or non-council social media platforms. See **Other Ways to Have Your Say** section further in this Policy.

## Who can make a submission?

Anyone can make a submission regardless of their age or place of residence. You don't need to be a ratepayer to make a submission. Submissions can be made by individuals or representatives of an organisation, group, or agency.

## Submissions are public documents

Submissions are public documents. While personal contact details and demographic information may be removed from any publicly available copy, the submitter's name will be published.

Only relevant staff members will have access to un-redacted versions of submissions in accordance with our Privacy Statement. Submissions will be kept in accordance with the Public Records Act 2005.

If a submitter contacts council with extenuating circumstances for withholding their name prior to the submission closure date, we may remove their name from publication. This is at the discretion of the Project Owner<sup>1</sup> and Strategy and Governance Manager.

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<sup>1</sup> The Project Owner is the person ultimately responsible for the project and will be specifically defined for all consultation projects.

## Submission minimum criteria

To be considered and valid, all submissions must include:

- ✓ First and last name
- ✓ Organisation, if you are submitting on behalf of your business or organisation.

We ask for this information to ensure that it is a fair and transparent process. For example:

- We need to know if someone is trying to have more than one opportunity to have their say to ensure the results can be presented as accurately as possible.
- It would be considered a conflict of interest if an elected member (or their organisation/ business) was to submit on a proposal then participate in the decision on the proposal.

Council encourages all submitters to provide contact details so that you can be contacted if we have a question about your submission.

### **We need your contact details if you want to be heard**

If you want to participate in a Council Hearing process (offered as an opportunity to be heard by Council or speak to your submission in some consultation processes) you will need to at least provide an:

- email address; and/or
- telephone number.

This will enable us to contact you to schedule a hearing time and provide you will a copy of our hearing procedure.

### **Regional Submissions**

From time to time the Masterton District Council consults on topics jointly with Carterton District Council, and/ or South Wairarapa District Council, and/ or Greater Wellington Regional Council. Where a regional submission process is taking place, further information may be required to align with the policies of the other councils we are consulting with.

### **Optional information**

In Council submission forms, we ask questions about age, gender, ethnicity, location, and disability. These questions are optional.

Responses to these types of questions help us understand which parts of our community are providing the Masterton District Council with feedback. It helps us to improve our engagement approach with key groups from our community. In some instances, it may indicate that further engagement is needed with the community.

This demographic information will not be made public with your submission (via our website or in a Council meeting agenda). Only collated demographic data will be reported to the Council.

The format of our demographic questions aims to allow submitters to identify themselves in ways that best reflect who they are.

## Accepted submission methods

Council provides submission forms in a range of formats for completion. In most cases a submission form will be available in physical (hardcopy) or online format.

Submissions will be accepted by means of:

- Online via our website
- Post to Masterton District Council, Freepost 112477, PO Box 444, Masterton 5840
- Hand delivered to our Customer Service Centre, 161 Queen Street, Masterton
- Email
- Phone (06) 370 6300
- Orally at a hearing

We do not accept submissions via social media platforms.

## Accepted submission formats and languages

Masterton District Council will accept submissions that are:

- Written or spoken in te reo Māori (subject to prior arrangement if submission to be presented in person)
- Written or spoken in English
- New Zealand Sign Language (NZSL) (subject to prior arrangement if submission to be presented in person); and
- Recorded as video or audio files.

Masterton District Council can provide assistance to people who need help to make a submission.

Note: Guidance on the content of the submission cannot be provided.

## Other ways to have your say

We encourage our community to make formal submissions when Council is consulting on an issue or matter.

Where relevant and appropriate during the consultation period, Council may provide additional opportunities for the community to have their say. This may include community drop-in sessions, workshops, or suggestion boxes. These opportunities are dependent on the type of consultation and engagement required as outlined in the Significance and Engagement Policy.

## Supplementary Information

After making a submission, and within the consultation period, you may provide supplementary information to add to your submission (this will not be treated as an additional submission). This must be provided in the methods and formats indicated above. If you provide supplementary information outside the consultation period, this will be assessed on a case-by-case basis and depending on whether the hearings and deliberations have occurred.

## **Withdrawing your submission**

If you wish to withdraw your submission you should do so within the consultation period. If you wish to withdraw your submission after the consultation period has closed this will be assessed on a case-by-case basis and depending on whether the hearings and deliberations have occurred.

## **Late submissions**

A late submission is any submission received after the specified consultation closing date and time. For postal submissions, this is any submission post-marked after the consultation's closing date.

Acceptance of late submissions will be at Council's discretion. Accepting or refusing a 'late submission' is at the discretion of the Project Owner, who will take into consideration:

- the submission is received at a practical point in the process (e.g., before hearings begin); and/or
- the submitter will have an unfair advantage over others.

The Strategy and Governance Manager will sign off any refusal or acceptance of late submissions following the Project Owner's assessment.

Where a 'late submission' is refused, and where it's possible to do so, the submitter will be advised.

## **Pro forma submissions**

Pro-forma submissions, (e.g., multiple submissions with identical content), will be presented to decision makers as a single submission with all submitters' names and a tally at the top. These submissions may not all be made publicly available on our website, rather a single version of the submission with a tally and submitter names will be displayed. However, all submissions will still be counted individually.

## **Option to be heard**

When required or requested Council will provide an opportunity to be heard at the completion of the submission period. Speaking at a hearing allows submitters to highlight the main points of any written submission, as well as allowing Council the opportunity to ask the submitter questions.

Hearing dates (if applicable) will be advertised as part of the consultation information available during the consultation period.

Persons wishing to speak to their submission must indicate this to Council and provide their contact details.

Speakers will be given the opportunity to present in person or online (via Microsoft Teams or Zoom).

Hearings will be open to the public and will be livestreamed via a relevant platform (currently Facebook).

Speakers will be given a set length of time to cover off the main points of their submission. Additional time will not be granted to individual submitters or organisations, however where an individual has made a submission as part of a group or organisation and as an individual, they may be able to speak to their separate submissions at separately allocated times.

## Submission content conditions

Masterton District Council reserves the right to remove from publication, any submission – in part or in full – that contains content that is determined to be of the following nature:

1. Contains offensive language.
2. Discriminatory, defamatory, or derogatory.
3. Personal threats or harassment of Council or staff members.
4. Would be an abuse of the hearing process to allow the submission (or part thereof) to be taken further.

In addition:

- If specific staff members names are used in the submission, below the Strategic Leadership Team level, they will be redacted. Role titles will not be redacted.
- If the submission does not make specific reference to the topic/s outlined in the consultation document or statement of proposal, or if they are not relevant to the topic/s being consulted on in any annual plan or other relevant consultation, they will be considered 'out of scope'.
- All submissions must be legible, and staff won't be held responsible for misinterpreting a semi-legible submission (e.g. a hand written submission with spelling errors that makes it difficult to interpret).

Submitters will not be denied the opportunity to make genuine submissions. Where there is uncertainty, the default position will be to allow the submission with every effort made to preserve as much of the content as possible.

Masterton District Council's Strategy and Governance Manager will be responsible for the final decision on whether any submission or part thereof should be removed from publication.

### **Sensitive or confidential information**

The Project Owner will use their discretion and principles of the Local Government Official Information and Meetings Act 1987 to determine whether further information should be withheld from publication.

If there is information that is confidential or sensitive that is included in your submission, we recommend you specify this in your submission.

### **Result of submission**

Once a decision is made, Council will provide all submitters with access to the decision as well as any explanatory material associated with the decision in such form as is most appropriate.

As a minimum, decisions will be published on the Masterton District Council website for all to access.

## References

Local Government Act 2002

The Privacy Act 2020

Public Records Act 2005

Local Government Official Information and Meetings Act 1987

## Related Documents

Significance and Engagement Policy

Masterton District Council Privacy Statement

Social Media Policy

## Review of Policy

This policy will be reviewed every three years in advance of Long-Term Plan consultation.

## Version Control

Version	Date	Summary of Amendments	Approved By
1	2/08/2023	Version 1 Approved	Council