LOCAL GOVERNMENT INFORMATION SERIES

CASE STUDY: RODNEY DISTRICT COUNCIL

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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. This report presents the results of a case study of the perceived effects of the legislation upon the Westland District 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 was to provide an in-depth and detailed analysis of how local government has reacted to, interpreted and applied the new Act. This research contributes to the local government sector’s knowledge of the effects of the new legislation. The specific objectives of the local government case studies were:

- 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 (LTCCPs) and involved communities and stakeholders in the process
- How local authorities have used the LTCCPs within their organisation
- How local authorities have consulted and interacted with their communities and stakeholders over decision-making
- How communities and stakeholders are interacting with local authorities.

4. In considering these objectives, the case studies evaluated local authorities’ application of community outcomes, strategic planning and decision-making. These three components are critical in achieving the Act’s aims of promoting democratic accountability and sustainable development of local government.

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.” The Act enables local authorities to use a sustainable

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1 Local Government Act 2002; Local Government (Rating) Act 2002; Local Electoral Act 2001
development approach to promoting community wellbeing. 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 Act also promotes accountability and transparency in local authorities, as detailed in Part 6.

7. The responsibility for facilitating the development of community outcomes with their communities is a new role for all local authorities. Some local authorities had already started a process for setting targets, goals and outcomes for community development, and facilitating other processes that identified strategic direction for their communities, before the enactment of the legislation.

8. While strategic planning was part of the traditional role of local authorities, the legislation emphasised longer-term planning functions and responsibilities (e.g. the LTCCP) to improve the way local authorities undertake strategic planning. Further, the Act asked councils to identify links between strategic planning and the community outcomes identified by the local authority’s communities.

9. The Act requires local authorities to be more considered and transparent in their decision-making. Local authorities need to identify options for achieving the objective of the decision and assess those options by considering the benefits and costs in terms of the present and future wellbeing of the community and alignment with community outcomes. It is expected therefore community outcomes will affect local authorities’ decision-making. The Act continues to require local authorities to use a special consultative procedure (SCP) for consultation on particular issues and decisions. Further, the Act also now requires local authorities to establish and maintain opportunities for Māori to contribute to decision-making.

Case study methodology

10. 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 provided the ability to select councils with significant differences in terms of population, location and nature; and contrasting responses to the legislation.

11. 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.

Rodney District Council case study specifics

12. The case study of the Rodney District Council (RDC) 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.

13. Documents reviewed in the research:

- Rodney District Council Long Term Plan 2006-2016 (Volumes one - four)
• Rodney District Council Annual Plans 2007/08, 2005/06, 2003/04, 2002/03

• Vision Rodney: A Strategy for the District’s Future 2003

• Rodney District Council Consultation Policy (undated)

• The Development of Vision Rodney. A description of the process (undated)

• Taking Rodney District into the 21st Century: Challenges and Opportunities.

14. Key informants interviewed for the research:

• Five RDC council officers

• Two elected officials

• Two representatives from two separate iwi

• Four community stakeholders representing different community organisations.

15. Those interviewed were identified by RDC as knowledgeable about one or all of the three of the LGA elements being examined in the case. They were recruited to the case study by staff from RDC. Face-to-face interviews were conducted by Litmus in late March 2008. Interviews lasted more than one hour, and were digitally recorded. On request, interview notes and transcripts were made available for review by participants.

16. Participants were informed that the Department and Litmus 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.

**Case study scope and analysis criteria**

17. 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. Key findings in the research are judged by the regularity with which they are mentioned by informants, and where there is significance difference in opinion on the same theme.

18. The case study report is therefore indicative, 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 RDC, 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**

19. The Department and Litmus wish to express our thanks to all those who contributed to this case study. We would especially like to thank the RDC 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.”

Background to Rodney District Council’s response to the legislation

20. The recent history and future of local governance within the Rodney District is important to understanding the response of the Rodney District to the legislation and its future potential.

21. The Rodney District Council (RDC) experienced executive and democratic breakdown in 2000-2001 resulting in the appointment of a Commissioner to take over the day-to-day management of the council. This reflected a period of uncertainty and distrust between council and the community and this has in turn shaped the council’s, and the community’s, response to the community outcomes development process.

22. Further, at the time of the writing this report, the Royal Commission on Auckland Governance was conducting an enquiry into the present system of local government in the Auckland region and is to make recommendations about a system of local government in the region for the next 50-100 years (the enquiry will conclude in March 2009). The region includes seven local authorities and one regional council, extending from the Rodney District in the north to the Franklin District in the south. The Commission and its consideration of what decisions should be made at a regional and local level and by what body or bodies, creates uncertainty for the future governance of the Rodney District, including future planning and decision-making in the district.

Rodney District Council community outcomes process: response to the legislation

23. Rodney District Council (RDC) implemented and addressed the new legislation’s provisions around community outcomes through an extensive consultation process which produced “Vision Rodney. A Strategy for the District’s Future.” This document “captures the values local people hold and the outcomes communities want to achieve.” Vision Rodney sets out the six identified community outcomes, expressed as six intents. They are:

- We will keep our country look and feel

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• We will not let our towns and villages sprawl
• We will maintain our lifestyle and look after the environment
• We will take care of ourselves while working with others
• We will be able to make our living in Rodney district
• We will determine the future of our district.

**Rodney District Council’s community outcomes process**

24. The community outcomes process was developed, managed and implemented by two RDC staff with help from one other person contracted to gather data from central and non-governmental agencies and organisations. Input and support was also received from the Chief Executive during the process.

25. From the outset the RDC wished to hear from a wide representation of the community, and to hear from individuals and organisations that were not normally involved in consultations conducted by the council. To achieve this, the RDC developed an extensive community outcomes process involving five phases (including four phases of consultation) over an 11-month period.

Phase one of the community outcomes process took place in August and September 2002. This ‘preparation’ phase included background research (interviews conducted by an external research company, analysis of census and statistical data), community and stakeholder identification, councillor interviews and process design.

Phase two, ‘consultation and pre-draft’, of the process took place between October 2002 and January 2003. This was conducted in three streams:

26. **Stream 1**: Agencies and partners: Twenty-three agencies, organisations and government departments were contacted by the RDC (e.g. Ministry of Education, Work and Income New Zealand, Transit New Zealand and Te Puni Kōkiri). The focus was to establish partner relationships, to understand roles in the district, and to seek involvement and input into the process.

27. Given the RDC’s history of limited engagement with central government agencies, as well as the regional dispersal of central government agencies (i.e. the nearest location of some agencies is in Waitakere, North Shore, or Auckland), it initially proved difficult to involve some of these agencies in the community outcomes process.

28. **Stream 2**: Residents and communities: This stream was consultation with a random selection of individual residents and community organisations drawn from the local telephone directory. Two different approaches were utilised to ensure that the “process did not produce the product”:

   - Six community forums at Wellsford, Warkworth, Helensville, Huapai, Orewa and Whangaparaoa, facilitated by RDC and hosted by local councillors. The forums started with a slide show of the area covering the past 100 years and were structured around two questions focusing on the next 20/30 years.

   - Six citizen panel discussions conducted by an external research agency with panellists selected from a cross section of age and gender. These discussions had a stronger structure based around future community outcomes. They were observed by RDC staff and local councillors, who attended in a ‘listener role’.

29. **Stream 3**: Focus groups: Focus groups were held with six interest groups representing business, Māori, youth, the combined residents and ratepayers association, councillors and RDC staff (many of whom are residents of the Rodney district). Sessions with Māori were facilitated by Māori and on five marae.

30. The work in consultation phases one and two was consolidated and presented in a pre-draft document for use in the next phase.
Phase Three in February and March of 2003 was the ‘consolidation and preparation of draft.’ This involved six further sessions held across the district bringing together the community forums, citizens panels and focus groups, to view the pre-draft document and to provide feedback.

Phase Four. The draft document was released for ‘district wide consultation’ through a submission process in April and May of 2003. This consultation was promoted via local community newspapers, advertisements on local radio, the RDC’s newspaper and website, direct mailing and public presentations.

Phase Five. ‘Finalise and launch’ took place in July 2003. Final amendments were made following the submissions process and the final document, ‘Vision Rodney’, was publicly launched in local communities.

**Vision Rodney. A strategy for the District's Future**

The identified community outcomes, stated as intents, are presented in a booklet for the community entitled: “Vision Rodney. A strategy for the District’s Future.” Features include:

- A greeting from Ngati Whatua at the opening and a picture of children from the iwi
- A clear message that this is a community document with a long-term focus
- Six community outcomes (intents)
- A section for each outcome, under which at a high level it sets out what people said in relation to each outcome, where the community sees itself now, key things that need to be achieved, what this means, how success will be recognised, and where the community wants to be in 2030.

**Council’s adoption of the community outcomes**

31. On 3 July 2003, the RDC formally adopted Vision Rodney as its own strategic framework and as an intention to assist communities to achieve all their outcomes wherever possible. The RDC is developing ‘Planning Rodney’ to determine council's activities and asset management plans for the future of the district, based on the community outcomes identified.

**Prioritisation**

32. In adopting all of the community outcomes, the RDC has not prioritised the six outcomes. This was on the basis that they “are so intertwined, that you can't see them as separate things.” Rather, it is the actions which council takes to contribute towards the outcomes, which receive prioritisation. The work of council is prioritised in the RDC’s LTCCP on the basis of priority spatial areas within the district, which, together with Vision Rodney, have been used to guide the development of programmes and expenditure by council activity.

**Monitoring the community outcomes**

33. RDC’s LTCCP sets out the 13 organisations that it has entered into Memorandums of Understanding with to formalise partnerships to achieve Rodney’s community outcomes, and to understand how progress can be monitored. The RDC is currently leading the development of an ‘Integrated Outcome Monitoring Framework’ and indicators with its partner organisations, the aim of which will be to measure the district’s progress, change and sustainability in relation to the community outcomes.

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5 The Development of Vision Rodney: A Description of the Process (undated)
6 LTCCP 2006-2016, Rodney District Council
Community outcomes benefits

34. Key to understanding the community outcomes benefits is an awareness of the “lack of communication and trust between the council and its communities” which existed prior to both, the appointment of a Commissioner to the council in 2000 – 2001, and the introduction of the new Act. Indeed, the desire for stability and a shared future have been described as the catalyst to the community buying-in to the community outcomes process and to council’s adoption of Vision Rodney.

35. The community outcomes process utilised was also purposefully driven by a council officer who wished it to be, participatory, personalised and fresh, and able to achieve wide community engagement, beyond just “the usual culprits”. Judging but the interviews we conducted for this report the process was highly regarded, did achieve the aims this officer set down and was said to be of great value by all participants. It resulted in community buy-in and support and has provided a clear understanding of the direction that the community wish for the Rodney district. Relationships have also been established and developed between the RDC and external agencies. Further, the community outcomes have also provided a reference point from which the RDC is driving its own vision and through which council’s work and activities are considered by the community.

Community buy-in and clear community direction

36. The participatory, personalised and extensive consultation process undertaken with diverse sectors of the community has, according to those we spoke with, achieved community buy-in to the process and clear insight into the direction that the wider community wished to take in the long-term: “The community outcomes have had a powerful effect in terms of focusing the community.”

37. The documentation of community feedback as summarised in Vision Rodney has ensured an understanding of the intent behind each community outcome.

Relationship with agencies

38. While the RDC initially had some difficulty engaging with agencies (due to a historical lack of engagement and the different regional boundaries of central government agencies across the region), the community outcomes process provided a catalyst to initiate discussions with external agencies. As a result, relationships have started and developed over the course of the last five years, and the RDC now has Memorandums of Understanding with a number of agencies to guide how they will work together including aligning work programmes. Each Memorandum of Understanding is indicated in council’s LTCCP relative to Vision Rodney’s outcomes and objectives.

Point of reference

39. The community outcomes have provided the RDC with a reference point from which it is driving its own internal organisational vision: “Now when we have a key decision to make we can refer back to Vision Rodney to move us in the right direction.” Having chosen to adopt all of the community outcomes as its own outcomes, these clear statements of what the community wants in the long-term, appear to be “cascading through council”. Further they appear to have provided the council with a sense of direction from which to begin to drive and to seek alignment with the work of the RDC. For example:

- Council’s identification of organisational goals that could in turn contribute to the community outcomes
- Reference to community outcomes in council agenda items, council reports, District Plan discussions and development proposals
- Alignment of council job descriptions with the community outcomes requiring Directorate accountability linked to community outcomes.

See note 5.
40. Council officers have seen that the community refer to the community outcomes when responding to council activities to explain their position (e.g. opposition to a proposal for wastewater to be transferred to Auckland and the outcome: we will take care of ourselves).

**Community outcomes issues**

41. While the community outcomes process and Vision Rodney are viewed positively, issues were raised specifically about their use and implementation.

**Implementation of the community outcomes**

42. Council officers recognise that translating community outcomes into practice is a slow process and that their implementation on a day-to-day basis is difficult, given their high level nature and the need for alignment with other key council planning documents.

43. The iwi representatives interviewed indicated that Vision Rodney is not incorporated in the work of iwi, nor widely by Māori, predominantly due to limited resourcing and capacity.

44. Similarly, a community stakeholder, although seeing the potential of their organisation to contribute to the community outcomes, noted the organisation did not know how to deliver to the community outcomes given their high level nature.

45. The other community stakeholders interviewed were not aware of what council’s contribution had been to delivering to the community outcomes (quite possibly because much of what council has been doing is internal), and also considered that more encouragement was required for the community itself to work towards their implementation.

**Broadness of outcomes**

46. It is of note that the community stakeholders interviewed had not been involved in council’s community outcomes development process. Also they felt there should be some sort of link between the community outcomes to a range of community groups; in both their identification and implementation. They also perceived that it was council’s and central government’s role to implement the community outcomes.

**Alignment with overriding legislation and key council plans**

47. Council officers expressed frustration with the lack of legal standing that the community outcomes have in terms of the relationship with other legislation, such as the Resource Management Act 1991 (RMA). While the community outcomes focus on areas of development and the environment, they have no legal standing in the Environment Court where the RMA takes precedence. Despite reflecting the vision of the community and the council, the outcomes cannot be used to strengthen cases for planning/resource consents, as they are not legally binding and may come into conflict with the RMA. This can minimise the perceived operational importance of the community outcomes and is a situation that seems difficult to remedy in the absence of legislative change or judicial recognition of the community outcomes.

48. Council is trying to align key documents, such as the District Plan, with the community outcomes, however it is recognised that this will be a slow process and that it will be difficult to bring them into sync because of the different timeframes in which they are developed. The issue, as one officer put it, is “how do you merge a District Plan under the RMA and how do you implement a community plan under the Local Government Act?”

**Impact of community outcomes**

49. The interviews we conducted suggest that the community outcomes process provided a platform for the council and the community to re-establish and develop their relationship following recent challenging years and distrust that existed in the district.

50. Relevant key informants have shown the authors that the community outcomes have provided the council with a clear understanding of the direction that the community wish for future of the Rodney district, from which the council has developed its own strategic framework and direction and is utilising the community outcomes in council planning and decision-making. The community outcomes process and the Act’s reference to the four well-beings have also led the council to
initiate discussion and develop relationships with external organisations and government agencies and to enter into Memorandum of Understanding with these organisations.

51. The Council has found its implementation of the community outcomes has been a slow process, and has been difficult where in conflict with the District Plan or the RMA. However, the development and implementation of the outcomes is seen as an ongoing journey as strategic direction is shaped and consideration is given to how council activities and key documents can be aligned. Stakeholders and iwi representatives interviewed indicated that they have not directly utilised the outcomes in their own activities. However the community outcomes are widely used by the community in responding to council proposals.

**Future community outcomes**

52. It seems the success of the process to identify the community outcomes identified in Vision Rodney reflects a continuing journey between the RDC and its communities.

53. The council has formally adopted Vision Rodney in its entirety and is developing organisational goals that can contribute to the outcomes. Each council Directorate is responsible for moving towards these goals and embedding the community outcomes within the work of council.

54. The council is working in partnership with external agencies in working towards the development of community outcomes. The future of the community outcomes will be affected by the ability of council to align key council planning documents with the community outcomes, as will their fit and recognition as they sit parallel with legislation such as the RMA. Community ownership and incorporation of the community outcomes will also drive the future development of the outcomes.

**Reflections of RDC implementation against the legislative intent**

55. The table below summarises the legislative intent and RDC’s implementation of the mandated community outcomes process. In reviewing the table, it needs to be acknowledged that only one formal round of community outcomes has been held, and therefore the implementation and contribution towards the community outcomes are still at an early stage and is a continuing journey.

<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>RDC response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Process to identify other organisations and groups capable of influencing either the identification or the promotion of community outcomes</td>
<td>At the outset, RDC contacted and entered into discussions with 23 organisations. Subsequently, this has resulted in a partnering policy and Memorandum of Understanding with 13 partners.</td>
</tr>
<tr>
<td>Processes to encourage the community to contribute</td>
<td>A consultation process with wide community representation was undertaken to develop the community outcomes. This was followed by a district-wide release of draft community outcomes for community consultation.</td>
</tr>
<tr>
<td>Identify community outcomes for the intermediate and long-term future of the district or region</td>
<td>Six key community outcomes were identified and outlined in the document Vision Rodney, described as ‘the map for the future of Rodney’s District for the next 20-30 years’</td>
</tr>
<tr>
<td>Long-term focus for the decisions and activities of the local authority</td>
<td>RDC has adopted Vision Rodney as its own. Community outcomes are referenced in the council’s Long Term Plan (LTP), are linked to council activities and are shaping the development of the council’s organisational</td>
</tr>
</tbody>
</table>
Guide priorities for activities undertaken by local authorities and other organisations

The community outcomes themselves have not been prioritised. The LTP prioritises spatial areas in the district where new work will be undertaken. Together with Vision Rodney, this guides the development of programmes and expenditure in relation to council activities.

Community having ownership of the identified outcomes

There is evidence of community buy-in and support for the community outcomes identification process through their use in submissions to council and though the community representative’s knowledge of them. It is not possible to ascertain community ownership from the interviews undertaken with the representatives. Limited resources and knowing where to begin due to the high level nature of the outcomes are indicated as two barriers to community ownership. Some informants we spoke with see the community outcomes as the responsibility of the council, not the community.

Greater accountability between council and community

The consultation process used to identify community outcomes signified greater accountability between council and the community given the district’s recent history. RDC also adopted all of the community outcomes and has developed organisation goals to ensure accountability within each Directorate in council. There is evidence that the community are using the outcomes to influence council activities.

Promote better co-ordination and application of community resource

RDC has developed partnerships with a number of agencies and are working with these agencies to align work plans and contribute towards community outcomes.

56. In summary, it appears that RDC has delivered to the intent of the Act. There is strong evidence of buy-in by the community during the engagement and consultation phase of the community outcomes process. Council adopted all of the community outcomes as its own (this is not required or expected by the Act) and are seeking to align them to council’s organisation values and to relate them to other strategic documents. Council has also formalised agreement with organisations and central government agencies in working towards the achievement of community outcomes.

57. It appears that the future implementation of the community outcomes will be affected by the extent of community ownership of the outcomes. This includes the ability (and capacity) of stakeholders and community organisations to determine the place of community outcomes within their organisational structures and operations. It will also be shaped by the alignment over time of the community outcomes with core documents such as the District Plan. The recognition of community outcomes in future planning decisions, including the legal standing given to the community outcomes in the planning jurisdiction, will also shape the impact that community outcomes are able to have going forward.
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 SCP to consult, although a council can use other consultation methods in addition to this.8

RDC LTCCP - response to the legislation

58. In 2005, RDC created a Long Term Plan (LTP – the title of RDC’s LTCCP) working group, that involved senior managers and directors looking at core areas and issues to be included in the Plan. Sessions were run with senior management and politicians to feed into the development of the LTP. Subsequent internal workshops were then held to “drill down” further. Information and documentation was collected and collated from all groups within Council and implemented into a draft LTP document.

59. The LTP is seen as bringing together all of the issues, plans, and strategies of the RDC into one place. Initially the process had been described as ‘onerous’, however it is recognised that overtime the LTP should almost ‘fall out’ of the normal council process if fundamental strategies and solid asset management and structure plans are in place.

60. The LTP 2006 - 2016 presents the community outcomes upfront and is described in that document as “one part of turning the community’s vision into reality.” The LTP provides a snapshot of some projects achieved in 2004 - 2005 towards progressing community outcomes. These are presented as they apply to each of the six community outcomes.

61. Further, the LTP demonstrates how the RDC will contribute to the community outcomes via council group activities. It includes measures to indicate council’s contribution and progress towards achieving the community outcomes at an activity level, as well as an indication of the nature of the ‘Rodney Integrated Outcome Monitoring Framework’ to measure the district’s progress in relation to Vision Rodney.

62. The LTP also sets out partnering initiatives with a number of organisations to provide more effective services to Rodney’s communities.

LTCCP consultation process

63. The RDC prepared a summary version of the LTP document for consultation as the LGA 2002 requires. In addition to the inclusion of all of the statutory requirements, the content of the summary document was determined by a think tank with council senior management and the LTP working group, to determine what was “meaningful to include, what did the community actually have to see and what would they like to see.” The summary document was then tabled before elected officials to be finalised for consultation.

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64. The summary document was sent out to every household in the Rodney District via the local paper. It was also available on the council's website, at service centres and libraries.

65. The community were invited to make submissions based on the draft document. Two matters were identified for specific community feedback: targeted rates, and governance structure for strategic property assets. The aim of this was for council to get an indication from communities where it should invest time and undertake further work on those matters.

66. The council received a total of 1,200 submissions. Hearings were set up throughout the district to give the community an opportunity to speak to their submissions. Councillors then considered the submissions on a ward basis and were tasked with determining implications of the submissions on council, in terms of its activities, priorities and rates. The LTP reflects changes based on submissions made during that period. Submitters were notified of the outcome of their submission on a topic-by-topic basis.

67. A re-occurring theme throughout the submissions was strong support for an increasing infrastructure, which was seen to be lacking and of considerable future importance for a district undergoing tremendous growth. Roading, development, improvements to assets and community facilities and alternative transport options, were also areas considered to be of high priority in the submissions received by council.

**LTCCP benefits**

68. Clear benefits of the LTP were noted by participants, particularly council staff. These related to the focus on long-term planning and the development of partnering initiatives.

**Long-term planning reflecting community vision**

69. Council staff see the LTP as a good discipline for future direction setting, based on an understanding of where the community wishes to head in the long-term. It is viewed as a natural progression from the requirement of a long-term financial strategy introduced in 1996, to a document “which is saying you still do long term planning, but it’s not just the financial document, it’s actually reflecting your community’s vision.”

**Long-term direction**

70. The long-term direction of the LTP ensures a realistic picture of core issues for the district and where it needs to be heading according to key informants we spoke with. It also provides a snapshot of projects to be implemented within the district. As one community stakeholder indicated: “It is a good planning tool and gives a dose of reality, particularly in a place like Rodney where infrastructure needs and costs are very high.”

**Core council document**

71. Council officers describe the LTCCP as a “thing that brings many of the issues/strategies and plans together into one place where they have a relationship to each other.” The LTP is therefore seen as a core council document that links up all of council’s activities. “What the LTP does, and it does it very well, is it actually forces the pieces to come together.” The impact of this is an avoidance of potential silos and importantly enables oversight and coordinated long-term planning across council.

**Partnering initiatives**

72. As demonstrated by the LTP, the council has continued to develop relationships with external agencies to work towards contributing to the community outcomes, resulting in the development of Memorandum of Understanding (MOU) with organisations. In the context of the LTCCP the purpose of each MOU is to:

- Work collaboratively to achieve the outcomes in Vision Rodney
- Align strategic and business planning outcomes for each organisation
• Provide a platform from which service providers and others can work effectively and efficiently to meet local needs and priorities.9

73. The formation of strategic relationships is seen to be important by key informants as RDC is faced with limited resources and future planning challenges. These relationships and the work of other agencies are vital to contributing to Rodney’s community outcomes through alignment of the council’s plans with those of other organisations.

**LTCCP issues**

74. Issues raised relative to the LTP should be considered against the past turmoil that the RDC experienced with the appointment of a Commissioner, combined with the a “back-log of infrastructure work” and the rapid development and growth within the District – it is expected that another 35,000 people are expected to join the Rodney community in the next ten years.10 Governance arrangements within the Auckland region are also under review and are at the forefront of people’s, and in particular key informant’s minds.

**Growth and resources**

75. A key challenge to delivering to Vision Rodney, recognised in the LTP, is the council’s identification that it has “insufficient growth in revenue to support growth in operating and capital requirements, due to limited access to non-rates revenue sources.”11 The council relies heavily on ratepayers to fund the services council supplies and faces continuing financial pressures to cope with growth that only has a small pool of business and industrial ratepayers outside of residential and farm ratepayers.

76. Due to the fast pace growth affecting Rodney and immediate stress on the costs of infrastructure, community stakeholders interviewed raised issue with the 10-year focus of the LTP: “We are the fastest growing community in the country. You can’t have a long-term plan for 10 years. There is no way they can plan that far out. It will have to be continually revised.”

**Costs associated with LTP**

**LTP development**

77. The process of developing this first LTP was described by key informants in the council as very resource hungry, in terms of time and cost, and it being a large exercise involving different people in its development. The costs of the LTP are seen as a particularly difficult for smaller councils, who have limited resources to contribute to it. However, over time, it is expected that the costs will lessen as the process becomes fine-tuned and as strategies and plans align.

**LTP consultation**

78. From the perspective of participating iwi representatives, it is difficult for Māori to be fully involved in the consultation process due to under-resourcing, lack of capacity, and multiple demands to consult. One potential option raised with council, was the creation of a cultural advisor position within council to help provide local iwi with an identifiable link to someone in council who could “portray the Maori view.”

79. Similarly, community stakeholders we spoke with indicated that they did not become involved in the submission process because they felt they did not have an sufficient time and budget.

**Audit**

80. One council officer estimated the cost of auditing the LTP to be close to $100,000, which is significant for what they see as a smaller council with rising infrastructure costs. The council was

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9 Long Term Plan 2006-2016, Volume One, Rodney District Council
10 Long Term Plan 2006-2016, Volume One, Rodney District Council
charged $57,000 for the audit – a fee that was agreed at the beginning of the audit process. Council officers raised the question of the cost of audit against the benefits, particularly from the community’s perspective: “Are our community gaining value for the $100,000? They’re not I don’t think. I don’t think they have any degree of comfort that this is much more of a robust process because it has been audited.”

Alignment with three-year political term

81. A common issue expressed by key informants was the difficulty for elected officials to understand the alignment of a 10-year plan with a three year political term. However, it was considered that would be less of an issue as the LTP becomes more embedded within council as a primary document, and possibly because the LTP is reviewed every three years.

Alignment with other legislation and key council documents

82. The council informants we spoke with noted that key council documents such as the District Plan are not yet well aligned with Vision Rodney. It can therefore be difficult to align the District Plan with the development of the LTP. These Participants also note that RMA decisions do not necessarily sit comfortably with the LTP.

Level of consultation

83. Council officers and a community stakeholder indicated a perception that the LTP can be seen to require “consultation on every single thing.” One council officer also indicated that trade-offs need to be made between a 10-year approach and community responses which focus on the smaller ‘here and now’ issues. To them, there is a level of tension between what the community wants and what goes into the LTP, particularly as much of what is included in the LTP is derived from strategies and plans which have already been consulted on.

Impact and future of the LTCCP

84. Overall the LTP is positively viewed by key informants as a valuable long-term planning tool, informed by the direction determined through community consultation, and an important long-term strategic focus for the council and community.

85. Currently the LTP appears to be most utilised at a senior management level within council, and is used as a high-level document in terms of an oversight of council group activities, levels of service and targets and current and future projects.

86. On a day-to-day basis, the LTP is yet to be viewed by council informants as a “document we live by”, nor as having a significant impact on relationships between the council and the community. It does however reflect the relationships and work being developed between the council and external agencies.

87. The future potential of the LTP as a guiding strategic document is widely recognised, and it is appreciated that it will take time for the full potential of the LTP to be realised: “It will take us three cycles to gain benefit from the LTP and it is getting better.” What is top of mind for informants we spoke with in considering the impact and future of the LTP however, is the implication of rapid growth in the region and some uncertainty around regional governance issues – “If things stay as they are I think we’re in some strife as we can’t deliver what we need to deliver.”

Rodney District Council LTP against legislative intent

88. The table below summarises the legislative intent of the Act regarding the LTP and RDC’s implementation of the requirements. This table refers to the 2006 - 2016 LTP prepared by RDC, which was the first full LTCCP required under the new Act.
<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>RDC response</th>
</tr>
</thead>
<tbody>
<tr>
<td>LTCCP describes community outcomes and shows local authorities contribution to them</td>
<td>The RDC’s six community outcomes are reported in the LTP with summaries of example projects that progress them. Also the LTP demonstrates how council activities will contribute to the community outcomes.</td>
</tr>
<tr>
<td>“Wider community” is consulted on the LTCCP</td>
<td>RDC distributed the summarised draft LTP to all homes in the Rodney District via the local paper and called for submissions from the community on the draft plan.</td>
</tr>
<tr>
<td>LTCCP is auditable and meets important financial reporting requirements.</td>
<td>The LTP has been audited and found to be a reasonable basis for long-term integrated decision-making by the council.</td>
</tr>
</tbody>
</table>

89. In summary, it is judged that RDC delivered a detailed LTP that fulfils the requirements of the Act. The LTP was positively viewed as providing a long-term strategic planning focus and council informants we spoke with believe it does reflect the vision of the district’s community. In bringing together issues, plans and strategies into one document, it enables coordinated planning and hence the avoidance of silos.

90. The costs of both the development and auditing of the LTP concerned council officers. In terms of long-term planning, of core concern for the district is the “insufficient growth in revenue to support growth in operating and capital requirement”. The future governance of the region is also a key issue for future planning and decision-making in the region.
Council Decision-Making

Legislative intent

"The Act requires local authorities to be more rigorous in their decision-making [than prior to the new 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.\(^\text{12}\)

RDC approach to decision-making

91. In decision-making, the RDC utilises an approach that combines both formal and ‘less formal’ elements. The latter element tends to come first in the form of pre-proposal consultation in terms of, for example, meeting or holding focus groups within the community to discuss and test options for consideration and to “tease out the issues and to get a sense of the community’s response.” In determining who to consult with, this is often based on local knowledge, a stakeholder list and public notifications. It is the preferred approach in the first instance, before moving to the ‘formal’ stage of consulting on different options relating to an issue or proposal via the traditional submissions process.

92. The RDC finds that it determines the range of practical options relating to an issue relatively well where projects and activities are initiated by council officers.

“We do that very very well. We sit down with the paperwork and set out all the options, we quantify it all, we table that in front of the politicians or the community and show them what the options are.”

93. However, council does not seem to, necessarily, see itself as quite so robust when it comes to reactively responding to issues raised by councillors or the community. This is largely due to the push for a speedy response curtailing the time available to devise options for consideration. Hence, while the Act is seen to have made decision-making more “process-orientated”, one council officer noted that council still does things on a “reactive basis which can result in the process not being followed to the letter.”

94. In terms of determining matters of significance, the council’s policy on significance has identified a number of thresholds and criteria in the process to identify whether proposals are significant. These include:

- Dealing with a strategic asset
- Decisions that will significantly affect the capacity of council in relation to any activity in the LTP
- Impacts affecting a large number of residents and ratepayers
- Impacts affecting a small number of residents and ratepayers to a large extent.

95. In determining whether a matter affects the LTP; is significant; and what the appropriate form of consultation is to take, council officers complete a decision-making “Local Government Act Flow Chart” (prepared by council’s lawyers) and which is attached to every draft agenda item. When an issue is considered to be significant, it is specifically identified as such, and the impact highlighted for council’s consideration and determination.

96. As noted by council officers, the thresholds and criteria in the significance policy cover what is required by the Act. Beyond that, they are fairly high level and “speak in general terms.” This is seen as a reflection of the minimally prescriptive nature of the Act.

97. While the Council has not had to make any significant changes to its LTP, informants did note that an amendment was required due to a rating policy change, which in turn required, consultation and auditing, even though this was felt be only a small policy change.

Community engagement in the decision-making process

Wider community engagement

98. Council officers and elected officials indicated that they see themselves as having always employed a decision-making process that met, and exceeded, the minimum requirements of the new Act. There were some concerns among these key informants that:
• consultation could be taken to extremes
• the community could suffer consultation fatigue
• the community only wanted to consult on contentious issues, and
• participation in a consultation might come from only a narrow part of the community.

99. These informants realised these concerns are not necessarily caused by the Act, and furthermore they saw the Act’s provisions as having helped the RDC to become more focused in decision-making.

100. Stakeholders we interviewed seemed to consider council’s engagement with the community in decision-making to be a ‘mixed-bag’. One stakeholder gave an example of council’s innovative approach to facilitate consultation in the development of the Economic Development Strategy. Others indicated that they had little direct contact from council or little awareness of, or involvement in, the decision-making processes of council.

101. An example of a council decision that several non-council informants spoke of indicates the fine line the council negotiates when determining whether a matter is appropriate for consultation. The decision related the council’s purchase of a block of land that had not been planned for, and occurred outside of the LTP consultation. Consultation was not undertaken, as the council made the decision by resolution, in accordance with its adopted property strategy. The purchase was also able to be made relatively quickly, giving the council a competitive advantage in the property market. However, from the perspective of some in the community we spoke with, this should have been a matter for community consultation given the amount of council funds involved.

Iwi engagement

102. Having gone from a situation of little or no actual relationship with iwi, there has been a significant change since 2000/01. A change to a very good relationship, according to the RDC. This improvement is attributed to the appointed Commissioner who emphasised a strong focus on engaging and consulting with iwi. The Act is however seen to have given more impetus to relationship development with iwi. “If it hadn’t happened, the Act would have pushed us down that path.”

103. Three MOU (Memorandum of Understanding) were formalised with local iwi: Ngati Whatua Nga Rima o Kaipara, Te Uri o Hau Settlement Trust and Manuhiri Te Tangata (Ngati Manuhiri). The MOU are seen as a guiding tool in terms of RDC’s relationship with iwi.

104. The Mayor, councillors, and council staff, meet with kaumatua of Ngati Whatua Nga Rima o Kaipara on a monthly basis. These meetings enable a sharing of information and issues and provide the opportunity for the RDC to raise awareness of proposals being considered and to discuss these at an early stage.

105. Council participants indicated that council consults with local iwi on issues of land, air and water, and other matters, from the outset of a proposal. A representative from Ngati Whatua Nga Rima o Kaipara will also be asked to be a member of any established working party. When the council receives resource consents, local iwi are also informed about these and asked if they would like to be involved.

106. In terms of decision-making, iwi are therefore involved at an early stage in proposal development. There is not a Māori representative on council, nor an iwi committee, and therefore Māori are not involved in the final decision-making stage.

107. From the perspective of the iwi representatives interviewed, a lack of capacity and resourcing significantly affects their ability to be fully involved in understanding, consulting on, and recommending back/ responding to, the council. Often the iwi gives up time and resources that are not compensated for, and this work is undertaken alongside a myriad of other roles and responsibilities. To assist with issues of capacity-building, the iwi representatives see that the appointment of a “cultural advisor” would enable iwi to better have a presence and representation within the RDC.
Benefits of decision-making under the Act

108. The decision-making provisions of the Act and particularly decision model it offers councils are seen to have provided a beneficial discipline by council informants. "It's very process orientated so regardless of whether you set the parameters at the right levels or not you have to consider things which is a good thing." This is seen to encourage good practice, introduce a discipline for staff to follow and also provides a legitimacy of decision-making to present to elected officials and to hold council to account. "The ability to align decisions to something is very very useful."

Issues with decision-making under the Act

Subjectivity of policy on significance

109. Council officers noted the subjective nature of determining significance thresholds, noting that an unintended consequence of the Act could be a council setting the threshold excessively high, which could in effect mean that nothing is ever deemed to be of significance. The potential benefits of the legislation are then lost. One officer noted that "most policies I've seen have been very very high level." In this regard it was considered that the availability of best practice guidelines would be of assistance for councils.

Minor LTP amendments

110. One council officer discussed what were considered unnecessary actions and costs required as a result of minor changes to a council policy, such as the rating policy. This required an amendment to the LTP, which had to be audited, and then consulted on. While the intention of the Act is considered to be good in this area, it was thought that there could be some small tweaks to avoid the need to consult on, and to audit very minor amendments.

Alignment with other legislation and key council documents

111. Difficulties in decision-making are noted by council informants where other legislation appears to conflict with the Act (e.g. the RMA). Council officers gave examples of where an attempt has been made to use community outcomes to justify decision-making in the Environment Court, but have been held to have no legal status due to the RMA taking precedence.

112. Similarly, as noted earlier, council officers have identified some conflict in decision-making where Vision Rodney and the LTP do not align with other council documents such as the District Plan.

Consultation with iwi

113. While improvements have been made in the relationship between council and local iwi, limited resourcing and capacity for iwi to contribute to council processes (such as consultation) are seen as contributing factors to local iwi not being able to fully take part in the consultation process.

Impacts of the Act on decision-making

114. It appears that overall the provisions of the Act had not a significant impact, at this stage, on the decision-making of council. However, the process-oriented nature of the legislation has provided a level of discipline, best practice and accountability in decision-making. The requirement to consult on, and audit minor policy changes, is seen to be an undesired impact of the Act, and the utilisation of community outcomes in decision-making is said to be limited when in conflict with the RMA or the council's District Plan.

RDC decision-making against legislative intent

115. 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.
<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>RDC response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve community involvement in council decision-making</td>
<td>The RDC informants see that the council has always involved the wider community (at least since the appointment of the Commissioner) in council decision-making. As a result, it is perceived there has been little change regarding community involvement in council decision-making since the Act's introduction.</td>
</tr>
<tr>
<td>Council decisions will be more strategic (including a longer-term focus) in nature</td>
<td>Council decisions are seen to be more strategic due to Vision Rodney, Planning Rodney and through the LTP, rather than specifically through the decision-making provisions of the Act. The Act has focused decision-making through an established process to be followed which involves consideration of the LTP and Policy on Significance and various options to a proposal.</td>
</tr>
<tr>
<td>Involve Māori in decision-making and help develop Māori capacity to contribute to council decisions</td>
<td>The Act has provided some impetus to RDC’s relationships with iwi and involvement in consultation, although this had begun with the appointment of the Commissioner. Council has formalised strategic relationships with three local iwi through MOU. Monthly meetings are held between Ngati Whatua Nga Rima o Kaipara and senior council management to involve iwi at an early stage. Capacity and resourcing issues limits iwi involvement in fully contributing to council decisions. Iwi are not involved in the final decision-making process.</td>
</tr>
</tbody>
</table>

116. In summary, council informants see the decision-making provisions of the Act as having introduced a discipline to council’s decision-making process and they have provided legitimacy and accountability. They raise some issues with the provisions of the Act as they are seen to require consultation and audit on even minor changes to council policy. Council’s engagement and relationships with iwi have improved significantly over time, which is in part attributed to the Act according to both iwi and the council. However, iwi say they are facing resourcing and capacity issues that continue to limit their ability to fully contribute to the decision-making process as Māori.
Conclusions

In general

117. Judging from the documents reviewed and the interviews conducted for this report the RDC has embraced the requirements of Act, in particular in the area of community outcomes. Not only did the development of the community outcomes in Vision Rodney fulfil the requirements of the Act, but ultimately, the process used to identify the outcomes strengthened the relationship between the council, stakeholders and communities.

118. As a district that has experienced and continues to experience significant growth, RDC is faced with the challenge of coping with finite resources, a growing population and demands on infrastructure. Within this context, the RDC are developing strategic relationships with external organisations. Council is also seeking to align its organisational focus and activities with Vision Rodney as a strategic framework to connect its long-term planning.

119. Key issues identified by informants relate to the alignment of Vision Rodney and the LTP with RDC’s District Plan, as well the long-term planning and decision-making potential of the community outcomes when conflicting or overshadowed by legislation such as the RMA. Decisions relating to the future governance of the Auckland region will also significantly impact future planning and decision-making.

Community outcomes

120. Those we interviewed seemed to agree that the development of community outcomes in the RDC had a positive impact on the community, with the extensive consultation approach taken by the RDC being deemed very effective in this regard. After a period of turmoil leading to the disbandment of the council in 2000 - 2001 and the appointment of a Commissioner; the community outcomes process was seen to signify a positive new way of working with the Rodney community.

121. The building of trust and development of partnerships during the engagement process made sure that the community outcomes reflected a shared vision. The community outcomes outlined in Vision Rodney are seen as a “map for the future of Rodney district for the next 20 to 30 years.” These outcomes have been adopted by the council who are aligning its organisational values with Vision Rodney and working with other agencies towards contributing to their achievement. The community outcomes provide a reference point for council and the community and are a central focus of the LTP and Council activities.

122. The actual implementation of the community outcomes however, is a much slower process. Council participants considered that it will take some time for the community outcomes to align with other key council documents and to become well embedded within council. The operational impact of the community outcomes in the future will also be affected by whether community stakeholders incorporate the outcomes into their operations, which it appears they are not currently doing, and the recognition, or not, of the outcomes in environment planning decisions, such as the RMA.

LTCCP

123. The RDC’s LTP presents the community outcomes upfront and demonstrates how the RDC will contribute to the community outcomes via council’s group activities. It also indicates council’s formation of strategic partnerships and the contribution of these to community outcomes. The LTP

13 The Development of Vision Rodney: A description of the Process (undated)

14 LTCCP 2006-2016, Rodney District Council
is seen by the informants we spoke with to provide a realistic picture of core issues facing the district and long-term direction for Rodney and what goals are needed to achieve that direction. The LTP is viewed by council informants as a natural progression from the pre-LGA 2002 requirement of a long-term financial strategy, to a plan that incorporates that strategy into a long-term vision for the district.

124. The LTP is recognised as a core council document by council informants, bringing together council policies, strategies and activities which provide an integrative target for future planning and decision-making.

125. Though regarded as a valuable planning document, a core issue for implementation of the LTP is the financial and infrastructure implications of rapid growth in the region, but a limited rating base. The costs associated with the development of the LTP, particularly consultation and audit, are considered to be significant enough for at least some in the RDC to suggest they be reviewed.

**Decision-making**

126. The main benefit noted by council informants in relation to the decision-making provisions of the Act was the discipline that the process-orientated approach prescribed has provided.

127. Consultation with the community, both at a formal and less formal level, on council issues and proposals, are not seen to have been significantly impacted by the Act by the informants we spoke with. The need to consult and to audit even minor amendments to the LTP however, is seen to be an undesired impact of the Act.

128. Consultation and engagement with local iwi has significantly improved, but representation and input within the decision-making process is impacted by iwi having a high demand placed by many different organisations on their limited resourcing and capacity to participate and contribute to decision-making in the district.