

## 4.0 - CONSULTATION REQUIREMENTS

*“The Council has had an extensive consultative process over almost 10 years to find out what indoor sports needs and what the community would like.”*

### 4.1 The Consultative Process to date

*“The Council has consultation processes it must follow for a project like the new Indoor Community Sports Centre – over the 10 years the Council has been diligent in adhering to these.”*

Lawyers Simpson Grierson reviewed the Council’s consultation and decision-making process in relation to the Cobham Drive Park ICSC for compliance with the Local Government Act 2002 (LGA). The Indoor Community Sports Centre is a “significant activity and strategic asset” for the city as defined by the LGA in regard to consultation requirements that must be met. Simpson Grierson also considered what could be legally required in regard to consultation if the preferred option recommended to the Council by the independent review was the Concourse option.

The consultation processes followed over the 10 years since the project started are summarised in Appendix 7.

Simpson Grierson confirmed that:

- The Council’s options analysis has been appropriate and met the requirements of section 77 of the LGA.
- The Council has considered community views at appropriate stages of the decision-making process involving the identification of options, assessment of options and development of proposals, and adoption of the proposal to construct the ICSC at Cobham Drive Park, and have therefore met the requirements of section 78 of the LGA.
- While the Council’s 2006-16 LTCCP consultation focused on the Cobham Drive Park ICSC proposal, adequate consideration had been given to other sites including the Westpac Stadium concourse option both before and as part of that LTCCP consultation.
- The Council’s 2006-16 LTCCP documentation in relation to the Cobham Park ICSC proposal met the specific requirements in sections 84 and 89 of the LGA.

Simpson Grierson considered that increases in the scale and cost of the Cobham Drive Park ICSC since the draft and final versions of the 2006-16 LTCCP did not require the Council to consult further before construction of the ICSC as currently envisaged on the Cobham site.

## **4.2 The Future Consultation Requirements**

***“The remaining consultation requirements for the two options are very different with significant time impact for the Concourse option.”***

Simpson Grierson further advised that if the Council was to decide that it favoured the option to construct the ICSC on the Westpac Stadium Concourse (if this was the outcome of the independent review) then a new special consultative procedure meeting the requirements of sections 97 and 84(3) of the LGA would be required. This would have significant implications on the timeline for the project.