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Deliberative Democracy:
**Developing Best Practice in Territorial
Local Authorities**

A thesis presented in partial fulfilment of the requirements for the degree of
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Barbara Jill MacLennan

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Abstract

This thesis explores current practices used by territorial local authorities in Aotearoa/New Zealand to involve citizens in deliberation. It has been written in response to the call from other researchers into local governance and consultation, for the development of more participatory processes and a more deliberative democracy.

Drawing on research data, the thesis establishes a national baseline about the deliberative processes currently used by territorial local authorities and the issues they identify. These are further examined through four case studies. The concepts emerging are presented as a draft set of best practice guidelines, as a contribution to improving democratic processes in local government and indeed throughout the public sector.

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List of Abbreviations

ANZAC	Australian and New Zealand Army Corps
CEO	Chief Executive Officer
LGNZ	Local Government New Zealand
LTFS	Long Term Financial Strategy
MMP	Mixed Member Proportional
RMA	Resource Management Act
RDC	Rotorua District Council
S	Section
SOLGM	Society of Local Government Managers
TLA	Territorial Local Authority
UK	United Kingdom

List of Tables

Table 1: Frequency of use of particular deliberative processes by TLAs	32
Table 2: Patterns of use of deliberative processes by departments within council	35
Table 3a: Issues which focus groups addressed	37
Table 3b: Issues which citizens' advisory groups addressed	38
Table 3c: Issues which stakeholder/key interest forums addressed	38-39
Table 3d: Issues which community planning tools addressed	39
Table 3e: Issues which mediation/negotiation processes addressed	40
Table 4: Tally Table: Context of issue by deliberative process used in showcased examples	40
Table 5: Tally Table: Numbers involved by type of process/s used	43
Table 6: TLA motives compared to perception of outcomes	46

Table of Contents

Abstract	ii
Acknowledgements	iii
List of Abbreviations	iv
List of Tables	v
Table of Contents	vi
Chapter One: Introduction	1
Overview of the research focus	1
Deliberative democracy	2
The fieldwork	9
The format of the thesis	10
Conclusion	10
Chapter Two: Literature Review and Theoretical Influences	
Introduction	11
The nature of voice in democracy	11
Core principles of deliberation	12
Government and governance: location vs objectivity	13
Appropriate application of processes	14
The debates about citizenship	15
Different forms of citizen participation	16
Social capital	16
Deliberation, a participatory technique, or a decision-making process	17
Conclusion	18
Chapter Three: Methodology	19
Introduction	19
The questionnaire	19
The case studies	24
Best practice guidelines	27

Ethical considerations with respect to the research methodology	27
Conclusion	29
Chapter Four: Questionnaire Results	30
Introduction	30
Part One: TLA details	30
Part Two: TLA use of particular deliberative processes	31
Part Three: Examples of TLA use of deliberative processes	35
Conclusion	48
Chapter Five: Case Study Results	50
Introduction	50
Kawerau District Council Case Study: Focus Groups	51
Rotorua District Council Case Study: Mediation and Negotiation	57
Taupo District Council Case Study: Key Stakeholder Group	63
Western Bay of Plenty District Council Case Study: Community Planning Processes	69
Conclusion	75
Chapter Six: Best Practice Guidelines Emerging	77
Introduction	77
Best practice guidelines emerging	77
Conclusion	89
Chapter Seven: Discussion and concluding comments	91
Introduction	91
Reflections on the research	94

Appendices

Appendix One: Questionnaire to TLAs	97
Appendix Two: Interim Summary of Data Results	107
Appendix Three: Case Study Interview Question Sample	113
Appendix Four: Respondent Number of TLAs	114
Appendix Five: Consent Request for Case Study Sample	115
Appendix Six: Issues addressed and outcomes reported by TLAs	116
Appendix Seven: Case Study Documents Analysed	120

Bibliography	121
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Chapter One: Introduction

Overview of the research focus

The last twelve years of the twentieth century witnessed significant local government reform in Aotearoa/New Zealand. One of the core objectives underlying the 1989 changes to the legislation empowering local government was to enhance democracy through greater public participation (Bush, 1996, 216; Cheyne, 1999, 224). Since that time, both internationally and in this country, a large body of knowledge and interest has developed which, recognising the shortcomings of statutory requirements for consultation, focuses on the potential use of deliberative processes to improve the quality of decision-making in local government. As the thesis discusses, these processes are advocated as vital to the resurgence of public participation in local democracy because they emphasise the importance of face-to-face discussion and debate among citizens as a feature of decision-making.

To date, research studies into the effectiveness of local and regional authority communication with citizens have tended to concentrate on annual planning processes and the extent to which they meet the requirements of the legislation (Searle, 1995; Cheyne, 1997; Javison, 1997; Nash, 1998). This research focuses instead on the effort made by territorial local authorities to involve citizens in deliberative processes. It seeks to make progress on the recommendations of other researchers, particularly those of Cheyne (1997) and Bostwick (1999b) who emphasised the need for the development of additional participatory mechanisms to foster deliberative democracy in local government decision-making.

Recommendations from previous research for future action include the need for local and regional authorities to develop more effective and authentic consultation and participation. Cheyne concluded that:

...the traditional forms of representative democracy need to be supplemented and complemented with deliberative techniques and more participatory processes. This is especially critical with the increasing tendency for the public sector, including local government, to engage in strategic management. The legitimacy of government is enhanced when citizens have an opportunity to shape decision-making through deliberating on policy options. Moreover, often

citizens can contribute information that assists the decision-making process. (Cheyne 1997, p321)

Recent advances in information technology which potentially increase access to information by the general population, and the recognition of difference among and within communities have combined to create growing expectations among citizens that they will have an active role in decision-making. Local government in Aotearoa/ New Zealand is striving to improve and develop techniques beyond consultation to meet these new demands. For many territorial local authorities the benefits of active citizen involvement in deliberative processes have been recognised.

This study explores current territorial local authority practices as seen from the viewpoint of management and staff. It examines the ways in which territorial local authorities are currently making use of deliberative processes to involve citizens, and the outcomes and issues which arise from their perspective.

The thesis begins by introducing the key concepts connected with the research, and discussing some recent trends in thinking about democracy in local authority decision-making in Aotearoa/New Zealand and overseas. It outlines the growing demand for more citizen participation, and briefly discusses previous research into the progress of new strategies. Theoretical influences on the research focus and processes are outlined, and the particular methodology is described. Following this, the outcomes of the research are presented. A set of emerging best practices are presented, as a practical contribution to advancing the use of deliberative processes within territorial local authority decision-making. The thesis concludes with some reflections about the research, and comments regarding areas for further work.

Deliberative democracy

The potential of deliberative processes is a subject of widespread interest at the turn of the twenty-first century. Deliberative processes are becoming recognised and promoted as one way of “overcoming the fundamental shortcomings of modern liberal democracy, especially at a local level” (Bostwick 1999b, 3). Participatory processes, according to Hayward, are a range of ways which enable the public to become involved in decision-making, and through which “people define themselves as

citizens, [and] become more educated about collective problems and the value of democratic principles” (Hayward, 1997, 411). On a broad scale, participatory processes may include surveys or questionnaires, or public meetings for consultative purposes. This thesis is focussed on a narrower range of participatory processes, where citizens are brought together for the purposes of discussion and deliberation. Examples of such processes used for this purpose by local authorities in Aotearoa/New Zealand include focus groups, mediation and negotiation, citizens’ juries and community planning tools such as participatory appraisal and charettes. As the thesis elaborates, these processes are valued because they overcome some of the shortcomings of liberal representative democracy by generating the potential to problem-solve collectively, and to include otherwise disenfranchised voices in decision-making.

The following are a range of dictionary definitions.

Deliberate – *v.t.* to consider the reasons for and against, to weigh in the mind; to discuss: *v.i* to consider carefully, to take counsel; to hesitate: *intr.* To take careful thought; reflect. *adj.* Careful and slow in deciding or determining.

Deliberative – *adj.* 1. Assembled or organised for deliberation or debate. 2. Formal discussion and debate on all sides of an issue.

Deliberation *n.* the act of carefully considering.¹

Common elements of dictionary definitions of deliberation include the taking of time to come to a decision, reflection, care, consideration of all points of view, and discussion. This thesis focuses on deliberative processes used within decision-making contexts of public organisations, and the key element is the involvement of citizens. In a practical context deliberative processes are those which bring people together into an environment conducive to taking time to considering together the question/s at hand in the light of relevant information. While, in a world of increasing electronic communication deliberative processes may be managed through non-contact media, the emphasis of this study is on face to face deliberation.

Deliberation is a participatory process, and may be used as a consultative method. As the study discusses, deliberative processes have been advanced as an important tool in improving participatory democracy at local levels. This study is intended to contribute

¹ Chambers Everyday Dictionary, 1975, p183 and Collins English Dictionary, 1989, p380

to knowledge of current local authority practices in using deliberation, and to explore any emerging best practice concepts.

Bostwick (1999b, 44-45) advances three reasons for local government use of deliberative processes. The first is that deliberative processes promote better citizenship. He contends that if people are active in local decision-making they will identify more strongly with their community and will be more willing to help find solutions to local problems. Bostwick also mentions the “self development” or “self transformation” concept advocated by some deliberative theorists. The concept here is that by engaging with other people and other perspectives, and struggling to find acceptable solutions, individuals develop personally, and are transformed through the process.²

The second reason identified by Bostwick is that deliberative processes can lead to greater legitimacy of local decision-making and public ‘buy-in’, thereby reducing the likelihood of revisiting and relitigating contentious decisions. Revisiting decisions because of citizen dissatisfaction often proves costly both in resources (time and money) and in political credibility.

Third, Bostwick suggests that deliberative processes which involve local people may lead to “intrinsically *better* decisions” (ibid, 6). Decisions that have taken into account a wide range of views, opinions and knowledge are more likely to be acceptable than ‘expert’ decision-making. As Bostwick says,

.... public policy-making is littered with expertly planned, centrally-directed projects which failed because local needs and circumstances were not taken properly into account. (ibid, 6).

While democratic governance at the level of local communities, such as through elected councils, is an intended feature of our system of government, there would appear to be room for improvement in processes for involving local people in decision-making.

² For further discussion see Cheyne, 1999, p220-221

Shortcomings of representative democracy

During the twentieth century views about the acceptable levels of individual influence on democracy have been rapidly evolving. Provincial government was established in Aotearoa/New Zealand in 1852. Heavily dominated by landowners through the democratic property franchise, it was abolished only twenty-four years later in 1876 and gradually replaced over the next century by over five hundred elected local government organisations (Sinclair, 1991, 325). These were reformed in late 1989, resulting in the current territorial and regional authorities whose councillors are directly elected triennially by their constituent publics.

This study concerns pressure for the transformation of local democracy from a representative to a more participatory form. During the second half of the twentieth century world-wide social movements such as anti-racism and feminism challenged the notion of representative democracy, and created new concepts of the 'fair' distribution of power and influence (Stewart, 1996, 29-30). In Aotearoa/New Zealand around half of the eligible population has taken the opportunity to vote in the past three local body elections. Those standing and elected over-represent the male white/pakeha middle class portion of the general voting population, with women and Maori significantly under-represented (Bostwick 1999b, 23-37; Drage, 1999, 195; Hayward, 1999, 182-194). Low electoral participation and under-representation of key sectors of the population is a concern for many politicians, policy-makers and democratic theorists.

The question of how to foster meaningful citizen participation in local authority decision-making is central to this study. Given that other researchers have explored the shortcomings of existing representative and consultative processes to engage local people in local decision-making, this study explores the potential of deliberative processes to achieve greater legitimacy of decision-making in local authority settings. It assumes that such an endeavour must begin by understanding the current state of practice.

Early in 1999 the Department of Internal Affairs released a discussion document *Local Government - Scenarios for Local Government to 2010* for comment by communities

It identified two inherent tensions at the centre of determining the place of local government in the future:

The first is a widespread adoption of modern and professional management practices, systems of corporate and financial planning, and the recruitment of high quality management. The second is a considerable extension of consultation processes within the community....There are some tensions between the two approaches.... The pressures for efficiency in service delivery which promote modern management practices will continue, and the demands of the community to participate in local authority decision-making will, if anything, increase... (Department of Internal Affairs, 1999, 9).

As indicated above, local authorities have undergone transition in recent years within the context of public sector restructuring motivated by new public management philosophies (Boston, Martin, Pallot and Walsh, 1996). Accompanying the reshaping of local and regional government were the strengthened conditions introduced to the Local Government Act 1974 as amended in 1989³. These require local authorities to implement a statutory consultative procedure to be undertaken with local communities as part of the development of annual plans. The quality and impact of the implementation of those requirements by both regional and territorial local government have been studied by a range of New Zealand researchers, including particularly Javison (1994), Searle (1995), Boston et al (1996), Cheyne (1997), Hayward (1997), Nash (1998), Cousins (1999).

These writers draw three significant conclusions. First, they observe that local government has generally complied with the new legislation and has met the minimum requirements of the Act. Second, they present evidence that suggests that management and other staff, rather than elected Councillors, exert the strongest influence over the content of annual plans. Third they argue that the consultation requirements of the legislation provide a very limited window for deliberative democracy, noting that the requirements provide for public knowledge and comment on a limited range of options and information within the context of the Annual Plan. The writers recommend the need for territorial and regional authorities to apply such procedures to all major proposals, and to further develop participatory processes.

³ For further discussion see Cheyne, 1999, 210-212.

The implementation of the Local Government Amendment Act (No 3) 1996 continued the trend towards strategic management. This Act required local authorities to plan their financial directions ten years ahead. Implicit in the legislation is a requirement to consult with local communities on strategic directions as a basis for financial planning, using the consultative procedures laid down in section 716A of the Local Government Act 1974. A new wave of consultation with communities resulted, creating a further opportunity for local authorities to innovate with participatory democratic practices.

Community Governance

During 1996-7 it appeared that local government itself felt confident in its relationship with local communities. National research into the *Top Ten Issues for Local Government* (Local Government New Zealand, 1997)⁴ listed the local government relationship with central government as a “top” issue, while issues around community consultation and local representation were ranked by local government among the lowest of their thirty priorities. As indicated by that research local government was at that time expressing increasing concern that central government seemed to be assuming the right to direct local government, thereby potentially undermining the democratic principles which had created local choice on many issues.

The ‘central vs local’ debate was highlighted at the Community Governance Forum held in mid-1999 in Christchurch (Moore and Richardson, 1999) where the community leadership role of local government was reasserted. Hosted by the Councils of the Canterbury Region this national gathering of academics, and mayors, staff and councillors of local authorities, focussed on the future place of local government within the national context. Drawing on international experience from Britain and the USA, and on the wealth of experience from attending local authorities, a priority commitment by local government to local communities and local community development was reaffirmed, and strategies to limit further control by central government were discussed.

⁴ This research was carried out with members by Local Government New Zealand in 1996-7 in preparation for briefing the incoming first MMP government

The scope for improving relationships between local government and its various 'publics', or communities, was a key theme of this Conference. Vivian Hutchison, a keynote speaker active in employment creation and community development in Taranaki, put the role of local government in community-building centre-stage:

Community-building is the soul work of governance. It is about creating support and connection amidst a local and global landscape which is increasingly insecure and fragmented...it is here that we begin to acknowledge the truth of our interdependence with one another....I do believe that local government needs to 'walk the talk' right now in terms of the different leadership roles it can take – particularly in the way that it listens to people, and how it can bring groups together to better address our major public problems (Hutchison, 1999).

But, as stated by Christchurch Mayor Garry Moore on the closing day of the conference, "we as local government can only lead if our communities want to follow us!"⁵ The quality of relationships between citizens and local government is clearly a strong determinant of the capacity for effective community governance.

The Controller and Auditor-General (1998) also recently highlighted the challenges associated with an expanded role for public involvement in local authority decision-making in Aotearoa/New Zealand. In his recent report consideration was given to problems and current trends associated with implementation of the special consultative procedure outlined in section 716A of the Local Government Act. The report notes that the requirements of the Act are increasingly viewed by local authorities as the bottom line, or minimum standard reinforcing the findings of the research undertaken in 1995 by the Department of Internal Affairs (Searle, 1995). The Report also notes that extensive community consultation is regarded as good management practice by many local authorities, which recognise the value of involving local citizens in decision-making.

The *1999-2000 Workplan* of Local Government New Zealand prioritises "promoting local democracy" as one of its key objectives. This is based on a concern that "citizen, stakeholder and central government perceptions of local government demonstrate that local democracy is little understood or valued." Outcomes sought include "significantly improved understanding and support for local governance", and

“improved participation in local democracy” (Local Government New Zealand, 1999, 18). Strategies identified include exploring and promoting examples of good community governance.

It is noted that other public sector organisations are also active in the use and development of deliberative processes in Aotearoa/New Zealand and internationally, especially in the pursuit of more effective community ownership and direction to address the complex issues of the late twentieth and early twenty-first centuries. While the focus of this study is on local government, many of the issues arising may have relevance to a wider audience with an interest in the application of deliberative processes within community governance.

The seeds which directed the focus of the study were, therefore, threefold. The first was a recognition of the inadequacy of representative democracy within the context of contemporary local authority governance. The second was the recognition of the increasing tension in the ‘central vs local’ debate and an interest in the concept of enhancing community governance as a vital role for local government. The third; given the pointers provided especially by Cheyne (1997, 1999) and Bostwick (1999a, 1999b), was a desire to further advance the understanding of deliberative processes as currently used by local government within the context of decision-making.

The fieldwork

The thesis is concerned with practice. While national research had been carried out specifically about the use of the special consultative procedure required by legislation, there appeared to be a lack of information about the range or frequency with which deliberative processes involving citizens were being used throughout the country. Establishing this baseline of information was therefore one focus of the fieldwork. The second focus was, through inviting best practice ‘showcases’ from territorial local authority managers and staff, to gather more information about the deliberative processes being used, including the situations, methods and the outcomes of current practices, and the issues arising. Using this data, commonly used processes were

⁵ Verbatim Note from personal record of Conference Proceedings

selected and examined in more detail through case studies involving interviews and documentary analysis, with the purpose of drawing out any themes emerging with respect to best practice. This was the third focus of the fieldwork.

The format of the thesis

The following chapter discusses the major areas of literature that influenced the study, and the ways in which they shaped the development of the research process and questions. The research methodology is then described in Chapter Three, which outlines the three major stages of the research. The first stage was a self-return questionnaire, which was posted to all chief executive officers of territorial local authorities. The second stage was a series of four case studies chosen from examples of the deliberative processes showcased through the questionnaire. The research outcomes of these stages are presented in Chapters Four and Five.

Chapter Six discusses the final stage of the research: the development of best practice concepts. These were drawn from the analysis of themes emerging from the first two research stages and the theoretical background to the study. Chapter Seven incorporates concluding comments, reflections on the study and areas for further research.

Conclusion

This introductory chapter has set the scene for the thesis, covering the background to the research focus. The major concepts have been introduced, including the potential for deliberative processes to enrich democratic governance by involving citizens in decision-making within local government practice. The format of the thesis has been outlined, including a brief introduction to the role of the fieldwork within the thesis research.

The following chapter reviews the literature which has influenced this study. It discusses the major bodies of theory and the current debates within which the study is situated.

Chapter Two: Literature Review and Theoretical Influences

Introduction

The focus of this thesis on deliberative democracy and the contemporary interest in enhancing citizen participation is shaped by certain theoretical debates. The purpose of this chapter is to situate the present study in those debates, and to discuss how these bodies of theory relate to and are enriched by contemporary thinking in Aotearoa/New Zealand.

The nature of voice in democracy

The April Report of the Royal Commission of Social Policy, which culminated from eighteen months of research and consultation, established three main principles for future social policy in Aotearoa/New Zealand: “voice, choice and safe prospect.” The dimension of ‘voice’ as a working principle is the concern of this study. The following extract elaborates on the three principles:

Underlying it all ... is a uniquely New Zealand statement of the good society; it is one in which one had a say and a chance to determine one's own destiny, where there is opportunity to express a choice, but where in the end there is a sense of community responsibility and collective values that provide an environment of security. (Royal Commission on Social Policy, 1988, Volume 2, 454).

This statement captures some of the key components of the theoretical understanding of deliberation which underlies this study. It asserts the essential need for concurrent rights and opportunities, including the right to be individual, and the right to express preference, and it implies the need for opportunity to develop collective values and responsibilities.

The concept of deliberative democracy challenges the traditional liberal theories which underpinned the evolution of representative democratic structures such as Aotearoa/New Zealand's system of local government. Fishkin (1991, 1995), Dryzek (1990) and other deliberative democrats such as Bohmann and Rehg (1997) critique the liberal democratic view of politics as the aggregation of individual preferences. Individuals were assumed to know their interests, and to have equal ability to represent

them in democratic processes. In contrast, post-positivist advocates emphasise that people's preferences and interests are formed through the process of deliberation.

This notion opens a huge window of opportunity for governance, as it creates the potential for gatherings, groups, or communities of people re-define issues and to create new and different options or solutions to problems through deliberative processes. The concept of deliberative democracy also moves beyond the principles of utilitarianism, libertarianism and egalitarianism which, as Gutmann and Thompson (1996, 229) argue:

all imply that democratic decisions are justifiable only if they can be shown to be morally correct on principles determined independently of democratic deliberation....In deliberative democracy, by contrast, the search for justifiable answers takes place through arguments constrained by constitutional principles, which are in turn themselves developed through deliberation.

Core principles of deliberation

The term deliberation is often not popularly understood. It may mean different things to different people. The following discussion aims to clarify core components of deliberation. Gutmann and Thompson (ibid, 1) identify three core components of deliberation, which they consider to be the necessary process by which citizens and elected representatives reach mutually acceptable solutions to moral disagreements through reasoning together.

The first principle is that of reciprocity, which is linked closely to the simple concept of mutual respect. In the words of Rayner "democracy is about commitment: I will respect you if you will respect me" (1996, 9). This principle requires that participants can recognise that a position is worthy of moral respect even if they think it morally wrong.

The second principle described by Gutmann and Thompson is the principle of publicity and refers to access to full information from and by all parties involved in deliberation. They contend that (ibid, 95)

The reasons that officials and citizens give to justify political actions, and the information necessary to assess those reasons, should be public.

The third principle is the “scope of accountability” and can be extremely problematic. In a deliberative forum, argue Gutmann and Thompson, “each is accountable to all” (ibid, 128), which poses some problems within a representative democracy where “some deliberate for all” (ibid). A further problem for them concerns the issue that representatives are traditionally accountable to voters and supporters, while they argue that a deliberative democracy requires accountability to all.

Burns et al (1994, 282) also explore this concept of accountability. They assert that:

An adequate democratic project must centre itself upon a recognition of the need for a plurality of power bases, modes of expression and participatory forms – one in which the power of the political representative, and the potential for opportunism, both checks and is checked by the power of the “majority community”, with its potential for sectionalism, and both, in turn, check and are checked by the power of “minority communities”.

The practical relevance of these concepts to this study of contemporary deliberative processes is to investigate how and to what extent outcomes are checked with participants and with other interested parties. Of particular importance in Aotearoa/New Zealand are relationships with Iwi and Maori as tangata whenua.

Government and governance: location vs objectivity

The tensions between democratisation and new public management theories referred to in Chapter One also influence the orientation of the study. It is useful to distinguish between ‘governance’ and ‘government’.

Governance has to do with the institutions, processes and traditions for dealing with issues of public interest. It is concerned with how decisions are taken and with how citizens... are accorded voice in this process. The need for a concept of governance derives from the fact that today, government is widely perceived as an organisation...(Governance Co-operative, 1998, cited in McKinlay, 1999)

The thinking underlying the distinction made by McKinlay challenges the artificial separation of policy from practice, of policy-making from implementation, and of public management from leadership which had pervaded Western democratic

government structures. Within this view the notion of an objective civil or public servant is no longer viable. In the face of the forces of new managerialism, the increasing demand for public participation and the post-positivist assertion that practitioners (policy analysts and managers alike) are located within the discourse of change and development, the role of public sector managers becomes vital in the advancement of participatory democracy. As Thomas (1995, Introduction, x) observes:

Changes in society and governance as well as normative arguments for additional desirable changes have implied that public managers as well as other leaders in and out of government face a growing imperative to involve the public in making and implementing all manner of decisions.

These concepts are central to the orientation of the research undertaken for the current thesis. The potential of deliberation within democratic governance is in large part dependent on the knowledge, skills and attitudes of managers within the public sector.

Appropriate application of processes

Key questions in the current debates are those of when and how much public participation is required. Thomas (1995, Introduction, xiii) argues that public participation is not needed in all instances of decision-making. In his discussion Thomas raises the potential of negative consequences of inappropriate participation, and seeks to develop a model of when and how it is appropriate to involve citizens. He contends that “finding the line between too much and too little public participation represents the greatest challenge in public involvement” (ibid, 181).

One example of this issue has recently been examined by Bostwick (1999) with respect to the use of a citizens’ jury process by Wellington City Council. He found that while the jury process had extensive merits, and had been demonstrated internationally as a valuable deliberative strategy, its application in this particular instance was inappropriate. In his words:

It showed how legitimacy can be *lost* when deliberative processes are employed but ignored....the authors of a report on Wellington’s citizens’ jury noted that by bringing together jurors to consider the council’s investment in Capital Power, the council raised expectations that the jurors’ decision would be final. Consequently there was significant media coverage following the

council's decision to reject the main recommendations of the jury....More than that, the council's eventual decision to sell its share in Capital Power attracted a distinct lack of legitimacy (ibid, 90).

Clarity about the purposes of deliberative processes and the status of the outcomes are matters about which councils need to be clear.

The debates about citizenship

A key debate in democratic theory is the nature and role of citizens. For liberal democrats (Marshall, 1950) citizenship essentially involves the right to vote for elected representatives and to stand for office. In other words it is about representative democracy. Participatory democrats argue for a more substantive role for citizens, while neo-liberals see citizenship as reduced to consumer rights, as is argued by Cheyne et al (1990). New public management theory has led to a new emphasis on seeing users of public services as 'client', 'consumer' or 'customer'. In a discussion of this matter, Burns et al (1994, 39) comment:

...the language which is used by politicians and officers symbolises how they perceive the public, and this perception goes a long way to explaining the nature of the different democratic initiatives they adopt.

They argue that it is important to be very specific about the use of language, and that if local authorities are serious about the involvement of the public in public decisions which affect local quality of life, then the language of citizen and citizenship is important. In their view, the description of the public as 'client' implies a relationship of dominance by the professional. The description of the public as customer should be applied very specifically to the experience of the public as customer in using the organisation. Related to that, they say the use of the word consumer should be used only when wanting to address the interests of the public as consumer in relation to a specific service or product. In conclusion they say:

We need to focus on the citizen as citizen. If local government is to have meaning in future any consumerist emphasis on individual and material needs must be balanced by measures which foster attitudes that go beyond self-interest (ibid, 51).

Different forms of citizen participation

In an examination of case studies of local government decentralisation in the United Kingdom, Burns et al (1994, 156-179) re-visit Arnstein's 'classic' ladder of citizen participation, originally developed in the late 1960s. In their discussion they modify the concept of participation to one of empowerment, and discuss four spheres of influence within which citizens may develop power, ranging from the individual, through the neighbourhood or community, through local government and administration, to the sphere of national governance. Within each sphere, they argue:

...whoever controls the strategy controls the script, because resources and operational practices tend to flow from the former and not the other way around. If a person does not have any influence over the script, it still may be possible to interpret it in a particular way, creatively subvert it or even challenge it. It is only by pushing at the boundaries of a situation that a group can test the limits of its power. The opportunity to create strategy and policy is therefore not an all or nothing issue. There is a constant negotiation and re-negotiation of power relationships during the process of policy implementation (ibid, 159).

Following this thinking, the potential of deliberative processes to empower citizens within local government decision-making is clearly evident. Different levels of citizen participation and empowerment are illustrated through the research showcases and case studies which follow in Chapters Four and Five.

Social Capital

The developing body of theory around social capital is a further area of theory influencing this study. Putnam's concept of social capital includes:

... features of social organisation such as networks, norms, and social trust that facilitate co-ordination and co-operation for mutual benefit (Putnam 1995, 20).

His research in Italy on regional differences in well-being led him to develop the theory that economic prosperity was interwoven with advanced levels of social capital. The three major elements involved in his social capital concept are trust, networks and deliberative governance.

These elements reflect some of the conditions which Fishkin (1991, 12) had argued for in his discussion of democracy:

...[a] fully defensible version of democracy....must achieve political equality; its decisions must embody deliberation, and it must avoid the tyranny of the majority.

The issue of “real consultation” and the role of deliberative governance is of particular interest in a local authority context. Reid (1997) discusses four models of approaches to governance by local authorities, including paternalistic, scientific inquiry, stakeholder and participatory models. He notes the development of new forms of community governance including the concept of “small” democracy, and advocates the need for forms of governance which build social capital.

The “social connectedness” concept implied by social capital was also alluded to by Fishkin who argued for a “face-to-face” democracy (Fishkin, 1995, 20). As Bostwick discusses in his examination of strategies for involving citizens in local decision-making:

...activities such as church-going and membership of community-based organisations, provide the interpersonal, community and general social ties that contribute in large part to an individual’s motivation to be active in the democratic process (Bostwick, 1999b, 45).

The conditions necessary for the development of social capital, and for deliberative democracy therefore have many similarities and interconnections. Both relate to the potential for effective community governance.

Deliberation, a participatory technique, or a decision-making process

A range of recent literature available electronically treats deliberation as a particular participatory technique, and emphasises the ‘constructive conversations’ aspect of it. (Internet searches for public conversations, deliberation). This thesis is particularly concerned with the use of deliberation as an approach to decision-making within local government settings. In contrast to the representative and aggregative approaches to democratic decision-making which have typified processes to date, deliberation offers a potential for decision-making which is interactive, and involves dialogue, reflection, reason and negotiation.

From a theoretical perspective the ideal of deliberative democracy is not without its difficulties. The following extract from the introduction to a recent collection of readings on deliberative democracy points to some of the tensions which are explored in the research undertaken for this study:

...there remain certain tensions in the ideal: tensions between procedural justification and the need for independent standards of judgement and reason; tensions between freedom and equality; tensions between pluralism and publicity; and the tensions between its ideal and the actual conditions of pluralism and complexity in contemporary societies....The ultimate test of the fully developed conception of deliberative democracy will be practical: whether its proposed reforms can enrich and improve democratic practice and overcome the many obstacles to the public use of reason in contemporary political life (Bohman and Rehg, 1997, Introduction, xxvii).

Conclusion

This chapter has briefly outlined the major theoretical influences on the thesis and described some of the principles and tensions around the concept of deliberation which both shaped, and were explored by, the research. The following chapter describes the methodology of the research.

Chapter Three : Methodology

Introduction

As noted in Chapter One the purpose of this research is to contribute to knowledge about the use of deliberative processes by territorial local authorities in Aotearoa/New Zealand. This chapter describes the methods used for investigating the research question, and the rationale for selecting those techniques.

The fieldwork involved two stages. In the first stage data was collected through a mail-back questionnaire to the chief executives of all territorial local authorities (TLAs). From these a database was developed of the level of familiarity and use of using deliberative processes by TLAs. Also gathered were recent examples of deliberative strategies, including detail about the issue, process and outcomes, and the usefulness to the TLA. The second stage involved case studies which were selected from the deliberative processes showcased through the questionnaire. These case studies were designed to further investigate aspects of deliberation which had emerged through the questionnaire analysis, and which might contribute to the preliminary development of best practice guidelines for using deliberative processes within local authority settings.

Each of these stages are presented in detail in the chapter which follows. Finally, ethical matters are presented, including the procedures followed and the issues that arose with respect to the procedures.

The Questionnaire

Purpose of the questionnaire

Through the questionnaire I sought to gather a picture of how frequently territorial local authorities were using common deliberative practices, and whether there were any trends of interest over the past five years. I also aimed to gather detail about current practices in using deliberative processes, and the types of issues which were being addressed.

A quantitative tool was selected because of the size of the sample and the nature of the questions at hand. Because the research aimed to develop a national set of information it was advantageous to use a standardised approach so that respondents were all focusing on predetermined categories. As stated by Patton (1990, 165):

The advantage of the quantitative approach is that it is possible to measure the reactions of many subjects to a limited set of questions, thus facilitating comparison and statistical aggregation of the data.

It was important to be able to readily compare responses from a total sample of up to seventy-four territorial local authorities.

Questionnaire design

The full questionnaire is attached as Appendix One. The questions were designed following a process of literature review, and consideration of the research question. A 'reverse engineering' approach was taken, beginning with identifying the major areas which I thought useful to result from this stage of the research, and then designing and pre-testing questions which would gather that information.

In designing the questionnaire priority attention was given to using accessible language and concepts, and to gathering maximum information through multi-choice questions and answers which can be answered efficiently. While most questions, through the inclusion of a category "other...", offered the opportunity for written responses, a limited number of questions were designed to gather more qualitative information from respondents.

The questionnaire was in three parts. The first part, in the form of a letter of request, introduced the research question and the concept of deliberation. This was followed by a table describing six deliberative processes. Five of these, being focus groups, key stakeholder/key interest forums, citizens' advisory groups, community planning tools, and mediation/negotiation were selected following reading available literature and past research into decision-making techniques used by TLAs in Aotearoa-New Zealand. Citizens' juries, for which only one example was already known, were also included

because of their prevalent use in the United Kingdom and United States of America, to learn whether other TLAs here had followed Wellington's innovative example. A brief description of each process was provided, along with an example of recent practice by TLAs in Aotearoa/New Zealand. This section also invited the details of the TLA and the person responding.

Part Two of the questionnaire invited respondents to complete a table indicating their knowledge of, and their TLA's use of the six processes over the past five or three years, or during the past twelve months. In addition, respondents were invited to name and describe up to three other deliberative processes used by their TLA. This option was included to ensure that there was scope to learn whether there were commonly used processes omitted from the table by the researcher, and also to learn about less common practices.

Part Two of the questionnaire also invited respondents to provide the names of departments of their council which made use of particular processes. This question was designed to see whether there were any patterns of use of particular processes by departments responsible for similar functions within councils.

Part Three of the Questionnaire invited respondents to showcase an example of a deliberative process which their council had found particularly useful. Through a series of multi-choice questions and brief written responses, respondents provided information about questions relevant to the research.

The first set of questions referred to the deliberative process used, the context it was used in and the question or issue which they were seeking to address. The purpose of these questions was to gain insight into the purposes for which TLAs were using certain processes. Respondents were also asked whether they had considered using, or had used any other processes to involve citizens on this particular issue. The research interest here was to examine whether TLAs were familiar with and making active choices from a variety of processes, and to what extent they were using multiple processes in order to address complex issues.

The next set of questions focussed on TLAs' motives for involving citizens in deliberation, identifying who was involved in selecting processes, and the constraints they faced. These questions were designed to provide information about how TLAs make decisions to use deliberative processes.

Following this was a series of questions about the selection of participants, including who contributed to selections, numbers of people involved, considerations in selecting the participants, and sampling techniques. These questions were designed to explore TLA practices in inclusiveness when involving citizens in deliberative processes.

The next set of questions focussed on the outcomes and outputs of the processes and whether and how these had been communicated back to participants. Respondents were also asked to rank the results of the process on a scale of one to ten, with respect to whether the deliberative processes used had generated the changes or knowledge desired. The focus here was to get an impression of whether deliberative processes generate constructive outcomes from a TLA perspective, and how these were rated.

Following this TLAs were invited to comment on how the results were actually used by their council. Responses here were intended to give an indication of whether outcomes of deliberative processes were being taken seriously by TLAs, and incorporated into policy and practices.

Respondents were then invited to comment on positive and negative outcomes of using the particular process, and to indicate whether they would use it again. They were also asked to specify any changes they would make in using the process. These questions again focussed on evaluative and reflective issues about using deliberative processes, and were designed to find any common patterns or issues arising from the responses.

Part Four of the questionnaire invited respondents to indicate whether their showcased process could be used as a case study in the second stage of the research. A pre-addressed, postage paid envelope was enclosed for the return of the questionnaire, and the option of phoning or emailing to request an email version for completion was also offered.

Respondents were promised a copy of the summary results of the questionnaire analysis, and were provided with the names and contacts of both the researcher and the researcher's thesis supervisor for any enquiries. Questionnaires were posted on 11 October 1999 and replies invited by 29 October.

Questionnaire sample

The study focussed on territorial local authorities, which were selected because they are the smallest level of democracy close to local communities and deal with a wide range of issues. There are seventy-four territorial local authorities in Aotearoa/New Zealand, ranging from the Chatham Islands and Mackenzie District Councils with populations (respectively) of 736 and 4077 to Auckland City with a population of 320,000 (SOLGM, 1999). An assumption made was that local authorities of any size would potentially utilise deliberative processes, so that the questionnaire was not confined to, say, just the larger urban authorities.

Given that the research takes a particular interest in the responsibility and role of management in advancing local authority deliberative practices, it seemed most appropriate to address questionnaires in the first instance to CEOs. It was accepted that the responses would reflect the perspective of an individual manager or staff member of the responding TLA. This issue was very clearly illustrated by the returns received from one Council. Two different officers completed the questionnaire and represented their Council quite differently on a number of questions. This served as an excellent reminder that even apparently 'objective' information can reflect subjectivity.

It was anticipated that CEOs would wish to present the TLA in a favourable light. However as the aim of this research was to find examples of best practice this was not regarded as a problem.

Questionnaire return rates

Within one week of distribution ten returns were received. By the due date there were 22 returns (30%), and one request for an email version questionnaire. Following the

due date a reminder notice was sent to CEOs via an email list managed by the Local Government New Zealand, indicating that responses would be accepted for a further three weeks. By this time (19 November 1999) there were returns from 42 local authorities, a response rate of 57%. (In one case two replies were received from one TLA. The former, returned from the CEO during the first week, was taken as the 'official' reply and the other was deleted from the sample.)

Questionnaire analysis

A spreadsheet was used to collate data from the questionnaires. Textual responses were converted to a word processing format for analysis. A random check of data and text entry was made to test for accuracy.

The focus of the data analysis was on looking for patterns of similarity among responses, to see whether any significant trends emerged regarding territorial local authority use of deliberative processes in decision-making. A summary of key statistical results was mailed to participating TLAs. A copy is attached as Appendix Two. It is noted that these results vary slightly from the final results presented in this thesis, due to the influence of the text analysis being incorporated in the data where appropriate.

The focus of the text analysis was on looking for both similarities and for differences in the responses. Frequently the text responses indicated areas for further attention through the case studies.

The Case Studies

Purpose of the case studies

The second stage of data collection involved more detailed studies of deliberative processes undertaken by four TLAs. These were designed to gather qualitative data about council experiences in using deliberative processes, and particularly to seek common themes or issues emerging which might assist in the development of best practice guidelines. Although three case studies were planned initially, a fourth was

added. This was in part due to the deliberative process of one case study being incomplete, and also due to the desire to include a mixed process case study.

The advantage of selecting a more qualitative tool for this stage of the research was twofold. Firstly the interviews were planned to add texture and detail to the information gathered through the questionnaire, and a more qualitative tool was useful in achieving that purpose. Secondly the case studies offered a form of triangulation for the research, which enabled more confident conclusions to be drawn. This was further aided by the documentary analysis following case study interviews

Design of case study interviews

The case studies were conducted to gather information about questionnaire responses, and particularly to add detail about issues emerging from the data analysis. A schedule of questions (attached as Appendix Three) was formulated to guide the interview process, but was modified on each occasion, both to maintain relevance to the deliberative process in hand, and more importantly to glean more detail about new issues arising through the previous case study interviews. Each interview was scheduled for one hour, but in two cases the interviews lasted much longer at the initiative of the interviewees. In two cases, interviewees had invited other members of the staff who had been closely involved in the process to participate, so that one interview was conducted with three informants, and another with two.

The style of the interview was informal, with interviewees being asked an open question at the outset: "Tell me more about what the issue was about, and how the whole process got started." This proved a useful way to begin in order to glean more of the history behind the decision to choose a particular deliberative strategy, and also ensured that informants followed a roughly chronological description of the issues and events which unfolded. Occasional questions of clarification during the interview generally ensured that most points of interest to the research were covered. After fifty minutes, I quickly scanned the interview schedule and if necessary asked supplementary questions to gain the other information required.

All interviews were audio-taped, which allowed me to listen attentively and keep eye contact with interviewees. One exception was where a 'faulty' tape caused difficulty at the beginning of an interview. Once the problem seemed solved the interview commenced and notes were taken as a precaution until my confidence in the recording technology was fully restored by halfway through the interview.

Case study documentary material

All interviewees were asked prior the interview to provide access to any written information which they believed would assist with my understanding of the case study. In two cases full files were produced, and I was afforded the opportunity to read and copy non-confidential documents of importance. In the other two cases, interviewees had pre-selected and prepared useful documentary information which was used in the case study analysis and description. All documents are referenced in the listing of case study documents analysed, attached as Appendix Seven.

Case study description and analysis

The process of analysing the case studies began with listening to the tapes twice, the second time taking notes about the deliberative process and salient issues which emerged with respect to possible best practices. The documentation collected either at or immediately following the interviews was then read, and where relevant placed in chronological order. A process chart was made for each of the case studies, combining information from the written material, and from the interview notes.

A brief description of the entire process for each case study was prepared, followed by list of the issues and reflections raised by each interviewee on using deliberative processes.

Case study sample

The selection of the cases for further study was made following preliminary analysis of the completed questionnaires. My purpose here was to explore local experiences of using different kinds of deliberative processes for different purposes. The analysis of Part Two of the questionnaire had demonstrated that some processes were used more

frequently than others, these being mediation/negotiation and stakeholder/key interest forums. I therefore decided to select one case study of each of these processes. Three other processes were roughly 'third equal' in frequency of use, these being citizens' advisory groups, focus groups and community planning tools. As focus groups were frequently showcased by TLAs I decided to select one example of this deliberative process. Finally I selected community planning tools for a case study.

Due to the extended return time for questionnaire returns, it was now early December, and for practical reasons I made a decision to select case study locations which were readily accessible, and which met the criteria for the range of examples which I had selected.

Best practice guidelines

A key objective of the research was to develop some preliminary ideas about best practices in using deliberative processes in local authority settings. There were three major influences on the development of the best practice guidelines. The first were the case studies themselves. Using an inductive approach, through listening again and again, and through reading the notes developed, some common themes and issues began to emerge.

These were then considered in the light of issues raised by other writers with an interest in the further development of the use of deliberative processes by territorial local authorities. The themes emerging from the questionnaire and case study results were then grouped for discussion. These became the statement of best practice guidelines, a particular contribution of this research.

Ethical considerations with respect to the research methodology

Ethical approval was sought and gained from the Massey University Human Ethics Committee before the research commenced.

Questionnaire: informed consent

The covering letter to the questionnaire (see Appendix One, 1) clearly stated that completing the questionnaire would be taken as consent. As participation was optional, and as the focus of the research was on seeking and promoting examples of good practice, there seemed no risk of harm to any party.

Questionnaire: confidentiality

The questionnaire was sent to the chief executives of all territorial local authorities, who are public figures working in public office. While there seemed no necessity to treat responses confidentially, for the purposes of the research presentation of the questionnaire results did not require individual attribution. For readers interested in identifying the source of specific comments, Appendix Four specifies the identifier for each responding council.

Case Studies: informed consent

Due to the time pressure under which case studies were arranged, the original intent to gain written consent prior to the interview was revised. Instead, in the two cases where respondents to the questionnaire had named case study informants other than themselves, these potential interviewees were contacted by telephone and provided with information and the opportunity to give verbal consent to participate. This was confirmed in writing at the time of the interview.

All case study interviews began, following introductions, by explaining and gaining written consent to tape the interview and to view and copy documentary material where relevant. A sample of the written consent form is attached as Appendix Five. Interviewees also requested the opportunity to view the written record of the case study where they and their TLA were identified, before final submission of the thesis. This was viewed as a reasonable request from research participants to minimise the risk of any harm to their organisation. The same courtesy was extended to all case study informants, and a copy of the draft case study and extracts from Chapter Six were sent for comment and approval prior to final preparation of the thesis.

Case Studies: confidentiality

As the case studies focussed on practices and processes occurring in the public arena, issues of confidentiality did not arise.

Rotorua case study: consideration of ethical issues

In selecting a case study from the Rotorua District Council I considered whether any ethical issues needed consideration. Prior to undertaking the thesis research I had been unaware of the case study described, and had no contact with the processes involved, or with the people involved regarding any of the case study content. Therefore no additional ethical considerations required attention.

Conclusion

This chapter has outlined the methods selected for undertaking the thesis research. This has included the rationale for selecting the methods and for including particular questions. The questionnaire design and the case study interview format have been described, along with the method of analysis of the text, data and concepts that emerged. The handling of ethical matters has been discussed, including the issues of confidentiality and informed consent. The following two chapters present the results of the fieldwork which was undertaken.

Chapter Four: Questionnaire Results

Introduction

This chapter presents the results of the questionnaires that were returned from TLAs during October and November 1999. The research design was intended to capture a national impression of whether, how frequently, and for what purposes TLAs were using various deliberative processes with citizens, whether they were finding the processes effective, and whether there were any patterns in stated needs for improving processes. The questionnaire analysis was also designed to seek any themes emerging around good practices, and to identify areas for further exploration through the case studies.

As discussed in Chapter Three, the questionnaire to TLAs began with a series of definitions of deliberation, and a brief description and recent example of each of the deliberative processes mentioned in the questionnaire. The following discussion presents the results of the responses to the questionnaire. A copy of the Questionnaire is included as Appendix One.

Part One: TLA details

This section (Questions 1 and 2) requested the details of the TLA and of the person completing the questionnaire. In total forty-two of seventy-four territorial local authorities responded. This represents a total sample of 57% of all territorial local authorities. The names of responding authorities follow:

Ashburton District Council
Auckland City Council
Buller District Council
Carterton District Council
Central Hawke's Bay District Council
Christchurch City Council
Dunedin City Council
Franklin District Council
Gore District Council
Grey District Council
Horowhenua District Council

Hurunui District Council
Hutt City Council
Invercargill City Council
Kawerau District Council
Manawatu District Council
Marlborough District Council
Masterton District Council
Nelson City Council
New Plymouth District Council
North Shore City Council
Otorohanga District Council
Palmerston North City Council
Papakura District Council
Porirua City Council
Rotorua District Council
Ruapehu District Council
South Taranaki District Council
South Waikato District Council
Southland District Council
Taranua District Council
Taupo District Council
Tauranga District Council
Timaru District Council
Upper Hutt City Council
Waikato District Council
Waimakariri District Council
Waimate District Council
Waipa District Council
Waitaki District Council
Wanganui District Council
Western Bay of Plenty District Council

The absence of replies from Waitakere and Wellington Cities is noted with regret, as previous research has indicated their extensive use of deliberative processes. Of the questionnaires returned, one third (13) were completed by the CEO, and two thirds (29) by a manager or officer of the council concerned.

Part Two: TLA use of particular deliberative processes

This section of the questionnaire (Questions 3, 4 and 5) invited respondents to complete a table indicating their knowledge of, and their TLA's use of, the particular deliberative processes which had been described. It was assumed that respondents had a reasonably comprehensive knowledge of the full organisation. The following table summarises the responses to this question.

Table 1
Frequency of use of particular deliberative processes by TLAs⁶⁷

Deliberative Process	(A) I am unsure about this deliberative process.	(B) I have heard of this process but our TLA has not used it.	(C) Our TLA has used this process during last 5 years.	((D) Our TLA has used this process during last 3 years.	(E) Our TLA has used this process during last 12 months.
Focus Groups	0	5% (2)	14% (6)	29% (12)	48% (20)
Stakeholder/key interest forums	0	2% (1)	7% (3)	14% (6)	74% (31)
Citizens Jury	19% (8)	69% (29)	0	0	0
Citizens Advisory Group/Panel	5% (2)	29% (12)	2% (1)	14% (6)	48% (20)
Mediation/Negotiation	0	12% (5)	10% (4)	14% (6)	64% (27)
Community planning tools (eg, charette)	14% (6)	19% (8)	7% (3)	10% (4)	45% (19)

As the table demonstrates, most councils had made use of one or two deliberative processes during the previous twelve months, the most common being stakeholder or key interest group forums which had been used by three quarters of the respondents (31), and mediation and negotiation processes which had been used by nearly two thirds (27). Citizens' advisory groups, focus groups and community planning tools had also been used relatively frequently during the past twelve months, each by just under one half of the responding councils (respectively 20, 20 and 19). None of the responding councils had used a citizen's jury, but nearly three quarters (29) had heard of the process. This result is particularly interesting given the following comments by Cousins (1999, 234) in conclusion to her discussion of three different consultation strategies used recently by TLAs:

⁶ All percentages have been rounded up or down to the nearest whole number.

⁷ The figure in brackets represents the number of respondents.

Given the overseas success of such (citizens') juries it would be a pity if the Wellington City Council's experience meant that other councils in New Zealand were put off considering it as an appropriate consultation technique, should the right circumstances arise.

From the questionnaire analysis, the trend towards using the deliberative processes named is clear, with all processes except citizens' juries being used at higher rates during the past twelve months than in previous years.

Other Deliberative Processes Used by TLAs

Respondents were also asked to name and describe other deliberative processes which their council had used during the previous five years. Over one third (15) of responding councils named other processes, with five of them naming two. Analysis of these revealed some interesting reflections. One commonly named 'other process' was public meetings/forums, which were mentioned by four councils. However two of those respondents also queried their value as 'deliberative processes' as demonstrated by the following excerpts from the questionnaires:

*Is more a "telling" by Council with a high degree of confrontational feedback;
Not a particularly effective method;
Not well supported.*

Four other councils indicated community committees and liaison teams which were established to take or to advise on decisions. These respondents used words such as "informal", "sounding board", "bottom-up", "inclusive" with respect to these processes, which would suggest the presence of some of the conditions essential to deliberation as highlighted in Chapter Two. These are further discussed in Chapter Six.

Three councils mentioned processes where councillors and staff would visit a community or organisation to learn more about a particular issues or problem in order to work towards a solution, for example:

Community group visits. Staff or councillors (or both) will visit a community group (eg, at their clubrooms) to discuss or resolve an issue specific to that group.

Three respondents named forums held at the commencement of regular council meetings. However again the descriptions of the process suggested that these were not necessarily deliberative processes as the following excerpts demonstrate:

An hour prior to our monthly Council meetings we would hold a Council Forum. This involved the public asking Council questions on any issue. To make sure that we had the answer we requested that the question be submitted in writing one day in advance of the event;

At each meeting of Council and Standing Committees the public as individuals or groups are allowed to address Councillors on any issue or item on the agenda. They give their view, and answer Councillor questions, but do not get involved in any Council debate on any decision to be made.

Each of these excerpts demonstrates communication processes which, while providing opportunity for important dialogue between council and citizens, lack many of the features vital to citizen deliberation. Both examples describe the maintenance of control by council in terms of decision-making processes, as is appropriate for formally constituted council meetings. They illustrate the difficulties in offering opportunities for citizen deliberation in the context of a formal and highly structured public meeting.

Other responses also included here were consultative as opposed to deliberative. That is, they offered citizens the opportunity to comment on predetermined agendas and options, for example:

Surveys. Council has an annual telephone survey of residents which it uses to aid decisions on specific issues.

This analysis would suggest that for some respondents there was not a clear understanding of the difference between consultative and deliberative processes.

Which departments of TLAs use particular deliberative processes

This question was included to ascertain whether differing patterns of use of deliberative processes were evident within council organisations. Notwithstanding classification difficulties arising from the diversity of organisational structures, there are some discernable patterns as the following table shows.

Table 2
Patterns of use of deliberative processes by departments within council

Department	Deliberative Strategy Used				
	Focus Groups	Stakeholder/Key Interest Groups	Citizens Advisory Groups	Mediation/Negotiation	Community Planning Tools
Planning/Environmental Services/Regulatory	15	13	11	24	11
Engineers/Works/Operations/Assets Management	10	12	6	6	3
Community Services/Economic/Tourism/Library	10	14	9	3	4
Parks and Reserves/Leisure and Recreation	7	5	6	5	2
Corporate Services/Property Management/Administration/Rates	5	5	1	4	5
Governance/Strategic Planning/Democracy	4	5	3	3	5
CEO/Executive/Mayor/Corporate/Communications	8	4	3	0	4

Overall the largest users of deliberative processes appear to be the departments which deal with land use issues, followed by the community services cluster, then engineers/works. Interestingly the ranked order of frequency of use of different deliberative processes is slightly different in this analysis than in that of the previous question, with focus groups being most commonly used, followed closely by stakeholder/key interest groups and mediation/negotiation. Further analysis of the earlier table (Table 1) suggests this may be explained by the trending over the five-year time period.

The high incidence of the use of mediation/negotiation processes by land use planning departments raised the issue of whether some respondents were referring to semi-formal legal processes associated with the Resource Management Act, and indicated the need to further explore this matter through a case study.

Part Three: Examples of TLA use of deliberative processes

This section invited respondents to showcase one particularly constructive example of how their council had recently used a deliberative strategy. Respondents were asked to indicate whether the showcase was selected because it was particularly useful in progressing the issues at hand, or because it taught their council a lot about the techniques and issues of deliberative processes. Only one third (13) responded to

this question, possibly because the request was set out in a slightly different format to the rest of the questionnaire.

Of the thirteen which did respond eleven indicated that the process was particularly useful in progressing the issue/matter at hand, while two indicated they had learned a lot about the techniques and issues around using this particular deliberative method.

The type of deliberative processes which TLAs showcased

Respondents were asked in Question 6 to indicate which of the common deliberative processes described their particular showcase demonstrated, or where appropriate to specify 'other'. Of the deliberative processes showcased by councils through the questionnaire, over one third (15) were stakeholder/key interest forums, and slightly fewer (13) were focus group processes. Of the remaining third, examples were drawn equally among citizen's advisory groups (5), mediation and negotiation (5), and community planning tools (6).⁸

The context in which the showcased deliberative process was used

Question 7 asked respondents to tick the context of the process with respect to whether it was a strategic, district or annual plan issue, a special local issue, or 'other'. The purpose here was to examine whether there were any patterns in applying the use of particular deliberative processes. This is a critical issue with respect to effective use of any participatory process.

Of the examples showcased, over one third (17) were focussed on gaining citizen deliberation to contribute to strategic planning development (including long term financial strategies), while the same number focussed on addressing a special local issue. District plan development was the focus of a further seven, and one deliberative process was used to gain input to an annual plan issue. Special local issues were extremely various, ranging from siting of facilities, to conflict resolution, to relationship development or the development of specific new policies for the arts,

⁸ The slight over count is due to showcases which demonstrated more than one process.

or street trees. All those specified as “other ” readily fitted the existing categories and were included in the final data analysis presented previously.

The following set of tables illustrate the particular processes which TLAs selected to address the matters at hand which respondents were asked to describe at Question 8. It is noted that a number of TLAs used a range of processes to achieve their purposes.

Table 3a demonstrates that TLAs have used focus groups for a wide variety of purposes requiring reasonably in-depth discussion, ranging from strategic long term thinking about whole districts, to addressing specific complaints or policy developments.

Table 3a
Issues which focus groups addressed

No.	Issue
1	<i>What does the group think about how the council communicates with the community and what suggestions for improvement.</i>
3	<i>There was a need for an intensive community consultation process to facilitate the capture and exploration of issues the community wished to see addressed in a Strategic Plan.</i>
8	<i>Development of stock driving bylaw. Control of uses in District Plan. Public/private good aspect of function.</i>
15	<i>Arts policy.</i>
20	<i>To explore and get a better understanding of how people feel about living in Palmerston North, what they want from the City and the things that can be done to make PN a better place to live, learn, work and play.</i>
22	<i>The effectiveness of the consultation process.</i>
23	<i>A lot of issues re the Council's future direction for the city.</i>
30	<i>Ongoing complaint with sewerage ponds.</i>
33	<i>New direction for Council. Focussed on Council role in City. Needed detailed input as to whether new direction/style was acceptable. These focus groups were actually a series of stakeholder groups all inputting to a draft strategic plan from their point of view.</i>
34	<i>The level of service for each activity that Council provided needed confirmation along with how each activity should be funded and the level of benefits to users vs generally</i>
36	<i>What will the North Shore look like in 20 years time.</i>
38	<i>Holistic strategic planning for communities</i>
41	<i>Development of community direction and ten strategic community priorities that need to be addressed.</i>

Table 3b indicates that the majority of citizens' advisory groups showcased through the research addressed specific issues and policies on which councils needed to make progress. It is noted that the language and description of the task at hand is much more specific than for many of the focus group contexts.

Table 3b
Issues which citizens' advisory groups addressed

No.	Issue
2	<i>Various groups were used in order to develop appropriate policies, to ensure a buy-in from stakeholders.</i>
7	<i>To consider the most appropriate and cost effective flood plain management strategy for Ashburton Town. A "Community Advisory Group" made recommendations to the regional and district councils.</i>
14	<i>Developing a vision for the city for the 1999 Strategic Plan Review to be prepared and which could also set an agenda for other groups/sectors to work towards in partnership with the Council.</i>
17	<i>Policy development to reflect the growing interest of residents in preserving and further planting of street trees, and enable consistent decisions on development and management of street trees.</i>
32	<i>Development of a landscaping plan for a central city park. Redevelopment there had created huge public interest and opposition.</i>
40	<i>Not an individual project. An effort to instil a culture of co-operation, strategic thinking and positive drive – we have had immense successes.</i>
42	<i>Problems with buildings and resource consent processes. Needed to reach agreement on what the problems were from both sides and mediate solutions that resulted in improvements to the processes.</i>

Table 3c indicates a wide range of uses for stakeholder/key interest forums, from long-term strategic visioning or planning, to more specific projects.

Table 3c
Issues which stakeholder/key interest forums addressed

No.	Issue
4	<i>Need for a specific Youth Policy for the district and the desire or otherwise for a Youth Forum.</i>
6	<i>Grass roots level Strategic Plan for Council and Community Vision.</i>
14	<i>Developing a vision for the city for the 1999 Strategic Plan Review to be prepared and which could also set an agenda for other groups/sectors to work towards in partnership with the Council.</i>
16	<i>The purpose was to stimulate discussion and debate amongst Councillors and Council's economic development partners about the future direction for the Council's economic development effort.</i>

18	<i>Wide range but focus was more directed toward rebuilding relationship with Federated Farmers.</i>
19	<i>Developing monitoring report for our District strategy, vision document. Had to decide with group what progress made towards vision and discuss measures we could develop to monitor.</i>
21	<i>An isolated high country area had to address how to deal with S6(c) RMA (indigenous vegetation).</i>
27	<i>Differing objectives/agenda for development of Kew Reserve.</i>
28	<i>Rebranding the Leisure Centre to better reflect its target market, and in so doing increase patronage and income.</i>
29	<i>Long-term planning for the community at Arapuni.</i>
31	<i>A new leisure centre was proposed. The Council had a preferred site. The community had another project. Needed both to come together.</i>
35	<i>Development of a regional landfill site.</i>
37	<i>Initial development of a strategic plan. Started with a "blank sheet of paper" and asked stakeholder/key interest groups (eg health , education, business, large industry) to tell Council what their specific view of the District was.</i>
38	<i>Holistic strategic planning for communities..</i>
39	<i>Development of a skatepark.</i>
40	<i>Not an individual project. An effort to instil a culture of co-operation, strategic thinking and positive drive - we have had immense successes.</i>
41	<i>Development of community direction and ten strategic community priorities that need to be addressed.</i>

Table 3d reflects the use of community planning tools primarily land-use related planning, sometimes as one component of wider strategic planning by the TLA involved.

Table 3d
Issues which community planning tools addressed

No.	Issue
5	<i>Development of policies.</i>
9	<i>Whether Hingaia Peninsula would become a future urban growth area.</i>
10	<i>To comply with the Regional Council water quality requirements is likely to cost at least \$6m. We wanted citizens to be aware and discuss the options.</i>
11	<i>Future development of a community. In this case it was the town of Te Anau. Questions were - what direction should town go – opportunities etc. How should it take advantage of them.</i>
12	<i>Logging trucks using urban streets during night hours.</i>
13	<i>A vision for the city as a whole, the roles people would play to achieve goals and the strategies and tasks that would contribute to the attainment of the vision.</i>
24	<i>Small town in need of economic development had limited sites/land available for new or expanded businesses and wanted to preserve character of town/environment.</i>
38	<i>Holistic strategic planning for communities.</i>

Table 3e demonstrates that all of the showcased examples of the use of mediation/negotiation processes were concerned with land use and building issues.

Table 3e
Issues which mediation/negotiation processes addressed

No.	Context
25	<i>Resolution of 7 outstanding appeals.</i>
26	<i>References to Environment Court were negotiated in an endeavour to reach agreement.</i>
42	<i>Problems with buildings and resource consent processes. Needed to reach agreement on what the problems were from both sides and mediate solutions that resulted in improvements to the processes.</i>

The frequency with which different processes were used in different contexts

Table 4 provides further analysis of the processes showcased, and the purposes for which they were used. This presentation starkly illustrates the use of common deliberative processes for strategic plan and special local issues. It is noted that this data only refers to the showcased examples.

Table 4
Tally table – Context of issue by deliberative process used in showcased examples

Process	Strategic Plan	Annual Plan	District Plan	Special Local issue
Focus Group	●●●●●●●●	●	●	●●
Citizens Advisory Group	●		●●	●●●●
Stakeholder/Key Interest Forum	●●●●●●●		●	●●●●●●●●
Community Planning Tools	●●●		●	●●●●
Mediation/Negotiation			●●	●

Additional processes considered and used by TLAs

Question 9 asked respondents to indicate whether their TLA used or considered using other processes to involve citizens in decision-making in this instance. More than half (23) of the responding councils had also considered using alternative and additional processes to broaden their understanding of the issues at hand, for example by undertaking a telephone survey to confirm the community position gained through

the deliberative process. Seven of the TLAs did not proceed with other processes for various reasons, for example:

media displays – rejected on the basis of cost and content;

survey – Council rejected as too expensive.

This result would suggest that many TLAs are familiar with a range of strategies, and are interested where possible in using a range of processes together to come to conclusions, or to confirm outcomes.

Input into deciding on which processes to use

Responses to Question 10 indicated that the decision by TLAs about which deliberative process to use was most frequently made by a combination of personnel. For over three quarters (33) of the showcased examples, councillors had participated in choosing the process. In-house committees and personnel contributed to the decision in two thirds (28) of the responding TLAs, and CEOs by just under two thirds (26). Community representatives were included in decision-making about the processes to use by one third (14) of the responding councils, and consultants by nearly one fifth (8). Responsibility for selecting the process was generally therefore in the hands of council staff and politicians.

TLAs motives for involving citizens in deliberation on the issue at hand

Question 11 invited respondents to indicate their council's motives from a range of options, including 'other'. Most TLAs had a variety of motives, with three quarters (33) indicating 'a need for community buy-in to the issues and the solutions'. Just under three quarters (31) also indicated that 'a sense that they only knew part of the picture and that local people could add much' was an important motivation. 'Addressing complex issues' and 'empowering particular communities' were each motives for one half of respondents (21), and 'being seen to do the right thing' was acknowledged by one quarter (11). Most councils therefore indicated a complex range of motives for using deliberative processes.

The constraints experienced by councils in using deliberative processes

When asked to rank major constraints to the process (Question 12), the three most frequently mentioned by respondents were cost, limited timeframe, and limited expertise in running the deliberative process. In terms of ranking, the problem of 'limited timeframe' was first for just over one third (15) of respondents, and 'budget and cost constraints' first for under one third (12).

Other constraints mentioned by respondents included community distrust, for example:

level of distrust over Takaro Pool issues;

and Council related constraints such as:

Councillors not very interested in pursuing other methods;

Previous stuff-ups by uninformed Council staff;

Issues had been around a long time, took new Council to initiate.

Selection of participants in deliberative processes

In terms of participant selection (Question 13), councils tended to use a mixture of methods. The two most frequently used methods were 'target groups of key stakeholders', and 'self selected participants', each used by under two thirds of the TLAs (at 25 and 24 respectively). 'Individuals selected by staff' was a process used by nearly half of the sample (20), and 'individuals selected by councillors by one third (16). Target groups based on beliefs/values/attitudes and location were important for just over one quarter (11) of the showcased processes. Only two TLAs had used statistical sampling as part of their participant selection methodology in order to ensure a demographically representative sample of their community.

Numbers of citizens involved in processes

Question 14 asked respondents to indicate the numbers of citizens involved in the deliberative process. Of the showcased examples, roughly one third involved '21-50 people' and just over one third involved 'more than 75 people' (12 and 14

respectively). The following table indicates the numbers involved by the kinds of processes used. It demonstrates that many examples showcased involved large numbers of people, particularly in focus groups and stakeholder/key interest forums. The questionnaire did not request detail on the way large numbers were managed within particular strategies, but this is explored in two of the case studies.

Table 5
Tally table - Numbers involved by type of process/es used⁹

Process	1-10	11-20	21-50	51-75	75+
Focus Group		•	•••••		•••••••
Citizens Advisory Group	••	•	•	•	••
Stakeholder/Key Interest Forum	••	•••	••••	••	••••••
Community Planning Tools	•		••	•	••••
Mediation/Negotiation	•	••			

Considerations taken by TLAs in selecting the sample of citizens

Question 15 explored issues taken into account by TLAs in selecting the sample of citizens to be involved in deliberative processes. Many had considered a number of issues.

Two thirds of the sample (28) considered that interest groups were important to consider, while one half (21) had taken ‘location or residence’ into account. Just under one third (13) had considered ethnicity, while age had been taken into account by one quarter of responding TLAs (11) and gender by one quarter (10). Special needs listed by responding Councils included:

Iwi; Maori; tangata whenua; people with disabilities and mental illness; people on both sides of the debate; and people with particular skills relevant to the issue (eg “nurserymen;” “surveyor, planner, engineer”).

Outputs of the deliberative processes

When asked about outputs of the processes (Question 16), most respondents indicated more than one. Over half had produced a report with recommendations (23). Over one third (17) had produced a plan (eg strategic plan, planning document, new policy)

⁹ Where TLAs identified a mixture of processes, all are included in this table.

and the same number had gone on to undertake further consultation. Over one quarter (12) had produced a draft report to be considered by participants. Two councils noted that the process was still current, and eight took the opportunity to comment here about positive outcomes, for example:

acceptable solution; general positive spirit; a new name and by-line; some new facilities; additional in-house training; a 'teen board' has been activated.

Communication of outcomes to participants

Responses to Question 17 showed that forty of the forty-two respondents had communicated results back to participants. The other two indicated that the processes reported on for this research were not yet complete. Many indicated they had used a range of strategies. Well over half (25) had used face-to-face methods, and just over half (22) had mailed information out. Over one third (15) had used press releases, while just under one third (13) had used publications and brochures. About one sixth (7) had used public notices in the newspaper.

TLA's rating of the results of the process used

In Question 18 respondents were asked to rate the success of the example they were presenting in generating the changes or knowledge the council required. The average rate was 7.96, or just under eight out of a total of ten, the median was eight, and the mode also eight out of ten.

How TLAs used the results of the deliberative processes

Question 19 invited respondents to reflect on how the results were used by council to address the issues or matters for which the deliberative process had been managed. The full responses are collated in a table in Appendix Six and indicate most of the TLAs have made use of the outcomes of deliberative processes. For three, the process is not complete, or the information has not yet been required.

The table demonstrates the range of issues and the progress councils perceived they had made through involving local people in decision-making. The list of responses

indicates that in many cases the deliberative processes used have achieved results which councils have then implemented. The following are some extracts from the responses to this question:

Landscaping issue: Concepts developed by process are now being implemented by Council;

Ongoing complaint with sewage ponds: Process used to negotiate a solution; A new leisure centre was proposed. Council had a preferred site. The community had another project. Needed both to come together: The council changed its stance to be the same as the community's;

Process developed a grass roots level strategic plan for council and a community vision: Used in all matters of governance and core business decisions and strategy.

The positive outcomes from using deliberative processes

Respondents were invited to indicate the outcomes from using the process (Question 20). The options provided repeated those from the earlier question on motives for using deliberative processes. Most respondents ticked a range of positive outcomes. 'Community buy-in to the issue or problem at hand' was indicated as an outcome by three quarters (32) of responding councils. Nearly one half (20) noted that the process had contributed to a greater level of empowerment of the community involved. The same number indicated that local people had added much to council's understanding of the issue or matter. Being seen to do the right thing was seen as a positive outcome by nineteen respondents, and successfully teasing out complex issues was noted by eighteen.

Comparing outcomes to motives

The following table illustrates the differences between motives for and outcomes from using the deliberative strategy, as selected by respondents. Generally there is a downward trend. However it is notable that the percentage of TLAs indicating that by undertaking this deliberative process they were seen to do the right thing nearly doubled. This perception is notable. It suggests that Councils concerned are receiving positive feedback from communities for using inclusive processes.

Table 6
TLA motives compared to perception of outcomes

Intention/Outcome	% indicating motive	% indicating outcome
Complex issues were successfully teased out	50%	42%
We found we only knew part of the picture and local people added much more	74%	48%
We achieved community buy-in to the issue and the solutions	79%	76%
We achieved a greater level of empowerment of this particular community	50%	48%
We were seen to do the right thing	26%	45%

Given that nearly 100% of respondents said they would use such a process again, and on average they rated the success of using deliberative processes at around 80%, the downward percentage trend illustrated by the table does not seem to undermine the perceived value of the processes.

Negative consequences indicated by TLAs

Respondents were asked about negative outcomes (Question 21) as well as positive outcomes. Over half of the respondents (23) reported no negative consequences. Three respondents noted the time taken was a negative. The largest single grouping of negative consequences (7) were concerned about the expectations raised by the process, for example:

A feeling that Council could fix all their problems for them;

Unreasonable expectations aroused in some interest groups.

A further issue was around the expectation that all parties' issues would be resolved:

Some of those consulted were aggrieved that their point of view did not hold sway;

Some of the people remained opposed to the project.

Two respondents noted the importance of commitment of resources to participatory processes:

It is an intensive trust and relationship building exercise that we have to direct resources to sustain - not a negative but a consequence important to a small TLA;

Ratepayer concern that funding was being spent unwisely on public consultation.

The final comment from the 'negative consequences' noted by respondents is very important with respect to this thesis:

Not too significant, but the tension between representative democracy and participatory democracy comes to the fore when Council retains the right to approve the results, rather than just accept them.

As already discussed in Chapters One and Two this tension is central to the evolving nature of democracy, and to the potential for use of deliberative processes by TLAs. The issue raised by the respondent is revisited in Chapter Six.

Would/Have Councils used these processes again?

At Question 22 respondents were asked whether Councils had used this deliberative process again, or whether they would in the future. Apart from one respondent who did not complete this question, all others said they would use the process again. This reinforces the high average satisfaction indicated by the nearly eight out of ten ranking of the success of the processes showcased.

Things which TLAs would change if using these processes again

Respondents were invited (Question 23) to indicate any areas for change or improvement if they were to use the process again. Most identified some areas for improvement. Defining the issue at hand more clearly, and giving better feedback to participants were each mentioned by one fifth of respondents. The next most commonly mentioned improvements, each mentioned by seven respondents, were improving skills to run deliberative processes (eg facilitation) and being clearer about the outcomes required, and about their status (i.e. how they would be used). Using a different method to select participants was an issue for three of the respondents, and needing to use a different method to choose the process was noted by one.

There were no particular themes in the ‘other’ desirable improvements noted by respondents, but they included:

Tailor methods to needs of community, previous work done by community eg, for next project we went from focus/stakeholder groups straight to a draft strategic plan;

Use the process much earlier in planning stages;

Ensure appropriate levels of professional advice;

Taking more time;

Involve Maori and people from isolated communities;

Increased working relationships with the community now being achieved and will help the process be more effective;

Need to identify the biggest problems and concentrate on these.

A number of these themes are addressed in more detail in Chapter Six.

Willingness to participate in further research about deliberation

At Question 24 respondents were invited to indicate whether they were willing to participate further by allowing their ‘showcased’ process to be researched as a case study. Of those responding, over two thirds (29) indicated they would be happy to share their deliberative experience as a case study for the research, and provided contact details of the appropriate person to contact.

The overall response rate to the questionnaire, coupled with the positive response to this question, provided an encouraging sign that TLAs are interested in improving practices in this area of expertise.

Conclusion

The questionnaire was designed to give a national overview of the range of deliberative processes being used in TLA business contemporarily. The preceding analysis has demonstrated that some clear patterns exist in the types of processes being used, the issues they are being applied to, and some of the areas TLAs are identifying as needing more attention. Overwhelmingly the responses indicated a positive attitude

to using deliberative processes as a method of involving citizens in decision-making, and a commitment to implementing at least some of the outcomes which result.

In the following chapter, four specific case studies are examined, exploring in more detail the deliberative processes used and the learning which resulted for the TLAs concerned.

Chapter Five: Case Study Results

Introduction

As previously discussed in Chapter Three, four case studies were undertaken in order to demonstrate and learn from practical experiences in using a range of deliberative practices, and to tease out any themes emerging from the questionnaire analysis which might guide the development of best practice concepts.

This chapter presents the results of the case studies undertaken. Each case study is handled independently. The chapter weaves together the information gleaned from individual questionnaire returns, from the case study interviews and subsequent documentary research. Each case study discussion begins with a brief background to the context of the deliberative process and how it was used to address the matter or issues at hand. This is followed by comments around the council's motives in using deliberative methods, and why the specific process studied here was chosen by them. Issues regarding the selection of participants are then discussed, followed by a brief discussion of outcomes arising. The discussion of each case study concludes with reference to the interviewee's reflections on the use of the particular deliberative process. In Chapter Six the common threads emerging through the questionnaires and case studies are then further explored in the development of ideas around good practice, which are linked back to the research and literature presented in Chapter Two.

Case studies are presented in alphabetical order according to the name of TLA concerned. They begin with the case study from Kawerau District Council, which used a series of focus groups. This is followed by a case study from Rotorua District Council that demonstrates the use of a mediation-negotiation strategy in association with a key stakeholder group. The Taupo District Council case study also demonstrates a key stakeholder process used with young people. Followed this the case study from the Western Bay of Plenty is presented, showcasing a mixture of community planning tools and a citizens' advisory group within the Katikati community.

Kawerau District Council Case Study: Focus Groups

Kawerau is situated in inland Bay of Plenty, roughly equidistant between Rotorua and Whakatane. Primarily a timber processing town, Kawerau had a 1996 Census night usually resident population of 7830, 59% of whom were of Maori descent (Statistics New Zealand, 1997).

The questionnaire return was completed by the CEO, Stuart Willis, and the case study interview was carried out at the Kawerau District Council offices on 10 December 1999. Interviewees included Lynne Reardon (Corporate Services Officer), Susan Harris (District Librarian) and Karen McLeod (General Manager's Secretary) who were all members of the communication team which developed and carried out the focus group processes. Documents made available to supplement the case study included the full proposal of the communication team, including lists of invitees, copies of letters sent, and the focus group questions. Four Focus Group Outcomes Reports were also made available for the research. (See Appendix Seven)

Brief background and description of process

This deliberative strategy was developed within the context of improving management processes within the Kawerau District Council. New management practices had been adopted by the council in 1996 with a focus on continual improvement, and on building capacity within the organisation especially through team effort. One of the cross-functional staff teams established as part of this strategy was a team focussing on all communication processes. Having completed their internal review and implemented the agreed changes, in early 1999 this group turned their interest to communication processes with the external 'customers'¹⁰ of council. They sought and gained management and council approval to extend their understanding of customer communication requirements by talking face-to-face with a range of pre-selected members of the public.

This strategy was significant for two reasons. Firstly, according to the interviewees the Kawerau District Council communication tradition had always prioritised face-to-face

relationships between politicians and the general public over anything other than practical matters. Secondly, the customer input to communication process improvement up to that date had been through paper-based surveying methods.

Previous community satisfaction surveys have indicated high levels of customer satisfaction overall but the survey methodology used does mean some community sectors are not represented, eg youth; nor are communication issues addressed directly (Kawerau District Council Communication Team, 1999, 2).

The communication team developed a proposed methodology for approval by council which included a series of focus groups with identified “external customers” including the business community, young people, unemployed people, elderly and retired people, people who were middle-aged and working, and sports and other interest groups. The stated methodology included four major areas for input by focus groups including the delivery methods used to convey council information to the public, the content of council communication, citizen feedback processes to council and any other matters which participants wished to raise (ibid, 13). Specific questions were phrased for each area the focus groups were addressing. The interviewees noted that questions were fine-tuned following the first focus group held.

The proposal was approved, and in August 1999 the communication team invited potential participants to the first focus group meeting. Their process included sending letters to invitees. In some cases these were addressed to specific individuals and in other cases groups were invited to nominate representatives. Self-return envelopes were enclosed, inviting a response as to willingness to participate, and an indication of the time/s most suitable for meeting. Follow-up phone calls were made by members of the communication team to confirm the consent of all potential invitees. The interviewees noted the importance of this personal approach by phone, which they believed at times meant people agreed to participate, when the written invitation only may have resulted in a nil or negative response to the invitation.

Times were finalised for each meeting, and the focus groups were held at the rate of one per month, each co-facilitated by different pairings of the communication team members. Case study interviewees mentioned that the work of cross-functional teams

¹⁰ The construction of citizens as ‘customers’ is noted and was discussed in Chapter Two.

such as theirs is in addition to normal workloads and that as a general guide thirty minutes per week, or just over two hours per month, is the allowable time allocation approved. Focus group meetings lasted one to two hours.

At the time of case study interview the series of focus group meetings was not complete as there had been difficulties in securing any response from one of the key “customer” groups. At the time of the interview the communication team was about to meet to decide whether to persist, or to finalise the outcomes of the process and report back to council¹¹.

Other processes considered, and motivations for involving citizens in deliberation

Both the communication team and council were aware that current communication processes with the general community could be improved. Due to dissatisfaction with a regular community newsletter, the council had recently terminated the newsletter production contract and reclaimed the right to determine the focus and editorial content. While the team could estimate the needs of external customers, they were concerned that this was not an adequate foundation on which to build a new strategy. The team observed that “the only way to find out is to go and ask them” (ibid, 3).

In developing their proposal the communication team were acutely aware that “customer” feedback invited to date had been through written processes. Surveys and questionnaires were considered, but the team felt strongly that a face-to-face approach might both be more inclusive of a wider range of people, and result in much enriched understanding of customer concerns and ideas.

The communication team proposal to use focus group processes was scrutinised and approved both by the leadership team that comprises senior management, and by council. According to the case study interviewees both management and politicians were supportive of the approach. The major concern raised by both management and councillors in their feedback to the communication team was the need to refer any operational issues that emerged through the focus groups to the appropriate staff for

¹¹ Subsequent contact in late January 2000 revealed that the focus group series is now complete.

immediate attention. This was seen as an important relationship and trust-building dimension of the strategy.

Selection method of participants, including sampling methods and numbers involved

In the proposed methodology presented to council, six areas were identified as the basis of focus groups, namely business groups, sport interest groups, other interest groups, youth/unemployed groups, middle age/working groups and elderly/retired groups. Some account was taken of the demographic profile of Kawerau developed from the 1996 Census, including factors of age, gender, ethnicity, location or residence. In some cases specific individuals were identified by the team, while in others, the groups themselves were invited to nominate representatives.

When asked to reflect on the selection of participants, interviewees commented that while demographics were taken into account loosely, the participants invited did reflect the networks and knowledge of communication team members. One of them commented that “it was a bit subjective really”. Two groups the team were very concerned to have represented were Iwi and young people, and interviewees reflected that while they were successful in involving young people, they were unsuccessful in engaging Iwi in the processes. Team members commented that traditionally council had not been successful in engaging Iwi. A number of Iwi members and Maori were involved as individuals in some focus groups.

The original proposal suggested that there be six focus group meetings comprising “five to ten individuals” (ibid, 3). The emphasis had been on small numbers to enable each focus group member time to speak. In the event, numbers attending were less than predicted as a number of people who had confirmed their attendance did not attend the meetings. However while the team were disappointed that numbers were not high, they felt that the quality of discussion by those present was enhanced.

Outcomes arising

Following each focus group a report of focus group findings was prepared, and specific issues raised by members were attended to wherever possible. As already

discussed this had been a clear intention of the methodology, as a conscious trust-building strategy.

It will be emphasised to participants that the focus is on Council's communication, but if other issues are raised, eg I phoned about my pothole and Council never phoned back, we would pass these concerns on to the appropriate supervisor/manager (ibid 4).

In the event, team members noted that many other issues came up which required follow-up by the communication team pair involved in each particular group.

One significant outcome of the focus group outcome reports prepared was the emphasis by participants on desiring face-to-face communication ("direct communication") opportunities with council personnel. They enjoyed the opportunity to meet council staff through the focus group process, and to gain insight into council administrative processes. In particular this included the desire to know who in council could make decisions about specific issues, so that members of the public could go directly to the correct person on any issue. After deliberating on this issue one group suggested publishing a list of Kawerau District Council Services and Contact People.

Timeliness, relevance and the need for written communication to be easy to understand ("reader friendly") were noted by a number of focus groups, and the issue of limited literacy was mentioned. Here focus group participants expressed the need for council to communicate through a variety of media.

Improving community participation in council business was a further theme emerging from two groups, with the need for the public to know when council meetings would be held, and when there would be opportunities for local people to make a contribution. Young people reinforced this desire, wanting to know more about their right to vote and to stand for council.

Reflections upon the deliberative process used

The communication team members present at the interview rated the process at between seven and eight out of ten. They believed that the face-to-face strategy had been very productive in terms of gaining new and useful insights into developing more

effective council communication with citizens. Interestingly the questionnaire return had rated the process at close to five out of ten. Interviewees reflected that as the process was incomplete, and there had only been the opportunity for informal reporting back, this discrepancy in perception was understandable. To date there had been no policy outcome for council. Team members expressed concern about the negative consequences of the delay in getting the last focus groups to meet. They felt it was important to complete the process and come to formal recommendations in order to keep faith with the process to date.

At the time of the case study interview there had been no further communication with participants, and interviewees acknowledged that this was an area of weakness in their methodology. As the original proposal had not included detail about reporting back to participants the next step required by the communication team was to take the full results back to council, with recommendations for action including further communication with participants. Over three months had passed since the first focus group and case study interviewees were concerned that timely feedback was important.

Interviewees mentioned numerous positive outcomes of the process. Significantly one area they discussed was the advantage in working in a cross- departmental team which increased their own understanding of the variety of council functions. They also commented that working together gave them insights to knowing how to deal with some of the “other” issues being raised by focus group participants.

Team members felt that the face-to-face methodology had greatly improved the perception of council by those who had attended, many of whom had expressed their feeling of distance from council. Communication team members were positive about the gains made through the focus group experiences to date, for example:

Going out and talking has given us a lot - Council doesn't usually talk to young people or unemployed;

.....lots to follow up on from the youth group;

The biggest thing for me has been people's perception of issues in Council... We get so caught up in how bureaucracy works...

In conclusion this case study demonstrated the use of focus groups as a deliberative process. In this instance the issue at hand was the need for council to develop its understanding of community needs and desires. The use of focus groups enabled face-to-face interaction with citizens who did not necessarily relate regularly to council issues or personnel. Some of them were previously unaware of their important role or rights as citizens.

Rotorua District Council Case Study: Mediation and Negotiation and Key Stakeholder Process

Rotorua is the largest inland Bay of Plenty city, situated roughly equidistantly from Taupo, Whakatane and Tauranga. The Rotorua District Council area comprises a 1996 Census night usually resident population of 64,509, 35.4% of whom were of Maori descent (Statistics New Zealand, 1997). Around 85% of the total population live in the urban areas of Rotorua. Tourism, forestry and agriculture are the predominant industries of the area.

The questionnaire and the case study interview were both undertaken by the District Manager (CEO) of Rotorua District Council. The interview took place at the CEO's office on 14 December 1999. Following the interview the CEO's working file for the Key Management Group was made available.

Brief background and description of processes

The Rotorua case study focussed on a mediation and negotiation process between Council and a key stakeholder grouping. In mid-1998 media attention and political 'spats' had escalated and intensified ongoing conflicts between council planners and engineers and some local developers and consultants. Primarily these were about planning procedures, engineering requirements, and the interpretation and implementation of legislation and rules including the District Plan and the Engineering Code of Practice. The following examples of issues creating problems for the consultants and developers included are taken from the Minutes of Consultants' Meeting, 14 August 1999:

Time delays for resource consents, particularly relating to the introduction of policies which suddenly appear; the requisition of further information; further conditions at the end of projects; and certification issues (ibid, 2);

apparent friction between RDC engineers and planners (ibid, paraphrase, 2);

engineering, planning and building staff need to consider applications together rather than through each individual department (ibid, 2);

...no-one to express dissatisfaction or concerns to... (ibid, 2);

unclear guidance regarding Iwi consultation requirements (ibid, 3);

difficult to advise clients on the rules, the likely success of the application, or how long the process will take (ibid, 4).

The CEO and senior managers had agreed to the concept of a joint committee between themselves and representatives of developers who were to be led by one particular consultant. However progress was not to the satisfaction of two individuals, one a developer and the other a consultant. They were vociferous in their criticism of council and a very public media focussed battle ensued. Council called for action and as a result the Mayor called two open meetings to enable problems to be aired by consultants and developers. Invitations were issued by word of mouth via senior consultants and the Chamber of Commerce.

The first meeting, held on 14 August 1998, involved over twenty people including five councillors, the CEO and the Mayor. It created an opportunity to hear about a multitude of issues from the point of view of developers and consultants, including 'horror story' case studies which demonstrated and helped to explain the level of anger and frustration pervading both council and 'public' parties. At the end of the first meeting, a commitment was made to a process of consultant representatives meeting with the CEO and departmental heads of planning and engineering to work through the issues systematically, with continual feedback to respective professional groupings. A second 'open' meeting was held in particular to target interested Chamber of Commerce members, and again stories of poor practice were aired. The option for a similar separate process for resolving issues was offered, but the second meeting opted to affirm the process proposed by the first meeting.

By mutual agreement interim representatives of each group held two meetings to clarify purposes, procedures and the nature of representation required. The key stakeholder group which emerged became known as the Key Management Group, and includes three consultants, (an engineer, a planner and a surveyor), who each feed back to, and bring issues from, their professional groupings. On the council side, the CEO, the District Engineer, and the Director of Environmental Services are core members, along with other key council staff where appropriate.

The Key Management Group has been meeting since 5 October 1998. Meetings are held at council and are facilitated by the CEO. Meeting records are taken and circulated to all members. The initial four meetings were held weekly and focussed especially on continuing to 'get all issues on the table' and beginning to develop some shared understanding of each of the matters involved and how they should be approached. By agreement, subsequent meetings have been held six-weekly.

Other processes considered, and motivations for involving citizens in deliberation

At the outset, when conflict was at a peak and resolution seemed a remote possibility the concept of calling in an independent auditor was seriously considered by the senior management of council. The attraction was that an auditor could make clear and final rulings about who was right and who was wrong in the light of legislation, policy and stated procedures. However in the estimation of the CEO:

....But it wasn't necessarily going to help us much until we really understood more....and do we really want to get into an outside policeman? I mean, it just seemed to me that that option was just going to anchor in the 'you're wrong, we're right' attitudes.

The initial decision to call open meetings was an initiative of the Mayor, with the support of Council. The decision about the subsequent processes of mediation and negotiation through an ongoing group, was taken at the August 14th 1998 meeting, and endorsed by the following meeting involving Chamber of Commerce members. The strategy was also formally supported by Council at its subsequent round of meetings.

According to the CEO some of the issues had been on the surface for a long time. "People thought they had agreement but the underlying issues weren't really

resolved”. In his view respective parties had retrenched into “fighting corners”, each believing the other was wrong. The motivation for the open meetings was to “get the issues up on the table” in a meeting environment in which the role of Council personnel was to listen.

The ensuing Key Management Group processes were motivated by a commitment to make progress through firstly hearing each other, and secondly negotiating the way ahead. The commitment to deliberation and to reciprocity is succinctly expressed by Mr Hansen in commenting about the choice to proceed with a participatory process, rather than an independent auditor:

You can only ever really make progress if you get people in the same room at the same time.

Selection method of participants, including sampling methods and numbers involved

The initial meetings were open to all interested consultants/developers, Councillors and the CEO. From those meetings a commitment was made by the council and non-council parties that each grouping would select its own relevant representation. It was agreed that there should be personnel from each of the disciplines involved in the debates from each ‘side’. Consequently each professional grouping, engineers, surveyors and consultants, nominated their member plus a substitute in the event that the member was not available. As mentioned previously, council representation included the CEO, the District Engineer and the Director of Environmental Services, as approved by council, resulting in a total of six regular members of the Key Management Group. Other council officers attend when required.

Some concern was expressed by other council personnel that they were not included in the initial meeting processes. However the reasoning behind the bid for inclusion was to defend council’s actions which, it had been agreed, would not contribute to making progress. As the process has developed those staff are now actively involved in the discussions and proposals for changes and improvements, within the framework for progress set by the Key Management Group.

Outcomes arising

The initial meetings of the Key Management Group focussed on getting issues ‘on the table’ so that they could be dealt with. Minutes of meetings are taken, including a record of discussion and decisions taken. These are sent to all group members. Members external to council report to their own networks and at times forward records of their meetings where related matters have been discussed.

On the council side, where issues are policy related, once they are resolved a draft report goes to council to inform of progress and recommend any changes required involving councillor decision-making. Where issues are related to staff interpretation and management of policies, internal communication and discussion occurs.

One important outcome of the work of the group has been the establishment of other joint Rotorua District Council – Consultant processes to address specific issues. One example is the Joint Review Committee process, which empowers nominees of consultants and of council to together review situations where developers or consultants disagree with staff interpretation of the District Plan rules, and therefore want to object. Often these matters do point to aspects where there is a lack of definition or the matter is open to interpretation. Joint Review Committees are therefore established for very specific purposes. Committee membership includes nominees from council and from the consultants/developers, precluding personnel directly involved with the specific application. The committee can call on other information or expertise where necessary. Once they have met and made progress, they make recommendations back to the Key Management Group about how to deal with the specific issues, and also about principles and processes which should be established to deal with the issues arising. Resulting decisions are then communicated to respective parties, in the form of recommendations for changes in policy or procedures where this is appropriate. If the applicant is still dissatisfied, the formal objection process is still open to them.

A further important outcome has been mutual acknowledgement of variable performance among both council and non-council parties, and identification of specific areas for training workshops providing the opportunity for council staff and

members of related disciplines to share knowledge and expertise. In addition, each party has also arranged training on specific topics where the group has identified problems emanating from particular disciplines.

The commitment to keep the lines of communication “open at all times” (Meeting minutes, 1 September 1998, 1) is an essential aspect of the spirit of agreement within which the Key Management Group has made progress. Direct personal contact and telephone communication are specifically mentioned, along with a commitment to responses to issues within agreed time frames (ibid, 2).

Reflections upon the deliberative process used

The experience of this deliberative process had been ranked as a six (out of ten) by the CEO. Overall he felt that results had been positive, with progress on a range of issues addressed by the key management group and the related processes it had brought.

The major concern expressed was the speed of progress. Sometimes it appeared that progress had been made, and each party thought they had communicated new processes to their respective larger groupings, but exactly the same problems would recur which the group found immensely frustrating:

Internally, we should have started better right from the beginning. As soon as agreement was finalised we should have immediately got a paper out and got all of our own staff together and talked it through so that the same thing didn't happen again... It's the same on their side I suspect...now, well down the track they're very clearly saying that if a poor application comes in we shouldn't even begin to process it because if we do we just end up holding up the good applications.

With respect to the slow progress, Mr Hansen reflected that it may have been wiser to go through a rigorous prioritising process of the many issues tabled for the group to deal with, and then to “work through them one by one and put them to bed”. The processes in hand were attempting to address a large variety of issues consecutively.

Some frustration was expressed about the intricacies of working closely with people from other businesses and other disciplines:

*Here we are months down the track and sometimes we find we're **still** talking past each other!*

He also reflected that there has been little improvement in the relationship with the developer and the consultant who initially created the public furore.

From the CEO's point of view part of the learning from the experience of these deliberative processes during 1999 was the recognition of the need to change the internal culture of the Council organisation with respect to inclusiveness. He emphasised the value of automatically thinking to include "the other side" right at the outset of planning changes or addressing new issues, both to ensure a more comprehensive understanding, and a more satisfactory range of potential options or solutions.

In conclusion, this case study demonstrated the potential of deliberative processes to bring conflicting groups together to work through extremely complex issues and longstanding tensions. In particular it modelled the advantages of developing a mutually acceptable pathway for resolving matters, and a commitment to continuing participation, even when progress seems slow.

Taupo District Council Case Study: Key Stakeholder Group

The Taupo District of the Central North Island comprises a large land area around Lake Taupo. The population of the District on Census night 1996 was 30,963, 31.9% of whom were of Maori descent (Statistics New Zealand, 1997). This case study focuses on processes within the city, which come within the governance mandate of the Taupo-Kaingaroa Community Committee of Taupo District Council.

The research questionnaire was completed by Colin Morrell, Office Services Manager, and the case study interview was undertaken with Sheila Little, Operations Supervisor for the Parks Department for the Taupo District Council. The interview took place at Ms Little's office on 9 December 1999. Following the interview, the formal and working files regarding the Skatepark processes were made available.

Brief background and description of process

During early 1998 public concern had mounted regarding young people skateboarding in the central shopping area of Taupo and more particularly in the courtyard of the Great Lakes Centre. This is a courtyard including a cenotaph which is dedicated as an ANZAC memorial. The costs and nuisance value of ongoing damage to the area was of concern to the manager of the Great Lakes facility who had investigated the possibility of making the area physically unskate-able. Members of the Returned Servicemen's Association had met with council staff in early May 1998, expressing their concerns about danger and disrespect. On 3 June the Taupo-Kaingaroa Community Committee of the Taupo District Council considered a proposal from the Manager of Regulatory Services that procedures be enacted towards establishing a bylaw banning the use of skateboards (Minutes, 3 June 1998, Taupo/Kaingaroa Committee).

One Councillor objected strongly on the grounds that the young people concerned, the skateboarders themselves, had not been consulted in the development of this proposal: "I'm pretty upset that we haven't consulted with the people who the by-law affects" (Cr Doreen Blyth in *Taupo Times*, 6 June 1998). Media interest in the issue became extremely intense and was sustained throughout the events which followed.

Skateboarders' own reaction to the proposed bylaw was clear: "Skateboarders are warning that a planned bylaw banning them from the town centre will not work unless a new skatepark is built. A group of boarders told the *Taupo Times* that they "would not leave the streets until they had somewhere else to go" (*Taupo Times*, 11 June 1998).

Councillor Blyth managed to convince the committee to delay consideration of the proposal and gained support for a resolution identifying four issues for attention, including the implications of the proposed bylaw, the need for a solution to the ongoing damage and other associated problems such as pedestrian safety, the inadequacy of the existing skatepark, and threatening behaviour (Report of the Community Services Manager, 1 July 1998).

A public meeting was held with skateboarders and their families and supporters to identify what the issues were. About seventy people turned up, including relevant council staff, Councillors, a wide range of skaters, some of their families, business people, and Police. From that meeting a working party was established to “address the problems”, including a list of tasks developed at the public meeting.

The first working party meeting attracted around twenty people, including Crs Blyth and Keehan who both remained active throughout the resulting processes, and the Manager and the Operations Supervisor from Council’s Parks Department. The meeting resulted in the development of a ‘skate-friendly code’ which was circulated widely. According to Ms Little the code was a clear and simple statement of ground rules about respect and out-of-bounds areas. In agreeing to promote the skate-friendly code, she said that the overt message from council members present at the meeting was that if the skateboarders were prepared to “tow the line” Council was prepared to “see what could be done”.

At a subsequent working party meeting the skaters were asked to nominate five or so representatives who were prepared to come to regular working party meetings, and to keep information flowing both ways. By this time a rapport had developed between council’s Parks Department and the young people, and many of them were spontaneously calling in to the Parks office to discuss issues. From the council staff perspective this was unsustainable long term, and so the request for ‘spokespeople’ was made. The young people happily indicated their preferences, and for the ensuing meetings the skaters were always represented by one or two key spokespeople, accompanied by a few supporters.

Quickly skaters emphasised that the existing ‘temporary’ skate facility¹² was inadequate, and that a challenging new facility would solve many of the issues. They initiated a petition which attracted over six hundred signatures, including a specific ‘business support’ section. This was presented to the Taupo/Kaingaroa Community Committee of Taupo District Council on 15 July 1998. At that meeting council agreed

¹² The “temporary” skatepark had been established in 1997 as a result of public pressure. Council had converted an existing carpark, and invested some \$40,000 in a half-pipe and other jumps.

in principle to considering the development of a new skatepark, and empowered the working party to investigate sites, design and cost.

The next stage, coming to agreement on a site, was according to Ms Little “the most difficult period” for the working party. Skaters were adamant that only a centrally located, highly visible site would be acceptable. From council’s point of view, those options would produce many more objections, and take much longer to negotiate. The full issues were laid out and debated over a number of working party meetings, with each ‘side’ keeping their respective wider parties closely informed. Eventually, accepting the likely long delays involved with other options, the skaters agreed to council’s preferred site and council set aside \$140,000 for the park development.

At the request of the skaters, the need for professional design of the new park was recognised by the working party. Following a visit to Whakatane’s new facility the skaters requested that the same Australian designer be approached to plan Taupo’s park. This was arranged, and the designer was flown out to look at the site and meet with the skateboarders to discuss their visions for the new skatepark, resulting over time in plans which were prepared for tender and costed at some \$60,000 above the funding set aside. Council agreed to proceed, and construction was due to begin in January 2000.

The working party is currently not meeting, but has plans and agendas ready to recommence once construction begins. However the relationships which have developed between the council personnel involved and the young people continue to ensure that dialogue is maintained in the meantime, for example by young working party members calling in to the council offices.

Other processes considered, and motivations for involving citizens in deliberation

At the outset this became a very public matter, and the assertion by Cr Blyth that progress could only happen with the involvement of the skateboarders themselves was a key to the empowering participatory processes which developed. The strategy to involve skateboarders and all other interested parties through a public meeting right at the beginning set the tone for processes which were actively inclusive, ensuring wide

support for the stakeholder forum processes which developed. The need to make progress quickly, given the timeframe for the possible enactment of the by-law, was a driver to the formation of the working party to focus on the issues identified. It became clear that meetings of more than twenty individuals, with changing personnel, was impractical, which led to the request that skateboarders nominate representatives to work through. This group effectively became the stakeholder forum. In terms of deciding on process, councillors, staff and young people had an input, and worked together closely throughout the critical stages.

Selection method of participants, including sampling methods and numbers involved

The young people involved in the processes self-selected. Sheila recollected that “we advertised in the paper and put posters around town in the relevant areas” in order to attract participation by young people. As already described, they nominated and supported their spokespeople for the working party, with a total of four or five usually being present.

Before the first public meeting, contact was also made with a wide range of other potentially interested organisations, ranging from schools, and police to business people. A number came, and their interest was also reflected in their support of the petition. Again, public notices and newspaper articles kept interested people informed about the issues and the roles they could play. For example prior to the presentation of the petition to council, a public notice was placed encouraging those who wanted to support the call for a new skatepark to attend the council meeting (*Taupo Times*, 14 July 1998). Self-selection was also the method for the Councillor membership of the working party, with two Councillors, Blyth and Keehan, taking an active role.

While throughout the process face-to-face dialogue was prioritised as the way to make progress this was supported by widely shared written documentation of all meetings. This was made available so that parties involved, particularly the young people, could share them and bring feedback from their peers at each stage of progress. At times information was sent to the full mailing list from the original public meeting, to ensure that all interested parties were up to date with progress, and were welcomed to participate at various stages of discussion.

Outcomes arising

Clearly the construction of a new purpose-built skatepark is a significant outcome of the process to date. The fact that it has wide support from the community, as evidenced through the six hundred signatories to the submission, gave council a clear indication that resource allocation was acceptable. Also of importance, as mentioned by Ms Little during the interview, is that the process has affirmed the commitment by Taupo District Council to its Youth Policy. The empowerment of the skateboarding community through participation in deliberative processes has been a significant outcome.

Reflections upon the deliberative process used

This process was ranked as a 'seven out of ten' by the questionnaire respondent, while the interviewee, who had been much more closely involved with the process, felt an even higher ranking would be appropriate. The level of community and youth involvement, and especially the quality of relationships developed, were important outcomes for council according to the interviewee.

She acknowledged that there were some difficult times for the working party, particularly over the siting of the proposed new skatepark. The key to resolution was being very open with the young people about all of the information and issues which council would have to take into account.

A further reflection of importance was about the assumption by the adults closely involved that there was a level of trust from the young people from early on in the process. Ms Little recollected her surprise following the meeting when council voted funding for the skatepark:

I remember when that decision was made they (the young people) said they really believed it was going to happen now.

This was a surprise to the adults involved on the working party. They realised that the young people had been keeping faith with the process, but had little confidence that a

new skatepark would really eventuate. She recollected that later on, when the estimate was clearly short of the costed project, the young people were again distrustful that Council would proceed.

A further valuable reflection shared by the interviewee regarded the mutual respect required within deliberative processes

We also learned that sometimes our ideas just won't work. For example we had pushed the idea of the skaties forming a club so that council could relate to them just like we do other codes and clubs.... But that just wouldn't work. They (the skaties) just don't work like that.

Limited expertise and a limited knowledge base were both identified as constraints to selecting the processes used. Working closely with young people through deliberative strategies to resolve issues of conflict and to plan a new facility were new experiences for the council personnel involved. As Ms Little said "I'd never been involved in a process quite like this before."

In conclusion this case study demonstrated the use of deliberative processes to reach mutually agreeable solutions. One significant feature of this case study is that it involved young people, a group often excluded from council decision-making, working face-to-face with councillors and council staff.

Western Bay of Plenty District Council – Community Planning Processes including a Citizens' Advisory Group

The Western Bay of Plenty District Council surrounds the Tauranga District Council area and stretches from north of Waihi Beach to south of Maketu along the Bay of Plenty coastline, including a large rural hinterland into the Kaimai ranges. The 1996 Census night population was 34,771, 18.3% of whom were of Maori descent (Statistics New Zealand, 1997). The council is relatively new, having been mandated in 1989, in response particularly to a huge population growth rate impacting on the formerly rural and holiday communities. District governance includes the active involvement of five community boards (Western Bay of Plenty, 1998, 69).

The research questionnaire was completed by Sue Laurence, Manager of Strategic Planning and Monitoring. Sue also completed the interview, along with Dale Meredith Policy Analyst – Community. The interview was held at Ms Laurence’s office on 23 December 1999. A schedule of processes, dates and numbers participating in the deliberative processes had been prepared and was made available following the interview, along with copies of the Western Bay of Plenty Strategic Plan and the Katikati Strategic Plan.

Brief background and description of process

The focus of this case study was on a set of deliberative processes used by the Western Bay of Plenty District Council in assisting the community of Katikati to create a comprehensive development plan. Processes included focus groups, a citizens’ advisory group, community planning techniques, and stakeholder/key interest forums.

The impetus for this initiative was the need to obtain community feedback to the Western Bay of Plenty District Council in developing the Strategic Plan for the whole district:

...people consistently said that while it was good to have a District-wide plan, what they **really wanted** was a long-term plan for their own community (Western Bay of Plenty District Council, 1999, 3).

This concept was taken on board by the council, and resources were dedicated to working with people of local communities, to develop long term integrated plans. These plans are required to address environmental, economic and community issues, and to incorporate an Urban Growth Strategy contract which council had already committed to. Katikati was selected to be the first community to pilot the concept.

Considerable information was gathered, and a plan of action developed by council staff to ensure a community-driven, community-owned process. The Katikati Community Board was actively involved in the early stages of planning, and helped to identify a range of sectors and people who should be represented at the initial stages of community visioning. Thirty-five people were invited to the initial meeting, and twenty-five came. At this meeting the scene was set for the process to come. The

history of previous planning was outlined and the recommended process presented, suggesting the steps which needed to be taken to realise a comprehensive development plan for the Katikati community. The Katikati Community Board, along with other attendees at the meeting, became the Katikati Community Forum, effectively a community advisory group to the process which developed.

The next stage was a visioning process which saw the group dividing along interest lines into environmental, community, urban growth and economic groupings, and each developing a vision of Katikati twenty years into the future. Small groups then re-joined to critique and to come to agreement on the main concepts which were emerging. These ideas were then taken to public settings for discussion and debate through an open day in March 1999. Following this they were “workshopped” with a wide range of key stakeholder groups and government agencies. The vision was re-shaped as a result of this process, and again taken to an open day in May 1999, resulting in Katikati’s new vision.

In June the community forum, by now numbering around twenty, began meeting to develop action plans towards the new vision, again dividing into four groups so that in-depth work was possible. Public meetings were held in August 1999, to comment about and add to the draft action plans which were beginning to take shape. Western Bay of Plenty District Council staff were entrusted to work the action plans up into a community-friendly document. The community forum continued to meet roughly monthly to comment on progress and to ensure that documents being prepared were easily understood by citizens.

In October 1999 the Draft Plan was released for public submission by 19 November, and in December a “Community Response Day” was held at which all issues emerging from the submissions were clearly outlined and further discussed by the public, the Community Board and the District Council. As a result the Plan was amended where appropriate, printed and distributed.

Planning is now underway for Action Plan implementation groups to begin meeting to ‘drive’ the implementation and monitoring of the economic development, community and environmental plans.

Motivations for involving citizens in deliberation, and other processes considered

The motivations for selecting the range of processes used were complex, and developed from Western Bay of Plenty's recent experiences and evaluations of their strategies for involving communities in district-wide strategic planning. The questionnaire response indicated that the need for community buy-in to the issues and the solutions, a desire for empowerment of the community, a range of complex issues which needed teasing out, and a sense that council officers only knew a part of the picture, were all motives for using deliberative strategies.

Each of the deliberative processes used to contribute to the development of the Katikati Community Plan was carefully planned and prepared for in advance. The driving force was the desire to respond to the community's wishes that they each develop a plan relevant to their own 'patch', and serious thought was given to how to effectively involve local people in discussion and decision-making. From a council perspective it was also imperative that the processes result in a robust practical plan which would meet requirements for strategic environmental, community and economic planning.

Both budget constraints and a limited timeframe were issues, so that processes needed to be planned and run very efficiently and achieve their intended purposes of involving people. Those having an input to the selection of processes used included the CEO, staff working on the development plan process, Councillors, and the Katikati Community Forum, which considered the recommended processes at its first meeting.

Selection method of participants, numbers involved, and sampling issues

For each of the processes used, planning went into who should be involved and how to invite their input. It was critical that the community forum, which effectively "drove" the process, have a wide representation and be able to relate, and involve, the general Katikati population. The community board assisted with identifying the range of interests needing to be represented, and likely people to approach. Invited membership also included a number of long standing "critics" of council, who had demonstrated

their interest in community and council affairs over a period of time. As succinctly stated by Ms Laurence:

We figured that the ultimate measure of success [of our processes] would be if the 'cage rattlers' were still on board at the end. They were there to keep us honest.

A number of community-wide opportunities for input were included in the process design. These were publicly promoted, and run in public spaces at times when many members of the public would be passing. In one case, the public process was rescheduled from the original plan to coincide with a Market Day, which was known locally to attract a lot of extra people from the area into town.

Inclusiveness was emphasised throughout the process. For example, early on key stakeholder groups such as government departments were visited to ensure their knowledge of opportunities to contribute, and to share the developing vision. Existing organisations and networks were given the opportunity to invite community forum members to their regular meetings and venues to be kept up to date with progress and to create further opportunity for wider discussion.

The role of the media was very important in keeping the developing plan and processes at the forefront. Ms Meredith reflected that:

We would have had an article nearly every week in some way connected with the process. It was really positive stuff...the reporters were very proactive in stimulating thought and debate.

While there was conscious planning to involve representation of all parts of the community, interviewees noted that two important groupings, young people and Maori, were not highly visible throughout the processes. Effort was made to visit local Iwi at each stage to keep them informed, and they indicated their satisfaction with the final draft plan, however they did not actively participate in the planning processes.

With respect to young people, Ms Laurence reflected that it was mainly the schools, which had been actively invited and involved to contribute to the processes.

When it comes down to it are young people's needs significantly different with respect to big strategic issues than those of the general population...the youth

stage passes quickly...it's more the specific youth services and facilities planning that we really need their input to...

Outcomes arising

As a result of these processes the Katikati community now has a comprehensive development plan which serves as a way ahead for the local community. It has been integrated with other council plans and mechanisms, such as the annual plan and funding policy, and changes have been made to the district plan to accommodate the community's desired directions.

According to the interviewees the complex motives which sat behind the Western Bay of Plenty District Council involvement in the processes have in the main been achieved. They reflected that the implementation of the action plans is crucial to continuing the positive outcomes of the processes, which include the development of new relationships and groupings of local people who now take responsibility for action plan progress.

Reflections upon the deliberative process used

Positive outcomes noted on the questionnaire included the greater empowerment of the Katikati community, community buy-in to the planning processes and outcomes, complex issues were teased out, learning much from the local people, and being seen to do the right thing. The processes were rated as an eight out of ten, and no negative consequences were noted. In terms of potential improvements, the need to take more time was mentioned. The Katikati plan was undertaken within a very tight timeframe which Ms Laurence and Ms Meredith commented on a number of times during the interview.

Te Puke is potentially the next community which will develop a community plan, and Ms Laurence noted that

Each community is distinct with different people and issues, and while our ultimate aim of achieving an integrated community plan for each of our communities will be the same, we will need to recognise the differences and design our processes and approach accordingly.

One reflection which Ms Laurence strongly emphasised was the need for training and practice in facilitative methods across all parts of council. With respect to using deliberative processes she said:

One of the critical factors is the skills of the staff involved in facilitation, listening and community building. These skills can be taught to all staff, but there has first to be recognition that they are important skills.

She discussed the vital importance of these skills for all staff who relate to the public in group settings and noted that traditionally councils may not have treated these skills as core competencies for all vital positions.

Ms Laurence also reflected on the internal structures of territorial local authorities:

If we expect communities to think strategically and interdependently about their communities, economies and environments then we need a corporate structure which models that. When we started our work in Katikati our strategic planning, resource management planning and infrastructural planning were all running slightly out of kilter. Now we're corporately much more integrated.

If local authorities are not structured to reflect the concepts being promoted it can undermine both their credibility, and their ability to support community initiative to advance integrated philosophies or concepts.

In conclusion, this case study demonstrated the use of a mix of deliberative processes, including various key stakeholder and citizens' advisory groups, and community planning tools. At times these were supplemented with other participatory processes, such as surveys and the community feedback meeting, to check the validity of the outcomes emerging through deliberative processes. At all times the focus was on achieving a community-conceived, community-owned plan which was widely understood, and which all contributing parties including council could implement where relevant.

Conclusion

The case studies undertaken have illustrated a range of deliberative process styles, used for widely differing purposes within territorial local authority business. In each

case, as for the vast majority of questionnaire respondents, the experience of face-to-face deliberative processes with citizens produced positive outcomes with respect to at least some immediate issues at hand.

This chapter and the preceding one have provided the outcomes of the data gathered through the research. A number of themes have begun to emerge with respect to best practice concepts and these are now explored in the following chapter, and discussed in the context of other research and literature.

Chapter Six: Best Practice Guidelines Emerging

Introduction

As the research data confirms, territorial local authorities in Aotearoa/New Zealand are increasingly using deliberative processes. Within the past twelve months alone, the evidence suggests use of a wide variety of techniques by the majority of the forty-two councils which responded to the research. Yet, while there are legislative requirements to ‘consult’ and implicitly to ‘involve citizens in decision-making’, there is a relative dearth of guidance on how this should most effectively be undertaken. Hence an objective of this study is not merely to document contemporary deliberative practices being used by local authorities, but also to draw out the aspects that might constitute an emerging set of best practice guidelines.

The following chapter presents these guidelines. Each begins with a brief statement about the theme emerging and discussion of the examples from the questionnaire and case study data. This is followed by making a link to other research and literature, and the statement of best practice guidelines which emerge. It is not presumed that this list is definitive, but rather the set of guidelines which were drawn from this research which examined the contemporary experiences of forty-two territorial local authorities. Best practices are by their nature developmental, and it is hoped that this set will be further elaborated by other writers and practitioners.

Best practice guidelines emerging

Choosing to use a deliberative process

Using deliberative processes involving citizens may not be appropriate for all decisions to be made by local authorities. However, as this research has demonstrated, many local authorities do value using deliberative processes for a wide variety of purposes. From the case studies there seems to be evidence that an important foundation to a constructive deliberative process is being clear about why deliberation

may be of value, and the nature of the process being proposed. In the case of Rotorua, for example, discussion between the respective parties resulted in agreement to the ensuing mediation/negotiation processes. In effect the first decision of the parties in conflict was agreeing to the process through which to try and constructively resolve their differences. In Taupo, too, it was through large public meetings that support was sought for the working party process to address the issues which had been identified. In this instance it is important to remember that the deliberative processes which evolved were an alternative to council passing a 'no skateboarding' by-law.

In the Western Bay of Plenty case study citizens were invited at the outset to consent and comment on whether the recommended deliberative processes seemed appropriate and acceptable as a way to proceed and to address the issues at hand. This was central to the content of the initial community forum meeting.

The questionnaire responses also model interesting practices in this regard, with one third of the sample having involved community representatives in selecting the process to be used. One respondent wrote that the:

...process was drafted at a community forum, developed and refined by Council officers and (with) final approval by Council.

This theme relates to a number of issues. One is the principle of reciprocity essential to democratic deliberation, discussed in Chapter Two. Reciprocity or mutual respect is given effect when council asks participants or prospective participants to make input to the nature of the process to be used. As will be discussed this is reinforced when combined with developing a shared understanding about the nature of the issues at hand.

Councils also need to have an understanding of the range of deliberative and other options available which are likely to be constructive to the resolution of particular issues. Each of the case studies demonstrated the consideration of other options, and the preference for deliberative strategies in these situations. Questionnaire respondents also frequently noted that other processes were considered, and that at times multiple participatory processes were used.

One caution expressed by Thomas (1995) is the need for public organisations to be responsible about not using deliberative processes when they may be counter-productive. If there is no commitment to taking regard of the outcomes, then it undermines the principle of reciprocity to even begin. The example of the Wellington citizens' jury has already been discussed in this regard. One questionnaire respondent also noted this caution with respect to a strategic plan development which used focus groups and citizens' advisory groups. There was a risk that the outcomes of the deliberative processes may not have been included in the plans. As the respondent commented:

...the tension between representative democracy and participatory democracy comes to the fore when Council retains the right to approve the results, rather than just accept them.

Clearly if councils choose to use deliberative processes involving citizens, they must be committed to including the outcomes in subsequent decision-making.

Councils also need to have an open mind to processes, to procedures, to plans and to ways of thinking when deciding to engage in deliberative processes. If they are genuinely about two-way communication, then there has to be an ability for flexibility. Clearly if there is no such freedom on an issue, then deliberative processes should not be being used. Both the Taupo and the Katikati experiences demonstrated the need for flexibility. At times the plans of process managers would be 'blown away' by community knowledge contributed by participants. Examples included skatepark design features, and the revision of public consultation timing to coincide with local 'happenings'.

Best practice guidelines emerging:

TLAs need access to comprehensive information about the principles and practices of using deliberative processes, and the situations in which different processes might be used constructively.

TLAs need to be clear about the status of the outcomes of deliberation with respect to council decision-making.

At the outset TLAs need to express the purpose and the status of outcomes clearly to prospective participants, and be prepared to accommodate their responses.

The ensuing deliberative processes need to be by mutual agreement. It is therefore important that TLAs approach citizen deliberation processes with an attitude of flexibility.

Having the right people involved

In each of the case studies undertaken, staff and councillors had made input into who should be involved in the processes. In three of the four cases, community input into that decision-making was also sought. In the examples provided by Katikati, Rotorua and Taupo, where issues affected particular communities, the relevant community was invited to select their own 'representation' at the deliberative table. In these instances, the nature of responsibility of all parties back to their respective communities was specified at the outset of the processes. This relates to the principle of accountability identified as intrinsic to deliberation by Gutmann and Thompson (1996), and discussed in Chapter Two.

Another relevant matter, where general community issues were being addressed, was the need to ensure a variety of voices at the table. In the processes at both Katikati and Kawerau, staff involved mentioned the need to be inclusive of people who take an active (often critical) interest in council affairs, while acknowledging the need not to let them dominate deliberation. Ms Laurence reflected that:

In fact to our surprise, two of our sceptics hung in there right through the process with one in particular becoming a really pivotal advocate.

Frequently critics are perceived as trouble-makers, or as non-representative, but their exclusion from the deliberative table precludes the potential of their participation. Where their voices are included the issues and perspectives they raise offer the potential for a wider shared understanding of the matters under consideration, and thereby contribute to the possibility of self-transformation as discussed in Chapters

One and Two. The Katikati experience witnesses that potential. In contrast the reflection of the Rotorua CEO that their two major critics remain critical, despite the progress of the Key Management Group, perhaps leaves room for further reflection about the value of including their voices at the table.

A further issue raised by the research with respect to having the right people involved was the apparent lack of rigour in ensuring that the sample participating in deliberative processes bore resemblance to the wider community. In the case of the Rotorua and Taupo case studies, it was important to include a range of voices with a particular interest, rather than to include representation from the entire community. Similarly some of the deliberative processes which were showcased through the questionnaire addressed specific communities such as high country station owners, or people with an interest in street planting.

Two matters of interest arose from the questionnaire results with respect to the issue of how participants were selected. Firstly, it was noted that there was a high rate of self-selection to participate in deliberative processes. This could be regarded as positive within the framework of voluntary participation being essential. However it would be of concern if no effort was made to ensure a wide range of voices in the processes. While many councils had taken particular demographics such as age, gender and ethnicity into account, very few had been rigorous in this regard. As was discussed in Chapter Two, local government has tended to represent particular sections of the population. Deliberative democracy offers the potential of a more community oriented form of governance, but only if an effort is made to be inclusive in inviting participation.

Case study interviewees for both the Kawerau and the Katikati processes expressed disappointment that their deliberations had not included the voice of Iwi. And for both the Taupo and Kawerau case studies, there was delight at the progress made in involving the voices of young people which were acknowledged to frequently be absent from deliberation. The questionnaire responses also frequently noted the issue of voice with respect to young people and Maori. For some, the active involvement of these groups was a positive outcome of the deliberative process used, while for others it was noted as an area for improvement. These are areas of difficulty for local

government and indeed for many public sector organisations as was recently reflected in the Report by the Controller and Auditor General (1999).

Best practice guidelines emerging:

- TLAs need to be inclusive in inviting participation in deliberative processes by taking care to identify and involve all parties, including critics, who have a significant interest in the issues at hand.
- If representation is required, the parties themselves should determine their own representation through their own processes.
- TLAs need to be aware of the make-up of the communities from which they are seeking participation in decision-making, and be prepared to use statistical methods either to guide or to check that their sample reflects the composition of the population with respect to key factors.
- TLAs need in particular to attend to the inclusiveness of tangata whenua, of women and of young people in inviting citizens to participate in deliberative processes. This includes the need for TLAs to behave in culturally appropriate ways in order to demonstrate the respect and reciprocity essential to deliberation.

Who defines 'the problem' or 'the issues'

Councils initiate deliberative processes for a purpose. However this research demonstrates that it is essential that the 'agenda paper remains open' in the early stages of deliberation. In the case of Katikati while there was a clear timeline, a budget, a proposed plan of action and a list of outcomes required, the whole purpose of the processes designed was to have local people *paint the picture* of the future of their community. It was they who decided what issues should be included at each stage. The vision and the action plans needed to deal with the issues they as community members felt were pertinent.

Similarly the drive in Taupo was to hear what the skateboarders themselves felt and thought. Council had identified what it perceived as the issues, but the focus of the first public meeting and the working group which developed was firstly to understand the issues from all perspectives, and then seek solutions which made sense to all parties.

In Rotorua too, both the large open meetings and the early Key Management Group meetings focussed on hearing the issues from the perspective of developers and consultants. As the CEO said, “It was really hard. So often we (Council) were made out as the bad boys”. A common understanding of the issues was not assumed, but rather arrived at through the early stages of deliberative process. Without that common understanding of what the issues are, progress to satisfactory solutions cannot begin.

Questionnaire responses appear to support the concept that in using deliberative processes, councils are open to agenda setting by local people. The most common motivation for using deliberative processes (three quarters of respondents) was a sense that council only knew a part of the picture, or issue, and could learn much by involving local people.

Best practice guidelines emerging:

TLAs need to ensure that time is taken at the outset of deliberative processes to develop a common, or consensus, understanding of the issues and matters involved, and the priority order for attention.

The issue of times and territory-where and when to meet

While the most convenient meeting time and place for council staff is at council during the ‘normal’ working day, for community members this is frequently inconvenient, and possibly daunting. Having the option of determining time and location may be constructive in establishing relationships early on. For example, in Kawerau invitations asked respondents to tick their preferred meeting time. In Taupo

meetings were often held ‘at their space’, meaning at a location where or near where the skateboarders ‘hung out’. For Western Bay of Plenty:

It was a huge commitment from staff. We’d do our day’s work and then we’d be in the car (it’s an hour each way) to have the community meetings.

Some TLAs also noted the importance of meeting on ‘community territory’ in their questionnaire responses. For example:

*Staff or Councillors (or both) will visit a community group (eg at their clubrooms) to discuss or resolve an issue particular to that group.
Community workshops in halls around the District to discuss and get feedback on issues*

Best practice guidelines emerging:

TLAs need to consider the times and places for deliberation which are most likely to enable the widest possible participation by citizens. TLAs need to be mindful of citizen perceptions of council facilities, and particularly of spaces which traditionally accommodate formal meetings.

Making full information available, as it becomes available

This matter relates to the principle of publicity, and the need for all deliberating parties to know all of the information relevant to the issues at hand. For Taupo this was the critical success factor. As discussed earlier, the most difficult stage for the working party was deliberating about the site options for the proposed new skatepark. It seemed that a deadlock had been reached until council personnel were fully open with all of the information they knew. This included explaining about the legislation within which council must operate, and the implications for the potential use of the various sites.

Similarly, in Katikati the Western Bay of Plenty District Council had a huge wealth of information about the Katikati area, and one of the first tasks they had was to reproduce that in a user-friendly form, so that local people could also have it ‘at their fingertips’ when considering the future of their own community. At the end of each stage of the process more information was prepared explaining the issues and the

options generate by community discussion to date, to ensure that all interested citizens could participate actively with full knowledge. The names of community forum members were also advertised widely to give local people another 'way in' to the information and processes.

Best practice guidelines emerging:

TLAs need to make all relevant information available. If the information is difficult to understand, TLAs must either re-present it in a use-able form or provide training and support to other parties to ensure fair access. This would include access to other information and expertise. Within the spirit of reciprocity it would be assumed that the same courtesy would be extended by other parties to TLAs.

Using appropriate language

Three of the four case study interviewees mentioned language as an issue. Whether face to face or in writing, language can be inclusive or exclusive. As the Kawerau informants pointed out 'council speak' pervades the bureaucratic structures. One strategy modelled by Western Bay of Plenty District Council was always to present to the community forum in draft form anything intended for community consumption, and to be prepared to get it wrong.

Once, we knew the Forum were really disappointed. We could tell we hadn't hit the mark. [It wasn't what they said], rather it was the silence.

Accepting the dissatisfaction, staff recognised that they had tried to create a document useful for council rather than community purposes, and began again, this time trying wherever possible to use the language, ideas and words directly from the community meetings to date.

The issue of literacy was raised as an issue by the interviewees at Kawerau. One of the outcomes reports had mentioned the lack of literacy as a barrier, pointing out that much of the council's current communication was in written form. The

communication team were aware that any new strategy would need to take this issue into account.

Best practice guidelines emerging:

TLAs need to be mindful of language as a potential barrier in deliberative processes. Literacy may be an issue in many communities, and English may be a second language for potential participants in deliberative processes.

Meeting styles – skilful facilitation as the key

All case study informants talked about the informality of meeting processes and the use of facilitation skills, as opposed to chairperson-ship. In all cases meetings had specific purposes, and needed to be ‘on-task’, but also needed to emphasise non-hierarchical power relationships. In the case of Katikati for example:

We [Western Bay of Plenty Staff] did have a different role to play than other Community Forum members, but that didn't make us any more or less important. Our role has been to facilitate the process and to faithfully report what was coming out...

And in Kawerau informality was emphasised, while the purpose of the meeting was kept in focus:

Sometimes we needed to focus the discussion up.

Western Bay of Plenty District Council strongly emphasised the need for training and practice in facilitative methods across all parts of Council.

One of the critical factors is the skills of the staff involved in facilitation, listening and community building. These skills can be taught to all staff, but there has first to be recognition that they are important skills.

This matter had also been noted as important by one third of the questionnaire respondents.

Best practice guidelines emerging:

- TLAs need to train and support staff and councillors in the principles of deliberation, the range deliberative processes and particularly in the skills of facilitation.

Building trust and mutual respect

Without exception all case study informants expressed concern at the level of cynicism or distrust community members felt regarding council. A significant impact of this was that all case study informants took very seriously any commitment or undertaking they made to the groups involved in deliberation. This ranged from small matters, for example an undertaking to follow up on the problem experienced by Mrs X who came to one of the Kawerau focus groups, to matters of larger significance. One example from Rotorua stands out:

Months ago we'd agreed in principle to a process to deal with a particular issue, by involving X (from Council), Y (a non-Council member of the Key Management Group) and Z (from other organisation concerned). Then I discovered that X and Z had been discussing the issue when they met on other matters, and had missed Y out of the loop. It had to be corrected.

Honouring agreements made is vital to building trust. Faithfully reporting the discussion and outcomes of deliberations was also noted as an important key to building trust. This was noted in three of the case studies. Questionnaire responses had also demonstrated this understanding among TLAs, with nearly one third indicating that a draft of deliberative proceedings had been considered by participants.

Local government can only provide a leadership role in community governance if it has the trust of local people. As discussed in Chapter One, local government can only lead if local communities wish to follow. The issue of cynicism among local people, is therefore vital to address. Taking notice of the outcomes of deliberative processes, and carrying out agreements made is vitally important.

Best practice guidelines emerging:

TLAs must be seen to take heed of the outcomes of citizen deliberation, by actively incorporating it into policy-making and decisions.

An appropriate internal culture

Getting it right on the ‘inside’ was brought up at three of the four case study interviews. The internal cultures of councils need to be structured in a way which facilitates easy and welcoming public access. The following quote is from Sue Laurence of the Western Bay of Plenty District Council:

If we expect communities to think strategically and interdependently about their communities, economies and environments then we need a corporate structure which models that. When we started our work in Katikati our strategic planning, resource and management planning and infrastructural planning were all running slightly out of kilter. Now we're corporately much more integrated.

An example from Rotorua also emphasises the need to change the internal culture to be more inclusive of ‘outsiders’:

We're still learning. It's ingrained that we sort stuff "in-house" – we don't have an automatic response which says that we go and talk to the others (outside Council) even before we get a view in our heads. We need to get everyone together and say here's our issue, what are the implications?, how might we solve it ?the culture of inclusion is not automatic.

Resistance to change was another issue faced within the Rotorua case study. As discussed, sometimes agreement on changing procedures would be reached by the Key Management Group, but old habits in practice would not change. The need for an internal culture which is open to change is one important issue, and related to this is the need for the inclusion of all staff and managers who might be affected by new decisions in the run-up to deliberation, and the debrief from deliberative processes. It is vital that people ‘on the inside’ are kept informed so that they too can support the changes.

Best practice guidelines emerging:

TLAs need to ensure that internal cultures are able to contribute to and respond to the decisions developed through citizen deliberation.

Managed and run by council personnel, not by consultants

Deliberative processes are a vital form of relationship building between councils and communities. The trust and mutual respect built up through working together through issues can become a valuable foundation to more active participatory democracy. Where representative democracy is seen to be failing, the use of deliberative processes involving councillors and council staff has the capacity to build bridges. This was the motivation behind the Kawerau focus groups – to understand community communication needs by communicating face-to-face with them. In the view of the Manager, Strategic Policy from Western Bay of Plenty District Council:

Relationship building with the community is vital. As a Manager within Council I'm opposed to using consultants (to undertake these processes) because you lose a wonderful opportunity to get close to your community, staff and politicians.

This matter relates to the potential for local government to use processes which build social capital within local communities. Deliberative processes managed and facilitated by council staff and politicians create the opportunity for the establishment of relationships and networks vital to social capital.

Best practice guidelines emerging:

TLAs need to consider carefully whether to contract non-council personnel to run deliberative processes, or to develop their own skill base and capacity to do so, in the interests of contributing to social cohesion and the capacity for community governance.

Conclusion

These are the themes which emerged during the course of this study of local authority uses of deliberative processes. Many of the themes related directly to matters raised in the literature. Others are very practical and reflect the orientation of this study to learning through practice.

If, indeed, territorial local authorities of Aotearoa/New Zealand wish to advance the notion of community governance, then the improvement of practices both in facilitating citizen deliberation and in incorporating its outcomes into decision-making will be vital.

Chapter Seven: Discussion and Concluding Comments

Introduction

This chapter concludes the study by reflecting on the material presented and its implications for TLA use of deliberative practices to advance democratic governance. It also reflects on the extent to which the research achieved its aims, and comments on the need for further research in some particular areas.

The fact that nearly sixty per cent of territorial local authorities participated in the study, and could comment on the range of deliberative processes they use in carrying out their duties is a strong indication of their interest. All of the responding councils reported that they actively use a range of deliberative processes for soliciting citizen input into decision-making. Without exception councils could showcase an example of practice which they felt was effective in achieving the goals which were set. On average, they rated the showcased examples at eight out of ten.

Complex issues in diverse communities

The recognition by TLAs of the complexity of many of the issues having to be resolved or advanced is illustrated by the motivations they indicated through the research. As reported in Chapter Four more than half of the respondents chose to use deliberative processes because they recognised this complexity. For three quarters, deliberative methods were selected because the council had a sense that they only knew some dimensions of the issue and that local citizens could advance that understanding. These are strong indicators of a local government culture which recognises the diversity of communities, and the complexity of issues being addressed.

Weaknesses of representative democracy recognised

Including other voices and perspectives in decision-making is one indicator of the respondents' recognition of a weakness in the democratic tradition of government by representation. A further indicator was the study result that three quarters of

participating TLAs recognised that community buy-in to the issues was essential for making progress. There was strong message that many councils enjoyed the sense of community ownership of the solutions, plans and visions developed with communities. There was also an element of respect for the outcomes of deliberation which became publicly owned. As one questionnaire respondent stated “it is the community’s plan, not Council’s”.

The purposes for which many of the showcased deliberative processes were used were to enable the expression of community aspirations. This would appear to demonstrate the recognition by TLAs of their need to establish legitimacy, and not to automatically assume the acceptability of the goals and aspirations of elected representatives.

The potential of deliberation for relationship building

Related to each of these themes is the essential component of relationships. Without reciprocity, and mutual respect, deliberation will not be fertile. As the research demonstrates, the use of deliberative processes can be foundation-stones in establishing meaningful relationships with previously disenfranchised communities. Many examples of this were illustrated, both through the case studies, for example in Taupo and Kawerau where new relationships were forged between young people and local government, and in Rotorua where more constructive relationships were developed with professional groupings previously in constant conflict with the TLA. Examples were highlighted by questionnaire respondents, for example “rebuilding a relationship with Federated Farmers”, “increased working relationships with the community now being achieved”.

My comment with respect to this area would be that the research outcomes suggest that many of the responding local authorities are making use of processes such as focus groups, community planning tools, and stakeholder forums, in order to establish relationships. For many, the development of reciprocal relationships particularly with communities which have long been disenfranchised from local government, is the primary purpose at hand. Without those relationships, there is no potential for deliberative processes to deal with complex moral issues and debates.

The need for improvements

The research also points to some areas where further work is needed. Participants themselves pointed to the need for TLAs to be very clear about why and when deliberative processes should be used. In particular councils need to begin with clear reasons for inviting deliberation, and a clear statement of the ways in which the outcomes will be used. This establishes a starting point for the shared agenda-setting which must then follow within the spirit of reciprocity. The research demonstrated that 'better defining the issue', and 'being clear about the outcomes' and 'the status of the outcomes' were all important areas for improvement.

Similarly the need for advancing the skill base of TLAs to run these processes was identified as needing improvement. Facilitation, in particular, was mentioned. Each of the case studies reinforced this insight, with Taupo and Kawerau noting the 'newness' of the experience to the staff involved. The Western Bay of Plenty interview was particularly fruitful in this area, identifying the need for councils to recognise facilitation as a key skill requirement for all personnel who work with groups or communities.

Deliberative processes and social cohesion

Relationship building within communities is essential to improving social cohesion. Clearly the prudent use of deliberative processes by TLAs can be used to build social capital. It is important for councils to note the point made in the Western Bay of Plenty case study interview, that TLAs themselves must make the effort to speak face-to-face with local citizens, rather than using consultants in these roles. It is the interaction among citizens, and council staff and politicians which is essential to building the mutual trust and reciprocity essential for deliberation, and basic to social capital. During recent years much of the central government social policy rhetoric has included reference to social cohesion (Blakely, 1998) but little has been contributed in terms of concrete support and resourcing of training, processes and mechanisms which contribute to it.

Policy implications of the thesis

The policy implications of the thesis are of contemporary relevance. The Labour Party policy statement on local government included a strong emphasis on improving local democracy through community participation (1999, 5). The following excerpts demonstrate the thinking behind the policy statement, and recognition of the importance of deliberative processes as one tool in enhancing local democracy.

To be effective as leaders of their communities, local authorities need to stimulate the interest, support and confidence of local people, and to foster their involvement....Active participation by citizens is only achieved when...more popular ways of communicating are used. Encouraging adoption of best practice is as important as changes to the law (ibid, 5)

This statement is of particular relevance to the current thesis, which set out to address the issue of practice. The Policy goes on to state specific strategies planned including

exploration of innovative techniques for increasing public involvement in community decisions. These techniques may include advisory boards, citizens' juries, panels and commissions, focus groups, interactive websites, and deliberative opinion polling and decision-making (involving intensive, face-to-face debate) (ibid, 5).

It would be hoped that the new government will now implement strategies which result in the desired changes.

Reflections on the research

This research set out to establish an understanding of whether and how local authorities in Aotearoa/New Zealand are using deliberative processes to involve local citizens in democratic governance. While it is clear that TLAs are increasingly using deliberation, more work is required to specify the ways in which deliberative outcomes are pervading subsequent council actions. While most questionnaire respondents could point to the use of the deliberative process outcomes, the research only examined the case studies in depth in this regard. An area for further work here may be to develop practices not only around specifying goals for deliberation but also around implementation and monitoring. The CEO of Rotorua District Council alluded to this concept. Early on in their process, there was discussion of the idea of monitoring systems for the implementation of agreements made by the Key

Management Group. However the concept had not been put into practice generally, although there was discussion about specific matters as the group proceeded. This seems a very important area for further attention if TLAs are to keep the trust of communities which are entering into deliberative processes in democratic spirit.

The examination of processes in more depth through the case studies was an aim of the research. These examples added much texture to the overview of the questionnaire method, and modelled the practice of commonly used deliberative processes. The case studies were also important for producing the themes which led to the best practice guidelines presented in Chapter Six. Many of these reinforced the literature about deliberation. It is hoped that these may serve as useful guidelines for practitioners in TLAs, and for the further development of research and writing around the use of deliberative processes.

In conclusion it is valuable to reflect on the changing nature of democracy, and to recognise its rapid evolution. It is only eleven years since local government became statutorily required to consult. In the ensuing period many TLAs have embraced the concept and taken it a further step, grappling with the complexity and the diversity of the contexts within which they 'govern, democratically'. As stated by Bohman (1996, 241):

The success of public deliberation should be measured reconstructively-, that is, in light of the historical development of democratic institutions and practices-rather than by external standards of justification....Rather than a utopia projected into the future, it provides a way to think about improving actual practices as they currently exist.

The purpose of this study was to present a current reflection of the state of deliberative practices in local authorities in Aotearoa/New Zealand, and from the experience of current practitioners to offer some concepts about improving practices. There is clearly room for much more work to expand on the application of the best practices recommended by this study.

In particular there is a need for further refinement of best practices around when and how to use deliberative processes in local government decision-making. Such a refinement would need to clearly outline some of the preconditions necessary, and

would elaborate on the range of practices which could be employed. As this research has demonstrated, only a limited range of processes are in current use. Practical guidance about when and how it is appropriate to use other processes such as citizen's juries is required.

Most importantly it is the spirit of including citizens in territorial local authority decision-making which requires support and focus. The principles of reciprocity, of accountability and of publicity, which guide deliberation, need to be translated into practices which can be used by local authorities to advance the concept of community governance through a more deliberative democracy.



MASSEY
UNIVERSITY

Information and Request - Research Project, New Zealand Local Authority Practices in Deliberation
11/10/99



For the attention of the Chief Executive Officer

Tena Koe, Greetings

I work for Rotorua District Council as the Manager of Community Policy and Resources. Recently I have been awarded a Dame Catherine Tizard Scholarship to assist me carrying out this study of local authority use of deliberative processes.

In recent years both legislation and public expectation have required innovation by local authorities to develop and improve processes which actively involve local citizens and communities in decision-making. Annual plan hearings, opinion polling, surveys and public meetings are some examples.

The particular processes on which my study focuses are deliberative processes - sometimes called interactive processes, where Councils bring citizens face-to-face (kanohi ki te kanohi) into dialogue, discussion and debate over matters and issues of common concern or interest, to contribute to Council decision-making. A number of these processes are described on the first page of the questionnaire attached. The focus of these processes is to enable people to engage with each other, and to take the time to work issues and ideas through to resolution. My research does not assume that deliberative processes suit all situations, but that they are one of a variety of strategies or tools which local authorities find useful in carrying out their work.

I would be grateful if you would take fifteen minutes to complete the questionnaire attached, and return it to me in the envelope supplied, by Friday October 29th. If you prefer, the questionnaire can be emailed to you for completion. Please email me if that is your preference. By participating in the research you will both contribute to a national resource of current practice, and gain insight into how your practices are similar, or vary with, those of other contributing authorities. The Executive Summary of the results will be forwarded to you in late November. The full thesis, once completed, will be publicly available, and aspects of it may be published.

I will assume that your willingness to complete the questionnaire implies your consent. You have the right to decline to answer any particular questions. The focus of the research is on drawing out what works well, and the best practices associated with that. As the researcher I will take particular care to avoid harm to any participating organisation or individual.

Please feel free to contact either my Thesis Supervisor or myself for further information.
Thankyou for considering this request.

Barbara MacLennan
Ph: 07-348-4199
Fax:07-347-8318
Email:Barbara.MacLennan@rdc.govt.nz

Supervisor: Christine Cheyne
Ph: 06-350-4300
Fax:06-350-5681
Email:C.M.Cheyne@massey.ac.nz

QUESTIONNAIRE

The emphasis of this research is on local authority use of processes which enable *citizen deliberation* on issues/matters at hand.

INTRODUCTION

Some Dictionary Definitions:

Deliberate - *intr.* To take careful thought; reflect. ~ *adj.* Careful and slow in deciding or determining.

Deliberative - *adj.* 1. Assembled or organised for deliberation or debate. 2. Formal discussion and debate on all sides of an issue.

Deliberative processes:

The following are some deliberative processes frequently used by NZ Local Authorities

Process	Description	Example
Focus groups	A range of people are brought together to 'focus' on a particular issue on which Council requires more clarification.	Rotorua District Council used a series of focus groups to clarify commonly held visions and concerns for the future of Rotorua, at the outset of Strategic Planning.
Stakeholder/key interest forums	People with a particular 'stake' or interest in common, are brought together to agree on how to proceed or advance a particular issue.	At the outset of youth policy development RDC held two hui with local youth-interested stakeholders to explore common ground and useful directions.
Citizen's Jury	A group of 12 people is purposefully selected and undergoes a jury process to consider expert evidence and come to an agreement about a particular issue.	Wellington City Council used this process to gain insight into citizen opinion about the ownership of Capital Power.
Citizen's Advisory Group/Panel	A group is expressly brought together by Council to consider specific issues through discussion and debate and advise Council.	Rotorua District Council formed an advisory group of interested citizens to help develop a Cycleway Policy.
Mediation/Negotiation	Council initiates processes which enable citizens in dispute with each other, or with Council, to communicate and deliberate independently of each other and then to come together to deliberate, to find common ground and explore potential solutions.	Rotorua District Council used a mediation process to explore the "roots" of conflict between Council and local consultants, and then began to address issues identified through a process of negotiated agreement.
Community planning tools	Council initiates processes which bring together a wide range of people with vested interests or expertise in particular issues facing their community. Through these processes people discuss, develop and refine the directions they wish to take to address the future - often around land use issues.	Waitakere City, in addressing urban sprawl in New Lynn, invited all sectors of the community - business, developers, residents, transport providers, urban planners, government organisations etc - into a five day "charette" process, to identify issues and develop a long term tangible vision for the area.

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART ONE - TLA DETAILS

1. Name of Territorial Local Authority : _____

2. (a) Name of Chief Executive Officer : _____

OR

(b) Name and position of the person completing this questionnaire

Your Name : _____

Your Position : _____

PART TWO - YOUR TLA'S USE OF DELIBERATIVE PROCESSES

3. Using the descriptions on page 2, please complete the following table by placing a tick in the appropriate column (*please tick only one column for each process listed*).

Deliberative Process	(A) I am unsure about this deliberative process.	(B) I have heard of this process but our TLA has not used it.	(C) Our TLA has used this process during last 5 years.	(D) Our TLA has used this process during last 3 years.	(E) Our TLA has used this process during last 12 months.
Focus Groups					
Stakeholder/key interest forums					
Citizens Jury					
Citizens Advisory Group/Panel					
Mediation/Negotiation					
Community planning tools (eg, charette)					
Other Deliberative Process 1, please name					
Other Deliberative Process 2, please name					

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART TWO (Continued)

4. If your Council has made use of any **other** deliberative (face to face discussion and debate among citizens) processes in decision-making during the last five year period, including those named at "Other" on the previous page, please could you provide a *description* of the process and the situation it was used in (*please include as much detail as possible in the space provided*).

Other Process 1: _____

Other Process 2: _____

Other Process 3: _____

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART TWO (Continued)

5. Once again referring to the descriptions on page 2, please specify which **Department(s) or units** of your Council have made use of particular deliberative processes during the last five year period.

Deliberative Process	Your TLA Department(s) or Units
Focus Groups	<hr/> <hr/>
Stakeholder/key interest forums	<hr/> <hr/>
Citizens Jury	<hr/> <hr/>
Citizens Advisory Group/Panel	<hr/> <hr/>
Mediation/Negotiation	<hr/> <hr/>
Community planning tools (eg, charette)	<hr/> <hr/>
Other 1 (please name)	<hr/> <hr/>
Other 2 (please name)	<hr/> <hr/>

PART THREE - ONE EXAMPLE OF YOUR TLA'S USE OF DELIBERATIVE PROCESSES

Please now focus on **one example of where your Council has recently used a deliberative strategy**. Please select an example which you feel is a particularly constructive showcase of your Council involving citizens in decision-making - either because:

- (i) The process was particularly useful in progressing the issue/matter at hand; or
- (ii) Your Council learned a lot about the techniques and issues around using this deliberative process.

(Please circle either (i) or (ii) above, to indicate why you have selected this particular example).

6. What **type** of deliberative process was used (*please tick one only*)?

-
- Focus Groups
- Stakeholder/key interest forums
- Citizens Jury
- Citizens Advisory Group/Panel
- Mediation/Negotiation
- Charette
- Participatory Appraisal
- Other (*please specify*) _____

7. In what **context** was the process used (*please tick one only*)?

- Strategic Plan development
- District Plan development
- Annual Plan development
- Special local issue
- Other (*please specify*) _____

8. Please briefly describe the question/issue/matter which needed to be addressed:

9. Did you consider/use any **other** processes to involve citizens in decision-making on this particular issue/matter?

- No
- Yes (*please specify*) _____

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART THREE (Continued)

10. Who was involved in **deciding** on the eventual process for involving citizens (*please put a tick beside all who were involved*)?
-
- Chief Executive Officer
- In-house committee/personnel
- Consultant(s)
- Councillors
- Community representatives
- Other (*please specify*) _____
11. What were your **motives** for involving citizens in deliberation on this issue (*please tick as many as appropriate*)?
- Complex issues which needed teasing out
- A sense that we only knew part of the picture and that local people could add much
- A need for community buy-in to the issue and the solutions
- A desire for empowerment of this particular community
- Being seen to do the right thing
- Other (*please specify*) _____
12. In selecting the eventual deliberative process, what were the major **constraints** you faced (*please put a "1" next to the highest, followed by 2, 3 etc if appropriate*)?
- Budget/cost constraints
- Limited timeframe
- Limited expertise
- Limited knowledge base
- Limited interest from the community
- Other (*please specify*) _____
13. Please indicate how you **selected** participants in the process (*please tick as many as appropriate*)?
- Participants self-selected
- Individuals selected by Council staff
- Individuals selected by Councillors
- Target Group - based on beliefs/values/attitudes/location
- Target Group - based on key community stakeholders
- Statistically - Random sample
- Statistically - Demographically representative sample
- Other (*please specify*) _____

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART THREE (Continued)

14. Overall, how **many** citizens (ie, not including Council personnel, staff, consultants) were involved in this deliberative process (*please tick the appropriate number range*)?

✓

- 1 to 10 people
- 11 to 20
- 21 to 50
- 51-75
- More than 75 people

15. In selecting your **sample** did you consider any of the following (*please tick as appropriate*)?

- Age
- Gender
- Ethnicity
- Location or residence
- Interest group
- Special needs (*please specify*) _____

16. What **outcomes** arose from the process (*please tick as appropriate*)?

- Report with recommendations
- Plan
- Further consultation
- Draft Report checked by/considered by participants
- Other (*please specify*) _____

17. Were the outcomes **communicated** back to process participants (Please tick one)?

- No
- Yes

If you ticked "yes", which of the following methods did you use to communicate the outcomes to participants (*please tick as appropriate*)?

- By mail
- Public notices in Newspaper
- Publications/Brochures
- Press releases
- Face to face meeting/s
- Other (*please specify*) _____

18. How would you **rate** the results of the process in generating the changes/knowledge you required (*please place a cross on the following line to indicate your rating*)?

1 2 3 4 5 6 7 8 9 10
Not useful-----Ver y useful

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART THREE (Continued)

19. Please comment on how the results were **used** by Council to address the issues/matters described in your response to Question 8.

20. What were the **positive** outcomes from using this process (*please tick as many as appropriate*)?

✓

- Complex issues were successfully teased out
 We found we only knew part of the picture and local people added much more
 We achieved community buy-in to the issue and the solutions
 We achieved a greater level of empowerment of this particular community
 We were seen to do the right thing
 Other (*please specify*) _____

21. Were there any **negative** consequences in using this process (*please tick one only*)?

- No
 Yes (*please specify*) _____

22. Would you use/have you used this process again (*please tick one only*)?

- No
 Yes

23. If you were to use this process again, in what ways would do it differently (*please tick as many as appropriate*)?

- Better defining the issue or problem
 Being clearer about the outcomes required
 Being clearer about the status of the outcomes and how they would be used
 Using a different method to choose the strategy or process
 Better ensuring that those running the process were adequately skilled (eg in facilitation, conflict resolution, etc.)
 Using a different method to select the participants
 Giving better feedback to participants about the outcomes
 Other (*please specify*) _____

PROCESSES OF CITIZEN DELIBERATION
BY LOCAL AUTHORITIES IN NEW ZEALAND

PART FOUR - FURTHER RESEARCH

The next step of this research will involve a closer focus on a few examples, or Case Studies, of Local Authority practices in deliberation.

24. Would you be happy for the example you have just described to be used as a Case Study for further research (*please tick one only*)?

✓

No

Yes

IF YES, who should I contact for more detail about this particular example?

Name : _____

Position/Title : _____

Postal Address: _____

Thank-you for taking the time to complete the Questionnaire. Please place it in the Reply-Paid Envelope enclosed, and return it to me before Friday 29th October 1999. The Summary Results will be forwarded to you in late November.

For any further information, please contact me:

Barbara MacLennan

Ph: 07-348-4199

Fax: 07-347-8318

Email: Barbara.MacLennan@rdc.govt.nz

Appendix Two



10th January, 2000

To:

Territorial Local Authority Chief Executives, Managers and Staff who responded to the *Questionnaire Processes of Citizen Deliberation by NZ Territorial Local Authorities*

Kia Ora and Happy New Millennium!

Thank-you sincerely for your Council's response to this questionnaire. You may remember that it focussed on the processes Councils are using to engage local people and communities in discussion and decision-making beyond the consultative requirements of the legislation. Thank-you also to those of you who pointed me to other useful work or contacts. I really appreciated your advice.

A return rate of nearly 60% has ensured that the research can confidently develop some conclusions and concepts about current territorial local authority practices in deliberation, and the ideas and issues which emerged.

As promised, I now attach the Interim Data Analysis, which clearly shows a picture of TLAs from around the country frequently making use of deliberative processes far beyond the legislated consultative requirements governing democratic practices. TLAs both small and large, are actively using a wide range of processes to enable and facilitate local community input into decision-making.

In some cases I have now followed up and undertaken Case Studies to learn more about the particular strategies used, and the outcomes and issues which emerged for the Councils involved. From these, I have begun to develop some ideas for best practices around citizen deliberation. With 70% of respondents offering their strategy as case study material, it was a tough job making a selection! Around the country there is clearly a huge wealth of experience and knowledge about deliberative processes and their usefulness in ensuring participatory democracy in local communities. My thesis will include full discussion of the information gained, the pointers which emerged, and areas for further work. Thankyou again for contributing to the research.

Yours sincerely

Barbara MacLennan
Manager Community Policy and Resources
Rotorua District Council

Interim Summary of Data Results

Territorial Local Authority Practices in Citizen Deliberation

The following results summarise outcomes of research undertaken towards a masterate in Social Policy, supported by a Dame Catherine Tizard Scholarship. The particular processes on which the research focuses are deliberative processes - sometimes called interactive processes - where Councils bring citizens face-to-face (kanohi ki te kanohi) into dialogue, discussion and debate over matters and issues of common concern or interest, to contribute to Council decision-making. Increasingly Councils recognise that the legislative requirements "to consult" are inadequate on two counts. Firstly they are often not comprehensive enough to develop satisfactory decisions on the complex matters which Councils face, and secondly they do not satisfy the level of public expectation to participate meaningfully in local government. Deliberative processes are one solution to more effective democratic practice.

A self-return questionnaire was mailed to all CEOs of NZ Territorial Local Authorities in mid October, 1999. Within six weeks, a total of 42 completed returns (nearly 60% of the sample) had been received, and the following summarises the results of the data analysis subsequently undertaken. The purpose of the questionnaire was to examine the styles, frequency and effectiveness of deliberative processes currently being used and found effective around the country, and some of the practices and questions arising. These are examined in detail through case studies which will be presented in the full thesis, along with text analysis of the questionnaire.

Are TLAs using Citizen Deliberation Processes? - A Resounding "Yes"

The questionnaire was designed to firstly get a sense of the frequency and range of deliberative processes being used by TLAs around the country. Through specific

examples of what Councils determined as their own best practice, the questionnaire then examined some of the components of deliberative processes to see what could be learned. As the following table demonstrates, most had made use of one or two deliberative processes during the past twelve months, the most common being stakeholder or key interest group forums (74%), and mediation and negotiation (64%). Citizens Advisory Groups, Focus Groups and Community Planning Tools had also been used relatively frequently during the past twelve months, each by around 45-48% of responding Councils.

Table 1 Frequency of Use of Common Processes by TLAs ¹

Deliberative Process	(A) I am unsure about this deliberative process.	(B) I have heard of this process but our TLA has not used it.	(C) Our TLA has used this process during last 5 years.	(D) Our TLA has used this process during last 3 years.	(E) Our TLA has used this process during last 12 months.
Focus Groups	0	5%	14%	29%	48%
Stakeholder/key interest forums	0	2%	7%	14%	74%
Citizens Jury	19%	69%	0	0	0
Citizens Advisory Group/Panel	5%	29%	2%	14%	48%
Mediation/Negotiation	0	12%	10%	14%	64%
Community planning tools (eg, charette)	14%	19%	7%	0	45%

¹ All percentages have been rounded to the nearest whole figure

In addition to the processes described by the questionnaire, respondents listed some seven other deliberative processes they felt were significant, including for example public forums, which were mentioned by a number of Councils.

Learning from Examples of Deliberative Processes which had Worked Well for TLAs

When invited to discuss one recent example of a deliberative process which respondents believed had worked well, one third chose an example of focus group processes, and another third chose stakeholder/key interest forums. Of the remaining third, examples were drawn roughly equally among Citizen's Advisory Panels, mediation and negotiation, and community planning tools.

Of these examples nearly 38% were focussed on gaining citizen deliberation to contribute to strategic planning development, and over 26% were focussed on a special local issue. District Plan development was the focus of a further 17% of the examples chosen. Well over half the responding Councils had also considered or actually used additional processes to broaden their understanding of the issues at hand, for example by undertaking a "telephone survey to confirm the community position" gained through the deliberative process.

Who chose what processes to use, and why?

The question of who chooses which deliberative process to use most frequently involved a combination of personnel, with Councillors (at 76%) being most frequently involved, followed by in-house committees (64%) and the Chief Executive Officer (55%), with input by consultants and community representatives each totaling around 20%. Most frequently the original motivations of TLAs for using deliberative processes were to gain community buy-in to an issue or matter, or because Council had a strong sense that "they only understood a part of the picture", at 79% and 74% respectively. Addressing complex issues, empowering particular communities and "being seen to do the right thing" were also significant motivations for some of the responding Councils.

What constraints do TLAs experience in running deliberative processes?

When asked about major constraints to the processes, the three most frequently mentioned were cost, limited timeframe, and limited expertise in running the deliberative process.

Who were the participants and how were they selected?

In terms of participant selection, Councils tended to use a mixture of methods. The two most frequently used methods were target groups of key stakeholders and self selected participants, each used by nearly 60% of respondents, with "individuals selected by staff" or "individuals selected by Councillors" used respectively by 50% and 40% of responding Councils. Few respondents had used statistical sampling as part of their participant selection methodology in order to ensure a demographically representative sample of their community.

How many people did the processes involve, and what was taken into account in selecting the "public" to be involved?

Of the examples discussed, processes involving "21-50 people" and "more than 75 people" were the most common, at roughly one third each of the TLAs which responded. "Interest groups", at 66%, and "location or residence" at 50%, were the most frequent sample considerations Councils had taken into account. Ethnicity had been taken into account by nearly a third, and age and gender each by roughly 25% of the Council's responding.

What happened to the outcomes of the process?

When asked about outcomes of the processes, nearly 55% had produced a report with recommendations, and 41% had gone on to undertake further consultation. Just over 40% had produced a plan of some sort, and nearly 30% had produced a draft report to be considered by participants. Over 95% had communicated the outcomes back to participants in some way, with nearly 60% indicating they had used face to face

methods. Mail-outs had been used by 52%, press releases and publications were each used by around 33% of respondents, and public notices by 15%.

So how would you rate the success of this process?

When respondents were asked to rate the success of the example they were presenting, the average rate was just on eight out of a total of ten. Frequently deliberative processes produced unplanned positive outcomes, when compared to the original motives named by TLAs. Community buy-in to the issue or problem at hand was indicated as an outcome by 76% of responding Councils. Nearly 50% of Councils also noted that the process had contributed to a greater level of empowerment of the community involved and that much more had been learned about the issue by involving local people. Being seen to do the right thing was seen as a positive outcome by 45%, and successfully teasing out complex issues was noted by 42%.

Would you use this process again?

All Councils which responded to this question indicated that they would use the process they had described again, with most Councils identifying some areas for improvement. Defining the issue at hand more clearly, and giving better feedback to participants were each mentioned by one in five respondents. The next most commonly mentioned improvements (one in six respondents) were improving skills to run deliberative processes (eg facilitation) and being clearer about the outcomes and how they would be used.

What happens next?

The full results and conclusions of the thesis are currently being prepared for examination at the end of February, and will then become publicly available. Aspects of the research may be published. These results are the interim summary of data results and may be freely used with acknowledgement of the researcher.

Appendix Three

Case Study – Interview Questions

Introductions, and complete consent procedure

Questions

- 1 Tell me more about what led Council into this issue in the first place? What was some of the background? Were there any debates or differences around what the issues were? Who was involved in these discussions?
- 2 How did the idea of having a participatory process come up?
- 3 Why was it important/seen as important for Council to actively involve citizens in this decision?
- 4 How did the decision to use this particular strategy – focus group/s....come about? Were there any issues around that? Who was involved in that decision?
- 5 How were people selected to participate? Who selected them? Were there some discussions around that?
- 6 How were they invited? By whom?
- 7 What kind of pre-information was prepared – did everyone coming have that?
- 8 Tell me about the process used. What happened? How?
- 9 Meet more than once?
Who was involved? Who led?
How did the process work?
How many meetings? All together?
How were ideas generated?
What worked well? What not?
Who facilitated? Meeting style?
- 10 What were the outcomes on the particular issue? What was decided? Any unresolved issues? How dealt with?
- 11 What impact on any particular decisions taken by Council? Subsequent implications?
- 12 Do you feel this strategy was a good one for this situation? Any learning which may be useful?
- 13 Are there any documents/media coverage which might be useful to me in writing up this case study? Has any formal evaluation or critique been undertaken? **Thankyou**

Appendix Four

Respondent Number of TLAs

Respondent Number:	Name of Territorial Local Authority (<i>text</i>)
1	Kawerau District Council
2	Otorohanga District Council
3	Ruapehu District Council
4	Horowhenua District Council
5	Waipa District Council
6	Carterton District Council
7	Ashburton District Council
8	Waimate District Council
9	Papakura District Council
10	Tararua District Council
11	Southland District Council
12	Nelson City Council
13	Porirua City Council
14	Auckland City Council
15	Christchurch City Council
16	Franklin District Council
17	Masterton District Council
18	Hurunui District Council
19	Central Hawke's Bay District Council
20	Palmerston North City Council
21	Waimakariri District Council
22	New Plymouth District Council
23	Tauranga District Council
24	Waikato District Council
25	Buller District Council
26	Timaru District Council
27	Dunedin City Council
28	Upper Hutt City Council
29	South Waikato District Council
30	Marlborough District Council
31	Gore District Council
32	Waitaki District Council
33	Hutt City Council
34	South Taranaki District Council
35	Invercargill
36	North Shore City Council
37	Manawatu District Council
38	Western Bay of Plenty District Council
39	Taupo District Council
40	Grey District Council
41	Wanganui District Council
42	Rotorua District Council

Appendix Five

Massey University Masterate Thesis Research – Consent Request for Case Study

23 December 1999

Name
Title
Address

Dear Name

Thank-you for consenting to assist me in connection with my masterate thesis research, which focuses on the kinds of deliberative processes being used around the country by TLAs. The thesis will become publicly available, and parts of it may be published.

As mentioned I have selected three case studies from the Survey, and am now undertaking hour-long (maximum) interviews with the key informant nominated in each case. I have also requested assistance to locate any written material which may assist me in understanding and describing the case studies selected.

I seek your consent to tape our discussion for the purposes of prompting my memory when I am writing the case study up. No-one else will have access to the recording, and it will be destroyed as soon as my thesis is submitted for examination. You may of course request that the tape be turned off at any time during the interview.

I also seek your consent to take copies of any information related to the case study which you feel will help me understand the deliberations involved, and which you are willing to make available to me.

If for any reason you do not wish your Council to be identified in my writing, please let me know. And of course you have the right to withdraw from the research before it is in its final draft form at the end of January.

Thanks again for your co-operation. You are welcome to contact either myself or my Massey Supervisor, Dr Christine Cheyne (06-350-4300), for any further information you require.

Barbara MacLennan

I have read the letter and consent to the requests made

.....

Appendix Six

Issues Addressed and Outcomes Reported by TLAs

Council	Issue	Outcome
1	What does the group think about how the council communicates with the community and what suggestions for improvement.	Too soon to say. Awaiting final report on the exercise.
2	Various groups were used in order to develop appropriate policies, to ensure a buy-in from stakeholders.	The outcomes from the various groups were used as the basis for the Draft District Plan.
3	There was a need for an intensive community consultation process to facilitate the capture and exploration of issues the community wished to see addressed in a Strategic Plan.	The outcomes were summarised as community visions and broken down into three main themes; Economy, People and Community. Each of those themes was further broken down into Desired Outcomes. That provided direction for the Council and allowed Council to make and document a response.
4	Need for a specific Youth Policy for the district and the desire or otherwise for a Youth Forum.	Gave 3 Councillors allocated to develop Youth Policy the knowledge and community buy-in to develop a policy for next year's Annual Plan and LTFS review and to work towards allocating staff time/budget to youth matters.
5	Development of policies.	Development and modification of policies.
6	Grass roots level Strategic Plan for Council and Community Vision.	Used in all matters of governance and core business decisions and strategy.
7	To consider the most appropriate and cost effective flood plain management strategy for Ashburton Town. A "Community Advisory Group" made recommendations to the regional and district councils.	Both councils accepted the recommendations of the "Community Advisory Group". The "CAG" undertook consultation with the community at large, and both the district and regional councils gave an undertaking to accept the communities views.
8	Development of stock driving bylaw. Control of uses in District Plan. Public/private good aspect of function.	Used to balance final decisions made by Council.
9	Whether Hingaia Peninsula would become a future urban growth area.	Results included in a report to Council. Council adopted the report which was then sent to the Regional Growth Forum.
10	To comply with the Regional Council water quality requirements is likely to cost at least \$6m. We wanted citizens to be aware and discuss the options.	Not used yet.
11	Future development of a community. In this case it was the town of Te Anau. Questions were - what direction should town go - opportunities etc. How should it take advantage of them.	The results were incorporated into development plans for Te Anau including asset management plans in relation to infrastructure.

12	Logging trucks using urban streets during night hours.	A trial strategy established by agreement for a 6 month period.
13	A vision for the city as a whole, the roles people would play to achieve goals and the strategies and tasks that would contribute to the attainment of the vision.	Council produced a Strategic Plan which will now be discussed with sector groups to: 1) Facilitate groups to take responsibility for implementation; 2) Ensure that the plan had accurately captured the communities expectations.
14	Developing a vision for the city for the 1999 Strategic Plan Review to be prepared and which could also set an agenda for other groups/sectors to work towards in partnership with the Council.	To set a vision for the city, and priority outcomes to be achieved. Council then selected strategies and milestones it will pursue as its contribution to achieving the vision.
15	Arts policy.	The basis of development of a revised arts policy for the council.
16	The purpose was to stimulate discussion and debate amongst Councillors and Council's economic development partners about the future direction for the Council's economic development effort.	The results underpinned the recommended process of moving forward.
17	Policy development. To reflect the growing interest of residents in preserving and further planting of street trees, and enable consistent decisions on development and management of street trees.	Re-writing draft policy. Identifying suitable trees for street planting in Masterton.
18	Wide range but focus was more directed toward rebuilding relationship with Federated Farmers.	Input to next year's funding policy review.
19	Developing monitoring report for our District strategy, vision document. Had to decide with group what progress made towards vision and discuss measures we could develop to monitor.	Developed an idea of progress organisations had made towards the strategy. Also found out what type of statistics were already being collated by organisations.
20	To explore and get a better understanding of how people feel about living in Palmerston North, what they want from the City and the things that can be done to make PN a better place to live, learn, work and play.	We are currently using the results to help review our City Vision and Council Strategic Plan. The focus group gave us really valuable information (in some cases confirming what we already knew and some new insights) for this.
21	An isolated high country area had to address how to deal with s.6(c) RMA (indigenous vegetation).	1) To inform the valley and wider community; build a better understanding of s.6(c). 2) To focus discussion on options/choices/values in the valley. 3) To feed into RMA statutory process. 4) Benchline for monitoring. 5) To provide a basis for funding non-regulatory methods.

22	The effectiveness of the consultation process.	To review and improve public consultation.
23	A lot of issues re the Council's future direction for the city.	Results were used to indicate what were the issues the community saw as important. These were used for the Strategic Plan and to decide which way Council wanted to move in the future.
24	Small town in need of economic development had limited sites/land available for new or expanded businesses and wanted to preserve character of town/environment.	Process still current ... issue not limited to economic development ie, first survey - got a 'feel' for social/environment etc issues facing the town (to be used for community plan early 2000). Main survey then focused back on economic issues so we had specific information for eg, District Plan change.
25	Resolution of 7 outstanding appeals.	Appeals resolved.
26	References to Environment Court were negotiated in an endeavour to reach agreement.	Not yet at that stage.
27	Differing objectives/agenda for development of Kew Reserve.	Revised development plan for reserve.
28	Rebranding the Leisure Centre to better reflect its target market, and in so doing increase patronage and income.	Facility equipment updated. Centre 'refreshed' (paint, signage, new uniforms). Staff training – particularly focus on the customer. Target audience identified, and programmes/equipment to attract the target audience implemented. Website developed with a focus on 'kids' for the facility.
29	Long-term planning for the community at Arapuni.	Results of the consultation used to develop a draft strategic plan for Arapuni.
30	Ongoing complaint with sewerage ponds.	Used to negotiate a solution
31	A new leisure centre was proposed. The Council had a preferred site. The community had another project. Needed both to come together.	The Council changed it's stance to be the same as the communities.
32	Development of a landscaping plan for for a central city park. Redevelopment there had created huge public interest and opposition - see notes.	Concepts developed by Advisory Process are now being implemented by Council

33	New direction for Council. Focussed on Council role in City. Needed detailed input as to whether new direction/style was acceptable. These focus groups were actually a series of stakeholder groups all inputting to a draft strategic plan from their point of view.	Officers incorporated comments into draft where possible. Quite a few changes were adopted including a change to the vision. Confirmed we were generally on the right track.
34	The level of service for each activity that Council provided needed confirmation along with how each activity should be funded and the level of benefits to users vs generally	The Council considered the feedback and comments obtained from the focus groups when determining the level of service for each activity. Since most of the feedback supported the current level of service
35	Development of a regional landfill site.	The report from the mediator included minority reports from the locals who objected to the establishment of a "tip" on their front door. Council is currently looking at issues and recommendations in the reports before using it as part of its Resource Consent Application.
36	What will the North Shore look like in 20 years time.	Information will be used to draft a Strategic 20/20 Vision for the City
37	Initial development of a strategic plan. Started with a "blank sheet of paper" and asked stakeholder/key interest groups (eg health , education, business, large industry) to tell Council what their specific view of the District was.	Results used to develop discussion document on which to base/draft Strategic Plan for more formal consultation.
38	Holistic strategic planning for communities. Note see detail enclosed with response to Quairre.	Integrated with other Council plans and mechanisms eg annual plan for funding - resultant change to District Plan
39	Development of a skatepark	The input from the community (youth) established the needs thereof and formed the basis of the plan for the skateboard development.
40	Not an individual project. An effort to instil a culture of co-operation, strategic thinking and positive drive - we have had immense successes.	The inputs (strategic plans) of sector groups are being included in Council's strategic plan which in turn will form the basis of future annual plans, LTFs etc
41	Development of community direction and ten strategic community priorities that need to be addressed.	The community strategic plan started in 1995 and was finalised in 1997. Further two years working through funding response and plans and assisting community to address the ten community priorities.
42	Consent process for building, resource consents for subdivisions not going well. Needed to reach agreement on what the problems were from both sides and mediate solutions that resulted in improvements to the processes	Progress made but much still to be done. Progressively making changes to processes.

Appendix Seven

Case Study Documents Analysed

Kawerau District Council Communication Team, 1999, *Proposal for Identifying the Communication Needs of our External Customers (or) "How do we know for sure?"*, Internal Paper to Management Team

Rotorua District Council, 1998-9, *Working file of the CEO – Key Management Group*

Taupo District Council, 1998-1999, *Extracts of Reports and Correspondence to the Taupo-Kaingaroa Community Committee*

Taupo District Council, 1999, *Working File of the Operations Supervisor, Parks, Skatepark Working Party Meeting Records and media clippings*

Western Bay of Plenty District Council, 1999, *Katikati – The New Picture*, Consultation Document

Western Bay of Plenty District Council, 1998, *A Strategic Plan 1998-2020*

Western Bay of Plenty District Council, 1999, *Katikati Comprehensive Development Plan Process Steps and Schedule of Community Meetings*

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