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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 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.

4. 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.

5. 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.

6. 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

7. 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

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

8. 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.

9. 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.

10. 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

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 provided 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.

Westland District Council case study specifics

13. The case study of the Westland District Council was undertaken by Litmus. The research for this report was conducted to the ethical standards of the Association of Social Science Researchers and the Australasian Evaluation Society.

14. This case study report was prepared from the review of key documents and interviews with key informants listed below.
15. Documents reviewed:

- Westland District Council Community Plan 2004/2005
- Westland District Council Draft Community Outcomes 2005 Response Forms
- Westland District Council Local Governance Statement 2005
- Westland District Council Long Term Council Community Plan 2006-2016

16. Key informants interviewed:

- Five council officers
- Two councillors
- Three community and businesses representatives.

17. Those interviewed were identified by council officers or interviewed stakeholders as knowledgeable about one or all of the three elements being examined in the case. They were recruited to the case study by staff from Westland District Council and Litmus. Face-to-face interviews were conducted by staff from Litmus during February and March 2008. Interviews lasted more than one hour, and were mainly digitally recorded. On request, interview notes were made available for review by participants.

18. 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**

19. The information and data available to address the evaluation objectives were qualitative in nature. Interviews were conducted with a limited range of informants who agreed to participate. Litmus undertook 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 were judged by the regularity with which they were mentioned by informants, and where there was significant difference in opinion on the same theme.

20. 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 Westland District Council. Nor is it possible to comment accurately about whether the strength of the views represented in this report was widely shared. We are, however, confident that this report accurately represents the views and perceptions of participants who contributed to this case study.

**Acknowledgement**

21. The Department and Litmus wish to express our thanks to all those who contributed to this case study. We would especially like to thank council officers of Westland District Council for assisting us in recruiting key informants and all 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.”

Westland District Council community outcomes process: response to the legislation

22. Westland District Council has the second largest land area of any New Zealand Councils with approximately 1,198,000 hectares of which around 90% is land managed by the Department of Conservation. Westland District Council’s population is around 8,400 made up of scattered pockets of community. This contextual information is useful in order to understand the response by the Westland District Council’s to the requirements of the Local Government Act 2002 (LGA), including the community outcomes process.

23. The Westland District Council considers it has traditionally taken a “minimalist approach” in its activities, reflecting that it is not a huge bureaucracy and has a relatively low rate take. When preparing its first community outcomes the Westland District Council consisted of the Mayor and 12 Councillors, (now 10 Councillors) who represent scattered and diverse communities across the District. Westland District Council also prides itself on knowing its community, and what works best in their unique environment and circumstances. The council officers felt this was clearly demonstrated by the accessibility and approachability of councillors and council officers in their communities. The Westland District Council also received an accolade from Federated Farmers in 2007 as being one of New Zealand’s best councils.

24. In keeping with its philosophy, Westland District Council therefore undertook a minimalist approach to the community outcomes process. One council officer noted that “basically we did what we had to do to fulfil the obligations of Act”. This approach also reflected time pressures and the more pressing priority of completing the first LTCCP. These pressures were the result of an underestimation of how much time was needed to complete the LTCCP, together with the early drafts of the LTCCP being rejected by Audit New Zealand. The council believed this was because its preferred approach in preparing the plan was not acceptable to ANZ, however the Office of the Auditor General (OAG) has informed Department of Internal Affairs this was because the drafts were considered non-compliant with the legislation and incomplete. This situation was further compounded by the small size of the council, as only one staff


member was initially dedicated to the community outcomes process and LTCCP, increasing to two during the LTCCP process.

**Westland District Council’s 2005 Community Outcomes Process:**

25. The Westland District Council commenced the community outcomes process in 2004. Five interim outcomes were developed by council officers and reported in the council’s Community Plan 2004. The interim community outcomes were a reflection of the council’s understanding of the communities expectations, based on the Westland District’s existing vision statement. One council officer noted that they considered "the Act basically stipulated what the high level outcomes had to be", that is the four well beings, and Westland District Council complied with these, with the addition of one extra outcome around ‘identity’. The latter outcome was to retain a sense of the unique nature of the Westland District.

26. Following the interim outcomes, the Westland District Council worked with West Coast Regional Council and Buller District Council in 2005 to develop and consult on joint community outcomes for the region. Grey District Council was not party to the process as they had already begun the preparation of their LTCCP and had completed their Community Outcomes the previous year.

27. Management from the three councils met twice to develop the wording for the community outcomes and to agree on draft community outcomes for public consultation. The draft community outcomes prepared for consultation were slightly amended at a workshop with other wider Westland District Council officers and reflected the interim community outcomes developed by the council in 2004.

28. A two tiered consultation process was subsequently undertaken with key stakeholders, and with the wider community.

29. Westland District Council identified around 24 agencies and organisations who were capable of influencing the identification or promotion of the community outcomes. These stakeholders were sent a letter seeking their input on the draft community outcomes. Appendix One lists the stakeholders invited to comment on the draft community outcomes.

30. Council also sent letters to Te Rūnanga o Makaawhio and Te Rūnanga o Ngati Waewae and held two meetings with them to see “if they wanted anything special”. A council officer noted the council had close working relationship with the Rūnanga, although there was no formalised arrangement or processes such as a Māori representative on Council or a special committee. Council relationships with Māori tended to focus on resource consent issues as they were perceived to be extremely busy in other areas.

31. Wider community consultation began in May 2005. The process followed reflected the need to consider cost, and the time available. The consultation process included:

- Draft community outcomes published in a flyer, mailed to all households in the Westland District seeking their feedback
- Draft community outcomes placed on council’s website
- Advertisements on radio asking for feedback on the community outcomes
- West Coast Regional Council and Westland District Council officers being available to give information on the community outcomes process by phone or in person, and to attend community group meetings, on request.

32. Consultation focused on asking people whether they agreed, disagreed or had no comment about each draft statement. Feedback on the draft outcomes was received by mid-June 2005 and analysed in August 2005.

33. A total of 70 responses were received from 46 ratepayers, eight residents and 16 community or other stakeholder groups. Responses were positive and supportive of council’s approach, and in general were
also in agreement with the suggested community outcome statements. Each submitter received a letter acknowledging their submission.

34. Following analysis of submissions and presentation to each council, six community outcomes were adopted by each participating council for inclusion in their draft LTCCP (Appendix Two). The Westland District Council adopted the community outcomes in November 2005, along with five additional sub-outcomes. The latter were added by councillors “to broaden the statements and get a bit of local flavour”, and to differentiate them from those of the other councils.

35. Councillors appear to have had little overall involvement in the development of the community outcome, the exception of ratifying them and adding the sub-outcomes. A council officer surmised that this was due to councillors (like council staff) needing to come to understand what they meant, with some reliance on managers to advise them on the approach and process.

36. The final outcomes were not prioritised, and no monitoring framework for the community outcomes is currently in place. Council officers were aware that from 2009 they will be required to collect district wide information to monitor the community outcomes. The council intends to present trend data on their activities which contribute to the community outcomes to the Finance Committee in their monthly and bi-monthly management report.

**Community outcomes benefits**

37. In the main, council officers felt the community outcomes have little or uncertain value to the council, and most feel that it is very much “business as usual”. As required by the Act the council officers have mapped council activities to the community outcomes to identify their contribution (Appendix Three). As one council officer noted that with regard to the community outcomes “it is difficult to disagree with them, it is what we all want – all good”.

38. When prompted further, council officers reported the following benefits deriving from the community outcomes and their development process.

**Shared learning across councils**

39. One council officer found there was great benefit in the shared learnings to be gained in working with other councils facing similar issues. These included satellite towns, growing tourism, economic boom, population growth, and low unemployment.

**High-level focus and mandate to act**

40. Another council officer felt the community outcomes provided council with a high-level focus and that their value is ‘evolving’. For this officer, there was now a greater recognition of how council activities are contributing (or not) to the community outcomes. This enables the potential improvement areas to be identified. Another officer noted that councillors had received favourable informal public feedback in the course of their day-to-day lives on the community outcomes has now provided the council with a mandate to continue with what they consider to be ‘business as usual’. A councillor also noted that the community outcomes are a useful part of the decision-making mix – as a high level guide.

**Links to central government**

41. Two council officers noted that the community outcomes are now being requested in proposals or programmes sent to central government agencies, such as the Ministry of Health and Land Transport. While the role of community outcomes in this proposal process was perceived somewhat cynically by council, over time they may enhance central and local government’s inter-relationship and thus the value of community outcomes overall.

42. In general, the stakeholders interviewed were unaware of the community outcomes, and could therefore not identify any benefits from them.
Community outcomes issues

43. Council officers and councillors raised a number of issues about community outcomes, specifically around costs, community expectations, and feedback on consultation.

Cost

44. Council officers were critical of the amount of time and effort required to develop the community outcomes (which they considered to be significant for a small council). Given the relatively small size of the council, the community outcomes process was seen to have placed a heavy burden on council officers, especially as it was additional to the normal day-to-day business. One council officer considered that a huge effort has been undertaken across New Zealand to essentially identify the same outcomes of health, wealth and education "nice words".

Community expectations and understanding

45. Some participants indicated that the community outcomes appear to have raised expectations of what the council must deliver in some segments of the community. While the 2006 draft LTCCP stressed there was a need for community ownership: “The vision is not the Council’s it is about you and the community” (2006, p.10), council officers felt the council is perceived to own and be responsible for delivering all the community outcomes as reported in the LTCCP.

46. It was also felt that the consultation process raised community expectations that the council would act on the feedback received. As one council officer noted, the community is not homogeneous but made up of diverse and differing perspectives. Consequently, the council’s role was to reflect on the feedback received and then decide on the best way forward. Due to differing factions the final decision may result in “a third happy and two thirds unhappy.

47. Stakeholders appear to have minimal understanding of the community outcomes. Similar to some of the council officers interviewed, one community stakeholder also perceived the community outcomes to be ‘grand statements’, that were not being put into effect by the council.

Disappointing feedback

48. One council officer indicated that they thought the public struggled with submitting on community outcomes as visioning statements. Many submitters therefore gave feedback similar to an issues-based Annual Plan submission (i.e. commenting on footpaths in need of repair rather than responding to visioning statements). There was also disappointment in the council that some central government agencies invited to comment on the draft community outcomes had simply sent back a standard form letter, which was being sent to all councils.

Low number of submissions received

49. While the council felt that it had promoted the submission process for the draft community outcomes, a relatively low number of submissions were received. One council officer felt that the LGA assumed the public wanted greater involvement in council processes. However, this officer believed that provided the council delivered on core services of sewage, water and they are seen to be doing their job, ratepayers are essentially happy and are not seeking this type of involvement.

50. No stakeholders commented on the consultation process of the community outcomes process, reflecting their lack of awareness.

51. One community stakeholder noted a strong desire to have more involvement in council process, however to date these opportunities have not appeared to be available outside of the Annual Plan submission process. This stakeholder acknowledged those in rural areas tend to have a very favourable view of council, but argued that this is not the case in the urban areas. However other stakeholders from urban areas interviewed felt they did have sufficient opportunities to input and be heard by the council. They noted:
“we vote the council in and we trust them and let them get on with it so unless there is a problem nobody knows about it … We know our councillors and if we have a problem we phone them. Councillors are very approachable - you go in there [to council] often not on the bigger plans but on a smaller scale – it’s the nice thing about small town - you know what people are up to.”

Impact of community outcomes

52. Council officers felt the community outcomes have not added much value or significantly changed the council’s operations. This is attributable to the view that it has historically been very connected to its community. The council saw the community outcomes produced by the process described above as confirming this. This is reflected in the idea mentioned earlier that the council has continued with “business as usual.” This should not be taken to mean the council has done nothing in response to the community outcomes, as the audit opinion on its 2006-2015 LTCCP states it has met the requirements of the Act. This includes showing how council activities contribute to community outcomes, how they relate to other key strategic planning documents or processes among other things. The place of the outcomes in council perceptions may change over time as some council officers and councillors acknowledged their use as a high level community guide in council decision-making processes could grow.

Future community outcomes

53. Council officers and councillors aim to continue to fulfil their obligations under the Act in relation to community outcomes. Over time, council officers felt that the community outcomes may become more valuable as they are further understood, discussed and linked to council’s work. How this will actually occur is not yet clear.

54. Council officers and councillors recently met and agreed that the community outcomes are still applicable and would stay the same for the next LTCCP. A council officer noted that “there are no reasons to change them if everybody is happy”. However Westland District Council’s specific layer of sub-outcomes may be removed, as they are now considered unnecessary in order to explain the main outcome.

55. At the time of the research, Westland District Council was working on a monitoring framework for the community outcomes. As part of this process it has met with other councils in the region to see what information is already available. A council officer commented on the challenging nature of monitoring high level outcomes with little robust regional data for their District. The latter reflects that “Westland gets lumped in with Greymouth and Canterbury and there is no separate measure”. Statistics New Zealand have offered to assist with information gathering, to date nothing has happened.

56. Reporting against the community outcomes the council contributes to will become part of council’s management reports and council activities are linked to community outcomes in the published Annual Reports.5

Reflections of Westland District Council implementation against the legislative intent

57. The table below summarises the legislative intent and Westland District Council’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, and therefore there were learnings to be gained and new processes to be developed.

<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>Westland District Council response</th>
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<tbody>
<tr>
<td>Process to identify other organisations and groups capable of influencing either the identification or the promotion of community outcomes</td>
<td>Agencies and organisations were identified and letters were sent seeking their response to the draft community outcomes (see Appendix One)</td>
</tr>
<tr>
<td>Processes to encourage the community to contribute</td>
<td>The community was not involved in the development of the community outcomes processes, but did provide feedback on the draft community outcomes</td>
</tr>
<tr>
<td>Identify community outcomes for the intermediate and long-term future of the district or region.</td>
<td>Identified six community outcomes and sub-outcomes for Westland District Council (see Appendix Two)</td>
</tr>
<tr>
<td>Long-term focus for the decisions and activities of the local authority</td>
<td>One councillor reported using community outcomes as a high level guide in decision-making. Linked to council’s activities in the LTCCP (See Appendix Three)</td>
</tr>
<tr>
<td>Guide priorities for activities undertaken by local authorities and other organisation.</td>
<td>Request for community outcomes in proposals from central government agencies (eg Ministry of Health’s funding application to improve water quality)</td>
</tr>
<tr>
<td>Community having ownership of the identified outcomes.</td>
<td>Little evidence of community or stakeholder awareness of the outcomes. Consequently, there was no evidence of community or stakeholders using or incorporating the outcomes into their strategic direction or planning</td>
</tr>
<tr>
<td>Greater accountability between local authorities and their communities.</td>
<td>Too early to comment</td>
</tr>
<tr>
<td>Promote better co-ordination and application of community resources.</td>
<td>Too early to comment</td>
</tr>
</tbody>
</table>

58. The table above highlights Westland District Council’s use of a minimalist approach in meeting the requirements of the Act around community outcomes.
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.6

Westland District Council LTCCP - response to the legislation

59. Westland District Council’s response to the development of the LTCCP reflects their preferred minimalist approach. It appears that the council underestimated the amount of time required to complete the LTCCP. What the council anticipated would take around three months in reality (including the audit process) took nine months.

60. The Westland District Council had hoped to tailor the LTCCP to create a simple document that was reflective of and accessible to the community. However, the audit process did not appear to be able to accommodate this more minimalist approach. It should be noted that the OAG has informed DIA that an independent review of the draft LTCCP found it did not meet the Act’s minimum requirements. This further compounded time pressures. The Westland District Council completed their first full audited LTCCP on 29 August 2006.

Westland District Council’s LTCCP development process

61. The Westland District Council commenced development of their first full LTCCP in early 2005. A new position of the Manager Finance and Policy was established in order to produce the LTCCP, another staff member was later hired to support this person to develop the LTCCP.

62. The Manager Finance and Policy was responsible for developing both the community outcomes and the LTCCP. Due to staffing constraints, Westland District Council resolved to use a pre-prepared external reporting framework sourced from MWH Ltd. This framework outlined the rationale, goal, overall levels of service, finances and standard information required for a standard LTCCP.

63. The LTCCP was populated from existing activity and asset management plans. One council manager explained, that the manager responsible for an activity (e.g. roads) reviewed the structure and activities following “a tried and trusted approach”. The manager would also take into consideration existing contracts and changes to existing service levels and payments. Westland District Council’s activities and service levels were then placed into the LTCCP framework, with each activity area reviewed by the manager responsible.

64. In preparing the LTCCP the council concentrated “on the basics as we have a small rating base”. The focus on developing activity and asset management plans and associated service levels was particularly on getting the first three years of the LTCCP correct. Once the service levels were developed they were linked back to the community outcomes. A grid matrix was used in the LTCCP to demonstrate the community outcomes to which the council activities contribute (Appendix Three).

65. Councillors were not involved in the development of the draft LTCCP, although they were kept informed during the process.

**LTCCP consultation process**

66. As required by the Act, Westland District Council consulted on their LTCCP. It used the following methods:

- A summary document and submission form was distributed to all residents in the regional Messenger newspaper in the first week of July 2006
- 24 stakeholders, identified through the community outcomes process, were contacted and informed of the LTCCP’s availability and invited to make a submission
- An interactive CD of the draft LTCCP was developed, its availability was advertised on the council’s website, and those wanting a copy had to call the Council and request a copy be sent out
- Information about the LTCCP was advertised in local media.

67. The council received around 150 submissions during the formal consultation period. Council officers commented these were “from the usual submitters” and tended to be on what people personally wanted, rather than giving feedback on the content of the LTCCP.

68. Council officers had one week to collate the responses. Each submission was acknowledged and submitters were invited to speak to their submission at Council. In August 2006, the council considered each submission and heard those who wished to speak. On completion, each submitter received a standard letter on what was decided.

69. As the Act requires, Westland District Council’s completed LTCCP presents the council’s future direction for the district. This includes council’s community outcomes, ten-year financial forecasts, proposed levels of service, and summarised information on council’s activities. Westland District Council’s LTCCP was adopted in August 2006. Information on the levels of service in the LTCCP are reported to the Council each month.

70. The final LTCCP is available on their councils website and on a CD version available from the council. The CD was developed to minimise the cost and environmental impact of printing numerous copies of this 350 page document. Council officers said that Audit New Zealand had initially criticised this approach – because it was judged that with no physical copies being printed it would not be accessible to all of the general public as required by the Act.

**LTCCP benefits**

71. Council officers were initially very critical of the process needed to develop the LTCCP. However when prompted, council officers and councillors acknowledged that the LTCCP is gaining greater importance, particularly around improved future planning, council prioritisation and transparency.

**Future planning**

72. Council officers and councillors considered that the long-term view promoted by the LTCCP was helpful for planning future project borrowing and understanding associated rate impacts. Council officers also
noted that the LTCCP provides them with focus, and it was a useful way for both officers and councillors to check that the council is on track. An officer noted that the LTCCP helps avoid “knee-jerk reactions” and helps to protect the future.

73. The LTCCP was seen to link to other revenue and finance documents\(^7\) as well the council’s Annual Plan, and Operational Plan. The presence of the LTCCP has made the preparation of the Annual Plan much easier for the council. Estimates in the LTCCP have helped informed the rate strike and the work plan that is subsequently detailed in the Annual Plan.

Prioritisation

74. Council officers and councillors reported that the LTCCP is also a useful prioritisation tool and that it acts as a reference point when they are considering new initiatives. As one councillor noted, they have to “check their wish list” against what the LTCCP says they have planned to do. A council officer felt that it also gives council the ability to say no to new requests not mentioned in the LTCCP, although the councillor commented this could result in innovative ideas not being given due consideration.

Transparency

75. Council officers felt the LTCCP is a useful document for the community as it provides increased transparency and accountability about what council is planning to do over the next ten years. Council officers also noted it was especially beneficial for council contractors, as it alerts them on upcoming major works. In contrast, other council officers were critical that central government processes do not offer the same level of certainty (e.g. a central government safer community project only offered short-term funding and there was no long-term commitment to the project).

76. Community stakeholders tended not to have a high awareness and knowledge about the LTCCP. Consequently, they were not able to identify any specific benefits.

LTCCP issues

77. Council officers and councillors were generally critical of the LTCCP process in relation to the time consuming development and expense in relation to the lack of a perceived benefit to council.

Cost

78. Council officers acknowledged that they underestimated the amount of work involved, and the level of resources required to develop the LTCCP. The LTCCP was estimated by participants to have cost Westland District Council around 10% of its rate take. It also took almost six months longer than estimated to complete, and as such it placed a “huge burden” on staff to complete in addition to of their day-to-day activities. New staff also had to be hired.

Audit processes

79. Council officers were particularly critical about the audit requirements for the LTCCP. Audit was perceived by the council to have proscribed the type of LTCCP the council eventually adopted. The council wanted to develop a more minimalistic and community accessible LTCCP. Audit processes were therefore seen to have slowed the development of the final LTCCP.

80. Council officers also perceived that the audit requirements were inconsistently applied across New Zealand. Officers felt that councils who had developed their LTCPP first got away with having to provide less information, however as more councils were audited they considered that the bar was raised in terms of the information required. Council officers claimed that the final cost for audit was triple the amount initially quoted to the council and, following negotiations with the auditors, the council was able to negotiate a lower fee.

\(^7\) An LTCCP must include copies of a council’s revenue and finance policy and be assembled in accordance with that policy.
81. The OAG informs the Department on Internal Affairs that no council was charged above the originally quoted fee agreed at the beginning of their LTCCP audit process (in the case of Westland this was $29,000). The OAG noted that the actual cost of the audit of the Westland LTCCP was $85,000. The excess above the original quote was borne by central government through the OAG, as it was for all of the 2006 LTCCP audits that incurred costs greater than their original quote.

**Lack of clear benefit**

82. Some council officers commented that they consider the LTCCP to have had minimal benefits for the council. An officer noted that it has not given the council anything more than they already had in their existing asset management and activity plans, and that it was simply a compliance document, “a bureaucratic exercise”. Another officer noted they were not sure what value it offered apart from it being needed to meet statutory requirements.

83. One stakeholder felt the LTCCP was also a challenge to understand. This stakeholder commented the LTCCP does not appear to be linked to any other council documents, and it does not appear to have been integrated into council’s planning framework.

**Community involvement in consultation**

84. Council officers felt that the community were not deeply interested in the consultation for the draft LTCCP. An officer commented that they considered the consultation process had “wasted weeks” and resulted in few submissions. Council officers noted that it is difficult to engage with the community unless there is a significant change involved, such as a shift in the level of service, building a stadium or town hall, or changes to the library. Council officers noted that they did have increased interest from Non-Government Organisations and central government, although the reason for this increased interest was unknown.

85. Only one stakeholder was aware of the LTCCP consultation process, which they felt was very formal. They also commented on the lack of awareness among the general public of the draft LTCCP process and how they could be involved. This stakeholder also felt the feedback received from council on submissions made also tended to be cryptic, and it did not include an explanation as to why a decision was made.

**Impact and future of the LTCCP**

86. While overall council officers and councillors did not seem to report that the LTCCP had any significant impacts, an officer did note that the LTCCP is gaining importance all the time, particularly as staff and councillors start to understand that “if it’s not in the LTCCP they can’t do it.”

87. In the future, council officers would like to increase community involvement through more accessible and meaningful presentation of the LTCCP, and to start the process earlier.

88. Stakeholders interviewed were not aware of any changes as a result of the LTCCP. One stakeholder commented the LTCCP does not seem to have had an impact on council’s long-term strategy, as in their opinion council planning remains “ad-hoc and reactive”.

**Westland District Council LTCCP against legislative intent**

89. The table below summarises the legislative intent of the Act regarding the LTCCP and Westland District Council’s implementation of that requirements. This table refers to the 2006 - 16 LTCCP prepared by Westland District Council, which was the first full LTCCP required under the new Act.

<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>Westland District Council response</th>
</tr>
</thead>
<tbody>
<tr>
<td>LTCCP describes Community Outcomes and shows local authorities contribution to them</td>
<td>The LTCCP maps the community outcomes against the council’s activities; clearly depicting the council’s contribution</td>
</tr>
<tr>
<td>Legislative intent</td>
<td>Westland District Council response</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>“Wider community” is consulted on the LTCCP</td>
<td>Westland District Council consulted on the LTCCP using the SCP, and an interactive CD</td>
</tr>
<tr>
<td>LTCCP is auditable and meets important financial reporting requirements.</td>
<td>The LTCCP has been audited and presents “a reasonable basis for long term integrated decision-making by the District Council”. ⁸</td>
</tr>
</tbody>
</table>

90. In summary, Westland District Council’s LTCCP fulfils the requirements of the Act. Internally, the LTCCP is gaining more support as an important document to guide council’s future planning and to ensure transparency. However, stakeholders interviewed had little awareness or understanding of its role, or perceived the council’s activities were more reactive than based on the LTCCP.

## 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).

⁸ Reference see [http://district-plan.westland.govt.nz/LTCCP/plan_content/section1/audit.html](http://district-plan.westland.govt.nz/LTCCP/plan_content/section1/audit.html)
Westland District Council approach to decision-making

91. Council officers were aware of the approach to decision-making under the Act and felt they will “work through this process”. As required by the Act, the Council has developed a Policy on Significance.

92. Council officers and councillors noted that they primarily use the Annual Plan consultation rounds to consider new initiatives not detailed in the LTCCP, as the document spells out all the council’s planned activities. This approach is perceived as avoiding the expense of triggering additional special consultative procedure (SCP) for an LTCCP amendment outside of the Annual Plan consultation process. Both council officers and councillors acknowledged that this approach does create delays in decision-making as decisions may not be consulted on until an Annual Plan process is started.

93. An example of council applying what they considered to be the Act’s prescribed process for decision-making was illustrated by the current review of recreation and entertainment facilities throughout the district, a project that was signaled in the LTCCP. The purpose of the review is to identify where best to invest future resources of this type throughout the district. To date, an external consultant had been employed to identify all the existing facilities and their current usage. The mayor and the consultant had subsequently engaged with affected people who run and use the facilities through a series of community workshops. The council’s draft 2008/09 Annual Plan identified two proposals for public consultation.

94. Council officers felt this process had met the Act’s decision-making requirements, and as such it will result in a robust and fair decision for the district. One stakeholder interviewed was less positive as they felt that decision-making processes were secretive and occurred “in a vacuum”, that all options were not being considered, and that the results were seen to be predetermined.

Community engagement in the decision-making process

95. Council officers and councillors felt they consulted with the community as appropriate and responded to requests for community engagement. They also felt that, although they undertake formal consultation through the Annual Plan process, much of their engagement is in essence informal as “the community know us”.

96. One officer interviewed noted that there appeared to be increased activity among community groups. However, the officer also commented that this was due primarily to the actions of the previous Mayor in setting up a community service area in the council, rather than anything related to the implementation of the Act.

97. A councillor interviewed noted that the community has influenced council’s decision-making. This view was also reflected by a community stakeholder, who stated that the council listens to numbers and has made changes as a result. However, such a process for change was difficult, as the affected community members had to put in huge hours to create change.

98. For this stakeholder, the current council decision-making process was not as inclusive of the community, as previously. In the past, the council used to inform the community when the annual planning process was to commence, and requested them to put forward their suggested proposals and any other projects for consideration. A planning workshop was then held where suggested projects put forward by councillors, council officers and the community were considered together. Projects were then selected and put into the draft annual plan for wider community consultation. The current planning and decision-making process was seen to miss out this first step of awareness and invitation to submit potential plans at an early stage. As a result, this stakeholder felt the community has now been put into a more reactive situation, as by the time the draft Annual Plan is out it is simply too late for a new project to be considered.

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*Quoted/paraphrased from the “Strategy for Evaluating Local Government”, Department of Internal Affairs, 2005, pages 9-10.*
99. In contrast, another stakeholder considered they had strong links to council and had experienced lots of informal communication with the council. This stakeholder noted the belief in representative democracy reflected that the council takes a “good cautious approach to decision-making and we vote the council in and we trust them.”

100. Westland District Council is aware of the Act’s principles and requirements to facilitate participation by Māori in local authority decision-making. Westland District Council’s policy on consultation with Māori is reported in the LTCCP. The policy states that “council will endeavour to recognise the Crown’s responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes”. It also states that “council is committed to acknowledging the unique perspectives of Māori as Papatipu Rūnanga and is further committed to ongoing dialogue in developing processes to facilitate such activities”.

101. Council officers believe they have a good relationship and close interaction with Māori, in essence “an open door policy”. As already noted, the Rūnanga does not have a special seat on council or a special committee. The Westland District Council acknowledged they were not actively building Māori capacity.

**Decision-making in the new Act – Benefits**

102. Many council officers interviewed, reflected that due to limited finances the council already undertakes a cautious decision-making approach they consider to be implied by the Act. As most council officers perceived this decision-making process to be their business-as-usual, they were not able to identify any specific benefits arising from the decision-making provisions of the Act.

**Decision-making in the new Act – Issues**

103. A few issues were raised in relation to decision-making, specifically the lack of community engagement and ad-hoc approach.

**Lack of community engagement**

104. Issues raised by council officers were primarily around community engagement in decision-making. Council officers noted that they do not have enough staff to undertake extensive engagement and that in their view, in general “the public don’t want it”. An officer considered that people just want the council to “get on with their job”, this officer also felt the Act assumed that there is ‘a community’, but that in reality community groups are often diametrically opposed and that the process of engagement can lead to “a lot of people being unhappy”.

105. Council officers and councillors also felt that another downside to consultation was increased expectations from the community, specifically that community groups assume that if council has sought their input it will then act on their feedback. The latter may reflect confusion by some community groups on the role of consultation in the decision-making process.

**Ad-hoc approach**

106. One stakeholder considered there were significant issues with the council’s decision-making. However, it was difficult to ascertain whether these were a result of the Act. This stakeholder felt the council had a very ad-hoc approach, and that it was not using the LTCCP or provisions for its review to build a coherent and long-term strategy for Westland. This stakeholder also felt the council did not provide information in plain English, easily understandable financial information, and felt they did not properly notify the community of its decisions or the reasons for them. Overall this stakeholder strongly felt there is a lack of community involvement in decision-making which results in the community being very reactive. This stakeholder noted that the community has often lobbied and fought the council over certain issues and this created a lot of unnecessary work and angst.
Impacts of the new Act on decision-making

107. Council officers noted that while in general it is still "business as usual", the Act has changed the council decision-making process. Amongst council officers, views were divided as to whether the Act had also created a positive change in terms of community involvement in decision-making. One officer noted that it has changed the "character of consultation" while another felt it had made no difference. Both council officers and councillors noted that the Act has resulted in council holding back decisions until Annual Plan consultation rounds so as to avoid triggering LTCCP amendment process SCP, and that this had subsequently delayed decision-making.

108. One stakeholder noted that the Act could have a positive impact on council's decision-making, if the LTCCP was properly aligned to the district's needs and more closely linked to Council's Annual Plan.

Westland District Council decision-making against legislative intent

109. 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 offer some feedback on.

<table>
<thead>
<tr>
<th>Legislative intent</th>
<th>Westland District Council response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve community involvement in council decision-making</td>
<td>No change in community involvement (one stakeholder felt it had got worse)</td>
</tr>
<tr>
<td>Council decisions will be more strategic (including a longer-term focus) in nature</td>
<td>Decision-making was focused on new activities noted in the LTCCP</td>
</tr>
<tr>
<td></td>
<td>Unable to assess whether decisions were more strategic and long-term</td>
</tr>
<tr>
<td>Involve Māori in decision-making and help develop Māori capacity to contribute to</td>
<td>Council have an open door policy for Rūnanga, and invite and welcome their input into decisions,</td>
</tr>
<tr>
<td>council decisions</td>
<td>but no formal processes are in place to gain their participation</td>
</tr>
<tr>
<td></td>
<td>Council has no identified strategies to develop Māori capacity</td>
</tr>
</tbody>
</table>

110. In summary, Westland District Council's decision-making focused on activities arising from the LTCCP and were consulted on through their Annual Plan process. Community stakeholders had mixed opinions on the level of their inclusion in the decision-making process.
Conclusions

In general

111. Westland District Council is a small council with limited resources. The development of the community outcomes and the LTCCP was therefore a significant undertaking for them, one that placed significant burden in relation to cost and staff. They have therefore tended to have taken a cautious and more minimalistic approach.

112. While noting some benefits of the community outcomes and LTCCP, participants did not generally believe the Act had significantly changed the way council operated. Westland District Council is committed to complying with the Act in a way that mirrors their size and philosophy.

Community Outcomes

113. Due to limited time and resources, Westland District Council took what they consider to be a minimalist approach to developing the community outcomes. The community outcomes were initially developed by council officers in collaboration with staff from the West Coast Regional Council and Buller District Council. The community was then consulted on the draft community outcomes. By and large they were in favour of the community outcomes statements produced.

114. Stakeholders were generally unaware of the community outcomes. Consequently there did not appear to be any community ownership of the outcomes.

115. Given their high level nature, development cost and community confusion about their role in decision-making, council officers and councillors were somewhat unconvinced about the value of the community outcomes. Over time they may increase value as they are better understood and linked to council work as a high-level guide in decision-making.

LTCCP

116. Westland District Council used a ready made framework to prepare their LTCCP. Participants felt that audit requirements prevented them from developing their LTCCP in-line with their preferred [minimalist] approach.

117. Council officers were initially critical of the LTCCP process due to cost, issues with audit and perceived lack of community engagement. When prompted, they acknowledged the LTCCP was gaining greater importance as a way to improve future planning, council prioritisation and transparency and accountability to the community. Council officers want to make the LTCCP more accessible and meaningful to their community in the future. Overall, stakeholders did not seem to be aware of the LTCCP.

Decision-making

118. Council officers were aware of and used the new Act’s decision-making guidelines. Due to cost implications, Westland District Council avoid making LTCCP amendments as they are perceived to require costly consultation and auditing, and tends to hold back decisions on major items so they can be included in the mandatory Annual Plan consultation process. This is seen to delay decision-making.

119. Council officers and councillors believed they consult as appropriate with their communities, and that in general their community does not want extensive engagement. Informal engagement was an important part of council’s decision-making process. Stakeholders have mixed views as to the success of this approach. While one stakeholder felt they have a good relationship with council, another strongly felt that the community was not involved in council’s decision-making process.
Appendix One: Key Stakeholders Invited to Participate in the Development of the Community Outcomes

Westland sought to consult with the following key stakeholders through their initial development of the community outcomes. 16 out of the 24 stakeholders contributed to the consultation.

- Ross Community Association
- Fox Glacier Community Council
- Franz Josef Community Council
- Glacier Country Tourism Group
- Haast Promotions Group
- Harihari Community Association
- Enterprise Hokitika
- Okarito Community Association
- Whataroa Community Association
- Kumara Community Association
- Blue Spur.Com
- Westland Arts Development Group

- Heritage Hokitika
- Te Rūnanga O Makaawhio
- Te Rūnanga Ngati Waewae
- NZ Police Superintendent
- Transit New Zealand Community and Public Health (West Coast)
- New Zealand Historic Places Trust
- Ministry of Social Development
- Heritage West Coast Steering Committee
- Work & Income Nelson
- Maritime Safety Authority
- Buller District Council and Grey District Council
- Grey Power Hokitika

10 http://district-plan.westland.govt.nz/LTCCP/plan_content/section1/outcomes.html
Appendix Two: Westland’s Six Community Outcomes

1. Healthy communities with access to quality facilities and services.

2. A region that values and supports learning with accessible, relevant education and training opportunities.

3. A region that is a safe place to live.

4. A thriving, resilient and innovative economy creating opportunities for growth and development.

5. The distinctive character of the environment is appreciated and retained.

6. A “happening” region with strong community spirit and distinctive lifestyle.

Reference see http://district-plan.westland.govt.nz/LTCCP/plan_content/section1/outcomes.html
### Appendix Three: Westland’s Activity Relationships to Community Outcomes

| Community outcomes that the activity primarily contributes to: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 1. Health: Healthy communities with access to quality facilities and services. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| ▪ Opportunities for participation in recreational, sporting and leisure activities. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. Education: A region that values and supports learning with accessible, relevant education and training opportunities. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| ▪ Opportunities for participation in arts, culture and heritage activities. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. Safety: A region that is a safe place to live. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 4. Economy: A thriving, resilient and innovative economy creating opportunities for growth and employment. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| ▪ Services and infrastructure systems to support economic growth and development. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5. Environment: The distinctive character of the environment is appreciated and retained. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 6. Identity: A happening region with a strong community spirit and distinctive lifestyle. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| ▪ Accessible leaders working together. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ▪ Opportunities for all to contribute to and participate in decision-making affecting Westland District. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

**KEY:**

1. Animal Control  
2. Civil Defence  
3. Resource Management  
4. Inspections and Compliance  
5. Community Township Planning  
6. Environment  
7. Identity  
8. Health  
9. Education  
10. Economy  
11. Events Management  
12. Community Halls and Buildings  
13. Hokitika Heritage Trails  
14. Parks and Reserves  
15. Land and Buildings  
16. Transport  
17. Water Supply  
18. Waste Water  
19. Stormwater  
20. Council Controlled Organisations

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<tr>
<td>9. Visitor Information Centre</td>
<td>19. Elderly Housing</td>
<td></td>
</tr>
<tr>
<td>10. Westland District Safer Community Council</td>
<td>20. Governance</td>
<td></td>
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