



LOCAL GOVERNMENT INFORMATION SERIES



CASE STUDY: HAWKE'S BAY REGIONAL COUNCIL

2009/09

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Introduction

Background

1. New local government legislation administered by the Department of Internal Affairs (the Department) was enacted in 2001 and 2002.¹ This report presents the results of a case study of the perceived effects of the legislation upon the Hawke's Bay Regional Council. It is part of a series of nine case studies providing a rich and deliberately detailed account of how these local authorities have adapted to the 2001 and 2002 legislation, and in particular Part Six of the Local Government Act (the Act) relating to planning, decision-making, and accountability.
2. These case studies were requested by the Manager of Strategic Analysis and Information of the Local Government and Community (LG&C) Branch of the Department as part of the research programme as laid out in the Strategy for Evaluating Local Government Legislation. This long-term research programme is intended to run until 2013 to understand whether the new legislation is operating effectively. Work completed so far on this programme has produced a strategy and a framework for the evaluation programme, and a report on the roll-out of the legislation.

Research objectives

3. The purpose of the case studies is to provide an in-depth and detailed analysis of how local government has reacted to, interpreted and applied the new Act. This research will contribute to the local government sector's knowledge of the effects of the new legislation. The specific objectives of the local government case studies are:
 - How local authorities have implemented and addressed the new legislation's provisions around planning, decision-making and community outcomes
 - How local authorities worked with their communities to develop community outcomes
 - How local authorities developed and implemented their Long-Term Council Community Plans (LTCCP) and involved communities and stakeholder in the process
 - How local authorities have used the LTCCP within their organisation
 - How local authorities have consulted and interacted with their communities and stakeholders over decision-making, and
 - How communities and stakeholder are interacting with local authorities.
4. The case studies achieve these objectives by evaluating local authorities' application of the three key elements that are critical in achieving the Act's aims of promoting democratic accountability and a sustainable development to local government strategy. These three elements are community outcomes, strategic planning and decision-making.
5. Insight into the new legislation, provided by the case studies, will also allow the Department to identify opportunities for further research to improve understanding of the effects of the 2001/2002 legislation.

Legislative intent

6. The Act "*is designed to provide democratic and effective local government that recognises the diversity of New Zealand communities.*"² The Act enables local authorities to use a sustainable development

¹ Local Government Act 2002; Local Government (Rating) Act 2002; Local Electoral Act 2001

² The Department of Internal Affairs, "Strategy for Evaluating Local Government Legislation," 2005, page 7. The emphasis (italics) is from the original document.

approach to promoting community well-being. To help make local government more effective, their powers were altered by the Act – they moved away from the prescriptive and restrictive nature of the previous legislation to an empowered environment. Balancing this empowerment, the legislation also promotes accountability and transparency in local authorities, as detailed in Part 6 of the Act.

7. The responsibility for facilitating communities in the development of their community outcomes is a new role for all councils. However, some councils had already started a process for setting targets, goals and outcomes for community development before the enactment of the legislation.
8. While strategic planning was a part of the traditional role of local authorities, the legislation provided a new emphasis and added new, wider planning functions and responsibilities (e.g. the LTCCP) to improve the way local authorities performed this function. Further, the Act described a link between strategic planning and the community outcomes identified by the local authority's communities.
9. The Act requires local authorities to be more rigorous in their decision-making. Local authorities are required to identify all options for achieving the objective of the decision, and assessing those options by considering the benefits and costs in terms of the present and future well-being of the community, and alignment with community outcomes. It is expected therefore community outcomes will affect local authorities' decision making. The Act requires local authorities to use a Special Consultative Procedure (SCP) for consultation on particular issues and decisions. Further, the Act requires local authorities to establish and maintain opportunities for Māori to contribute to decision-making.
10. In summary, the three elements described are thematically linked as they make local authorities more accountable to their communities. Consequently, the case study reports are structured around the three parts of the Act with a conclusion section, which draws together the three parts of the Act. The specific legislative intent of each element is listed at the beginning of each section.

Case study methodology

11. The case study method was adopted to provide an in-depth and detailed analysis of how local government has reacted to, interpreted and applied the three elements of the Act. In particular, the case studies provide the ability to select councils with significant differences in terms of population, location and nature; and contrasting responses to the legislation.
12. Local authorities were selected using the following purposive sampling criteria:
 1. Type of local authority (regional council / territorial local authority)
 2. Sector (metropolitan / provincial / rural as defined by Local Government New Zealand (LGNZ) membership)
 3. Councils who have not participated in previous or proposed future studies to expand knowledge about local government in New Zealand
 4. Rate of general population growth to ensure inclusion of councils experiencing extremes of population growth / decline
 5. Proportion of Māori residents to ensure inclusion of councils with high Māori populations
 6. Location (North / South Island) to ensure inclusion of geographical spread across New Zealand and factors such as degree of urbanisation.

Hawke's Bay Regional Council case study specifics

13. The case study of the Hawke's Bay Regional Council (HBRC) was undertaken by Litmus – an independent Wellington-based research company. The research for this report was conducted to the ethical standards of the Association of Social Science Researchers and the Australasian Evaluation Society. This case study report was prepared from the review of key documents and interviews with key informants listed below.

Available at: http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Our-Research-and-Reports-Strategy-for-Evaluating-Local-Government-Legislation?OpenDocument.

14. Documents reviewed:

- Community Outcomes Identification Process Proposal (undated)
- Charter between HBRC and the Māori Committee of Council (December 2002)
- Regional Outcomes Report to Hastings District Council Community Services Committee (December 2003)
- HBRC Annual Report 2006-07
- Hastings District Council Long-Term Council Community Plan (Section 2 – Part 1) Community Outcomes.
- HBRC LTCCP 1 July 2006 – 30 June 2016
- HBRC Marketing and Communications Report (2007)
- HBRC Local Governance Statement 2007
- HBRC Annual Plan for 2007-08
- HBRC Draft Annual Plan for 2008-09.

15. Key informants interviewed:

- Three HBRC council officers
- One HBRC councillor
- One iwi representative
- Two community stakeholders (three key informants)
- One Hastings District Council officer.

16. Those interviewed were identified by the HBRC as knowledgeable about one or all of the three elements being examined in the case. They were recruited to the case study by the Department, the HBRC and by Litmus. Face-to-face interviews were conducted by Litmus during March 2008. Interviews were conducted over a period of one hour or more, and were digitally recorded. On request, interview notes and transcripts were made available for review by participants.

17. Participants were informed that Litmus and the Department will seek to keep their information confidential, and steps have been taken in the preparation of this report to reduce the likelihood they will be identified by their comments. All provided informed consent for their interview. Appendix two contains the informed consent form.

Case study scope and analysis criteria

18. The information and data available to address the evaluation objectives are qualitative in nature. Interviews were conducted with a limited range of informants who agreed to participate. Litmus has undertaken a thematic analysis of the qualitative information to identify emerging themes, and to elicit differences across different stakeholders. Themes emerging were collaborated through triangulation of interviews with analysis of secondary data and documents.

19. The case study report is therefore indicative and not definitive. That is, we are unable to categorically say whether or not the themes noted throughout the case study report are held by all stakeholders of HBRC, or the strength of views held. We are, however, confident that this report accurately represents the views and perceptions of participants who contributed to this case study.

Acknowledgement

20. Litmus and the Department wish to express our thanks to all those who contributed to this case study. We would especially like to thank council officers of HBRC for assisting us in recruiting key informants and those who gave time and reviewed the draft case study.

Community Outcomes

Legislative intent

“The Act promotes greater accountability between local authorities and their communities and a long-term focus for the decisions and activities of the local authority. The Act requires local authorities to facilitate a process with their communities, at least every six years, to identify community outcomes for the intermediate and long-term future of the district or region. The role of the local authority is to facilitate the process, with the community having ownership of the identified outcomes.

Identifying community outcomes is designed to promote better co-ordination and application of community resources, and inform and guide priorities for activities undertaken by local authorities and other organisations. Local authorities' role is to facilitate the contribution other local authorities, government agencies, local organisations and the business sector make to the outcomes and priorities identified by the community.

Local authorities can decide what processes to use to identify and prioritise community outcomes but they must ensure that the processes encourage the community to contribute. They also must, before deciding on the process, identify other organisations and groups capable of influencing either the identification or the promotion of community outcomes, and, if practicable, secure their agreement to the process.”³

HBRC community outcomes process: response to the legislation

21. HBRC's community outcomes process was undertaken in 2003-04. The community outcomes were reported in the HBRC's 2004 -2014 LTCCP, and are in the 2006 - 2016 LTCCP.
22. HBRC's community outcomes were developed through a regional process undertaken by the five Hawke's Bay councils (Hastings District Council, Napier City Council, Wairoa District Council, Central Hawke's Bay District Council and the HBRC). The process was led by the Hastings District Council.
23. The two key reasons for the regional approach were to achieve collaboration and cooperation between the councils and to share the costs involved. In general it was felt that this regional approach worked well and achieved its two aims.

HBRC's 2003-2004 community outcomes process

24. Hastings District Council, Napier City Council, Wairoa District Council, Central Hawke's Bay District Council and the HBRC, agreed to develop a regional process for identifying community outcomes in Hawke's Bay.⁴
25. A project control group (PCG) made up of the chief executives from each local authority was established to manage the process. HBRC officers did not have a direct involvement in the process, nor councillors.
26. The PCG met on a six weekly basis between 7 July 2003 and 5 December 2003. Financial contributions to the PCG were made by each of the five councils.
27. The PCG agreed upon the following four outputs:

³ Quoted from the “Strategy for Evaluating Local Government”, Department of Internal Affairs, 2005, page 9.

⁴ The following summary of the regional community outcomes process is taken mainly from the Hastings District Council document: “Local Government Act 2002 – Community Outcomes Identification Process Proposal”. Key informants were not directly involved in the initial community outcomes process.

1. A completed process in terms of the Act's requirements that encompasses a measure of community ownership
 2. High level statements of community outcomes with a list of organisations that will have a role in contributing to the achievement of each of these outcomes
 3. A common front end to councils' LTCCP for the community outcomes process
 4. The first cut of performance indicators on how performance will be monitored to achieve the outcomes.
28. Hastings District Council was chosen to employ and manage staff, including a consultant who managed the overall community outcomes process. The Hastings District Council Strategy Manager oversaw and undertook the main research, consultation process and write-up.
29. To meet the Act's requirement of identifying other organisations and groups capable of influencing either identification or promotion of community outcomes, the PCG identified two stakeholder lists. One list included 20 organisations which were considered key stakeholders, and were likely to have a significant influence on the identification and promotion of community outcomes. The other list included potential stakeholders who would be invited to participate in the process in a written format.
30. The PCG wrote to the identified stakeholders seeking their approval to the draft process for identifying community outcomes. Almost all stakeholders replied, many indicating they thought the process was comprehensive and robust and expressing an interest in contributing to determining community outcomes and working constructively with councils towards achieving the community outcomes. The councils then formally adopted an agreed process to identify community outcomes.
31. The following six-stage, nine month process was determined by the PCG to identify community outcomes in the Hawke's Bay region and was undertaken between July 2003 and March 2004:
- Community snapshot
 - Stakeholder engagement
 - Community engagement
 - Identify community outcomes
 - Report community outcomes
 - Review community outcomes.

Community snapshot

32. The community snapshot brought together existing information profiling the Hawke's Bay community to provide a snapshot of the then present economic, social, cultural and environmental well-being of the region. This information also later acted as a baseline measurement for assessing progress on some of the community outcomes.

Stakeholder engagement

33. Stakeholder engagement included 17 face-to-face meetings between the Hasting District Council's Strategy Manager and with key stakeholders in the community and hui with Ngati Kahungunu Incorporated, four Taiwhenua, Kahungunu Executive and Councils' Māori Committees. A further group of 50 potential stakeholders were contacted by letter requesting written information on the role and responsibilities of their bodies and seeking any further documents that may be relevant to identifying community outcomes.

Community engagement

34. Community engagement began with a high profile four week media campaign 'A Better Hawke's Bay Have Your Say' asking all Hawke's Bay residents to 'tell us in 50 words or less how Hawke's Bay can be an even better place to live in'. All households in the region received a copy of a submission form via the HBRC's magazine 'The Big Picture'. Further submission forms were also made available in libraries,

community centres, information centres and council buildings throughout the Hawke's Bay. The Hastings and Napier City councils' websites, as well as other council publications, were used to encourage public participation. Around 2,500 people shared their views. Youth throughout the region were video interviewed during school holidays, and a telephone survey undertaken by an independent research company of 500 respondents provided a snapshot of community thinking.

Community outcomes

35. The community outcomes process resulted in the identification of nine regional community outcome statements. The community outcomes were prioritised through a telephone survey of 500 residents throughout the Hawke's Bay region undertaken by an independent research company. Respondents were asked to rate each of the nine outcomes from 'very important' through to 'not at all important'. The survey results were collated and forwarded to a Community Panel (selected by the Mayors' in the region) representative of the four wellbeing areas. The Community Panel was directed to 'prioritise the detailed level of outcomes and help with the choice of the appropriate wording'.⁵ The community outcomes were then finalised by the PCG on that basis.
36. The community outcomes are listed in the HBRC's 2006 - 2016 LTCCP under the HBRC's three goals for the region. The goals are linked to the HBRC's vision statement and set of core values. It is understood that the HBRC developed the three goals in 1998 (pre-Act) to provide goals to the already established vision statement and values. The link between community outcomes and council activities are shown by the contribution to the three goals, rather than specifically to the nine community outcomes. It is not clear how the regional prioritisation of the community outcomes fits given the focus on the three goals which appear of equal weight.

Community outcomes benefits

37. Given the pre-existence of an established vision, values and goals, with the community outcomes situated within the goals, it is difficult to assess whether the mandated community outcomes process and the outcomes identified, have themselves offered greater strategic direction to the HBRC. Community outcomes benefits are seen mainly in relation to enhanced engagement, both between the Hawke's Bay councils and between the HBRC and its community.
38. The Act's reference to the four wellbeings has however, been a key driver to the developing strategic direction of the HBRC, enabling the HBRC to think longer-term and wider than just environmental outcomes. The potential future benefits and development of the community outcomes is seen in terms of the HBRC's developing region-wide visioning process, as stakeholder engagement develops further and community outcomes become more focused and embedded within the work of the HBRC.

Enhanced collaboration and engagement

39. There is consensus that the regional community outcomes process was beneficial in enhancing collaboration between Hawke's Bay councils and relationships with Hawke's Bay stakeholders and the community.
40. Council staff and the councillor interviewed, felt strongly that the regional process was valuable in bringing the Hawke's Bay councils together and developing a sense of collaboration and cooperation "*which is very important to the HBRC*". One officer noted the community outcomes process as "*something to bind us together*".
41. The process of engaging with stakeholders and the community was also seen as positive as it provided a forum to meet and talk and has paved the way for a future of working together. A stakeholder interviewed also noted that being involved in the process offered a good opportunity to hear what other stakeholders think. Council staff and the councillor interviewed see the process as a good way to understand what the community values and wants as well as providing a starting point for ongoing discussion.
42. The iwi representative interviewed also commented on the potential benefits through the alignment of councils. The representative considered that for Māori, an opportunity to be involved had been missed as the potential of community outcomes was not widely known and there was limited capacity to be involved. "*Our people...got involved a wee bit, but...now we can see this was a good chance to get an*

⁵ Hastings Direct Council Report to Community Services Committee: 'Regional Community Outcomes', for meeting on 9 December 2003 – Additional Agenda Item 14A.

alignment between all the councils, get a broad policy input that would affect all of the councils...we never sort of grabbed it because I guess...it was something new, because we already have a thousand things on our plate..."

New areas of focus and long-term planning

43. The HBRC has historically concentrated on environmental issues. As a result, council officers and stakeholders highlight the Act's reference to the four wellbeings and the introduction of the community outcomes process as having empowered the HBRC to take a wider view and a sustainable development approach. In this way, the Act has given the HBRC the opportunity to take more of a leadership role in the region.
44. With this new focus it has taken the council some time to begin to understand its role in these new areas, developing from much thought and discussion around strategic thinking initiatives prior to the Act's introduction, through to the recent creation in 2007 of a Strategic Development Manager position, as well as the HBRC's very recent development of future regional scenarios. This scenario planning is at a very early stage and seeks 'to provide a more strategic framework for the HBRC to perform its responsibility to promote environmental, economic, social and cultural wellbeing. It is based on 14 draft strategic goals which sit under council's overall three goals and *'it is intended that these will form the basis for discussion towards the LTCCP for 2009 - 2019 and beyond.'*⁶
45. The development of the community outcomes and their fit within the strategic direction of the HBRC is therefore at an early stage. However, in line with this is the recognition that the long-term outlook of community outcomes contributes positively to council's long-term planning. All the people interviewed indicated that the community outcomes have a role to play in developing council's long-term strategic framework and that it is a matter of working out how best to incorporate the community outcomes in this way.
46. Similarly, the iwi representative saw the long-term focus of community outcomes as potentially aligning with the 25-year vision of the iwi authority.

Future community outcomes potential

47. Most interviewed, especially the councillor and council officers, indicated that there have been considerable learnings from the initial community outcomes process and see that there is potential to further develop the community outcomes next time round.
48. Council staff noted that the next community outcomes process to begin in 2009 will provide an opportunity to continue ongoing conversations and relationships between the Hawke's Bay councils and with stakeholders, as well as to develop further engagement with communities and at the grassroots level. The next round of community outcomes is seen as an opportunity to drill-down to achieve more detail around the community outcomes, so that they can be better linked to the activities of the HBRC.
49. Council staff and the councillor interviewed see that the next community outcomes round will have the potential to build on what has been achieved, with the community outcomes becoming more useful over time. Although there is recognition that community outcomes will continue to remain high-level, most interviewed see an opportunity to get to the next level of detail to achieve more meaningful and focused outcomes. Therefore, it is important that the next round of community outcomes does not start from a clean slate, but rather builds upon the previous process and community outcomes identified.

Community outcomes issues

50. All interviewed identified issues with the community outcomes process and implementation. The key issues identified were around achieving meaningful engagement, that the resulting outcomes are too broad to be useful and that the outcomes have proved difficult to link and integrate into council's work.

Encouraging community interest and meaningful engagement

51. Achieving community interest and meaningful engagement through the community outcomes process was felt to be a core difficulty.

⁶ "Embracing FuturesThinking' Draft Strategic Goals and Objectives" HBRC (April 2008) – www.hbrc.govt.nz.

52. A limited understanding around the potential of the community outcomes is considered to be a factor affecting community engagement due to a lack of detailed education across communities about community outcomes.
53. Community stakeholders noted that their ability to engage meaningfully is impacted by a number of factors, including resourcing and capacity issues which limit stakeholders from participating as they would like.
54. The iwi representative noted that Māori tried to be involved in the process but the relevance of the community outcomes was not clear or understood. Māori are also “*hui-ed out*” and have limited capacity and resourcing to fully engage. Related to this is the concern that Māori are “*lumped-in*” with the rest of the community, and are not involved or resourced as a Treaty partner.
55. Council staff also recognised that people are tired of participating on general matters, feeling that this is the role of their elected officials. The councillor interviewed noted the difficulty in getting people along unless an issue affects them - it is about “*finding a hook*”. Further, it is also difficult to get past issues of the day or personal issues when engaging with stakeholders; communities do not necessarily differentiate between consultation on community outcomes and consultation on other matters.

Outcomes inherently too “broad” to be useful

56. Interviewees saw the inherent broadness of the community outcomes as a key issue, resulting in outcomes that are not meaningful, difficult to deliver, and hard to measure.
57. All the interviewees felt the community outcomes are very broad and almost meaningless, and not particularly reflective of their local community. They referred to the outcomes using terms such as “*motherhood and apple pie*” or “*fluffy ducks*”. One council officer noted they are so obvious they could have been written outside the process in one day.
58. Interviewees also felt that the broadness of the community outcomes makes it difficult for council and stakeholders to meaningfully deliver to them. A stakeholder, in discussing the relationship between own company values and the community outcomes, noted that the community outcomes would need to be much more specific for the business to incorporate the community outcomes.
59. Both council staff and stakeholders recognise the need for community outcomes to be capable of measurement, but currently feel they are not. Council staff noted that because they are difficult to measure, they are just community values not community outcomes. Their broadness is also seen to make it difficult to demonstrate the significant work that the HBRC does and how this links to the community outcomes. Conversely, stakeholders noted that the community outcomes provided something to measure council against, notwithstanding that community outcomes are not intended as a measure of councils.

Lack of impact on council’s activities

60. Council staff noted that as the HBRC already had a framework in place prior to the Act’s introduction, consisting of a vision, three goals and work programmes, the community outcomes, once identified, “*were merely slotted in*”.
61. Therefore, council officers noted that the HBRC’s strategic focus did not significantly change with the identification of community outcomes. Reflecting this lack of embeddedness, and seemingly, a lack of awareness of what the HBRC is doing to further the community outcomes, the stakeholders interviewed see it is difficult to view the community outcomes as anything but just “*words on paper*”.
62. Council staff and stakeholders indicate that the community outcomes are yet to have an impact on council’s operations, primarily because up until recently, there has been no specific champion or driver to link them to council’s work. Furthermore, they say it has taken time for the HBRC to understand where the introduction of the economic, social and cultural wellbeings fit into the work of the HBRC.
63. A perceived lack of embedding the community outcomes in council’s activities may also be a reflection of the difficulty noted in the ability to align the community outcomes with other core council documents developed before the Act, as well as the dominance of the Resource Management Act 1991 in much of the regional council’s work.
64. The regional process to identify the community outcomes, as led by another council, but with seemingly minimal officer involvement from the HBRC, may also have been an early contributor to this. However, an officer from the council which led the community outcomes process also noted a lag between identifying the community outcomes and developing the community outcomes further in conjunction with

stakeholders and communities. This was attributed to the need to quickly shift the focus onto producing the first LTCCP, which was also a new process and which took significant resources.

65. Despite this perceived lack of impact on council's activities to date, council officers and stakeholders see the place and potential of community outcomes as being slowly realised with the development of new draft strategic goals and the new regional scenarios planning being led by the HBRC.

Impact of community outcomes

66. Some interviewees thought the process and identification of community outcomes has had little impact on the activities and operations of the HBRC. The activities of the HBRC continue to be driven by three overall goals identified by the HBRC prior to the introduction of the Act.
67. However, interviewees recognised the regional community outcomes process and monitoring work as building upon and developing relationships with other councils and stakeholders, with the community outcomes process seen as a starting point for ongoing discussion. Moreover the Act's reference to the four wellbeings has enabled the HBRC to consider its long-term direction in economic, social and cultural areas, which previously it had not been empowered to do. This has been a key driver to the developing strategic focus of the HBRC which has recently resulted in the creation of a Strategic Development Manager position and to the regional futures scenarios being developed by the HBRC.

Future community outcomes

68. Generally, most interviewed are positive about the future development and place of the community outcomes and see that there is an opportunity to build on what has been achieved to date.

Enhancing community engagement / involvement

69. While there is recognition that community outcomes need to remain at a high-level, it is considered that engagement around the community outcomes in the future will be more meaningful, and the potential for the community outcomes themselves to become more focused. For one council officer it is about "*taking the vision back to the community and digging deeper; going to specific communities and defining the community outcomes better*". It is recognised that this will involve careful thought around the approach to community engagement, including who to engage with and how to engage, particularly with those who have been difficult to engage in the past.
70. Council staff also noted that in the future they will be more careful to show the link between community outcomes and council's work.
71. The councillor interviewed felt there was a role for councillors in future processes in relation to assisting communities to understand and become involved in the development of community outcomes, particularly given councillors existing relationships with communities. It was recognised that the involvement of councillors would need to be navigated in relation to the political nature of councillors' roles.
72. Similarly for Māori, the iwi representative indicated the need for wider engagement with Māori to better ensure the potential of the community outcomes, while also recognising capacity issues and resulting expectations on engagement.

Developing strategic direction across the region

73. The HBRC is developing its largely environmental framework to understanding its place in relation to social, cultural and economic wellbeings. It is also currently on a journey in relation to how the community outcomes fits and links to its developing strategic focus. This developing strategic focus is seen by council officers as providing the needed driver to better integrate the community outcomes within council's work. Council staff also can see the potential for community outcomes to be embedded in council operations as key documents are reviewed and are able to take community outcomes into account.
74. As part of this journey, the HBRC is also working with the other four councils in the region on a regional approach to the monitoring and reporting of the community outcomes. This is seen as a logical step given the regional approach to identifying the community outcomes. Within the last year a regional

advisory group has been established involving the councils and organisations identified as core stakeholders early on in the community outcomes process to identify a coordinated community outcomes structure going forward. This is seen as an important link to the HBRC's regional scenario planning, as well as to the continued development of relationships, dialogue and collaboration with stakeholders able to contribute to the community outcomes.

75. The proposed process for the next community outcomes in 2009 has yet to be decided, though there does seem to be consensus that the focus will be on further defining the present community outcomes rather than identifying new ones.

Reflections of HBRC's implementation against the legislative intent

76. The table below summarises the legislative intent and the HBRC's implementation of the mandated community outcomes process. In reviewing the table, it needs to be acknowledged that only one round of community outcomes has been held. It should also be noted that this is a case study which relates to a regional council whose powers and operations did not previously extend significantly to social, cultural and economic wellbeings and who, with the Act's introduction, is beginning to develop its position in these areas.

Legislative intent	HBRC response
Process to identify other organisations and groups capable of influencing either the identification or the promotion of community outcomes	Two lists were developed identifying key stakeholders and potential stakeholders. All were contacted at the outset of the process. Engagement with identified stakeholders is continuing through the community outcomes regional monitoring process and the HBRC's futures visioning initiative
Processes to encourage the community to contribute	Extensive publicity campaign, submissions process, youth process and phone survey were undertaken
Identify community outcomes for the intermediate and long-term future of the district or region	Nine community outcomes for the region were identified
Long-term focus for the decisions and activities of the local authority	The potential long-term focus is recognised and is developing as part of the council's strategic planning and as part of the next community outcomes process. To date council is operating primarily from its pre-existing vision, goals and key documents
Guide priorities for activities undertaken by local authorities and other organisations	Regional prioritisation of community outcomes was undertaken. The HBRC's goals guide council activities with community outcomes subsumed within these goals. These goals are not prioritised and it is not certain where the regional prioritisation of the community outcomes fits with the HBRC's activities
Community having ownership of the identified outcomes	Little evidence of community ownership of outcomes from the small number of interviews undertaken
Greater accountability between local authorities and their communities	The broadness of the community outcomes is seen to make it difficult to measure and to demonstrate council activities undertaken, though stakeholders see the opportunity to view council's progression to the community outcomes as an accountability measure
Promote better co-ordination and application of	Not able to determine this. However, the

Legislative intent	HBRC response
community resource	community outcomes process is seen to have enhanced engagement and collaboration between Hawke's Bay councils and stakeholders

77. In summary, through the regional community outcomes process undertaken, the HBRC delivered to the Act's requirements, and to an extent, the legislative intent; for example, enhanced stakeholder engagement and developing collaborative relationships, and the realisation of the ability to move to a sustainable development approach. As illustrated, the long-term focus and potential of the community outcomes is slowly being realised within the developing strategic vision and regional scenarios of the HBRC.

Strategic Planning (LTCCP)

Legislative intent

"The LTCCP describes the community outcomes and priorities and the activities the local authority will undertake to contribute to the outcomes. The plan is designed to integrate decision-making and include information on the key policies of the local authority. It also describes linkages between activities and how they are funded."

Included in the LTCCP are financial reporting requirements. Significant examples of this include making "adequate and effective provision for expenditure" by showing estimates for the next ten years of the council's activities. The LTCCP includes statements of service performance and shows from what sources of council revenue they will be funded. An LTCCP is auditable as are any amendments to it. The Annual Plan reports a council's progress to the LTCCP.

An authority must consult its "wider communities" over its LTCCP. The Act states that the authority must use a Special Consultative Procedure (SCP) to consult, although a council can use other consultation methods in addition to this.⁷

HBRC LTCCP – response to the legislation

78. The development of HBRC's LTCCP was undertaken in-house by the Corporate Services Group and is a reflection of council's key strategic planning documents and processes; it includes council's vision, goals and work programmes.
79. The LTCCP indicates council's vision for the region and its three goals which were developed prior to the introduction of the Act. These goals are seen as a bridge between council's vision, the regional community outcomes and council's work programmes. The LTCCP reports the nine regional community outcomes, organised under the three goals. Despite mention in the LTCCP of the regional process undertaken to prioritise the community outcomes⁸, the community outcomes, having been subsumed under the three council goals, are not prioritised in the LTCCP. Council's activities are grouped according to seven Group Activity areas, which are each linked to council's goals and council's level of service provision and performance targets.
80. A senior council officer led the development of the LTCCP with content input coming primarily from council's group managers, according to their area of responsibility. Despite the 10-year life-span of the

⁷ Quoted/paraphrased from the "Strategy for Evaluating Local Government", Department of Internal Affairs, 2005, page 9.

⁸ As discussed in the previous section, the community outcomes were prioritised via a community survey, by a Community Panel and finalised by the PCG.

LTCCP, a core focus for the development of the LTCCP centres on the first three years of deliverables. The rationale for this is because a LTCCP is reviewed every three years. Moreover, within this period, care is taken with the deliverables so as to seek to avoid triggering too many amendments, due to the time and costs involved where amendments have to be made to the LTCCP.

81. The majority of the LTCCP is a summary of information from all of council's key strategic planning documents that determine much of council's programmes and activities. For example, documents such as the Regional Policy Statement, Regional Coastal Plan, and Regional Land Transport Strategy, all of which themselves have involved extensive work and consultation in their development. The LTCCP reports the high level deliverables of these core documents. In this light, the LTCCP is not seen to contain a large amount of new information, but rather a high-level summary of council's direction from its core work groups. A council officer noted that the inclusion of deliverables from other plans in the LTCCP could in effect place these deliverables up for renegotiation, which is another reason to ensure information is at a very high level within the LTCCP.
82. The involvement of councillors in the development of the LTCCP appeared primarily to be through their contribution in the earlier stage of the development of council's vision, goals and key strategic planning documents, from which information was then placed into the LTCCP. The councillor interviewed noted that councillors' involvement is largely through looking at budgets and that the development of the LTCCP was an iterative process between staff and councillors. Councillors, along with the chief executive officer and council group managers, also attended public meetings to present and consult on the draft LTCCP.

LTCCP consultation / engagement

83. The HBRC used a number of consultation methods for the draft LTCCP including:

- Notifying the draft LTCCP in various Hawke's Bay newspapers – those subscribed to and those that are free
- A comprehensive summary of the LTCCP produced in council's publication 'The Big Picture' which is distributed free to homes in the region
- Publication of the draft LTCCP on the HBRC's website
- Four public meetings held throughout the region and attended by 72 people
- A 32-day special consultative procedure for submissions to be made, which resulted in 66 written submissions containing over 200 individual issues and items raised by submitters. Thirty four submitters presented their submissions in person to council over a three day period.⁹

84. Overall council participants were satisfied with the LTCCP consultation process, noting the wide publication of the LTCCP and greater attendance at LTCCP public meetings than normally experienced for Annual Plans. However, consideration is being given to achieving enhanced public engagement next time which is discussed toward the end of this section.

85. The stakeholders interviewed had mixed views on the consultation process. One stakeholder appreciated the opportunity to be involved and actively supported most things in the LTCCP via a submission. Another stakeholder however, felt that it was difficult to sway the direction of council once the draft document had been prepared. The iwi representative noted the issue of limited resources affecting the ability of Māori to meaningfully consider the LTCCP and to submit. This representative did not consider the involvement of Māori in strategic planning to be at the level of a Treaty partner. Issues identified here were a lack of capacity to be involved, and what was seen as limited or no involvement in core decisions affecting the region.

86. The cost and time involved in LTCCP consultation was also raised by council officers and stakeholders, and is discussed further below.

⁹ Refer HBRC LTCCP 2006 – 2016, Introduction, Part 1, page 1.

LTCCP benefits

87. Council officers and stakeholders viewed the key benefit of the LTCCP as providing an overview of council's work, quickly enabling an overview of the future direction of the HBRC. This was particularly beneficial if new to the HBRC and seeking to understand its direction. One council officer noted that although "*staff probably do not refer to the LTCCP that much*" (tending instead to refer to documents relevant to their activity area i.e. Regional Resource Management Plan, Coastal Plan, Land Transport Strategy), it does help to remind staff of what they need to achieve and provides accountability, focus and coordination.
88. Stakeholders noted that the LTCCP lays out council's plans and it is good to see what council is doing and where they are putting their money – it provides the community with something to hold council accountable to.

LTCCP issues

89. The two key issues noted in relation to the LTCCP were the financial versus strategic focus of the LTCCP and issues around consultation.

Financial vs strategic focus

90. There was strong opinion that the LTCCP needed to be driven by a strategic focus for the region and longer term goals, but that the 10-year financial focus of the LTCCP could in fact stifle a strategic focus. "*It's all about budgets rather than strategy or policy*". In this way, the LTCCP acts more as a business plan whose focus is on accounting and accountability which can lead to rigidity and risk aversion.
91. Most interviewed suggested that a 25-30 year focus feeding into the LTCCP would be more beneficial: "*10 years is not an appropriate length of time and does not do anything for sustainability. It doesn't allow for the big questions to be asked or how things are going to be done in the region.*"

Consultation issues

92. From the perspective of council officers and stakeholders, consultation process required by the LTCCP process was considered expensive and time consuming.
93. While council officers acknowledged the importance of community participation, they saw that the majority of council's consultation in fact occurred separately and at an earlier stage during the preparation and review of specific issues, activities and key documents, which were then highlighted or summarised in the LTCCP. Given that this earlier specific consultation was extensively undertaken, some question if the LTCCP consultation process amounts to re-consultation and renegotiation on previously determined matters.
94. From the perspective of stakeholders there were concerns about being unable to engage effectively due to the time and resource required to do so via the submissions process. Further as stated in the introduction of the HBRC's LTCCP:

*"several submitters expressed concern at the significant demands that are placed on submitters either as individuals or organisations when they wish to comment and input into the LTCCP process of a number of local authorities. Their view is the timelines are particularly tight and for voluntary organisations, it is even more difficult to have a meaningful and informed input."*¹⁰

95. Council officers indicated that achieving enhanced stakeholder and community engagement is a focus for the HBRC for the next LTCCP round.

Impact of the LTCCP

96. In general, it is considered that the LTCCP has had little impact on the operational activities of council. This may be affected by the newness of the Act and the developing fit between the LTCCP and other core strategic planning documents devised before the LTCCP's conception.

¹⁰ HBRC LTCCP 2006-2016, section 1, page 5.

97. The HBRC continues to operate primarily from its vision, goals and key documents and there has been little change to council's operations, planning and engagement as a result of the LTCCP. Most interviewed stated that they did not utilise the LTCCP in their day-to-day work, although the LTCCP is useful in providing focus, coordination and a high-level overview of council's operations.
98. Council officers do however see that the LTCCP process will become part of a more singular process within council in which strategic goals will flow from a 25-year regional scenario planning into the 10-year LTCCP document. It is acknowledged that ideally this process would have started three years ago as part of the LTCCP process, but eventually it will flow into more of a singular process. The HBRC is currently seeking input from stakeholders, communities and other councils on the draft strategic goals developed by the HBRC as part of the strategic futures initiative which it is envisaged will form the basis for discussion and flow into the 2009 – 2019 LTCCP.

Future LTCCP

99. For the next LTCCP process, council participants are interested in enhancing the effectiveness of council's engagement, and are considering options such as wider regional engagement and different methods of engagement that may attract more people, are more informal and flexible and prove a more inclusive and comfortable process.
100. One option is for engagement on the draft LTCCP, once prepared, to become more issues-based, such as demonstration via issues-based displays with council staff available to talk about these, rather than traditional presentations given by council. A more informal approach may also appeal to those who may be intimidated by the submissions process. It is also seen that more consultation will occur before the LTCCP document is drafted through the regional visioning process presently underway and being developed by the HBRC.

HBRC LTCCP against legislative intent

101. The table below summarises the legislative intent of the Act regarding the LTCCP and HBRC's implementation of the Act's requirements. This table refers to the 2006 - 2016 LTCCP prepared by the HBRC, which was the first full LTCCP required under the new Act.
102. In summary, the HBRC delivered a LTCCP that fulfilled the requirements of the Act and which indicated council's vision for the region and its three core goals, as linked to the regions nine community outcomes. Concerns were raised in relation to the time and cost of consultation on the LTCCP and the opportunity to meaningfully engage, though the council is concentrating on achieving enhanced public engagement for the next LTCCP. The LTCCP enables an overview of the future direction and work programmes of the HBRC. Further, it is envisaged that the strategic futures visioning process currently being undertaken by the HBRC will feed into the next LTCCP.

Legislative intent	HBRC response
LTCCP describes community outcomes and shows local authorities contribution to them	The LTCCP lists the nine community outcomes organised under council's three goals. The community outcomes are subsumed within these three goals and council's activities are grouped according to the three goals. In this way council's contribution is shown specifically to the three goals rather than directly to the community outcomes
"Wider community" is consulted on the LTCCP	HBRC used the SCP to consult with the wider community on the LTCCP, as well as a series of public meetings. The draft LTCCP was notified in various Hawke's Bay newspapers and published on council's website and its publication 'The Big Picture' delivered free in the region
LTCCP is auditable and meets important financial reporting requirements	The LTCCP has been audited and found to be a reasonable basis for long-term integrated decision-making by the council

Council Decision-Making

Legislative intent

“The Act requires local authorities to be more rigorous in their decision-making [than prior to the Act] by identifying all reasonably practicable options for achieving the objective of a decision and assessing those options by considering the benefits and costs in terms of the present and future well-being of the community, and the extent to which community outcomes would be promoted. Depending on the significance, local authorities are also required to consider the impact of each option on their capacity to meet present and future needs in relation to their statutory responsibilities.”

Local authorities must be rigorous in their decision-making by identifying all practicable options for achieving an objective or resolving a problem. The costs and benefits of these options have to be evaluated against the achievement of the community outcomes and the present and future well-being of the community.

When making a decision a local authority must consider if consultation of “interested and affected parties” is required. The authority must undertake that consultation in accordance with certain principles, which broadly speaking, require the authority to:

- *provide easy-to-understand summaries of proposals and plans (such as the LTCCP);*
- *identify who will be affected by decisions and encourage them to make their views known to the council – councils also must give reasons for their decisions;*
- *find out what all the practical options are for dealing with issues and carefully assess them.*

A local authority has discretion in deciding how it interprets and meets the decision-making requirements of the Act. This discretion can be applied in terms of the significance of the decision. A council must develop a policy on significance that indicates what triggers must occur before undertaking a decision (although a council is not prevented from undertaking analysis or consulting on a decision that does not trigger this policy).

The Act also places requirements on council’s to involve Māori in their decision-making (especially regarding land and water), and to consider ways to foster Māori contribution to their decision-making processes.¹¹

HBRC approach to decision-making

103. Council participants interviewed were aware of the Act’s requirements in relation to decision-making. Council officers from the Corporate Services Group developed council’s ‘Policy on Significance’ (POS) and consultation was carried out according to council’s ‘Policy and Guidelines for Community Consultation,’ which was adopted in December 2003.
104. In general council officers evaluate each council decision on a case-by-case basis. In making determinations, council officers apply the criteria set out in its POS and weigh up a number of factors including, who will be affected by the decision, what the options are, and what the costs/benefits are. A decision is then made as to whether or not on balance there is a need to consult and if not why not. Each decision is made against a template which incorporates the criteria to be considered and is available for council officers to ensure the Act’s requirements and POS are followed.
105. The decision is then placed before the council, providing the opportunity for discussion and debate on the resolution made. In practice this has enabled the opportunity for some decisions to be reconsidered as to their potential impact.

¹¹ Quoted/paraphrased from the “Strategy for Evaluating Local Government”, Department of Internal Affairs, 2005, pages 9-10.

106. One council officer commented that the Act can be interpreted as requiring consultation on essentially every issue that may arise, but recognised the intent of the Act is to ensure councils' achieve rigour in decision-making, with the significance policy adding weight to council deciding how best to consult.
107. Council has identified three core criteria as likely triggers to a decision or proposal having a high degree of significance. The POS was developed following consideration of the series produced by the Society of Local Government Managers (SOLGM) and presentations in relation to the Act's decision-making provisions. In developing the criteria the HBRC decided it should be constructed at a generally high level to avoid too rigid an approach; for example, specifically avoiding dollar amount thresholds. Rather the criteria are centred around decisions that affect a lot of people on a significant level.
108. The three criteria relate to a decision or proposal affecting a large part of the regional community; the impact of the decision; and the financial implications of the decision. Notwithstanding these criteria, if it is considered that a decision will generate a high degree of controversy within the community it may also be considered of significance.
109. In terms of the SCP set down in the Act, the HBRC has not had to utilise this process outside of the annual plan and LTCCP process. Indeed it is expected that significant decisions should be known about in advance and included in the annual plan which goes through the SCP. The SCP is viewed as a lengthy process however; it is also seen as a good process, but one that should not be taken lightly.

Community /stakeholder engagement in the decision-making process

110. The HBRC's engagement with stakeholders and the community in the decision-making process occurs at an informal and formal level and, in addition to the SCP, may involve public meetings, written correspondence and the development of working parties. A main form of formal engagement with Māori is through elected members of the Māori Committee.

Māori engagement

111. Based on the interviews undertaken it seems that little has changed in relation to the HBRC's engagement with Māori as result of the Act.
112. The HBRC's key facilitation to consultation with Māori is the HBRC's Māori committee, who meet every second month and consider various issues brought before it. The Māori committee was established in 1990 and provides formal input into council decision-making on a case-by-case basis.
113. A Māori consultative committee was first formalised in 1990 and a Charter developed in 1994 to set out the way in which the Committee and Council would interact. The Charter was reviewed and adopted in December 2002 to outline the relationship between the council and committee and the involvement of the committee in decision-making processes.¹² It is not clear whether the review was a result of the introduction of the Act, although reference is made to the responsibilities upon council regarding its involvement with Māori as a result of the Act, as well as the Resource Management Act 1991.
114. The Charter expresses Te Tiriti O Waitangi (Treaty of Waitangi) Policies, including the special requirements of Council to consult with Māori over matters of interest to Māori. Specific to consultation and communication is the provision of sufficient information and time to make informed decisions.
115. The Māori committee consists of three Councillors and 12 Māori members nominated from the four rohe of Ngati Kahungunu that come within the boundary of the HBRC. Each rohe nominates three representatives to sit on the Māori Committee representing the Executive and Taiwhenua in that rohe plus a kaumatua. The Charter stipulates the requirement to appropriately resource the Māori Committee as part of acknowledging the necessity and value of Māori involvement in decision-making. From the point of view of the iwi representative interviewed, in practice this translates to payment for attendance at committee meetings.
116. Members of the committee report and engage with Māori via their respective Taiwhenua grouping, who in turn will consult with hapu. The Committee then makes recommendations to council on the matter at hand. The Committee also provides the opportunity for Māori members to raise issues with council in relation to the four rohe.

¹² HBRC LTCCP 2006-2016. Part 5, 4: "Development of Maori Capacity to Contribute to Decision-Making Processes".

117. The purpose of the Māori Committee is set out in the Charter and is seen as three-fold and relates to active participation in decision-making, effective hapu / marae interaction and advice to council on how to deal with particular issues.
118. From the perspective of the iwi representative interviewed, on a practical level most decisions at the Māori committee are to vote, to receive reports and to receive information papers, with consultation with Māori stemming from the provision of a brief summary of the matter or issue to date.
119. In addition to engagement via the Māori committee, the Chair of the Māori Committee also sits on council meetings as a non-voting participating member, members of the Māori Committee sit on various committees with voting rights, and regular hui are held with kaumatua, councillors and senior staff. Council also engages in hui with hapu on specific issues (i.e. the Mohaka river and gravel extraction). Council also noted that in the past it resourced extensive consultation with Māori (as advised by its Māori Committee) on its resource management documents including employing a consultant with the specific responsibility of assisting in the preparation of these following consultation with Māori on marae.

Stakeholder engagement

120. The decision-making provisions of the Act appear to have made little difference to the council's engagement with stakeholders, though the Act's introduction of the four wellbeings is seen to have expanded the stakeholders with whom council engages.
121. Council staff and the councillor interviewed saw council having a positive relationship with its stakeholders and the community and that council have always made an effort to engage on key decision regardless of the Act's introduction. As previously mentioned, this engagement may vary, but involves engagement on a case-by-case basis with those in the community that will be affected by decisions of the council.
122. The HBRC is also currently developing its engagement with stakeholders and the community across the four wellbeing areas in the development of the future strategic direction of the HBRC, which will shape the direction and decision-making of the council. This has been driven by the Act requiring / enabling the council to consider its activities beyond an environmental focus.
123. The two stakeholders interviewed had differing views of their engagement in council's decision making process. From the point of view of one stakeholder, their organisation has a very good relationship with council and they engage regularly both informally and formally, including engagement on specific projects and in the formal LTCCP and annual plan submission process. The nature of their engagement with the HBRC has been developed over time, with effort put in by both sides, recognising the reciprocal nature of the relationship.
124. That stakeholder's organisation meets with senior council officers twice a year and uses these meetings to "*bring things up before they become issues.*" Overall this organisation was happy with their involvement in the council decision-making process, even if their position did not result in change. What was considered important was having the appropriate opportunity to be heard, knowing that the council considered their stated position (achieved through formal acknowledgement of submissions), and acknowledgement through direct discussions and communications.
125. From the perspective of the other stakeholder interviewed, engagement in council decision-making was primarily through the submissions process. As a result, involvement was on proposals that were at an advanced stage, rather than involvement in decisions at an early stage. Through this process it was felt that the onus was on stakeholders to actively understand the proposals of council and to understand and work within the council process, rather than the council actively informing stakeholders of proposals and seeking stakeholder input to the proposal. It is however considered that this is beginning to change, though rather than being a result of the Act, this is perceived to be as a result of the change in make-up of the HBRC with the recent appointment of new councillors in October 2007 and the recently appointed chief executive officer.

Decision-making benefits

126. In a broad sense, a core benefit of the decision-making provisions of the Act is seen in terms of the rigour provided by requiring councils to undertake a uniform process. This adds weight to council's decision-making and approach to consultation and protects the public against decision-making outside of the annual plan process. As stated in council's Local Council Statement 2007: "*The objective of Council's 'Policy on Significance' is to ensure that the community of Hawke's Bay is fully consulted and*

able to actively participate in the consideration of issues, proposals, decisions or other matters which are significant, and/or which involved Hawke's Bay Regional Council's strategic assets."

127. In a more practical sense the rigour of the process is seen to have enhanced transparency of the decision-making process, for example, through the discussion and debate that occurs in council as decisions are made in accordance with the POS.
128. However, it is difficult to establish whether the Act has affected council's overall approach to decision-making and its consultation process. Overall, few significant changes have been noted by stakeholders, and where there have been enhancements, this is attributable to developing relationships over time, and personalities involved, rather than to the Act. In general, council staff indicated that they have always made an effort to include stakeholder contribution in council decision-making, irrespective of the Act. However, council's ability to extend its focus into all four wellbeing areas has widened the scope for engagement.

Decision-making issues

129. The key issue raised in relation to the decision-making process was in terms of consultation for the sake of consultation, rather than meaningful consultation in the decision-making process. This centred around expectations of the amount of consultation required, the timing of consultation, and the ability of stakeholders to meaningfully engage. For Māori, a core component of this stemmed from a perception of being accorded status as another stakeholder, rather than as a Treaty partner.

Amount of consultation

130. Some participants indicated that the Act's decision-making provisions may be interpreted unrealistically as obliging council to consult on all manner of council decisions and proposals. Instead, the Act, or its interpretation, should reflect the need for considered evaluation about how to appropriately consult and that consultation should be selective in order to be meaningful. There was also concern that many in the community feel over-consulted and Māori feel *'hui-ed out'*. This was not necessarily an issue with the Act specifically, but rather the current climate of expectations around consultation, with expectations potentially further raised by the prescription of the decision-making sections of the Act.

Timing of consultation

131. The iwi representative and one stakeholder interviewed believed that consultation occurred too late in the decision making process, which in effect meant that council decisions are a fait accompli and that there is little that can change or influence a proposal given the advanced stage it is in at the time of consultation – *"how can you truly respond when it's already got momentum? It's about how to get involved earlier"*.
132. For the iwi representative interviewed the timeframes available to consult with Taiwhenua and hapu were minimal, resulting in little opportunity to meaningfully engage with, and make recommendations on behalf of Māori. In addition, and in relation to the meeting of the Māori Committee, the two monthly gaps between Committee meetings affected the Committee's ability to contribute in a timely and meaningful way.
133. Council are currently looking at changing the meeting timetable and structure of the Māori Committee so that the committee is able to meaningfully input at an earlier stage in the process. This has arisen following the findings of an external Marketing and Communications Review in 2007 which *"highlighted that the Māori committee is not working efficiently and that input is needed much earlier to be meaningful."*

Capacity to engage

134. For the iwi representative and a stakeholder interviewed, the time and resource required to engage in council's decision-making processes are seen as core issues. From the stakeholder's perspective, whose primary engagement with council is via the submissions process, the submissions process was seen as extremely resource intensive, particularly in terms of unpaid time. Notwithstanding this, the stakeholder viewed that it was that organisation's responsibility to submit and that it was important to *"put a stake in the ground"*.
135. For the iwi representative, a lack of resourcing beyond attending Committee meetings meant that there were scarce resources and time available to receive and read all relevant information and to

undertake one's own analysis and research in order to be fully informed. Effectively this is unpaid, and is in addition to other numerous work requirements. "How can you truly make informed decisions when you're not part of the initial research and analysis?" In addition, a lack of resources and ability to provide evidence-based and supported information, in turn, was seen to affect credibility with council and the overall impact of the contribution made.

136. Further, at a hapu and / or marae based level, Māori do not have the capacity to attend whole day workshops and meaningfully input. A lack of opportunity to be involved in significant decisions for the region is also seen as a core issue; for example Ngati Kahungunu not being involved in Hawke's Bay's regional tourism organisation and economic development agency 'Hawke's Bay Incorporated'.

Impact of the Act on decision-making and future focus

137. Overall it was difficult to ascertain whether the Act has had a direct impact on HBRC's decision-making. The only change in fact attributed to the Act, on a practical level, was the opportunity for discussion and debate utilising the POS during the decision-making process.

138. As discussed throughout this report however, at an overarching level, the Act's introduction of the four wellbeings to the work of council has been a key driver to council's thinking and discussions around its developing strategic direction and will shape the HBRC's future long-term planning and decision-making. As part of this, the council is seeking stakeholder and community involvement at the development stage of its strategic futures visioning process.

139. The council is also considering new ways in which to increase engagement and public input in council's decision-making, including the structure and input of the Māori Committee and more informal information delivery with a focus on specific issues.

HBRC decision-making against legislative intent

140. It is difficult to judge how the Act has been applied within a particular council without examining every decision made by a council – which is outside the scope of this report. Below are three intents of the Act's section on decision-making that this report can evaluate.

Legislative intent	HBRC response
Improve community involvement in council decision-making	The HBRC is considering how to improve and further encourage community involvement in the decision-making process and is seeking to involve the community and stakeholders in the development of the HBRC's strategic direction
Council decisions will be more strategic (including a longer-term focus) in nature	Council's decision-making process is viewed as more rigorous as a result of the POS. Council's decisions will be more strategic as they are shaped by its developing strategic vision and focus
Involve Māori in decision-making and help develop Māori capacity to contribute to council decisions	The HBRC involves Māori in decision-making formally through the Māori Committee and informally through a number of avenues. Capacity to be meaningfully involved in the decision-making process however remains a core issue for Māori

141. In summary, the decision-making provisions of the Act are said to have introduced rigour to the decision-making processes of council, providing transparency around decision-making. However there are potential issues with the amount of consultation required and the timing and resourcing implications of the submissions process. Consultation is not occurring early enough for some, and therefore consultation is not considered meaningful or effective as the process is too far advanced or the decision a fait accompli. The limited capacity of Māori and some stakeholders to be involved also is a key issue related to consultation and to achieving effective involvement in the decision-making process. The HBRC

is currently considering how to better encourage community and stakeholder engagement and is currently seeking the involvement of the public in the development of its strategic visioning process.

Conclusions

In general

142. Council and stakeholders had mixed views on the impact of the Act's three key elements, specifically; community outcomes, Long Term Council Community Plans and decision-making.
143. Most participants considered the community outcomes too broad to be meaningful, and believed a more strategic focus may have been achieved without the requirement of a Long Term Council Community Plan. The HBRC has implemented the Act's decision-making requirements; however it is difficult to attribute any significant change to council's decision-making process as a result of the decision-making provisions of the Act.
144. All participants agreed on the empowering provisions of the Act which have enabled a sustainable approach and which have enabled the HBRC the ability to actively move beyond a solely environmental focus. This was a key driver to the developing strategic direction of the HBRC which has shaped the focus of the council in all three areas of community outcomes, long-term planning and decision-making.
145. To date, neither council staff nor stakeholders, see that the Act has significantly altered the way council operates however, with the developing regional scenarios and strategic focus of the HBRC, the potential of the three key areas of the Act will be more fully realised.

Community outcomes

146. The regional approach taken to develop the community outcomes was considered a success as it reduced the cost to HBRC and increased collaboration between the region's councils. It also created opportunities for dialogue with stakeholders, providing the starting point for continued discussion which is ongoing through the community outcomes monitoring process and as part of council's futures visioning process.
147. The council and its stakeholders however, did not feel that the community outcomes were well linked to council's work and therefore felt they had little impact on how council operates. Hawke's Bay Regional Council already had a vision, values and goals in place for the region's development prior to the Act and the identified community outcomes were 'slotted in' under these goals. The community outcomes were considered too broad to be useful and need to be taken to a more specific level so as to be meaningful.
148. While few advantages specific to the community outcomes were noted, many felt the benefits will be realised in future rounds as the community outcomes become more specific and further linked to council's activities and long-term direction.

LTCCP

149. The LTCCP presents council's vision and goals, reports the regional community outcomes and summarises council's key documents. As the LTCCP is primarily a summary of council's key documents there is little integration of community outcomes as they have been subsumed within council's three overall goals.
150. Providing an overview of council's work in one core document is seen as the main benefit of the LTCCP. This is noted to enable staff and stakeholders a quick and clear overview of where the HBRC council is heading and provides stakeholders with something to measure council against.
151. A limitation of the LTCCP is seen as its 10-year financial focus. This was considered to be too short-term for an appropriate strategic focus. Council officers and stakeholders also viewed the LTCCP consultation process as resource intensive.
152. Overall the LTCCP was not seen to have had a significant impact on the council's operations. However, the HBRC is currently developing draft strategic goals as part of its futures scenarios initiative

for the region which is it envisaged will feed into the next LTCCP. A key driver of this developing strategic focus is recognised as the Act's introduction of the four wellbeings.

Decision-making

153. Council decisions are made on a case-by-case basis utilising council's Policy on Significance. The related provisions of the Act are viewed positively and are seen as providing rigour and transparency to the decision-making process, as well as active debate and discussion within council.
154. The decision-making provisions of the Act appear to have had little impact on the HBRC's engagement with stakeholders. Council officers indicate that they have engaged well with stakeholders prior to the Act's introduction. The stakeholders interviewed did not note any changes to their engagement with council as a result of the Act. However, time and resource issues to engage in the submission process are a primary concern for stakeholders.
155. The HBRC is currently considering how to enhance its engagement with the community and stakeholders and to encourage further public involvement. This extends to considering how the HBRC will consult on the LTCCP in the next round, as well as currently seeking to involve stakeholders and the community in development of its strategic futures visioning process.