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**PUBLIC PARTICIPATION IN NEW ZEALAND  
REGIONAL COUNCILS** <sup>240</sup>/<sub>333</sub>

A thesis presented  
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for the degree of  
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**EDGAR L. JAVISON**  
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## ABSTRACT

In 1989 and 1991, the New Zealand Parliament enacted legislation which reformed local government structure and planning processes. Inherent in these statutes are, among other things, the strengthening of regional councils and the prescription of opportunities for active public participation in the decision-making process. To explore the impact of these legislative mandates, it was felt that the philosophy and practice of public participation in New Zealand regional councils should be analyzed. This study, therefore, sets out to critically examine the philosophies of public participation held by decision-makers in regional councils; establish the relationships between these philosophies and the actual practice of public participation; and assess the effectiveness of participatory processes adopted.

A two-fold approach was adopted towards meeting the study goal and objectives. Firstly, in-depth case studies of the participatory activities adopted by two Regional Councils were undertaken. Thus, the strategies adopted by the Taranaki Regional Council and the Hawke's Bay Regional Council to involve the public in its annual planning process, regional policy statement development, and consents processing were examined. Specifically, for consent processing, an actual consent application process handled by each Council was studied. These concerned the discharge permit application of Egmont Tanneries Ltd., in Taranaki, and the renewal of the resource consents of Richmond (Takapau) Ltd. in Hawke's Bay.

Through examination of council documents, interviews with council officers, and a survey of submitters and consents applicants, the overall public participation strategy for each Council was determined. It was observed that the Taranaki Regional Council had an overall program for public involvement, which was geared towards building sound public support for the council. The Hawke's Bay Regional Council was found wanting in terms of not having a public participation programme. However, *ad hoc* public participation activities have focused towards gathering the

views of the regional community in order to provide the Council with some guidance as to the direction that its policies should follow.

Secondly, a national postal survey of decision-makers in regional councils and unitary authorities was conducted. The survey aimed to ascertain the attitudes and concepts that decision-makers hold about public participation; the kind of power afforded to public participants, and the objectives of programmes carried out by each Council; to identify the techniques employed and to see whether these are the techniques preferred; and to determine their perceptions on what public participation has achieved. Decision-makers were asked to use a five-point Likert scale to rate 15 statements on public participation, 19 techniques suggested by the then Ministry of Works and Development (1978b) for local bodies to utilise, and eight outcomes of public participation.

A response rate of 76.53% was achieved from the national survey of 98 decision-makers in 12 regional councils and four unitary authorities. Using a t-test procedure, it was found that decision-makers subscribe to the democratic ideal that citizens have the right to be consulted on policies and proposals affecting them. However, this test found that they are not ready to totally share their decision-making power with citizens as prescribed by the radical theory of democracy. The national survey results also showed that decision-makers favour public participation techniques that are statutorily prescribed, relatively easy to use, and less costly to run. Decision-makers felt that the purpose of public participation was to realise the objectives of decision-making, support-building, conflict management and education.

Using an F-test procedure, it was established that certain respondent characteristics affected the predisposition to public participation. Female decision-makers and elected members were more inclined to involve the public in the planning process. On the other hand, younger decision-makers and those from unitary authorities were less inclined to public participation. Further research to explore these differences in more detail is recommended.

From both the case studies and the national survey, it was concluded that the Parliamentary mandate for public participation strongly supports its actual practice at the regional level. It was also concluded that there is a lack of consistency between expected results of participatory exercises and the actual outcomes. Thus, it is recommended that the purpose of public participation be clearly specified in order for regional councils, and their respective regional communities, to develop a public participation program. Finally, regular discussions among practitioners, academics, and the general public on different aspects of public participation can ensure a more complete absorption and acceptance of public involvement in the decision-making process.

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## Chapter 1

# INTRODUCTION

### Background

The first comprehensive and integrated review of New Zealand laws governing the management of the country's natural and built resources resulted in the enactment of the Resource Management Act 1991<sup>1</sup>. The passage of the Act, which culminated the largest law reform of its kind in the country's history, demonstrates the Government's commitment to reforming New Zealand's domestic laws on environmental matters<sup>2</sup>. Where the previous planning statute, the Town and Country Planning Act 1977, focused on the direction and control of the use and management of resources, the Resource Management Act 1991 places emphasis on the control of any adverse effects activities might have on the environment. In this way, the New Zealand planning system has moved away from detailed regulation to minimal intervention in so far as the outcome of any developmental activity is concerned.

Palmer (1989) considers the Resource Management Act, which became effective on 1 October 1991, as providing greater efficiency in the planning and consent processes, entailing a much greater involvement by the public and by local authorities (Storey, 1992). Regional councils were given two years to formulate their respective policy statements and plans. At the same time, resource consents have been applied for and, in many instances, granted under the Act.

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<sup>1</sup> On 7 July 1993, Parliament enacted the Resource Management Amendment Act 1993, which deals largely with technical amendments designed to smooth out ambiguities in the decision-making processes laid down by the original Act (Storey, 1992).

<sup>2</sup> The Sixth, Seventh, and Eighth Schedules of the Resource Management Act 1991 show that 59 statutes and 19 regulations/orders were repealed and that 54 statutes and two regulations were amended.

This resource management law reform exercise is part of a major reform exercise, begun in 1985, involving national environment administration reform (State-Owned Enterprises Act 1986, and Conservation Act 1987) and local government reorganisation (Local Government Amendment Acts 1988 and 1989). Particularly, in the nationwide reform of local government, local authorities were required to uphold the concept of public accountability through

- o the publicity of their plans and priorities for the current year;
- o the observance of a special consultative procedure<sup>3</sup> in order to give the public a chance to comment on the published plan; and
- o the reporting of the local authorities' performance over the year, as measured against the approved plan.

At the same time, a three-tier system of government at central, regional, and local levels was established. At the regional level, the creation of regional councils was rationalised and mandated nationwide, largely as a mechanism to provide leadership in establishing broader community policies and to serve as a link between central and local government levels. Through the 'reformed' local government structure and the 'reformed' planning procedures, the public has been allowed active involvement in the decision-making process. However, are decision-makers in newly-established regional councils agreed on what public participation entails? Are regional councils undertaking participatory activities beyond those required by law? Or are they involving the public only to the extent that statutes ask them to? The focus of this thesis will be on these questions and similar matters.

## **Thesis Goal**

The thesis aims to analyze the philosophy and practice of public participation in New

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<sup>3</sup> The special consultative procedure will be discussed in Chapter 3.

Zealand regional councils begun since the establishment of these councils in 1989. The concept of public participation means different things to different people (Rosener, 1978)<sup>4</sup>. For the purpose of this thesis, public participation is defined as the active involvement of the public, comprised of individuals and groups outside the planning agency, in its decision-making processes.

## **Thesis Objectives**

This study aims to achieve the following objectives:

- o to critically examine the philosophies of public participation held by decision-makers in New Zealand Regional Councils;
- o to establish the relationships between these philosophies of public participation and the actual practice of public participation; and
- o to assess the effectiveness of public participation processes adopted by New Zealand Regional Councils.

## **Thesis Outline and Methodological Approach**

The thesis has four parts. The first part seeks to provide a foundation for the material that will be subsequently discussed. Planning institutions in New Zealand are first described (Chapter 2), after which the development of public participation in New Zealand planning is traced (Chapter 3). Then, a review of the current literature on public participation in planning is made (Chapter 4).

The second part deals with case studies of two regional councils in New Zealand. The Taranaki Regional Council was selected after the assistance of the Ministry for the Environment (Veart, pers. com., 1993) was sought and obtained in identifying

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<sup>4</sup> The problem of defining public participation is discussed in detail in Chapter 4.

North Island regional councils which have made substantial progress towards involving the public in planning processes. The Hawke's Bay Regional Council was chosen because of its close geographical proximity to Palmerston North, which assisted in the research process. This council is seen as reasonably typical of New Zealand regional councils. Further, it is the first regional council to publicly notify its regional policy statement.

Data collection consisted of visits, each lasting from three to five days, to the offices of these two Regional Councils from July 1993 to January 1994. During these visits, council documents were gathered in an effort to determine the processes observed by each council in annual plan formulation and in regional policy statement development. For consents processing, it was decided that a case study of a notified consent application be undertaken to illustrate the extent of public involvement in the council's regulatory function. The Consents Managers were thus asked to nominate a particular consent application for this purpose.

Apart from council documents, interviews with council officers helped to ascertain the overall participatory strategy the council subscribed to. Finally, a survey of both submitters and consents applicants was undertaken to solicit their assessment of the consents process of the council.

The findings of the case studies are presented in Chapters 5 and 6. Evaluation of the participatory activities, as well as a comparison between the two Councils, is likewise attempted (Chapter 7). Focus is put on four aspects: the techniques employed in generating public input; the goals and objectives that appear to be actively pursued by these activities; the composition of the 'public' targeted by the council; and the extent to which public input is considered in the decision-making process.

Part three of the thesis presents the findings of a national survey of key regional decision-makers. The design and construction of the survey questionnaire and the selection of the survey population are set out in Chapter 8. This is followed by the presentation and discussion of participatory concepts held by the survey respondents

(Chapter 9), and a description and analysis of participatory practices in New Zealand regional councils (Chapter 10).

Finally, Chapter 11 endeavours to integrate the findings from the theoretical literature review, the case studies and the national survey leading to a series of conclusions about the emerging philosophy and practice of public participation in New Zealand regional councils.

A number of limitations to the methodological approach needs to be acknowledged. Firstly, the in-depth case studies focus only on two regional councils, not on the entire twelve regional councils. Therefore, there is an element of selectivity in the case study analyses which may lead to some bias in the results and the conclusions. Secondly, the postal survey of all twelve regional councils and four unitary authorities only focused on the perceptions of key decision-makers - council chairperson, planning and regulatory committee chairpersons, the general manager, and planning and regulatory officers - within the council. It did not ascertain the perceptions of the general public and other participants in the decision-making process. A more comprehensive survey of 'public participation in New Zealand regional councils' would need to encapsulate these perspectives. Nevertheless, the public perspective was surveyed in the case studies of the processing of two actual consents applications in the in-depth studies of two Regional Councils.

## ***OVERVIEW***

## Chapter 2

# NEW ZEALAND PLANNING INSTITUTIONS

The thesis makes references to different governmental bodies in New Zealand. To provide a proper perspective on the roles of these bodies *vis-a-vis* the planning process, it is necessary that a discussion of the planning institutions be made.

### Role of Central Government in Planning

New Zealand has no written constitution. Instead, formal legal documents such as statutes and court decisions constitute its fundamental expression of national ethos, embodied in its legislature, Parliament, which is composed of the Governor-General and the elected House of Representatives, the country's only sovereign body.

Asia Pacific Economic News (1991) identifies four important functions for Parliament:

- o It provides the Government, since the Cabinet, the decision-making body of the executive government, is formed out of the majority of an elected Parliament;
- o It authorises the spending of public money, as a law is required before the Government can spend taxpayers' money;
- o It supervises the Government, as the Ministers of the Crown, who ensure the daily operation of the Government, are also Members of Parliament, with responsibilities to their constituents and to the House of Representatives; and
- o It enacts laws, thereby giving legal form to decisions made by the majority

party that runs the Government.

Thus, Central Government is seen to provide the legislative (or functional), financial, and administrative framework for government planning. With the deregulation and liberalisation of the economy since 1984, little planning is done at the central level. There are, however, 42 state service ministries, departments and offices, and a multitude of advisory bodies, statutory corporations, companies, councils, commissions, committees, tribunals, and other organisations loosely connected to Government (Department of Statistics, 1993). These agencies are responsible for policy development and operational functions, which are limited to those few remaining areas where the Government still has presence (e.g., income support).

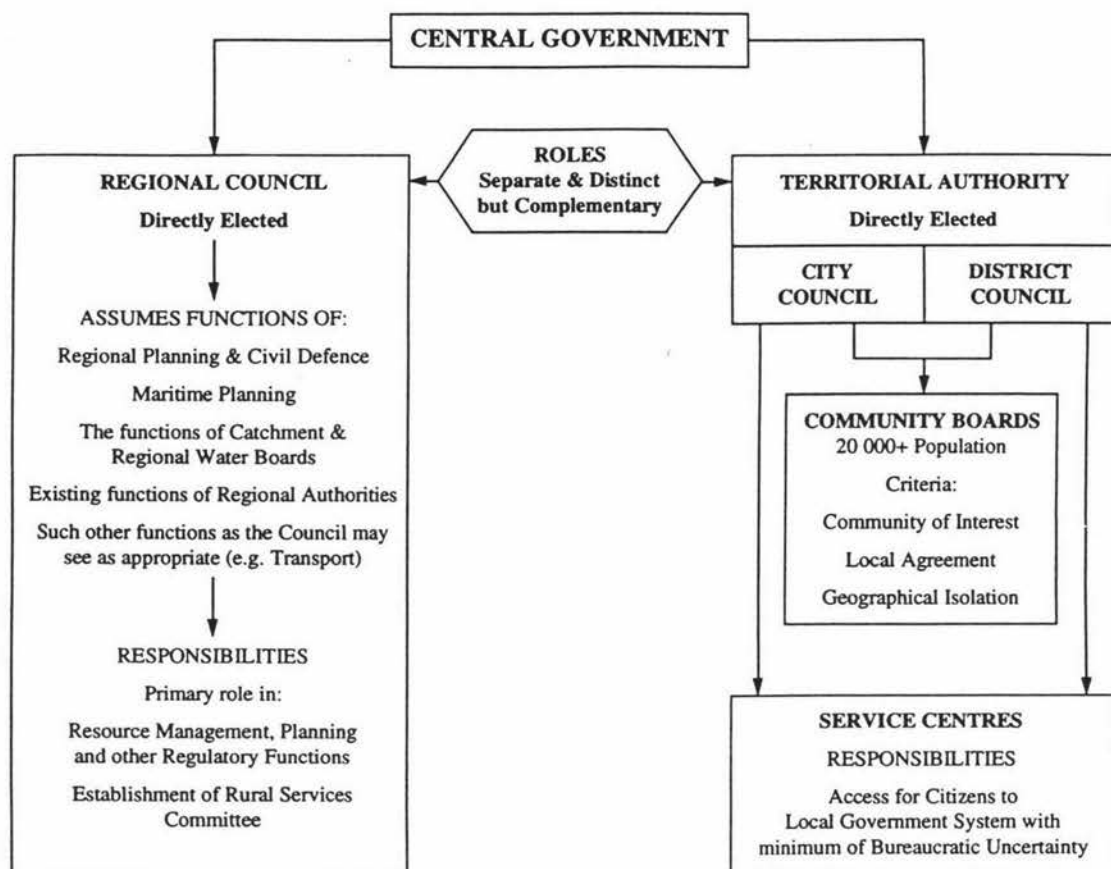
## **Local Government in New Zealand**

In this way, matters of local importance are dealt with by local authorities, corporate bodies created by Parliament, thereby making them what Bush (1980) terms as 'creatures of statutes'. The purposes of local government are defined in the Local Government Act 1974, as amended,<sup>1</sup> providing, at appropriate levels (Figure 2-1), a recognition of the existence of different communities of interest with varying identities and values in New Zealand; the definition and enforcement of appropriate rights within these communities; a scope for communities to make choices between different kinds of local public facilities and services; the operation of trading undertakings on a competitively neutral basis; the delivery of appropriate facilities and services on behalf of central government; the efficient and effective exercise of the functions, duties and powers of the components of local government; and the effective participation of local persons in local government.

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<sup>1</sup> See s.37K, Local Government Act 1974, as inserted by s.5(1), Local Government Amendment Act (No. 2) 1989.

Figure 2-1. Local Government Structure in New Zealand



Local authorities in New Zealand fall into two categories: **Regional Councils** and **Territorial Local Authorities**, both of which are directly elected (see Figures 2-2 and 2-3 for local authority boundaries.)

### Regional Councils

The twelve regional councils in New Zealand, eight of which are on the North Island and four on the South Island, are primarily responsible for the management of New Zealand's natural and physical resources. They set policies on such regional concerns as noxious plants and pest management, water allocation and quality, use of lakes and rivers, soil conservation, natural hazard mitigation, coastal management, hazardous waste management, and air pollution control. They are also responsible

for civil defence coordination, transport planning, harbour management, and maritime planning.

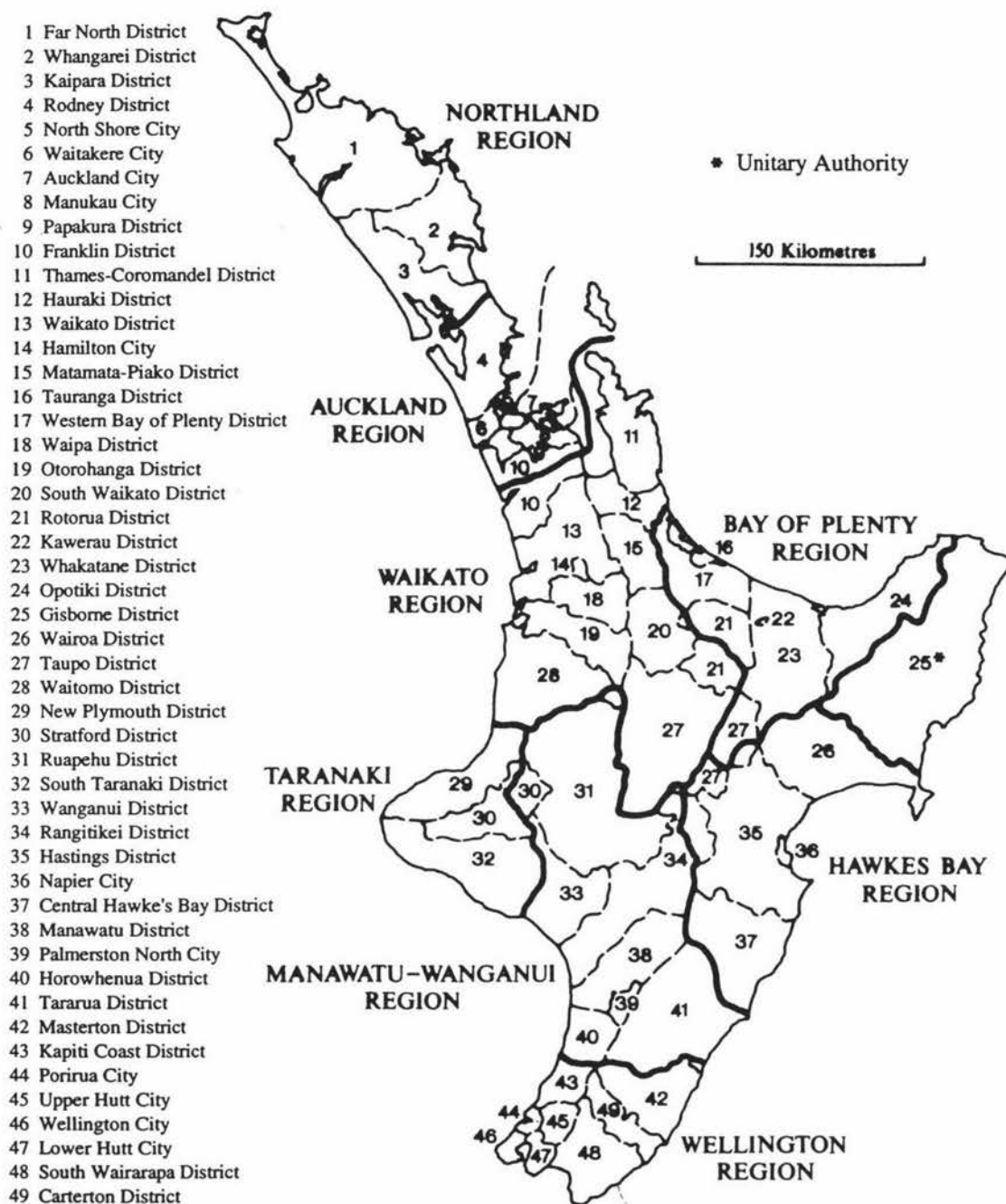
### **Territorial Local Authorities**

Territorial local authorities, on the other hand, deal mainly with providing basic physical services such as water supply, roads, sewage disposal, and rubbish collection. They also provide added amenities like parks, recreational facilities, libraries, and community centres, with additional responsibility for essential regulatory duties such as public health inspection of premises, the grant of building permits, fire control, noise control, fencing, dog control, and the supervision of liquor licenses. More importantly, they carry out land use planning, subdivision approval, and civil defence.

Within territorial local authorities are 115 community boards, representing a ward or a combination of wards, exhibiting a distinct community of interest as identified by the authority, which serve as planning advocates for the community and as a means for the authority to consult with the community. Not intended to be another tier of local government, the community boards are either partly elected by the community and partly appointed by the authority from its members, or entirely elected.

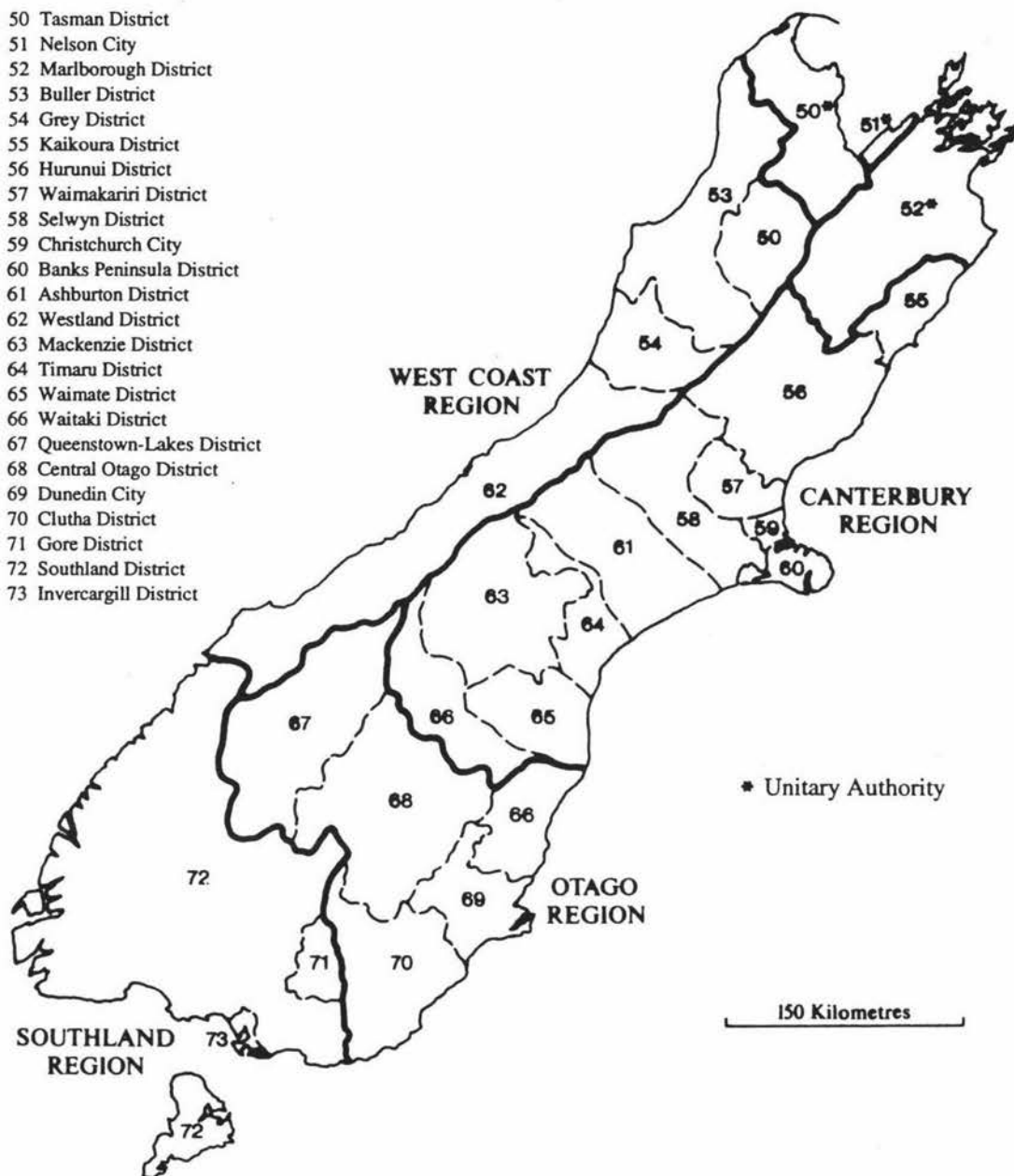
Under the reorganised local government structure, territorial authorities consist of 14 city councils, 55 district councils, four unitary authorities, and the Chatham Islands County Council. The unitary authorities, although categorised as territorial authorities, perform the functions of a regional council and a territorial authority.

Figure 2-2. Local Government Boundaries, North Island



- 1 Far North District
- 2 Whangarei District
- 3 Kaipara District
- 4 Rodney District
- 5 North Shore City
- 6 Waitakere City
- 7 Auckland City
- 8 Manukau City
- 9 Papakura District
- 10 Franklin District
- 11 Thames-Coromandel District
- 12 Hauraki District
- 13 Waikato District
- 14 Hamilton City
- 15 Matamata-Piako District
- 16 Tauranga District
- 17 Western Bay of Plenty District
- 18 Waipa District
- 19 Otorohanga District
- 20 South Waikato District
- 21 Rotorua District
- 22 Kawerau District
- 23 Whakatane District
- 24 Opotiki District
- 25 Gisborne District
- 26 Wairoa District
- 27 Taupo District
- 28 Waitomo District
- 29 New Plymouth District
- 30 Stratford District
- 31 Ruapehu District
- 32 South Taranaki District
- 33 Wanganui District
- 34 Rangitikei District
- 35 Hastings District
- 36 Napier City
- 37 Central Hawke's Bay District
- 38 Manawatu District
- 39 Palmerston North City
- 40 Horowhenua District
- 41 Tararua District
- 42 Masterton District
- 43 Kapiti Coast District
- 44 Porirua City
- 45 Upper Hutt City
- 46 Wellington City
- 47 Lower Hutt City
- 48 South Wairarapa District
- 49 Carterton District

Figure 2-3. Local Government Boundaries, South Island



## The Planning Tribunal

Appeals on, and disputes arising from, decisions made by local authorities are heard and resolved by the Planning Tribunal, a specialised District Court created to help regulate, monitor, and enforce planning legislation. The Tribunal exercises its civil jurisdiction by adding and substituting parties, summoning witnesses, administering oaths, ordering the discovery or production of documents, hearing evidence, conducting proceedings, and maintaining order<sup>2</sup>. It consists of five planning judges, who are either District Court or Maori Land Court judges, and ten planning commissioners, who possess knowledge and experience in economic, commercial, and business affairs, local government, and community affairs; planning, resource management, and heritage protection; environmental science; architectural, engineering, surveying, minerals technology, and building construction; and matters relating to the Treaty of Waitangi<sup>3</sup> and Maori concerns<sup>4</sup>. One planning judge and one planning commissioner constitute a Planning Tribunal sitting, although one planning judge can sit alone on issues involving questions of law and one planning commissioner can sit alone when directed to by the Chief Planning Judge. The decisions of the Tribunal are final unless it is reheard by the Tribunal itself, because of new and important evidence, or because circumstances that might affect a decision change after a decision has been rendered, or an appeal to the High Court has been made on a point of law<sup>5</sup>.

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<sup>2</sup> S.278, Resource Management Act 1991.

<sup>3</sup> The Treaty of Waitangi, signed on 6 February 1840, by representatives of the Queen of England and 500 Maori chiefs in New Zealand, granted all rights and privileges of British citizenship to the Maori, the original settlers of New Zealand. Under the Treaty, the chiefs ceded governorship (*kawanatanga*) over their respective territories to the Crown. In return, the Crown would guarantee them absolute authority (*tino rangatiratanga*) over their lands, villages, and all things of value (*taonga*) (Manatu Maori, 1991).

<sup>4</sup> S.253, Resource Management Act 1991.

<sup>5</sup> S.295, Resource Management Act 1991, and s.299, Resource Management Act 1991, as amended by s.137, Resource Management Amendment Act 1993.

### Chapter 3

## **PUBLIC PARTICIPATION AND THE PLANNING PROCESS IN NEW ZEALAND**

### **History and Development**

The practice of public participation is not new in New Zealand. Opportunities for public involvement in the planning process were first legislated for in 1953 (Morris, 1979) although Williams (1985) contends that these were limited in practice. However, the wave of public protests generated against such Government decisions as the Springbok rugby tours, New Zealand involvement in the Vietnam War, and the development of Lake Manapouri (Sears and Crothers, 1979; Wils, 1988), alerted planners to the dangers of not involving the public in plan formulation and led to tentative experimentation in the use of participatory programs (Town, 1979). The experiences of such city councils as Wellington, Upper Hutt, Dunedin, Palmerston North, and Christchurch (Ministry of Works and Development, 1978b) served then as outstanding examples of participatory methods that worked well in the New Zealand setting. Therefore, a climate was fostered where public involvement became more and more possible and acceptable for a greater range of people.

Parliament acknowledged the situation by prescribing opportunities for public participation in the decision-making process in such statutes as the Town and Country Planning Act 1977 and the Water and Soil Conservation Act 1967 (Town, 1979; Conway, 1979; Baumgart, 1979; Ministry of Works and Development, 1979). Robertson (1979) attempted to analyze these New Zealand legislation in relation to the ladder of citizen participation (Arnstein, 1969)<sup>1</sup> and found that public

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<sup>1</sup> See page 39 for a discussion of the ladder of citizen participation and page 176 for a discussion of the findings of Robertson (1979).

involvement in the preparation of the district planning scheme, as prescribed under the Town and Country Planning Act 1977, ranked highest in terms of the degree of delegation of power to the public. Opportunities for public involvement in regional planning, also mandated by the Town and Country Planning Act 1977, ranked lowest, while opportunities authorised by other statutes, lying in between, provided limited participation. Thus, although opportunities for public participation were legally sanctioned, these varied between statutes, and generally resulted in a low degree of power redistribution.

The Local Government Business Group (1992) concludes that the extent of public participation varies widely between local authorities and between planning rounds. Some authorities confine themselves to the minimum methods required by legislation while others make use of supplemental techniques. As McRae (1988) notes, statutorily-prescribed formal participatory procedures tend to be inflexible and appear to daunt community interests, leading the public to resort to informal processes like writing letters to newspapers and joining radio talkback shows which, to be effective, require the attention of the planning authority.

However, not all New Zealanders express their views on planning matters. Sears and Crothers (1979) conclude that participation seems to be associated with people who have stayed long enough, or intend to stay for a long period, in an area; occupy their own houses, preferably in higher-valued property areas, or are members of citizen organisations. In the latter case, individuals form or join citizen groups mainly as a consequence of changes affecting their area or from feeling powerless to influence council policies (Morris, 1979).

The New Zealand public is more likely to want to participate in issues that might adversely affect them directly, and when they do get involved, are more likely to express their objection to, rather than their support of, an issue (Ministry for the Environment, 1988b). This validates the observation made by Pritchard (1979) that most people object 'hysterically' to small-scale planning applications, such as placing a small restaurant on an old commercial location at the corner of a residential street,

but shy away from involvement in large-scale issues, such as the subdivision of a remote rural farm for coastal development. This situation may be explained by the public's lack of appropriate technical background requisite for making informed judgments, especially where options demanding competing and conflicting considerations are presented.

The media's role in disseminating information to the public is considered by Wakem (1979) as critical towards ensuring greater communication between the planning authority and the citizens within its area of jurisdiction and generating informed debate within the community. If participants have access to all information, good relations with the media, previous experience in participatory exercises, professional assistance, and dedication to the issue under consideration, their participation will more likely be effective (Thorn, 1984). But, if the planning authority provides poor feedback to the participants, such experience tends to be negatively judged (James, 1990).

The then existing planning legislation imposed, on the general public, a difficulty in understanding and participating in resource management decisions. The Town and Country Planning Act and other resource use legislation required overlapping, and, in some cases, duplicating consents. The legal and adversarial mode was relied upon to resolve conflicts where negotiation could have been more effective and efficient.

Different government departments sought their own legislation and procedures to deal with matters that could have fitted into the planning system. The National Development Act 1979, for instance, was enacted to prevent delays, presumably as a result of anticipated public opposition, in the implementation of major projects the Cabinet deemed to be of national importance. Boyle (1986) analyzed this statute and concludes that it was structured to separate public participation from key decision-making stages, thereby excluding practical questions about goals and values from the planning agenda. These concerns could have been properly addressed were there public input into the decision-making process. Instead, public participation was used to nominally legitimate the decisions already made, as in the case of 'Think Big'

projects, which comprised a national growth strategy developed to meet power demands but later found to have been inaccurately forecast (Fourth Estate Newspapers, Ltd., 1984). Strong opposition to the environmental implications of these projects led to the enactment of the National Development Act Repeal Act 1986, but not after the decisions to construct a methanol plant and a synthetic petrol plant were taken under the process outlined by the National Development Act 1979.

## Law Reform

Cognisant of this weakness of the law, the Government constituted a Task Group on Public Participation during the resource management law reform exercise to draft the objectives and principles for public participation in resource management. In considering such issues as the rights of groups and individuals to participate in decision-making, the cost-effectiveness of various approaches to public participation and the implications of the Treaty of Waitangi, to name only three, the Task Group was guided by the definition of public participation as

"a process for making wise decisions on resources with respect to clearly expressed societal goals. This would involve better channels for communicating individual and collective values" (Ministry for the Environment, 1988a: 4).

Indicative of the universal lack of consensus about the concept of public participation, the Task Group could not categorically identify the objectives and principles for public participation. Instead, it expressed three varying perspectives on public participation, based on the

- o Treaty of Waitangi interpretation of governance;
- o market/property rights/ownership argument; and
- o citizens' rights/democratic argument.

### **Treaty of Waitangi Perspective**

The Maori-Crown partnership commitment under the Treaty of Waitangi was seen to demand effective ways and means for the sharing of power over natural and physical resources, especially since Maori see themselves as part of the environment and thus seek to conserve it for present and future generations. This concern for the resources implies that the Maori will always consider they have a special interest in the management of the environment. Hence, proponents of this perspective argue that public participation in New Zealand planning processes should acknowledge and provide for this interest.

### **Market/Property Rights/Ownership Argument**

Direct participation occurs in the market for property or use rights. Thus, ownership obtained in this way brings with it a right to decide how the resources owned will or will not be used. Property rights may either be *private*, where ownership has been achieved through the purchase of the resource, or *common*, where ownership has been conferred through the grant of a license. Conflict over how resources should be used are resolved informally, either by referring to common law on the allocation of rights, by negotiation and consultation, or by the sale and purchase of development or use rights. Hence, individual and corporate participation in government decision-making is seen by the proponents of this school of thought to hinge upon their entry into the market for property or use rights.

### **Citizens' Rights/Democratic Argument**

This perspective is founded on the concept of democracy and open government, where all people in the society are provided with the freedom and the necessary information so they can become involved in decisions that affect their environment. Its advocates contend that a democratically-elected government may, on the grounds of public interest, constrain individual and corporate property rights through regulations and other legislative mechanisms, even at the expense of market

processes.

## The Policy-Making and Planning Process at the Regional Level

The functions of regional councils in New Zealand are governed by the Local Government Act 1974 as amended, which mandates annual planning and reporting, and the Resource Management Act 1991 as amended, which deals with the sustainable management of natural and physical resources<sup>2</sup>. Under these statutes, the regional council prepares four planning documents, namely:

- o An **annual report** concerning plans, which outlines, in detail for the current year and in general terms for the next two years, the council's policies and objectives, activities, and performance targets, together with indicative costs, sources of funds, and rating policy<sup>3</sup>;
- o **Regional policy statements**, which provide an overview of the region's resource management issues and the policies and methods to achieve an integrated management of the region's natural and physical resources<sup>4</sup>;
- o A **regional coastal plan**, which concerns the allocation of coastal space and the control of the effects of the use of the region's coastal marine area<sup>5</sup>, and addresses water quality, water surface activities, the taking of water, natural hazards and hazardous substances, the use of land and other natural and physical resources, an occupation of foreshore or seabed space owned by the Crown or the regional council, and the extraction of sand, shingles, shells, and other natural materials; and

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<sup>2</sup> Planning at the district and city levels is also governed by these two statutes. However, discussion of the local planning process will be limited to the regional level, which is the concern of this study.

<sup>3</sup> S.223D, Local Government Act 1974, as repealed and substituted by s.16(1), Local Government Amendment Act 1991.

<sup>4</sup> S.59, Resource Management Act 1991.

<sup>5</sup> S.64, Resource Management Act 1991, as amended by s.35, Resource Management Amendment Act 1993.

- o **Regional plans** that the council may decide to produce, on its own initiative or following a meritorious request from any member of the public, which address specific regional resource management issues or areas.

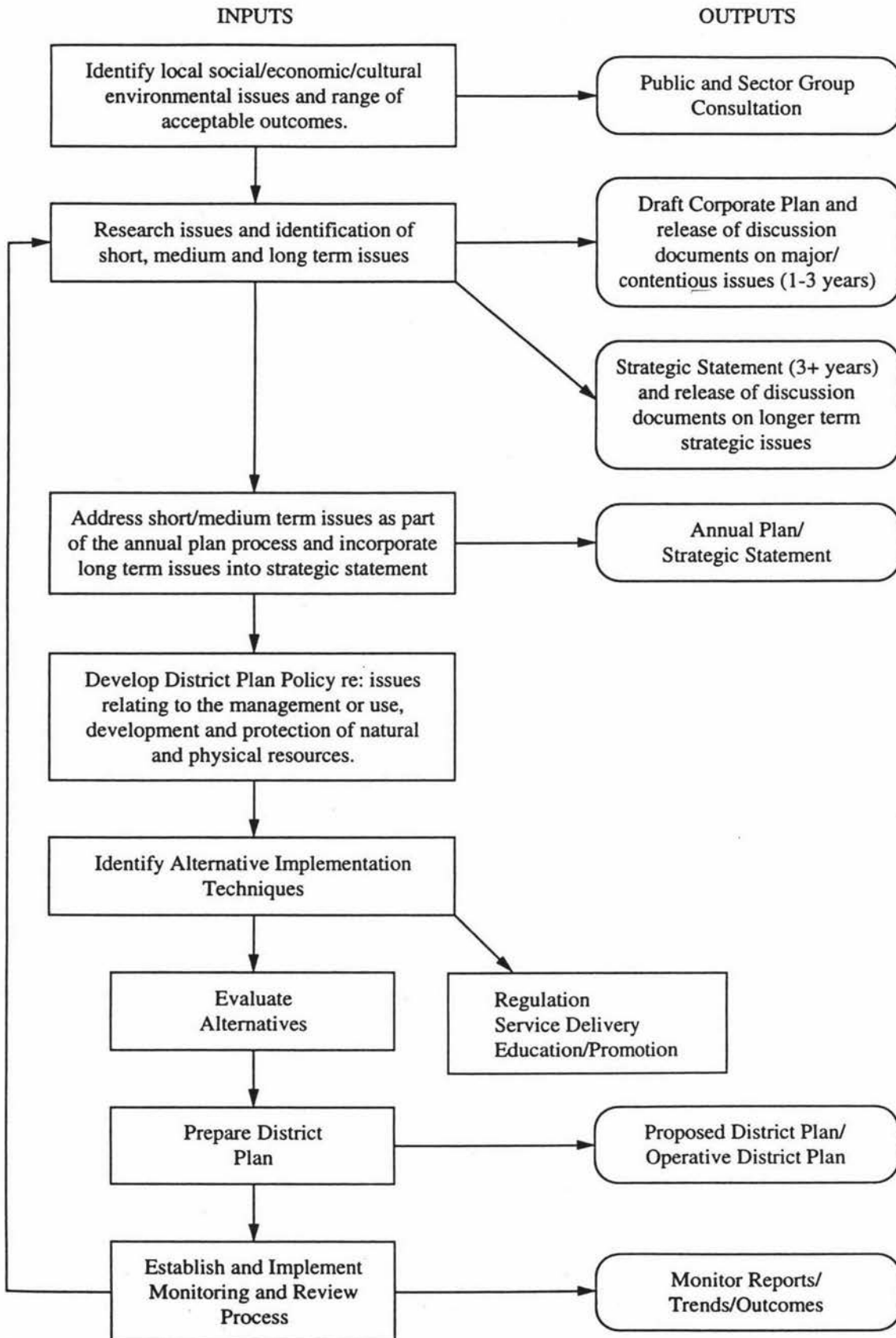
### **The Planning Process**

A model presented by Tremaine (1991) shows the relationship between the annual plan and the district plan, which succinctly outlines the local planning process, Figure 3-1. Although designed for territorial authorities, it contains the basic steps a regional council would observe. The process begins with the identification of local short-, medium-, and long-term issues and acceptable outcomes, leading to the formulation of the annual plan, a series of steps that constitutes what Fookes (1988) refers to as the policy-making decision process. Rule-making then follows, where alternative implementation techniques are identified and evaluated and the best practicable option is adopted in the regional plan, which may include rules that prohibit, regulate, or allow activities<sup>6</sup>. Monitoring and review conclude the process, where trends and outcomes are assessed as a means of determining whether plan changes are necessary or not.

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<sup>6</sup> S.68, Resource Management Act 1991, as amended by s.37, Resource Management Amendment Act 1993.

**Figure 3-1. Relationship Between Annual and District Plans**



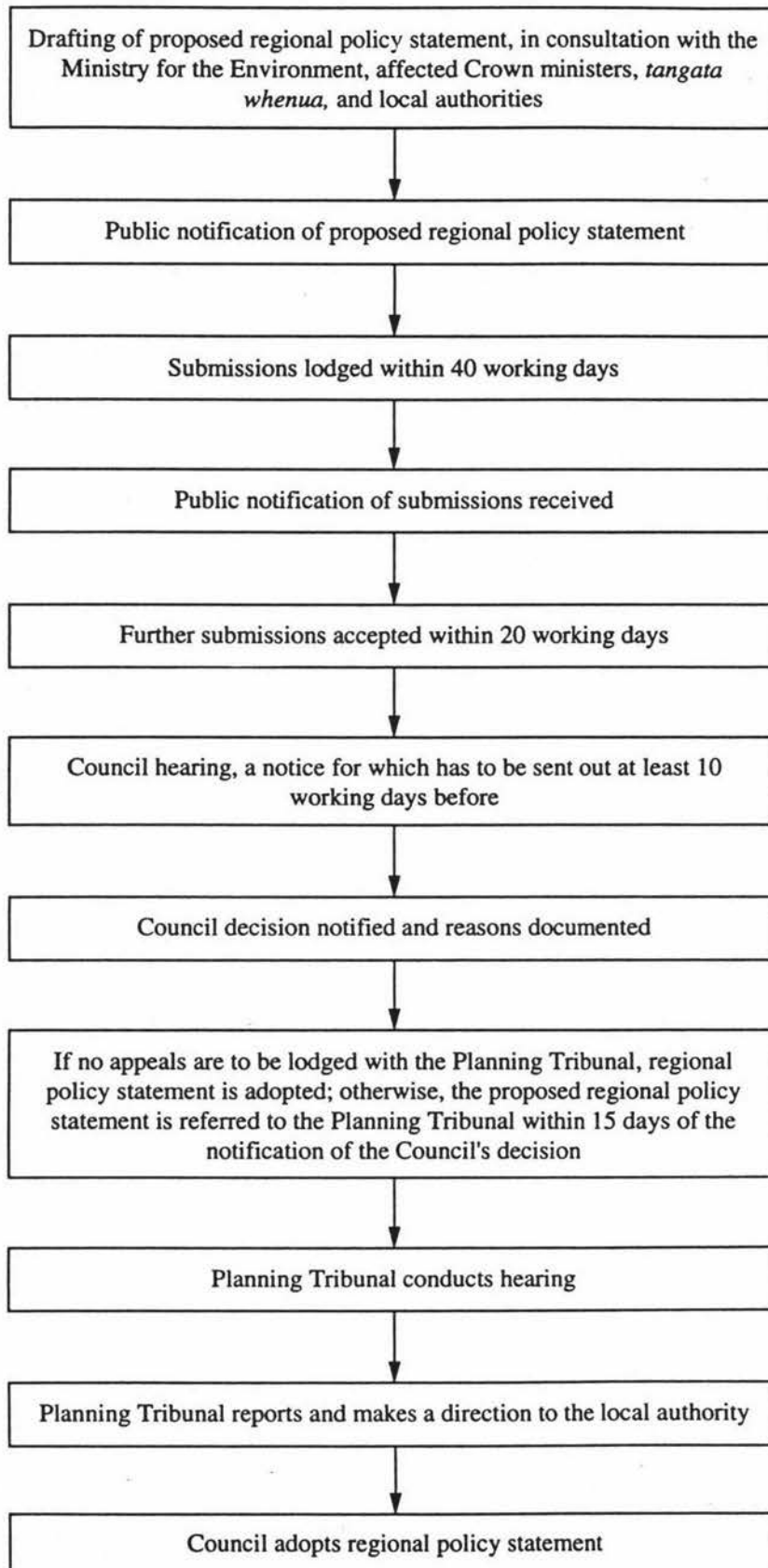
The First Schedule of the Resource Management Act 1991, as amended by sections 209-220 of the Resource Management Amendment Act 1993, sets out a standard process for the preparation of regional policy statements and plans other than the regional coastal plan, Figure 3-2, which involves consultations with the Minister for the Environment, other affected Crown Ministers, *tangata whenua*<sup>7</sup>, local authorities, and any other persons a regional council may deem likely to be affected by a proposed policy statement. Public submissions are then solicited for a period of 40 working days after the proposed policy statement is notified, after which further submissions on the submissions received are solicited for a period of 20 working days after public notification of the availability of a summary of decisions requested by the submitters to the proposed policy statement. The regional council is then required to hold a public hearing into the submissions, issuing a notice of the date, time, and place where such hearings will be conducted to every submitter who requested to be heard, at least ten working days before the hearing is to commence, and to then make decisions on the submissions.

Any submitter has the right to lodge, within 15 working days of the notification of the council's decision on the proposed regional policy statement, an appeal to the Planning Tribunal on any provision contained in, or omitted from, the policy statement. The Tribunal, after a public hearing on the appeal, may confirm or direct the regional council to either modify, delete, or insert any provision referred to it. When the policy statement is accordingly amended, which need not involve any formality if such alteration is minor, it is finally considered, during which time the seal of the council is affixed to the policy statement and a public notice is made of the date such policy statement is to become operative at least five working days before such date.

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<sup>7</sup> Literally, the people of the land. The Resource Management Act 1991, however, defines the term as the *iwi*, or tribe, that holds *mana whenua*, or the customary authority, over a particular area (s.2, Resource Management Act 1991).

**Figure 3-2. Formal Stages in Regional Policy Development**



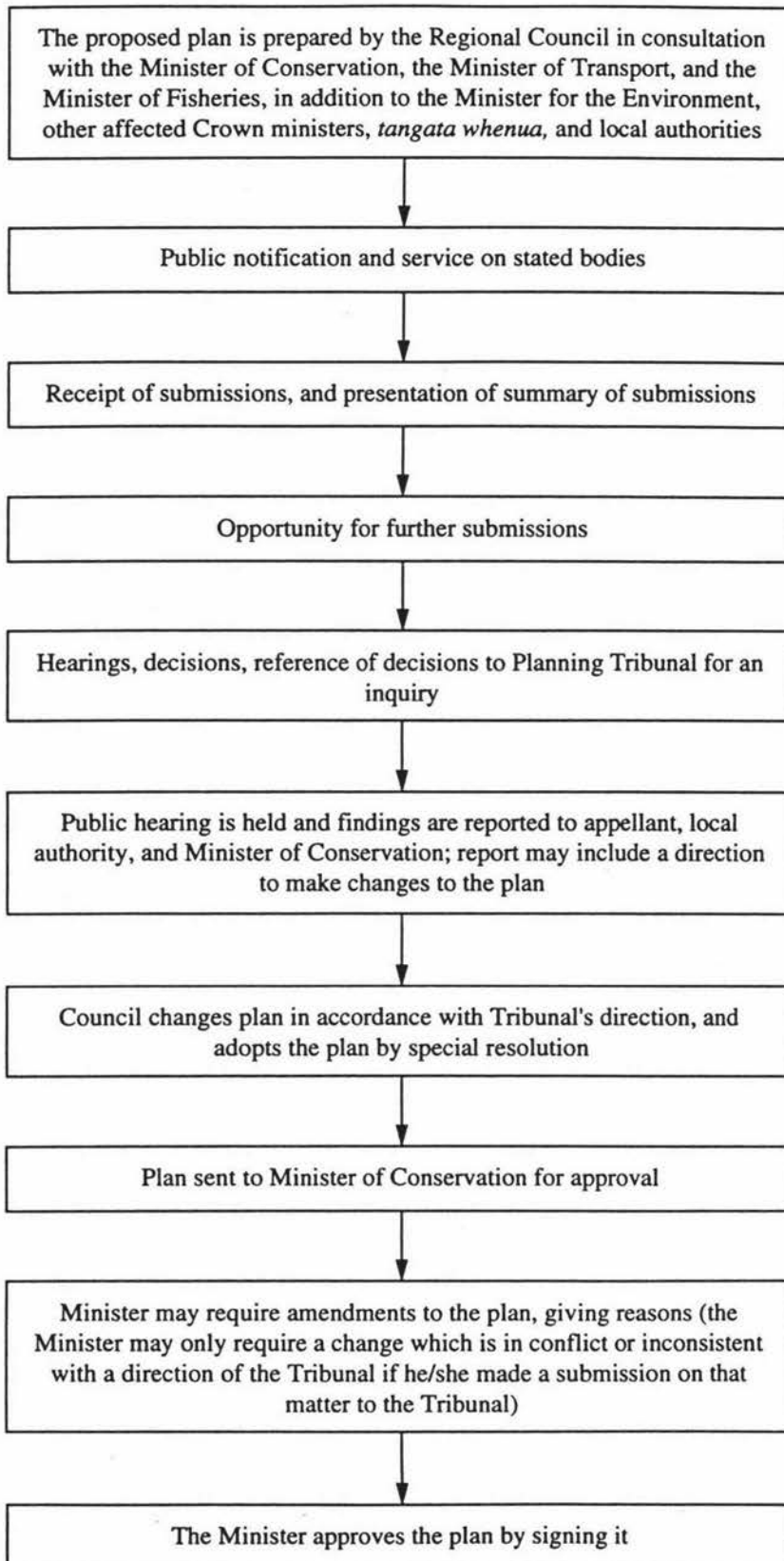
The preparation of the regional coastal plan follows the same process, with three slight variations, Figure 3-3. First, in addition to those bodies to be consulted within the formulation of the proposed regional policy statement, the regional council is required to consult with the Minister of Conservation as to the contents of the coastal plan, the Minister of Transportation as to navigation and marine pollution matters, and the Minister of Fisheries on fisheries and aquaculture activities management. Second, instead of lodging an appeal to the Planning Tribunal, a submitter makes an inquiry, and the Tribunal, after holding a public hearing, reports its findings to the applicant, the regional council concerned, and the Minister of Conservation, which may include a direction to the council to modify, delete items from, or add to, the regional coastal plan. Third, after the council seal is affixed to the plan, it is then referred to the Minister of Conservation, who may either require the plan to be amended or approve it by signing.

The involvement of the Minister of Conservation in this process is meant to ensure that any regional coastal plan is consistent with the New Zealand coastal policy statement, which contains policies about national priorities for the preservation of the character of the country's coastal environment, the protection of the characteristics of the coastal environment of special value to *tangata whenua*, and the circumstances in which the Minister of Conservation will decide resource consent applications relating to activities likely to have any adverse effects on the coastal marine area, among other things<sup>8</sup>.

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<sup>8</sup> S.58, Resource Management Act 1991.

**Figure 3-3. Coastal Plan Preparation Process**



## Public Participation Opportunities

Local government public accountability is statutory, as every local authority is expected to conduct its business in a comprehensible manner, open to the public<sup>9</sup>. In addition, the public can have access to documents and meetings under the Local Government Official Information and Meetings Act 1987. Thus, for every proposal, being an intention to act, or a draft plan or policy a regional council considers, a special consultative procedure is required<sup>10</sup>. This involves placing a notice of the proposal before a meeting of the council; notifying the public in a local newspaper, specifying the period within which submissions may be made to the council; allowing people who may want to make submissions to be heard by the body hearing the submissions; ensuring that all meetings where the submissions are heard are open to the public, and making all written submissions available to the public.

In the preparation of planning documents, public consultation is conducted in order to identify regional issues. In the case of resource management issues, preliminary consultations with the *tangata whenua* are required. Such consultations are intended either to inform, share with, seek the opinion of, or seek information from the Maori community of local descent.

Another opportunity for public involvement lies in the provision that any person can request the regional council to change a regional plan or a regional coastal plan, or prepare a regional plan other than the coastal plan, which request the council may either

- o adopt, in whole or in part, as if it were a proposed plan made by the council itself, in which case the council has to publicly notify the change within four months of agreeing to adopt it;

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<sup>9</sup> S.223C, Local Government Act 1974, as inserted by s.24(1), Local Government Amendment Act (No.2) 1989.

<sup>10</sup> S.716A, Local Government Act 1974, as inserted by s.39, Local Government Amendment Act (No. 2) 1989.

- o treat as a resource consent application, in which case the procedures for consent processing is observed; or
- o reject, in whole or in part, on the grounds that the request is frivolous or vexatious, has been considered and given effect to, or rejected by, the council or the Planning Tribunal within the last two years, is not in accordance with sound resource management practice, would make the plan inconsistent with a policy statement or any other plan, and involves a plan that has been operative for less than two years<sup>11</sup>.

Regional policy statements and plans are reviewed ten years after becoming operative<sup>12</sup>. In this instance, and when policy statements are changed prior to this<sup>13</sup>, the public is still involved, through consultations, submissions, and hearings.

As regards its regulatory functions, a regional council is responsible for the grant of **water permits**, which involve the taking, use, damming, and diversion of water and geothermal energy; **discharge permits**, which involve the discharge of contaminants into or onto land, air or water, and of water into water; **coastal permits**, which involve the use of the region's coastal area; **land use consents** for soil conservation, natural hazards, and hazardous substances; and **land use consents** for certain uses of lake and river beds.

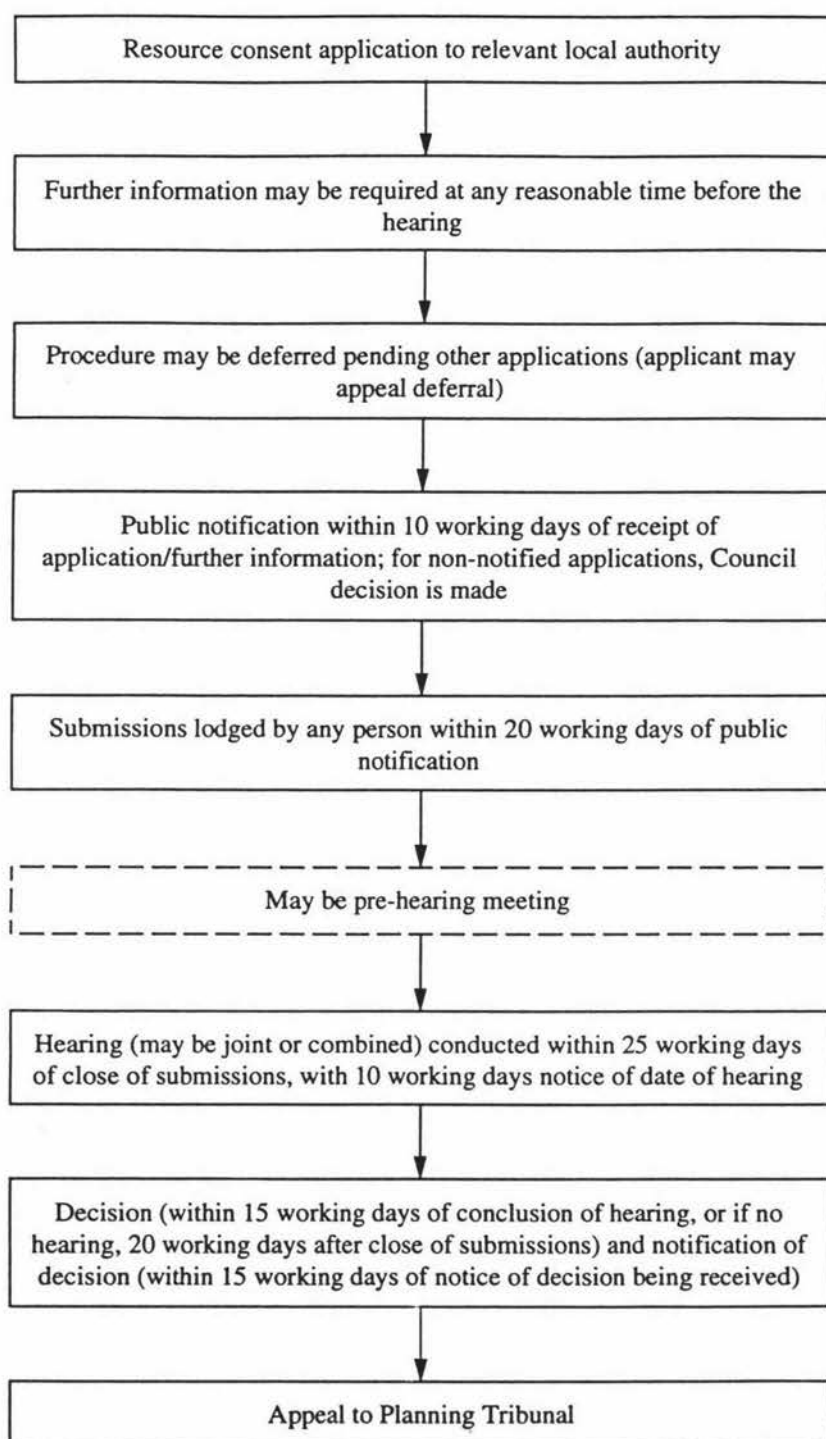
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<sup>11</sup> Clauses 21-26, Part II, First Schedule, Resource Management Act 1991, as repealed and substituted by s.220, Resource Management Amendment Act 1993.

<sup>12</sup> S.79, Resource Management Act 1991.

<sup>13</sup> Only the Minister of the Crown, the regional council, or a territorial authority within the region can request for a change in a regional policy statement (sub-clause 21(3), Part II, First Schedule, Resource Management Act 1991, as repealed and substituted by s.220, Resource Management Amendment Act 1993).

*Figure 3-4. Resource Consent Processing*



The granting of these resource consents involves a process of public notification, submissions, pre-hearing meetings, and hearings, Figure 3-4, except when the activities for which applications for these consents are lodged pertain to *controlled activities*, where a written approval from every person who would be adversely affected has been obtained, or where the regional plan expressly states that such written approval need not be obtained; and *discretionary and non-complying activities*, whose adverse effects on the environment are deemed minor and where written approval from every person who would be adversely affected has been obtained.

When a resource consent is in force, any person can apply to the Planning Tribunal for the issuance of an enforcement order, which restrains the undertaking of an unlawful activity, or directs that the environment affected by an activity be restored to its prior state, or instructs that a person adversely affected by an activity be recompensed.

Many opportunities now exist in legislation for the New Zealand public to participate in regional planning activities. The Resource Management Act 1991 requires public inputs into the proposed national environmental standards, national or regional policy statements, regional or district plans, or a change to a policy statement or plan; an application for a resource consent; an application for a review of a resource consent; an application to change any condition on a resource consent; an application that has been called-in by the Minister for the Environment; a requirement for, or alteration to, a designation or heritage order; and an application for a water conservation order. In addition, the Local Government Act 1974 prescribes a special consultative procedure for local authorities to follow when considering any proposal. Finally, the Local Government Official Information and Meetings Act 1987 ensures that the public can acquire the necessary information, as well as observe a council deliberating on issues placed before it, for them to be fully aware of local authority business. Apparently, these are meant to send the message that democracy is at work in New Zealand, where the public has the freedom and the necessary information to take part in making decisions affecting them.

## Chapter 4

# PUBLIC PARTICIPATION IN PLANNING

### Democracy

Democracy has variously been epigrammatically defined as "government of the people, by the people, for the people", "government by consent", "majority rule", "sovereignty of the people", "representative government", and "government in the public interest". Notwithstanding how democracy is defined, anyone who refers to it usually speaks, not of classical or direct democracy, where all citizens participate equally in governmental processes (Fagence, 1977), but of representative democracy, where leaders are chosen by citizens to exercise governmental functions for them (Pateman, 1970). Thought of in this way, democracy is said to operate on four principles (Fagence, 1977). The principle of *popular sovereignty* stipulates that leaders should be popularly chosen by the citizens for them to be able to govern effectively. *Political equality* gives everyone equal opportunity to compete for leadership in free elections called for that purpose. *Popular consultation* demands that societal decisions be made only after the views and opinions of citizens have been sought. Lastly, the principle of *majority rule* provides that a voting preference by the majority of the citizens decides who should lead, and in turn, determines decision-making (Burke, 1979).

It is apparent then that democracy is a political method, which, according to Schumpeter (Pateman, 1970), is a kind of institutional arrangement for arriving at legislative and administrative decisions. People elect representatives who are expected to make decisions for them with respect to how the government is run (Johnson, 1984). Hence, the participation of the governed in their government is, in theory, the essence of democracy.

## Public Participation Defined

What is public participation?<sup>1</sup> Why has it become the planner's *nostrum*, the politician's catchword, and the media's fascination? If it is the cornerstone of democracy, why have leaders in democratic countries like France, Britain, and the United States of America emphasised the idea? De Gaulle used it as a last-ditch effort to save his administration from losing power in France. Britain constituted, in March 1968, a Committee on Public Participation in Planning, chaired by Arthur M. Skeffington, to deliberate on the best methods of securing the participation of the public at an early stage in development planning (Committee on Public Participation in Planning, 1969). The American Economic Opportunity Act of 1964 requires evidence of 'maximum feasible participation' of those concerned before granting federal funds to community action projects (Pollak, 1984).

Different people ascribe different definitions to public participation. These definitions are so varied that Pateman (1970) laments that the phrase has lost any precise, meaningful content. Seaver (1968) observes that there has never been an adequate resolution, in policy or in practice, of what public participation is, can, or should be, or do. This has caused Wengert (1976) to call for the formulation of a theory of participation that could be related to the normative and empirical conceptions of democracy.

A review of the literature reveals a multitude of definitions of public participation. Irland (1975), Thornley (1977) and Glass (1979) define it simply as citizens taking part in governmental decision or planning processes. White (1982) and Pollak (1984) describe it as citizens providing their perspectives on government policy development or implementation. Hampton (1990), in depicting the nature of planning as a public service, refers to the implication of public participation - the involvement of citizens in a process already started by a statutory authority which controls the content and the process of such participation.

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<sup>1</sup> Also citizen participation, citizen involvement, public involvement, and people power.

This implication is supported by other writers who tend to view public participation as an activity initiated by the government. The U.S. Housing and Home Finance Agency, whose Housing Act of 1954 first introduced the participatory requirement in planning (Glass, 1979), defines the phrase as "the active utilization of local leadership and organization which can profitably assist in the community's efforts."<sup>2</sup>

Others talk of public participation alongside the concept of power, which Armstrong designates as "the ability to control external and internal environments and/or to counteract the consequences of imperfect control" (as cited in Rein, 1969: 233). Hence, public participation is viewed as a legitimizing activity, where the recipients of a particular public service are asked to endorse, support, and create the programs intended to benefit them. Cunningham (1972: 575) expresses it as "a process where the common amateurs of a community exercise power over decisions related to the general affairs of the community". Arnstein (1969) defines the phrase as a redistribution of power, from the *have* citizens to the *have-not* citizens, thereby deliberately including the latter in the political and economic processes of society. Kotler (Spiegel and Mittenthal, 1968) pictures it as citizens sharing authority and performing certain municipal functions within a territorial structure based on neighbourhood power and local self-rule. Cahn and Cahn (1968) go a little further by defining it as the full enfranchisement of citizens with respect to the totality of society's activities.

A third group looks at public participation as a form of citizen activism, where the initiative to get involved arises from the citizens themselves. Verba and Nie (1972) define the phrase to encompass the activities of private citizens that are, more or less, directly aimed towards influencing the actions governmental personnel take. Although this definition restricts citizen activities to such acts as voting, campaigning for a particular candidate, and lobbying with government officials, Smith (as cited in James, 1990) echoes the same idea, specifying, however, that the actions taken by

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<sup>2</sup> From an address by Robert C. Weaver, Administrator of the U.S. Housing and Home Finance Agency, to the 50<sup>th</sup> Anniversary of the Family Service Association of America, New York City, 13 November 1961 (Wilson, 1963: 243).

an interested individual or group to influence a government decision, plan, or policy should be beyond that of voting in elections. Expectedly, community organisations comprising the poor or neighbourhood residents are formed, and the interaction of these organisations with government agencies constitutes public participation (Strange, 1973).

Finally, public participation is seen as a relationship between planners and citizens. Fagence (1977) refers to it as a decision-forming relationship, whereas Godschalk and Mills (1966: 86) prescribe a "genuine interchange between planners and citizens from all walks of life throughout the course of the planning process." The Committee on Public Participation in Planning understands it as an "act of sharing in the formulation of policies and proposals" (Committee on Public Participation in Planning, 1969: 1). As such, it is considered as a process of interaction between the local authority and the public involving information-giving and information-collection (Boaden *et al.*, 1981).

Four ideas about public participation are recurrent in these varied definitions. Firstly, participation is thought of as an element of the planning process, where recommendations for programs and courses of action aimed towards attaining commonly-held goals and objectives of the community - like material wealth and safety - are prepared in advance, and in a systematic manner (Catanese, 1984) in order for a decision centre to consider and authorise these into a plan (Burke, 1979). Thus, the planner's ultimate client is the local community (Godschalk and Mills, 1966), composed of individuals with diverse, and often conflicting, needs and interests. The best plan for the community, then, is one which embodies the values of the people the plan intends to serve (Boaden *et al.*, 1981). This can only be achieved if the consumers of planning have access to the decision-making process, can receive information regarding proposals that may affect them, and can seek redress for any inconvenience that a plan may impose on them (Hampton, 1990).

Secondly, public participation involves power and influence. Among the citizen's rights is the right to influence decision-making (Cahn and Cahn, 1968). With the

physical and managerial impossibility of having all citizens fully participate in every aspect of decision-making, direct law-making was supplanted by representation, with people normally submitting to the decisions made by their elected representatives. However, technological and scientific developments have encouraged decisions based on economic and technical studies conducted by planners, such that many citizens felt excluded from the process, as the decisions were made *for* them rather than *with* them (Wengert, 1976). Considered disadvantaged were the poor and those from ethnic and racial groups (Strange, 1972). Thus, public participation serves to prevent the disadvantaged citizens from being overwhelmed by political apathy and disengagement (Peattie, 1968), to avert the danger of political instability that any protests they might make may pose (Burke, 1968), and to win their consent for controversial programs (Wilson, 1963).

Thirdly, public participation demands effective communication between the government and the public. The concept of a public service orientation involves the willingness of a government agency to take the citizen's attitudes seriously, to encourage the expression of views, and to respond to these views constructively. This can be achieved through the establishment of a two-way flow of communication between the planning authority and the public (Godschalk and Mills, 1966; Boaden *et al.*, 1981). What the public needs and feels about government services have to be collected in order for the planning authority to formulate its policies and proposals. Making information - be it fact, argument, or explanation - available to the public is essential for the generation of the best plan, as it allows informed discussion of the issues involved and facilitates an understanding of the benefits and costs associated with them. More importantly, a continuing dialogue between the planning agency and the citizens ensures effective plan implementation.

Lastly, to be meaningful, participation must be desired by both the government and the public. Wengert (1971) asserts that the concern for increasing public participation in planning decisions reflects a recommitment by the government to democratic ideals. Yet, broad public involvement in decision processes requires a great investment of manpower, time, and money (Rosenbaum, 1976). Thus, the

success of public participation activities depends on the planning authority's willingness to evolve an effective means of communication with the public (Batley, 1972). Fagence (1977) argues that the key to effective public participation lies in a genuine desire of citizens for active involvement. Batley (1972) cites studies which show that residents usually participated in planning exercises when the stakes they hold in the community are affected. In addition, when an issue relevant to citizens and citizen groups is discussed, public involvement increases (Rein, 1969; Rosenbaum, 1976). Thus, for public participation to be meaningful, the citizen must be convinced that personal involvement can have an impact on planning, and the planning authority must also be convinced that it stands to gain from hearing a citizen's views.

### **Public Participation: What It Seeks to Achieve**

The objectives of public participation are, like its definition, varied. It is, however, easy to distinguish two broad categories for the different objectives prescribed for public participation. These are **administrative**, where the citizen is used as "a reliable instrument for the achievement of administrative goals", and **substantive**, where the citizen is provided with an actual role in policy determination (Selznick, 1966: 220).

#### **Administrative Objectives**

Foremost among the administrative objectives, which endeavour to involve the public in planning processes in order to increase the likelihood for the acceptance of an agency's plans or policies, is what Irland (1975) considers as the role of public participation in *establishing the legitimacy of a decision process in the eyes of affected interests*.

Conflict naturally occurs because every planning decision leaves some citizens and citizen groups dissatisfied. To prevent such conflict from rendering the decision incapable of implementation, the planning agency must have the sanction both to

plan and to influence decisions (Burke, 1979). By involving the public in the planning process, the planning authority can engender and maintain, in the participants, the belief that it is the appropriate body to make a decision on societal matters, legitimately enables conflict to be effectively managed, resulting in the implementation of controversial plans (Irland, 1975).

*Conflict management* is also an objective of public participation. If used in this way, involvement is meant to facilitate the sharing of points of view in order to increase an understanding of the issues and weaken the tendency to make dogmatic assertions. However, Wengert (1976) believes that increased participation in a non-homogeneous community only highlights the differences and thus increases conflict. But, where a condition for consensus already exists, public involvement serves to further its realisation. The resolution of conflict among citizen groups or between citizen groups and the government stresses the *support building* function of public participation. Personal contact with planners generates goodwill among the participants. This goodwill is expected to create a favourable climate for a planning authority's proposed policies and plans (Glass, 1979).

Public participation is also considered as a tool for *market research*, where the citizen, as a consumer of public services, is given opportunities to counsel and guide the planning authority's generation of new or more effective services (Dennis, 1972). This strategy emphasises the idea that citizens are consumers and have to be satisfied. Hence, reliable feedback from these clients, in the form of advice and suggestions, is secured. Through this feedback, objective information on citizen attitudes, evaluations and needs are collected, which planners use as a partial database for planning (Glass, 1979).

Two other objectives of public participation are related to each other. These are *information exchange*, the sharing of ideas and concerns by planners and citizens, and *education*, the dissemination of detailed information about a project or a proposal (Glass, 1979). Strange (1972) contends that, by engaging in administrative and political activities, the poor and unskilled members of society learn how their

government operates. Knowing this, general and specific skills are acquired, political and administrative abilities are developed, and individual capacities to solve their own problems are expanded. Citizens, by working together to solve community problems, learn not only how democracy works, but also learn to value and appreciate cooperation as a problem-solving method. As a result, local government is strengthened, community development is spurred, and a sense of community or community identification is created.

Burke (1968) considers public participation as serving the objectives of *therapy*, where the improvement of individual participants, in terms of citizenship training and self-confidence building, is the primary focus, and *behavioural change*, where, by modifying the behaviour of members of a citizen group or a community or its influential representatives, change can be induced in the citizen group or in the community.

Public participation can directly further the realisation of agency goals, as it is said to pursue a *staff supplement* role, where citizens are recruited to carry out agency tasks which the agency itself could not carry out because of lack of staff resources. In some instances, participation is used for *cooptation*, where new elements are absorbed into the leadership or policy-determining structure of an organisation in order to prevent anticipated threats to its stability and existence (Burke, 1968).

Rosenbaum (1976) discusses public participation as a means of *containing administrative discretion*. Extensive public review of governmental activities inhibits the tendency of bureaucrats to succumb to such impediments as secretiveness, intense loyalty to agency interests and procedures, a cultivation of private economic interests, and a passion for professional achievement without due respect for public costs or broader social impacts, which limit an agency's responsiveness to community interests. The public, through participation, can aid bureaucrats in overcoming these insensitivities and biases.

## Substantive Objectives

Substantive objectives of public participation provide citizens with a voice in planning and decision-making, and thus facilitates the improvement of governmental plans, decisions, and service delivery. In this regard, public participation is seen as a means for the *partaking of benefits*, where disadvantaged citizen groups are encouraged to devise programs intended to benefit them (Dennis, 1972).

When the citizen takes an active role in policy-making, as a voting member of a community service governing board, for instance, participation is said to pursue the goal of *decision-making* (Dennis, 1972). Glass (1979) talks of *decision-making supplement*, where citizen ideas are important before any planning decision can be taken.

At the top of substantive objectives is *community power*, where an organised and committed mass of citizenry confronts and agitates an existing power centre to the point of conflict that negotiation between them is inevitable and, as a result, a new centre of power is created (Burke, 1968). Friedmann (1973) contends that power is crucial to public participation, as people need effective power to make their immediate environment more agreeable to their lives.

Given these objectives, it seems apparent that public participation is largely influenced by factors within the planning authority. Boaden *et al.* (1981) identify these as organisational, attitudinal and resource factors. Organisational factors pertain to the pattern of inter-departmental relationships within the planning authority; attitudinal factors refer to the views that planners and elected members of the planning authority hold about the purpose of planning and the role that the public is expected to play in decision-making, while resource factors comprise the monetary costs, as well as the time and the staff devoted to harnessing wide public response to participatory exercises. These factors demand efficient coordination between and among departments within the planning authority, a consensus by planners and elected members on the part public participation plays in the planning process, and

the availability of resources to support public participation activities.

### *A Ladder of Participation*

Noting that the success of governmental participatory programs depends to a large extent on citizens having real power, as against the empty ritual of participation contrived to substitute for genuine participation, Arnstein (1975) developed a ladder of citizen participation comprising of eight levels of participation, with each rung corresponding to the extent citizens' power determines a planning decision.

As shown in Figure 4-1, the two bottom rungs (manipulation and therapy) represent levels of *non-participation*, said to be, usually, falsely advanced as substitutes for genuine participation as these do not elicit any form of citizen input into the planning process. The next three rungs (informing, consultation, and placation) show degrees of *tokenism*, where, although citizens are informed of planning proposals and are allowed to voice their views and opinions, there is no assurance that these views are heeded by the powerholders. The top three rungs (partnership, delegated power, and citizen control) describe increasing degrees of *citizen power*, where citizens can negotiate with traditional powerholders or obtain decision-making seats.

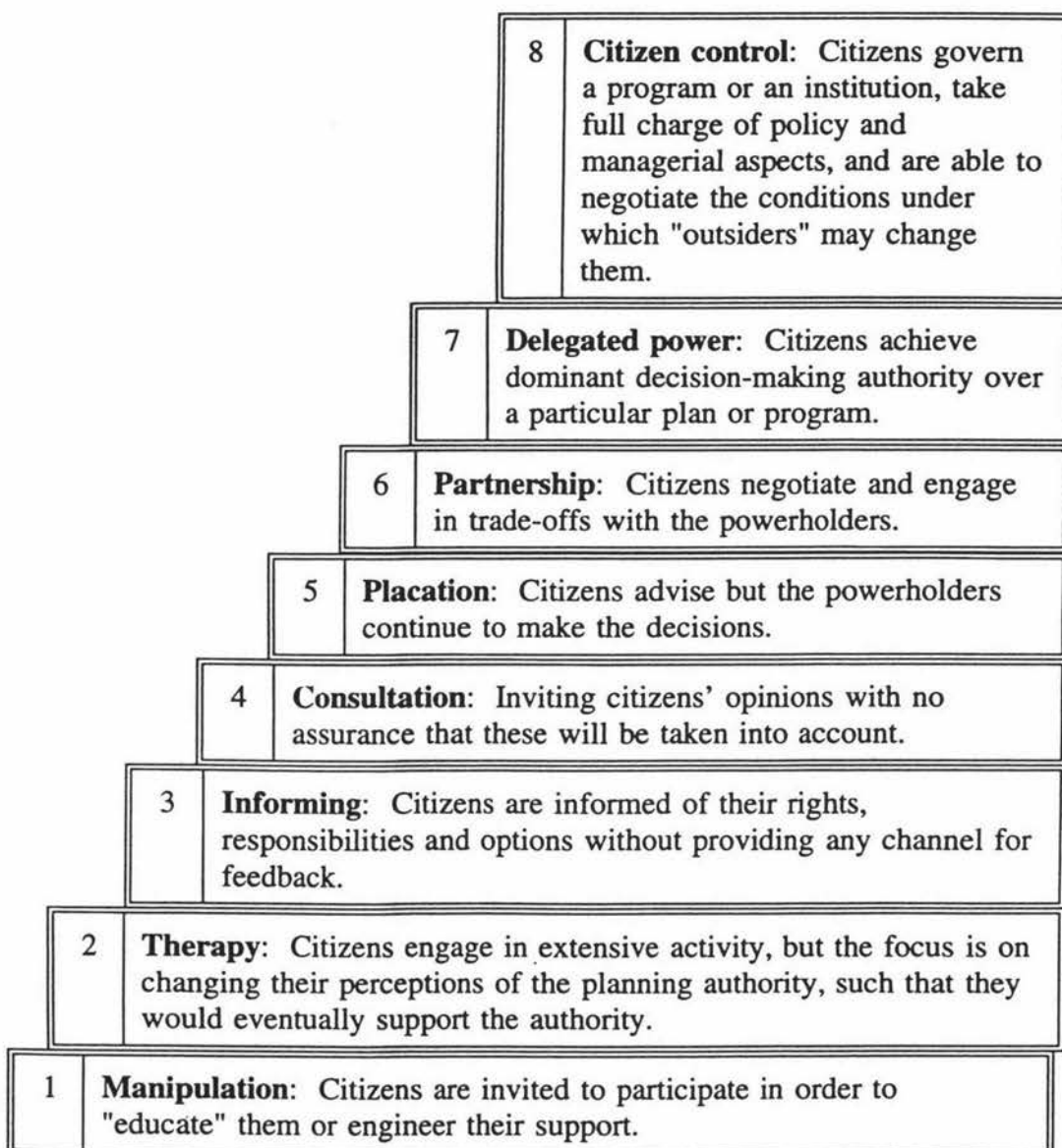
Wengert (1971) views that this ladder implies an ultimate seizure of power by citizens, as it does not consider representation and due process inherent in the democratic mechanism. Rivers (1983) considers it simplistic, apparently referring to Arnstein's own admission that

"In the real world of people and programs, there might be 150 rungs with less sharp and 'pure' distinctions among them. . . . [S]ome . . . characteristics [of each] of the eight types might be applicable to other rungs" (Arnstein, 1969: 217-218).

Nonetheless, the ladder of participation demonstrates that it is possible for a planning authority to engage in public participation activities without actually allowing the public to have a meaningful impact on its decisions. Thus,

". . . participation without redistribution of power is an empty and frustrating process for the powerless. It allows the powerholders to claim that all sides were considered, but makes it possible for only some of those sides to benefit" (Arnstein, 1969: 216).

**Figure 4-1. Eight Rungs on a Ladder of Citizen Participation**

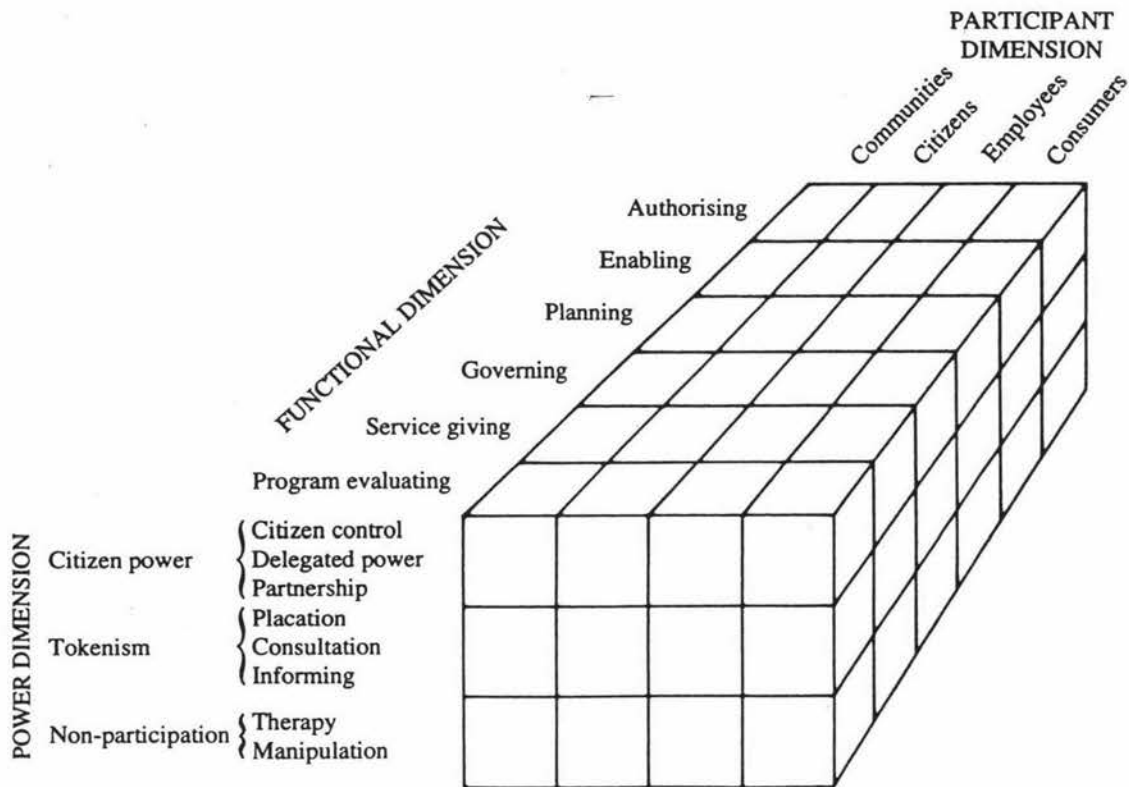


Therefore, the value of the ladder of citizen participation lies on its assumption that a redistribution of power from those who enjoy a surplus (the *haves*) to those who do not have enough (the *have-nots*) is imperative for public participation to be

effective.

### *Dimensions of Participation*

*Figure 4-2. Three Dimensions of Participation*



However, Windle and Cibulka (1981) assert that public participation embodies three dimensions which operate simultaneously, and the confusion generated by an assortment of definitions and objectives of public participation is a result of value

preferences of different authors tending to stress some dimensions to the exclusion of others. Thus, a three-dimensional framework of public participation - relating to power, to program participants and to the stages in the policy cycle - is suggested to provide a better understanding of public participation. (See Figure 4-2.) *Power* - using the ladder of participation - is critical, since public participation is considered as a device to institutionalise accountability and to democratise power in government. At the same time, it is also important for government to be responsive to the society, that political *participants*, be they communities, citizens, employees, or consumers, need to be representative of that society's population. Thirdly, as public participation varies from one governmental issue to another, it is postulated that the *policy stages* of authorising, enabling, planning, governing, service delivery and program evaluation affect the form and degree of public participation. Hence, participation occurs anytime during the policy cycle, involves different groups from the general public and bestows on these participants different degrees of influence on decision-making.

The ladder and dimensions of public participation illustrate the necessity for a planning authority to define the purpose for which it intends to involve the public in the decision-making process before choosing which technique to employ (Glass, 1979).

### **Public Participation: Techniques**

There are numerous techniques for public participation as there are numerous definitions and objectives. These techniques are distinguished by their impact on the planning process (Fagence, 1977), their structure (Glass, 1979), the characteristics of the citizens these techniques seek to involve (Committee on Public Participation in Planning, 1969), and the amount of access and influence granted to the participants (Johnson, 1984). An exhaustive listing of all participatory techniques could not be made, as many factors - the objectives of public participation and the conditions under which it takes place, among other things - affect the form and style under which a public participation programme is conducted (Rosener, 1975; Glass, 1979;

Ministry of Works and Development, 1978b). However, those currently in use or capable of being used after some improvements are made<sup>3</sup> can be ordered into advanced systems proposed by some authors in order to inventory the techniques.

Fagence (1977: 274) offers one typology, based on

"the numbers of people likely to be, or capable of being, involved;

"the degree of political and planning awareness required of the participants;

"the capability of the conventional decision-making processes to accommodate the participant contribution;

"the attitude (i.e. positive or negative) of the participant group to the planning situation."

This framework results in four classes of public participation technique: *conventional means*, like exhibitions and public hearings, which have a low level of impact on the decisions that are taken; *innovative means* like the Delphi method and the charrette, which can sustain a high level of impact on the decision-making process; *self-help means* such as planning aids, which are designed to protect the interests of the participants; and *improved communications technology*, which involves the use of electronic communications technology in conducting participation exercises.

Glass (1979) has developed another typology based on the degree of structure exhibited by the techniques. The categories under this typology include *unstructured techniques* like drop-in centres and neighbourhood meetings, which are designed to produce direct contact between the planner and the citizen; *structured techniques* like citizen advisory committees and citizen review boards, where planners maintain a degree of control over who and how many participate; *active process techniques* such as analysis of judgement and value analysis, where citizens are directly involved in a series of prescribed activities; and *passive process techniques* such as citizen

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Fagence (1977) mentions that as many as 54 techniques, not all conspicuously different from each other, were identified by the Detroit City Plan Commission in 1968. Yet, such listing is considered not exhaustive.

surveys, which are highly-structured and well-developed although citizens do not have any direct contact with planners.

A description of the scope and features of participatory techniques found in the literature is lengthy; hence, the salient points of each technique are presented in Appendix A. The 54 techniques, ordered using the typology suggested by Fagence (1977), mainly show that existing public participation techniques are continuously modified to keep abreast with technological developments and that new means are being developed to ensure widespread citizen involvement.

This abundance of public participation techniques indicates that "a reasonable degree of participation by the citizenry" can be facilitated (Fagence, 1977: 326). All that is needed is for a planning authority to establish a continuous, multifaceted participation system, bearing in mind the level of influence that citizens are to exercise over final decisions and the form in which citizens are to be involved (Irland, 1975).

### **Public Participation: Target Groups**

Who are the people these participatory techniques intend to draw into the planning arena? As expected, even "this question of who is to participate has never been settled" (Strange, 1973: 461). Cunningham (1972: 595) refers to them as **common amateurs**, persons "without paid office, wealth, special information, or other formal power source beyond their own numbers". Johnson (1984) simply alludes to them as the subjects of planning decisions. Yet, Bolan (1971) asserts that the planner always serves a specific client group, and this could either be the government, elected representatives, interest groups, institutions, or the planners themselves. Even when planners serve a client group other than these five, it is difficult for them to identify such a group (Peattie, 1968). Thus, it is apparent that the public should include, not only the common amateurs, but the so-called advantaged group as well. Perhaps the most extensive definition given to the concept of 'public' is that provided by the Committee on Public Participation in Planning, which states:

"We do not think of the public solely in terms of the community as it shows itself in organised groups. We regard the community as an aggregate comprising all individuals and groups within it without limitation" (Committee on Public Participation in Planning, 1969: 1).

### **Barriers to Participation**

However, Hoinville and Jowell (1972) observe that participation by the public in planning and decision-making processes has been meagre. In fact, Riedel (1972: 212) comments that

"[e]ven under the best of conditions, most people tend to *avoid* participation and involvement."

Hampton (1990) indicts planning authorities for not being able to involve more than a small minority of the public in discussions about planning matters. One reason advanced to explain the low participation rate is the lack, by most people, of the appropriate technical background to make informed judgements (Phillips and Foster, 1990). Another puts the blame on attitudinal propensities of the public, which include lethargy and individual interests (Batley, 1972), as well as a feeling of being intimidated by people in positions of authority (Peattie, 1968).

Situational factors are also said to influence an individual's rate of participation (Sears and Crothers, 1979). Occupational demands or lack of financial resources may preclude one's availability to express personal opinion, as in the case of a person who often travels as part of the job, or one who works at night and is unable to attend neighbourhood meetings, or one who never has the time to read information documents on planning matters.

### **Motivators to Participate**

Attempts have been made to identify the individuals and groups that actually become involved in planning and decision-making processes. Marshall (1968) posits that

higher socio-economic status is positively associated with increased participation in various political acts. Johnson (1984) affirms this, by describing participants as belonging to middle- and upper-income classes, with above-average education and business and professional occupations, own their houses, and are long-term residents of the affected area. Rosenbaum (1976) identifies them as either representing organised interests, acting as spokesperson for other government agencies, or directly affected by a plan or a proposal. To date, studies indicate that gender, education, socio-economic status, economic power and residential stability are predictive in differentiating between participants and non-participants (Munro-Clark, 1992).

Wilson (1963) attributes an individual's participation to a **political ethos**, which is a person's view of, and sense of obligation to, the community. Thus, there are two kinds of ethos: the *public-regarding*, where an individual has a tendency to look at, and make policy for, the community as a whole and has a high sense of personal efficacy, a long time-perspective, a general familiarity with, and confidence in, public institutions, and a cosmopolitan orientation toward life; and the *private-regarding*, where individuals are intimately bound in the daily struggle to sustain themselves and their families.

### A Typology of Individuals

In a study of political participation in the United States, Verba and Nie (1972) identified six types of individuals: the **totally inactive** (22%), who engage in no or, if at all, negligible amounts of political activity, largely because of a lack of interest, a psychological detachment from politics and decision-making, poor skills, and little commitment to conflict resolution; the **voting specialists** (21%), whose political participation is limited to voting in elections and are likely to have high levels of party allegiance but not likely to take sides in community conflict; the **parochial activists** (4%), who participate only in relatively narrow problems affecting their own lives; the **communalists** (20%), who are active in the affairs of their community and tend to be high in their psychological involvement in politics, skills, competence, and sense of community contribution; the **campaigners** (15%), who are better informed,

more committed to party causes and active in political campaigns; and the **totally active** (11%), who engage in voting, campaigning, and communal activities, and are high in psychological involvement, sense of efficacy, possession of skill and information, partisanship and commitment to causes of conflict and cleavage, with a sense of contribution to the general welfare of all citizens.

Although this typology is based on political activities, Fagence (1977) has extended it to the planning and decision-making arena, saying that planners should expect to be confronted by an inactive group representing 22% of the total (the *inactive*); a scarcely more active proportion consisting of 21% of the population (the *voting specialists*); an innovative, provocative and watchful proportion of 19% (the *parochial activists and campaigners*); a generally competent group with broad civic interest, numbering 20% (the *communalists*); and a persistent, generally competent and watchful proportion, comprising 11% of the population (the *totally active*). The orientation of members of the public notwithstanding, the potential of non-participants to planning and decision-making processes can be classified into three, based on the degree of organisation exhibited (Boaden *et al.*, 1981), as follows:

- o **major elites**, organisations like neighbouring local authorities, commercial and industrial concerns, nationalised industries, other public bodies, and major pressure groups, whose cooperation and advice local authorities usually cannot do without;
- o **minor elites**, voluntary organisations pursuing varied, yet specific, interests and causes, which represent the different opinions held in a community; and
- o **individual members of the public**, who are largely unorganised and usually speak for themselves.

These categorisations emphasise the heterogeneity of the public and reinforce the need for a planning authority to design a public participation system that can best draw out the views and opinions, as well as the involvement, of the majority of the

community it seeks to serve.

## **Models for Public Participation in Planning**

Several models for involving the public in planning exercises have been offered. The four to be discussed here represent the varying ways participatory opportunities can be integrated into the decision-making process. Moreover, they illustrate how a planning authority can design its own participatory programme, depending on what it intends to achieve, by involving the public and how much resource it is willing to allocate.

### **Collaborative Planning**

One participatory model is the collaborative planning model, anchored on a community consultation process based on human activities and utilizing all available communications technology to ensure a valid exchange between the planner and the community (Godschalk and Mills, 1966). As the latter is composed of many sub-communities, with varied and more often conflicting needs, it is assumed that knowing the quantity and quality of human activities within the community will enable the planner to draw a holistic image of a heterogeneous area.

The planning process starts with a survey of the activities of individuals, households, firms and institutions, as a means of identifying the sub-communities and understanding their values and activities. This survey is undertaken through interviews of a representative sample of the population, in the case of individuals and households; interviews with managers concerning business activities, with arrangements for periodically updating the data gathered; and interviews with institution officers and discussion meetings with institution members.

Survey findings are analyzed and used as a basis for the drafting of planning proposals. At the same time, a report of the survey findings is transmitted back to the community through available local communication channels. Hence, when the

time comes for these proposals to be discussed with the community, the latter can easily respond to them. A final plan is then drawn up, after duly considering the comments of the community members, and is subjected to a public review before legislative approval. Continuing opportunities for public consultation are also available during plan implementation. Members of the public are invited to forums and workshops in an effort to ensure that any new developments within the planning area are considered and, if necessary, used as basis for revising plans and policies over time.

Although this process presents a number of setbacks, such as difficulties in deriving a useful synthesis from massive and unstructured data and the ratio of survey costs to planning area scale, it is advanced as a model for democratic planning. It makes the planner a direct participant in the community, as the planner plans *with* the people rather than *for* them, thereby assuming the role of a backboard and mirror for the community members' own ideas. The survey, in particular, allows the discovery of community activity issues that would otherwise not be addressed by the planning authority, especially when the groups concerned do not have established communications linkages with the local government. Finally, a two-way communications flow between the public and the planning authority is instituted.

### **The Skeffington Committee Model**

The Committee on Public Participation in Planning (1969) identifies four main stages during the plan-making process which offer the best prospects for informing and involving the public. These four occasions are:

- o the *initial announcement* that a plan will be prepared, which is recommended to include a statement of a program for participation, to allow the public to see when and how their cooperation is needed;
- o publication of the *reports of survey*, suggested as consisting of a simple statement of facts and a commentary on data presented in sufficient depth to

enable the public to take a sensible view on the main issues involved and to pursue these in detail should they wish to;

- o *identification of choices available*, which is meant to be undertaken through an examination of public reaction to major issues derived from the survey; and
- o dissemination of a *statement of favoured proposals*, considered as the key document in participation, which is significant if it is based on survey material, public expression of views on the main issues, declared public choices, and the authority's attention to these views.

Of particular importance is the Committee's proposal for the appointment of a full-time Community Development Officer to serve as the planning authority's liaison with those people who do not join community organisations. Therefore, this officer's role would be primarily concerned with imparting information, receiving and transmitting reactions, and linking with existing and new local organisations as a means towards increasing public participation. Thus, the Committee's model emphasises the importance of continually keeping the public aware of the developments in the planning process throughout its duration. At the same time, consultations with directly affected parties are expected to be vigorously pursued by the planning authority. Hence, public participation is to be superimposed on existing planning processes, planning authorities need to act openly, and the public reacting constructively to the facts and ideas presented to them.

### **The Perth Model**

Based on a study of public participation schemes in the United Kingdom, the Metropolitan Region Planning Authority (1973) in Perth, Western Australia, identified six basic stages of a public participation exercise in town planning. These stages comprise, providing people with *information* on the general thinking of the planning authority on a particular issue together with an outline of a programme for

the exercise; conducting a *survey* designed to collect data basic to the proposal, usually with the assistance of local bodies; a *discussion* of the alternative strategies after these are published together with survey reports; the preparation of a statement of *proposals*, based on the survey data, public views, and the authority's own consideration of such views; an *exhibition* of a draft plan, in order to generate formal objections thereto; and, after its revision, the *approval* of the plan.

However, the Authority concedes that, although this process is devised primarily to make planning more flexible, quicker acting, and more responsive to public opinion, there are occasions when advance publicity is impracticable, owing to the issue's confidential nature. Two such occasions involve proposed re-zoning or purchase of land by the government, advance information of which tends to invite an immediate escalation of land prices which, although of benefit to landowners, would result to an increased cost to the community. Nonetheless, this model endeavours to inform the public of any contemplated action by the Authority and to give them enough time to assess the relevant factors, and express their opinions before a final decision is made. Evidently, the Perth model demands the adoption of new attitudes by planning authorities, by the people, and by the media. After all, publication of planning proposals serves to test the confidence of planners in what they are doing, to mould a more articulate and sophisticated public, and to strengthen the trust between the planning authority and the press.

### **Participatory Planning Model for Social Change**

Another planning model, described by Burke (1979), is founded on the premises that planning is a legitimate process that intervenes into, and seeks to influence, decisions; that it is participatory in character, being influenced by the role and strategy of the participation; that it is part of a process of social change; and that it is an attempt to capture and control the future. This participatory planning model has six phases involving specific decision points which depend on the cooperative activities of a number of individuals and groups for the successful accomplishment of planning objectives. The *problem identification* phase demands a thorough diagnosis of the

planning problem and the development of an organised effort to resolve it. It also concerns the establishment of the planning authority's legitimacy, or sanction, to plan and influence decisions. Hence, an action system is assembled, consisting of actors who have the capacity to agree to, or withhold action on, the acceptance and implementation of a planning decision. These actors are citizens and groups who are privy to the community's needs and aims and possess power (having control of, or access to, resources), sentiment or widespread community support, expertise, and are needs-oriented.

*Establishing planning goals* is the second phase focused on choosing the kind of future situation the resolution of the planning problem would have. Thus, the planning authority must be able to assess the community's reactions to these goals, thereby mustering support for the planning process. Obviously, contact with the public plays a large role in achieving the objectives of this phase.

*Plan elements are determined* during the third phase. These are statements of specific tasks, activities, steps and resources necessary to achieve the planning goals. As these elements generally reflect the community's aspirations, it is critical that the planning authority minimized negative reactions to the plan. Hence, it is during this phase that the process of gaining plan acceptance is initiated.

Once the plan elements are determined, *achieving plan acceptance* by the decision centre follows. Several factors contribute to plan acceptance, including a recognition by those who are to carry out the plan that it is a response to a real need; a recognition of the planning authority as having legitimacy; specificity of the plan to the problem it is proposed to solve; widespread public support for the plan; the capacity of the plan of being understood; and the technical accuracy of the plan. Hence, it is not only the decision centre's acceptance that is sought for. The community's acceptance is also a prime consideration.

The fifth phase is *plan implementation*, where the plan is carried out as designed. As this is the integral part of the social change process of planning, it is imperative

that the target group's willingness to accept the changes the plan would ultimately evoke is appraised and ascertained. Such assessment requires a knowledge of the target group's awareness of the need for the plan, its level of understanding of the plan, its attitude toward the plan proposers, and the customary behaviours that the target group would have to alter as a consequence of the plan.

To see that the plan is effective and remains efficient over a certain period of time, *plan evaluation* is undertaken. Modifications to the plan or a restudy of the implementation strategy are made in an effort to resolve the planning problem that caused the planning authority to embark on a plan formulation process.

### **Other Models**

These are but four of the planning models where public participation is built-in to the decision-making structure. Fagence (1977) reviews seven other models where opportunities for public participation are identified. (See Appendix B.)

There is no best style of planning (Burke, 1979). But no matter how the planning process is structured, public participation can be easily integrated into it. Syme (1992) lists eight features considered by the Institute for Participatory Planning as important in conducting an adequate participatory programme. These include an agreement between the agency and the participants about the process of public participation that will be observed, which should start early in the decision-making process and have clearly-stated objectives. As a political process, the programme should make people aware of the level of power being offered them. All interested parties must be identified by the agency, and information should be freely available to all participants, including how their submissions are to be processed. Lastly, if necessary, participants should be reimbursed for the costs of travel and large time commitments.

These features, although not exhaustive nor reflective of all the concerns about the effectiveness of public participation programmes, imply that a systematic and careful

planning of the methods to be employed in involving the public in the decision-making process should be done before embarking on such a program. After all, the citizens, who are the consumers of planning decisions, provide the value orientation to planning choice, as well as the wisdom and knowledge to help frame alternative ways of solving problems (Faludi, 1973).

### **Public Participation: Its Effectiveness**

The literature shows a scarcity of objective evaluations of public participation in planning (Sewell and Phillips, 1979), these evaluations tending to be case studies describing specific responses to particular situations, but unable to build-up to a generalised understanding of how public participation works to impact on decision-making (Pollak, 1984).

One reason advanced for this seeming lack of evaluative studies of public participation is the cost involved. Embarking on a programme to broaden public involvement requires a great investment of manpower, money, and time (Boaden *et al.*, 1981), which is why many planning authorities are reluctant to expand the involvement opportunities they already provide the public (Rosenbaum, 1976). Evaluating effectiveness compounds the costs (Sewell and Phillips, 1979) as more resources are needed to undertake an evaluation study.

A second, but more important, reason is the want of a meaningful framework for analysis, largely as a result of the complexity of the participation concept, which only a few acknowledge (Rosener, 1978; Windle and Cibulka, 1981). By asking simple journalistic questions, Rosener (1978) argues that the effectiveness of public participation can only be determined if such complexity is recognised, for the answers to questions vary, depending on who is answering. These questions are **who**, the answer to which shows that at least three sets of political actors - elected officials, public administrators, and citizens - think of participation in different ways; **where**, which asks about the ultimate goal sought by participation; **what**, which generates the specific changes or conditions which participation is expected to

produce; **how**, which is intended to reveal that the complexity, duration, scope and intensity of issues being considered generate different kinds of participation costs; and **when**, which sets the point, in the policy process, where participation is desired or needed.

In instances where an assessment of the effectiveness of public participation is conducted, an uncertainty exists as to which parameters, and their measurement, are to be considered. Rosenbaum (1976) proposes that any evaluative framework should contain the criteria for assessing program effectiveness, which would include operational statements of desired impacts, operational definitions of the "public" to be involved, cost effectiveness and definitions of agency efforts deemed appropriate for program impacts; and the variables affecting program implementation and effect, which would include the nature of the program, the type of public affected, the techniques used, the objectives being sought, the funding levels, and other extraneous factors relevant to program performance. Nonetheless, the few available evaluative models emphasise different parameters, depending on the nature and scope of the public participation exercise being assessed.

### **The Vindasius Evaluation Model**

An early model, developed by Vindasius (as cited in Sewell and Phillips, 1979) endeavours to measure the extent programme objectives - provision of information to the public, receipt of information from the public, and incorporation of the inputs into the planning process - are accomplished, as well as the costs of pursuing each objective. A simple model which requires a relatively small amount of data and resources to conduct, it concentrates on the participatory techniques used and does not measure any effect that public participation may have had on the decision-making process.

### **Evaluating Power Redistribution**

Pollak (1984) presents the Coplin and O'Leary evaluative model, which uses

mathematical formulations, considers public participation as a means of redistributing power, based on the reference group theory, where the party issuing a legitimate policy output (in this case, the decision-maker) makes a decision in response to pressures exerted by others (the reference group). Thus, citizens participating in the planning process are assumed to be an interest group which exerts some pressures on the decision-maker. Whether this pressure influences the policy outcome depends on three independent variables: *issue position*, defined as an actor's certainty of support for or opposition to a given policy output; *power*, which is an actor's relative capacity to affect, block, or alter the consequences of a decision; and *salience*, the relative importance an actor attaches to a policy outcome.

The *policy outcome*, as the dependent variable, is derived as a weighted function of input (the three independent variables itemised above) of the contributing interest groups plus that of the decision-maker. Hence, the model attempts to predict a particular policy outcome on the strength of the relationships of different interest groups trying to influence a specific issue with the decision-maker, through a mathematical concept called *reference weights*. Although this model has not been widely tested, it is said to illustrate the importance of recognising the political nature of public participation (Pollak, 1984).

### **Evaluating From the Viewpoint of the Planning Authority**

Farrell *et al.* focus on the types of public involvement employed in a program (Sewell and Phillips, 1979), a model which assumes that public involvement aims to enhance public acceptance of planning decisions, provide data for planning activities, and educate the public on the skills needed to deal with planning problems.

This framework assesses the extent to which participation objectives are achieved, the degree to which techniques were successfully implemented, and the degree to which the attitudes of those involved were affected. Thus, indicators are provided covering five types of public involvement - persuasion, education, information-feedback, consultation, and joint planning - each pursuing a different objective in

involving the public. Realisation of the evaluative indicators signifies a successful programme.

**Figure 4-3. An Evaluation Schema for Public Participation**

<b>Dispersal of Information</b>	
<b>What information?</b>	<ul style="list-style-type: none"> <li>(a) Information about decisions already taken (a single policy)</li> <li>(b) Information about discussions taking place (alternative policies)</li> <li>(c) Open government (all information freely available)</li> </ul>
<b>Who is informed?</b>	<ul style="list-style-type: none"> <li>(a) Major elites (other public bodies or major commercial concerns)</li> <li>(b) Minor elites (local interest groups)</li> <li>(c) The general public as a collectivity of individuals</li> </ul>
<b>Gathering Information</b>	
<b>What information?</b>	<ul style="list-style-type: none"> <li>(a) Information about physical facts (census data, etc.)</li> <li>(b) Information about decisions taken by other public or private bodies</li> <li>(c) Information about public attitudes and opinions</li> </ul>
<b>Who is listened to?</b>	<ul style="list-style-type: none"> <li>(a) Major elites (other public bodies or major commercial concerns)</li> <li>(b) Minor elites (local interest groups)</li> <li>(c) The general public as a collectivity of individuals</li> </ul>
<b>Interaction Between Planning Authority and Public</b>	
<b>What kind of interaction?</b>	<ul style="list-style-type: none"> <li>(a) Through the widening of the debate (by the dispersion of more information)</li> <li>(b) Through the involvement of elites (working parties for interest groups)</li> <li>(c) Through the encouragement of the individual citizen</li> </ul>
<b>Who is the public?</b>	<ul style="list-style-type: none"> <li>(a) Major elites (other public bodies or major commercial concerns)</li> <li>(b) Minor elites (local interest groups)</li> <li>(c) The general public as a collectivity of individuals</li> </ul>

### **Evaluating From the Citizen's Perspective**

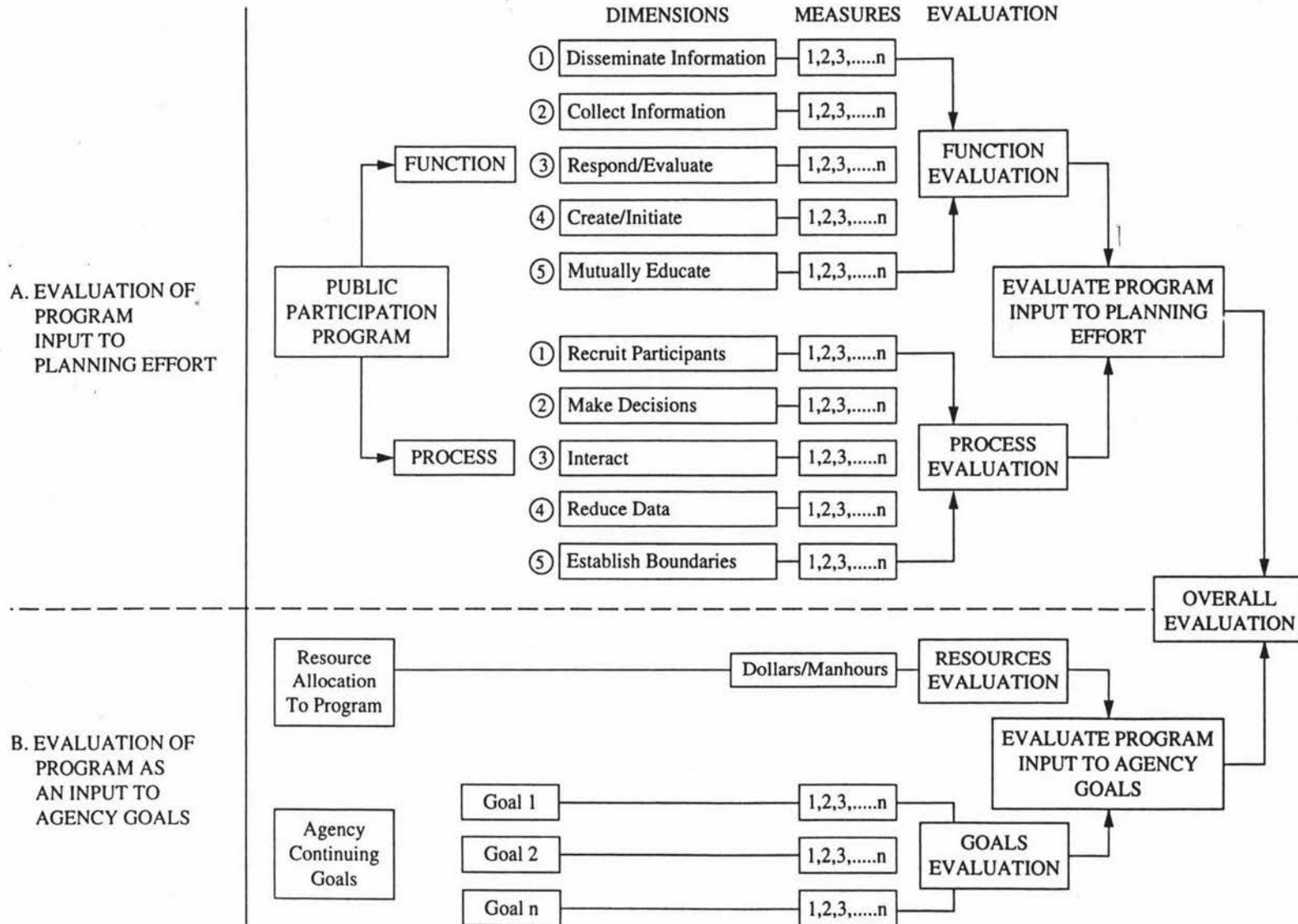
Hampton (1977) has developed an evaluation model which states the objectives of a public participation program as information dispersal, information gathering, and planner-public interaction, and is geared towards determining the kinds of participation that take place and for whom (see Figure 4-3).

Its main attraction is its focus on the satisfaction of the public, as consumers of planning decisions, which highlights the fact that different segments of the public seek different goals, and that their reasons for participating in the process also vary.

### **The Homenuck Evaluation Model**

The Homenuck model considers public participation as an input to the planning effort, where it performs certain functions, and as contributing to the process of involvement (Sewell and Phillips, 1979). Functions are appraised in terms of the quantity of information generated or dispersed, the number of people who participated, and the quality of the planning decision. The process of involvement is evaluated in terms of the ways the techniques were used, who was reached, and the impact these had on the public (see Figure 4-4). Although comprehensive in scope, this model demands enormous data requirements and resource investments, which undoubtedly would make it less attractive for a planning authority to adopt in evaluating its public participation programme.

Figure 4-4. Homenuck's Evaluation Framework



### **Evaluating the Planner's Role**

A recently developed model (Alterman *et al.*, 1984: 184) looks at the planner as a mediator between the public and the decision-makers. As such, the planner is seen to have direct control over the outcome of the participation process during the gathering of information from the public and in integrating the public's response into the final plan. Three factors - the issue, the response, the participants - influence the final outcome of the planning process. The relationship among these factors is expressed in the following mapping sentence:

"The ISSUES  $I_1, I_2, \dots, I_m$  on which the planners went to the public elicited a RESPONSE of type  $R_1, R_2, \dots, R_N$  from various PARTICIPANTS of type  $P_1, P_2, \dots, P_p$ , the results of which had an EFFECT of type  $E_1, E_2, \dots, E_q$  on the final plan."

This model does not claim to fully explain the effect of public participation on the planning process. Instead, it highlights the role of the planner in the process. Since the planners influence the manner of public participation and assesses, albeit subjectively, the relative weighting of the public responses in making planning proposals, they unwittingly play a large part in defining the terms in which community goals are considered. Thus, the planner becomes a manipulator, for the "power to conceptualize is a power to manipulate" (Peattie, 1968: 85).

### **Findings of Evaluation Studies**

The alleged evaluation vacuum notwithstanding, several findings have been made on the impact of public participation on the planning and decision-making process:

- o Public participation can be achieved, can be measured, and is linked to such goals as abolishing poverty and improving community life (Strange, 1973).
- o The citizens' effect on the decision-making process increases as public

participation in planning programs increases (Pollak, 1984).

- o The more public participation there is, the more community leaders agree with the citizenry as to the most pressing problems facing the community and to the preferred ways of solving these problems (Verba and Nie, 1972).
- o Public participation is likely to be more effective if it is done at an earlier stage in the planning process, as the plan is still in its formative stage and can accommodate inputs for a wide range of issues that may not be considered otherwise (Alterman *et al.*, 1984).
- o A strong commitment to public participation in decision-making need not create undue delay or inconvenience (Irland, 1975), as delays will occur only if some members of the public resort to drastic action as a consequence of feeling left out of the planning process.

Despite the universal lack of consensus on the definition, objectives, techniques, models, and evaluation of public participation, it appears that its concept and practice is embedded in the planning and decision-making process. For as long as the public finds it necessary to communicate to government attitudes and views, there will always be a clamour to uphold the citizen's right to participate in decision-making. For as long as participants exhibit a diversity of interests and needs, the planning authority will always feel the urge to consult the community before taking any action. For as long as the system of government remains open and democratic, public participation will always ensure that representatives truly represent the public.

## ***CASE STUDIES***

## Chapter 5

# THE TARANAKI EXPERIENCE

### The Taranaki Region

The Taranaki Region lies on the west coast of the North Island of New Zealand, protruding into the Tasman Sea, extending from the Mohakatino River in the north to the Waitotara River in the south and inland to Whangamomona in the west, and consists of 715,189 hectares of land, comprising approximately 3% of New Zealand's total land area. (See Figure 5-1.) It consists of two strikingly different landscapes - the intensively farmed volcanic landform of western Taranaki, surrounding the young classical cone of Mount Taranaki/Egmont; and the sparsely populated, deeply dissected hill country of eastern Taranaki.

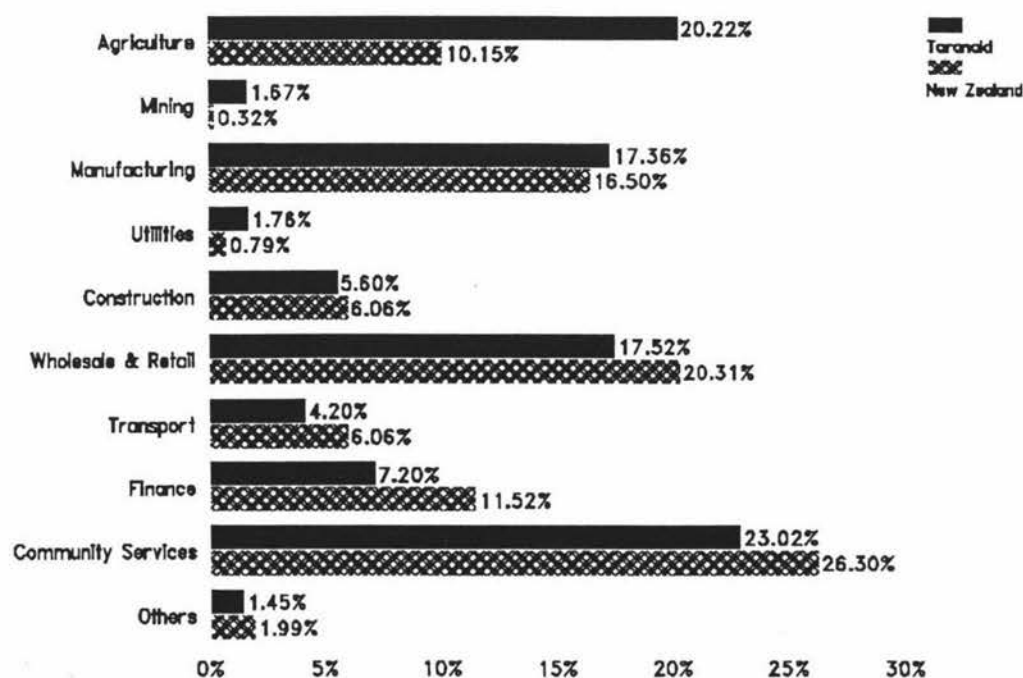
As Figure 5-1 indicates, there are three district councils established within the region: the New Plymouth District Council, which includes the New Plymouth and the North Taranaki constituencies; the Stratford District Council, except the part of its area under the jurisdiction of the Manawatu-Wanganui Regional Council; and the South Taranaki District Council, which consists of the South Taranaki constituency (Local Government Commission, 1989b).

The 1991 census figures released by the Department of Statistics (1992) give the Taranaki population at 107,220 or 3.12% of the New Zealand population, of which 42.22% reside in the region's only city, New Plymouth. Since the last census in 1986, the population has grown by -0.1% per year, largely as a result of the contracting economy, high unemployment and outward migration (Taranaki Regional Council, 1992b).



Although about a quarter of its working population is engaged in community, social and personal services, the Taranaki economy could still be considered more agricultural than service-oriented, as there are twice as many workers in the agriculture, hunting, forestry and fishing sectors as there are nationwide. (See Figure 5-2.) It is not surprising, then, that a survey of environmental attitudes of Taranaki residents (Stephens, 1991) shows that, among the Regional Council's four main functions - control of soil erosion, water quality and pollution control, pest and noxious plant control, civil defence and protection from flooding - water quality and pollution control is considered of primary importance. Apart from the obvious need to consume such resources, the agricultural industry puts pressure on freshwater resources. It is fitting, then, that the residents of a primarily agricultural region should regard water quality and pollution control as critical for their economic well-being.

*Figure 5-2. Taranaki Employment By Major Industrial Division*



## The Taranaki Regional Council

Local government reorganisation under the Local Government Act 1974 brought together the then existing activities of 19 former authorities<sup>1</sup> to establish the Taranaki Regional Council effective 1 November 1989 (Local Government Commission, 1989b). It has ten elected members, four of whom come from the New Plymouth constituency, three from South Taranaki, two from North Taranaki, and one from Stratford.

The Council's mission statement deals directly with the conservation, enhancement, promotion and development of the region's natural resources and infrastructure. Four goals further this mission, namely:

- o the conservation and protection of the intrinsic quality of the region's environment, which covers the protection of valued ecosystems, ecological diversity, natural resources and the social and cultural features of the region;
- o the sustainable use and development of the region's natural and physical resources for the social, economic and cultural well-being of the population;
- o community development, which encompasses the facilitation, advocacy, and support of matters of regional interest and concern; and
- o corporate efficiency, which concerns the conduct of internal operations in a lawful, cost effective, efficient and responsible manner (Taranaki Regional Council, 1990).

Each of these goals is defined by a policy statement and a number of desired

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<sup>1</sup> These are the Taranaki United Council, the Taranaki Catchment Board and Regional Water Board, seven Noxious Plants Authorities and nine Pest Destruction Boards throughout the region, and the Taranaki Harbours Board.

outcomes. A perusal of the desired outcomes reveals the Council's dedication to providing opportunities for public participation. Three of the seven desired outcomes under the corporate efficiency goal refer specifically to public participation: the development of sensitive and helpful public consultation processes; the institution of fair, cost-effective, simple, consistent and timely consent processes which allow all values to be effectively represented in decision-making; and the conduct of Council affairs in a comprehensible manner which is open to the public and where conflicting objectives and conflicts of interest are explicitly resolved (Taranaki Regional Council, 1990b; 1991b; 1992d; 1993a).

One of the annual activities carried out over the past four years of the Council's operations pertains to public participation. In 1990/1991, the Council embarked on the development and implementation of a public information strategy dubbed PRIDE - public relations/information, dissemination/education - in order to enable the people of Taranaki to understand and support the roles and responsibilities of the Council (Taranaki Regional Council, 1990a). This was achieved through the publication of an external newsletter, *Recount*, which was distributed to 450 individuals and organisations in the region, comprising people the Council does business with, district councils, community boards, organisation leaders, those who write letters to newspapers, professionals and environmental companies; the preparation of pamphlets and information sheets covering different subjects of public interest that the Council is involved in; the mounting of exhibitions, mobile displays and graphic material for special events such as agricultural and pastoral shows; the development of promotional advice in newsletters of regional organisations as well as in regional newspapers; and the hosting of various groups who visited the Council premises (Taranaki Regional Council, 1991a).

This activity was expanded the following year, when the Council sought to "promote effective public participation and understanding of regional issues and Council functions and effective public participation in Council decision making" (Taranaki Regional Council, 1991b: 19). During the year, the circulation of *Recount* was expanded to 770 individuals and organisations, largely as a consequence of more

individuals and organisations wanting to be on the mailing list of the Council's external newsletter. As the Policy and Planning Manager puts it, "Anyone who rings up is added to the list" (Hutchings, pers. com.). Pamphlets and information sheets were prepared; displays and exhibitions were held; and articles were submitted for publication in local newspapers (Taranaki Regional Council, 1992c). In addition, active liaison with the regional Maori community was maintained and a series of guidelines outlining consent procedures for the public, staff and elected members produced (Taranaki Regional Council, 1991b).

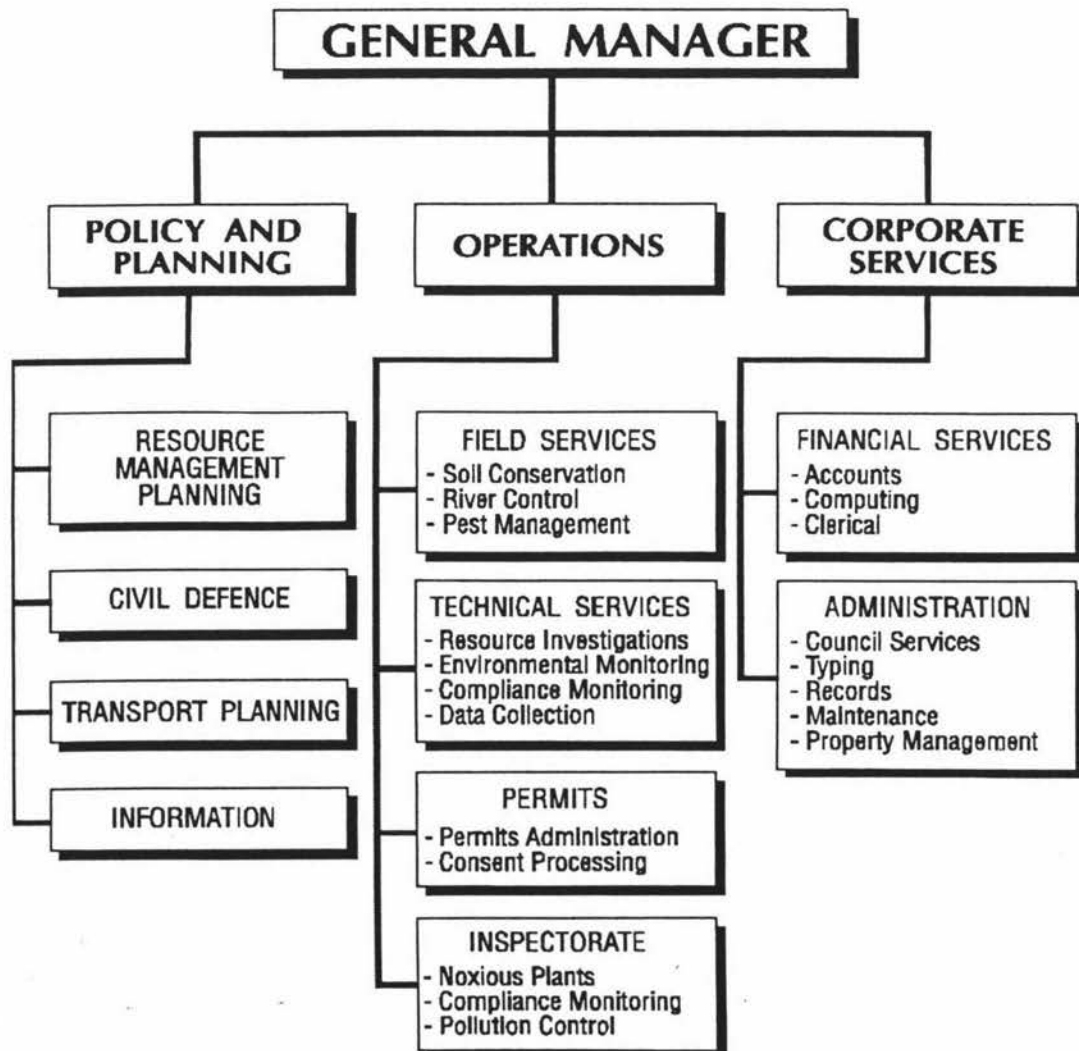
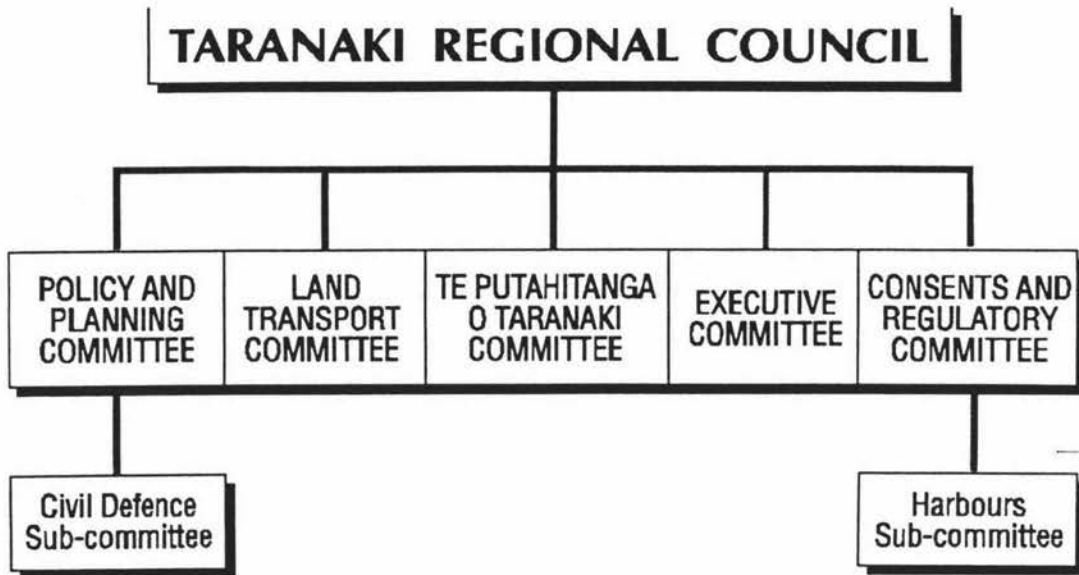
Thus, after its first two years of operations, the Council has been able to firmly put in place its public participatory strategies, allowing it to promote public information and participation among the members of the regional community.

### **Committee Structure**

The lawful and effective transaction of the Council's business is provided by five standing committees and two sub-committees, formed to serve as forums to facilitate sound debate on regional issues. (See Figure 5-3.) The committees and the full Council regularly meet on a six-weekly schedule. Meetings are open to the public.

The **Consents and Regulatory Committee** considers and makes decisions on resource consent applications to use water, air, land and the coast; ensures adequate compliance monitoring of resource consents and makes decisions of enforcement actions in the event of non-compliance; and monitors the implementation of the Council's noxious plants and pest management strategies and makes decisions of enforcement action in the event of non-compliance. It is the only standing committee of the Council which has been delegated an authority to make decisions. Its membership includes seven Councillors with no external appointments, mainly because regulation is regarded as a core statutory responsibility only Councillors are legally authorised to undertake.

Figure 5-3. Taranaki Regional Council and Staff Structure



Recommendatory to this Committee is the **Harbours Sub-Committee**, which is composed of three Councillors, a representative from non-commercial harbour users and a representative from commercial harbour users. Its responsibilities include marine pollution control, navigation and safety within harbour limits.

The **Land Transport Committee** takes charge of the preparation of a regional land transport strategy and the regional land transport programme, passenger transport planning, and the registration and provision of services. It has recommendatory powers to the Council on these matters and is composed of three Councillors, one representative from each of the three District Councils in the region, and two persons representing commercial and non-commercial road users.

The *Te Putahitanga o Taranaki*, established as a standing committee on 28 February 1992, provides the Council with advice on the obligations of signatory parties under the Treaty of Waitangi and serves as a forum for dialogue and discussion of issues of concern to the Maori members of the region, and on matters with respect to resource management.<sup>2</sup> The Committee is comprised of the Council Chairperson and two representatives from each of the eight *iwi* (tribe) in the region, with one voting right for each *iwi*.

The **Policy and Planning and Rural Services Committee** is responsible for the preparation and review of regional resource management policy statements and plans, the monitoring of plans and policies, the development and review of noxious plants and pest management policies, advocacy for the Taranaki region, and the consideration of matters pertaining to regional civil defence, Tourism Taranaki Inc.,

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<sup>2</sup> The Committee's brief covers the following: (a) to act as a forum for education and information exchange from *iwi* to the Council and from the Council to *iwi*; (b) to formulate appropriate broad level policies for the Council in respect of issues of general concern across all *iwi* of the Taranaki region; (c) to monitor the Council's performance with regard to its obligations under the Treaty of Waitangi; (d) to promote to the Council those philosophies and policies for environmental issues which are in accord with the Treaty; (e) to advise, assist and lead the Taranaki Regional Council and its staff on matters of Maori protocol; (f) to advocate and assist *iwi* in developing the *iwi* management plans in their tribal areas; (g) to advocate and assist *iwi* participation in resource management planning; (h) to receive, consider and make recommendations on all relevant matters referred to it by the full Council and/or the Policy and Planning and Rural Services Committee; and (i) to provide input into the draft annual plan for the succeeding year.

Taranaki Polytechnic, Taranaki Land Based Development Trust and the Taranaki Tree Trust. Composed of five Councillors, two persons from the *Te Putahitanga o Taranaki* and two persons representing rural land users, the Committee's actions are all recommendatory to the Council.

Under this Committee is the **Civil Defence Sub-Committee**, tasked with formulating and reviewing the regional civil defence policy and plan; approving district civil defence plans; and recommending and, where contracted, implementing district civil defence policy. It is comprised of three Councillors, the Regional and the three District Civil Defence Controllers, and a representative from the Ministry of Civil Defence.

The **Executive Committee**, composed of the Council Chairperson and the chairpersons of the Consents and Regulatory, Policy and Planning and Rural Services, and Land Transport Committees, is responsible for finance and expenditures, resource management works proposals and expenditures, corporate services and personnel matters, general contractual matters, and matters pertaining to the Westgate Transport Ltd. Its actions are recommendatory to the Council, although it has the power to act in contingencies.

With the exception of the Executive and the Consents and Regulatory Committees, the Regional Council has appointed non-Council members to its various committees and sub-committees as a means of increasing the breadth of input to the decisions made by the Council (see Table 5-1). Co-opting the public to standing committees is allowed under the Local Government Act 1974, which provides that a local authority may appoint to any of its committees any person it deems has a knowledge that will assist the committee's performance, provided such person is neither a member nor an employee of the council.<sup>3</sup> Except for the reorganisation order for the Taranaki Region, which requires the appointment of two non-council members

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<sup>3</sup> S.114R(4), Local Government Act 1974, as amended by s.2 of the Local Government Amendment Act (No. 3) 1977.

to each of two of the Council's standing committees,<sup>4</sup> co-option is an optional power that a regional council may choose to exercise or not. The Taranaki Regional Council, however, has gone beyond the legal requirements, perhaps, because,

"from its inception, the Council has been determined to engage in meaningful consultation with the Taranaki Community" (Taranaki Regional Council, 1993a: 3).

Thus, the Council has voluntarily appointed more members of the public to almost all of its standing committees than is statutorily required. In co-opting non-council members to its committees, the Regional Council invites different regional organisations, deemed to represent community interests and concerns vital to a particular committee's responsibilities, to submit nominations which the Council can consider for a possible seat on that committee. In the present committee composition, for instance, the following nominations were invited:

- o Harbours Sub-Committee - One nomination has been invited from Westgate Transport Ltd. to represent commercial harbour users, whereas the representative of non-commercial harbour users comes from among the nominees of the New Plymouth Underwater Club, the Taranaki Sport Fishing and Cruising Club, and the New Plymouth Yacht Club.
  
- o Land Transport Committee - The three district councils in the region have been asked for nominees to represent them on the Committee. Non-commercial road users are represented by the nominee from the Automobile Association while commercial road users are represented by one person chosen from the Road Transport Council, the Taranaki Taxi Proprietors Association and the Commercial Road Users Association nominees.

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<sup>4</sup> These are the Rural Services Committee and the Taranaki Harbour Committee (Local Government Commission, 1989).

Table 5-1. Committee Membership, Taranaki Regional Council

Committee Name	Council Members	Non-Council Members	
		Number	Concerns Represented
Consents & Regulatory Committee	7	0	None
Harbours Sub-Committee	3	2	Non-commercial users (1) & commercial users (1)
Land Transport Committee	3	5	District Councils (3), commercial road users (1) & non-commercial road users (1)
<i>Te Putahitanga o Taranaki</i>	1	16	Generally recognised Maori <i>iwi</i> in the region (2 from each <i>iwi</i> )
Policy & Planning & Rural Services Committee	5	4	Rural land users (2) and <i>Te Putahitanga</i> (2)
Civil Defence Sub-Committee	3	5	Regional defence controller (1), district defence controllers (3) & Ministry of Civil Defence (1)
Executive Committee	4	0	None

- o Policy and Planning and Rural Services Committee - Rural land users are represented by one person chosen from the two nominees of the Taranaki Provincial Branch of Federated Farmers and by another person chosen from among the nominees of the three district councils. In addition, the *Te Putahitanga o Taranaki* nominates two of its members to sit on the Policy and Planning and Rural Services Committee, thereby ensuring that *iwi* concerns and views are incorporated into Council policies at the formulation stage.

- o Civil Defence Sub-Committee - The defence controllers for each of the three district councils in the region and the nominee from the Ministry of Civil Defence make up the external appointees to this sub-committee.

Where a choice is required as to who is to be co-opted - as in the case of the representatives of non-commercial harbour users, commercial road users, and rural land users - to the appropriate standing committee, Council unilaterally decides on the nominee who is perceived to have the best networking capability, i.e., whether the nominee is a leader, is involved in other organisations, and has interests in the wider community, presumably, to ensure that the view Council wants to capture from the nominee, in the event of co-option, can be a reflection of the opinions of the people in the area of concern the nominee is going to represent.

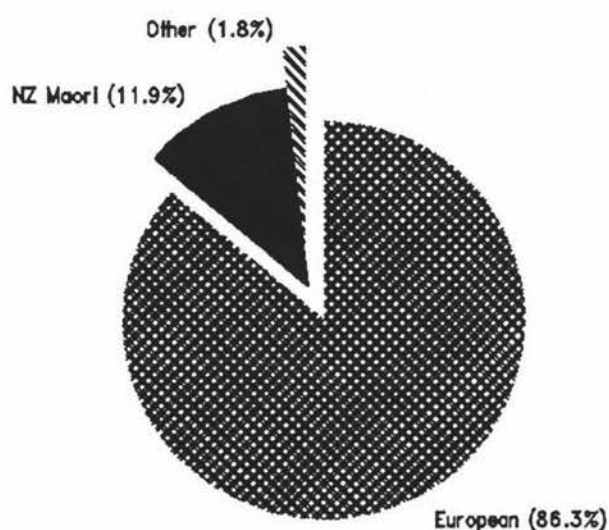
The co-opting of non-council members is largely a subjective one, as there are no objective criteria set to determine the extent of a nominee's networking abilities. Without casting any doubts on the integrity of Council members, and of the currently co-opted members, the adopted selection process does not guarantee the nominee finally chosen is indeed the nominee who has the most extensive networking ability. Subjective factors such as unfamiliarity with a nominee, prejudice against the organisation represented by a nominee, and the political affiliation of a nominee, to mention a few, can affect the selection of the best nominee.

Perhaps the more outstanding aspect of the co-option technique employed by the Taranaki Regional Council is the constitution of the *Te Putahitanga o Taranaki* as a standing committee representing the eight generally recognised Maori *iwi* in the region.<sup>5</sup> After approximately two years of discussions, debate, and negotiations with many levels and organisations within the regional Maori community and with individual *iwi*, its formation marks what Solomon and Schofield (1992) consider as the Council's substantial progress towards liaising with the Maori community in the region, which constitutes approximately 12% of the regional population (see Figure

<sup>5</sup> There are other Maori groups in the region seeking *iwi* status. However, the Council maintains the policy of recognising only those *iwi* Maori or the Waitangi Tribunal recognise.

5-4). *Iwi* concerns and views are sought for and incorporated into policy at the formulation stage rather than after proposals have been devised. Resource consent applications are investigated to see if there are matters involved in them that may concern *tangata whenua* which are then immediately referred to the *iwi* affected, in the case of site-specific issues, or for the consideration of the *Te Putahitanga o Taranaki*, if the issues involved are of general concern to the regional Maori community. The existence of a standing committee concerned with Maori issues is thus meant to ensure that the obligations placed on Council under the Treaty of Waitangi are fairly reflected in Council's policies, plans, and activities.

**Figure 5-4. Ethnicity of the Taranaki Regional Population**



### **Internal Structure**

To undertake its day-to-day activities, Council employs a permanent staff with wide-ranging professional, technical and administrative skills and owns necessary property, equipment and facilities. They are organised into three departments. (See Figure 13,

page 69.) The *Policy and Planning Department* handles resource management planning, civil defence, transport planning, information and liaises with the management of Tourism Taranaki Inc. The *Operations Department* is responsible for field services, inspections, permits and technical services. The *Corporate Services Department* provides financial and administrative services to Council and its subsidiary, Westgate Transport Ltd.

## **Decision-Making Activities**

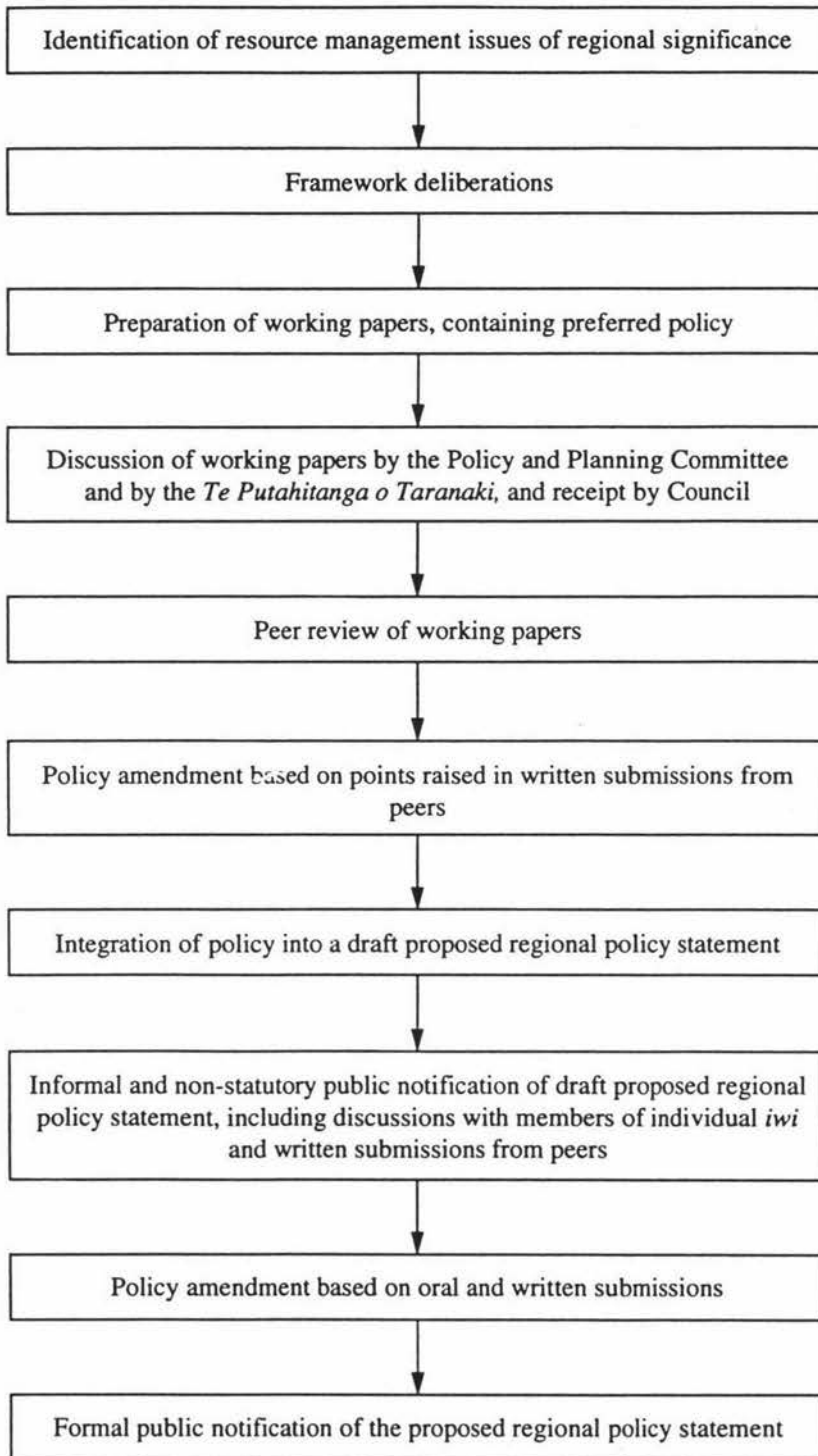
In the case studies, regional decision-making activities are defined as those pertaining to the preparation of annual plans, the formulation of the regional policy statement and consents processing. Thus, each of these processes are examined and described, with the aim of identifying the opportunities provided by Council for public participation to occur.

### **Regional Policy Statement Development**

As early as July 1991, while the Resource Management Bill was still being considered by Parliament, the method to be observed by the Taranaki Regional Council in developing its regional policy statement was adopted. This approach involved a series of steps requiring meaningful consultation and debate with the regional community, as well as educating and informing the people of the issues and options confronting the region (see Figure 5-5).

It started with Council identification of resource management issues considered of significance to the region, and covered ten major groupings, namely: wastes and hazardous substances; water quality; water allocation; air quality; natural features and landscapes; management of natural hazards; aggregate extraction; river and lake beds; sustainable land use; and energy.

**Figure 5-5. Taranaki Policy Development Process**



Framework deliberations were then held to clarify the basis of, and to stimulate Council discussions on, the policies to be developed. These framework deliberations related to

systems development, where a smooth transition from procedures under previous legislation to those under the new legislation was effected through the preparation of a document outlining procedural changes brought about by the Resource Management Act 1991; the adoption of regional transitional plans which confirmed certain notices, by-laws and other regulatory instruments made under previous legislation; the conduct of seminars for Council members and staff, as well as the publication of a special edition of *Recount*, for consumption by the public advising them of the new provisions of the Act; and the production of hearing procedure manuals to serve as guides to Committee members, applicants and submitters, and Council staff, as well as prescribing a protocol for the conduct of joint hearings with other consent authorities;

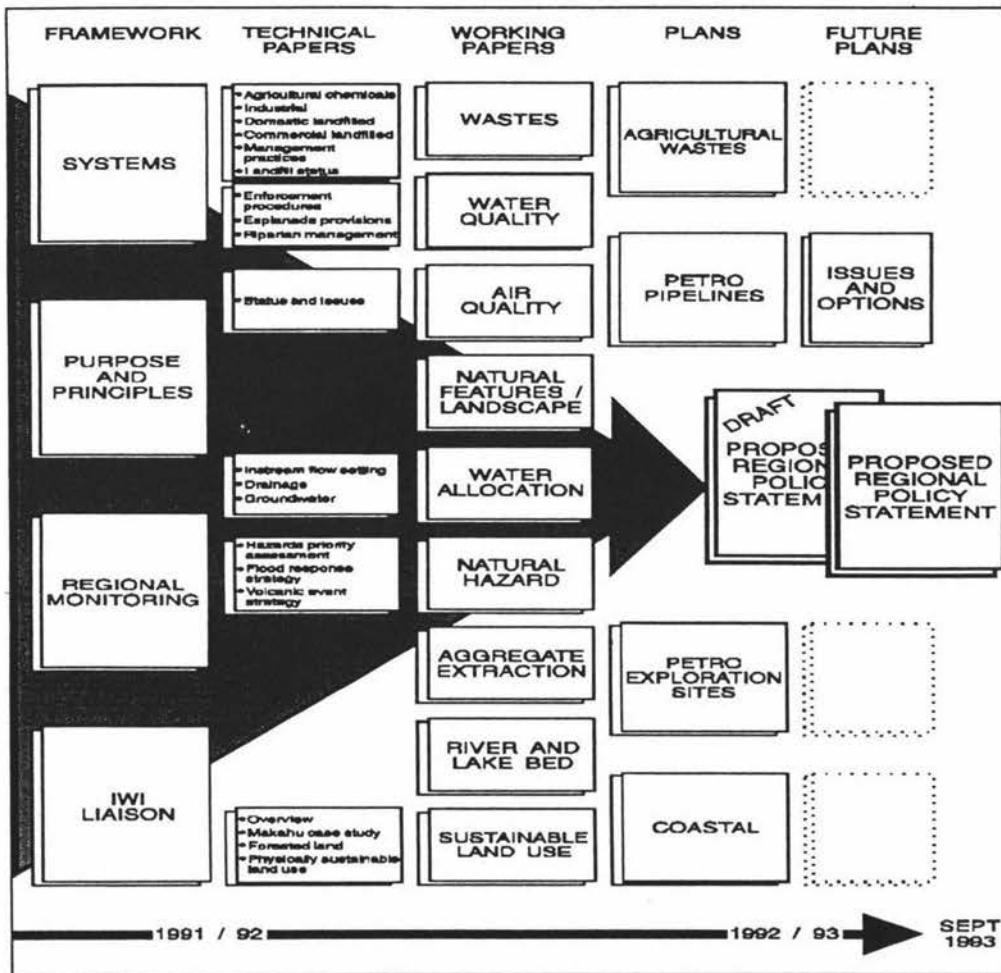
purposes and principles, which involved the preparation of two documents, one of which sought to establish a consistent understanding and interpretation of the requirements of the Resource Management Act 1991, while the second provided a background on the character of the Taranaki region relative to the rest of New Zealand; and the generation of policy expectations of two key Taranaki industries, Fletcher Challenge and Kiwi Co-op Dairies Ltd.;

regional monitoring, involving the integration of elements of various existing compliance monitoring programmes to develop a strategy towards monitoring compliance to resource consent conditions, the progress towards achieving regional objectives and policies and the general state of the environment; and

Maori liaison, where the Council's commitment to the principles of the Treaty of Waitangi are expected to be clarified and expanded, through the formation of a standing committee concerned with policy issues affecting the regional

Maori community, and the contracting of a study to explore and explain Maori values on resource use, conservation and sustainability.

Figure 5-6. Input Integration to Taranaki Policy Development



With the scene set by the framework deliberations, a set of working papers and technical reports was prepared to fully describe resource management issues, their effects, the advantages and disadvantages of the range of instruments available to overcome these issues and preferred policy (see Figure 5-6). These documents served three purposes: they enabled Council to clarify its roles and responsibilities under the Resource Management Act 1991; they provided a foundation upon which regional plans could be prepared; and, finally, they allowed the staff to understand and participate in the policy development process.

To illustrate, three separate technical reports provided inputs towards the production of the working paper on water quality. These reports included a review of enforcement procedures geared towards developing policies and criteria to assist Council in making decisions as to whether or not to pursue a prosecution before the Courts against parties who commit breaches against the Act; a study on the implications of the esplanade provisions of the Act; and the solicitation of public submissions on a discussion document concerned with the management of riparian margins in Taranaki. Thirty submissions were received with respect to the last technical report, which, along with the other two reports, enabled Council to formulate a series of preferred goals, objectives, policies and methods of implementation for the management of water quality.

After all working papers were discussed by the Policy and Planning Committee and the *Te Putahitanga o Taranaki*, and subsequently received by the full Council, they were subjected to a critical review by peers, or stakeholders, who are described as those agencies, organisations and individuals in the region most likely to be directly affected by the policies drafted within each working paper. In the case of the working paper on water quality, the stakeholders consisted of water resource users and experts in the water industry. Written submissions from these peers were received and assessed, with necessary amendments to draft policy sections in each working paper made. The water quality working paper, in particular, generated twenty submissions from eight environment/conservation groups, six from industrial organisations, two from territorial authorities, two from government departments, one

from a sporting club and one from an individual. These submissions raised both major and minor points, covering suggested editorial corrections, as well as issues of contention that resulted in the redrafting of some preferred policies. For instance, the Maruia Society suggested that the word *minimise* in the preferred water quality goal, which reads

"In a sustainable manner, minimise unacceptable damming, diverting, taking or discharging activities which may affect the quality of natural water and maximise, at all locations, the ecological diversity and life supporting capacity of natural water" (underscoring supplied)

be replaced with *prevent*. The phrasing of the goal statement implies that activities with adverse effects on water quality could still continue to occur, whereas the goal should be the attainment of an ideal state as far as water quality is concerned. This point was accepted, and the amended preferred goal now stands as,

"In a sustainable manner, avoid, remedy or mitigate the adverse effects of damming, diverting, taking, discharging or landuse activities on the quality of natural water; maximise the ecological diversity of water at all times and safeguard the life supporting capacity of natural water."

On the other hand, the Taranaki Fish and Game Council questioned the practicability and costs of measuring improvements in water quality resulting from diffuse source contamination, as stated in the preferred objective, for land use and management practices,

"To achieve, within 10 years, a measurable improvement in the quantity and quality of contaminants discharged to water as a result of land use practices."

This observation was acknowledged by Council, noting that such an objective is not a practical proposition after all. Hence, the objective was altered, and improvements in water quality arising from improved land management practices are now proposed to be determined through monitoring, with efforts to be targeted towards identifying

and measuring diffuse source contamination of water. The altered objective, which also considered points raised by other submitters, now reads,

"To achieve, within 10 years, an improvement in the quantity and quality of contaminants discharged to water as a result of land use practices and to ensure, as far as practicable, that such discharges are compatible with the use of receiving waters for treated community water supply, contact recreation, Maori cultural and spiritual uses and aquatic flora and fauna."

The submissions received to this and to the other working papers enabled Council to test its preferred policies. Amended policy sections, together with a summary of submissions received and actions taken in response to each point raised, were then furnished to the submitters by way of feedback.

The working papers were integrated into a draft proposed regional policy statement, which included a background on the resource management issues of significance to the region, an explanation of the reasons for the adoption of preferred approaches and a statement of the principal alternative means available to resolve a particular issue and the reasons for rejecting these alternatives. This draft proposed regional policy statement was released for public comment in an effort to gather public reaction on whether the significant resource management issues of the region had been identified and adequately addressed; whether the proposed policies and methods were necessary, suitable and likely to be effective in dealing with the issues; and whether the overall structure, format, style, and approach of the document appropriately achieved the purpose of a regional policy statement. Copies were distributed to key organisations, agencies, groups, or industries (especially those which made submissions on individual working papers and on discussion documents), to the three territorial authorities in the region, to government departments and ministries, to environment groups, industries, resource user groups, to *iwi* representatives in the *Te Putahitanga o Taranaki* and to others who requested them. In addition, a legal review of the draft document was also commissioned.

A total of 33 written submissions, representing a wide cross-section of interests and

concerns within the region, was received to the draft proposed regional policy statement. Many of the submitters expressed their support to the policy direction contained in the document pointing out their favourable impression of the overall quality, appearance and readability of the document. For instance, the Electricity Corporation of New Zealand was "impressed with the quality and thoroughness of the document" while an individual submitter, Ken Holyoake, singled out the ready reference guide contained in the document as very helpful for locating subjects of particular interest to the reader. Other submitters made specific suggestions for additions, alterations or deletions to the wording of the draft. Tegel Foods, for example, suggested the deletion of the term "factory farms", which it considers an offensive and emotional term to those in the poultry industry. On the other hand, the Royal Forest and Bird Protection Society of New Zealand wanted the inclusion of the effects of carbon dioxide discharges from thermal power stations and petroleum industries into the atmosphere, to acknowledge the national contaminant concern.

More importantly, the submitters generally acknowledged that the draft proposal correctly identified the significant resource management issues of the region. However, there were concerns that either some of the issues were more detailed aspects of broader issues already identified - as in the case of public access to and along the coastal marine area, which the South Taranaki District Council considers a component of the broader issue of the preservation of the natural character of the coastal environment - or that more specific issues needed to be separated from broader issue statements, such as that of ozone depletion and the enhanced greenhouse effect, which Petrocorp Exploration deems as separate issues, saying that these have different causes and effects.

Finally, several submitters called for an indication of the relative priority or importance of issues. The Stratford District Council, for one, suggested that a short list of the top significant issues may be preferable, given the limited resources available for resource management functions. Ken Holyoake, for another, called for a list of what he calls "environmental priorities", after noting that many actions were to be taken on a wide-range of issues that "it would be easy not to achieve a lot on

any single issue."

Meetings with some submitters were held to seek clarification on their concerns, as well as to respond to these. After these meetings, the appropriate policy statements were amended, and, by then, the proposed regional policy statement was ready to be statutorily notified.

On 1 October 1993, exactly two years after the Resource Management Act 1991 was enacted, the proposed regional policy statement for Taranaki was publicly notified. A public notice was published in *The Daily News* calling for submissions on the document not later than 3 December 1993. At the same time, a special edition of *Recount* - explaining some of the main resource management issues contained in the proposed regional policy statement, presenting a copy of the public notice as published in the regional newspaper and offering advice on how to make a submission - was published and delivered to every household in the region.

The Taranaki Regional Council believes that, by adopting such a comprehensive approach to the preparation of its regional policy statement, it would be able to integrate all parts of its organisation into the policy development process; establish a solid base from which to prepare future regional plans; meet the requirements set out by section 32 of the Resource Management Act 1991;<sup>6</sup> clearly understand the scope of its responsibilities; establish a relationship with statutory partners; and confirm the correct identification of significant resource management issues (Hutchings, 1991).

### **Annual Planning**

Since its establishment in 1989, the Taranaki Regional Council has published four annual plans, which define its general direction and outline the specific activities to

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The requirements include a duty on the Council to (a) have regard to the extent that any objective, policy, and method is necessary; the other means which might be applied; and the reasons for and against preferred and alternative means; (b) evaluate the benefits and costs of preferred means and alternatives; and (c) be satisfied that objectives, policies, and methods are necessary and appropriate.

be embarked upon to meet set goals, and two annual reports<sup>7</sup>, which reflect its financial position and overall operating statement and compare actual with projected performance for a financial year, which starts on 1 July each year.

The preparation of the initial annual plan of Council, which came immediately after its establishment, demanded detailed strategic planning, where the Council's overall mission, goals, specific objectives and performance measures were formally determined. Using input from each of Council's standing committees, as this activity was considered part of its normal business function thereby not necessitating public input, the exercise served to solidify its formal management structure and enable it to focus its likely direction to the short- and medium-term. Public input was solicited only after a fairly substantive draft was produced, which was developed with the aims of making it available for public consumption and of using it as a vehicle for public relations, especially in terms of clarifying public understanding of Council's role in the region.

Subsequent annual plans were prepared following the process first observed in 1990, but streamlined as a result of past experience, both by the Taranaki Regional Council and by other local authorities in New Zealand. As there were minimal changes in the process, it is sufficient to describe the annual planning process using that followed by Council in considering and adopting its annual plan for 1993/1994.

The annual planning process for 1993/1994 started on 6 April 1993, when the Executive Committee considered the timetable for the production of the annual plan (see Figure 5-7). This timetable was adopted by the full Council during its meeting on 14 April. The plan and its underpinning budgets, which included statements of projected cash flow and financial position and budget levels covering the previous, current, and succeeding two years, were then prepared and presented to the full Council at its next meeting on 26 May, where the draft plan was adopted. Public notification of the draft plan was undertaken in three different ways: the publication

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<sup>7</sup> At the time of the case study, the Council was in the process of finalising its third annual report.

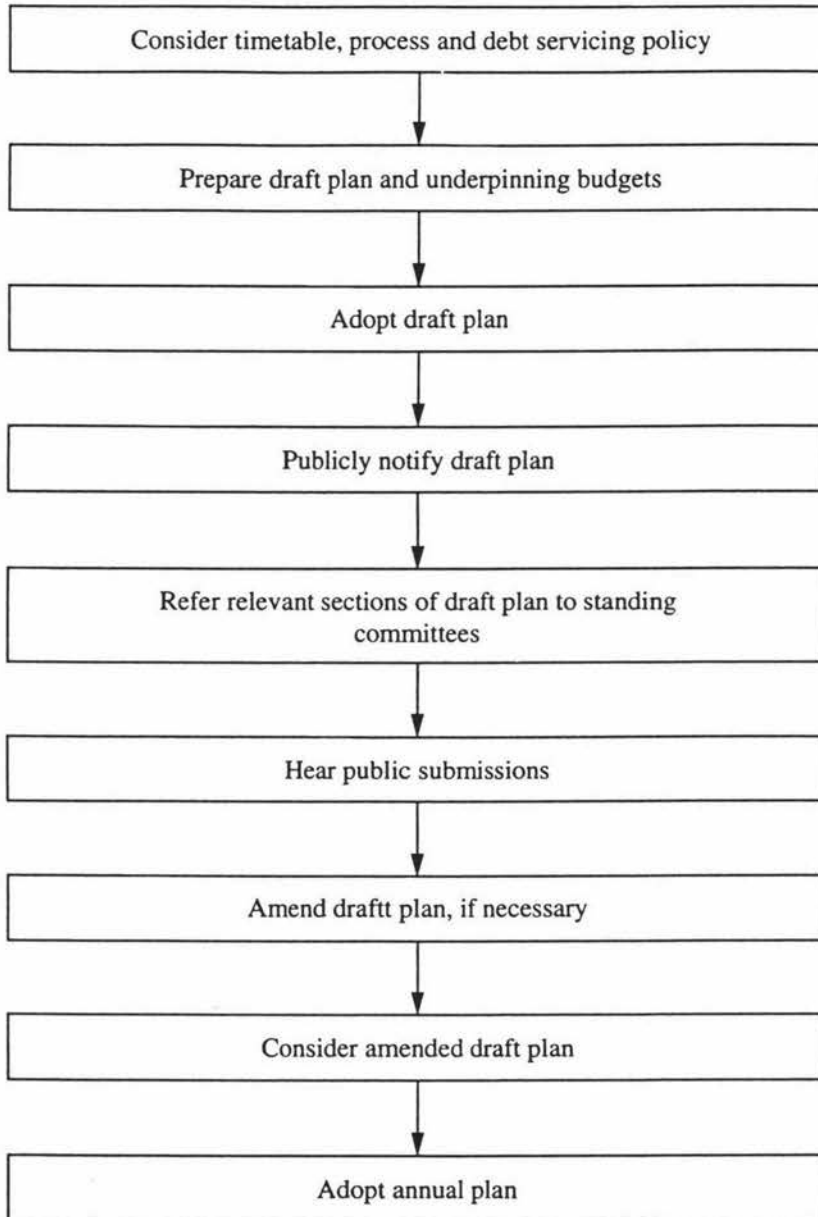
of notices in a newspaper of regional circulation, *The Daily News*, on 27 and 29 May; the despatching, on 27 May, of copies of the draft plan to the district councils and their service centres, public libraries, major Taranaki industries, generally recognised Maori *iwi*, and other organisations and individuals who requested for copies; and the referral, in June, of relevant sections of the draft plan to three of Council's standing committees: the Consents and Regulatory Committee, the Policy and Planning and Rural Services Committee, and *Te Putahitanga o Taranaki*.

When the period for making submissions on the draft closed on 28 June, the Council received nine submissions, two of which included an expression of the submitter's desire to be heard. These submissions ranged from expressions of support and appreciation for Council's efforts, like those from the New Plymouth Thermal Group of the Electricity Corporation of New Zealand and from Mr. Leo G. Carrington of Stratford, to requests for allocation of funding, as with those from Tourism Taranaki Inc. and *Te Putahitanga o Taranaki*, and to comments and suggested amendments on the contents of the draft, such as those from the Taranaki Provincial Branch of the Federated Farmers of New Zealand and from People Against 1080, a citizens' group against the use of 1080 poison for possum control. Council officers studied the submissions and advanced recommendations on Council action on the points raised.

The Executive Committee convened on 30 June to formally hear the submissions, including a late submission from the Taranaki Environment Action Group, where two submitters - Tourism Taranaki Inc. and People Against 1080 - were given the opportunity to present their submissions orally. Following the hearing and consideration of submissions, the Executive Committee adopted the recommendations made by Council officers, with amendments as a result of the hearing, and instructed the making of appropriate changes to the draft annual plan.

On 7 July, a week into the fiscal year, the annual plan of the Taranaki Regional Council for 1993/1994 was adopted. Submitters were then furnished a copy of the adopted annual plan, a summary of their respective submissions, and the comments and recommendations of Council officers on the points raised.

*Figure 5-7. Annual Planning Procedure, Taranaki Regional Council*



## Consent Processing

The major operational component of Council's resource management activities is consent processing, an activity Council prides itself in, as it has granted 492 resource consents with only two hearings since the introduction of the Resource Management Act 1991. This situation has arisen largely as a consequence of the Council's commitment to mediated solutions on consent applications, which is done through pre-hearing meetings where consent applicants and submitters meet together, information gaps are identified and resolved, and a solution is facilitated without resorting to formal hearings, with Council acting as a trusted and respected referee (Bayfield, 1993). To illustrate the process observed by the Taranaki Regional Council, a consent application is presented as a case study.<sup>8</sup>

In October 1992, the Taranaki Regional Council received a copy of a land use consent application for the reception and skinning of slink calves - calves dead at birth - lodged with the Stratford District Council by a tannery facility operating on the northern outskirts of Stratford.<sup>9</sup> Odours and emissions associated with the reception of animal hides for processing into a finished consumer product, and for that matter, the entire tannery operations, concerned the Regional Council, as discharge of contaminants from any industrial premises into air are prohibited under the Resource Management Act 1991, unless expressly allowed by rule of a regional plan, a resource consent, or regulations. Neither the transitional regional plan nor regional regulations provided for such discharge and, although the tannery facility has been operating for 10 to 15 years, it holds only a land use consent for tanning activities. Inquiries made by the Regional Council did not support the tannery owner's allegation that a clean air licence was issued. Hence, the Regional Council required the tannery owner to apply for a permit to discharge into the atmosphere

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<sup>8</sup> Appendix C sets out a chronology of events associated with this resource consent application.

<sup>9</sup> S.90 of the Resource Management Act 1991, as amended by s.46, Resource Management Amendment Act 1993, requires a consent authority to forward, to the local authority for the region or district in which the activity relating to the application will occur, a copy of any application it receives for a resource consent that is required to be notified.

and, at the same time, advised the Stratford District Council to defer proceedings on the land use consent application until an application for a discharge permit was lodged with the Regional Council.

On 4 December, the Taranaki Regional Council received the application by the tannery facility for a permit to discharge emissions into air. An advertisement was placed the following day in *The Daily News*, notifying the discharge permit application and inviting the public to make submissions to Council by 1 February 1993. Similarly, a notice was posted on the site of the tannery. A total of 21 submissions was received, 16 of which related to properties located within 500 metres of the tannery with the rest lying up to 1,000 metres away. Seven submitters expressed a desire to be heard. In addition, a petition bearing 55 signatures from residents of the Northern Stratford residential and rural area - including nine of the submitters - was received, requesting the Council not to grant the discharge permit. Not being in the form prescribed by the Resource Management Act 1991, the petition was considered as a submission without hearing rights, i.e., the views reflected in the petition were considered in the consent process although the signatories were not invited to the pre-hearing meetings. The main objection by submitters and petitioners to the discharge permit application pertained to the offensive odour emanating from the facility,<sup>10</sup> a ground the applicant felt was biased, as the offensiveness of any smell is determined subjectively.

On 16 February, Council staff inspected the premises and made an assessment of the potential effects of the discharge. A draft report on the application, a copy of which was furnished to the applicant, was prepared, containing, among other things, a summary of the submissions and expressions of local concerns as received by

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<sup>10</sup> The applicant identified emissions as smoke from gas boilers operating four hours a day for three days per week and vapour from skins and chemicals. A Council inspector identified emission sources as (a) skinned carcasses usually retained for up to two days before removal from the facility, (b) smell typically associated with wet wool or fur coming from the trimming and scouring area, (c) odour distinctive of mothballs, released by naphthalene, which is present in the salting mixture, (d) presence of formaldehyde in the pickling solution, (e) water retained in the open sump beneath the pickling and tanning vats in order to allow solid matter to settle out and water to decant to effluent tanks, (f) release of hydrogen sulphide from sulphur in the dyeing and bleaching solutions, (g) odour released from de-greasing solvents, (h) two gas-fired boilers, and (i) sulphide smell of liquid retained in the effluent tanks.

Council, and an assessment of the effects of, and options for controlling, odour.

Three joint pre-hearing meetings were held, with the Regional Council taking the lead. The first one, on 24 February, was with submitters only, where grounds of concern were clarified and the roles and functions of the Taranaki Regional Council and the Stratford District Council were explained. Despite a week's notice of the meeting, only six submitters attended. This low attendance rate could be attributed to two factors. First, there were submitters who felt that making the submission was enough indication of their opinion on the application. As one submitter and signatory to the petition, a farmer, residing 1,000 metres southeast of the tannery, said, "We got notice of meetings but I didn't go. We've made our point." Secondly, even if other submitters wanted to attend the meetings, the timing was inconvenient for them. Scheduled in the morning, this meeting prevented those submitters with employment from attending. It was largely for this second reason that the subsequent pre-hearing meetings were held in the evenings and, true enough, 15 submitters each attended the second and third pre-hearing meetings.

These two meetings, held on 4 March and 16 March, brought the applicant and the submitters face-to-face, where the Council acted as mediator in an effort to work through and resolve the issues raised. After the 4 March meeting, both Councils were able to prepare the draft of their respective consent conditions and monitoring programme, which were then circulated to all affected parties - including submitters who were not able to attend the meetings - prior to the third pre-hearing meeting. Close coordination with each other enabled both Councils to ascertain that the consent conditions proposed for each consent application complemented the other. The third meeting discussed the proposed consent conditions, where the submitters managed to amend two of 17 proposed special conditions on the discharge permit and to add one of their own. This satisfied the submitters such that, immediately after the meeting, three of the submitters who expressed a desire to be heard withdrew their requests. The other four submitters who wanted to be heard withdrew their requests after receiving a copy of the revised draft permit conditions.

The consent to discharge emissions to the atmosphere arising from the skinning of animals, the tanning, storage and dressing of animal skins, and the manufacture and sale of finished leather and animal skin goods was then granted under Resolution 93/11 of the Consents and Regulatory Committee during its meeting on 5 May 1993. Copies of the consent and the staff report to Council were furnished to the submitters and a notice of the grant of the discharge permit was advertised in the local paper for the benefit of those who signed the petition. Overall, the process lasted for 84 working days, longer than the maximum time provided under the Resource Management Act 1991 to process a notified consent application<sup>11</sup>.

### *Participants' Evaluation of the Process*

Eleven submitters were asked their comments and assessment of the process involved in the consideration of the discharge permit application<sup>12</sup>. All of them felt that the presence of an obnoxious smell coming from the tannery activities would result in the devaluation of their respective properties. As a male service mechanic in his 50s, who signed the petition, contacted a Regional Council staff member, and lodged a submission, puts it,

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<sup>11</sup> Under the Act, the maximum processing time for a notified consent application is 70 working days, if a hearing is held, or 50 working days if there is no hearing, counted as follows:

For all notified applications:

From receipt of application to public notification - 10 working days (s.95)  
 From public notification to close of submissions - - 20 working days (s.97)

If a hearing is held:

From close of submissions to hearing date- - - - - 25 working days (s.101)  
 From hearing date to advice of decision- - - - - 15 working days (s.115)

If no hearing is held:

From close of submissions to advice of decision- - - 20 working days (s.115)

However, St. Clair and Zuur (1994) found that most local authorities doubled the processing times, invoking s.37 of the Act, which allows for the extension of the processing time.

<sup>12</sup> Refer to Appendix D for the questionnaires used to elicit the perceptions of the applicant and the submitters to the tanneries discharge permit application.

"My family and I own a house within 200-300 metres from the tannery, and when the wind blows from the North, the smell is putrid, bringing flies and lowering the value of our property."

In addition, there was resentment in the lack of action with respect to the odour nuisance during the years the tannery facility has been operating. The Stratford District Council, which granted the existing land use consent to the tannery, never believed it had the statutory mandate to deal with the issues and, understandably, did not. Prior to the enactment of the Resource Management Act 1991, air pollution control was governed by the Clean Air Act 1972, which provided for the grant of licences, by the Department of Health, to cover activities that would discharge contaminants into the air only after planning approval for such activities has been secured<sup>13</sup>. The Planning Tribunal found the need to reconcile the Clean Air Act 1972 with other existing planning legislation<sup>14</sup>.

The submitters interviewed were apparently all asked to sign the petition initiated by another submitter who learned of the tannery's consent application from the public notice. Nine of them signed the petition and supported it with a submission. The other two, however, feeling that the petition did not carry much weight, expressed their concerns through a submission.

The Taranaki Regional Council considers consents processing as a service that potential resource users pay for. As such, Council strives to provide consent applicants with decisive, prompt and competent service while, at the same time, making submitters comfortable in the knowledge that Council will monitor and enforce any consent agreement. To ensure that applicants receive efficient service, and that submitters' reasonable concerns are appeased, Council has endeavoured to use mediated solutions to consent applications where submissions from third parties

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<sup>13</sup> S.29(5) of the Clean Air Act 1972, now repealed.

<sup>14</sup> The No. 1 Appeal Board, in *New Zealand Particle Board Ltd. v. Rodney County Council* (1976), concluded that "the provisions of and the powers conferred by the Town and Country Planning Act 1952 and the Clean Air Act 1972 are in need of being reconciled by amendments to one or both of these statutes" (Williams, 1980: 43).

are received. As Bayfield (1993: 2) explains,

". . . if you work hard in the early stages it is less likely that you will find yourself involved in formal hearings and appeals. Mediated, as opposed to imposed solutions, tend to be less costly and longer lasting with shared ownership."

Indeed, if one goes by the perceptions of the applicant and submitters to the discharge permit application process, this belief is reinforced (see Table 5-2). Submitters and applicant alike gave high marks to Council's efforts toward ensuring that all interested parties were present during the pre-hearing meetings; providing an explanation of the application; providing opportunities for submitters to express their concerns and for the applicant to rebut/answer the objections; explaining relevant Council policies; mediating points of disagreement or misunderstanding; proposing conditions to be imposed on the consent to be granted; and facilitating the decision on the application. Although submitters thought Council did a very satisfactory job in clarifying issues of contention, the applicant rated Council's effort as satisfactory, since the applicant feels that Council was only able to clarify the issues to the extent that it understood the industry.

Needless to say, both sides agree that there was no need for Council to hold a hearing on the application. They both got what they wanted: the submitters made known their objections, voiced their concerns and managed to put restrictions on the business operations; the applicant got his discharge permit and did not have to spend more money than the cost of the application and the pre-hearing meetings<sup>15</sup>. As a submitter residing about 900 metres south of the tannery puts it,

"They gave us the opportunity without [us] having to go to the expense of having a hearing, which would have cost us ratepayers money. To me, it was democracy operating."

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<sup>15</sup> The discharge permit cost the applicant \$4,000 (\$393.75 was for processing and \$3,606.25 for the investigation and pre-hearing meetings).

**Table 5-2. Mean Perceptions on Tanneries Discharge Permit Processing**

Aspects of Process	Submitters		Applicant	
	Numeric*	Graphic	Numeric*	Graphic
Presence of all interested parties	4	Very satisfactory	5	Excellent
Explanation of consent application	4.6	Excellent	5	Excellent
Expression of concerns/rebuttal	4.4	Very satisfactory	5	Excellent
Explanation of Council policies	4	Very satisfactory	5	Excellent
Clarification on issues	4	Very satisfactory	3	Satisfactory
Mediation	4	Very satisfactory	5	Excellent
Proposing of conditions	4	Very satisfactory	5	Excellent
Facilitation of decision	4.2	Very satisfactory	5	Excellent
Need for hearing on application	2.2	No	1	Definitely not
Satisfaction on consent process	3.3	Adequate	5	Very satisfactory
Worth of involvement	3.6	More than worthwhile	Not asked	

\* Based on a five-point rating scale

Another submitter, residing 250 metres west of the tannery, echoes the same thought when she said,

"The outcome by this method, to all intents and purposes, has worked at no real costs. Why hold a long drawn-out process to get the same answer when everybody can do it amicably in a faster way?"

Perhaps the most descriptive opinion about the process adopted by Council comes from a submitter who organised the petition against the application, to wit:

"I think this process enabled us to do away with *them* and *us*, with the Council in the middle. I think the whole process enabled us to get together as people - all three of us with concerns - and actually face one another instead of sitting back at home, writing letters, getting angry, which is usually what happens when someone doesn't want something done and wants to stop it. I think, on the whole, this method of getting people together, understanding their problems, enables people to live together here quite happily, knowing that we have recourse when something goes wrong. Having been through hearings before, I would say having the meetings, getting people together, and working out and putting limits on how far people can go is preferable."

Thus, from an initial stand against the approval of the discharge permit application, the submitters came out of the negotiating room, not dejected because the application was granted after all, but adequately satisfied that their involvement has been more than worthwhile and that the activities of the tannery facility will be monitored and the consent conditions enforced by the Regional Council in so far as discharge into the atmosphere is concerned.

### **Conclusion**

The Taranaki Regional Council employs a public participation programme that encompasses both statutory and non-statutory techniques for involving the public in its planning processes. Non-statutory techniques cover those under its public information strategy, PRIDE, and the public release of the draft proposed regional policy statement. Statutory techniques include the co-option of non-elected persons onto its standing committees, the conduct of open council meetings, and public notification of annual plans and reports, the regional policy statement, and appropriate consents applications.

Council has even gone beyond the requirements of the law as far as public involvement is concerned. The establishment of a Maori standing committee is obviously an effort towards ensuring that Council lives up to its statutory obligations, as an agent of the Crown, under the Treaty of Waitangi. There are more co-opted committee members than is legally required. The draft copy of its proposed regional

policy statement, as well as working papers used to prepare the draft, have been released for public comment.

The conduct of the pre-hearing meeting in resolving conflicts arising from consent applications has been utilised to the fullest, thereby making Council do away with the adversarial hearing procedure. However, reliance on the pre-hearing meeting as a tool towards resolving conflicts that may arise from consent applications has a tendency to lengthen the processing time for a notified consent application. Although the tannery case discussed is not indicative of the applications that the Taranaki Regional Council receives, the fact that notified consent applications may take longer to resolve has been established. No preparations for a hearing were made, leaving the impression that Council was confident that the pre-hearing meetings would achieve consensus. A case may arise in future where the sides to an issue are so well-entrenched that all that a pre-hearing meeting could establish would be an impasse. Considering that the Consents and Regulatory Committee meetings are scheduled every six weeks, a hearing date needs to be determined to serve as a deadline for the use of the pre-hearing meeting as a negotiation tool. To be effective, Council must strive to balance its commitment to use mediated solutions with its commitment to provide consent applicants with decisive, prompt, and competent service.

Before any further analysis is done on the participatory programme of the Taranaki Regional Council, however, a survey of the experience of another regional council is necessary, if only to provide some basis of comparison.

## Chapter 6

# THE HAWKE'S BAY EXPERIENCE

### The Hawke's Bay Region

The Hawke's Bay Region is situated on the east coast of the North Island of New Zealand. It stretches from north of the Mahia Peninsula and to just south of Porangahau. It is bounded in the east by the coastline and in the west by the Ruahine, Kaweka, Huiarau and Ahimawana Ranges (see Figure 6-1).

Its land area, comprising of 1,240,042 hectares and representing five percent of New Zealand's area, has three main landforms: the extensive pastoral country along the coastal ranges south of Cape Kidnappers; the low-lying central lowlands of river terraces, low hill country and flat plain running south from the Heretaunga Plains; and the northern hill country of Wairoa and the foothills of the western ranges, gradually merging with mountains, often with a transition zone of scrub between pastoral land and true indigenous forest.

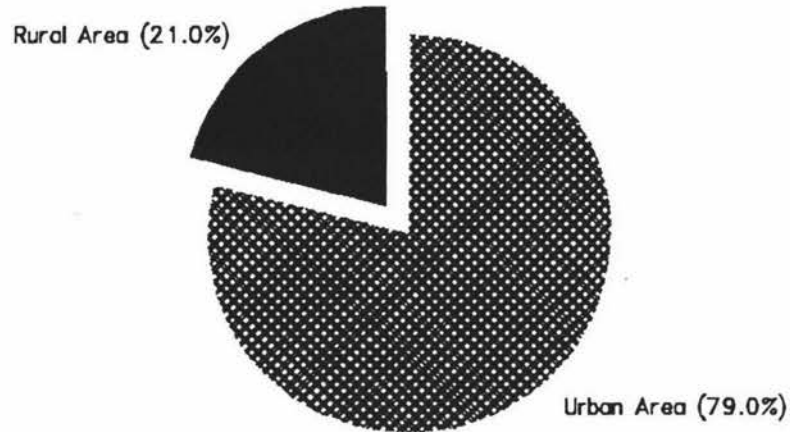
Three district councils and one city council have been established within the region: the Wairoa District Council, which consists of the Wairoa constituency and part of Taupo District; the Hastings District Council, which includes the constituencies of Hastings and Ngaruroro and part of Rangitikei District; the Central Hawke's Bay District Council, which covers the Central Hawke's Bay constituency; and the Napier City Council, which contains the Napier constituency (Local Government Commission, 1989a).

The latest census puts the regional population at 139,479 (Department of Statistics, 1992) which is approximately four percent of the total national population. Of this, 79% reside in the urban areas in the cities of Napier and Hastings and 21% in the rural area (see Figure 6-2).

Figure 6-1. The Hawke's Bay Region



*Figure 6-2. Rural-Urban Distribution of Hawke's Bay Regional Population*



### **The Hawke's Bay Regional Council**

The activities of seven former authorities<sup>1</sup> were amalgamated during the local government reorganisation under the Local Government Act 1974 to establish the Hawke's Bay Regional Council (Local Government Commission, 1989a). The Council has nine elected members representing the constituencies of Wairoa, Ngaruroro, and Central Hawke's Bay - one each - and Napier and Hastings - three each.

Council's mission statement, which has been modified twice as a result of public submissions received during the last three annual planning rounds, is

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<sup>1</sup> These are the Hawke's Bay United Council, the Hawke's Bay Catchment Board and Regional Water Board, the Hawke's Bay District Noxious Plants Authority, the Wairoa District Noxious Plants Authority, the Waipukurau District Noxious Plants Authority, the Waipawa District Noxious Plants Authority, and the Hawke's Bay Pest Destruction Board.

"Managing our Resources, Protecting our Environment, for the Benefit of the Whole Community" (Hawke's Bay Regional Council, 1993c: 6).

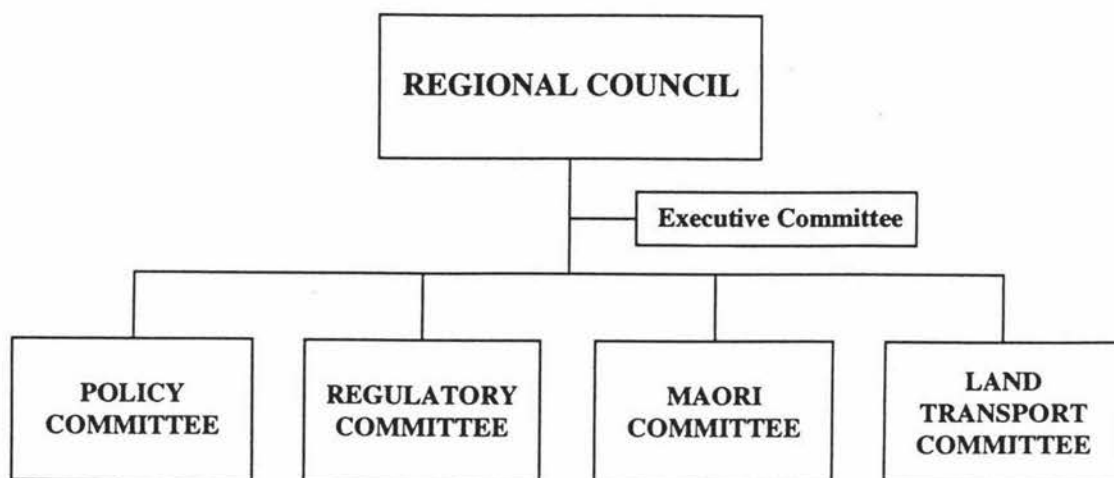
Two of the eleven policy statements explaining this purpose statement pertain to public participation, where one iterates the Council's commitment that its deliberations and operations will be completely open to the public and promises to involve the public as much as possible, while the other refers to the provision of effective communication and consultation with the region's *tangata whenua* and the recognition of the principles of the Treaty of Waitangi.

### **Committee Structure**

The Council has five standing committees which deal with different aspects of the Council's responsibilities (see Figure 6-3). Three of these - the Policy Committee, the Regulatory Committee, and the Maori Committee - meet on a monthly basis, whereas the other two - the Land Transport Committee and the Executive Committee - meet only when there is a need. All meetings are open to the public, in accordance with the provisions of the Local Government Act 1974.

The **Policy Committee** has recommendatory powers on the development and approval of non-corporate Council policy matters. Its membership includes all elected members of Council although the difference in its composition with that of the full Council lies in who presides at meetings. The full Council is chaired by the Council Chairman, while the Committee is chaired by the Council Deputy Chairman. At the same time, the chairperson of the Maori Committee sits as a member of the Policy Committee.

*Figure 6-3. Committee Structure, Hawke's Bay Regional Council*



- Joint Regional Committees (2)
- Technical Civil Defence Committee
- Task Forces as Required

Of the standing committees, the **Regulatory Committee** is delegated the authority to make final decisions on the regulatory responsibilities vested in Council under various statutes, regulations, and regional by-laws and rules. Thus, the Committee makes determinations on notified resource consents and on those involving non-complying activities, which determinations include lapsing of consents, cancellation of consents, review of consent conditions, surrender of consents and additional costs or remission of administrative charges. The Committee's membership includes four Councillors and a representative from the Maori Committee.

The **Maori Committee** was established as a result of submissions received by the Council to its draft 1990/1991 corporate plan. In a letter dated 31 July 1990 to 19 submitters, Council acknowledged the need for *iwi* participation in resource management and in social and economic development. Thus, a standing committee

was constituted to address issues of concern to the Maori people of the region. With recommendatory powers to Council, the Committee is composed of three Council members and 12 individuals representing the tiers<sup>2</sup> in the administrative structure of *Ngati Kahungunu*, the region's *iwi*. The Committee's chairperson is chosen from among the co-opted members.

The **Land Transport Committee** undertakes the preparation of the regional land transport strategy and programme. It is comprised of two Council members and nine individuals representing each of the four territorial authorities in the region, private road users, commercial road users, Transit New Zealand, the Ministry of Transport and the Traffic Division of the Police.

The **Executive Committee** concerns itself with matters requiring Council action between Council meetings, including making recommendations on tenders for plant, equipment and works. It is composed of four Council members, including the Council Chairman, who chairs the Committee.

In addition to the five standing committees, Council has established a Regional Civil Defence Committee to undertake its functions under section 32 of the Civil Defence Act 1982<sup>3</sup>, except the approval of local civil defence plans prepared by territorial authorities in the region, in which case the Committee's action can only be

<sup>2</sup> The tiers represented are the *kaumatua* (elders), Maori executive, and *taiwhenua* in each of the four *Kahungunu* districts of Wairoa, Napier, Hastings, and Central Hawke's Bay.

<sup>3</sup> Section 32 lists the functions of the Regional Council as follows: (a) the coordination, approval, and review of local civil defence plans prepared by territorial authorities within the region; (b) the provision of advice and assistance to every territorial authority within the region in the planning, preparation for, coordination of, and effective carrying out of the civil defence responsibilities of that territorial authority; (c) the promotion and coordination of adequate training for civil defence personnel within the region; (d) the making of arrangements with other agencies and individuals for the coordination and use of personnel, material, and services for civil defence purposes; (e) the making of arrangements with any person for that person to make available or undertake to give their services or those of their staff to carry out such civil defence measures as may be agreed upon; (f) the recruitment and training of volunteers for civil defence tasks; (g) the conduct of civil defence training exercises, practices, and rehearsals; (h) the issuance and control of the use of prescribed civil defence signs, badges, insignias, and identification passes; (i) the provision, maintenance, control, and operation of warning systems; (j) the provision of communications, equipment, accommodation, and facilities for the exercise of its functions and powers during a national emergency or a civil defence emergency; and (j) the exercise of such other powers as are necessary to give effect to any operative civil defence plan.

recommendatory. Chaired by the Regional Civil Defence Controller, the Committee has 11 members, one of whom is a Councillor. The other ten are the four district civil defence controllers and nominees from the Ministry of Civil Defence, Fire Service, Police, Area Health Board, Department of Social Welfare and the Traffic Division of the Police.

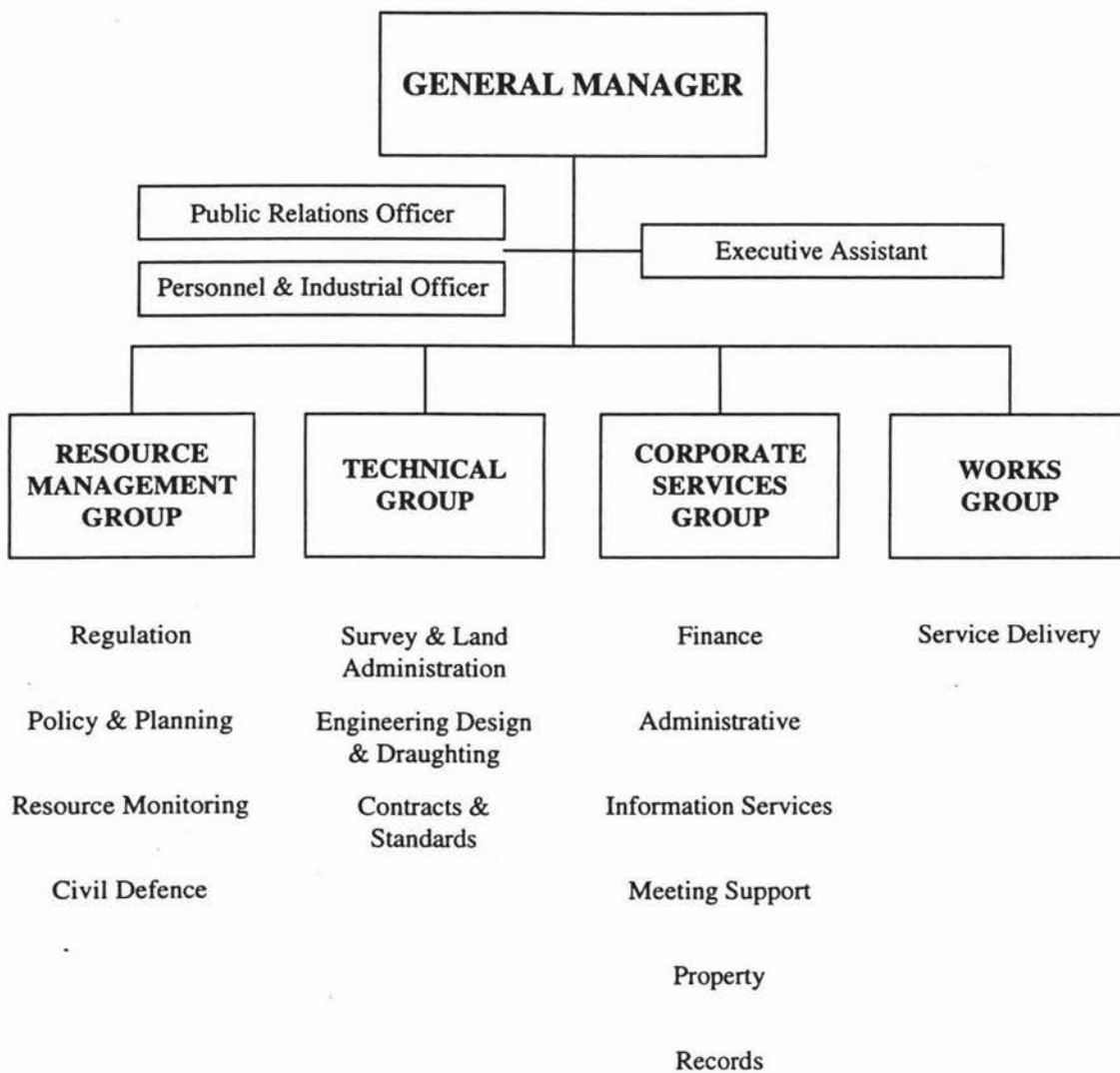
*Table 6-1. Committee Membership, Hawke's Bay Regional Council*

Committee Name	Council Members	Non-Council Members	
		Number	Concerns Represented
Regulatory Committee	4	1	Maori Committee
Land Transport Committee	2	9	District Councils (4), private & commercial road users (1 each), Transit New Zealand, Ministry of Transport, & the Traffic Division of the Police (1 each)
Maori Committee	3	12	Maori community in the region (3 from each area)
Policy Committee	9	1	Maori Committee
Regional Civil Defence Committee	1	11	Regional defence controller (1), district defence controllers (4), Ministry of Civil Defence, Fire Service, Police, Area Health Board, Department of Social Welfare, & the Traffic Division of the Police (1 each)
Executive Committee	4	0	None

As can be seen, co-option is employed by the Hawke's Bay Regional Council. However, non-elected persons who are brought into the decision-making process of

Council appear to represent either government agencies or territorial authorities within the region (see Table 6-1). The only instances where private individuals are co-opted are those pertaining to private and commercial road users in the Land Transport Committee and those constituting the Maori Committee. It could be said that the Hawke's Bay Regional Council appears to adhere to the minimum level set by law as far as co-optation of non-Council members is concerned.

*Figure 6-4. Internal Structure, Hawke's Bay Regional Council*



## **Internal Structure**

Day-to-day operation of Council business is done by staff organised into four departments (see Figure 6-4). The **Resource Management Group** handles regulation, policy and planning, resource monitoring, and civil defence. The **Technical Group** is concerned with survey and land administration, engineering design and drafting, and contracts and standards. The **Corporate Services Group** is responsible for finance, administration, information services, meeting support, property and records, while service delivery is the domain of the **Works Group**. Being one organisation, Council often brings technical expertise from the departments to provide a working team for a specific project, particularly one that requires a multi-disciplinary approach, with coordination of its activities being the responsibility of Council officers.

## **Decision-Making Activities**

The formulation of the regional policy statement, annual planning and consents processing are examined and described, identifying the opportunities available for the regional public to participate in these decision-making activities.

## **Regional Policy Statement Development**

On 8 May 1993, the Hawke's Bay Regional Council became the first regional council in New Zealand to publicise its regional policy statement, following a process that, despite being time-bound, involved the conduct of a number of consultative meetings and *hui* (assembly), and the solicitation of considerable comments and submissions from the regional community.

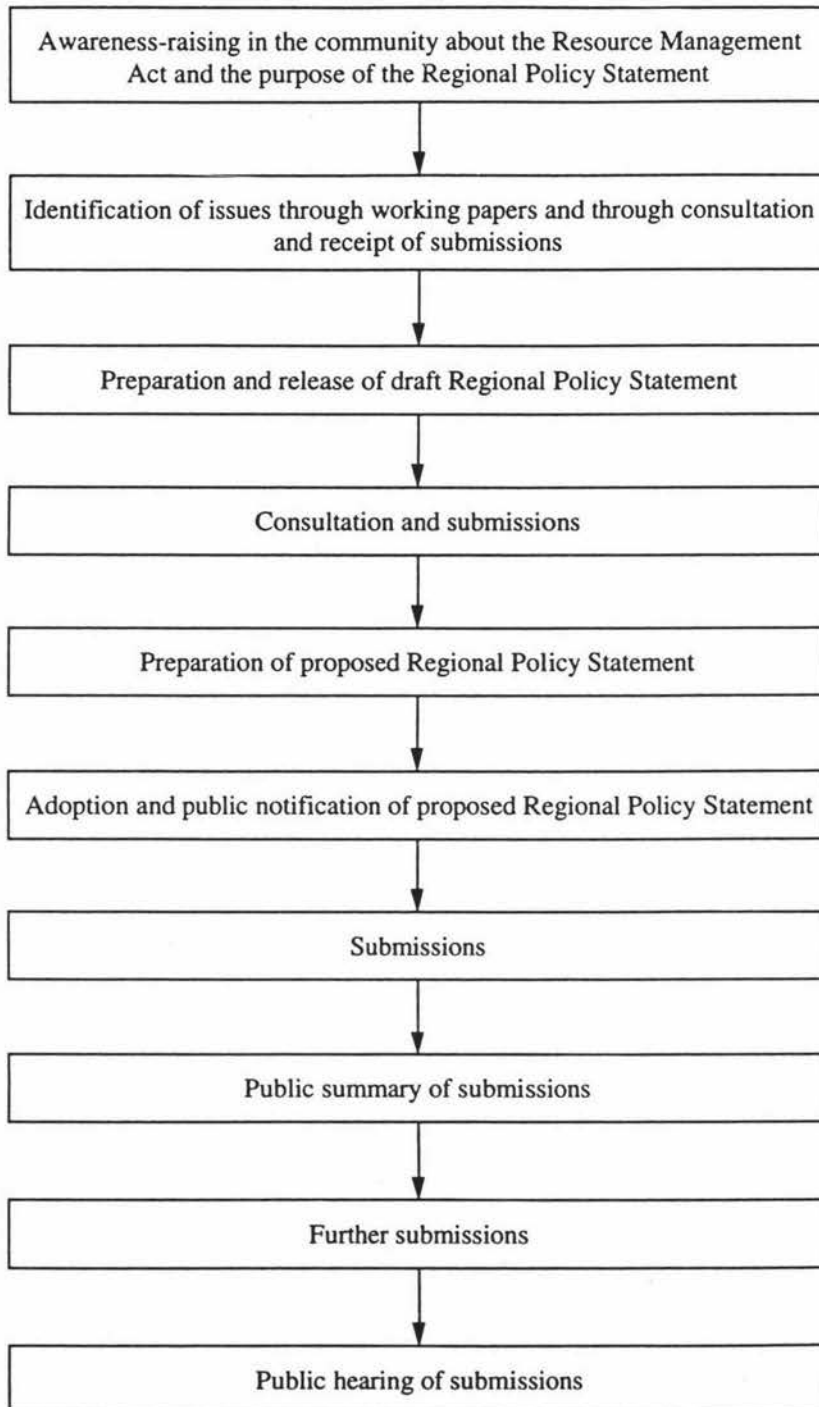
The process began in November 1990, while the Resource Management Bill revised version was under study by the Parliamentary Review Group, when Council officers drew up a tentative list of resource management issues deemed significant to the region. This list, which covered the quality, use and management of water, land and

biological resources in the region, was then circulated to Regional Council members for them to attach their perception of the importance of each issue and whether or not resources related to each were sustainably managed.

By July 1991, when Parliament passed the Resource Management Act to take effect on 1 October 1991, Council was ready to embark on its resource management policy development process. A consultation list consisting of individuals representing environmental groups, business and professional organisations, local and central government bodies, industry and general interest groups involved in catchment topics in the past, was drawn up. These individuals were to comprise the core of people whom Council targeted for an awareness-raising campaign about the Resource Management Act and the purpose of the regional policy statement. At the same time, the views of councillors of territorial local authorities, and members of the Regional Council's Maori Committee on resource management issues, were sought.

In November 1991, a project team comprising members from Council's various internal departments was formed to assist in the policy development process, which consisted of the steps shown in Figure 6-5. The first four steps in the process constitute what Council considers as an awareness-raising campaign within the community about the Resource Management Act and the purpose of the regional policy statement. The working papers, then, would focus public thinking on significant resource management issues gathered from the preliminary consultation and would be used as the basis for in-depth consultation with key stakeholders. Agreements arising from discussions generated by these working papers are then brought together in the form of an Issues and Options paper. After public submissions are solicited, received and considered, the proposed regional policy statement would then be written.

**Figure 6-5. Hawke's Bay Regional Policy Statement Development Process**



With Council's adoption of this process, the 570 individuals and organisations in the consultation list were contacted in December 1991 through a letter advising them that the regional transitional plan has taken effect<sup>4</sup> and that regional resource management policy development was about to commence.

The publication, in February 1992, of a pamphlet explaining the Resource Management Act and the purpose of the regional policy statement, putting forward eight issues and areas of management previously identified by Council as significant to the region, and inviting the general public to take part in the development process in any of three ways: inclusion in the Council's mailing list, attending public meetings to be convened by the Council, or hosting a meeting, followed. This resulted in 110 replies, thereby bringing the number in the consultation list to 680, with invitations from various associations and organisations for Council representatives to brief their members on the role of the regional policy statement in the integrated management of natural and physical resources, and how resource management issues facing the region would be addressed.

A position paper setting out Council's views on the purposes and principles of the regional policy statement was issued in April 1992, succeeded by a discussion paper on the possible outline of the regional policy statement, May 1992. At the same time, 54 consultative meetings - including six public meetings in Napier, Waipawa, Wairoa, Puketapu and Waipukurau and a radio talkback show - were conducted from March to September with various organisations, industries, government bodies, the Maori population and interested individual members of the public in order to identify significant resource management issues, which Council considered as "the key to determining the need or otherwise for management intervention in the use, development and protection of natural and physical resources" (Hawke's Bay Regional Council, 1992b: 7). Attendance at these meetings ranged from five or ten people up to 50. The meeting discussions indicated that public interest was focused on four broad issue areas, namely: land, waste management, coastal and water

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<sup>4</sup> Section 376 of the Resource Management Act 1991 requires that the transitional regional plan be publicly notified.

resources.

By July 1992, Council released five working papers describing regional resource management issues, how these have been managed in the past and how these might be managed in the future. The working papers focused on the broad issue areas of natural hazards, waste management, water resources, lakes and rivers and coastal resources. Feedback gathered from the ongoing consultative meetings enabled Council to compile a set of discussion documents on identified issues and options covering the five broad issue areas of the working papers, plus land resources and air quality. Apart from the inclusion of the latter two issue areas, no substantive differences could be discerned between the working papers and the discussion documents on issues and options. Nonetheless, the discussion documents generated 57 written submissions from the individuals and organisations in the consultation list - which had grown to 843 by this time - that were then considered in the writing of the draft proposed regional policy statement, made available to those in the consultation list in December 1992.

Thirty-seven written submissions were received and five consultative meetings were held with the Napier City Council, the Maruia Society and the Ministry for the Environment in January and February 1993 to fine-tune the draft document. A workshop for Councillors and a Representative of the Maori Committee, held in April, considered the feedback to the draft document, resulting in its modification, simplification and shortening without detracting from the policy direction already established. On 8 May, the proposed regional policy statement was publicised by furnishing copies of the document to the submitters to the draft version and to the discussion documents and by inserting public notices in *The Hawke's Bay Herald Tribune*, the *Daily Telegraph*, the *Central Hawke's Bay Mail*, and the *Wairoa Star*, all local newspapers.

After the statutory period of 40-working days after public notification, 98 written submissions were received, 71 of which were from individuals and organisations within the region and 27 from outside the region. Four submissions came from

territorial authorities in the region, 23 from individuals, environmental organisations and business concerns in the region, 20 from Ministers of the Crown, government departments and agencies and national business and environmental groups, and 51 were identical submissions from individuals.

Only a quarter of the submissions to the proposed regional policy statement came from individuals and bodies who had made earlier submissions to either the discussion documents or the draft version. Implicitly, this shows that earlier submitters, who were sent a copy of the proposed regional policy statement as part of the public notification phase, must have been satisfied that their concerns have been met, and, thus, either did not make a submission to the statutorily-notified document or made a submission on a different matter. For instance, the Hawke's Bay Clean Sea Coalition, in a submission to the discussion documents, noted that the issue of sewage disposal, as it affects coastal waters, was "conspicuous by its absence" from the papers on either waste management, coastal resources or water resources. Therefore, the Coalition suggested that it be clearly identified as a major waste management issue considering public opposition to ocean dumping of effluent and to public concern over reports of contamination of shellfish beds. This suggestion was considered and, in both the draft and the statutorily-notified versions of the proposed regional policy statement, the issue of sewage reticulation and disposal was treated extensively in the chapter on water resources, with references to it in the chapters on waste disposal and coastal environment. The Coalition appeared satisfied with that response since its submission to the statutorily-notified document sought clarification as to how Council intended to recognise special Maori spiritual, cultural and customary relationships with the coastal environment.

Six major areas of contention were raised by submitters. One pertains to the lack of specificity in the wording of objectives and policies, as in the water resources objective - "promotion of sustainable management of the water resources within the region" - which appears to effectively reiterate the Resource Management Act and prompted the Maruia Society to propose a new statement of objectives. Another concern was the need for a relationship to be set between objectives, policies,

methods and anticipated environmental results. A particular example is the policy related to the "identification and protection of important landscape and heritage areas" which does not appear to be addressed under the methods of implementation, causing the New Zealand Historic Places Trust to suggest a range of methods to identify and protect significant landscapes, heritage areas and archaeological sites.

A third area of concern relates to a method of implementation included in the chapter on the use, development and protection of land which states that the New Zealand Forest Accord of 14 August 1991 be recognised and implemented in the Hawke's Bay Region. Two opposing views were forwarded. At one end are the Land Care Foundation and the Royal Forest and Bird Protection Society, which support the Accord and suggest that it be incorporated into a regional plan. At the other extreme are the Ministry of Forestry and Carter Holt Harvey Forests Ltd. who argue that the Accord, being a private agreement between the New Zealand Forest Owners' Association and a number of prominent conservation groups, is not a statutory document and, thus, would be inappropriate as part of a regional plan. Instead, the development of a local accord was recommended. In between these two opposing views is the Ministry for the Environment, which submits that, instead of stating the recognition of the Accord as a method of implementation, it be made a policy and that work be undertaken to consider how its principles might be applied to protecting the water and soil values of indigenous forests and their significant habitat, landscape, heritage, cultural and amenity values.

A fourth concern centres on the need to consider energy issues, which the Electricity Corporation of New Zealand points out is included in the definition of natural and physical resources and, therefore, should be addressed in the regional policy statement. The Hawke's Bay Canoe Club suggested that the reduction in the use of energy sources adversely affecting the environment and the development of greater energy efficiency are two objectives that could be adopted. In the same vein, the Department of Conservation submitted that a regional energy management policy be developed.

The fifth area of contention focused on the propriety of having a chapter dealing with a regional vision and outlining a set of criteria for sustainable management, which has been argued by several submitters as having the potential to create confusion with respect to its statutory status and its relationship with the objectives, policies and methods of implementation stated elsewhere in the proposed regional policy statement.

Lastly, 51 photocopied submissions charged that Council failed to adequately consult the *tangata whenua* of the region by not consulting with *hapu* (sub-tribe). This matter was raised by the Ministry for the Environment in its submission to the draft regional policy statement - how Council proposes to address the question of other *iwi/hapu* in Hawke's Bay who wish to be consulted directly. Council reacted that their policy is to deal with individual *iwi/hapu* on site-specific issues but, when it comes to regional issues, it will deal with the generally-recognised *tangata whenua* of the region, in their case, *Te Runanganui O Ngati Kahungunu*. Thus, *Kahungunu* was contracted to draft the chapter on the Maori dimension in the proposed regional policy statement and to ensure that all other chapters were consistent with section 8 of the Resource Management Act 1991<sup>5</sup>. In addition, five *hui* were held from June to September 1992 to solicit input from the regional Maori community. Nonetheless, three of these 51 submitters, who indicated they wish to be heard by Council on their submissions, were sent an advice of the date and time of the hearing 13 working days before the hearing. They did not attend.

The hearing of 31 submissions made by individuals and organisations who expressly signified their desire to be heard was conducted over five working days (9-16 November 1993) where each submitter was given from 15 to 135 minutes to explain their submissions to the Council. At the same time, the six cross-submitters - those who made submissions to submissions - were also asked to be present when the submitter, whose submission they made a submission to, was being heard.

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<sup>5</sup> Section 8 reads: "In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (*Te Tiriti o Waitangi*)."

The Hawke's Bay Regional Council is now in the process of making its decisions on the submissions to its proposed regional policy statement. It still has a long way to go before it finally approves the regional policy statement. It has to publicly notify its decisions to the submitters, who have 15 working days thereafter to refer the decision to the Planning Tribunal, should they wish to. The Planning Tribunal has to conduct a hearing on any reference. Only after the Planning Tribunal has made a decision on any reference, or if there are no references to the Planning Tribunal, can the Hawke's Bay Regional Council finally adopt its regional policy statement. Nevertheless, it has satisfied its statutory obligation to publicly notify its regional policy statement by 1 October 1993. It is now about to face the effectiveness of the process it followed in formulating the document - its implementation.

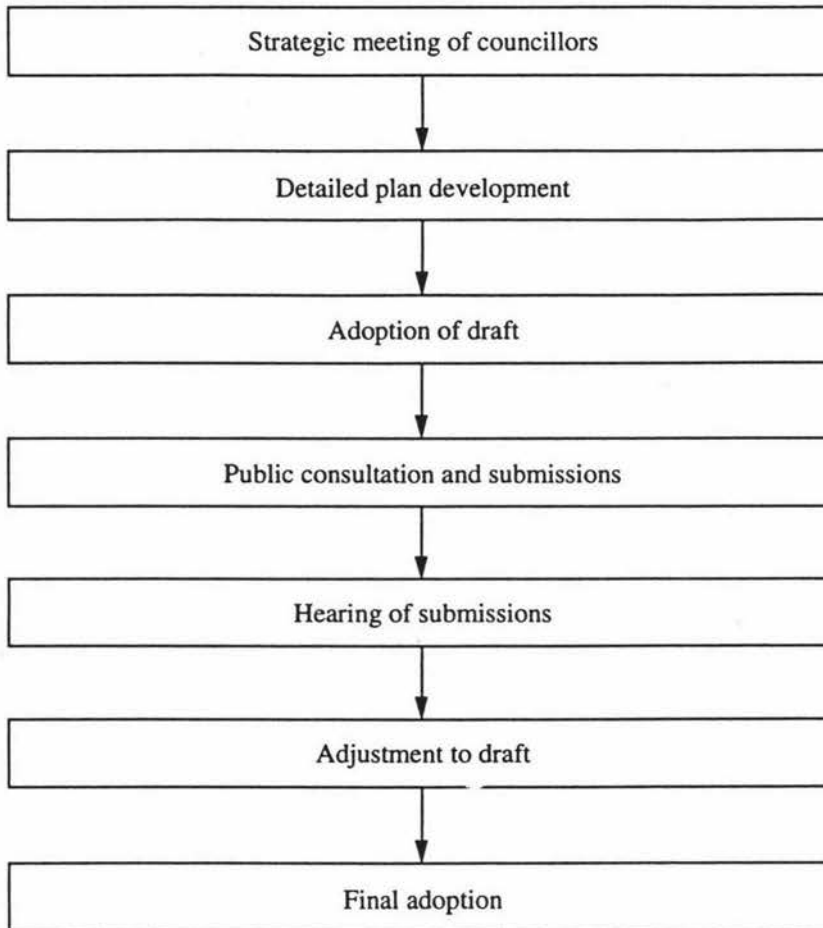
### **Annual Planning**

Annual planning is one time of the year when the Hawke's Bay Regional Council embarks on a substantial public consultation and information campaign. For, as Douglas Walker explains it in the Chairman's message to the 1993/1994 annual plan,

"The purpose of [the] Annual Plan is not only to provide the opportunity for wide consultation but also to help Hawke's Bay residents understand the work done by the Regional Council" (Hawke's Bay Regional Council, 1993c: 4).

Thus, since it began operations in 1989, the Council has published a corporate plan covering the period from its establishment to 30 June 1990, four annual plans, three annual reports and a strategic plan covering the ten-year period 1993/1994 to 2002/2003. The latter, which is not statutorily required, aims to provide the long-term plans and aspirations of Council. Developed alongside the 1993/1994 annual plan, the strategic plan includes guiding principles and broad policies underpinning the Council's forward planning, with the annual plans effecting these policies.

*Figure 6-6. Annual Planning Process, Hawke's Bay Regional Council*



The process observed by the Hawke's Bay Regional Council in the preparation of its four annual plans has been straightforward (see Figure 6-6), commencing with a strategic meeting of Councillors to discuss the goals and objectives of Council for the planning year. Departmental project briefs, together with their respective financial details, are then prepared and compiled into a draft plan. Councillors consider the draft plan, make amendments to it, if necessary, and adopt it for public notification. Submissions received as a result of public notification are considered and appropriate adjustments to the draft plan are effected. Formal adoption of the annual plan follows thereafter, at which time the Regional Council also confirms its rates for the planning year.

Public notification strategies have varied over the past four annual planning rounds but go beyond the statutory requirement for a public notice in local newspapers with general circulation: the *Daily Telegraph*, *The Hawke's Bay Herald Tribune*, the *Wairoa Star*, and the *Central Hawke's Bay Press*. In 1990, its first year of operation, a wide publicity campaign was adopted. This consisted of a newsletter to all ratepayers setting out Council's functions, an outline of the plan and an invitation for ratepayers to participate in its formulation; radio community notices on Radio New Zealand; and public meetings to discuss the plan. Ten meetings were held, four with the different branches of Federated Farmers, two with Maori, one with the Fruit Growers Association, one with Advance Hawke's Bay, and two with the general public in Napier and Hastings. In 1991, Council concentrated its efforts on conducting public meetings, where Councillors invited the public to attend. Thus, approximately 400 people, including business groups, industry, rural landowners, community groups, other Councils, members of the Maori community and individuals, attended ten such meetings held in Hastings, Wairoa and Waipukurau. In 1992, the draft annual plan was formally launched in ceremonies held at the Century Theatre in Napier, where about 300 business leaders, representatives from other Councils, Federated Farmers, the Chamber of Commerce, social and environmental groups and social agencies, as well as individuals, attended to hear Council promote its intended activities over the next year, illustrate some of its projects, and call for submissions. This was followed by public meetings in Wairoa,

Waipukurau and Napier. In 1993, public release of the draft plan was implemented through the mailing of copies of the draft annual and strategic plans to individuals, business leaders, local territorial authorities, other regional councils and all major resource consent holders<sup>6</sup>; the placing of radio advertisements with 96FM and Bay City Radio, and editorial comment in the *Central Hawke's Bay Mail*, *Farm Focus Quarterly*, and *Business to Business*. A *hui* at Taihoa Marae was also held to reach out to the Maori community.

Written and verbal submissions were received and considered. For example, there were 18 submissions, six of which were verbal, to Council's draft 1991/1992 annual plan, resulting in the allocation of extra funding for soil conservation and the drilling of a deep well to further research the underground aquifer in the Heretaunga Plains.

Submissions appear to substantially affect the proposed activities of the Regional Council. A Maori standing committee was constituted to advise Council on issues pertaining to Maori as a result of submissions to its draft 1990/1991 corporate plan. Submissions to the draft 1992/1993 plan resulted in the retaining of Council shares in the Port of Napier Company, the reduction of charges for whitebait stands and the changing of the Council mission statement.

Feedback to submitters takes the form of letters acknowledging the receipt of submissions and, after the hearings on the submissions and the subsequent decision, furnishing submitters with a copy of the agenda paper prepared by staff on the submissions, copy of the minutes of the Council meeting where submissions were considered, and Council action on the submissions.

All in all, the public consultation procedures observed by the Hawke's Bay Regional Council in the annual planning process appear to have raised public awareness of the functions and role of the Council. As Andrew Caseley avers, in the General Manager's report in the Council's 1992/1993 Annual Report,

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<sup>6</sup> The Council's consultation list, which was prepared originally for the regional policy statement formulation process, came in handy.

"These initiatives are not designed to self-justify the Council's existence but to better inform the Community as to the Council's role, how they can be involved and to clarify how the partnership relationship between Central Government, Regional Councils and Local Territorial Authorities relates" (Hawke's Bay Regional Council, 1993e: 5).

### **Consents Processing**

One of Council's goals in resource management planning is to minimise conflicts over the use, management and protection of the region's natural and physical resources by facilitating resolution of any such conflicts (Hawke's Bay Regional Council, 1991). These conflicts often come to the fore during consent processing, where objections to specific activities, and their likely effects on the environment, are elicited. How the Hawke's Bay Regional Council goes about resolving these conflicts is illustrated by the case of Richmond (Takapau) Ltd.<sup>7</sup>

Richmond Ltd., a meat processing company based in Hastings, acquired, in May 1988, a plant situated adjacent to the Porangahau Stream at the intersection of Fraser and Station Roads, Takapau, approximately 60 kilometres southwest of Hastings. The plant, operated since 1981 by the Hawke's Bay Farmers Meat Company, had been granted five water rights, up to 31 May 1992, by the then Hawke's Bay Catchment Board and Regional Water Board, namely: to take water from three wells (later increased to six wells) for a potable water supply; to take non-potable water from a subsoil field tile system for use in its cooling towers; to discharge stormwater into the Porangahau Stream; to discharge partially treated meat processing wastes onto land; and to discharge treated domestic sewage onto the ground and into the Porangahau Stream during high flow.

With the inevitable expiry of its water rights, Richmond (Takapau) Ltd. lodged four consent applications with the Hawke's Bay Regional Council in February 1992. These were:

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<sup>7</sup> Appendix E sets out the chronology of events associated with this case.

- o WP921571/2/3T - water permit to take 25,200 cubic metres of groundwater per week at a rate of 143 litres/second to irrigate a four-hectare lawn and to use as potable water for meat processing, general factory purposes, and boiler feed water.
- o DP921574W - permit to discharge, at a rate of 1,000 litres/second, stormwater and surface runoff through a 1,075-millimetre reinforced concrete pipe and concrete-lined open channel leading to the Porangahau Stream.
- o DP921575W - permit to discharge secondary treated waste from an oxidation pond, through flood pot irrigation and surface filtration, onto pasture border dykes over 5.6 hectares of its own property.
- o DP921576W - permit to discharge primary treated meat processing effluent from the slaughter and dressing of 10,800 lambs per day through a combination border dyke and spray irrigation system, at a rate of 4,000 cubic metres/day for 25 days/month, onto 130 hectares of land owned by a neighbour whose agreement has been sought and obtained.

The applications were notified on 6 June through an advertisement in *The Hawke's Bay Herald Tribune*, a newspaper of regional circulation, but not before Council had obtained from the applicant such information as an environmental impact assessment report for the border dyke and spray irrigation system; a management plan for the domestic effluent disposal system; and a report on the consultations made with the plant's neighbours and other parties likely to be adversely affected<sup>8</sup>. With the lapsing of the existing water rights, an authority was granted by Council for the Company to continue exercising these until the applications for the new consents were determined, as provided for under the Resource Management Act 1991.

By the time of the closing date for submissions on applications, Council had received

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<sup>8</sup> The application for a permit to discharge primary treated meat processing effluent listed 13 persons likely to be adversely affected by the activity who have not given their approval to it.

16 submissions, which either suggested conditions to be imposed on the consents that would be granted or asked that the applications be rejected (see Table 6-2). One of the submissions, while proposing conditions for the meatworks effluent discharge permit, expressed support for the other three applications. Another submission was signed by 34 residents of the area surrounding the plant, who named two of their co-signatories to speak on their behalf in the drawing up of conditions to the meatworks effluent discharge permit. Two submissions were lodged by solicitors representing their clients, another two were from the Area Health Board in Hawke's Bay, one was from the Maori community in Takapau, and the rest were from individuals. In general, most of the submissions focused on the application for a meatworks effluent discharge permit, while there was no submission for or against the water permit application.

*Table 6-2. Submissions to the Richmond (Takapau) Consent Applications*

Application Number	Submissions		
	With Conditions	Opposing	Totals
WP921571/2/3T	0	0	0
DP921574W	0	1	1
DP921575W	1	0	1
DP921576W	6*	8	14
Totals	7	9	16
* One submission expressed support for the other three applications as well			

The concerns expressed by the submissions had to do with water pollution. The objection to the stormwater and surface runoff discharge permit application resulted from a concern that the discharge into the Porangahau Stream would contain stockyard waste, thereby contaminating the area where food is gathered. The submission to the secondary treated waste discharge permit application centred on

contaminants entering natural water, thus endangering public health. It is to be noted that the area where the plant is situated is within the southeastern section of the Ruataniwha Plains, which contains one of two underground aquifer systems constituting major water resources for the region. The submissions to the meatworks effluent discharge permit application expressed concerns about nitrate contamination of the groundwater in the area and the drift of odours as a consequence of effluent disposal/utilisation practices.

By this time, Council had to make two decisions on the processing of the applications. Firstly, a hearing on the applications needed to be scheduled and, since the applications have been publicly notified, Council was statutorily bound to hold the hearing not more than 25 working days from the closing date for submissions. But, with the concerns raised by submitters, particularly with regard to nitrate contamination of groundwater, it was apparent that an extensive technical appraisal of the application was needed (Willoughby, 1993). Council was in possession of monitoring data submitted by the company on a monthly basis from 1982 to 1992 as part of its compliance to the previous water right conditions. These data comprised water quality monitoring results, as well as effluent volume and chemical composition results. In addition, Council (like its predecessor) sampled ground and surface water in the Takapau area and analyzed these for a number of determinants. However, data were not subjected to a proper technical interpretation, largely as a consequence of manpower shortage (McLellan, pers. com.). With the consent applications on hand having elicited quite a significant number of submissions, it was necessary that monitoring data be assessed and interpreted to enable Council to understand the effects of the discharges on water quality. A report on the past performance of the company, based on the available monitoring data, was commissioned from Council's own Technical Group. This decision led to stopping the processing of the applications in accordance with section 92 of the Resource Management Act 1991.

A second consideration Council had to make concerned the treatment of the applications. Of the four applications, one (water permit) did not elicit any

submissions whereas another (meatworks effluent discharge permit) had every indication of being contentious. However, as the four applications were interrelated, Council believed that, in the interests of integrated management, it was duty bound to consider them together, that is, to hold a combined hearing and render a combined decision.

With these matters settled, Council called for a pre-hearing meeting on 14 August at the Takapau Town Hall, attended by four Company representatives (its Takapau plant manager, engineer, lawyer, and management consultant), 12 submitters, the Chairperson of the Council's Maori Committee, and five Council staff members. The discussions during this pre-hearing meeting reflected the submitters' vocal and critical attitude towards both the company and the Council. The submitters reacted strongly to the Company's statement, which was read by its lawyer, that its existing effluent disposal practice was an environmentally acceptable method. During the period 1981 to 1983, the effluent was discharged onto 23 hectares of land within the meatworks complex using border-dyke irrigation. When the chloride and nitrate levels recorded in the Company's monitoring bores reached alarming levels in February and October 1983, respectively, the effluent irrigation operation was moved to 58.6 hectares of land adjacent to the works site. Although the nitrate and chloride levels in the monitoring bores returned to their pre-1981 levels, the nitrate levels recorded in a domestic well located northeast of the irrigation site continued to rise. The deep well dug in 1991 to supply water to two houses on Oruawharo Station, within the vicinity of the plant, showed contaminated water at 49 feet<sup>9</sup>.

A lack of confidence in tests conducted by the Company on water bore samples was expressed. The month before, *The Hawke's Bay Herald Tribune* carried news items<sup>10</sup> showing that the result of tests conducted by the Company, on one water

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<sup>9</sup> The Council's findings later confirm that the existing effluent irrigation management regime of the company has partly contributed to the nitrate contamination of groundwater in Takapau (Hawke's Bay Regional Council, 1992b).

<sup>10</sup> See "New Water Tests After Discrepancy" (*The Hawke's Bay Herald Tribune*, 10 July 1992) and "Water Tests Inconclusive" (*The Hawke's Bay Herald Tribune*, 30 July 1992).

sample taken from a neighbour's well differed markedly from those of the Regional Council and of an independent consultant. This prompted the Regional Council to ask Richmond (Takapau) to bring its testing equipment to the Council offices for checking.

Council was criticised on its past record in policing the water rights of the company. The submitters voiced their concern that, over the period since the water rights were granted to the company, they have not known of any steps taken by the Council to 'police' the consent. In July 1990, when six residents within the vicinity of the meatworks plant - now making submissions to the plant's applications - attended a meeting of the Central Hawke's Bay District Council, where their concern about the high nitrate and coliform levels in the shallow aquifer in the vicinity of Oruawhoro and Station Roads - which they brought to the attention of the District Council - was discussed, they learned that a Regional Council officer informed the District Council that the area where the meatworks plant is situated is naturally high in nitrate. This statement, by implication, meant that the contamination of the water supply in the area was not a surprise, and that the meatworks plant was not responsible for the high nitrate levels in the water.

The delay in making a determination on the applications was also a matter that displeased the submitters. During the same meeting of the Central Hawke's Bay District Council, the submitters knew that the Regional Council was testing the water in the area but the Regional Council contended that it would take some time before a pattern of nitrate levels could be established. The submitters were dissatisfied that, after two years, the Regional Council had yet to conduct an assessment of the results of the water samples it supposedly has been testing for quite some time. As one submitter commented to the author, "It took two years for the Regional Council to admit something was wrong."

With the complaints aired by the submitters against both the Company and the Regional Council left either unanswered or insufficiently explained, neither the presentation by the Company of a management plan outlining a proposal to reduce

the nitrogen loading of the effluent from 1,665 kilograms/hectare/year to 750 kilograms/hectare/year, in order to minimise adverse environmental effects, nor the Council's justification that, as the problem lay on effluent management, the right information with respect to the sustainable levels of water quality needed to be gathered to provide its Regulatory Committee with a clear understanding of the problem, could quell the submitters' objections. The pre-hearing meeting ended in an impasse.

Nonetheless, the parties decided on appointing a mediator - a Council senior staff member not directly involved in the applications - to keep the lines of communication among the Company, the submitters, and Council open while the technical merits of the management plan presented by the Company were assessed. Council felt that, although the applicant and the submitters expressed their willingness and readiness to present their respective cases at the hearing on the applications that would eventually be held, there was still room for an amicable resolution to the problem.

The mediator individually met with the submitters<sup>11</sup> to seek their positions on the application, the major issue each was concerned with, and any options they had to resolve the conflict. A meeting with 15 landholders - who either made a submission or signed the petition - was then convened and a negotiation team was constituted to represent the submitters. The team was composed of three: one of the spokespersons for the residents who signed the petition and who sought, in the past, to have the effluent spread further afield; the submitter who manages the Oruawharo Station whose deep well was found in 1991 to contain contaminated water; and a submitter whose land lay next-door to the proposed effluent area. The team then met with the mediator and the team from the Company, composed of the manager and

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<sup>11</sup> The submission on the stormwater and surface runoff discharge permit application was withdrawn during the pre-hearing meeting when the submitter was satisfied that stockyard waste was not included in the discharge to the Porangahau Stream. On the other hand, the submitter to the secondary treated waste discharge permit application, whose concern was similar to those of the submitters to the meatworks effluent discharge permit application, was not involved in the mediation meetings. It was addressed only after the concerns of the Takapau residents were resolved.

engineer from Richmond (Takapau). During this meeting, ground rules were established, including the proviso that no lawyers would be allowed to participate in the negotiations, and that the press would not be contacted at any stage. The issues were discussed and the options debated; but, it was not until after a number of meetings that the much sought-for breakthrough in the conflict occurred. The submitters agreed to give the company until 30 September 1994 to continue its border-dyke irrigation system of effluent disposal, under strict conditions and standards, after which this method would be completely replaced by travelling effluent irrigators. With this agreement, the parties were ready to allow Council to start writing the conditions for the consents.

Draft conditions were discussed with the contending parties on 3 and 5 November, and, pending the redrafting of the consent conditions incorporating suggestions and agreements reached during these meetings, and considering that the Regulatory Committee had only one more meeting before the end of the year, Council sent to all parties, on 9 November 1992, a formal notice of hearing, scheduled for 7 December, where the Council assured that it would furnish the parties with copies of its technical report on the past performance of the plant before then, and asked that ten copies of written evidence be submitted to Council by 25 November and to the other contending party by 30 November.

On 17 November, the manager of Richmond (Takapau) offered to meet with submitters once every six months to review the status of its effluent disposal system. By 25 November, all submissions or desires to be heard were withdrawn after the contending parties accepted 19 discharge conditions requiring the company to, among other things, introduce travelling irrigators for disposing of its effluent by 1 October 1994, and prepare a management plan that would peg the nitrogen loading of the effluent to 500 kilograms/hectare/year by 1 October 1996, with Council establishing a monitoring and data analysis programme within three months of the grant of consents.

The four resource consents were granted to Richmond (Takapau) Ltd. on 17

December 1992, after 202 working days had elapsed since lodgement, at a cost of \$27,768 representing the Company's share in the cost for preparing the technical report, the services of the mediator and the cost of technical assessment and administration.

### *Participants' Evaluation of the Process*

Ten submitters' impressions on the process observed by the Hawke's Bay Regional Council, in processing the resource consent applications of the meatworks plant, were gathered<sup>12</sup>. All of them made a submission to the application for a permit to discharge meatworks effluent onto land with one also making a submission to the application for a permit to discharge domestic sewage onto land. Eight of those surveyed were aware that the meatworks plant was almost due for a renewal of its water rights (resource consents under the Resource Management Act 1991).

For the neighbours of the meatworks plant, this was an opportune time to express their concerns about the high nitrate levels in the groundwater and the smell emanating from the freezing works. Several of them had complained in the past to the plant manager about the water contamination and the smell. Apparently, whatever action was taken by the Company to remedy these effects was not sufficient enough to prevent its neighbours from making submissions to its applications for consent renewal. As a solicitor, who made a submission on behalf of a Trust owning a property of 3,000 acres near the plant, puts it,

"If the Company will listen to a complaint and take reasonable action to remedy same, this is the preferred way. If this does not occur then the matter must be decided between the applicant and the objections by a third party."

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<sup>12</sup> The questionnaires used to elicit the impressions of submitters and the applicant on the process are shown in Appendix F.

Even the neighbour whose land would be used for discharging effluent, made a submission to the effluent discharge permit application, if only to ensure

"... that [the effluent was] discharged in a more controlled way over a larger area to prevent ground water pollution/contamination."

Six of the submitters contacted a staff member of the Regional Council to ask how they should go about expressing their concerns about the applications. Five of those surveyed signed a petition which opposed the discharge of meatworks effluent onto the ground and suggested, instead, that an oxidation pond be utilised for effluent disposal. However, all of them felt that making a submission was the preferred way to participate in the process. Of those surveyed, seven attended the pre-hearing meeting called by Council.

The submitters rated the pre-hearing meeting as adequately fulfilling its purposes - clearly explaining the nature of the applications, clarifying their appreciation of relevant Council policies, and enabling them to voice their concerns. The applicant, on the other hand, was not impressed by the pre-hearing meeting, rating both its worth in explaining the nature of the consent applications and allowing for an exchange of evidence lower than the submitters (see Table 6-3). This belief is supported by the fact that the pre-hearing meeting ended with an impasse.

Both parties favourably viewed the use of a mediator in resolving the impasse, with the applicant strongly in favour of the process, particularly when the mediation process commenced and resulted in the applications being granted. While the applicant felt there was no need for a hearing on the applications, the submitters, who attended the pre-hearing meeting, were divided on this issue. Four of them felt a hearing was not necessary, while three said a hearing was needed just the same, if only to let the general public know what was happening. One of the submitters complained that the mediation process placed them in a position of proving that the meatworks was doing harm, rather than the applicant proving its effluent management practice safe.

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**Table 6-3. Mean Perceptions on Richmond Consents Application Processing**

Aspects of Process	Submitters		Applicant	
	Numeric*	Graphic	Numeric*	Graphic
<u>Pre-hearing meeting</u>				
Explanation of consent applications	3.43	Adequately worthwhile	2	Less than worthwhile
Explanation of Council policies	3.33	Adequately worthwhile	4	More than worthwhile
Expression of concerns/exchange of evidence	3.29	Adequately worthwhile	2	Less than worthwhile
<u>Attitude to Mediation -</u>				
- when suggested	3.83	Agree	4	Agree
- during mediation meetings	4.00	Agree	5	Strongly agree
- after grant of applications	3.83	Agree	5	Strongly agree
<u>Hearing</u>				
Need for hearing on applications	3.00	Uncertain	2	No
<u>Consent Process</u>				
Presence/involvement of all interested parties	3.71	Very satisfactory	4	Very satisfactory
Clarification on issues	3.57	Very satisfactory	4	Very satisfactory
Mediating points of disagreement or misunderstanding	3.71	Very satisfactory	4	Very satisfactory
Proposing of conditions	3.14	Satisfactory	4	Very satisfactory
Facilitation of decision	3.14	Satisfactory	5	Excellent
Satisfaction on consent process	2.80	Adequate	4	More than adequate
Benefit of involvement	3.80	More than adequate	<b>Not asked</b>	

\* Based on a five-point rating scale

Overall, the applicant was generally more satisfied with the consent process than the submitters. The submitters gave low ratings to Council's efforts in proposing consent

conditions and facilitating a decision on the applications. This is understandable, for the consent conditions generally reflected the suggestions of the submitters, as agreed upon with the applicant during the mediation process. As a deer farm manager and submitter remarked,

"In this instance, mediation was required because of the lack of direction as far as objectors were concerned. Once the Council fronted up with the correct person (with decision-making ability) at the end of proceedings, then progress was made. There was too much leaning towards [an] almost automatic right of the applicants [*sic*] in the early stages."

Another submitter expressed her dissatisfaction of the consent process by saying,

". . . the system doesn't work because the protesting people have so little power to get improvements of a worthwhile nature. It would be extremely naive to think the few concessions won in this process have markedly affected ground water pollution in this neighbourhood and the level of scientific study offered us by Richmond was . . . pathetic - the scientist at the Town Hall meeting left before the afternoon session and had already been hushed by the Richmond lawyer [during] the morning session."

This may be too harsh an indictment of the system. The consent processing procedures laid down by the Resource Management Act 1991 had been in effect for barely a year when these applications were lodged. One could, therefore, be justified in giving the Council some credit in not discounting the possibility of amicably settling the conflict through mediation. As a submitter to the applications said,

"It's far better that all involved agree, rather than have a decision imposed on them."

Admittedly, the submitters had a direct involvement in the setting of resource consent conditions. This, if nothing else, ensured that a negotiated settlement could be achieved.

## **Conclusion**

The Hawke's Bay Regional Council, like the Taranaki Regional Council, employs a wide repertoire of public participation techniques, both statutory and non-statutory. However, unlike the Taranaki Regional Council, the Hawke's Bay Regional Council has experimented with different participatory techniques. Public meetings appear to be a technique it is comfortable with, having used them in annual planning and in the development of the regional policy statement. Early attempts at mediating conflicts arising from resource consent applications tended to be shaky, either because of lack of personnel or because of the novelty of the pre-hearing meeting. Nonetheless, the Council has learned its lesson and is moving towards ensuring that the concerns of persons affected by activities covered by resource consents are sufficiently attended to. This readiness to explore different avenues makes the Hawke's Bay Regional Council's efforts at public participation laudable.

## Chapter 7

# THE TARANAKI AND THE HAWKE'S BAY EXPERIENCES COMPARED

### Introduction

This chapter attempts to analyze the public participation programs of both the Taranaki Regional Council and the Hawke's Bay Regional Council. To do this, the practices of each Council are first examined, after which a comparison between the two is made.

This analysis focuses on four aspects of the public participation programmes of the two Councils:

- o the techniques employed;
- o the goals and objectives that are pursued by these participatory activities;
- o the composition of the members of the public targeted for involvement; and
- o the extent that decision-making power is shared with the public.

Firstly, the analysis identifies the techniques of public participation used by each Council. Subsequently, the rationale for the use of each technique is examined and assessed in terms of the role citizen input plays in the decision-making process. Having completed that, the objectives which underlie the use of these participatory techniques are inferred, as it has been shown in the literature that techniques cater to specific objectives (Rosener, 1975; Glass, 1979). By using the dichotomy between administrative and substantive goals, advanced by Selznick (1966), the sets of

objectives are then classified as belonging to broader goals of public participation.

The target of these public participation programs is next considered, using the classification provided by Boaden *et al.* (1981) for the potential outside participants to planning and decision-making processes, namely: major elites, minor elites, and individual members of the public. The analysis centres on which segment of the regional public a council reaches out to through its participatory activities. However, an actual count of public participants is not made. Rather, the degree of organisation exhibited by people, invited by Council to become involved in the decision-making process, is determined.

Finally, the extent that decision-making power is shared with the public is explored, using the ladder of participation proposed by Arnstein (1969). The discussion on this aspect of a council's public participation program is based mainly on continuing and permanent efforts a council employs relative to granting decision-making powers to the public. It is believed that institutionalised public participation programs reflect a council's commitment to involving the public.

## **The Participatory Programmes**

A summary of the participatory programmes of the Taranaki Regional Council and the Hawke's Bay Regional Council is now presented, paying particular attention to the techniques employed, the apparent objectives sought, and the goals of each Council.

### **The Taranaki Experience**

The Taranaki Regional Council employs a wide-range of participatory techniques to involve the public in its planning and decision-making processes. It has co-opted non-elected, albeit prominent, regional personalities to its standing committees, going as far as constituting a standing committee composed almost entirely of non-council members. All Council and committee meetings are open to the public, in accordance

with statutory requirements. The draft annual plans and reports are publicly notified and submitters have the opportunity, should they so wish to avail themselves, to appear before Council to expound their concerns. The formulation of the regional policy statement continuously solicits public input, from framework deliberations to the drafting stage to the finalisation of the document. Significant strides have been made with regard to consents processing, where Council has steered this usually adversarial process into one of 'shared ownership' between the Council, the applicant and the submitters, through its effort to maximise the benefits of pre-hearing meetings.

All these strategies are kept in line by its PRIDE program - consisting of the publication of an external newsletter, pamphlets and information sheets, the preparation of newspaper articles including guidelines for consents processing, the mounting of exhibitions and graphic material and the establishment of Maori liaison - the main purpose of which is to manage the public relations of the Council, requiring an approach characterised by professionalism, accuracy, clarity, planning, proactivity, novelty and human interest (Taranaki Regional Council, 1990a).

Although the different participatory techniques employed by the Taranaki Regional Council serve a number of objectives, it appears that its public participation program is geared largely towards public relations (see Table 7-1). PRIDE, developed as the terms of reference for Council's public information officer, was initially implemented to establish Council's legitimacy, particularly during the early days after its constitution<sup>1</sup>. Yet, the procedures and strategies embodied by this program appear to pervade Council's participatory practice.

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<sup>1</sup> The Policy and Planning Manager of the Taranaki Regional Council requested the Council's public information officer to develop the PRIDE programme in order to firm up the terms of reference for the public information officer's job.

*Table 7-1. Taranaki Regional Council Participatory Strategies & Objectives*

Goal	Objective	Strategies
<i>Administrative:</i> To involve citizens in order that they will accept decisions and plans	Establish the legitimacy of the Regional Council as a planning authority	PRIDE
	Education	PRIDE; Co-option of non-Council members into the standing committees
	Information exchange	Co-option; Review of working papers by stakeholders; Meetings with submitters to the draft proposed regional policy statement
	Market research	Generation of policy expectations from key industries in the region; Review of working papers
	Support building	PRIDE; Co-option; Pre-hearing meetings in consent processing; Meetings with submitters to the draft proposed regional policy statement; Review of working papers; Non-statutory release of draft proposed regional policy statement; Public notification of proposed annual plans/reports
	Containing administrative discretion	PRIDE; Open council meeting
<i>Substantive:</i> To provide citizens a voice in planning and decision-making in order to improve plans, decisions, and service delivery	Decision-making supplement	Co-option; Public notification of proposed regional policy statement and of annual plans/reports; Pre-hearing meetings in consent processing

Co-option, aside from enabling selected members of the public to be actively involved in decision-making, exposes them to the internal processes of Council. As Burke (1968) contends, this is one strategy where potentially adversarial elements are absorbed into an organisation to prevent them from criticising that organisation's

policies. By embracing networking as its criterion for choosing the individual to be co-opted into its standing committees, Council seems to favour those nominees whom it perceives can influence as many other people outside Council as possible, thereby exhibiting its particular concern with its public image.

The preparation process for the regional policy statement provides for the exchange of information between Council and the public and, together with consents processing and annual planning, raises public support for its policies. Yet, concern with statutory requirements and the contracting of a legal audit of its proposed regional policy statement seems to demonstrate that Council's purposes, rather than the general public's, are being served. Thus, by ensuring that the directives contained in the regional policy statement stand legal scrutiny, Council is protecting itself from possible lawsuits.

Therefore, for the Taranaki Regional Council, public participation seems to have been employed as a strategy for public relations, where the acceptance by the regional public of its policies, plans and decisions is of primary importance.

### **The Hawke's Bay Experience**

The Hawke's Bay Regional Council employs a variety of participatory techniques to involve the regional public in its decision-making activities. Co-option of non-council members into its standing committees is employed, although it appears not to be as wide as that of the Taranaki Regional Council. All Council and committee meetings are open to the public. Draft annual plans and reports are publicly notified, with Council utilising newspapers, public meetings, and the radio in an effort to gather as much public input as possible. The formulation of the regional policy statement was marked with extensive consultation throughout the process, where organisations were met, public meetings and *hui* were held and discussion documents were produced. Consent processing is slowly being steered away from the adversarial hearing process, with Council trying to forge amicable resolution of contentious issues using the hearing process as a last recourse.

The Hawke's Bay Regional Council does not appear to have an overall public participation programme. Public participation activities undertaken by Council over the past four years appear implemented on a trial-and-error basis. For example, the conduct of public meetings relative to the formulation of the annual plan. In 1990, an extensive publicity campaign was used, with a newsletter to all ratepayers in the region, community notices in the media, and public meetings held. In 1991, the newsletter and the radio community notices were dropped, with public input solicited largely through public meetings and statutory public notices in local newspapers. In 1992, the public notification stage was marked by a formal launching, followed by public meetings. No launching ceremonies were held in 1993; instead, the draft plan was mailed to a target group, radio and newspapers were used to invite the rest of the public, and only one *hui* was conducted<sup>2</sup>.

A perusal of the objectives served by the various participatory activities of the Hawke's Bay Regional Council (Table 7-2) appears to indicate that the main thrust of Council is towards market research, where the opinions and ideas of its public are gathered. The use of discussion documents, consultation with organisations, public meetings and newspapers seems to have been designed to gather the views of the regional community in order to provide Council with some guidance as to the direction its policies would follow. When it failed to acknowledge public thinking, as in the case of the consent applications of Richmond (Takapau), its pre-hearing meeting ended in an impasse. Perhaps Council needs to develop and implement an overall public participation programme, itemising objectives and techniques Council will observe in its efforts to maintain an open and accountable organisation.

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<sup>2</sup> The activities to be undertaken during the public notification stage of the annual planning round were drawn up by the Council's public relations coordinator. The annual plans of the Council include its organisational chart, which show that, for 1992/1993, the position of public relations coordinator was vacant, as the incumbent during the period 1990-1992 left the Council's employ. This position was subsequently filled, as the organisational chart in the Council's 1993/1994 annual plan reflects a new public relations coordinator.

Table 7-2. Hawke's Bay Regional Council Participatory Strategies &amp; Objectives

Goal	Objective	Strategies
<i>Administrative:</i> To involve citizens in order that they will accept decisions and plans	Support-building	Co-option of non-Council members into the standing committees; Mediation; Non-statutory release of draft proposed regional policy statement; Public notification of the proposed annual plans/reports
	Education	Co-option; Discussion documents
	Information exchange	Co-option; Consultation with organisations; Public meetings; Radio talkback
	Market research	Discussion documents; Consultation with organisations; Public meetings; Newspaper; Radio talkback; Public notification of proposed regional policy statement and annual plans/reports; Contracting <i>Te Runanganui O Ngati Kahungunu</i> to draft the chapter on the Maori dimension in the regional policy statement
	Staff supplement	Contracting <i>Te Runanganui O Ngati Kahungunu</i> to draft the chapter on the Maori dimension in the regional policy statement
	Containing administrative discretion	Open council meeting
<i>Substantive:</i> To provide citizens a voice in planning and decision-making in order to improve plans, decisions, and service delivery	Decision-making	Co-option (representative of the Maori Committee co-opted into the Regulatory Committee); Mediation
	Decision-making supplement	Co-option; Public notification of proposed regional policy statement and of annual plans/reports

## The Target of Participatory Strategies

In undertaking participatory activities, both Councils target certain groups of people within the regional community, ranging from major elites to minor elites to

individual members of the public. *Major elites* are organisations whose cooperation and advice the regional council usually cannot do without, while *minor elites* are voluntary organisations pursuing varied and specific interests and causes. *Individual members of the public* are largely the unaffiliated ones, who participate as individuals, speaking for themselves or for a limited group of affected persons.

The two Regional Councils differ slightly in their choice of public groups to target. The Taranaki Regional Council is perceived to direct more of its efforts towards major elites, while the Hawke's Bay Regional Council is seen to pay almost equal attention to both major and minor elites. Generally, individual members of the public are, apparently, only statutorily approached, through public notices.

The targeted public appears to differ according to the participatory technique utilised. The PRIDE program of the Taranaki Regional Council, for example, targets all three groups. However, specific techniques within the program are intended for different groups. The external newsletter is distributed to people and organisations Council does business with - the major elites - which consist of the region's four District Councils and major resource consent holders, among other groups. Graphic displays, mounted in agricultural and pastoral shows, target individual members of the public. The provision of promotional advice in newsletters of regional organisations reach the minor elites.

The type of decision-making activity also affects the type of public invited to participate. Major elites, for instance, appear to be more often sought after during the annual planning round than during consents processing. Minor elites are less favoured during the annual planning round than as possible source of co-opted members. Individual members of the public, grossly overlooked in co-option, become prominent during consent processing.

To illustrate these observations about target groups, an examination of co-option, annual planning, regional policy statement development and consent processing, as undertaken by both Councils, is made.

## Co-option

Both Councils approach major and minor elites to invite them to nominate for possible seats on their standing committees. Territorial authorities are understandably the first choice among the major elites, particularly in the Land Transport Committees - as District Councils carry out land use planning and provide roads - and in the Civil Defence Committees - as civil defence is a matter that concerns all local authorities. Central Government is another major elite approached for co-option into the Regional Council. The Ministry of Civil Defence figures prominently in the Civil Defence Committees of both Councils, although the Hawke's Bay Regional Council also co-opts a nominee from the Department of Social Welfare and representatives from other government bodies: the Fire Service, Police, Area Health Board and the Traffic Division of the Police.

The Maori community, which is considered a major elite by virtue of the principles of the Treaty of Waitangi, has been given special treatment by both Councils through the composition of a standing committee singularly devoted to tackling issues of Maori concern. In addition, the Maori standing committee is represented on the Policy Committees of both Regional Councils, although the Hawke's Bay Regional Council also provides a seat for a representative of its Maori Committee in the Council's Regulatory Committee. The difference between the two Councils is admittedly a function of the number of generally recognised *iwi* in the region. In Taranaki, there are eight such *iwi*, while the Hawke's Bay Regional Council has an easy task, there being only one generally recognised *iwi* in the region. Thus, the Hawke's Bay Regional Council can afford to have Maori concern represented in its Regulatory Committee, as the Maori component in any resource consent application would more likely affect the same *iwi*. For the Taranaki Regional Council this situation is not as clearly delineated, for as resource consent applications are site-specific, Maori concerns are more likely to be expressed by a particular *iwi* than by the whole Maori regional community.

There are more minor elites targeted for co-option by the Taranaki Regional Council

than by the Hawke's Bay Regional Council. Non-commercial harbour users, commercial and non-commercial road users, and rural land users are represented by nominees from minor elites in the Taranaki Regional Council's Harbours Subcommittee, Land Transport Committee, and Policy and Planning Committee, respectively. The Hawke's Bay Regional Council, on the other hand, is not as far-reaching, as minor elites, representing private and commercial road users, figure only on its Land Transport Committee.

Co-option then is a strategy where major elites seem to have precedence over minor elites in the appointment to a seat on both Councils' standing committees, although the Taranaki Regional Council has provided more seats to minor elites than the Hawke's Bay Regional Council. Of 32 co-opted members in the Taranaki Regional Council, four (12.5%) represent minor elites while in the Hawke's Bay Regional Council's 34 co-opted members, only two (5.9%) are from minor elites. Apparently, the search for a non-council member or employee with the knowledge a Council's standing committee may deem vital to assist in the performance of its duties did not extend to individual members of the public.

### **Annual Planning**

Major elites and individual members of the public appear to be targeted almost equally during the annual planning process, with minor elites little involved. Territorial authorities, industrial concerns, business establishments and generally recognised *iwi* are prominent major elites provided with copies of the draft annual plans, although the Hawke's Bay Regional Council also approaches Maori groups other than those belonging to the recognised regional *iwi*. Minor elites are also provided with copies of the draft plans, though in the case of the Taranaki Regional Council, only those who request copies are provided. Individual members of the public are usually invited through the statutory public notification phase, with those who approach the Taranaki Regional Council for copies being included in the mailing list. In the case of the Hawke's Bay Regional Council, ratepayers were contacted in 1990 through an external newsletter published for this specific purpose and, in

succeeding years, invited by Councillors to attend public meetings.

The annual planning process concerns all members of the regional community, but specifically, those who pay rates. This may be due to the purpose of annual plans, which show the rate the Council is charging, and how rates are to be spent. The annual report is also important, as it shows the actual expenditure of the Council and allows for an assessment of target performance. Therefore, it is not surprising that the importance of minor elites as a target audience appears to lessen. Minor elites are more likely to be reached as ratepayers and, where minor elites do figure prominently, it is usually with respect to specific activities Council proposes to undertake. In this instance, the press public notice of the availability of the proposed annual plan seems to suffice.

### **Regional Policy Statement Development**

The participatory strategies employed by the two Regional Councils studied during the formulation of their respective regional policy statements show a significant difference in the nature of their targeted public. The Taranaki Regional Council exhibits a bias towards major elites while the Hawke's Bay Regional Council is perceived as having opted for a mixture of major elites, minor elites and individual members of the public.

The Taranaki Regional Council, during its framework deliberations, solicited the policy expectations of two key Taranaki industries. Working papers were subjected to a critical review by stakeholders, consisting of agencies, organisations and individuals (mostly resource consent holders) most likely to be directly affected by the drafted policies. Copies of the draft of the proposed regional policy statement were distributed to those stakeholders who made submissions on the working papers, in addition to government departments, ministries and resource user groups. Minor elites and individual members of the public were only targeted if they specifically requested they be included on the mailing list. Although ratepayers were provided a copy of the special edition of the external newsletter devoted to the regional policy

statement, this was the only instance (apart from the statutory public notification stage) they were actively acknowledged as potential participants in the process.

The consultation list compiled by the Hawke's Bay Regional Council consisted mainly of major and minor elites, being local and central government bodies, industrial establishments, environment groups, business and professional organisations and general interest groups. Perhaps detecting the absence of individual members of the public in its target population, Council opted to hold public meetings and to host a radio talkback show to entice the unaffiliated members of the public to become involved in the formulation of the regional policy statement. In this way, Council was able to spread its efforts toward all segments of the regional public.

In determining the target of participatory activities, it is important that the purpose of the planning exercise be borne in mind. The regional policy statement, as prescribed in section 59 of the Resource Management Act 1991, seeks to

"... achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region."

This being the case, the question of whether major and minor elites are a more important source of public input, or whether individual members of the public play an equal role in providing guidance on resource management issues, is a subject matter that could be adequately addressed in a separate study. For the purpose of this analysis, however, it could be said that the selection of the segments of the regional community targeted by participatory activities should be matched with the objective of the planning exercise these segments will be involved in. Thus, while the Hawke's Bay Regional Council targeted all segments of the public in the formulation of its regional policy statement, the Taranaki Regional Council focused its efforts on major elites, perhaps thinking that the regional policy statement would affect the major elites more directly than the minor elites or the individual members of the public.

Or perhaps the Taranaki Regional Council targets major elites as a matter of expediency. Major elites, organisations with whom Council usually deals, have a history of cooperation, and their ways of thinking are familiar to Council, facilitating agreement on many points. By focusing on major elites, the Council can claim compliance with the legal requirement for consultation and, at the same time, ensure the easy acceptance of its policies.

### **Consents Processing**

Consents processing is one decision-making activity primarily targeting individual members of the public. Being site-specific, consent applications are notified through regional and local newspapers and through signs posted on the premises where the activity, covered by the consent applications, will be undertaken. Thus, it is not surprising that the majority of the submitters are neighbours or owners of properties surrounding such premises. This has been demonstrated by the two case studies.

In the tannery case, handled by the Taranaki Regional Council, the submitters, mostly individual members of the public, reside within a 1,000-metre radius of the tannery complex. In the meatworks case, handled by the Hawke's Bay Regional Council, the majority of the submitters were property owners, or represented property owners, in the surrounding area. In both instances, they learned of the consent applications through a public notice released by the respective Regional Council. The placing of public notices in local newspapers, and the posting of notices on the premises concerned, are sufficient for inviting public comment. This strengthens the earlier contention that the targeted public should match the nature of the decision-making exercise.

### **The Extent of Power Redistribution**

Power redistribution is a major function of public participation programmes and, in fact, it could be seen to be the *raison d'etre* for public participation (Arnstein, 1969). Therefore, in this section, the extent of power redistribution resulting from public

participation programs of both Councils will be analyzed. The analysis focuses on those purposive activities implemented by both Councils and specifically designed to improve the extent of public participation, namely: the co-option technique; public participation activities associated with annual planning and consent processings; and the PRIDE program of the Taranaki Regional Council.

### **Co-option**

There is no doubt that co-opted members in both Councils share in the decision-making power vested in the Council, to the extent that the committees they are co-opted onto make decisions. Yet, these decisions are generally recommendatory, except those made by the Regulatory Committee of the Hawke's Bay Regional Council, where a co-opted member from that Council's Maori Committee has a voting right. Thus, in the ladder of citizen participation, the power granted to co-opted members is seen to fall between *placation* - where citizens advise but powerholders continue to make decisions - and *partnership* - where citizens negotiate and engage in trade-offs with powerholders.

This is considered more than placation, because co-opted members are involved in making recommendations to Council on matters brought before their respective committees. Yet, most committee recommendations are accepted by full Council. Thus, while Council still takes the final decision, the 'advice' from the committee is almost always followed.

It is considered less than partnership because co-opted members do not appear to have the formal opportunity to negotiate with Council on matters that they may feel strongly about. Here, the 'formal' opportunity is taken to mean membership of the full Council, where final deliberations on regional matters are made and negotiations can be made with respect to particular areas of concern. Only the chairpersons of the committees, in most cases a Council member, sit on the Council, and not the co-opted members. Even the chairperson of the Maori Committee of the Hawke's Bay Regional Council, who is chosen from among the co-opted members, does not sit in

full Council meetings.

This raises the issue of the realisation of the Maori-Crown partnership principle under the Treaty of Waitangi. While the Maori perspective on public participation can be better addressed in a separate study, it is important that a comment on this be made here, if only on the ground that the Maori community is treated as a major elite.

The role of the Maori Committee in terms of policy direction seems to be ambiguous in relation to that of the Policy Committee. The terms of reference for the *Te Putahitanga o Taranaki* cover deliberation on any proposed resource management policy of general concern to the region's *iwi*. At the same time, consideration of the same proposal also falls under the purview of the Policy and Planning Committee, which is responsible for the formulation of resource management policy statements inclusive of those affecting Maori. This situation is acknowledged by the fact that two members of *Te Putahitanga o Taranaki* sit on the Policy and Planning Committee of the Taranaki Regional Council, and one member of the Hawke's Bay Regional Council's Maori Committee sits on its Policy Committee.

The constitution of a separate Maori standing committee, although novel, does not quite satisfy the partnership rung on the ladder of citizen participation, for the same reason as earlier advanced. Apart from the obvious duplication in time spent discussing the same policy proposal, there is the question of finance. The *Te Putahitanga o Taranaki* has experienced having its request for additional budgetary support refused by the full Council.

On the other hand, the Maori Committee of the Hawke's Bay Regional Council still needs its terms of reference as a standing committee approved by full Council<sup>3</sup>. This leads to the assumption that its composition as a standing committee was undertaken in an overly eager manner. It is noted that its formation came about as a result of submissions to the Council's 1990/1991 proposed corporate plan. Perhaps

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<sup>3</sup> At the time of the study, the terms of reference for the Maori Committee of the Hawke's Bay Regional Council are still in the process of being finalised.

feeling that the establishment of a standing committee exclusively devoted to the discussion of Maori concerns was a satisfactory way for Council to express its adherence to the Treaty obligations of the Crown, which it represents, the Council went ahead and formed the committee without firmly establishing its terms of reference.

Several probable alternatives can be thought of to resolve this apparent organisational ambiguity. The regional council could make the Maori committee either a sub-committee, or even part of the Policy Committee. This alternative, however, although heavily biased towards efficiency, does not make the arrangement a partnership. In both Councils, the Policy Committee has only recommendatory powers to the full Council. Hence, the taking of final decisions on any matter still does not involve the representatives of the Maori community. Although the experience of both Councils thus far shows that the recommendations of the Policy Committees are generally upheld by the full Council, there is no assurance that this practice will persist in the future. Limiting Maori representation to the 'recommendatory level' does not satisfy the partnership principle in the Treaty of Waitangi, which stipulates the sharing of decision-making power by both partners, in this case, the Crown and Maori.

The other alternative would be for Parliament legislation to allot a Council seat specifically to represent the regional Maori community, the number being commensurate with the size of the Maori regional population. In this way, the Maori voice in Council is assured and a partnership arrangement is reached, as both Treaty partners share decision-making power, albeit not on an 'equal' basis<sup>4</sup>. Admittedly, this alternative would require a reshaping of the electoral rolls, particularly where Maori voters are concerned.

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<sup>4</sup> The Parliamentary Commissioner for the Environment (1988) reports that the practical meaning of the Treaty partnership has yet to be explored, because of differing views, such as a 50:50 or an 80:20 Crown-Maori partnership.

## **The Taranaki Regional Council's PRIDE**

PRIDE is basically a public relations strategy. Its activities include the publication of an external newsletter, pamphlets and information sheets on various Council undertakings; the holding of displays and exhibitions; and active liaison with the regional Maori community, among other things. These participatory techniques all fall under the lowest rung of the ladder of citizen participation, pertaining to *manipulation* - where public support for Council is engineered - although with respect to the formulation of the regional policy statement, the external newsletter was used to invite individuals to signify to Council their desire to be actively involved in the process. However, by and large, PRIDE is meant to promote an efficient and professional image of the Regional Council, while the public is afforded no decision-making power.

### **Annual Planning**

Participatory opportunities provided during the annual planning process are seen to constitute *consultation*. Citizens' opinions are invited through public notices and, in the case of the Hawke's Bay Regional Council, through public meetings and postal dispatch of copies of its proposed annual plan to major and minor elites on its consultation list, yet, no assurance is given that these opinions will be taken into account.

It must be remembered that the annual plan outlines Council's policies, objectives, activities and performance targets for the year. As such, these are already spelled out in the proposed annual plan potential participants are able to peruse as a result of the participatory overtures. The public may then make submissions, but whether these result in the amendment of the annual plan depends on how Council looks at the points raised, which in turn is influenced by who is making the submission.

In Taranaki, for instance, officers provide Council members with their comments and recommendations on matters raised by submitters before a hearing is conducted.

Presumably, the same occurs in Hawke's Bay, since the preparation of the annual plan is considered part of Council's normal business function, and its presentation to the public, in a draft form, appears to remind one of the main business concerns of annual meetings. Thus, while the public - its 'stockholders' in a manner of speaking - are informed of Council plans (and performance, in the case of the annual report), their comments are not necessarily considered.

In the event that points raised by submitters are adopted by Council, it appears that these are due to who is raising the point and what benefits are perceived to be derived by Council should it adopt the submissions. The changing of the mission statement of the Hawke's Bay Regional Council, for example, exemplifies the influence exerted by submitters.

In its 1991/1992 annual plan, the Council mission statement aimed

"To promote the wise use and management of the region's resources and to enhance the physical, social and economic environment for the benefit and well-being of the region's present and future inhabitants."

A submitter, Mr. Jim Chapple (an individual member of the public), commented that Council activities proposed in the draft annual plan compromised Council's mission statement, and suggested that "protection and preservation [of resources] must come first." After a cursory study of the mission statement, Council concluded that its mission statement confirms a balanced approach to the use, development and protection of resources central to the Resource Management Act 1991. No change to the mission statement was effected and, when the proposed annual plan for the following year (1992/1993) was publicly released, it contained the same mission statement.

However, the submission of the Ministry for the Environment to this latter plan pointed out the statement's apparent incongruence with the purpose of the Resource Management Act 1991. Since the Ministry is the Central Government administrator of the Act - it provides the ground rules for resource management - Council took a

closer notice of the comment, resulting in modification of the mission statement, to wit:

"To promote the sustainable management of the Region's resources to enhance the physical, social, economic and cultural environment of Hawke's Bay for the benefit, health and safety of the Region's present and future inhabitants."

While the same point was raised a year before<sup>5</sup>, it took a submitter as influential as the Ministry for the Environment for Council to take notice of the merit of the comment first postulated by an individual member of the public. Obviously, the influence status of the submitter affected Council response to the matter raised in the submission.

A second example demonstrates how the perceived benefits to Council from granting a submitter's proposal influences Council response. Two requests for funding allocation were submitted to the Taranaki Regional Council during the public notification stage of its 1993/1994 annual plan. Tourism Taranaki requested for a one-off funding assistance of \$50,000 to produce a brochure and a display stand promoting the region as a holiday destination, which Council officials endorsed *in toto*. *Te Putahitanga o Taranaki* asked for the allocation of direct funding to provide *iwi* with financial resources to respond to consultation demands. Council officers advised that this was not possible, as Council is accountable for the expenditure of ratepayers' money, stating that there are other agencies, like the Ministry for the Environment, which provide funding assistance to *iwi*. Hence, it was recommended that Council reconfirm its earlier resolve to provide planning assistance but facilitate *iwi* funding applications to other agencies.

The hearing on the submissions, where Tourism Taranaki expounded its case verbally, resulted, among other things, in Council

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<sup>5</sup> Admittedly, the submission of Mr. Chapple was not as specific as that of the Ministry for the Environment. Yet, by taking a second look on the wording of its mission statement and comparing it with the sustainable management dictum under the Resource Management Act 1991, the Council recognised the implication of Mr. Chapple's comment. Yet, they did not amend the statement.

- o allocating the sum of \$36,000 as a special one-off grant to Tourism Taranaki from its 1992/1993 retained earnings to cover the cost of a display unit, and allowing Tourism Taranaki to address other promotional projects listed in its action plan; and
- o reconfirming Council's earlier intention to provide planning assistance and facilitate *iwi* applications to other agencies for funding assistance.

Apparently, the potential acknowledgement by Tourism Taranaki of Council support to its promotional projects would enhance Council's public image, particularly as such promotion would be aimed towards tourists and New Zealand holiday-makers. Granting the request of *Te Putahitanga o Taranaki* has the tendency to compromise Council's financial accountability and subject it to legislative difficulties. In this instance, the benefits perceived to accrue to Council by adopting a submitter's suggestion played an important role in shaping Council's response.

Therefore, the solicitation of public input during the annual planning process does not guarantee that the policies, objectives, activities and performance targets itemised in the proposed annual plans would be changed as a result of it. Instead, the influence of the submitter and perceived Council benefits from granting the submitter's suggestions are of primary importance. This interpretation corresponds to the findings of the Local Government Business Group (1992): about one-third of general managers of local authorities in New Zealand think that the public have very little influence in the final content of their 1991/1992 annual plans. Possibly, this is because the annual plan is a document meant to express the business direction that Council intends to take during the year it is preparing for.

### **Consents Processing**

Strategies employed to involve the public in consent processing appear to hover between *placation* and *partnership*, in so far as the processing of the notified consent applications studied are concerned. The final decision on notified consent

applications is still made by Council, although this usually happens after citizen comments and suggestions are solicited and incorporated in consent conditions. In consideration of the discharge permit application of Egmont Tanneries, for instance, the submitters' proposals were included in the draft consent conditions prepared by Council officers; clearly a case of placation. On the other hand, the consent conditions to the discharge permit of Richmond (Takapau) were formulated by the submitters' negotiating panel and the applicant, with the Council mediator overseeing the production, suggestive of partnership.

Although these two cases may not be typical of the consent applications both Councils receive, they reveal the premium the Councils seem to put on public input. Understandably, this is a consequence of the overriding purpose of the Resource Management Act 1991, which is the sustainable management of the country's natural and physical resources, defined as

"Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while -

- "(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- "(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- "(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."<sup>6</sup>

The effects of activities on the environment are the principal factors determining whether an activity is permitted, controlled, discretionary, non-complying, or prohibited. Where it is controlled, discretionary, or non-complying, conditions are imposed, largely in an effort to ensure that its potential adverse environmental effects are avoided, remedied, or mitigated. With the emphasis on the effects of activities

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<sup>6</sup> Sub-section 5(2) of the Resource Management Act 1991.

on the environment, the opinions of persons likely to be affected are critical. The offensiveness of the smell emanating from the tannery complex, for example, could only be determined subjectively. Hence, the opinions of the neighbours bore much weight in shaping the conditions of the resource consent eventually granted. Apparently, public participants were listened to, and the consent applications were granted after the submitters gave their sanction for these activities to go ahead.

## **Conclusion**

It has been shown that, of the two regional councils studied, only the Taranaki Regional Council has an overall public participation program, which is mainly geared towards public relations. On the other hand, the activities of the Hawke's Bay Regional Council reflect its inclination towards market research. Both manifest the idea that participation is a strategy for a council to satisfy its administrative goal: that of maintaining a favourable public image, for the Taranaki Regional Council, and that of ascertaining the views, opinions and attitudes of the Hawke's Bay regional population.

Individual members of the public generally become participants in the decision-making process only as a result of responding to Council public notices in the media. Major and minor elites are deemed more important as targets for public input, with the Taranaki Regional Council predisposed to the former.

Using the ladder of citizen participation, the sharing of decision-making power with public participants has been analyzed. This shows that, except for the PRIDE program (Taranaki Regional Council), the participatory activities of these two Councils appear to exhibit varying degrees of tokenism. Public participation during the annual planning process is clearly a form of consultation, with no stated assurances that public input will be taken into account. Consent processing hovers between placation and partnership, largely as a consequence of the emphasis of the Resource Management Act 1991 on assessing the effects of activities on the environment. Co-option is observed to be more than a token gesture of participation,

although not quite a form of citizen control. On the other hand, the PRIDE programme (Taranaki Regional Council) is seen to limit itself to building support for Council, which, according to Arnstein (1969), is a form of nonparticipation.

***NATIONAL SURVEY***

## Chapter 8

# NATIONAL SURVEY METHODOLOGY AND RESPONDENTS

### **Rationale**

An examination of the public participation practices of two regional councils is not enough to draw conclusions about public involvement in New Zealand. It is necessary to extend the study to cover all New Zealand regional councils and unitary authorities. As it is impractical to study each authority in detail, it was decided that a national survey of key regional decision-makers be undertaken. It is important to note, however, that the survey is based solely on the perceptions of decision-makers in regional councils. It does not take into account the public view on participation and other participants in the process. Although a comprehensive survey of the public and other participants in the decision-making process of regional councils is desirable in order to obtain a more complete picture of regional public participation practices, it is obviously beyond the resources available for this study.

### **Objectives**

The survey looked at three aspects of public participatory practice in New Zealand. First, it aimed to ascertain the attitudes and concepts members of New Zealand regional councils involved in decision-making hold about public participation, the kind of power afforded to public participants, and the objectives of public participatory programs carried out by each council. Second, the survey aimed to identify the strategies employed by regional councils and to see whether these strategies are personally preferred by regional decision-makers. Third, it aimed to gather decision-makers' perceptions of what public participation has achieved in New

Zealand.

### **Research Questions**

It was hoped several research questions would be answered by the survey. Foremost among these concerned where New Zealand key regional decision-makers stand on the *democratic rights versus market rights* argument surrounding the rationale for public participation.

During the resource management law reform exercise, two opposing schools of thought emerged regarding the need for making public participation in planning a statutory requirement. At one end is the democratic argument, where citizens are expected to be provided with meaningful opportunities for consultation by their democratically-elected representatives and understand that dissatisfaction with the process of public participation can be expressed through the ballot box. At the other end is the market argument, which relies on the presumption that ownership confers a right to decide how resources will or will not be used, and that government can constrain the way in which property rights associated with particular resources are used.

Another question was whether public participation in New Zealand regional planning involves citizen control or is merely a form of tokenism. Citizen control is considered as the highest form of public participation because it allows citizens to make decisions that would generally affect them. On the other hand, tokenism constitutes participatory exercises which do not actually consider public input as relevant to the decision-making process, but are gathered nonetheless to give the appearance that public opinion has been taken account of.

Another question pertains to what key regional decision-makers expect to achieve with public participation and whether these objectives have been realised. In addition, the kinds of participatory techniques commonly employed by regional councils and unitary authorities in New Zealand will also be generated. An effort

was made to determine whether the techniques used are also personally preferred by regional decision-makers. It was contended that decision-makers would naturally choose to adopt participatory techniques that they personally prefer, for one reason or another, rather than employ an unappealing technique.

Resources devoted to public participatory activities were looked at as well. These included the cost of public participation, in terms of dollars and time spent by planning staff. An attempt was made to determine whether key regional decision-makers think the resources devoted by their respective councils to public participation are adequate.

Lastly, differences in the concepts held about public participation, the techniques preferred and perceptions about the achievement of public participation were investigated between male and female decision-makers, elected and non-elected decision-makers, across councils, across positions and between regional councils and unitary authorities.

### **The Survey Questionnaire Design**

The survey questionnaire was composed of four parts. The **first part** covered the concept of public participation, where opinions on 15 statements relating to the objectives of public participation, the market rights perspective, the democratic perspective and the delegation of power to the public were sought. The first eight statements describe eight main objectives of public participation identified from the literature review. These eight were then analyzed to determine which viewpoint each represented, resulting in two considered as referring to the democratic rights argument; two pertaining to citizen control; three representing tokenism; and one subscribing to both the democratic rights argument and citizen control. A further seven statements were selected, of which two described the philosophy behind the market rights argument; one each referring to the democratic rights argument, citizen control and tokenism; and two pertaining to both the democratic rights argument and citizen control.

**Table 8-1. Viewpoints and Objectives Represented by Questionnaire Part I Statements**

Statement	Objective of Public Participation	Public Participation Viewpoint
The public must be asked to help formulate controversial policies and plans	Conflict management	Citizen control
A genuine interchange between planners and people from all walks of life is imperative throughout the course of the planning process	Decision-making	Democratic argument
The average ratepayer knows best how to make the region a better and pleasant place to live in	Market research	Citizen control
Detailed information about a proposal or plan should be disseminated to the public	Education	Democratic argument
The Council must help the poor and the residents to form community organisations	Therapy	Tokenism
The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process	Support-building	Tokenism
The discussion of all items in a Council meeting should be open to the public	Containing administrative discretion	Democratic argument & citizen control
Individuals should adjust their values and attitudes to those of the larger society	Behavioural change	Tokenism
Individuals should be able to decide how to use their own property in any way they want		Market argument
Elected councillors should be allowed to take decisions without being influenced by citizen groups		Market argument
Government must deliberately include <i>have-not</i> citizens in the political and economic processes of society		Citizen control
The ideas of the regional population must always be considered before any planning decisions are taken		Citizen control & democratic argument
Every resident should have the opportunity to express their views on regional planning matters		Democratic argument
Making a written submission on a regional planning issue is a sufficient opportunity for citizens to get involved in decision-making		Tokenism
Ratepayers must be allowed to veto any decision taken by the Council		Citizen control & democratic argument

As time constraints precluded pre-testing the questionnaire, care was taken to ensure statements would substantively reflect the perspective that each represents. For

instance, the statement, "Detailed information about a proposal or plan should be disseminated to the public", was used to test if *education* was an objective of New Zealand regional public participation, because a council necessarily educates the public by providing detailed information on any proposal. The same statement was also used as part of the democratic argument, because it shows that a council acknowledges that the ultimate power in government rests with the people. It is considered that the people, who are supposedly represented by council members, deserve to be informed about all governmental activities affecting them. The 15 statements and the corresponding viewpoints and objectives of public participation they represent are shown in Table 8-1.

The **second part** of the questionnaire dealt with the frequency the 19 participatory techniques have been employed by councils since their establishment. Fifteen techniques were taken from those reviewed by the then Ministry of Works and Development (1978b) to help local bodies explore possible public participation techniques involving the public in the planning process. In addition, four techniques were included to reflect actual practice in New Zealand as gathered from the case studies of the Taranaki Regional Council and the Hawke's Bay Regional Council. The **third part** used the same list of participatory techniques but, instead, asks the respondents to indicate their personal preference for each technique.

The **fourth part** of the questionnaire solicits the respondents' opinions on the extent the eight outcomes of public participation have been achieved by the participatory strategies adopted by their council. These objectives cover conflict management, market research, therapy, support building, representational input, education, containing administrative discretion and behavioural change, all of which have corresponding statements in the first part of the questionnaire (see Table 8-2).

In all instances, a five-point Likert scale was used to provide a quantitative measure for each statement, with the graphic descriptions shown in Table 8-3.<sup>1</sup>

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<sup>1</sup> The survey questionnaire used for this part of the study is shown in Appendix G.

**Table 8-2. Questionnaire Statements Matching Public Participation Objectives and Their Realisation**

<b>Description of the Objective</b>	<b>Perceived Objective of Public Participation</b>	<b>Actual Achievement of the Public Participation Objective</b>
Conflict management	Q1-1. The public must be asked to help formulate controversial policies and plans	Q4-1. Resolved conflicts arising from policies formulated by the Council
Market research	Q1-3. The average ratepayer knows best how to make the region a better and pleasant place to live in	Q4-2. Yielded objective information on citizen attitudes, evaluations, and needs
Therapy	Q1-5. The Council must help the poor and the residents to form community organisations	Q4-3. Created, among the participants, a sense of community or community identification
Behavioural change	Q1-8. Individuals should adjust their values and attitudes to those of the larger society	Q4-4. Developed the participants' self-confidence and self-reliance
Education	Q1-4. Detailed information about a proposal or plan should be disseminated to the public	Q4-5. Taught citizens how the Council works and how they can maximize individual benefits
Support-building	Q1-6. The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process	Q4-6. Fostered a favourable climate for proposed policies and plans
Containing administrative discretion	Q1-7. The discussion of all items in a Council meeting should be open to the public	Q4-7. Enabled Council members and officers to be more responsive to the regional interest
Decision-making	Q1-2. A genuine interchange between planners and people from all walks of life is imperative throughout the course of the planning process	Q4-8. Provided inputs that influenced decisions taken by Council members

Questions were included to determine the available resources provided for public participation. These pertained to:

- o the amount included in the council's annual budget for public participation, in terms of the approximate proportion of its average annual budget;

**Table 8-3. Rating Scales Employed**

<b>Numerical Value</b>	<b>Part I</b> Concepts on public participation	<b>Part II</b> Frequency in using techniques	<b>Part III</b> Personal preference for techniques	<b>Part IV</b> Achievements of public participation
1	Strongly disagree	Never	Strongly dislike	Not realised
2	Disagree	Almost never	Dislike	Partially realised
3	Uncertain	Sometimes	Uncertain	Adequately realised
4	Agree	Almost always	Prefer	Substantially realised
5	Strongly agree	Always	Strongly prefer	Fully realised

- o the amount of time planning personnel devoted to participatory exercises, estimated in terms of the number of personnel spending less than 5%, about 5-25%, about 26-50%, about 51-75%, or more than 75% of their time running participatory activities; and
- o the adequacy of these resources, measured in terms of a five-point Likert scale, ranging from poor, through less than adequate, adequate, more than adequate, to excellent.

The chief executives were asked questions on available resources, largely because it is believed that they would be in the best position to know these details. Elected members tend to look at these matters in general perspective, whereas planning and regulatory directors would most likely be conversant with their own directorates, apparently making them unlikely sources for an overall picture of a council's available resources.

Personal details such as designation in the council, gender, age, ethnicity and years of experience in local government were also asked, largely in an effort to describe the respondents.

## **Questionnaire Despatch**

### **Population Selection**

For the purposes of this survey, key regional decision-makers have been defined to include

- o the chairperson of the regional council or the mayor of the unitary authority;
- o the chairpersons of the standing committees responsible for planning and regulation;
- o the chief executive or general manager; and
- o the directors for planning and regulation.

Unitary authorities were included primarily because these local authorities also have the responsibilities and functions regional councils have.

The names of the corresponding persons in each of the 12 regional councils and four unitary authorities in New Zealand were taken from the directory of the New Zealand Local Government Association (1993) and verified with each Council by phone. These constituted the population of key regional decision-makers, consisting of 12 chairpersons, four mayors, 16 chief executives, 27 standing committee chairpersons, and 39 council officers: a total of 98 individuals.

### **Despatch**

Each of the 98 individuals were then sent the questionnaire, by post, in early December 1993, and requested to express their personal opinions and return the completed questionnaire by 23 December 1993 using the business-reply envelope provided. The timing of the questionnaire despatch at this time of year was

unfortunate because of the usual end-of-the-year rush and the fact that many respondents would shortly be taking their annual holidays. Thus, by early January 1994, a follow-up letter was faxed to those individuals who had not returned the completed questionnaire, requesting them to do so by 22 January 1994.

## Responses

Out of 98 questionnaires despatched, 82 or 83.67% were returned (see Table 8-4), with seven councils registering a response rate of 100%, and one below 50%. Two of the respondents were found to be not a part of the population of key regional decision-makers. Apparently, they were asked by either the council chairperson or the chief executive to complete the questionnaire for them. Since the survey population did not include them, their responses were discarded. In addition, one respondent replied too late for the responses to be included in the analysis.

Of the 79 effective respondents, 75 returned completed questionnaires suitable for analysis; four returned uncompleted questionnaires. Two of these four said that the responses of another council decision-maker who received and completed the questionnaire was substantially the same as theirs; one stated that her duties and responsibilities as resource consents administrator did not qualify her as a planner; and one flatly charged that the questionnaire was not worth completing because it was allegedly "biased towards wanted answers".

There were 75 respondents who completed the questionnaire, representing a response rate of 76.53%. This is well above the response rate of 70% the Social and Community Planning Research (1972) reports as the response rate most postal surveys carried out by specialist survey organisations elicit. Considering that the survey population is composed of busy people and that the questionnaire was despatched at a busy time of the year, this response is a particularly good result.

**Table 8-4. Number of Survey Questionnaires Returned**

<b>Council</b>	<b>Population</b>	<b>Respondents</b>	<b>%</b>
Auckland Regional Council	7	3	42.86
Bay of Plenty Regional Council	8	7	87.50
Canterbury Regional Council	6	5	83.33
Hawke's Bay Regional Council	6	6	100.00
Manawatu-Wanganui Regional Council	6	3	50.00
Northland Regional Council	5	4	80.00
Otago Regional Council	6	6	100.00
Southland Regional Council	5	5	100.00
Taranaki Regional Council	8	7	87.50
Waikato Regional Council	6	5	83.33
Wellington Regional Council	6	6	100.00
West Coast Regional Council	6	3	50.00
<i>Total, Regional Councils</i>	75	60	80.00
Gisborne District Council	6	6	100.00
Marlborough District Council	5	5	100.00
Nelson City Council	7	6	85.71
Tasman District Council	5	5	100.00
<i>Total, Unitary Authorities</i>	23	22	91.30
<b><i>Grand Total</i></b>	<b>98</b>	<b>82</b>	<b>83.67</b>

Twelve of the 75 respondents, or 16%, wrote some comments regarding the questionnaire. These comments concerned the choice of words in the statements in Part I (7), the scale used to generate the responses (2), and the alleged bias of the questionnaire towards planning and planners (3). As these comments were expressed by a small percentage of the respondents, it seems unlikely that their concerns would have affected the results of the survey. Nevertheless, a discussion of these concerns is called for.

As stated earlier, the statements were carefully worded to absolutely reflect the viewpoint each was intended to represent. In many instances, these statements may have espoused a position that differed from actual practice in councils or from the legal prescription for practice in councils. This sometimes led to problems, respondents expressing a position in response to a statement. For example, the statement, "The discussion of all items in a council meeting should be open to the public", was designed to represent the use of public participation as a check on the abuses of discretionary power inherent in the administrative process (Rosenbaum, 1975). With all items in the agenda of a council meeting open to the public, it is presumed that elected members would have to be honest, well-informed and rational in making decisions. Since New Zealand legislation provides that the discussion of some agenda items may exclude the public, some respondents reacted to the use of the word "all" by reminding the author about the content of New Zealand legislation. It should be noted, however, that the letter covering the questionnaire exhorted the respondents to express their personal opinions on the matter which, implicitly, meant that their feelings on the matter were being measured rather than what was legal or not.

Two respondents suggested modified qualitative descriptions of the rating scales. Yet, the rating scales provided in the questionnaire contain the usual graphic descriptions for each point as used in most opinion surveys. Thus, as shown in Table 8-3, the scales consider the possible range of responses to each of the statements and it seems these can adequately capture the respondents' values and perceptions on public participation.

Three respondents complained that the questionnaire statements appear to cater primarily to planners. It should be noted that, in this study, the words *planning* and *decision-making* have been treated synonymously. *Planning* can be defined as "the deliberate and continuous cycle of making and implementing forward-projected decisions about a community's land use and its space-related social and economic policies" (Johnson, 1984: 156). An appropriate future action is determined through a sequence of choices made on at three levels: the selection of ends and criteria for

making judgments concerning preferred states; the identification of a set of alternatives consistent with these general prescriptions, and the selection of a desired alternative; and guidance of action toward the determined ends (Davidoff and Reiner, 1973). Thus, the planning process involves the taking of decisions, which encompasses such activities of a regional council as annual planning, resource policy development and consent processing.

## **The Respondents**

The four levels of key regional decision-makers are represented among the respondents, who consist of the chairpersons of nine regional councils, the mayors of the four unitary authorities, 11 chief executives, 22 standing committee chairpersons, and 32 officers (see Table 8-5), with one respondent not identifying their position. The respondents from four regional councils and all the unitary authorities occupy the four levels of decision-making positions while those from five regional councils represent only three levels, and those from three regional councils, two levels. Thirty-five of the respondents, roughly 45%, are elected members, and 43, or 55%, are not. Twelve of the 22 standing committee chairpersons are responsible for policy planning, eight are concerned primarily with regulations and consents, and two are tasked with both planning and regulation. Half of the 32 officers are either planning directors or planning section chiefs, 11 are regulatory directors or consents section chiefs, and five are group managers for planning, supervising work in both planning and regulation.

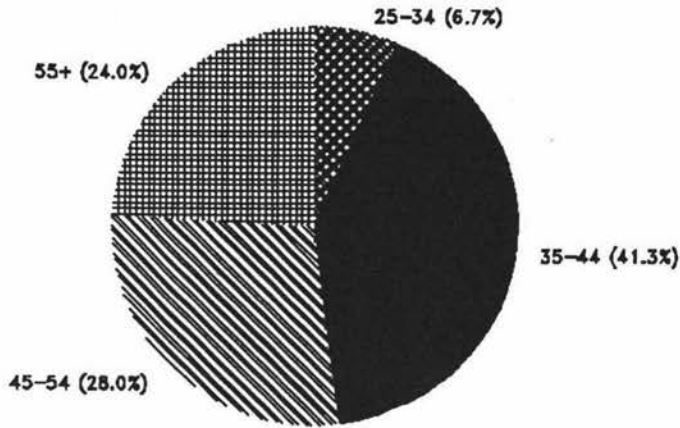
Of the 75 respondents who completed the questionnaire, 65 are males and ten are females. All but one are Caucasian, although the exception is only part-Maori. A little over half of the respondents are over 44 years, with approximately 41% in the age range of 35-44 years (see Figure 8). Twenty-three have worked as planners in a local government body for an average of 9.33 years; 28 as non-planners for an average of 12.77 years; and 36 were elected councillors for an average of 12.44 years.

Table 8-5. Positions Respondents Occupied, By Council

Regional Council/Unitary Authority	Chairpersons	Chief Executives	Standing Committee Chairpersons	Officers	Totals
<i>Regional Councils</i>					
Auckland	0	0	2	1	3
Bay of Plenty	1	1	2	3	7
Canterbury	1	0	2	2	5
Hawke's Bay	1	1	2	2	6
Manawatu-Wanganui	0	0	1	2	3
Northland	1	0	0	2	3
Otago	1	1	2	2	6
Southland	1	1	2	1	5
Taranaki	1	1	0	4	6
Waikato	1	0	1	2	4
Wellington	0	1	1	3	5
West Coast	1	1	1	0	3
<i>Unitary Authorities</i>					
Gisborne	1	1	1	3	6
Marlborough	1	1	2	1	5
Nelson	1	1	2	2	6
Tasman	1	1	1	2	5
<i>Totals</i>	13	11	22	32	78
<i>%</i>	16.2	13.8	28.2	41.0	100.0

All elected decision-makers have been voted into a local government body for an average of 12.77 years, with three of them having 2.5 years average experience as a planner, and five with an average of 7.2 years as a non-planner in local government. Of the 43 non-elected decision-makers, 20 have been local government planners for an average of 10.35 years, 23 have occupied non-planner positions for an average of 13.98 years, and one was an elected member for a year.

*Figure 8. Respondents' Age*



Based on these statistics, it could be said that the average regional decision-maker in New Zealand is a male Caucasian within the age range 35-44 years and with 11.72 years experience in local government.

### **Statistical Analysis**

The mean responses to individual statements were used to provide answers to the research questions posed earlier, with their individual frequency distributions showing the strength of the responses.

Differences in responses to the questionnaire statements were ascertained along various respondent characteristics. Gender, status (whether elected or not elected), and type of council (regional council or unitary authority) divide the respondents into two groups each. For this purpose, a t-test comparing the differences between the mean responses of the two groups of respondents was conducted. To test the differences in the responses across age groups, councils and positions, an F-test using

the analysis-of-variance (ANOVA) procedure was undertaken. In this case, the responses were treated as the dependent variable and each respondent characteristic as the independent variable.

The responses to Part II (techniques employed) and Part III (techniques preferred) were subjected to a t-test of paired comparisons in order to answer the question on whether or not the participatory techniques employed in regional decision-making are those personally preferred by the decision-makers. A similar t-test was made to ascertain whether regional decision-makers think that the objectives of public participation have been achieved, by pairing their responses to Part IV (achievements

... in Part I that correspond to the

## Chapter 9

# **PUBLIC PARTICIPATION CONCEPTS HELD BY REGIONAL COUNCIL DECISION-MAKERS**

### **Democratic Versus Market Processes**

The democratic perspective of public participation argues that all citizens, regardless of wealth, class, culture or gender, have the right to be consulted politically and on proposals affecting them. On the other hand, the market perspective views participation to principally occur in the market for property or use rights, with any individual or government having the right to decide how a property or resource, obtained through the market will be used. To ascertain the thinking of regional decision-makers on this matter, the degree to which they agree on eight statements each representing one of the two perspectives, was surveyed.

Table 9-1 shows that the respondents agree to four of the six statements pertaining to the democratic rights argument. The respondents strongly agree to the need for planners and people from all walks of life to interact throughout the entire course of the planning process. They also agree that detailed information about a proposal should be disseminated to the public, whose ideas must always be considered before any decisions are taken. Thus, to enable council members to know how the public thinks about planning matters, the respondents believe that opportunities should be provided for all residents to express their views.

On the other hand, there seems to be a disagreement over the idea of discussing all items in a council meeting in the presence of the public and of allowing ratepayers to veto any decision taken by a council. Perhaps this disagreement could be related to New Zealand legislation pertaining to local government meetings and elections.

**Table 9-1. Mean Responses, Democratic Rights Versus Market Rights**

Perspective	Statement	Mean Responses		
		Numerical	Standard Error	Graphic
Democratic	A genuine interchange between planners and people from all walks of life is imperative throughout the course of the planning process	4.52	0.08	Strongly agree
	Every resident should have the opportunity to express their views on regional planning matters	4.32	0.06	Agree
	Detailed information about a proposal or plan should be disseminated to the public	3.99	0.09	Agree
	The ideas of the regional population must always be considered before any planning decisions are taken	3.74	0.11	Agree
	The discussion of all items in a Council meeting should be open to the public	2.44	0.14	Disagree
	Ratepayers must be allowed to veto any decision taken by the Council	1.80	0.13	Disagree
Market	Elected councillors should be allowed to take decisions without being influenced by citizen groups	2.84	0.14	Indifferent
	Individuals should be able to decide how to use their own property in any way they want	2.36	0.13	Disagree

The Local Government Act 1974, as amended, in conjunction with the Local Government Official Information and Meetings Act 1987, as amended, stipulates that every meeting of a local authority - be it ordinary, special, or emergency; or a meeting of a committee, a special committee, or a sub-committee - be publicly notified and open to the public. However, section 48 of the Local Government Official Information and Meetings Act 1987, as amended, grants a right to local authorities to exclude the public from the whole or any part of the proceedings of a

meeting on one of four grounds, namely:

- o where information, for which a good reason for withholding it exists, would be publicly disclosed;
- o where public disclosure of information is legally prohibited;
- o where the proceedings of the meeting consider disciplinary cases against a council personnel; or
- o where the proceedings of the meeting require private deliberations on a matter that carries with it a right of appeal to any court or tribunal.

However, in all instances a resolution excluding the public from such a meeting is required to be put forward and passed at a time when the meeting is open to the public, in which case the council has to show the public that it was not keeping any matter secret other than for a good reason.

As can be seen, there appear to be valid grounds for the exclusion of the public from the whole or part of a local authority meeting, regardless of legislative directives. For commercially-sensitive information, personnel disciplinary cases and judicial matters the decisions taken may be all that the public needs to know. Having regard to these matters, regional decision-makers are not willing to open the deliberations on all agenda items to the public.

On the matter of ratepayers being able to veto any decision taken by a council, the respondents disagree, perhaps feeling that this would amount to a government by plebiscite, where every decision taken will have to be presented for public confirmation. As one respondent's marginal notes say, "Elections every three years sort this out." With local elections held on a triennial basis, it is easy to see that council members who make decisions the public considers unacceptable could be voted out of office sooner than if elections were held on a longer time interval. In

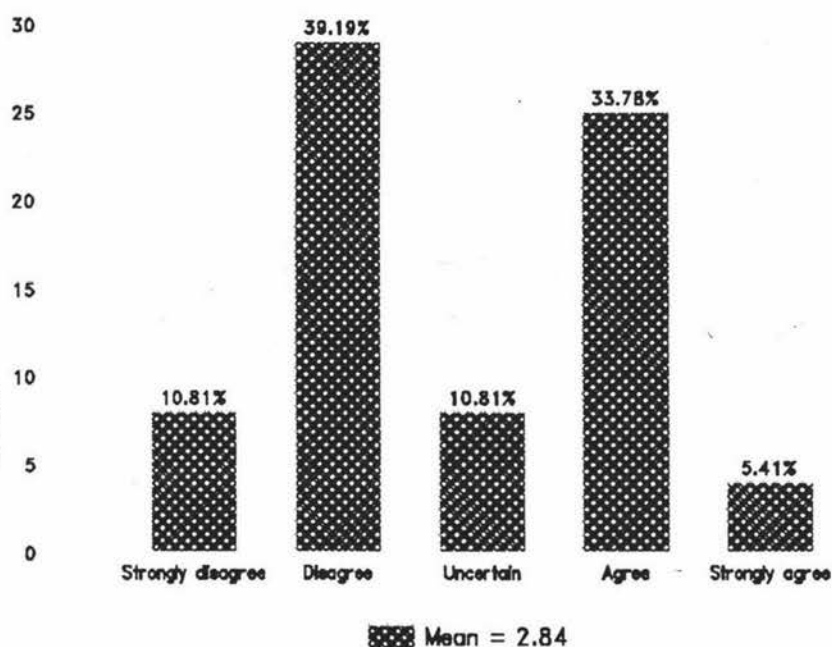
addition, the idea behind electing representatives to assume positions of leadership carries with it the power to take decisions on behalf of the electors. After all, if decisions taken by a council are unpalatable to the public, administrative and legislative avenues for redress are readily available.

The respondents disagree on the proposition that individuals should be given a free hand to decide how to use their own property in any way they want. This finding indicates the belief that regional decision-makers put on planning as a function of government. Burke (1979) and Hampton (1990) maintain that planning seeks to intervene in the political process. As such, government has institutionalised local planning as a mechanism by which property use is affected, through the regulation of the use of resources. This situation seems more apparent with the Resource Management Act 1991, which restricts the use of property and resources to the extent that such use would adversely affect the environment and related resources. As one respondent points out, the use of one's own property "depends on [its] effects on others", which a planning committee chairperson, also a respondent, qualifies to mean compliance "with all other legal requirements".

The idea that elected councillors be allowed to take decisions without being influenced by citizen groups was raised in the survey. The responses to this statement reflect a polarisation of opinions, with 39% agreeing, 50% disagreeing, and about 11% indifferent to it, as shown in Figure 9-1. Experience may have affected the formation of opinions on this statement. Since 1977, when the right of objection to a planning scheme was extended to third-party groups under the then Town and Country Planning Act 1977 (which has been carried over under the Resource Management Act 1991), the New Zealand planning system has been open to influence by citizen groups. This has led Williams (1985) to conclude that participation has been confined to a few well-organised interest groups, such as community groups representing a locality or suburb; professional and technical organisations; and groups concerned with a particular issue, to mention a few. Most of these groups have access to knowledge, information, skills and expertise enabling them to participate in planning exercises more successfully than individuals acting

on their own (Morris, 1979). This may have caused some decision-makers to prefer hearing submissions from these groups rather than from submitters whose submissions are less extensive and less prepared. However, the danger that the views of groups and individuals without skills, knowledge or interest would be effectively excluded in the consideration of any planning issue, if this were the case, may perhaps have kept other decision-makers wary of the representativeness of the views put forth by these interest groups.

**Figure 9-1. Agreement to the Idea: "Citizen Groups Not to Influence Councillors' Decision-Taking"**



Two t-tests of the means of the means were undertaken in order to determine where New Zealand regional decision-makers stand on the *democratic-rights-versus-market-rights* debate. The idea of democracy has constantly been reinterpreted and revised (Fagence, 1977) so that there is now two different schools of thought on public participation in a democracy (Windle and Cibulka, 1981). The **liberal** theory of democracy puts an emphasis on the role of leadership elites in society, and contends

that individuals influence public policy by choosing among competing elites at elections, or by joining political parties or interest groups which can gain political influence. Therefore, the only means of citizen involvement are voting for leaders, and discussion.

On the other hand, the **radical** theory of democracy centres on the importance of people acting directly in a government where

"maximum input (participation) is required and where output includes not just policies (decisions) but also the development of the social and political capacities of each individual" (Pateman, 1970: 43).

Under this view, *public participation* is seen as equality of power in determining the outcome of decisions.

Of the six statements in Part I of the questionnaire referring to the democratic perspective of public participation, one reflects an idea under the purview of the radical theory of democracy - that ratepayers be allowed to veto any decision taken by council. This statement presumes that the ordinary individual shares the decision-making power that a body of elected representatives exercises. Thus, the liberal theory of democracy is represented by the following statements:

- o A genuine interchange between planners and people from all walks of life is imperative throughout the the course of the planning process.
- o Every resident should have the opportunity to express their views on regional planning matters.
- o Detailed information about a proposal or plan should be disseminated to the public.
- o The ideas of the regional population must always be considered before any planning decisions are taken.

- o The discussion of all items in a Council meeting should be open to the public.

On the other hand, the statement, "Ratepayers must be allowed to veto any decision taken by the Council", together with the aforementioned five statements, represents the radical theory of democracy.

The t-test comparing the average opinions on the market perspective and the radical theory of democracy<sup>1</sup> shows that New Zealand regional decision-makers do not have a clear preference for either viewpoint ( $t = 1.7116$ ;  $2p < 0.1391$ ). The t-test comparing their opinions on the market perspective and the liberal theory of democracy<sup>2</sup>, however, shows that the same decision-makers clearly prefer the democratic ideal over the market rights argument ( $t = 2.7512$ ;  $2p < 0.0435$ ). Thus, it could be said that New Zealand regional decision-makers are committed to democratic values although they are not ready to go all the way towards allowing direct participation of the people in regional government. Instead, they adhere to the idea that elites, not masses, should compete for leadership positions and wield power in government.

### **Citizen Control Versus Tokenism**

The literature on public participation often relates citizen involvement with power (Rein, 1969; Strange, 1972; Wengert, 1976; Fagence, 1977; Windle and Cibulka,

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<sup>1</sup> The mean of the mean responses to the six statements pertaining to the democratic rights perspective, which correspond to the radical theory of democracy, was computed. This value, 3.47, is compared with the mean of the mean responses to the two statements pertaining to the market rights argument, which is 2.60, in the null hypothesis of the t-test. This null hypothesis states that there is no difference between the two means, and is rejected should the t-value derived is found statistically significant at the probability level of 0.05. The alternate hypothesis is then accepted, which states that a significant difference exists between the two means.

<sup>2</sup> The mean of the mean responses to the five statements pertaining to the democratic rights perspective (minus the mean response to the statement, "Ratepayers must be allowed to veto any decision taken by the Council"), which correspond to the liberal theory of democracy, was computed. This value, 3.80, is considered in the null hypothesis of the t-test to be not different from the arithmetic mean of the mean responses to the two statements pertaining to the market rights argument (2.60).

1981), which is the capacity of an actor, albeit relative, to affect the consequences of a particular output (Pollak, 1984). Arnstein (1975) has demonstrated that public participation can occur without power being shared with the public, in which case a powerholder is able to claim that all sides were considered when, in reality, only some benefit from the decisions taken. Thus, a typology of the extent of the citizens' power in determining the end product was developed. This ladder of citizen participation (see page 39) describes levels of nonparticipation, tokenism and citizen control, representing increasing degrees of decision-making influence.

Robertson (1979) dissected the then existing planning legislation in New Zealand to see where legally-mandated public participation stood on the ladder. Fifteen opportunities for public involvement under various legislation were juxtaposed against the ladder of citizen participation in terms of the degree that responsibilities were delegated to local authorities accountable to the residents of their territory, the degree in which the public is relied on to provide indicators and directions needed to establish objectives, and the quality of information provided through the procedures.

The highest rung any of these opportunities occupied was *partnership*, the lowest degree of citizen control. These were district planning under the Town and Country Planning Act 1977, where responsibilities were delegated to territorial local authorities, and the subdivision of land under the Local Government Act 1974, which was related to district planning. At the opposite end, *therapy*, a level of nonparticipation, was regional planning under the Town and Country Planning Act 1977, which provided a very limited scope for public participation. The other opportunities were classified as *consultation* and *information*, both considered as levels of tokenism<sup>3</sup>.

<sup>3</sup> Environment protection and enhancement operations was placed as consultation, whereas these other 11 opportunities, in descending order, were classified as information:

- a) Reserves management (Reserves Act 1977)
- b) Forest management (Forest Act 1949)
- c) Park management (National Parks Act 1952)

(continued...)

Table 9-2. Mean Responses, Citizen Control Versus Tokenism

Mode of Public Participation	Statement	Responses		
		Numeric	Standard Error	Graphic
Citizen control	The public must be asked to help formulate controversial policies and plans	4.67	0.06	Strongly agree
	The average ratepayer knows best how to make the region a better and pleasant place to live in	2.73	0.10	Uncertain
	The discussion of all items in a Council meeting should be open to the public	2.45	0.14	Disagree
	Government must deliberately include <i>have-not</i> citizens in the political and economic processes of society	3.21	0.11	Uncertain
	The ideas of the regional population must always be considered before any planning decisions are taken	3.76	0.11	Agree
	Ratepayers must be allowed to veto any decision taken by the Council	1.82	0.13	Disagree
Tokenism	The Council must help the poor and the residents to form community organisations	2.52	0.12	Uncertain
	The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process	4.04	0.10	Agree
	Individuals should adjust their values and attitudes to those of the larger society	2.39	0.13	Disagree
	Making a written submission on a regional planning issue is a sufficient opportunity for citizens to get involved in decision-making	2.56	0.11	Uncertain

In the present study, key regional decision-makers were asked to indicate their agreement on ten statements, each representing either tokenism or citizen control. Table 9-2 shows that, of six statements pertaining to citizen control, two elicited

<sup>3</sup>(...continued)

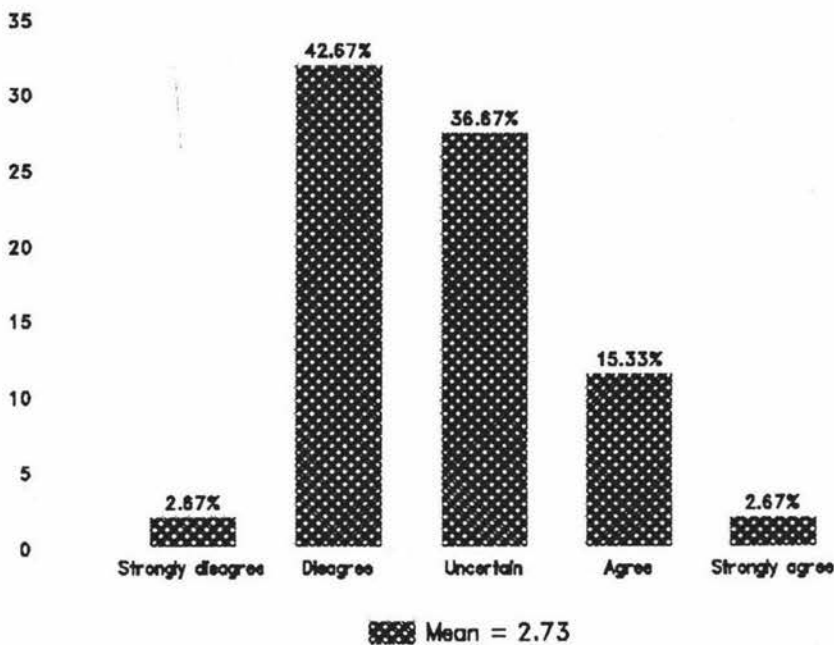
- d) Marine reserves (Marine Reserve Act 1971)
- e) Reclamations (Harbours Act 1950)
- f) Marine farming (Marine Farming Act 1971)
- g) Taking of land (Public Works Act 1928)
- h) Catchment management (Soil Conservation and Rivers Control Act 1941)
- i) Prospecting and mining (Mining Act 1971)
- j) Urban Renewal and Housing Improvement Act 1945
- k) Air pollution (Clean Air Act 1972)

agreement, two disagreement, with two indifference. Of four statements referring to tokenism, one agreed, one disagreed, and the other two were indifference.

Strong agreement exists towards asking the public to help formulate controversial policies and plans, probably a consequence of experience with strong public opposition to government projects in the past, notably, the much-publicised *Think Big* projects of the mid-70s.

Although the respondents agree that the ideas of the regional community should be considered before taking any decisions, they are not willing to discuss all items in a council meeting in the presence of the public, nor grant ratepayers the power to veto any council decision. This reflects a reluctance to totally share decision-making power with the public.

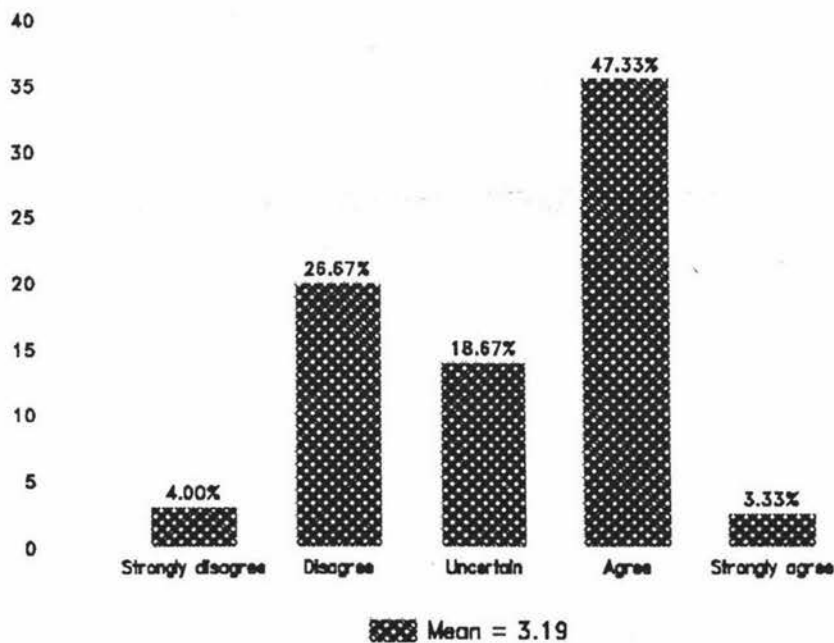
**Figure 9-2. Responses to the Statement "The Average Ratepayer Knows Best"**



Indifference exists on the idea that the average ratepayer knows best how to make the region a better and more pleasant place to live. Although almost half of the respondents (45.3%) disagree, more than a third (36.7%) have not formed an opinion (see Figure 9-2). As one respondent sensibly notes,

"The average ratepayer . . . doesn't usually have a high level of resource understanding. [But] take the average ratepayer and give them the information needed for understanding issues and making decision[s] and the situation changes."

**Figure 9-3. Responses to the Statement "Have-Not Citizens to be Included in Political Processes"**

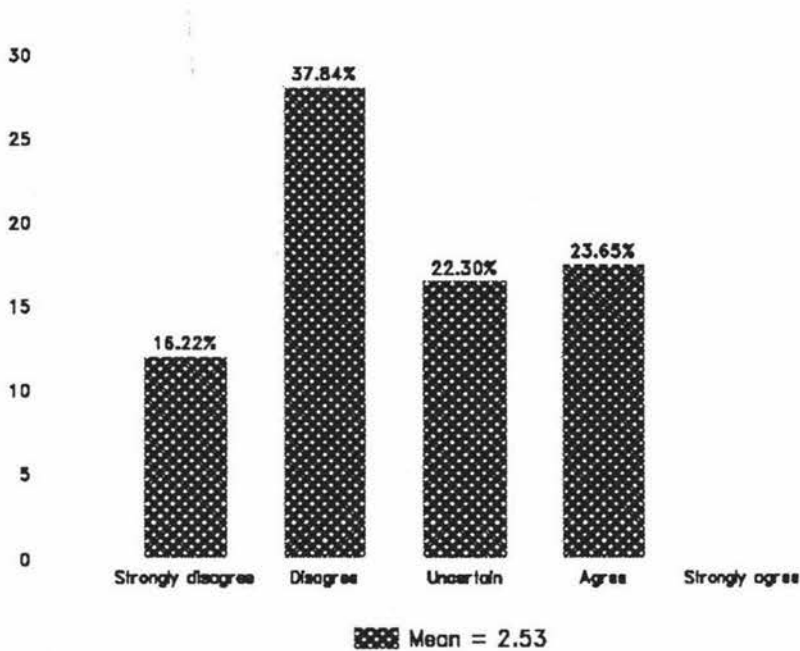


Opinions are polarised on whether government must deliberately include *have-not* citizens in society's political and economic processes, the locus of the concept of power redistribution (Arnstein, 1975). As shown in Figure 9-3, a little over half of the respondents (50.7%) agree, almost a third (30.7%) disagree, with the remaining 19% undecided. One respondent suggested that the use of the term *have-not* may have elicited varied interpretations. But the low standard error of the mean (0.12)

does not seem to support that concern. Perhaps it is possible that some decision-makers feel that the existing system already includes disadvantaged and minority groups and, therefore, do not consider this as an issue. On the other hand, other respondents may consider this matter beyond the responsibility of a regional council. As one respondent explains, regional councils can only encourage the government to consider the disadvantaged groups, but cannot require it to do so.

The respondents agree that involving people and interest groups in the decision-making process leads to easy acceptance of a council's decisions, a statement that holds true for all modes of public participation, including token gestures. Yet, they do not agree that individuals should adjust their values and attitudes to those of society, implying that individualism should still prevail and, in relation to public participation, should bring into the decision-making process a wide variety of views and values critical to making a judgment on the merits of a proposal or a plan.

**Figure 9-4. Responses to the Statement "Council To Help Form Community Organisations"**



A slight polarisation of opinions exists as to whether a council should help the poor and the residents to form community organisations, with 16% strongly disagreeing, 38% disagreeing, 24% agreeing, no one strongly agreeing, and 22% with no opinion (see Figure 9-4). This situation could be related to the role that regional councils hold in government, which is primarily concerned with the management of natural and physical resources. As such, it is possible that most of the respondents feel that this matter is more a concern of central government rather than regional councils.

The issue on whether making a submission is a sufficient opportunity for citizens to get involved in decision-making elicited another polarisation of opinions, with almost two-thirds of the respondents (65.3%) disagreeing, over a quarter (26.7%) agreeing, and 8% reacting indifferently (see Figure 9-5). Actual practice could possibly have exerted an influence on the opinions. The Resource Management Act 1991 puts a premium on consultation as an effective way for local authorities to meet their obligations in the Act (Ministry for the Environment, 1991b). As case law defines it<sup>4</sup>,

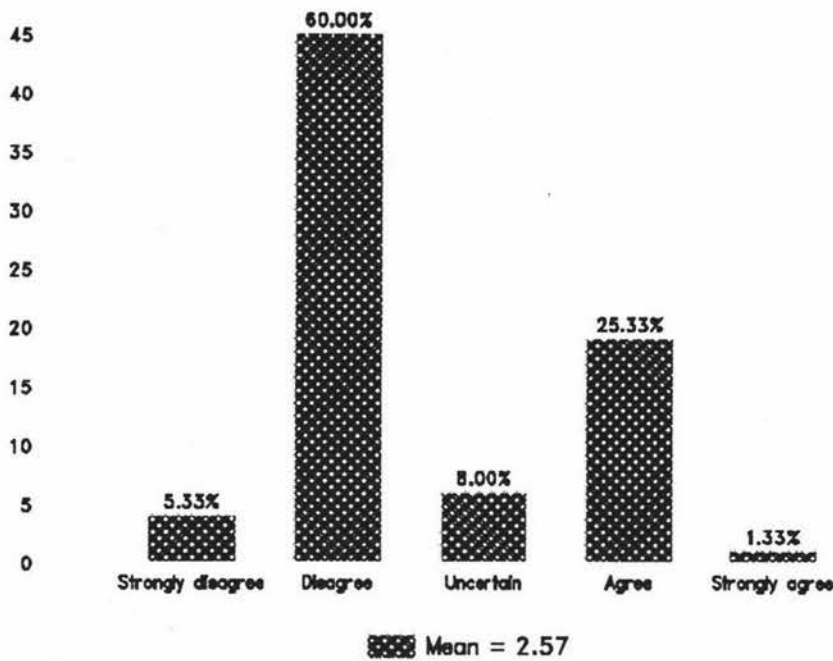
"Consulting involves the statement of a proposal not yet finally decided upon, listening to what others have to say, considering their responses and then deciding what will be done."

Perhaps, to some respondents, the opportunity for the public to lodge written submissions to a council's proposed plans is a sufficient form of consultation, inasmuch as this is done before a decision is taken. To other respondents there are other ways of consultation apart from the solicitation of written submissions.

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<sup>4</sup> Taken from *West Coast United Council v Prebble* (1988) (12 NZTPA 399: 405) and reiterated in *Air New Zealand Ltd v Wellington International Airport Ltd* (High Court Wellington Registry, CP No. 403/91, McGechan J, 6 January 1992: 8).

**Figure 9-5. Responses to the Statement "Written Submissions Sufficient For Public Participation"**



The t-test of the means of the mean responses to statements representing citizen control and tokenism<sup>5</sup> shows that New Zealand regional decision-makers are not clear as to how much power should be granted to public participants ( $t = 0.3692$ ;  $2p < 0.7219$ ). This result strengthens an earlier finding (see page 175) that New Zealand regional decision-makers are not ready to embrace the concept of direct public participation in regional government. Neither do they subscribe to holding empty rituals of participation. As the survey results indicate, they appear to espouse views ranging from tokenism to citizen control, perhaps occupying what Arnstein (1975) acknowledges as a rung with a less sharp distinction than that suggested in the ladder of citizen participation.

<sup>5</sup> For this t-test, the arithmetic mean of the mean responses to the six statements pertaining to citizen control (3.10) and the arithmetic mean of the mean responses to the four statements pertaining to tokenism (2.89) were computed and the statistical difference between the two means was tested.

## Objectives of Public Participation

Eight statements, each representing an objective of public participation, were included in Part I in order to determine the objectives of public participation as perceived by key regional decision-makers. Table 9-3 shows that, according to the respondents, public participation in New Zealand regional planning is seen to pursue four objectives: conflict management, decision-making, support-building and education. The means of the responses to the statements referring to the objectives of market research and therapy reflect indifference, but the frequency distributions of the opinions on these statements (see Figures 9-2 and 9-4, respectively) show a bias towards disagreement. This indicates that these objectives are not perceived to be the thrust of public participation in New Zealand regional planning.

These findings appear to agree with the *modus operandi* of the New Zealand planning system. That is, in a system governed by rules, as evidenced by the formulation of regional plans comprising of rules and by the resource consent process, it is inevitable that conflicts would arise every now and then either between individuals and the government, between two groups of individuals, or between individuals and business groups. To reduce these conflicts, regional councils must try to negotiate an amicable resolution, by providing adequate opportunities for the public, particularly those likely to be most affected by a proposed activity, to become involved in the decision-making process. A regional council is not only able to facilitate the resolution of a conflict, but also provides more and better information to intelligently and fairly take a decision. In addition, satisfied public participants would then serve as agents of the regional council in its efforts towards building community support. For these outcomes to be realised, educating the public in terms of how the process works and how the public can benefit from council activities is necessary.

**Table 9-3. Mean Responses, Objectives of Public Participation**

Objective	Statement	Mean Responses		
		Numeric	Standard Error	Graphic
Conflict management	The public must be asked to help formulate controversial policies and plans	4.68	0.06	Strongly agree
Decision-making	A genuine interchange between planners and people from all walks of life is imperative throughout the course of the planning process	4.52	0.08	Strongly agree
Support-building	The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process	4.04	0.10	Agree
Education	Detailed information about a proposal or plan should be disseminated to the public	3.99	0.09	Agree
Market research	The average ratepayer knows best how to make the region a better and pleasant place to live in	2.73	0.10	Indifferent
Therapy	The Council must help the poor and the residents to form community organisations	2.53	0.12	Indifferent
Containing administrative discretion	The discussion of all items in a Council meeting should be open to the public	2.44	0.14	Disagree
Behavioural change	Individuals should adjust their values and attitudes to those of the larger society	2.40	0.13	Disagree

### **Differences in Public Participation Concepts Across Respondent Characteristics**

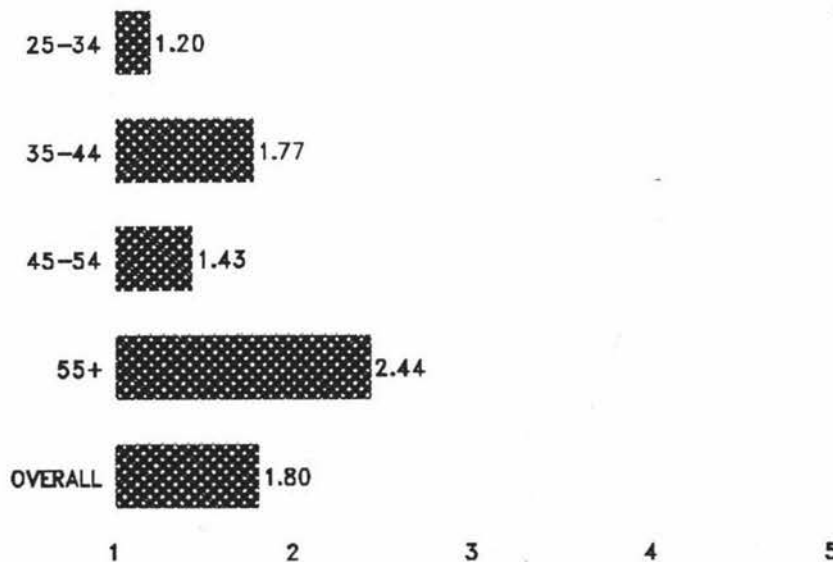
The tests for differences in concepts held about public participation over a number of respondent characteristics show that the responses to nine of the 15 statements vary significantly at the 0.05 probability level. Significant differences were found on the responses to one statement across age, one statement between genders, six

statements between elected and non-elected decision-makers, three statements across positions, one statement across councils and two statements by type of council.

### By Age Group

Age appears to influence the opinions of regional decision-makers on the proposition that ratepayers be allowed to veto any decision taken by a council ( $F = 3.44$ ;  $p < 0.0212$ ). Figure 9-6 shows that respondents who are either 55 years and older or are aged 35-44 disagree with the idea put forward by the statement, while those aged 45-54 and 25-34 tend to strongly disagree. Younger decision-makers are perhaps more likely to believe in a business-like approach to council decision-making and, thus, think that technical expertise and professional advice should back council decisions. Under these circumstances, the veto of a council decision by ratepayers is unacceptable.

*Figure 9-6. Responses by Age Group to the Statement "Ratepayers to Veto a Council Decision"*



### **By Gender**

Genders differ significantly in their opinions on what information about a proposal or a plan is to be disseminated to the public ( $t = 2.4778$ ;  $2p < 0.0239$ ). Female decision-makers agree more (mean = 4.40) than male decision-makers (mean = 3.92) that such information should be detailed. This difference stems from the tendency of women to be "reluctant to take risks", as Welsh (1988: 28) concluded from her study on the characteristics of New Zealand female business-owners. By disseminating detailed information on a proposal to the public, female decision-makers are perhaps ensuring that they do not expose council to the risk of taking an unpopular decision or one that does not have public support. By providing detailed information, council ensures that citizens cannot charge council with withholding information from public scrutiny.

### **By Status**

Table 9-4 shows where elected and non-elected decision-makers significantly differ in their opinions on the six statements. Elected decision-makers give higher ratings to five statements, namely: that council decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process; that the average ratepayer knows best how to make the region a better and more pleasant place to live; that a council must help the poor and the residents to form community organisations; that the discussion of all items in a council meeting should be open to the public; and that ratepayers be allowed to veto any council decision. These statements appear to demand no details nor hard commitments from anyone who makes them, the sort of pronouncements that are usually made during election campaigns. Even the idea of allowing ratepayers to veto any council decision, admittedly requiring some degree of commitment, can be loosely interpreted as referring to a ratepayer's right to exercise non-confidence on an elected councillor's performance by voting out that councillor at the next election. At the same time, these statements also seem to have some bearing on the work of non-elected decision-makers who are responsible for the performance of a council's

workforce. For example, if a council was to help in the establishment of community organisations, manpower and financial resources must be allocated to this activity. The concerns manifested in these statements, if realised, would create a new working environment for council personnel.

**Table 9-4. Concepts on Public Participation: Differences By Status**

Statement	Mean Responses			t-ratio (2p < /t)
	Overall	Elected Decision- makers	Non-elected Decision- makers	
The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process	4.04	4.26	3.85	2.0365 (0.0457)
Government must deliberately include <i>have-not</i> citizens in the political and economic processes of society	3.19	2.94	3.41	-2.0471 (0.0445)
The average ratepayer knows best how to make the region a better and pleasant place to live in	2.73	3.03	2.46	3.0031 (0.0037)
The Council must help the poor and the residents to form community organisations	2.53	2.90	2.22	2.9437 (0.0044)
The discussion of all items in a Council meeting should be open to the public	2.44	2.77	2.15	2.2584 (0.0271)
Ratepayers must be allowed to veto any decision taken by the Council	1.80	2.11	1.52	2.2523 (0.0279)

It is only on a matter relative to a government's deliberate action to include *have-not* citizens in the political and economic processes of society that the opposite condition occurred - non-elected decision-makers give a higher rating than elected decision-makers. Here, a hard commitment to direct more efforts towards providing for the benefits of a specific segment of the community is demanded. Probably, this may

be a result of the obvious attention to detail that non-elected decision-makers, as bureaucrats, must make during the course of their work.

### **By Position**

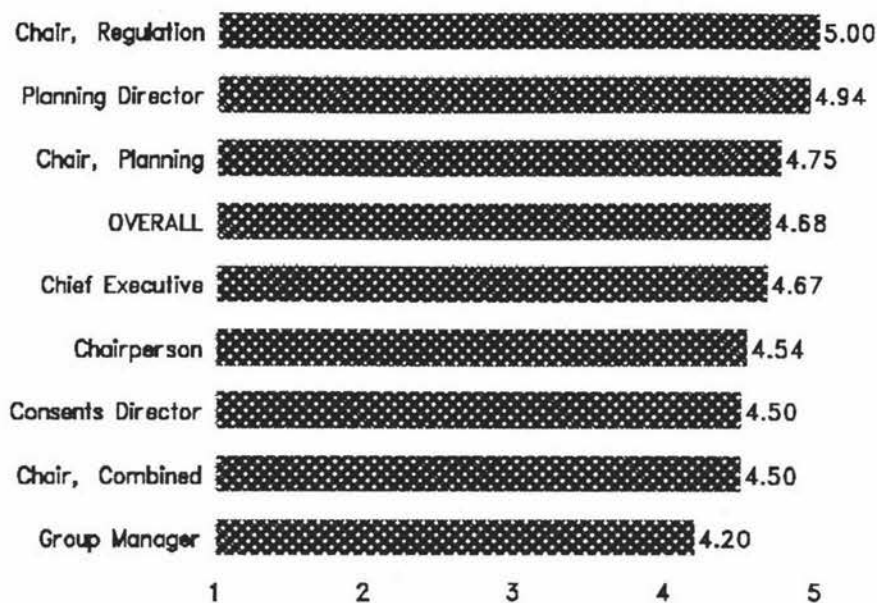
The position occupied by each respondent within a council affects their opinions on three statements, namely: that the public be asked to help formulate controversial policies and plans ( $F = 2.31$ ;  $p < 0.0364$ ); that the average ratepayer knows best how to make the region a better and more pleasant place to live ( $F = 3.18$ ;  $p < 0.0058$ ); and that the discussion of all items in a council meeting be open to the public ( $F = 2.17$ ;  $p < 0.0479$ ).

The chairpersons of the standing committees concerned with regulation, the planning directors, and the chairpersons of the standing committees responsible for planning agree more to the proposition that the public be asked to help formulate controversial policies and plans (see Figure 9-7). In contrast, the chairpersons of the standing committees responsible for both policy and regulation, the consents directors, and the group managers for policy and regulation agree less to this statement.

It is fairly apparent why planning directors and chairpersons of the planning committee strongly agree - the planning directors supervise the formulation of regional plans whereas the planning committees consider the proposed regional plans and hear submissions. With the public involved in plan formulation, it could be felt that the chances of objections against the proposed plans are minimised.

On the other hand, the group managers for planning and regulation and the chairpersons of the committee concerned with both planning and regulation may not feel the same degree of concern. In their particular cases, there would be section officers and sub-committee chairpersons under their guidance who would be more directly involved in plan formulation and implementation. Thus, decision-makers who are directly involved in plan formulation tend to strongly welcome the involvement of the public in policy development.

**Figure 9-7. Responses by Position: "Public Should Help Formulate Controversial Plans"**



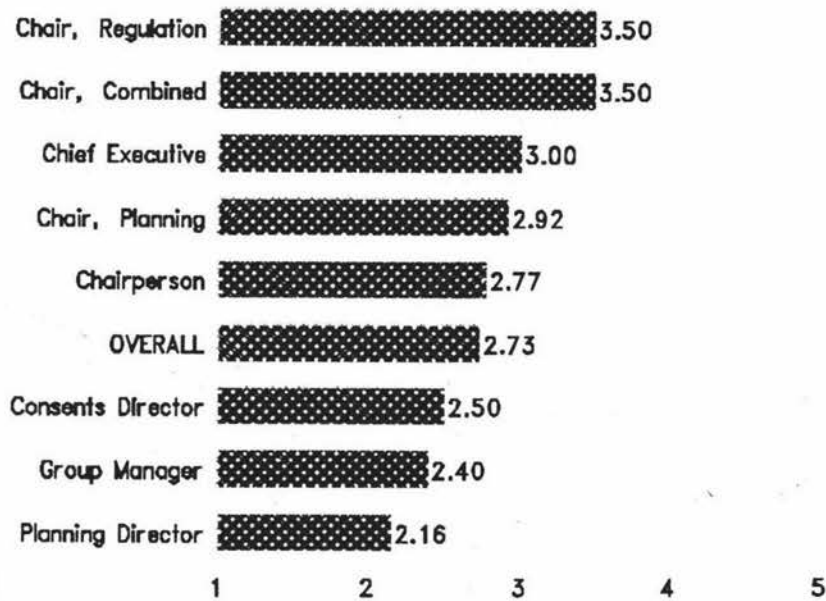
However, the chairpersons of the consents committee and the consents directors are divided on this issue, with the former strongly agreeing and the latter, least agreeing. Regulatory committees usually hear objections to notified consent applications, after the pre-hearing meetings conducted by the regulatory departments headed by the consent directors fail to resolve the matter.

Hearings are usually adversarial (Ministry of Works and Development, 1987). Since regional plans detail the regulatory policies with respect to specific environmental issues or resource use activities, the regulatory committee chairpersons probably think that, if the public were involved in plan formulation, objections to notified consent applications would decrease. On the other hand, consent directors probably feel that, in spite of public participation in rule-making, there would still be objections to notified consent applications, especially from people whose material interest (property values, water supply) may be threatened.

It was earlier found that elected and non-elected decision-makers significantly differ

in their opinions on whether the average ratepayer knows best how to make the region a better and more pleasant place to live, and on whether the discussion of all items in a council meeting should be open to the public. These differences of opinions are further shown across the responsibilities that a decision-maker holds.

**Figure 9-8. Responses By Position to the Statement "The Average Ratepayer Knows Best"**

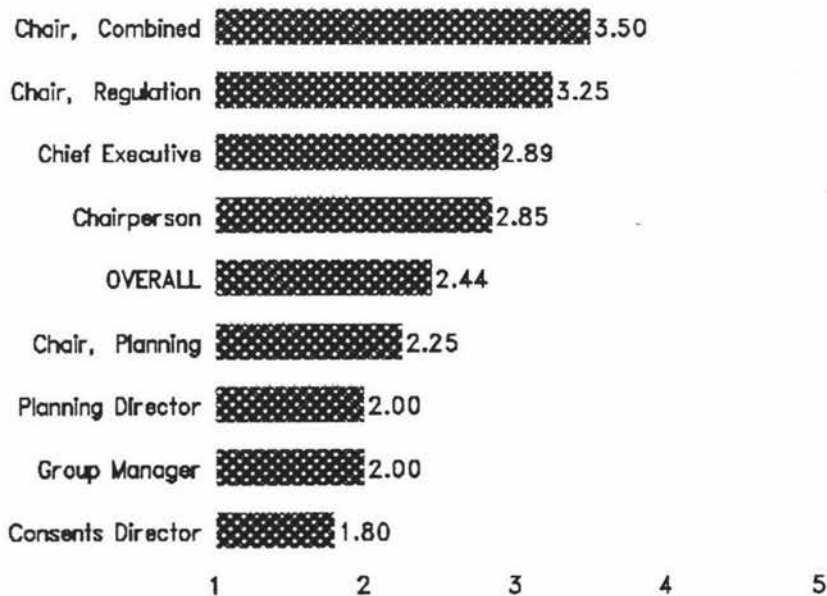


In Figure 9-8, the chairpersons of the standing committees responsible for regulation and for regulation and planning tend to favour the idea that the average ratepayer knows best how to make the region a better place to live. The consents directors, the group managers for planning and regulation and the planning directors tend to disagree. Again, the question of how informed the average ratepayer might be (as discussed on page 179) probably affects this opinion espoused.

Figure 9-9 shows that, on the matter of opening the discussion of all meeting items to the public, the chairpersons of the standing committees responsible for both policy

planning and regulation seem more inclined to the idea than the chairpersons of the standing committees for regulation, the chief executives and the council chairpersons/mayors, while the planning directors, the group managers for planning and regulation, and the consents directors are opposed. As considered earlier, there are valid grounds for keeping the public out of the deliberation of some agenda items in a meeting. But these grounds - commercially-sensitive information, personnel matters and judicial concerns - would unlikely be discussed during a meeting of a standing committee concerned with plans and regulations. Such a committee would most likely have a sub-committee to hear objections to notified consent applications, where the likelihood of commercially-sensitive information to surface during the deliberations is high. On the other hand, the planning committee may discuss items involving judicial and commercial concerns that may wisely be deliberated behind closed doors.

**Figure 9-9. Responses by Position to the Statement "Public Discussion of All Meeting Items"**



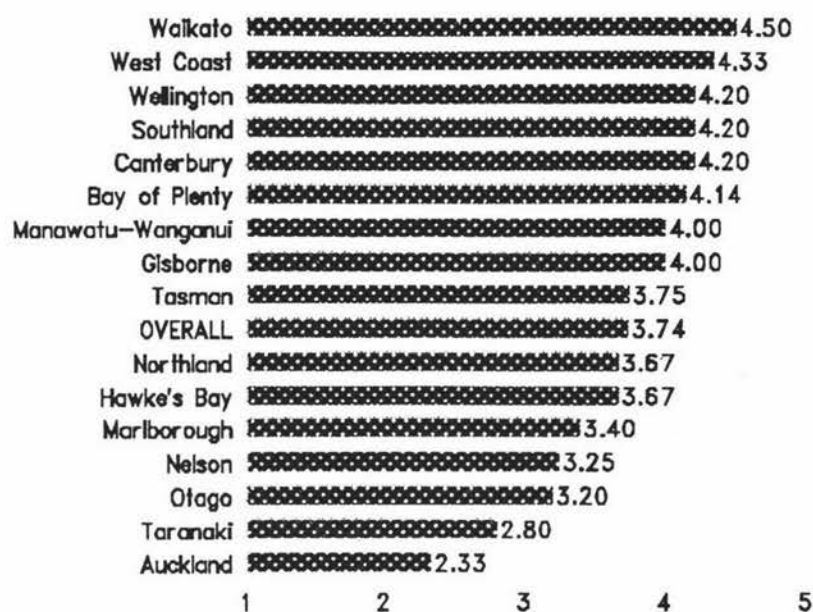
### **By Council**

When grouped by council, the decision-makers who responded differ in their opinions on one statement about public participation ( $F = 1.85$ ;  $p < 0.0478$ ). The respondents from the Waikato Regional Council agree most to the statement that the ideas of the regional population must always be considered before any planning decisions are taken, with the Auckland Regional Council taking the opposite view (see Figure 9-10). There does not appear to be any plausible explanation for this difference. The urban-rural dichotomy could not account for it, as decision-makers from the Wellington Regional Council and the Auckland Regional Council, both urban regions, espouse opposing opinions. The size of the regional population could not account for the difference either. Decision-makers from the Canterbury Regional Council and the Auckland Regional Council, the two largest regions in terms of population, express opposing views. Thus, it could be tentatively assumed that this variation might be indicative of a particular council stance on public participation in regional decision-making.

### **By Type of Council**

The statements where opinions vary significantly, according to the type of council, are not the same where opinions vary across council (see Table 9-5). A difference exists on the opinions relative to allowing councillors taking decisions without being influenced by citizen groups. Although respondents from both types of council do not have clear opinions on the matter, those from unitary authorities give higher ratings than those from regional councils. Perhaps the size of the area of local authority jurisdiction could explain the difference. Unitary authorities cover contiguous areas smaller than regional councils. Hence, it is probably more difficult for respondents from unitary authorities visualising their councillors ignoring the views of citizen groups.

**Figure 9-10. "Consider Residents' Ideas Before Decision-Taking": Responses by Council**



**Table 9-5. Concepts on Public Participation: Differences by Type of Council**

Statement	Mean Responses			t-ratio (2p < /t)
	Overall	Regional Councils	Unitary Authorities	
Elected Councillors should be allowed to take decisions without being influenced by citizen groups	2.84	2.64	3.33	-2.3946 (0.0217)
The discussion of all items in a Council meeting should be open to the public	2.44	2.57	2.10	2.0123 (0.0023)

## Participatory Techniques Preferred

Respondents were asked to indicate the degree to which they prefer each of 19 participatory techniques used in New Zealand (Ministry of Works and Development, 1978b). Table 9-6 shows that one of the techniques is strongly preferred, eight are preferred, two are disliked and eight are neither preferred nor disliked.

*Table 9-6. Preference for Participatory Techniques*

Public Participatory Techniques	Mean Responses		
	Numeric	Standard Error	Graphic
Consultation with organisations	4.53	0.06	Strongly prefer
Discussion documents	4.40	0.07	Prefer
Open council meeting	4.27	0.09	Prefer
Newspaper	4.23	0.08	Prefer
Radio	4.11	0.09	Prefer
Workshop	4.06	0.10	Prefer
Small group discussions	3.97	0.10	Prefer
Public meeting	3.94	0.10	Prefer
Public hearing	3.79	0.10	Prefer
Exhibition	3.38	0.10	Indifferent
Co-option	3.23	0.09	Indifferent
Citizens' advisory group	3.23	0.12	Indifferent
Hotline	3.18	0.14	Indifferent
Citizen survey	3.12	0.11	Indifferent
Advocacy planning	3.04	0.11	Indifferent
Community worker	2.75	0.11	Indifferent
Television and film	2.62	0.13	Indifferent
Citizen review panel	2.42	0.11	Dislike
Referendum	1.96	0.13	Dislike

Consultation with organisations, defined in the glossary appended to the questionnaire as "the use of groups and organisations who can disseminate information to their members and then assist planning teams to define issues by responding to participation policies, and play a useful role by reacting to specific proposals and options", appears to be very popular among the respondents. Every community contains a network of established groups and organisations which may be approached as collectivities for the purpose of gathering information technically useful to a local authority. The consultation process mandated by the Resource Management Act 1991 could also be said to influence this preference, considering that the most rapid

growth of interest groups is in the environment sector (Scott, 1992). These groups are perhaps seen as representing a particular viewpoint a council needs to explore, especially during the early stage of policy development. As Boaden *et al.* (1981: 67) declare,

"Consultation has been used by government bodies and other organised parties to obtain information on developments of mutual interest and to express opinions on policy proposals. . . . For government bodies, statutory organisations and large private concerns, consultation provides advance warning of one another's intentions, establishes constraints, and leads to an exchange of experience and the development of co-operation."

The use of discussion documents, open council meetings, newspapers, radio, workshops, small group discussions, public meetings and public hearings are likewise preferred by regional decision-makers. Of these, three are legally prescribed: open council meetings, newspapers (for public notification of consents applications, annual and regional plans and regional policy statements), and public hearings (for hearing submissions received as a result of public notification). In addition, most of these preferred techniques are relatively easy to use, as these are meant to disseminate information, present proposals or options for public reaction and seek responses to particular issues. Glass (1979) considers these techniques as unstructured, where citizens present their own particular views, problems, or reactions to decision-makers.

The constitution of a citizen review panel with the authority to review alternative plans and to decide which plan will be implemented, as well as the conduct of a referendum, which involves placing proposed public measures or policies before the citizens by a ballot for approval, disapproval, or selection of one of several alternatives, elicited the lowest preference ratings among the 19 techniques. This appears to strengthen an earlier finding (discussed on page 175) that regional decision-makers are not ready to disperse their decision-making powers to the public. The establishment of a citizen review panel and referenda do precisely that.

**Table 9-7. Frequency Distributions of Responses to Techniques Neither Preferred Nor Disliked**

Public Participatory Techniques	Percentage Distribution of Responses					
	Strongly Dislike	Dislike	Uncertain	Prefer	Strongly Prefer	Mode
Exhibition	1	15	34	42	7	Prefer
Co-option	3	12	45	38	1	Indifferent
Citizens' advisory group	4	20	29	41	6	Prefer
Hotline	12	8	39	29	11	Slightly bimodal
Citizen survey	7	15	41	33	4	Indifferent
Advocacy planning	7	18	41	31	2	Indifferent
Community worker	11	24	44	21	0	Indifferent
Television and film	20	25	32	19	4	Indifferent

The respondents appear to have neither a preference nor a dislike to eight participatory techniques: exhibition, co-option, citizens' advisory group, hotline, citizen survey, advocacy planning, community worker and television and film. However, these techniques are marked by careful planning and extensive preparation (exhibition, citizen survey and television and film), a relatively high utilisation cost (hotline, community worker and television and film), and demand a commitment from a council for the technique to be effective (co-option, citizens' advisory group, advocacy planning and community worker). The frequency distributions of the ratings given by the respondents to each of these techniques, however, show that there are two where the leaning is towards preference - exhibition and citizens' advisory group - and one, hotline, which is slightly polarised (see Table 9-7). This is probably because exhibitions allow information, that is difficult to convey in words, to be presented efficiently, whereas citizens' advisory groups encourage grassroots participation in local government without necessarily granting such groups broad powers. The hotline technique, which involves a telephone link system where a caller is able to ring in to receive or convey information, is strongly disliked by a higher than expected proportion of the respondents, when compared to the preferences for other techniques. While a hotline can be used to play pre-recorded

messages to callers, a more responsive and flexible system would require additional staffing, which probably makes it unattractive to some decision-makers.

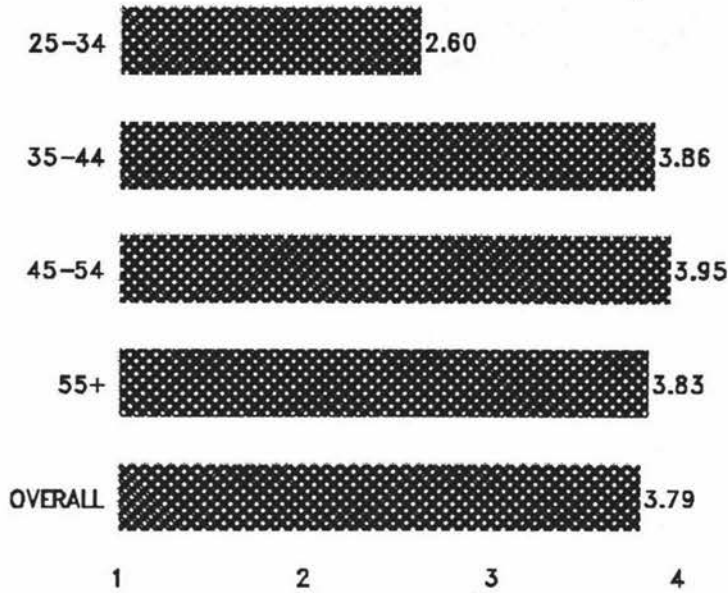
### **Differences in Preferred Techniques Across Respondent Characteristics**

The statistical tests to discern any differences in preferences for the techniques resulted in significant variations in the respondents' preference for six techniques, the differences brought about by age group, gender, status, council and type of council. The positions occupied by the respondents did not appear to influence preference.

#### ***By Age Group***

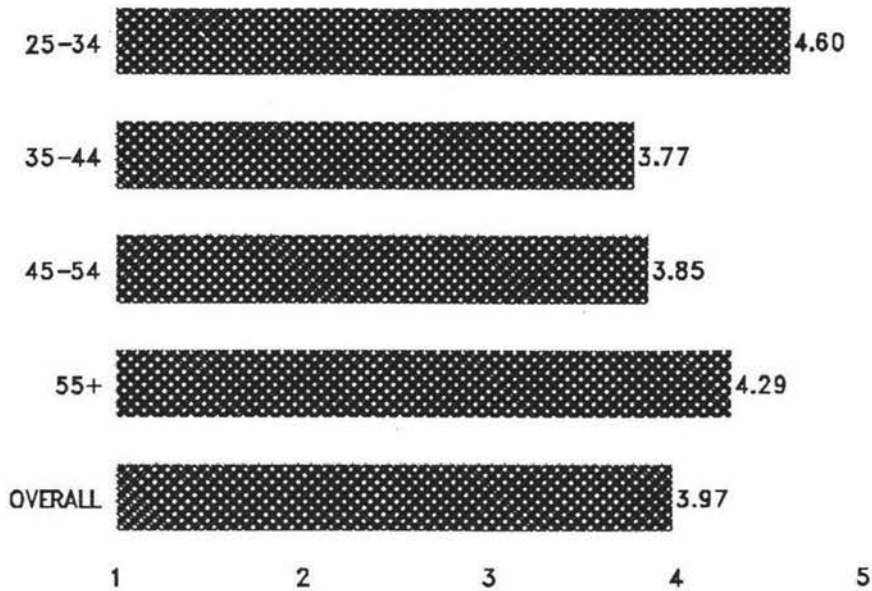
Preference for public hearings and small group discussions vary according to the age of the respondents. Public hearings are preferred most by respondents aged 45-54, followed by those aged 35-44 and 55 and older, with those aged 25-34 expressing indifference (see Figure 9-11). Generally, it could probably be said that older decision-makers are accustomed to public hearings as a means for involving the public in decision-making, a traditional method of public participation (Fagence, 1977). Further, younger decision-makers may feel that the conduct of public hearings, although decreed by law, makes them neglect other work. As noted earlier with respect to the difference in their opinion on whether to allow ratepayers to veto a council decision (see pages 185), younger decision-makers would rather get on with the job of making decisions without listening to different arguments that would eventually justify the decisions that would be taken regardless of a public hearing.

*Figure 9-11. Preference by Age Group for Public Hearings*



On the other hand, small group discussions are strongly preferred by decision-makers in the age group of 25-34 while decision-makers in all other age groups only prefer it (see Figure 9-12). No explanation can be offered as to why decision-makers aged 55 and older prefer the method more than those aged 45-54 and 35-44. Nonetheless, it could be said that small group discussions appeal more to younger decision-makers. By its very nature, small group discussion allows in-depth consideration of particular issues, which make it more attractive during the early stages of policy-making, where the depth of the issue is of more importance than the breadth of coverage.

*Figure 9-12. Preference By Age Group For Small Group Discussions*



### *By Gender*

Two techniques, exhibitions and co-option, seem to be preferred differently by gender (see Table 9-8). In both instances, female decision-makers prefer the technique while male decision-makers are indifferent to it. Exhibitions require the imaginative use of audio-visual aids to make planning documentation appear more dynamic. This being the case, the exhibition technique can facilitate the communication of a council proposal simply and graphically. Moreover, the display material can be of a suitable level of detail to enable a viewer to form judgments. These characteristics of an exhibition support an earlier finding (see page 186) that female decision-makers agree more than males to the dissemination of detailed information to the public.

On the other hand, co-option enables members of the public, usually those who are considered experts in a particular field, into the policy-determining structure of an organisation. In a study of New Zealand share investors, Catt (1966) found that

female share investors relied heavily on expert opinion, which is probably related to the more recent finding of Welsh (1988) that female business owners are reluctant to take risks. Extending these findings to the present study, it is probable that the obvious expertise of the co-opted individual can provide the details and perspectives female decision-makers feel they need in order to make an informed judgment on the merits of proposed plans.

**Table 9-8. Techniques Preferred Differently By Genders**

Public Participation Techniques	Mean Responses			t-ratio (2p < /t)
	Overall	Males	Females	
Exhibition	3.38	3.30	3.90	2.8261 (0.0116)
Co-option	3.23	3.14	3.80	3.9310 (0.0008)

Furthermore, assuming that councils consider a nominee's networking ability in deciding whether to co-opt them or not - as in the case of the Taranaki Regional Council - co-option becomes more appealing to female decision-makers. One of Welsh's findings is that women require better access to networks. In this respect, it is possible that female decision-makers feel that co-option provides them with a contact person who could open up such access.

### **By Status**

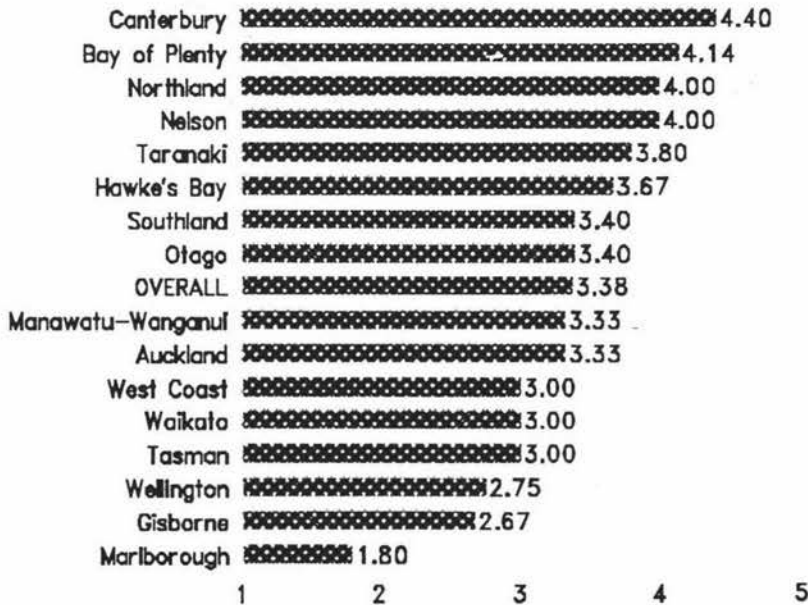
The respondents view the hotline technique for public participation indifferently. However, elected and non-elected decision-makers differ quantitatively on their preference for this technique ( $t = 2.1039$ ;  $2p < 0.0393$ ). Elected decision-makers give a higher rating (mean = 3.48) than non-elected decision-makers (mean = 2.92). Perhaps this variation could be due to the amount of work necessary to implement the technique. Non-elected decision-makers, as bureaucrats, would have to attend to

the details involved in running a hotline, which may make the technique less appealing to them. Elected decision-makers do not have to worry about these details.

**By Council**

The council where a respondent works appears to influence their preference for exhibitions ( $F = 5.41$ ;  $p < 0.0001$ ). Figure 9-13 shows that respondents from six councils prefer the technique, compared to respondents from nine councils who are indifferent to it, and respondents from one council who dislike the technique. The type of council is a factor in deriving this difference, as shown in Table 9-9 where respondents from regional councils prefer the technique while respondents from unitary authorities are indifferent to it.

**Figure 9-13. Preference For Exhibitions: By Council**

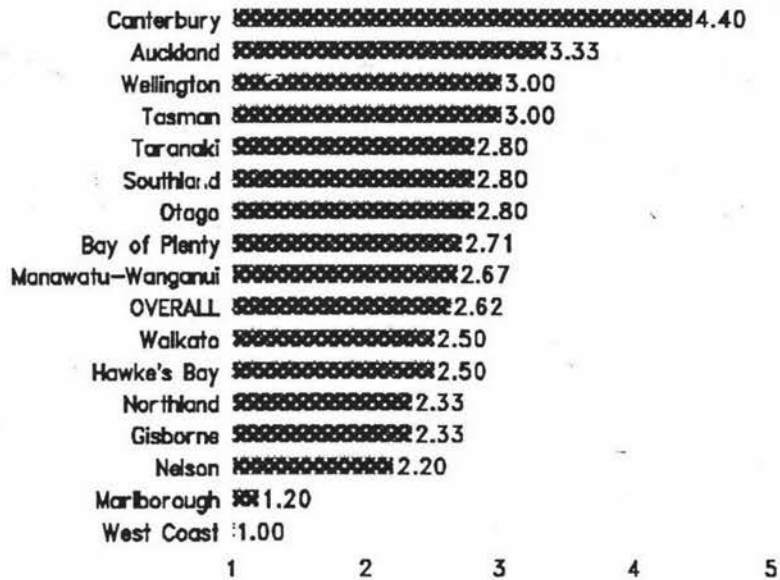


Although it is not apparent, a possible explanation for this difference is the availability of council personnel who have the ability to develop the graphics needed

to mount an exhibition. Larger councils would have a better than even chance of having such persons in their employ than unitary authorities. Moreover, the costs entailed in mounting an exhibition may be seen as a waste of ratepayers' money, thereby making the exhibition an unnecessary luxury for a small council.

The council where a respondent works further appears to influence their preference for the use of television and film in public participation ( $F = 2.71$ ;  $p < 0.0035$ ). As Figure 9-14 shows, the respondents from one, five, and two councils, respectively, prefer, dislike, and strongly dislike the technique, with respondents from eight councils seemingly indifferent.

*Figure 9-14. Preference For Television & Film: By Council*



It is apparent that the council where the respondents prefer the technique (the Canterbury Regional Council) is located in a region with its own television facilities (Canterbury Television, Christchurch). The respondents from the Auckland Regional Council and the Wellington Regional Council, situated in areas with easy access to television and film facilities, give high quantitative ratings to the technique, although

they are indifferent to it. Respondents from smaller regions show a lesser preference for the use of television and film. As seen in Table 9-9, the type of council also affects the preference for this technique. It could be argued that bigger regions require the coverage of the media in order to efficiently distribute information to the ratepayers. If this were the case, the F-test results would also be significant for newspaper and radio, which are also media forms. The fact that only the use of television and film varies significantly across councils supports the initial contention that access to such facilities influences preference for the technique.

### *By Type of Council*

Whether a respondent is associated with a regional council or a unitary authority appears to affect the preference for the participatory techniques of exhibition, television and film, and hotline (see Table 9-9). The variations in the preference for exhibition and television and film were earlier discussed. It is postulated that the resources available to the council play a role in the preference of the decision-makers to a particular participatory technique. The difference in preference for the hotline technique could not easily be attributed to this.

*Table 9-9. Techniques Preferred Differently By Type of Council*

Public Participation Techniques	Mean Responses			t-ratio ( $2p < /t$ )
	Overall	Regional Councils	Unitary Authorities	
Exhibition	3.38	3.58	2.85	3.1407 (0.2755)
Hotline	3.18	3.38	2.65	2.5524 (0.0152)
Television and film	2.62	2.79	2.15	2.1736 (0.0370)

It could, nonetheless, be possibly reasoned that unitary authorities have smaller

communities to govern, thereby making the hotline technique a relatively expensive one to maintain, compared to regional councils, which cover much larger areas, where the use of the telephone would be more advantageous. No more could be said about this variation, as both groups of decision-makers feel indifferent to the technique.

## **Conclusion**

New Zealand regional decision-makers subscribe to the democratic ideal that citizens from all walks of life have the right to be consulted by their elected representatives on policies and proposals affecting them. Thus, the respondents think that regional councils should consider public ideas before taking any decisions. They say this can only be done if planners and citizens alike maintain a continuous interchange throughout the planning process.

Relative to this, regional decision-makers feel that participatory programmes should seek the attainment of conflict management, particularly as a result of policies and plans that turn out as contentious; support-building, where community acceptance of these policies and plans are facilitated; education, where citizens are told everything they have to know about council functions, activities, and future directions; and decision-making, to the extent that public inputs are solicited but with decisions still finally taken by elected councillors. In the pursuit of these objectives, regional decision-makers prefer participatory techniques that are statutorily required and relatively easy to use, where citizens can present their own views, problems, or reactions to decision-makers.

A number of respondent characteristics influence the way that regional decision-makers look at public participation. Females are more inclined to ensure full dissemination of information to the public, as seen by their greater agreement to the proposition that detailed information on a proposal be distributed, and by their higher preference for exhibitions and co-option. Younger decision-makers approach their tasks in a more business-like manner, preferring methods where the issues can be

confronted in an informal setting and decisions quickly made without the need for formal protocol. Hence, younger decision-makers prefer small group discussions. Non-elected decision-makers pay closer attention to the effect of public participation on their working environment, in contrast to elected decision-makers, whose principal concern appears directed towards appeasing electors.

Although the size of the community serviced by a council appears to affect respondent preferences for exhibition, hotline, and the use of television and film, the availability and accessibility of resources and facilities still play an important role in moulding their predisposition towards these techniques.

**Chapter 10**

**PUBLIC PARTICIPATION PRACTICES BY  
REGIONAL COUNCILS**

**Techniques Employed**

Table 10-1 shows the mean responses to that part of the questionnaire which asked for the respondents' perceptions of the frequency of each of 19 participatory techniques as employed by council. On the average, the respondents say that seven techniques are almost always used, seven are sometimes employed, four are almost never utilised and one is never used.

Discussion documents, consultation with organisations, newspaper, open council meeting, public meeting, public hearing and radio are the techniques almost always used by regional councils to obtain the public involved in the planning process. Of these, four are statutorily required - consultation with organisations, newspaper, open council meetings and public hearings.

Discussion documents are usually used to initiate participation, as observed during the case studies on regional policy development. In both instances, the documents took the form of working papers and draft proposed statements, which were posted to stakeholders identified by the Taranaki Regional Council, and to the individuals and groups on the Hawke's Bay Regional Council consultation list. Newsletters, which were published by both councils, are also considered discussion documents by Fagence (1977). All regional councils use this technique, with respondents from six councils saying that this is always used.<sup>1</sup>

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<sup>1</sup> These respondents come from the Bay of Plenty Regional Council, the Canterbury Regional Council, the Manawatu-Wanganui Regional Council, the Marlborough District Council, the Northland Regional Council, and the Tasman District Council.

*Table 10-1. Participatory Techniques Employed*

Public Participatory Techniques	Mean Responses		
	Numerical	Standard Error	Graphic
Discussion documents	4.43	0.08	Almost always
Consultation with organisations	4.41	0.08	Almost always
Newspapers	4.32	0.09	Almost always
Open council meetings	4.26	0.11	Almost always
Public meetings	3.88	0.10	Almost always
Public hearings	3.83	0.11	Almost always
Radio	3.69	0.11	Almost always
Workshops	3.45	0.09	Sometimes
Small group discussions	3.28	0.11	Sometimes
Co-option	3.01	0.11	Sometimes
Exhibitions	2.94	0.07	Sometimes
Citizen survey	2.76	0.08	Sometimes
Hotline	2.71	0.15	Sometimes
Citizens' advisory groups	2.63	0.11	Sometimes
Advocacy planning	2.36	0.13	Almost never
Community worker	2.07	0.12	Almost never
Television and film	1.82	0.12	Almost never
Citizen review panel	1.65	0.10	Almost never
Referendum	1.37	0.09	Never

Councils use organisations either permanently, by establishing a continuing consultative process, or temporarily, by asking them to react to specific proposals or options (Ministry of Works and Development, 1978b). Thus, according to Fagence (1977), consultation with organisations serves three purposes: as a means of dynamic communication with government, carrying with it the weight of numbers, on specific causes and issues or objections; as a means of bargaining for the allocation of material, financial and human resources in the public sector; and as a means of organising individual members of the public into an effective force. In the formulation of its regional policy statement, the Hawke's Bay Regional Council used

organisations to obtain reactions from their memberships with respect to regional issues of significant concern. All councils consult with organisations, although respondents from seven councils say they always use this technique.<sup>2</sup>

The use of the newspaper and the radio is considered to be a vital means of publicity (Committee on Public Participation in Planning, 1969), serving to convey information, advertise council events, and solicit responses from the public (Ministry of Works and Development, 1978b). The common forms employed by councils, as evidenced from the case studies, consist of press releases, interviews to reporters on an issue of interest, the placing of public notices, the submission of articles outlining some council activities and radio talkback, the latter utilised by the Hawke's Bay Regional Council during its first year of operation. A respondent from the West Coast Regional Council reported that their council hosted a radio talkback show. Therefore, these two techniques provide the breadth of coverage techniques like small group discussions are not able to achieve. Newspapers reach a very high proportion of the regional population; so does radio, although the radio as a technique could also reach audiences composed of people who may not be particularly skilled in comprehending written material.

The open council meeting, which is statutorily required, is said by respondents as only almost always used. This seems to validate the observation by Bush (1980: 138) that

". . . some [local authorities] circumvent the legislation by holding allegedly-informal gatherings free of both outsiders and normal rules of conduct."

These gatherings - either at the offices of the chief executive or a council officer and usually prior to a meeting - are occasions where many decisions are reached, usually through negotiations, bargaining and trade-offs. Therefore, the council meeting can

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<sup>2</sup> These respondents are from the Canterbury Regional Council, the Manawatu-Wanganui Regional Council, the Northland Regional Council, the Otago Regional Council, the Tasman District Council, the Wellington Regional Council, and the West Coast Regional Council.

be seen as the stage where councillors can indulge in rituals and posturing that may well 'appease' the public, although they may not be any more enlightened about issues than before they attended the meeting. Thus, it is not surprising that, as some respondents point out, the public, generally, does not attend council meetings, in spite of the wide publicity accorded its conduct. Two reasons have been proposed to account for this low attendance: the perception by members of the public that they are not welcome at the meeting (Ministry of Works and Development, 1978b), largely resulting from the open council meeting being a statutory requirement; and many members of the public just do not feel attending a council meeting is worth their while, having better things to do, and the press usually report the important items (Bush, 1980).

Perhaps the primary reason why many of the respondents - although respondents from eight councils perceive this technique to be always employed<sup>3</sup> - perceive a lower-than-expected frequency in the conduct of the open council meeting is the exclusion of the public from all or some parts of a meeting. Whereas legislation provides that a resolution excluding the public must be placed and passed at a time when the meeting is open to the public, most agenda distributed before a council meeting already identify the items to be discussed in camera. Hence, it appears that the placing and passing of the resolution excluding the public is done as a matter of legislative compliance, rather than necessity. Because of the poor attendance of the public during these meetings, and the fact that members of the public who do attend have no right to voice their concerns - apart from the rare occasions when they obtain deputation rights, which they have to secure prior to the meeting anyway - these exclusion proceedings have largely remained unchallenged.

Public meetings are traditional techniques of participation (Fagence, 1977), used when a council wishes to present information on a particular plan or project at any time during the planning process (Rosener, 1975). They could take one of two forms

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<sup>3</sup> These respondents are from the Auckland Regional Council, the Canterbury Regional Council, the Manawatu-Wanganui Regional Council, the Northland Regional Council, the Southland Regional Council, the Taranaki Regional Council, the Wellington Regional Council, and the West Coast Regional Council.

- the open meeting, where an open invitation is extended to all citizens, or the closed meeting, where only members of identified interest and professional bodies are invited. The Hawke's Bay Regional Council used both forms, both in annual planning and in regional policy statement development. Respondents from two councils - the Tasman District Council and the West Coast Regional Council - say their councils always use this technique.

The public hearing is another technique almost always used by regional councils. As mentioned earlier, this technique is legally mandated, especially for hearing submissions on regional plans and policy statements, annual plans and notified consent applications, and is characterised by formal proceedings and an adversarial atmosphere. Largely because of this latter characteristic, and considering that, under the Resource Management Act 1991, a consent authority has the discretion on whether or not to hold a hearing on a consent application, some councils appear to avoid the use of this technique. The Taranaki Regional Council, for example, has kept the number of public hearings on notified consent applications to a minimum. Respondents from two councils - the Canterbury Regional Council and the Northland Regional Council - believe their councils always use this technique.

Only one technique is said to have never been used - the referendum. This is probably due to three characteristics of the referendum. First, it is expensive to conduct, although it could be held in conjunction with other elections. But, this poses a problem to elected councillors, especially if the election, to which the referendum is a rider, happens to be a local election. Here, there is no assurance that the elected councillors would still be with the council when the results of the referendum are deliberated upon. Second, the issues to be determined in a referendum need to be single issues, very clear cut and well-defined. Few planning issues are. Third, the public requires advance education on the issue at stake if a wise decision is to be reached. The non-utilisation of this technique could perhaps also be attributed to the existence of other means for soliciting public reaction to planning issues. Or perhaps the fact that no issue may have arisen that is so contentious as to demand a referendum. As the survey results indicate, however, the

reluctance of regional decision-makers to accept the idea of allowing the ratepayer to veto a council's decisions - which is reflective of an unwillingness to share power with the public - may have unwittingly prevented councils from employing this technique.

### **Differences Across Respondent Characteristics in Techniques Employed**

Differences in the use of public participation techniques were tested only across councils and between regional councils and unitary authorities. The decision-makers in one council fall under different age groups, can either be male or female, occupy different positions and may either be elected or not elected. Any differences in their responses to this part of the questionnaire would solely be 'perceptual' differences. Thus, the respondent characteristics of age, gender, position and status do not appear relevant to this discussion on the utilisation of participatory techniques.

The frequency in the use of the seven techniques is perceived differently by respondents across councils, while between regional councils and unitary authorities, eight techniques are seen to be employed differently.

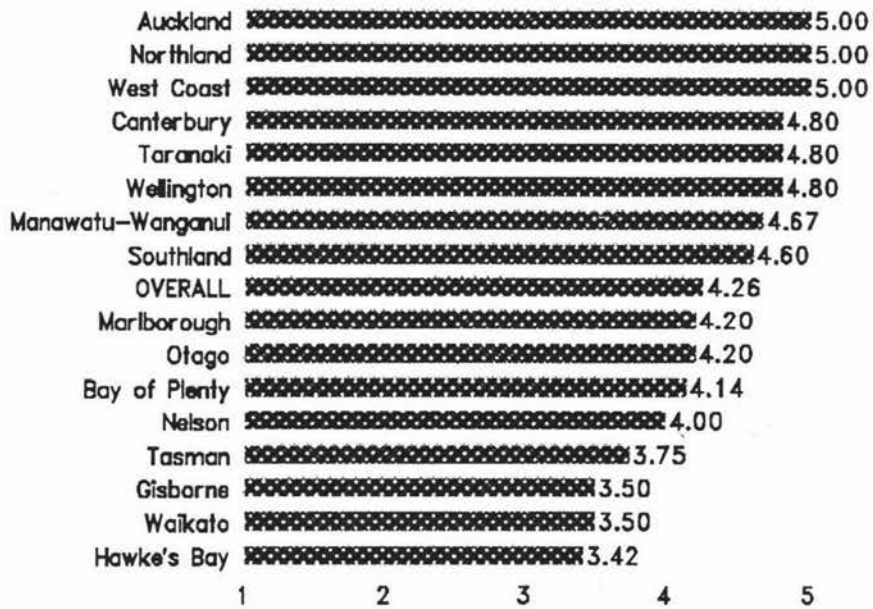
#### ***By Council***

The findings in this section should be treated cautiously. Respondents were asked their own opinions on the extent they perceive their councils to use each of 19 techniques. As there are several respondents per council, their perceptions can be accordingly grouped and generalisations about the use of each technique can be made. However, the extent that each of these techniques is *perceived* to be used may differ from their *actual* use, if objective measures, such as determining the number of person-hours spent running a technique, are employed.

Be that as it may, the survey finds that, when grouped by council, the respondents vary in their perceptions as to the frequency their councils utilise seven participatory techniques. These techniques are open council meeting, public meeting, exhibition,

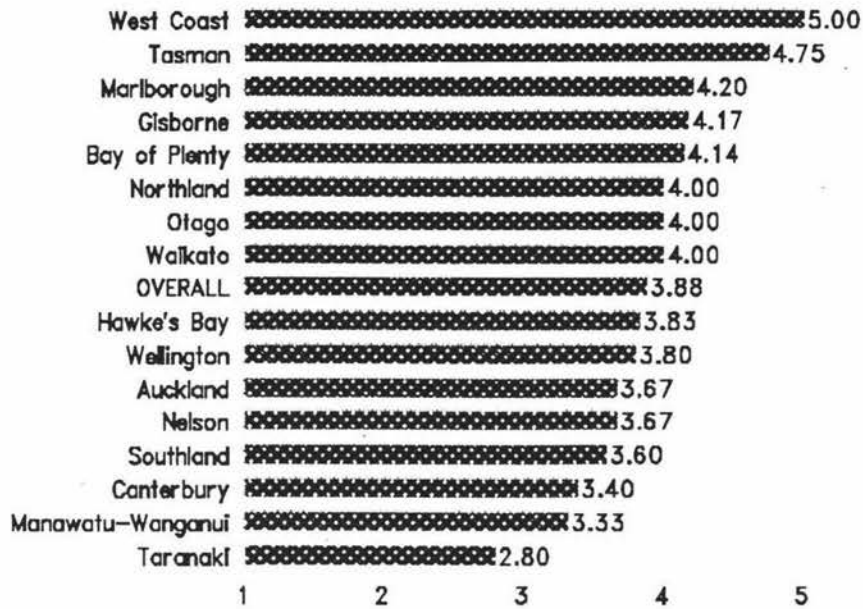
hotline, citizens' advisory group, advocacy planning and television and film. Two of these - exhibition and the use of television and film - were earlier established to be preferred differently by respondents across councils. Two are perceived to be almost always used (open council meeting and public meeting), three sometimes used (exhibition, hotline, and citizens' advisory group), and two are almost never used (advocacy planning and television and film).

*Figure 10-1. Use of Open Council Meeting: Perceptions by Council*



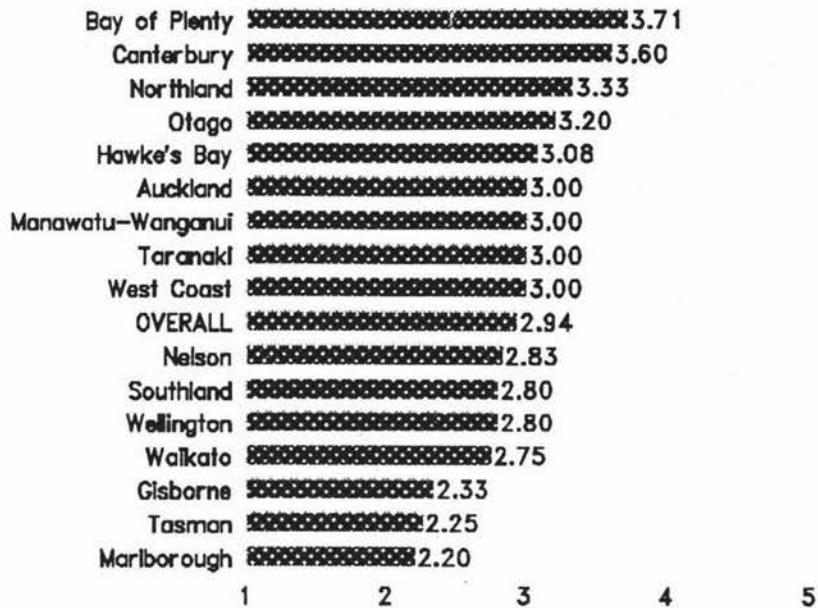
The conduct of open council meetings, which is statutorily required, is seen differently by respondents across councils ( $F = 2.00$ ;  $p < 0.0303$ ). Respondents from eight councils say that this technique is always employed, those from seven councils say that it is almost always used, and those from only one council, sometimes used (see Figure 10-1). One way to cross-check this apparent difference is to conduct a study of the agenda and minutes of all meetings held by each council to see whether the extent the public is excluded from a meeting is related to the perceived frequency in the use of the open council meeting.

*Figure 10-2. Use of Public Meeting: Perceptions by Council*



Council frequency in holding public meetings differ ( $F = 1.95$ ;  $p < 0.0362$ ) with respondents from two councils reporting that they always hold public meetings while respondents from three councils think they only do this sometimes. A public meeting provides an opportunity for a council to design an agenda that can foster dialogue and interaction among participants and officials. It is simple to run, can be implemented quickly and provides results. Yet, its atmosphere is said to often deter participants, except the most confident and articulate, from involvement in discussion. Thus, as a strategy for a council to generate public opinion reflective of the regional community, it may be of benefit to smaller regions rather than larger ones. An examination of Figure 10-2 seems to indicate that the frequency of conducting public meetings appears to be slightly related to some aspect of regional population size. The larger regions, in terms of population, are placed towards the lower end of the scale, while the smaller and less populated regions are near the top. Further research on the effects of different aspects of the regional population size (total number, density) would perhaps clarify this finding.

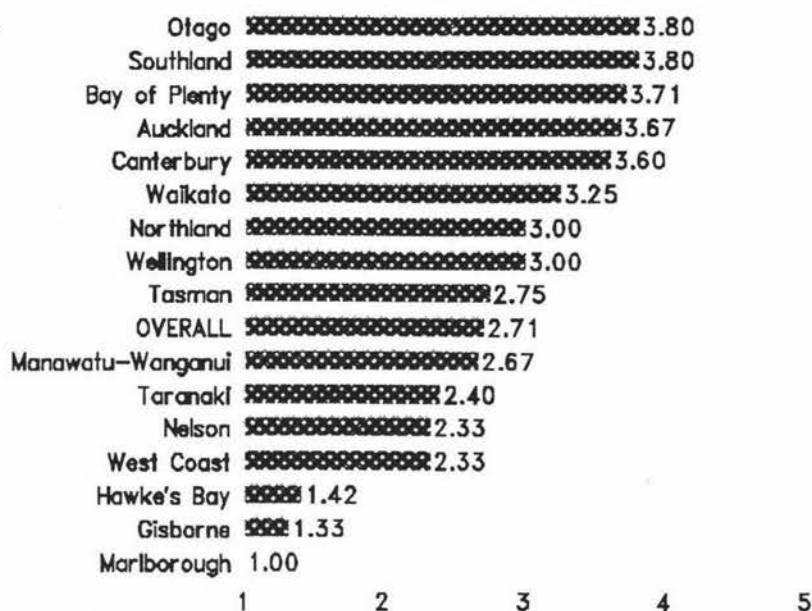
*Figure 10-3. Use of Exhibition: Perceptions by Council*



The mounting of exhibitions differs across councils ( $F = 3.74$ ;  $p < 0.0001$ ) as shown in Figure 10-3. Respondents from two regional councils state that their councils almost always hold exhibitions while respondents from three councils - all unitary authorities - say that their councils almost never use this technique. As seen in Table 10-2, the type of council also causes a variation in perception.

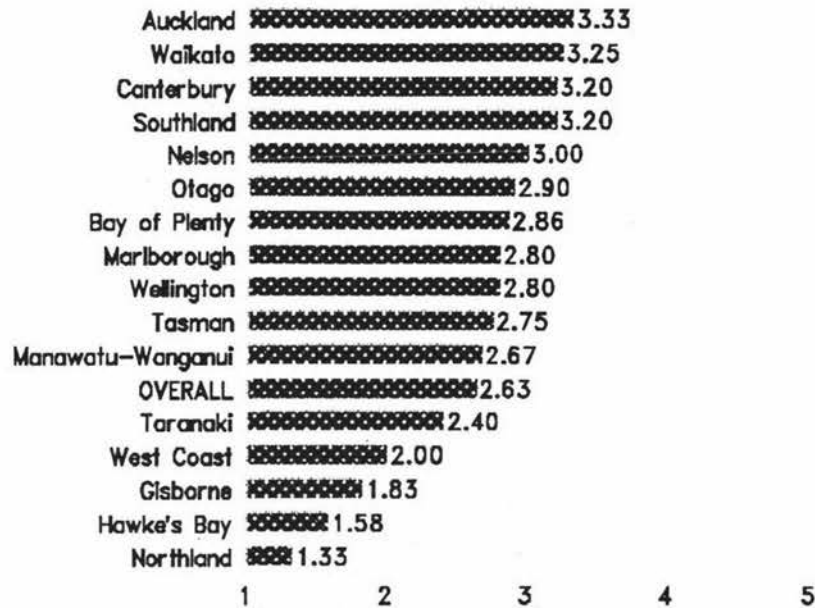
It is interesting to compare Figure 10-3 with Figure 9-13 which shows the preference of respondents, by council, for the exhibition technique. Respondents from the two councils where the technique is almost always used are the same respondents who prefer the technique most. At the opposite end, the respondents from five councils where the technique is said to be less used are the same respondents who prefer the technique less. In particular, respondents from the Marlborough District Council, who dislike the technique, place their council at the lowest end of the utilisation scale. There is an indication that the perception of this technique's use is related to a respondent's preference for it. Why this is so cannot be explained.

*Figure 10-4. Use of Hotline: Perceptions by Council*



The extent that a hotline is provided for the public to use as a means of reacting to issues differs across councils ( $F = 4.09$ ;  $p < 0.001$ ). Respondents from five councils declare that their councils almost always use the hotline technique while those from five councils say it is sometimes used. At the lower end are respondents from three councils where the technique is almost never used, and those from three councils where it is never used (see Figure 10-4). The hotline is usually used to convey simple information, record messages, or collect detailed responses on particular proposals (Ministry of Works and Development, 1978b) where it attracts people who may be deterred if written submissions are required. As such, it appears to be an appealing technique for regional councils covering highly populated areas, because it is a convenient way for obtaining a high response rate. Hence, it is easy to see why respondents from councils in highly-populated and large areas perceive their councils to use the technique more than respondents from councils in less populated and smaller areas.

*Figure 10-5. Use of Citizens' Advisory Group: Perceptions by Council*



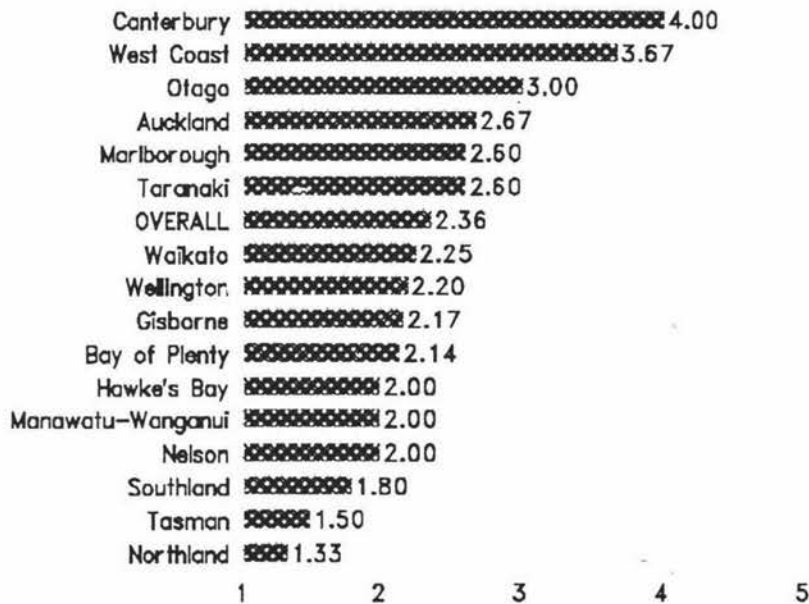
The use of citizens' advisory groups is another technique where the respondents, grouped by council, differ in their perceptions of use ( $F = 2.59$ ;  $p < 0.0048$ ). As demonstrated in Figure 10-5, respondents from 11 councils state that their councils sometimes use this technique, compared to respondents from four councils who say that their councils almost never utilise citizens' advisory groups. One council's decision-makers state that their council never resorts to it. Again, the size of a council's area of jurisdiction appears to affect the frequency of utilising citizens' advisory groups, which consist of a group of people assembled to represent the ideas and attitudes of the community and to advise the council. These groups are either formed to complete specific tasks or are established on a permanent basis.

Advocacy planning is employed by councils differently ( $F = 2.21$ ;  $p < 0.0161$ ). Figure 10-6 shows that respondents from two regional councils declare that this technique is utilised almost always by their councils while respondents from four and nine councils say that their councils use the technique sometimes and almost never, respectively. The respondents from one council think that their council never resorts

to advocacy planning. Fagence (1977) reports that advocacy planning is characterised by students, young practitioners and dissident practitioners. As such, most advocate planners operate outside the local authority. It is considered as

"... one of the channels of action through which people may try to humanize their technical apparatus; to make society less 'one-dimensional'; to prevent the exercise of bureaucratic power from leading to a new, diffuse despotism, in which power appears in the image of technical necessity" (Peattie, 1961: 87).

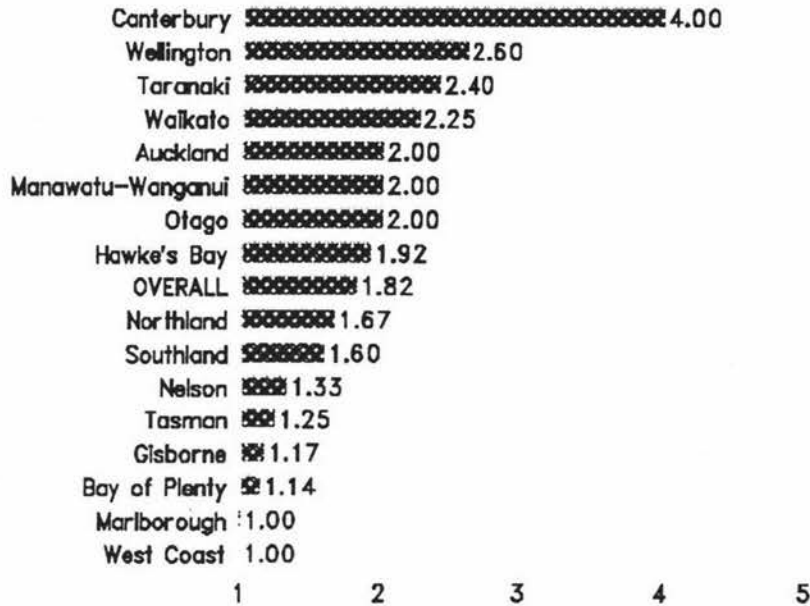
*Figure 10-6. Use of Advocacy Planning: Perceptions by Council*



In instances where advocate planning operates within the system, it involves the locating or allocating of a planner in a community in order to develop, with community members, a proposal which is then submitted for council approval. A proposal thus developed is seen as one that has the benefits of being well-formulated - in view of the planner's expertise - as well as having community approval for it was prepared by community members. Although not widely used by New Zealand

regional councils, nor preferred differently by respondents across councils, no plausible explanation can be given to explain this difference.

*Figure 10-7. Use of Television and Film: Perceptions by Council*



The employment of television and film for public participation differs across councils ( $F = 5.94; p < 0.0001$ ). The graph, Figure 10-7, appears to correspond slightly with that of Figure 9-14, which shows the varying degrees that respondents, grouped by council, prefer the technique. Again, respondents from councils situated in areas with easy access to television and film facilities say that their councils use the technique more frequently than other councils, especially those covering small population centres.

*By Type of Council*

The type of council affects the perception of the respondents as to the frequency the eight techniques are used: newspapers and open council meetings, both said to be almost always used; co-option, exhibitions, and hotline, judged to be sometimes used;

television and film and citizen review panel, perceived to be almost never used; and referendum, which is rated as never used (see Table 10-2).

**Table 10-2. Techniques Employed: Perceptions by Type of Council**

Public Participation Techniques	Mean Responses			t-ratio ( $2p < /t$ )
	Overall	Regional Councils	Unitary Authorities	
Newspaper	4.32	4.44	4.00	2.1639 (0.0382)
Open council meeting	4.26	4.42	3.86	2.5903 (0.0130)
Co-option	3.01	3.16	2.62	2.4413 (0.0187)
Exhibition	2.94	3.14	2.43	4.7544 (0.0001)
Hotline	2.71	3.06	1.81	4.4499 (0.0001)
Television and film	1.82	2.06	1.19	5.2267 (0.0001)
Citizen review panel	1.65	1.77	1.33	2.2701 (0.0273)
Referendum	1.37	1.46	1.14	2.1935 (0.0315)

In all cases, respondents from regional councils say their councils use the techniques more frequently than respondents from unitary authorities do. Perhaps this could be explained by the nature of unitary authorities *vis-a-vis* that of regional councils. Unitary authorities are single-district authorities exercising the functions, duties and powers of both a regional council and a territorial authority. Thus, apart from preparing such regional planning documents as the regional policy statement and the regional coastal plan, a unitary authority also has to prepare a district plan. With a smaller population base providing financial resources to carry out these functions, the unitary authority is faced with the dilemma between efficiently completing these documents within the shortest time frame possible and effective public involvement.

As a respondent from a unitary authority explains,

"There is always a question of the . . . cost of many of these [techniques] and the time factor. Such things as radio, newspaper, hotline, etc. are inclined to produce comment from the 'dedicated' and the 'radical' . . . and not necessarily from the majority. . ."

Thus, it is easy to understand why unitary authorities utilise newspapers, exhibitions, hotline, television and film, and referendum to a lesser extent than regional councils in gathering public comment with respect to the preparation of planning documents, because these techniques require a much higher financial allocation. Even co-option and citizen review panels are techniques that need financial support, in terms of meeting allowances and related expenses, from the unitary authority. The citizen review panel is a technique where elected or appointed citizen representatives constitute a panel reviewing alternative plans and decides which plan should be implemented. What is surprising and difficult to explain is the predisposition of unitary authorities towards lesser utilisation of the open council meeting as a public participation technique. Perhaps further research on this matter could clarify the difference.

### **Techniques Used Versus Techniques Preferred**

A t-test comparing the stated preference for and the perceived frequency in the use of each of the 19 techniques was performed to ascertain whether the preference for a particular technique affects the frequency in which that technique is used. The logic behind this is explained by the fact that these respondents occupy the top levels in the council hierarchy and, therefore, are in the position of influencing the choice of methods to be employed.

In conducting the t-test, the ratings each respondent gave to each technique in terms of preference and utilisation were paired, and the difference for each pair calculated. The difference was used to arrive at a t-ratio used to test the null hypothesis that the stated preference for a technique does not differ from the extent that it is perceived

to be used. The alternate hypothesis, in this case, is that the stated preference is different from the perceived extent of utilisation. Thus, there are two possibilities that may arise if the null hypothesis was rejected. One would be that the stated preference is greater than the perceived use of a technique, the other that the perceived use of a technique is greater than the stated preference for it.

**Table 10-3. Paired Comparisons of Stated Preference and Perceived Use of 19 Techniques**

Public Participatory Techniques	Stated Preference		Perceived Use		t - ratio (2p < 0.05)
	Mean Responses	Rank	Mean Responses	Rank	
Consultation with organisations	4.53	1	4.41	2	1.63 (0.1064)
Discussion documents	4.40	2	4.43	1	-0.39 (0.6964)
Open council meeting	4.27	3	4.26	4	0.21 (0.8373)
Newspaper	4.23	4	4.32	3	-1.12 (0.2652)
Radio	4.11	5	3.69	7	4.97 (0.0001)*
Workshop	4.06	6	3.45	8	6.65 (0.0001)*
Small group discussions	3.97	7	3.28	9	5.50 (0.0001)*
Public meeting	3.94	8	3.88	5	0.48 (0.6309)
Public hearing	3.79	9	3.83	6	-0.20 (0.8446)
Exhibition	3.38	10	2.94	11	5.16 (0.0001)*
Co-option	3.23	11.5	3.01	10	2.08 (0.0414)*
Citizens' advisory group	3.23	11.5	2.63	14	6.47 (0.0001)*
Hotline	3.18	13	2.71	13	3.62 (0.0006)*
Citizen survey	3.12	14	2.76	12	3.76 (0.0003)*
Advocacy planning	3.04	15	2.36	15	5.04 (0.0001)*
Community worker	2.75	16	2.07	16	6.43 (0.0001)*
Television and film	2.62	17	1.82	17	6.54 (0.0001)*
Citizen review panel	2.42	18	1.65	18	7.89 (0.0001)*
Referendum	1.96	19	1.37	19	5.19 (0.0001)*

\* Statistically significant difference

Table 10-3 shows the results of the t-test of the 19 techniques, where the t-ratios of

13 are significant at  $p < 0.05$  and those of six are not.

*Techniques Used to the Same Extent as Stated Preference*

The techniques where the t-ratios are not significant - consultation with organisations, discussion documents, open council meeting, newspaper, public meeting and public hearing - are traditional, relatively cheap methods, and require little preparation on the part of decision-makers, who have been using these techniques over the years and know their strengths and weaknesses. With this knowledge, no risks are taken, indicating the conservative nature of the respondents.

The relatively low financial requirement to run these six techniques augurs well for their use as much as they are preferred. The open council meeting does not demand additional costs, apart from providing a space where members of the public can seat themselves while the meeting is in progress. A council activity can generate several centimetres of print in a newspaper, especially if such an activity is covered by a news reporter. The costs of a hearing, where it concerns a notified resource consent application, is usually recovered from the applicant.

With the exception of discussion documents, the techniques where stated preference equals perceived use require less preparation on the part of decision-makers. In consulting organisations, for example, the minimum preparatory work required involves contacting the head of the organisation to set a schedule, arranging the venue (even so, the consultation may take place at the organisation's premises), and determining a broad range of topics to talk about. Even discussion documents could be prepared easily. All that is needed is to refine documents already prepared by the council for internal use to suit the nature of the organisation being consulted. The Hawke's Bay Regional Council, in particular, issued the same set of documents - with one set being a condensed version of the other - to serve as its working papers and issues-and-options papers, the latter supposedly being a result of the consultations earlier made with the community.

Perhaps the more important characteristic of the six techniques perceived to be used as much as they are preferred is the decision-making influence public participants have - more specifically, the lack of it - within the process where such techniques are employed. Admittedly, these techniques gather public reaction on planning issues, yet whether these reactions are actually considered in reaching a decision is a matter of opinion. The open council meeting, at worse, is a technique that does not even allow the public - except on rare occasions - to express their views. At best, the public hearing affords public participants the chance to stand up and express their opinions, yet the decision on the issue is still up to council, or committee members.

### *Techniques Used to A Lesser Extent Than Stated Preference*

In Table 10-3, the t-ratios derived for 13 techniques are significant at  $p < 0.05$ . These 13 techniques appear to be used less than their stated preference, which indicates that the respondents have a predisposition towards them, but when it 'comes to the crunch', they do not use them. The costs, budgetary or otherwise, associated with these techniques may be a constraint to their use. The conduct of a referendum, for instance, requires a considerable amount of money. Broadcast time on television also demands substantial dollar investments from council. The citizen survey takes a toll on the time spent in developing the survey instrument and interpreting the results. Advocacy planning and the use of community workers necessitate the commitment of council, through the allocation of council personnel to do the job effectively.

Decision-makers are leaders, perhaps visionaries, but like everybody else, they are limited by budgetary and other constraints. Thus, while most decision-makers are aware of the benefits of different participatory techniques, they are also aware that the mounting costs of public participation and the limited supply of resources - which are funded by rates - preclude discrimination in selecting the technique to employ when they have to involve the public. Alongside this is the concern that

"While it is clear that the public needs to be consulted on a wide

range of issues, not all citizens wish to be consulted and certainly there are many issues that have little interest to most people. The challenge is to determine which issues require inputs from the public, what segments of the public should be consulted, and how the necessary inputs can be obtained most effectively" (Sewell and Phillips, 1979: 358).

Another factor responsible is survey bias. Respondents were asked to indicate, along a five-point scale, the extent to which they prefer each of the techniques. In effect, they were asked to present what could admittedly be called a "wish-list", which reflects their predisposition towards some techniques without considering real-world constraints. Perhaps, if they were asked to compare each technique with every other technique and select the one they prefer more in each pairing, or if they were made to consider such constraints as budgetary, personnel and time, the results would have been different. Further research on this matter would be enlightening, if only to see whether these findings are replicated.

### ***Conclusion***

Of 19 public participation techniques, respondents use six to the same extent as their stated preference for them. These six (consultation with organisations, discussion documents, open council meetings, newspapers, public meetings and public hearings) are traditional methods, relatively cheap, and require less preparation on the part of decision-makers. The apparent conservatism of decision-makers, coupled with the concerns that other council work would be neglected as a result of participation activities, are possible explanations for this finding.

Where the costs in running a technique seem to be high, the technique is used to a lesser extent than the stated preference for them, as in the case of 13 techniques. Perhaps this could be explained by the fact that decision-makers, like everybody else, are constrained by budgetary limitations. Along this line, and probably as a consequence of their conservatism, regional decision-makers have not used any technique to a greater extent than their stated preference for it.

## Realisation of Public Participation Objectives

Part IV of the questionnaire requested the respondents to rate the degree to which they perceive that eight objectives of public participation were realised. Table 10-4 shows the mean responses to each of the statements, where it can be seen that three objectives are perceived to be substantially realised. These pertain to

- o containing administrative discretion, by enabling council members and officers to be more responsive to the regional interest;
- o decision-making, where inputs coming from the public influenced the decisions taken by the council; and
- o support-building, through which a favourable climate for proposed policies and plans is fostered.

The other five objectives - conflict management, market research, therapy, education, and behavioural change - are perceived to have only been adequately realised. It is noted that the statements pertaining to therapy, education and behavioural change - the three lowest rated objectives in terms of realisation - reflect ideas that respondents admittedly would not be in a position to categorically assess, for, as one respondent notes,

"It is difficult for councils to judge the effectiveness of its public participation programmes without directly consulting the public for its opinion. We would have to talk [with the participants] directly to determine this."

Nonetheless, it is presumed that decision-makers would have received, in the course of their contact with the public, indications as to the extent that public participation has affected the participants. Verbal comments, facial expressions and points raised in written submissions can act as subtle indicators on whether a participant has, say, learned something about how a council works. Although such evidence may be

circumstantial - and may not necessarily be a direct result of public participation - they still enable decision-makers to form a judgment on what their efforts have achieved. The low standard errors of the means - ranging from 0.08 to 0.11 - reflect the extent of the confidence limits for the responses and indicate a statistical reliability of the responses.

*Table 10-4. Realisation of Public Participation Objectives*

Statement	Objective of Public Participation	Mean Responses		
		Numerical	Standard Error	Graphic
Enabled council members and officers to be more responsive to the regional interest	Containing administrative discretion	3.83	0.08	Substantially realised
Provided inputs that influenced the decisions taken	Decision-making	3.80	0.08	Substantially realised
Fostered a favourable climate for proposed policies and plans	Support-building	3.50	0.09	Substantially realised
Resolved conflicts arising from policies formulated by the council	Conflict management	3.40	0.10	Adequately realised
Yielded objective information on citizen attitudes, evaluations, and needs	Market research	3.40	0.10	Adequately realised
Created participants' sense of community or community identification	Therapy	3.25	0.11	Adequately realised
Taught citizens how the Council works and how they can maximize individual benefits	Education	3.16	0.09	Adequately realised
Developed participants' self-confidence and self-reliance	Behavioural change	2.99	0.09	Adequately realised

### **Realisation of Public Participation Objectives by Respondent Characteristics**

The tests comparing mean perceptions on the achievement of public participation across various respondent characteristics show three objectives being seen as differently attained. These objectives pertain to

- o education, the realisation of which is perceived differently by age group and status;
- o conflict management, the perceived achievement of which varies between types of council; and
- o containing administrative discretion, perceived to have been attained differently across councils and by type of council.

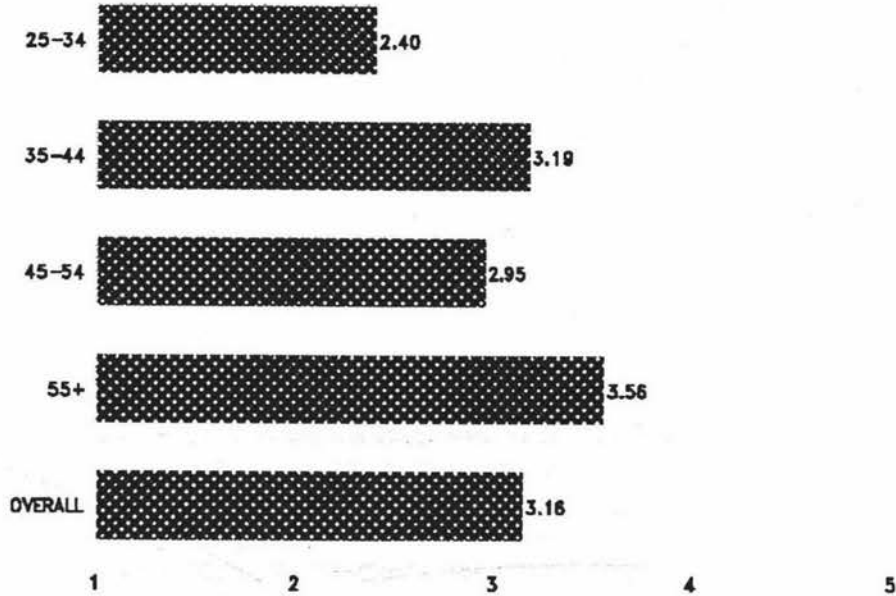
Gender and position in a council do not affect the respondents' perceptions of the extent that any objective was realised.

#### ***By Age Group***

Respondents differ in their perception of the extent that public participation has taught citizens how the council works and how the public can maximise individual benefits ( $F = 4.13$ ;  $p < 0.0094$ ). As reflected in Figure 10-8, respondents who are 55 years and older say that this objective has been substantially realised, compared to those in other age groups, specifically in the age range of 25-34, who say that this objective has been partially realised. It has been noted earlier that this statement is one of three statements where the respondents would have to rely on the feedback they obtain from public participants in order to make a reliable judgment as to its achievement. Assuming that older respondents have more experience in local government than younger respondents, this finding would indicate that length of service could have brought about this variation in perception. This is probably so, because the longer the employment in local government, the more chance of

receiving feedback from participants in the decision-making process.

**Figure 10-8. Realisation of Education Objective (Question 4-5): Responses by Age Group**



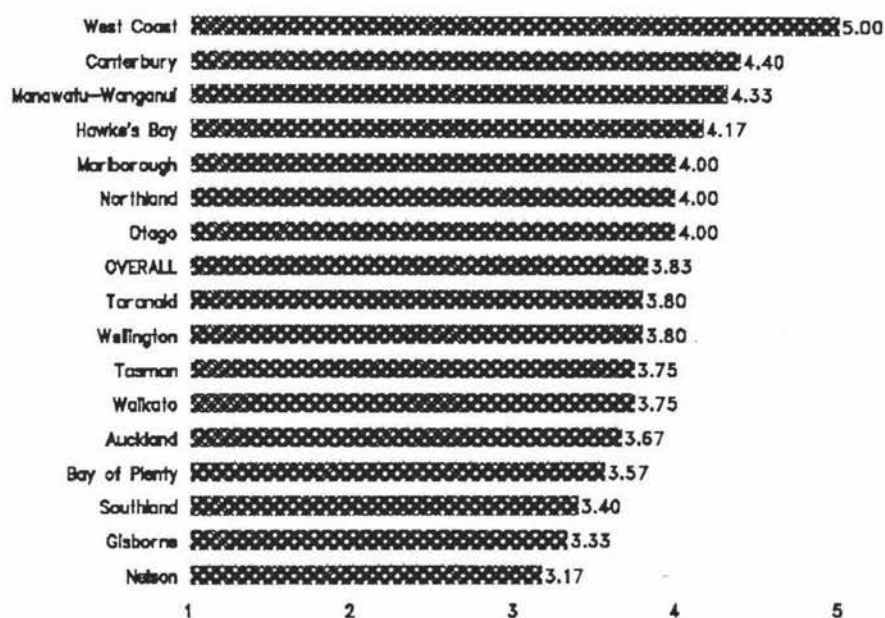
#### **By Status**

The same statement is also perceived differently by elected and non-elected decision-makers ( $t = 2.9951$ ;  $2p < 0.0038$ ). Both groups say that participatory strategies have adequately realised the education objective, although elected decision-makers give a higher rating (mean = 3.44) to its attainment than non-elected decision-makers (mean = 2.92). In this case, the extent that a decision-maker is in contact with the public seems to have an effect on the perception of the achievement of the education objective of citizen participation. Elected decision-makers, being politicians, may spend more time with the electorate, in general, and with the participating members of the electorate, in particular, in informal discussions of planning issues.

### *By Council*

Respondents, by council, differ in their perception of one result of public participation - enabling council members and officers to be more responsive to the regional interest ( $F = 2.66$ ;  $p < 0.0039$ ). Their perceptions, ranked and shown in Figure 10-9, range from adequate realisation (three councils) to substantial realisation (12 councils) to full realisation (one council).

*Figure 10-9. Responsiveness to Regional Interest (Question 4-7): Attainment by Council*



There does not seem to be a sufficient explanation to account for this difference. Large regions in terms of population are spread far apart, although predominantly urban regions appear to form a cluster in the middle of the scale. The type of council seems to have an effect on the responses, as will be shown in Table 10-5, with unitary authorities being placed towards the lower end of the scale.

As the statement purports to measure the objective of containing administrative discretion, these differences were compared with the degree of agreement to the statement reflecting a similar concept in Part I of the questionnaire - that discussion of all items in a council meeting should be open to the public - and with the use of the open council meeting. The responses to the conceptual statement do not differ significantly across councils, although they differ between types of councils. The use of the open council meeting is different across councils, although the spread of councils (see Figure 10-1) does not correspond with the findings shown in Figure 10-9.

With this in mind, it may be reasonable to say that the perceived realisation of this objective reflects the degree that the different regional councils have become responsive to the regional interest when making judgments on proposed policies and plans.

#### *By Type of Council*

Regional councils and unitary authorities differ in the perceived attainment of two objectives of public participation (see Table 10-5). These pertain to the containment of administrative discretion and to conflict management, the latter reflected through the extent that public participation resolved conflicts arising from policies formulated by council. In both cases, respondents from regional councils say that their councils achieved the objectives more than unitary authorities.

There appears to be a number of possible explanations for this difference between regional councils and unitary authorities. In the first statement, public participation is ascribed as a stimulus for council members and officers to become more responsive to regional interest. As the areas covered by unitary authorities are not, technically speaking, regions, it might be difficult for respondents from unitary authorities to literally think of their jurisdictional area as a region.

**Table 10-5. Achievements of Public Participation: Perceptions by Type of Council**

Public Participation Techniques	Mean Responses			t-ratio (2p < /t)
	Overall	Regional Councils	Unitary Authorities	
Enabled council members and officers to be more responsive to the regional interest	3.83	3.94	3.52	2.4584 (0.0192)
Resolved conflicts arising from policies formulated by the council	3.40	3.58	2.95	2.4925 (0.0190)

With respect to the statement referring to the resolution of conflicts arising from policies formulated by the council, the difference may be attributed to the fact that half of the unitary authorities are still settling down following their constitution into single districts in 1992. Thus, although both regional councils and unitary authorities have yet to fully realise their operational functions, at least half of the unitary authorities have a shorter insitutional history of conflict management.

### **Achievement of Objectives Versus Perceived Objectives**

Respondents were asked to rate the perceived objectives of public participation in Part I of the questionnaire. Part IV then asked the respondents to rate the actual achievement of various objectives of public participation. Questions in Part I and Part IV of the questionnaire were then paired according to the type of objective, e.g., questions 1-6 and 4-6 were paired together because they both related to 'support-building' (refer to Table 8-2). The aim of this part of the analysis was to compare how well a perceived objective was achieved according to the results presented in Part IV of the questionnaire.

Since the two parts of the questionnaire (Parts I and IV) included statements with different rating scales, it was necessary to standardise the responses to ensure that the mean of Part I responses equalled the mean of Part IV responses. A t-test was then taken between each set of pairs.

There are three possible results that could be obtained from this paired comparison t-test:

- o The null hypothesis is accepted, which means there is no difference between the standardised means. In relative terms, the perceived objective was *achieved to the same extent as expected*.
- o The alternate hypothesis is accepted and the actual achievement mean is higher than the perceived mean. In relative terms, the perceived objective is *overachieved*.
- o The alternate hypothesis is accepted and the actual achievement mean is lower than the perceived mean. In relative terms, the perceived objective is *underachieved*.

It should be noted that if the responses to Part I and Part IV are symmetrical, then there should be an equal number of *overachieved* and *underachieved* results. Further, it should be noted that the ideas of *underachievement* and *overachievement* are relative to the other objectives represented in the questionnaire; they are not absolute measures of achievement.

Table 10-6 shows that the t-ratios for all the eight objectives of public participation are very significant, with four having negative values and the other four positive values. The objectives where negative t-ratio values were obtained - containing administrative discretion, market research, therapy and behavioural change - are considered as *overachieved*, since their perceived realisation is higher than their expected achievement. On the other hand, the objectives of decision-making, support-building, conflict management, and education - where the t-ratio values are positive - are considered as *underachieved*, since their perceived realisation is lower than their expected achievement.

Table 10-6. *Expected and Perceived Results of Public Participation*

Objective of Public Participation	Responses to Conceptual Statements		Responses to 'Resultant' Statements		t-ratio (2p < /t)	Interpretation
	Question No.*	Standardised Mean	Question No.*	Standardised Mean		
Containing administrative discretion	1-7	2.45	4-7	3.81	-10.24 (0.0001)	over-achieved
Decision-making	1-2	4.52	4-8	3.78	7.22 (0.0001)	under-achieved
Support-building	1-6	4.04	4-6	3.49	4.68 (0.0001)	under-achieved
Conflict management	1-1	4.67	4-1	3.38	11.65 (0.0001)	under-achieved
Market research	1-3	2.73	4-2	3.39	-5.42 (0.0001)	over-achieved
Therapy	1-5	2.52	4-3	3.23	-4.69 (0.0001)	over-achieved
Education	1-4	3.96	4-5	3.14	6.40 (-0.0001)	under-achieved
Behavioural change	1-8	2.39	4-4	3.01	-3.63 (0.0005)	over-achieved

\* Refer to Table 8-2 for the actual statements.

It is interesting to note that the *underachieved* objectives comprise the stated objectives of public participation in New Zealand regional planning, as discussed in Chapter 9. Perhaps this is the result of applying participatory techniques without setting down the aims of public participation. Glass (1979) declares that many practitioners overlook the objectives they hope to accomplish by implementing a program of public participation. These practitioners select the participatory techniques they would utilise prior to, or even without, the identification of desired objectives. Among the seven techniques almost always used by New Zealand regional decision-makers, four are statutorily mandated which council has to employ regardless of whether or not such technique can accomplish the objectives of public participation council may desire. An obvious example is the use of the open council meeting, obviously to support the concept of public accountability in government. This technique, when used in a public participation program, is not likely to involve

significant numbers of the public, much less all sectors, in making their views known. Instead, it serves the objective of containing administrative discretion, which does not seem to be of primary importance to New Zealand regional decision-makers.

Another point to consider is the optimism that decision-makers attach to public participation. The reorganisation of local government in New Zealand - pursuant to the various amendment acts passed in 1988 - sought, among other things, to widen the opportunities for citizens to become involved in local government and effectively influence planning and decision-making. This apparent preoccupation with public involvement was magnified with the resource management law reform, which moved the focus of planning from controlling activities to the sustainable management of natural and physical resources, a concept that demands extensive input from the wider society in order to be successful. By putting public participation in the spotlight, Central Government raised the hopes of regional decision-makers on the results of public participation. But, as several writers have contended (Burke, 1968; Rosener, 1975; Glass, 1979), the objectives that can be attained by public participation programmes vary according to the participatory technique used.

Finally, and more importantly, there is the matter of a council's willingness to embrace public participation. Boaden *et al.* (1981) have identified, among other things, attitudinal factors within a local authority that shape the public participation environment. Planning ideologies held by non-elected decision-makers can affect their view of public participation and the part it is expected to play in the process. Those who subscribe to the belief that planning is comprehensive and future-orientated see planning as a technical exercise devoid of, or with little political content, while those who argue that planning should be essentially socially-oriented see greater public involvement.

On the other hand, elected members may see participation as a threat to their role as either elected representatives, claiming that they know what their constituents want and that they are better able to express these views, or formal decision-makers, because, by sharing power with the wider public, they feel that they are abdicating

the function they were supposedly elected to do. These attitudinal factors appear to be present among the decision-makers surveyed, as it has been established that they appear to be unwilling to throw their weight behind citizen control of the decision-making process.

### **Resources Devoted to Public Participation**

Of the 16 chief executives who were sent the questionnaire, five did not respond and two returned the questionnaires without completing them. In effect, data on council resources available for public participation could only be collected for nine councils. However, only six of these nine chief executives answered all the questions pertaining to council resources. Two refused to give an estimate of the percentage of council's annual budget that provided for participatory activities, saying that this could not be easily determined as it was not directly allocated. One chief executive managed to determine this, but skipped the questions pertaining to the number of planning personnel and the approximate time each devoted to participatory activities.

On the other hand, 11 respondents from seven councils (including a Corporate Development Manager who completed the questionnaire in lieu of the chief executive, and whose responses were not included in the preceding analyses) provided the data that chief executives were originally assumed to have. In addition, 17 respondents from 12 councils selectively declared information on council resources devoted to public participation by answering the questions pertaining to either financial or personnel resources, or the adequacy of these resources, or a combination of the three.

Considering these reactions, all available responses to this part of the questionnaire were taken into account, and these are presented here, not as conclusive findings, but as preliminary indicators of the breadth of resources that regional councils and unitary authorities in New Zealand dispense for public participation.

**Table 10-7. Estimated Average Annual Budgets and Number of Planning Personnel**

Council	Average Annual Budget (in million dollars)	Number of Planning Personnel (average)
Auckland Regional Council	no data	100
Bay of Plenty Regional Council	11.233	11
Canterbury Regional Council	38.467	24.5
Gisborne District Council	50.000	9.4
Hawke's Bay Regional Council	11.500	5.5
Manawatu-Wanganui Regional Council	15.500	6.5
Marlborough District Council	10.500	14.75
Nelson City Council	28.500	21
Northland Regional Council	no data	no data
Otago Regional Council	19.250	12
Southland Regional Council	8.950	5.5
Taranaki Regional Council	10.000	6.5
Tasman District Council	23.667	7
Waikato Regional Council	33.000	no data
Wellington Regional Council	45.750	30
West Coast Regional Council	3.000	5

Table 10-7 shows the respondents' mean estimates on the amount of their councils' average annual budgets and the number of planning personnel. As regards the latter data, it is interesting to note that respondents within a council do not form a consensus on the number of planning personnel employed by council, as evidenced by the data from seven councils which involved fractional figures. This could perhaps be a consequence of the professed confusion on what constitutes planning.

In simplistic terms, planning involves the setting of objectives, the identification of options, the selection of the desired alternative and the monitoring of its implementation. Therefore, it follows that personnel who are tasked with these activities would be considered planners. The fact that most councils have distinct

"planning" directorates does not make matters easy, as regulatory officers are also planners in accordance with the above definition of planning.

*Table 10-8. Resources Devoted to Public Participation*

Council	Public Participation Resources			
	Financial (% of annual budget)	Planning Personnel (% of time)	Perceived Adequacy	
			Numerical	Graphic
Auckland Regional Council	no data	no data	3.00	Adequate
Bay of Plenty Regional Council	13.33	18.00	3.72	Adequate
Canterbury Regional Council	5.00	25.33	4.00	More than adequate
Gisborne District Council	1.30	4.35	3.17	Adequate
Hawke's Bay Regional Council	8.00	27.55	3.00	Adequate
Manawatu-Wanganui Regional Council	5.25	22.23	4.50	More than adequate
Marlborough District Council	5.00	26.05	3.00	Adequate
Nelson City Council	3.00	7.62	2.83	Adequate
Northland Regional Council	no data	no data	no data	no data
Otago Regional Council	no data	32.25	3.00	Adequate
Southland Regional Council	10.00	25.64	3.50	More than adequate
Taranaki Regional Council	no data	25.62	4.50	More than adequate
Tasman District Council	5.00	28.43	3.50	More than adequate
Waikato Regional Council	0.50	15.00	3.00	Adequate
Wellington Regional Council	1.50	2.00	4.50	More than adequate
West Coast Regional Council	8.00	24.20	2.67	Adequate

Table 10-8 presents the available participatory resources provided by each regional council and unitary authority in New Zealand. Financial resources are shown as the average percentage of a council's annual budget as estimated by the respondents. For four councils, no estimates for budgetary resources are presented, two chief

executives refusing to provide any estimate while the other two chief executives did not respond to the survey at all (see Table 8-5).

Staff resources were measured in terms of the number of planning personnel who spend less than five percent, about 5-25%, about 26-50%, about 51-75% and more than 75% of their time on participatory exercises. For ease of presentation, the average percentage of time spent was calculated, multiplying the number of personnel assigned to each range as a proportion of the total number of planning personnel, with the midpoint of the range and summing up the products derived for each range. To illustrate, respondents from the Bay of Plenty Regional Council say that one of their 11 planning personnel devotes less than five percent of their time to participatory activities, eight spend about 5-25%, and two devote about 26-50%. To get the average time spent, the following computation was made:

$$[(1/11)*2]+[(8/11)*15]+[(2/11)*38]$$

where 2, 15, and 38 represent the respective midpoints for the less-than-five percent, 5-25%, and 26-50% ranges<sup>4</sup>, giving a value of 18.00%. Two councils have no estimates, mainly because none of the respondents attempted to answer the question, perhaps reserving it for their chief executives, who did not respond to the survey at all.

Perceived adequacy reflects the mean numerical and graphic responses to the rating scale provided to measure respondents' opinions on the adequacy of the resources allocated to public participation. The Northland Regional Council has no response to this item, because the chief executive did not return the questionnaire.

Respondents estimate that between 0.5% to 13.33% of their council's annual budget is allocated to public participation. Percentage-wise, these figures may appear small,

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<sup>4</sup> The other midpoints are 63 for the 51-75% range and 88 for the more-than-75% range.

but based on the average annual budget figures supplied by the respondents (see Table 10-7) these translate to expenditures running from \$165,000 to \$1,923,333 per year. This seems reasonable, as more than half of a council's annual budget goes to activities other than planning. For instance, the annual budget of the Taranaki Regional Council for 1993/1994 allocated approximately 41% to planning, regulation, public information and committee expenses while that of the Hawke's Bay Regional Council set aside approximately 32.5% for the same activities for the same year. The rest of the annual budget goes to support such activities as civil defence, land management and river control, pest and noxious plants control and debt servicing.

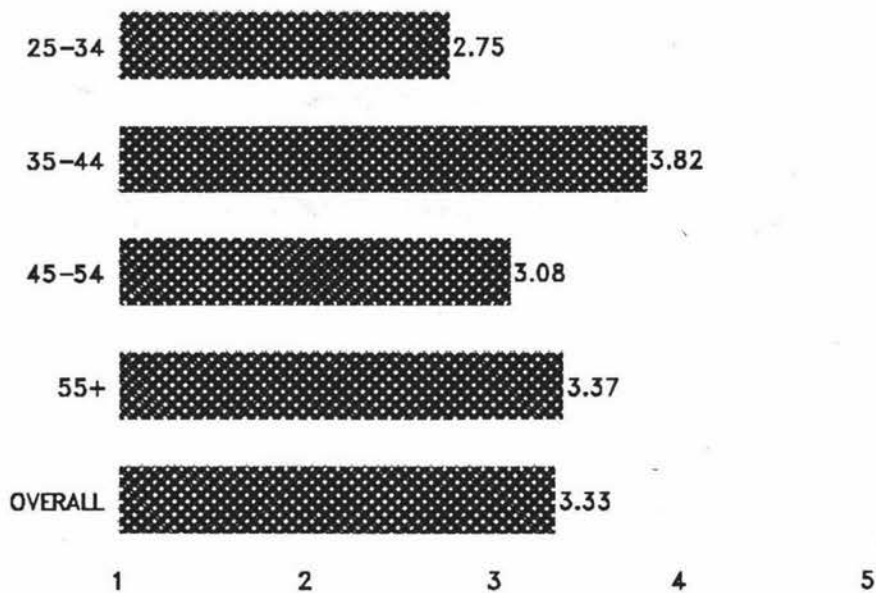
Planning personnel devote from 2% to 32.25% of their time on participatory activities, which translates into 9.6 minutes to 2.58 hours during an eight-hour working day. That means that between 5.2 to 83.85 working days a year are spent on public participation, with personnel from nine councils seen to cluster towards the upper limit. This time would be spent talking with members of the public to gather their opinions, attitudes and wants, as well as interpreting the mood of public participants with regard to planning matters.

Respondents from six councils judge their resources for public participation as more than adequate, while those from nine other councils say these resources are adequate, with respondents from one council abstaining from any judgment. These perceptions may not appear consistent with the extent that budgetary and personnel resources are available. However, it should not be forgotten that, in terms of budgetary figures, the percentages do not reflect the monetary amounts accurately. To illustrate, 1.5% of the average annual budget of the Wellington Regional Council is \$686,000 while 5% of the average annual budget of the Marlborough District Council is only \$525,000. Obviously, the base figure certainly affects the magnitude of the percentage.

Be that as it may, the differences in the perception of the adequacy of available participatory resources are statistically significant by gender ( $t = -2.5703$ ;  $2p < 0.0150$ ), by age group ( $F = 3.08$ ;  $p < 0.0414$ ), and by council ( $F = 3.33$ ;  $p < 0.0064$ ).

Although both male and female respondents rate available resources as adequate, male respondents give a higher numerical rating (mean = 3.36) than female respondents (mean = 3.00). This is probably due to the bias earlier found exhibited by female decision-makers towards the public dissemination of detailed information on a proposal and towards a preference for exhibitions, which is admittedly one way for achieving information dissemination. As these require financial support by a council, female decision-makers may view the level of resources available for public participation from a more critical perspective and, therefore, perceive the availability of council resources to a lower extent than male decision-makers do.

*Figure 10-10. Adequacy of Participatory Resources: Perception by Age Group*



Respondents aged 35-44 view participatory resources as more than adequately provided while respondents in other age groups say that these are only adequately provided, with those aged 25-34 giving the lowest rating (see Figure 10-10). This difference, as well as the variation in perceptions across councils (refer to Table 10-8), could not be easily explained.

The survey results pertaining to resources available for public participation among New Zealand regional councils are only preliminary. Yet, they show that different councils provide relatively less budgetary support in proportion to the average annual budget, for participatory activities. This is strengthened by planning personnel who devote about a fifth (20.30%) of their time to tasks related to public participation. Notwithstanding, key decision-makers judge these resources as adequate for their purposes.

As nothing more could be made out of these findings, perhaps a study could be conducted to conclusively assess the scope of council resources allocated for public participation.

## **Conclusion**

The mounting costs of participatory activities and the limited availability of council resources to support participatory programs appear to restrain regional decision-makers from employing different participatory techniques. Thus, most rely on methods that have been traditionally used, relatively cheap to run and require less preparation on their part. Moreover, these techniques also ensure that the power to take decisions still lies with elected councillors, a value that New Zealand regional decision-makers seem to want to hold on to.

Thus it is no surprise that the objectives public participation is aimed to attain have been underachieved, perhaps because the techniques utilised do not serve the objectives to be realised. The indications are strong that, until regional decision-makers become clear on what they want to achieve by involving the public in the decision-making process and are willing to allocate the appropriate level of a council's resources to it - budgetary and personnel - the attainment of these objectives will always fall short of their expectations.

***SYNTHESIS AND CONCLUSION***

## Chapter 11

# EMERGENT PERSPECTIVE ON PUBLIC PARTICIPATION IN NEW ZEALAND REGIONAL COUNCILS

The objectives set out at the beginning of this thesis outline the questions the study aims to answer. These are: What are the philosophies held by decision-makers in New Zealand Regional Councils on public participation? How do these philosophies relate to the actual practice of public participation in New Zealand Regional Councils? How effective is public participation in New Zealand Regional Councils?

This chapter reviews the findings from the case studies and the national survey and attempts to synthesize them into an overall perspective that explains the practice of public participation in New Zealand Regional Councils as it is at present. Recommendations to improve the practice of public participation are then made and areas for further research are presented.

### **Philosophy and Practice of Public Participation**

Decision-makers in New Zealand Regional Councils generally believe that public participation involves a genuine interchange between planners and people from all walks of life throughout the planning process. Thus, they agree that detailed information about a proposal or plan should be disseminated to the public, affording every resident in the region an opportunity to express views on such a proposal or plan. These decision-makers also believe that council decisions are easily accepted by the regional community when people and interest groups are involved in the decision-making process. Thus, they agree that the ideas of the regional population be always considered before any planning decisions are taken. With respect to policies and plans that may, in their opinion, become contentious, the best approach

is to ask the public to help in their formulation.

Yet, the extent of public involvement in the decision-making process has a limit, according to decision-makers. Public attendance during council meetings is limited to items which do not involve deliberations on commercially-sensitive matters, on cases involving council personnel, or on matters requiring legal action. The use by individuals of their own property is regulated to the extent that such use does not adversely affect the environment or the resources related to it. Ratepayers, even if they subsidise council, are not allowed to veto any of its decisions. Dissatisfaction with the performance of council members is expressed through triennial elections.

### **Techniques Preferred and Used**

With these values on public participation, decision-makers prefer participatory techniques that are relatively easy to use, such as consultation with organisations, discussion documents, open council meetings, newspapers, radio, workshops, small group discussions, public meetings, and public hearings. These techniques disseminate information, present proposals or options for public reaction, and seek responses to particular issues. Techniques which ask the public to approve, disapprove or select several alternative policies or plans are disliked, as in the case of constituting a citizen review panel or conducting a referendum. Preferred techniques are almost always used in actual practice, although radio, workshop, and small group discussions are used to a lesser extent than the stated preference for them. In addition, referendum is never used as a participatory technique.

### **Targets of Public Participation**

Major and minor elites are the segments in the society who are targeted for involvement in taking decisions on issues affecting the region. Major elites are organisations whose cooperation and advice council usually cannot do without. These comprise Central Government ministries and departments, constituent territorial authorities, industrial establishments, business concerns, resource consent holders and

generally-recognised Maori *iwi*. On the other hand, minor elites are voluntary organisations pursuing varied and specific interests and causes, such as many environmental groups, neighbourhood associations, sporting clubs and professional organisations.

### **Results of Public Participation**

The practice of public participation over the last four years is seen to have substantially enabled council members and officers to be more responsive to regional interest, who provide inputs that influenced the decisions taken and fostered a favourable climate for proposed policies and plans. These satisfy the objectives of containing administrative discretion, decision-making and support-building, respectively.

However, containing administrative discretion is not considered by these decision-makers as an objective of public participation. Moreover, decision-making and support-building are also seen by them as objectives that have not been achieved as expected. In effect, decision-makers do not appear to have any clearly-specified objectives for the practice of public participation.

### **Regional Councils and Public Participation**

The study shows that regional councils appear to conduct public participation exercises as a consequence of the legal mandate requiring them to do so. In presenting the timetables and activities related to the preparation of each planning document for council adoption, for example, the officers of both the Taranaki Regional Council and the Hawke's Bay Regional Council justify each step in the process with a corresponding legislative directive. Why else would both Councils resort to a non-statutory public notification of their respective draft regional policy statements? Or why would the Taranaki Regional Council contract a legal audit of its draft regional policy statement?

It is apparent, then, that the practice of public participation is a result of the parliamentary mandate for it. Whilst decision-makers in regional authorities believe in the democratic ideal that individuals should be consulted by their elected representatives on policies and proposals affecting them, this belief has not been translated into an operational program for public participation. Public participation in New Zealand Regional Councils appears to serve council interests more than the citizen. The Taranaki Regional Council, for instance, has a public participation programme designed to build public support for Council. The Hawke's Bay Regional Council, on the other hand, does not have an overall program for citizen involvement, but its activities are seen to focus on gathering the views of the regional public to provide the direction that its policies and plans should follow. In effect, the purpose of public participation is to increase citizen trust and confidence in regional government, thereby making it more likely for the public to accept the decisions made by council. This is clearly an administrative goal, as identified by Selznick (1966) in his analysis of the Tennessee Valley Authority.

The inclination to serve council interests rather than the citizen could perhaps be due to two factors. Firstly, New Zealand regional authorities are statutory bodies, whose existence depends on a parliamentary directive. As such, regional councils tend to ensure that their activities conform to the dictates of the statutes that created them. Thus, it is not surprising that, in a survey of the public consultation process in the 1991/1992 local authority annual planning round, the Local Government Business Group (1992) found that some local authorities confine themselves to the minimum amount of publicity required by legislation.

In the present study, it was found that public participation techniques employed are usually those legally-prescribed, such as consultation with organisations, public notification through local newspapers, the open council meeting, and the conduct of public hearings. Furthermore, survey respondents have shown that they use and prefer these statutorily-prescribed techniques to an equal extent. Apparently, regional councils have to demonstrate that they are legally-abiding authorities who do their work according to legal prescription, where failure to conform is considered a risk

to their legislative mandate.

Secondly, regional government as envisioned under the local government reorganisation process is relatively new. Regional councils were established in 1989, amid the prevailing ambivalent attitudes from many constituent territorial authorities, largely in an effort to provide leadership in establishing broader community policies and ensuring a coordinated approach to planning scheme preparation among neighbouring territorial authorities. Thus, regional authorities need to prove their effectiveness in so far as being the link between central and local government. The participation of the public, including central government and territorial authorities, in the decision-making process of Regional Councils provides that proof.

### **Unitary Authorities and Public Participation**

The situation of regional councils can be clarified by analysing the extent of public participation in unitary authorities. Unitary authorities appear to be less inclined to public participation than regional councils. This is evident through the differences established in the survey responses of decision-makers from both types of authorities. These differences were determined in two statements held on participation, the preference for three techniques, the use of eight techniques and the achievement of two objectives of citizen participation.

Respondents from unitary authorities agree less than those from regional councils to the idea that all items in a council meeting be discussed in the presence of the public. On the other hand, they concur with the statement that elected Councillors be allowed to take decisions without being influenced by citizen groups. Therefore, the stance of the respondents from unitary authorities indicates a bias against public involvement in decision-making. By being less inclined to public attendance in council meetings, for example, thereby keeping most deliberations (and information) away from public scrutiny, respondents from unitary authorities seem to ensure that council members can take decisions without any pressure from citizen groups.

This lesser enthusiasm for public participation is extended to the lower preference for, and lesser use of, participatory techniques by respondents from unitary authorities. Even the use by unitary authorities of three statutorily-prescribed techniques - newspapers (for public notification of planning documents and consents applications), open council meetings, and co-option - is lower than their use by regional councils. Three possible reasons can be advanced to explain this lower use of techniques by unitary authorities.

Firstly, unitary authorities have jurisdiction over smaller areas than regional councils. Hence, it is easier for decision-makers to know the views and attitudes of their 'regional public'. Secondly, the smaller area provides a lower population for rates to finance the activities of unitary authorities. The costs involved in mounting an exhibition or buying air time on television, for example, may preclude decision-makers from liking or using these techniques. Thirdly, and perhaps more importantly, the functions of unitary authorities - that of both a district council and a regional council - may mean that more work has to be done by councillors and personnel of unitary authorities within the same amount of time available to those in regional councils.

At the same time, unitary authorities enjoy an organisational advantage over regional councils. As a single-district authority, it does not have to link any constituent territorial authority with Central Government because it is its own constituent territorial authority. Thus, the need to establish its legitimacy is not so compelling as it may seem to be for regional councils. In this respect, public participation may be viewed as a luxury in terms of both time and money.

### **The Public and Public Participation**

Notwithstanding the difference between regional councils and unitary authorities, the target of public participation activities strengthens the case for citizen involvement in New Zealand Regional Councils as an administrative strategy to protect the stability of the regional authority. It is to be noted, however, that there is a

difference between the 'public' actively sought out for involvement and the 'public' who actually becomes involved. While all three types of 'public' (major elites, minor elites and individual members of the public) may actually participate in decision-making, they may not necessarily be the 'public' a participatory program seeks to draw into the planning process.

As earlier mentioned, major and minor elites appear to be usually actively sought out for participation in decision-making. This was demonstrated in the case studies of two regional councils, where Central Government ministries, like the Ministry for the Environment, and constituent territorial authorities figure prominently in public participation activities.

Depending on the technique used, the kind of 'public' targeted for involvement varied. The public meetings conducted by the Hawke's Bay Regional Council, during the annual planning round and in the formulation of its regional policy statement, targeted individual members of the public. Co-option of non-council members into the standing committees of both the Taranaki Regional Council and the Hawke's Bay Regional Council was directed towards major and minor elites. Even the activities under the PRIDE program of the Taranaki Regional Council varied in the 'public' they were designed to involve in decision-making.

This validates the suggestion of Fagence (1977) that, because it is difficult to devise a single, universally applicable method to enable an amorphous body such as the 'public' to participate in the decision-making process, different techniques need to be employed in inviting them. Thus, it is observed that, in the formulation of the Hawke's Bay Regional Council's regional policy statement, various techniques were used to gather the views of the regional community. The mailing of documents to those in the consultation list targeted major and minor elites, while public meetings and a radio talkback show were held to involve the unaffiliated individuals in the community.

The type of decision-making activity also determines the kind of 'public' targeted for

involvement. Individual members of the public are prominent targets during consent processing, perhaps because the activities covered by notified consent applications have a greater impact on the residents and property owners near the premises where the activities are carried out. The regional policy statement of the Taranaki Regional Council was prepared following intensive consultation with major elites. This has been interpreted as probably due to major elites being seen as either more directly affected by the policies enunciated in the document, or as an expediency towards ensuring the easy acceptance of such policies which, admittedly, determine the nature of regulations that may be imposed on developmental activities.

With public participation seen to pursue an administrative goal, it is expected that the extent decision-making power is shared with the public would be low. The evidence gathered in this study seems to illustrate this. Respondents' agreement to five statements pertaining to the liberal theory of democracy was established as significantly different from their agreement to two statements pertaining to the market rights argument. Yet, the difference in their agreement to both sets of statements disappeared when a sixth statement was added to the statements pertaining to democracy, making the six statements reflect the radical theory of democracy. This indicates that key regional decision-makers believe that, while individuals should be allowed to express their views on public policies, these views will only be treated as 'advice' and decision-makers are not, in any way, under pressure to adopt them.)

Analysis of the public participation activities of the Taranaki Regional Council and the Hawke's Bay Regional Council shows that, on the ladder of citizen participation developed by Arnstein (1969), these activities exhibit nonparticipation and tokenism. The PRIDE program of the Taranaki Regional Council is clearly a form of nonparticipation, being assessed as manipulation. The annual planning process of both Councils constitutes consultation, a degree of tokenism. Co-option and consents processing are seen to be more than a token gesture of participation, but not quite an arrangement for citizen control, because public input is not binding on Council.

Even Maori involvement in the decision-making process falls short of meeting the

partnership principle, both on the ladder of citizen participation and under the Treaty of Waitangi. As shown in the case studies, Maori have been accorded a special status by both the Taranaki Regional Council and the Hawke's Bay Regional Council. Standing committees have been constituted by both Councils solely to look into the Maori involvement in formulating resource management policies and issues. Yet, Maori are co-opted into the organisational structure only up to the recommendatory level, as the standing committees, where they are represented, have only recommendatory powers to full Council. Maori concerns on consent applications surface only if the *iwi* affected makes a submission to a notified application, just like other members of the public.

Respondents to the national survey equally agree to statements pertaining to tokenism and citizen control. Hence, respondents are seen to agree to participatory concepts that, in terms of power redistribution, fall between tokenism and citizen control. Thus, it is reasonable to conclude that decision-makers, while willing to get the public involved in the decision-making process, prefer to retain the continued right to take final decisions. In this context, public involvement appears to be limited to voting in elections and to advising decision-makers.

## **Effectiveness and Outcomes of Public Participation**

### **Defining Effective Public Participation**

Rosener (1978) suggests that any evaluation of citizen participation should start with determining the goals and objectives that a specified participation activity is expected to achieve. In the survey this was done indirectly, through the respondents' agreement to statements reflecting eight possible objectives of public participation in decision-making.

Survey respondents expect public participation to serve the objectives of conflict management, decision-making, education and support-building. Yet, when asked on the extent that these objectives have been realised over the past four years, they say

to a lesser extent than anticipated. Instead, public participation activities are seen to have enabled the achievement of the objectives of containing administrative discretion, behavioural change, market research and therapy. This is probably the result of using techniques without specifying the objectives that public participation is intended to achieve.

With no clearly-specified goals and objectives, the effectiveness of public participation could not be properly assessed. Nonetheless, a few comments on its impact on decision-making can be made.

The contention of Gittell (1983) that government-mandated public participation activities are least likely to increase public participation and institutional change seems to hold true for New Zealand Regional Councils. The statutory prescription of techniques and opportunities for public involvement becomes weak in the light of the absence of explicitly-specified goals and objectives for such exercises. Despite the focus on public participation during the resource management law reform exercise<sup>1</sup>, nowhere in the Resource Management Act 1991 can a provision be found that spells out exactly what such participatory exercises intend to achieve. Admittedly, clause 3 of the First Schedule of the Act discusses consultation<sup>2</sup> but this

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<sup>1</sup> See Fookes (1988) and Ministry for the Environment (1988a, 1988c).

<sup>2</sup> "(1) During the preparation of a proposed policy statement or plan, the local authority concerned shall consult -

- (a) The Minister for the Environment; and
- (b) Those other Ministers of the Crown who may be affected by the policy statement or plan; and
- (c) Local authorities who may be so affected; and
- (d) The tangata whenua of the area who may be so affected, through iwi authorities and tribal runanga.

"(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

"(3) Without limiting subclauses (1) and (2), a regional council which is preparing a regional coastal plan shall consult -

- (a) The Minister of Conservation generally as to the content of the plan, and with particular respect to those activities to be described as restricted coastal activities in the proposed plan; and
- (b) The Minister of Transport in relation to matters to do with navigation and the Minister's functions under the Marine Pollution Act 1974; and
- (c) The Minister of Fisheries in relation to fisheries management, and the management of aquaculture activities."

provision, however, is limited to the target of such consultation, rather than on what is expected to be achieved by the consultation. One needs to refer to case law to ascertain what such 'consultation' entails<sup>3</sup>. But, then again, the decisions handed down through case law would only seem to be incidental to the whole concept of prescribing public participation. After all, if no such case was brought to court, how could case law provide any explicit guidelines on public participation? Thus, public participation in planning is implicitly prescribed and practitioners are left to their own devices when it comes to translating such a prescription into practice.

### **Factors Affecting Predisposition to Effective Public Participation**

Public participation practice in New Zealand Regional Councils then is personality-driven. From the case studies, it is inferred that the use of participatory techniques depends to some extent on the Policy and Planning Manager of the Taranaki Regional Council and on the public relations coordinator of the Hawke's Bay Regional Council. As their ideas have been adopted and institutionalised, it is reasonable to believe that these have permeated the ranks of their respective Council's decision-making hierarchy.

The national survey confirms this finding, through the identification of three respondent characteristics that appear to influence a decision-maker's concept about public participation, namely: age, gender and status.

Younger decision-makers appear to be more 'business-like' in their approach to their work and emphasise the so-called 'depoliticisation' of council decision-making. Thus, they disapprove of the concept of a ratepayer's veto of a council decision and the conduct of public hearings, perhaps as a result of the possible interference that these could do to the accomplishment of their work. Female decision-makers seem to be inclined towards the public distribution of detailed information on a proposal and prefer the use of exhibitions and co-option for involving the public. These are

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<sup>3</sup> See Chapter 9, p. 181.

regarded as indicative of the tendency for females to be "reluctant to take risks" and to "require better access to networks", as Welsh (1988) has established in her study of New Zealand female business owners.

Elected decision-makers are seen to subscribe to popular vote-drawing concepts, as evidenced by their higher ratings to statements requiring a soft commitment about public participation. An example is the statement, "The average ratepayer knows best how to make the region a better and pleasant place to live in." While the idea offered in the statement is a popular idea, it does not provide any indication as to how exactly such knowledge will affect the policies and plans of council.

On the other hand, non-elected decision-makers seem to be more concerned with the effect of public participation on their working environment. For instance, they prefer the hotline technique less, perhaps because this technique requires additional work in terms of monitoring the messages the public may offer.

Another survey result which seems to indicate the extent that public participation is steered by individual personalities is the significant difference in the agreement of respondents, across Councils, to the concept that the ideas of the regional population must always be considered before any planning decisions are taken. Such a difference could not be ascribed to demographic or geographical factors and is assumed to be indicative of a council's particular stance on public participation. If this were the case, then, the drive for public participation can be reasonably attributed to the characteristics of, and values held by, individuals within each council.

These findings confirm the contention of Boaden *et al.* (1981) that the attitudes of planners and elected members shape the practice of public participation, especially in an environment where public participation is statutorily-required, where the commitment of decision-makers determines its success or failure.

### **Resources for Public Participation**

Resources devoted to public participation activities, although perceived by decision-makers as satisfactory, are relatively small. Between 0.5% to 13.33% of a Council's annual budget is allocated to public participation. Planning personnel devote from 2.00% to 32.25% of their time on participatory activities. However, these figures are approximations, as public participation is not directly allocated in annual budgets.

### **Recommendations For Improving Public Participation**

Public participation is implied in the planning processes of Regional Councils in New Zealand. Legislation prescribes opportunities and techniques for encouraging public involvement in the decision-making process. Decision-makers hold favourable values that augur well for the continued practice of public participation. Perhaps what Sears and Crothers (1979: 74) surmised more than a decade ago has come to pass: "[The] level of interest in public involvement is likely to continue far into the future rather than being a passing fad."

This study has examined the practice of public participation in New Zealand Regional Councils and it has explored the attitudes and beliefs of decision-makers towards involving the public in the planning process. As a result, two major areas where it is felt the practice of public participation could be made more meaningful, both for the Regional Councils and the public, have been identified.

Firstly, Parliament needs to **clearly state the goals of public participation activity** in local government. Glass (1979) argues that the reason why many participatory programs legislated in the United States met with failure is the lack of attention given to the results desired from participatory efforts. The New Zealand Parliament, as the body that created Regional Councils and prescribed participatory opportunities for the public, should strengthen the mandate given. With the apparent acceptance by regional council decision-makers of the concept of public participation, this should not be difficult.

One purpose of public participation is to serve the interests of government by producing trusting citizens who continue to work within prescribed channels even when their demands are not met. Another purpose is to serve citizens in their demands for plans that incorporate their needs and result in new or improved services. Whichever purpose Parliament opts to ascribe to public participation is outside the province of this study. What is important, is that, by stating the result expected from participatory activities, the expectations of regional councils and the public are aligned with the Government's intent. By being aware of what Parliament wants them to achieve, decision-makers in regional councils can dispel any ill feelings about public involvement in the planning process. By being aware of how their views are to be treated by regional councils, the public can be kept from participating in the decision-making process with false hopes, feeling their views will be considered in a manner beyond what the regional councils are willing to accord to these views. More importantly, the practice of public participation would graduate from the *ad hoc* or trial-and-error level at present, as regional councils would be conscious of the direction their participatory overtures are meant to follow.

Secondly, regional councils should endeavour to **develop and institute a public participation program**, with the agreement of their respective regional public, where the objectives of the program are itemised and the appropriate techniques that can best attain the objectives selected. The process of formulating such a program may be difficult, as Glass (1979) avers, it may be possible for citizens and planners to either not have a well-defined, broad purpose in mind nor share the same purpose. But with guidance from the goal that Parliament ascribes to public participation (assuming the first recommendation is adopted), the objectives can be identified and the techniques matching these objectives can be chosen. The adoption of a publicly-supported participatory program in the regional council will ensure that the participatory activities of council are directed to the right groups, thus facilitating the effective use of scarce resources. By being a party to the formulation of the participatory program, the public can be apprised of the participatory opportunities accessible and convenient for them. As Cunningham (1972: 599) asserts,

"[The] opportunity to participate . . . is what citizens are really after. They are not going to attend every forum and debate every question. But they want the right to do so."

A third area where an improvement of the participatory practice could be realised surfaces from the case studies of the experiences of two Regional Councils. It was not the intention of this study to delve into the involvement of Maori, as a special case, in the decision-making process. Yet, the arrangement instituted by both the Taranaki Regional Council and the Hawke's Bay Regional Council to draw Maori, as a major elite, into the planning process, necessitates a recommendation for improved co-option.

Considering that both Councils have constituted standing committees comprising co-opted members from the regional Maori community, Parliament needs to study this arrangement further with the aim of **elevating Maori participation in the decision-making process** of regional councils to satisfy the partnership principle under the Treaty of Waitangi. As suggested in Chapter 7<sup>4</sup>, Parliament could allot a council seat specifically to represent the regional Maori community, perhaps to the extent commensurate to the proportion of the Maori population *vis-a-vis* the regional population. In so doing, the Maori voice in decision-making is provided for, and Government can show its sincerity towards ensuring that the principles of the Treaty of Waitangi are consistently addressed.

These three recommendations are direct results of the findings of this study. However, they do not preclude the need for continued discussion of public participation among decision-makers. Therefore, it is further recommended that organisations like the New Zealand Planning Institute, the Local Government Association and the Ministry for the Environment regularly hold conferences or symposia that focus on the different aspects of public involvement in the decision-making process. Such forums, which would attract practitioners, academicians and the general public, would go a long way towards ensuring that the concept of public

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<sup>4</sup> See page 145.

participation is totally implemented. Experiences can be shared, lessons learned from failed endeavours, and inspiration from successful activities obtained. Thus, through continuing discussion a better understanding of public participation can be facilitated.

As regards the resources needed for public participation, no recommendations can be advanced. It is reminded that the findings of this study, with respect to resources, are only preliminary indicators of the breadth of available resources. Until a more in-depth study of the scope of these resources is made any recommendation on this aspect of public participation cannot be made.

### **Areas for Further Research**

During the course of doing this study, several areas for further research have been identified. Foremost among these is the need to survey other participants in the planning process as to the effectiveness of public participation. Fagence (1977) identifies these participants as the elected representatives, the planners, the public, external agencies, and consultants. This study has focused on the first two groups of participants. Ascertaining the assessment of the other three groups of participants would allow for a more comprehensive evaluation of the effectiveness of public participation.

A second area where further research is required pertains to the cost of public participation activities. While the costs in terms of the proportion of the annual budget and estimated time devoted by planning personnel to participatory exercises were explored in this study, a more detailed calculation of the financial and personnel resources allocated to public participation would be highly enlightening.

Thirdly, a number of studies could be conducted to further understand the dynamics behind the preference for, and use of various participatory techniques:

- o Utilise a different experimental method for determining preference for different techniques, possibly the paired comparison method. In this method,

each technique is paired with all other techniques. Respondents are then asked to choose from each pair the technique they prefer more, which can then be ranked according to the frequency each was chosen. Through this method, the preference for a technique relative to all other techniques can be established.

- o Use objective measures to calculate the extent different techniques are used, such as determining the number of person-hours spent running a technique over a predetermined period of time.
- o Explore, in greater depth, the factors affecting differences in preference for techniques, as established in this study. These refer to the effect of age on the preference for small group discussions and public hearing; and the effect of gender on the preference for exhibition and co-option.
- o Investigate the manner and extent that regional councils conduct open council meetings. This would include documenting the process observed from the determination of meeting agenda to public notification of the meeting to placing a motion to exclude the public from the meeting. The number of members of the public who attend the meetings could also be determined.
- o Establish the effect of demographic variables on the use of public meetings, a technique where a difference existed in the perception of respondents across councils of the extent that it is used. No reason is advanced to explain this difference, although it was suggested that some aspect of the regional population size (total number, density) could perhaps clarify the difference.

Lastly, a study on the overtures made by regional councils for Maori participation in decision-making would allow for a better understanding of the problems that beset decision-makers with respect to meeting the Crown's obligations under the Treaty of Waitangi.

## PUBLIC PARTICIPATION TECHNIQUES<sup>1</sup>

***Conventional Means***<sup>2</sup>: These methods are traditionally used in public participation programmes. They are considered to have a low level of impact on the decisions that are taken.

Technique	Scope and Features
Exhibition	Simple, graphical, maybe animated, displays, including films, intended to facilitate communication between planners and citizens. Visitors can be asked to record or discuss their comments with attendant staff. Prone to being considered as an obvious public relations exercise or a sinister way of information manipulation.
Drop-in centre	Permanent locations established throughout the city where citizens can drop in and interact with planning staff.
Hotline	A telephone link system where a caller is able to ring in and receive or convey information. Attractive to people who may be deterred if written submissions are required.
Public inquiry	A quasi-judicial meeting intended to hear planning evidence and argument. Designed primarily to consider argument between people with a direct interest in a planning development and/or interested and affected third parties. Affords a public examination of policies.

<sup>1</sup> Summarised from Fagence (1977), Committee on Public Participation in Planning (1969), Glass (1979), Johnson (1984), Rosener (1975), and Ministry of Works and Development (1978b), unless otherwise stated.

<sup>2</sup> The classification typology developed by Fagence (1977) is used to order the participatory techniques identified in the literature. Since only 23 techniques were considered by Fagence, the author's judgement was used to assign techniques mentioned by other writers into the various groupings.

- Public meeting, hearing, and workshop
- An opportunity to design an agenda that fosters or restricts dialogue and interaction among (a) all citizens or (b) identified interest groups and professional bodies. Suitable for disseminating information, exposing local politicians and planners to their client public, and airing sectionalised opinions. Susceptible to domination by the articulate, the vociferous, and the well-organised individuals or groups. Public opinions expressed appear to broadly represent those of the relevant public, if meetings are well publicized, held so that all parties have easy and equal access, and if all participants are consulted about their opinions (Gundry and Heberlein, 1984).
- Information documentation, discussion documents
- Publications made by the planning authority, such as reports of surveys and statements of policy intention, and monthly or quarterly bulletins or news sheets. Keeps local people informed about development plan proposals and progress. Directed to information-deprived sections of the community.
- Questionnaire survey
- Planned data collection intended to aid in description, prediction, decision-making, or the analyses of relationships between variables. Public responses on precise matters relevant to issues can be elicited prior to plan or policy formulation. Results are especially important during the formulation stage of the goal-setting process (Jackson and Shade, 1973).
- Documentary reporting through the media
- Dialogue with the press and, through them, the public. May include media coverage of council debates on big planning issues. Principal information source on planning issues for non-joiners (less highly educated). Radio talkbacks may be used to get people to register their opinions.
- Ideas competition
- Inviting the public to assist the planning authority in setting its priorities and in solving special planning problems, with a token award offered to the "best" idea.

	Public awareness is enhanced among the participants.
Design-in	Gatherings of 25-30 interested people provided with maps, scale models, and photographs of their community so they can see how planning issues affect their community. Allows participants to assess alternative planning proposals.
Referendum	Seeking community-wide opinion on planning issues through the voting procedure. Ballot procedure affords the franchised citizen time to ponder upon his/her answers. Suited to a single issue or a small number of issues. Appropriate to legal and constitutional matters and, in the representative sample form, suitable in gauging likely public response to easily identifiable issues.
Consultation with organisations	Groups and organisations which can disseminate information to their members assist planning teams in defining issues by (a) responding to participation policies and (b) reacting to specific proposals and options. Provides a framework for arranging and reconciling conflicting interests so that wider and long-term considerations are not ignored in disputes that might otherwise be resolved through short-term political considerations (Scott, 1992).
Community forum, neighbourhood meeting	Convened to bring together in discussion the active units or organisations in the community where (a) the planning authority can disseminate information on proposals, (b) constituent organisations can present their views to the planning authority, and (c) the planning authority and the organisations can set up a dialogue with each other.
Media-based issue balloting	Citizens are informed of the existence and scope of a public problem, alternatives are described, and then citizens are asked to indicate their views and opinions.

Electoral activity	A candidate for public office seeks votes with a pledge to support or oppose certain planning choices.
Citizen complaint (Desai, 1989)	Used particularly during the enforcement or in writing or verbally (face-to-face or by telephone). Seldom seen as a method of public participation, although it appears to be the most widely used method of individual participation.

***Innovative Means:*** These are participatory methods that have been designed primarily to sustain a high level of impact on the decision-making process.

<b>Technique</b>	<b>Scope and Features</b>
Delphi method	Combines the knowledge and abilities of a diverse group of experts in order to develop a consensus towards policy or plan formulation. Devised to ameliorate the undue influence of psychological factors such as dominant personalities, reluctance to retract publicly expressed opinions, and the "bandwagon" influence of majority opinion, among other things, that are inherent in round-table discussions. Experts do not meet face-to-face and may participate at their own convenience. Participants should have reasonably comparable knowledge of the subject under consideration and be able to express themselves well in writing, as it involves the use of a postal questionnaire.
Nominal group	Designed to achieve a high degree of innovation and creativity in identifying strategic problems and developing appropriate programmes of solution. Steps include (a) a period of written responses to the nominal question posed by the session leader, (b) a round-robin recording of each participant's responses, (c) a group discussion of each response, (d) a voting

- period for ranking the top five to seven responses, and (e) a vote tally. Its maximum effect is realised in the development of a range of alternative solutions to a problem, and the reduction, through analytical discussion, of the inventory to one or two generally acceptable choices.
- Charrette  
Method of plan formulation by (a) establishing a working relationship between people from the community and from outside it (consultants, local government officials, and politicians), and (b) increasing the awareness of the community to the intricacies of planning and of the outsiders to the problems within the community as perceived by those residing in it. Usually, a time constraint of one to two weeks, encompassing daytime and evening sessions, is imposed on the plan generating episode.
- Gaming-simulation  
Facilitates experimentation with policy options and several proposals in order to assess their impact, and in order to gain appreciation of the impact of selected variables. Aids public participation by enabling (a) representatives of interest groups to play their own roles and experience inter-group interaction and (b) individuals to act out other roles, thereby gaining insight into other dimensions of the decision-making process in planning.
- Scenario writing  
Formulating a scenario or a set of scenarios from a set of conditions in the present, using knowledge and intuition to predict a future environment. The accuracy of plans or policies formulated as a result of the technique is susceptible to incompleteness, the obscuring of interactions between various factors, the subjective assignment of values, and the presence of prejudice.
- Advocacy planning  
Locating, or allocating, a planner in a community to develop, with the community's members, a plan which is then

submitted for approval by the planning authority. A pluralistic and partisan planning orientation that seeks to (a) review and evaluate specific planning proposals which affect low-income communities; (b) develop planning strategies, physical designs and implementation programs for these communities; and (c) act as planning advocates for these communities in order to make public plans reflect their needs (Peattie, 1968).

Citizens' advisory group, committee, panel

A group of people is assembled to represent the ideas and attitudes of the community, to provide advice on plans, to aid in goal identification, and to assist in needs assessment. Has limited authority, organisational ties to a specific government or agency, and large membership reflecting the social and economic make-up of the population served by the planning authority.

Open council meeting

An attempt to bring residents into the planning, policy and decision-making processes. Members of the public can ask questions or address Council members for 15 minutes before the start of the meeting. In some cases, residents are allowed to speak on specific issues.

Citizen planning commission, board

Prominent community leaders are appointed to a planning board to screen proposals and recommend action in planning decisions. Also allows citizens to advise city agencies on budget priorities and evaluate public service delivery.

Area management

A system of planning and public service delivery within designated sub-city areas. The bodies constituted grant or refuse planning applications for their areas and carry-out planning-related activities.

Arbitration and mediation planning

Labour-management mediation and arbitration techniques are utilised to settle disputes between competing interest groups in the planning process.

Citizen employment	Involves the direct employment of <i>client</i> representatives in the agency. Said to result in a continuous input of clients' values and interests to the policy and planning process.
Citizen honoraria	Intended to serve as an incentive for the participation of low-income citizens, the honoraria is meant to dignify the status of the citizen, thereby placing a value on his/her participation.
Analysis of judgement	A technique for obtaining priorities and trade-offs among several issues considered in combination. Shows that conflict is the result of honest differences in judgement policy, rather than competing self-interest. Allows citizens to exercise their judgement about planning alternatives and analyze those judgements in order to provide potentially useful information for planners (Stewart and Gelberd, 1976).
Value analysis	A group of citizens is convened and asked to identify and rank the consequences of various planning proposals.
Citizen review board	Decision-making authority is delegated to either appointed or elected citizen representatives. The review board reviews alternative plans and decides which plan should be implemented.
Co-option	Power given to a planning authority to invite (co-opt) individuals of merit and with specialised knowledge to serve on planning committees. Effects the direct representation of bodies vitally concerned with planning, secures additional professional advice, and obtains local knowledge and advice.
Fishbowl planning	All concerned parties can express their support or opposition to an alternative before it is adopted, thus bringing about a restructuring of the plan until it is acceptable to all. Involves the use of several participatory techniques - public meetings, public brochures, workshops, and

	a citizen's committee.
Focused group interview	Guided interview of six to ten citizens where individuals are exposed, and can react, to each other's ideas. Designed with the assumption that more information is available from a group than from individual members.
Planning balance sheet	An evaluation methodology is applied to provide for the assessment and rating of project alternatives according to weighted objectives of local interest groups.
Policy capturing	Involves mathematical models of policy positions of affected parties. Attempts to make explicit the weighting and trading-off patterns of an individual or a group.
Priority-setting committee	A narrow-scope citizen group is appointed to advise a public agency of community priorities in community development projects.
Ombudsman	An independent, impartial administrative officer who acts as a mediator between citizen and government to seek redress for complaints, to further understanding of each other's position, or to expedite requests.
Group dynamics	To highlight substantive issues, group interaction is facilitated through either interpersonal exercises or problem-solving techniques.

***Self-Help Means:*** These are participatory methods intended to guide the citizens in their desire to get involved in the decision-making process. They have been designed to protect the interests of the participants.

Technique	Scope and Features
Self-help manual	A do-it-yourself kit intended to guide

participants' actions and/or thoughts during the decision-making process. Primarily aimed towards the recognised joiners, as these reveal potential avenues for participation, as well as organisational and competence prerequisites for success.

Planning aid

Fashioned to meet technical requirements of a disadvantaged and largely threatened clientele, usually poor communities near city centres. Educates and facilitates by providing (a) information on the nature of the planning process, its procedures, the rights of the individual or group, the purpose of planning, and the policies and proposals of the planning authority, (b) advice on how available rights may be exercised to achieve maximum advantage in terms of relationships with councillors, experts, other individuals and groups, and on preparation of a tenable planning argument, and (c) technical expertise to individuals who cannot afford to hire professional advisors.

Citizen task force

Used to probe complex matters and to produce a report or series of recommendations for action. May take the form of a "little city hall", as it forms part of the decision-making process, or as a trouble-shooting committee, as a meaningful structure for grassroots activities.

Community worker,  
c o m m u n i t y  
development officer

Usually employed by councils to foster community groups and increase community participation. Brings relevant planning issues to the notice of community groups. Helps community group to organise itself to carry out the tasks of commenting on town planning issues.

C o o r d i n a t o r ,  
coordinator-catalyst

A single individual is assigned to provide a focal point for public participation in a project. The coordinator remains in contact with all parties and channels feedback into the planning process.

Open-door policy

Encourages citizens to visit a local project

	office at any time on a "walk-in" basis. Facilitates direct communication.
Neighbourhood planning council	Council serves as an advisory body to the public agency in identifying neighbourhood problems, formulating goals and priorities, and evaluating and reacting to the agency's proposed plans. Allows participation on issues which affect a specific geographical area.
Special rights of consultation	Statutory requirement for planning authorities to consult certain voluntary organisations, like amenity societies, coordinating bodies for social welfare, and rural community councils.
Involvement by activities	Provides opportunities for members of the public to assist in the undertaking of planning authority activities. Examples include (a) allowing groups and individuals to arrange meetings and organise publicity, (b) asking the public to help in arranging and staffing exhibitions, (c) inviting organisations to distribute material both to their own members and on a door-to-door basis, and (d) letting societies assist in a survey work.
Insider relationship	Close relationships with Council members in the resolution of planning problems, where the member gives the neighbourhood group information on issues and suggests strategies for influence. Resembles a continuing market transaction, where the official grants attention and information in exchange for political intelligence and moral and electoral support.
Plural planning	Each interest group has its own planner (or group of planners) with whom a proposed plan based on the group's goals and objectives is developed.
Lawsuit against public officials	A "last-resort" action by an opponent to a project who had unsuccessfully fought against it through standard procedures. A definitive court ruling on either side shapes

future similar planning decisions.

***Improved Communications Technology:*** Participatory methods that utilise electronic communications technology in the conduct of participatory exercises.

### **Technique**

### **Scope and Features**

Interactive cable-TV-based participation

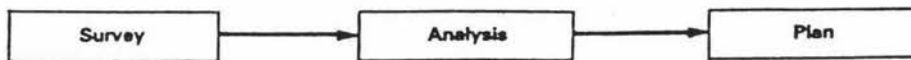
Utilises a two-way coaxial cable TV to solicit immediate citizen reaction.

MINERVA (Multiple Input Network for Evaluating Reactions, Votes and Attitudes)

Fosters, through electronic communications technology, a system of mass social communication. Has the following features: (a) a capacity to broadcast to a mass public; (b) a "live" group dialogue of a geographically dispersed mass public; (c) a continuous "live" feedback between the "audience" and the "broadcasters", as in a successful public meeting; (d) the recording of participants' public responses and the reporting of the evolving positions to the participants; (e) the interjection of expert information into the dialogue; (f) the establishment of rules to regulate access to the system; and (g) the capacity to provide opportunities for inter-group or inter-person dialogue (Etzioni, 1972).

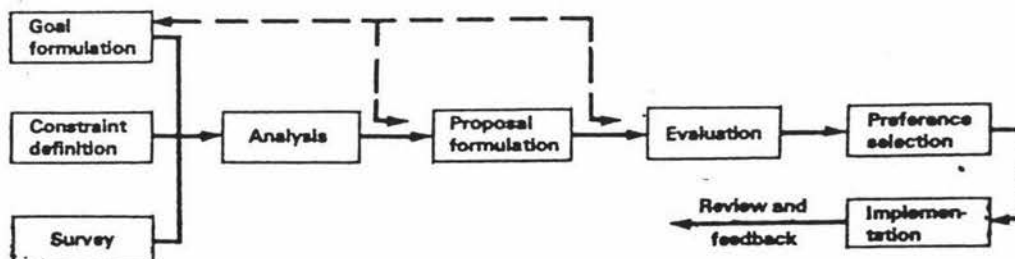
## MODELS OF THE PLANNING PROCESS AND PUBLIC PARTICIPATION<sup>1</sup>

### I. The Geddesian model



"It is in the later chapters of *Cities in Evolution* that Geddes reveals his interpretation of citizen participation in the process of plan-making. He remarks upon these means of involvement: involvement by education through public exhibitions, active participation in the collection of information, and involvement by offering alternative planning solutions and proposals to those of the planning authority or its consultants" (*ibid*, 102).

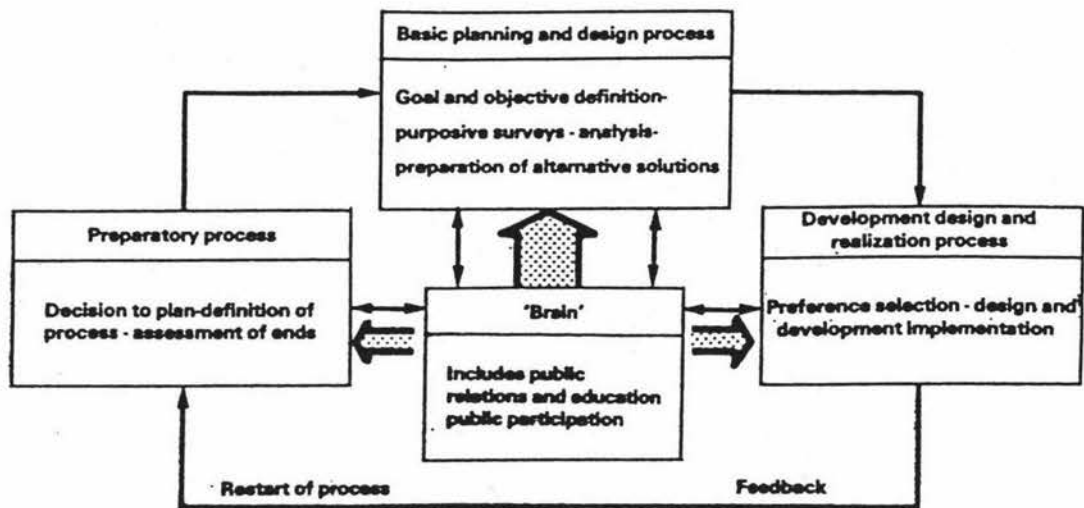
### II. The Lichfield model



"Lichfield's thesis accommodates public inputs by the conventional democratic means within tolerance levels set by the politicians, viz. 'voting by payment in the market' (i.e. goals derived by the satisfaction horizons experienced by the public), the conduct of opinion polls, and the convening of inter-interest group discussions" (*ibid*, 106).

<sup>1</sup> As reviewed by Fagence (1977).

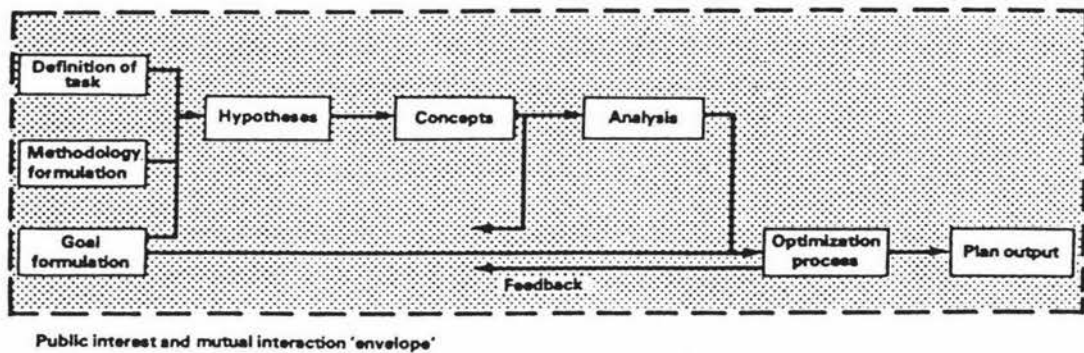
### III. The Travis model



➡ Identified opportunities for citizen participation

"In the 'brain' are five interacting cells - public relations education, user research, private sector, applied theoretical research, and public participation; these are considered to continuously shape the direction of the plan process" (*ibid*, 107).

### IV. The Kozlowski model

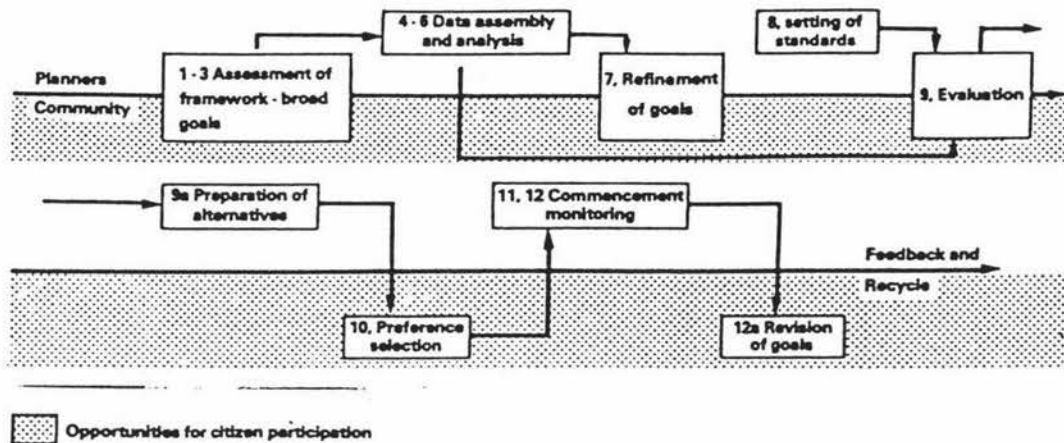


➡ Identified opportunities for citizen participation

"In operational terms, Kozlowski has nominated four critical points at which citizen participation contributes to the sieving of likely solutions to goal statements; these points are at the stage of goal formulation, the verification of the goal statements and the selection of options, the choice of the preferred option, and the ultimate

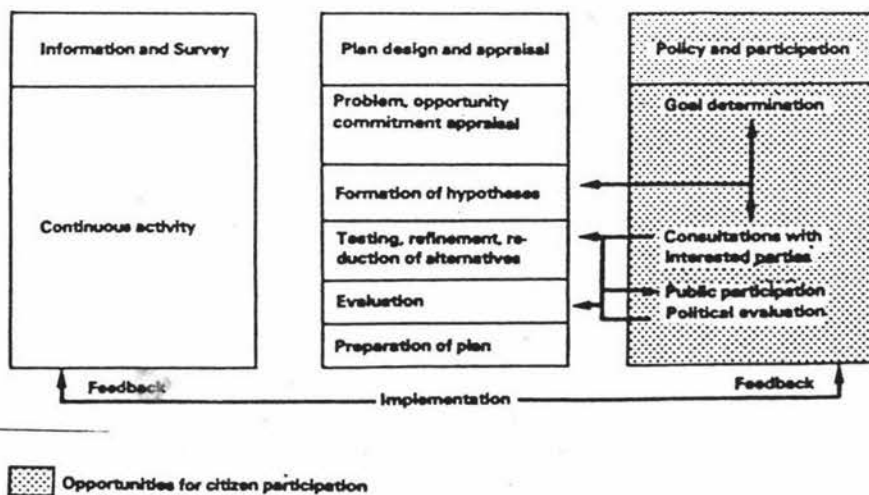
sanction of the plan" (*ibid*, 107).

### V. The Roberts model



"In the process the activity of citizen participation is described as a 'relevant technique' at the stage of alternative policies and programmes, although the activities of goal specification and refinement are located within the compass of both participant 'spaces'" (*ibid*, 109).

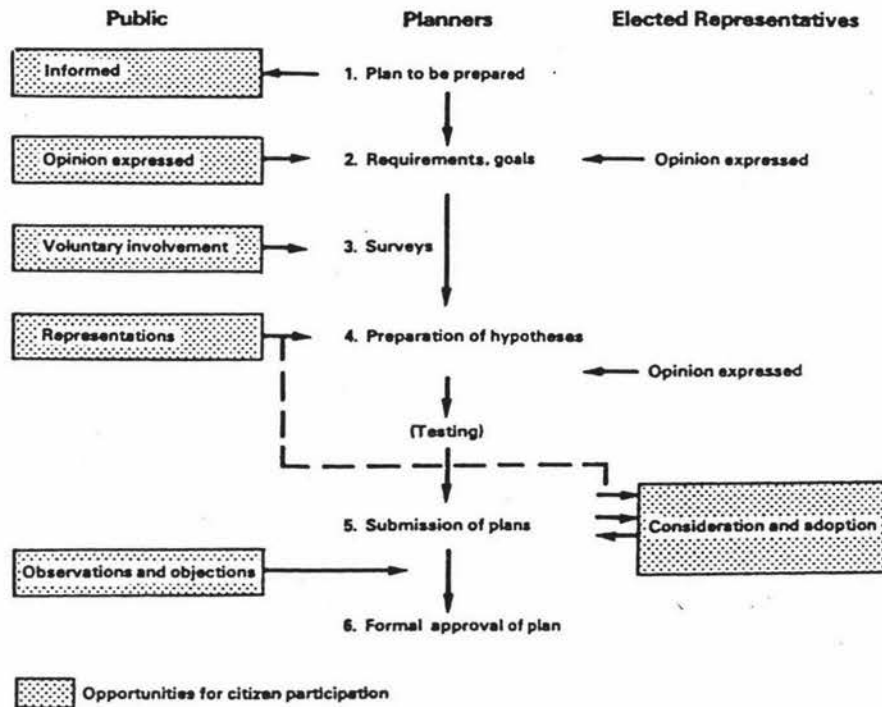
### VI. The McConnell model



"As far as citizen participation is concerned, McConnell identifies participation opportunities as inputs to the determination of goals and objectives, as the expressions of public demand and political

preference, and as the series of negotiations between planners, interested organisations, other authorities and levels of government. The structure of the process accommodates the importance of the determination of plan and policy preferences by means of public and (or) political resolution" (*ibid*, 109).

## VII. The McDonald model



"The model concentrates on the potential opportunities for interest group participation, opportunities of awareness (being informed of proposals and postulated possibilities), and opportunities for action. Most processes are drawn from the viewpoint of the planners or the politicians; the different perspective of the McDonald process, therefore, serves to highlight the aspirations of (particularly) organised groups with interests deserving of consideration" (*ibid*, 110-111).

## Appendix C

# CHRONOLOGY OF EVENTS ASSOCIATED WITH THE DISCHARGE PERMIT APPLICATION OF EGMONT TANNERIES, LTD. TO THE TARANAKI REGIONAL COUNCIL

- |                  |                                                                                                                                                                                                                                         |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6 November 1992  | Regional Council requests Egmont Tanneries to either (a) apply for a resource consent to discharge into the air or (b) advise the Council as to why such operation need not require such a consent.                                     |
| 9 November 1992  | Council informs Stratford District Council of its requirement for Egmont Tanneries to apply for a permit to discharge into air and requests the District Council to defer proceedings on the land use consent pending such application. |
| 19 November 1992 | Regional Council reiterates requirement of Egmont Tanneries to apply for a discharge permit.                                                                                                                                            |
| 26 November 1992 | Stratford District Council advises the Regional Council of its decision to defer action on the land use consent application pending lodging of discharge permit application and receipt of submissions thereto.                         |
| 1 December 1992  | Stratford District Council acknowledges receipt of submissions to land use consent application and informs of deferral of its action until after submissions on discharge permit application are received by the Regional Council.      |
| 3 December 1992  | Regional Council receives application for permit to discharge emissions into air.                                                                                                                                                       |
| 4 December 1992  | Payment of \$393.75 permit processing charge.                                                                                                                                                                                           |
| 5 December 1992  | Advertisement with <u>Daily News</u>                                                                                                                                                                                                    |
| 1 February 1993  | Closing date for submissions on discharge permit application.                                                                                                                                                                           |
| 1 February 1993  | Taranaki Regional Council receives petition from the residents of Northern Stratford residential and rural area for the Council "not to grant a licence, temporary or                                                                   |

permanent, for the skinning of animal bodies at the present locality of the Egmont Tanneries, Mountain Road, Stratford: thereby producing putrid fumes over Stratford." Objections related to (a) the tannery's proximity to residential and recreational areas, (b) the tannery's location within the protective zone of the township, (c) devaluation of properties due to offensive fumes, (d) putrid fumes from dead cows and dead skinned beasts being an unsatisfactory welcome to visitors and tourists entering/leaving from the north, and (e) further rate burden on ratepayers if conditions are not complied with. The petition had 55 signatories. Petition accepted as a submission without hearing rights, i.e., views considered in the consent process.

- |                  |                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 February 1993  | Regional Council advises Egmont Tanneries that its application has been advertised and that 21 submissions have been received as of the closing date of submissions.                                                                                                                                                                                                                 |
| 2 February 1993  | Regional Council acknowledges receipt of submissions.                                                                                                                                                                                                                                                                                                                                |
| 11 February 1993 | Stratford District Council requests advice on the start of joint hearing procedures.                                                                                                                                                                                                                                                                                                 |
| 16 February 1993 | Regional Council informs submitters of pre-hearing meeting on 24 February 1993.                                                                                                                                                                                                                                                                                                      |
| 16 February 1993 | The Senior Scientific Officer of the Regional Council inspects the site of Egmont Tanneries.                                                                                                                                                                                                                                                                                         |
| 19 February 1993 | Regional Council advises Egmont Tanneries of joint pre-hearing meeting on 24 February 1993 and furnished copy of draft report on the application. Said report contained (a) background information, (b) description of process, (c) nature of air emissions, (d) summary of submissions and expressions of local concerns, (e) assessment of effects, and (f) odour control options. |
| 24 February 1993 | Informal pre-hearing meeting. Attendance sheet shows three representatives from District Council and six submitters.                                                                                                                                                                                                                                                                 |
| 25 February 1993 | Regional Council advises Egmont Tanneries not to consider emissions from fellmongery activities within the application.                                                                                                                                                                                                                                                              |
| 25 February 1993 | Regional Council informs submitters of pre-hearing                                                                                                                                                                                                                                                                                                                                   |

meeting on 4 March 1993, and furnishes them with a copy of staff report on application.

- 4 March 1993 (7 p.m.) Pre-hearing meeting, where it was agreed that (a) the District and Regional Councils shall prepare draft consent conditions and (b) all parties shall meet again. Attendance sheet shows two representatives from Egmont Tanneries and 15 submitters.
- 9 March 1993 Regional Council furnishes submitters with copies of draft conditions, draft monitoring programme, and outline of enforcement procedures under the Resource Management Act 1991, together with a note for another pre-hearing meeting on 16 March 1993 to discuss the same.
- 11 March 1993 District Council furnishes Regional Council with draft recommendations and conditions on land use consent application.
- 12 March 1993 District Council furnishes Regional Council with revised draft conditions on land use consent application.
- 12 March 1993 Regional Council furnishes submitters with copy of draft conditions for land use consent "to see how the draft conditions complement those proposed for the air discharge permit."
- 16 March 1993 (7 p.m.) Pre-hearing meeting. Attendance sheet shows two representatives from the Egmont Tanneries, three from the District Council, and 15 submitters.
- 16 March 1993 Three submitters who expressed desire to be heard withdraw their requests.
- 17 March 1993 Regional Council furnishes submitters with copy of revised draft permit conditions. Those who wished to be heard were sent withdrawal form to complete if the revised draft conditions satisfied their concerns.
- 17 March 1993 District Council furnishes Regional Council with amended recommendations for land use consent, after the Regional Council furnished the District Council with its recommended conditions on the discharge permit.
- 17 March 1993 One submitter withdraws submission.

- 19 March 1993 District Council furnishes Regional Council with copy of Egmont Tanneries agreement with Transit New Zealand over access import conditions.
- 22 March 1993 Two submitters withdraw requests to be heard.
- 29 March 1993 Regional Council receives withdrawal by two submitters of their submissions.
- 30 March 1993 Regional Council receives withdrawal by one submitter of request to be heard.
- 6 April 1993 Internal memorandum from Senior Scientific Officer to Consents Manager recommending action on discharge permit application.
- 5 May 1993 Grant of consent to discharge emissions to air arising from the skinning of animals, the tanning, storage, and dressing of animal skins, and the manufacture and sale of finished leather and animal skin goods (Resolution 93/111 of the Consents and Regulatory Committee, Taranaki Regional Council).
- 13 May 1993 Regional Council informs Egmont Tanneries of grant of consent with a copy of the report to Council.
- 14 May 1993 Regional Council furnishes submitters with copy of consent and copy of report to Council.
- 17 May 1993 Regional Council furnishes District Council with a copy of its report on the discharge permit application.
- 19 May 1993 Notice of grant of discharge permit advertised in Stratford Press to inform those who signed the petition.
- 19 May 1993 District Council informs Regional Council of its grant of land use consent.

**Appendix D**

**QUESTIONNAIRES RELATIVE TO THE  
DISCHARGE PERMIT APPLICATION OF  
EGMONT TANNERIES, LTD. TO THE  
TARANAKI REGIONAL COUNCIL**

- Questionnaire for the Applicant:      Public Participation in Consent Procedures of  
the Taranaki Regional Council (page 280)
- Questionnaire for Submitters:        Public Participation in Consent Procedures of  
New Zealand Regional Councils (page 284)



The following questions relate to the grant of a permit to the *Egmont Tanneries, Ltd.* to discharge emissions to air arising from the processing of animal skins and associated activities at its tannery complex.

1. How did your company discover that you had to apply for a resource consent with the Taranaki Regional Council?
  - Through newspaper
  - Through radio
  - Through the Taranaki Regional Council
  - Through the Stratford District Council
  - Other (please state) \_\_\_\_\_
  
2. What sources of information did you use in making your application?

3. How did you make an assessment of effects on the environment?
4. Please rate the way the Taranaki Regional Council conducted the pre-hearing meetings by circling the appropriate response corresponding to each of the following Council activities:
- |  |                       |
|--|-----------------------|
|  | 1 - POOR              |
|  | 2 - UNSATISFACTORY    |
|  | 3 - SATISFACTORY      |
|  | 4 - VERY SATISFACTORY |
|  | 5 - EXCELLENT         |
- a. Ensuring that all interested parties were present. 1 2 3 4 5
- b. Providing an explanation of the application. 1 2 3 4 5
- c. Providing an opportunity for objections to be rebutted/answered. 1 2 3 4 5
- d. Explaining relevant Council policies. 1 2 3 4 5
- e. Providing clarification on issues of contention. 1 2 3 4 5
- f. Mediating points of disagreement or misunderstanding. 1 2 3 4 5
- g. Proposing conditions to be imposed on the consent to be granted. 1 2 3 4 5
- h. Facilitating decision on the application. 1 2 3 4 5
5. Do you think that the Taranaki Regional Council should nevertheless have conducted a hearing on this application?
- Definitely not
- No
- Uncertain
- Yes
- Certainly yes

Please explain why or why not.

6. How satisfied are you with the outcome of this particular consent process?

- Not satisfied
- Less than adequately satisfied
- Adequately satisfied
- More than adequately satisfied
- Very satisfied

7. Please rate the following aspects of the consent process that the Taranaki Regional Council has adopted:

- 1 - POOR
- 2 - UNSATISFACTORY
- 3 - SATISFACTORY
- 4 - VERY SATISFACTORY
- 5 - EXCELLENT

- |    |                                                  |   |   |   |   |   |
|----|--------------------------------------------------|---|---|---|---|---|
| a. | Pre-application advice.                          | 1 | 2 | 3 | 4 | 5 |
| b. | Reaction to issues.                              | 1 | 2 | 3 | 4 | 5 |
| c. | Conduct of pre-hearing meetings.                 | 1 | 2 | 3 | 4 | 5 |
| d. | Assessment of costs.                             | 1 | 2 | 3 | 4 | 5 |
| e. | Conditions imposed on the consent to be granted. | 1 | 2 | 3 | 4 | 5 |

8. Do you think the Taranaki Regional Council is justified in requiring you to prepare an *Operations and Maintenance Manual*?

- Definitely not
- No
- Uncertain
- Yes
- Definitely yes

9. Have you made other consent applications with the Taranaki Regional Council since 1 October 1991?:

— Yes

— No

If yes, please state nature of application.

10. If you have any comments on this survey, please feel free to write them down in the space provided.



3. Apart from making a submission, you may have made known your opinions about the application in some other way. A list of such ways is given below. Please tick the ones you were involved with (you may tick more than one).

- Organised a neighbourhood meeting
- Attended a neighbourhood meeting
- Contacted Regional Council staff
- Contacted a Regional Council member
- Wrote a letter to the newspaper
- Organised a petition
- Signed a petition
- Other (please state) \_\_\_\_\_
- None of the above

4. Was making a submission the preferred way for you to participate in the application, compared to some other way?

Yes  No

Please explain why or why not.

5. Did you attend the pre-hearing meetings called by the Taranaki Regional Council?

Yes  No

Please explain why or why not.

[Note: If you answered *no* to this question, please proceed to question no. 8.]

6. Please rate the way the Taranaki Regional Council conducted the pre-hearing meetings by circling the appropriate response corresponding to each of the following Council activities:
- 1 - POOR  
2 - UNSATISFACTORY  
3 - SATISFACTORY  
4 - VERY SATISFACTORY  
5 - EXCELLENT
- a. Ensuring that all interested parties were present. 1 2 3 4 5
- b. Providing an explanation of the application. 1 2 3 4 5
- c. Providing an opportunity for objectors to express their concerns. 1 2 3 4 5
- d. Explaining relevant Council policies. 1 2 3 4 5
- e. Providing clarification on issues of contention. 1 2 3 4 5
- f. Mediating points of disagreement or misunderstanding. 1 2 3 4 5
- g. Proposing conditions to be imposed on the consent to be granted. 1 2 3 4 5
- h. Facilitating decision on the application. 1 2 3 4 5
7. Do you think that the Taranaki Regional Council should nevertheless have conducted a hearing on this application?
- Definitely not
- No
- Uncertain
- Yes
- Definitely yes

Please explain why or why not.

8. How satisfied are you with the outcome of this particular consent process?
- Not satisfied
  - Less than adequately satisfied
  - Adequately satisfied
  - More than adequately satisfied
  - Very satisfied
9. How worthwhile do you think your participation in this particular consent process was?
- Not worthwhile
  - Less than adequately worthwhile
  - Adequately worthwhile
  - More than adequately worthwhile
  - Very worthwhile
10. Have you made submissions about other consent applications lodged with the Taranaki Regional Council since 1 October 1991?
- Yes  No

If yes, please state nature of application.

---

*Now, for some background details about you.*

---

11. Do you belong, or have you belonged, to any organisation?

Yes

No

If yes, please state organisation/s.

12. In which age group are you?

Under 15

15 - 19

20 - 29

30 - 39

40 - 49

50 - 59

60 - 69

70+

13. What is your gender?

Male

Female

14. To what ethnic group do you belong?

Pakeha/European

Maori

Pacific Islander

Other (please specify) \_\_\_\_\_

15. What is your highest educational qualification?

- No qualification
- School certificate or equivalent
- University entrance or equivalent
- Vocational or trade qualification
- University bachelor's degree
- Postgraduate degree
- Other (please state) \_\_\_\_\_

16. Please indicate your main occupation (tick one only).

- Paid employment (state occupation) \_\_\_\_\_
- Self-employment (state occupation) \_\_\_\_\_
- Unpaid household duties
- Voluntary work
- Study
- Retired
- Unemployed
- Other (please state) \_\_\_\_\_

17. Please indicate your yearly income (before tax).

- Less than \$10,000
- \$10,000 - \$19,999
- \$20,000 - \$29,999
- \$30,000 - \$39,999
- \$40,000 - \$49,999
- \$50,000 - \$59,999
- \$60,000 +

18. Where do you currently live?

Name of town/city/rural area \_\_\_\_\_

19. If you have any comments on this survey, please feel free to write them down in the space provided.

## Appendix E

# CHRONOLOGY OF EVENTS ASSOCIATED WITH THE PERMIT APPLICATIONS OF RICHMOND (TAKAPAU), LTD. TO THE HAWKE'S BAY REGIONAL COUNCIL

- 28 February 1992 Richmond (Takapau), Ltd. lodges its resource consent applications with the Hawke's Bay Regional Council. These are: (a) permit to take groundwater for lawn irrigation and food processing, (b) permit to discharge stormwater and surface runoff to the Porangahau Stream, (c) permit to discharge secondary treated waste from an oxidation pond onto land, and (d) permit to discharge primary treated meat processing effluent onto land.
- 24 March 1992 Council requires further information from the applicant, namely: (a) an environmental impact report for the border dyke and spray irrigation system, (b) a management plan for the border dyke and spray irrigation system, and (c) a management plan for the domestic effluent disposal system.
- 23 April 1992 Receipt of further information required of the applicant.
- 12 May 1992 Applicant informs Council of consultations the company has made with its neighbours and other parties from 10 December 1991 to 24 April 1992.
- 31 May 1992 Existing water rights held by Richmond (Takapau), Ltd. lapse after this day.
- 6 June 1992 Public notification of the consent applications through The Hawke's Bay Herald Tribune.
- 8 June 1992 Authority granted by the Council for Richmond (Takapau), Ltd. to continue exercising lapsed water rights until such time that the applications for new consents are determined.
- 16 June 1992 Receipt of one submission to application to discharge stormwater and surface runoff to the Porangahau Stream.

29 June 1992	Council requests additional information from the applicant regarding its application to discharge sheepyard waste onto land.
30 June 1992	Receipt of one submission to application to discharge primary treated meat processing effluent onto land.
6 July 1992	Receipt of 13 submissions.
6 July 1992	Close of submissions.
8 July 1992	Council extends time limit for processing the consent applications.
13 July 1992	Council commissions a report from its Technical Services section to understand the effects of the discharges on water quality in Takapau.
14 July 1992	Council informs the applicant of the submissions received on the applications.
4 August 1992	Council acknowledges receipt of submissions and schedules a pre-hearing meeting at Takapau Town Hall.
6 August 1992	Council informs the applicant of the pre-hearing meeting.
14 August 1992	Pre-hearing meeting attended by 12 submitters, four representatives of the applicant-company, five Council staff members, and the chairperson of the Council's Maori Committee.
8 September - 8 October 1992	Mediator individually meets with submitters.
3 and 5 November 1992	Meetings with submitters and applicant to discuss draft conditions.
9 November 1992	Notice of hearing sent out to Regulatory Committee members.
13 and 17 November 1992	Copies of technical report furnished to all parties.
17 November 1992	Richmond (Takapau), Ltd. asks submitters to meet regularly with its management to review the status of its effluent disposal system.

- 25 November 1992      Submitters withdraw their submissions and/or desires to be heard.
- 26 November 1992      Regulatory Committee members hold site visit.
- 17 December 1992      Regulatory Committee grants permits to Richmond (Takapau), Ltd.
- 22 December 1992      Council informs applicant of the granting of its applications.
- 23 December 1992      Council notifies submitters of its decision to grant the applications of Richmond (Takapau), Ltd.

**Appendix F**

**QUESTIONNAIRES RELATIVE TO THE  
PERMIT APPLICATIONS OF RICHMOND  
(TAKAPAU), LTD. TO THE HAWKE'S BAY  
REGIONAL COUNCIL**

Questionnaire for the Applicant:	Public Participation in Consent Procedures of the Hawke's Bay Regional Council (page 294)
Questionnaire for Submitters:	Public Participation in Consent Procedures of New Zealand Regional Councils (page 298)



4. Using the scale provided, please rate how worthwhile you think the pre-hearing meeting was towards:
- 1 - NOT WORTHWHILE  
 2 - LESS THAN WORTHWHILE  
 3 - ADEQUATELY WORTHWHILE  
 4 - MORE THAN WORTHWHILE  
 5 - VERY WORTHWHILE
- a. Making you understand the nature of the submissions. 1 2 3 4 5
- b. Making you appreciate relevant Council policies. 1 2 3 4 5
- c. Enabling you to rebut/answer objections. 1 2 3 4 5
5. With respect to the application for a permit to discharge meatworks effluent onto land, please rate the degree that you agreed with the Council's action in appointing a mediator -
- 1 - STRONGLY DISAGREE  
 2 - DISAGREE  
 3 - UNCERTAIN  
 4 - AGREE  
 5 - STRONGLY AGREE
- a. At the time that it was suggested that a mediator be appointed. 1 2 3 4 5
- b. During the mediation meetings on 3 and 5 November 1992. 1 2 3 4 5
- c. After the permit was granted. 1 2 3 4 5
6. Please rate the way the Hawke's Bay Regional Council processed these applications by circling the appropriate response corresponding to each of the following Council activities:
- 1 - POOR  
 2 - UNSATISFACTORY  
 3 - SATISFACTORY  
 4 - VERY SATISFACTORY  
 5 - EXCELLENT
- a. Ensuring that all interested parties were present. 1 2 3 4 5
- b. Providing clarification on issues of contention. 1 2 3 4 5
- c. Mediating points of disagreement or misunderstanding. 1 2 3 4 5
- d. Proposing conditions to be imposed on the permit/s to be granted. 1 2 3 4 5
- e. Facilitating decision on the application. 1 2 3 4 5

7. Do you think that the Hawke's Bay Regional Council should nevertheless have conducted a hearing on this application?

- Definitely not  
 No  
 Uncertain  
 Yes  
 Definitely yes

Please explain why or why not.

8. How satisfied are you with the outcome of this particular consent process?

- Not satisfied  
 Less than satisfied  
 Adequately satisfied  
 More than satisfied  
 Very satisfied

9. Please rate the following aspects of the consent process that the Hawke's Bay Regional Council has adopted:

1 - POOR  
 2 - UNSATISFACTORY  
 3 - SATISFACTORY  
 4 - VERY SATISFACTORY  
 5 - EXCELLENT

- |    |                                                  |   |   |   |   |   |
|----|--------------------------------------------------|---|---|---|---|---|
| a. | Pre-application advice.                          | 1 | 2 | 3 | 4 | 5 |
| b. | Reaction to issues.                              | 1 | 2 | 3 | 4 | 5 |
| c. | Conduct of pre-hearing meetings.                 | 1 | 2 | 3 | 4 | 5 |
| d. | Assessment of costs.                             | 1 | 2 | 3 | 4 | 5 |
| e. | Conditions imposed on the consent to be granted. | 1 | 2 | 3 | 4 | 5 |

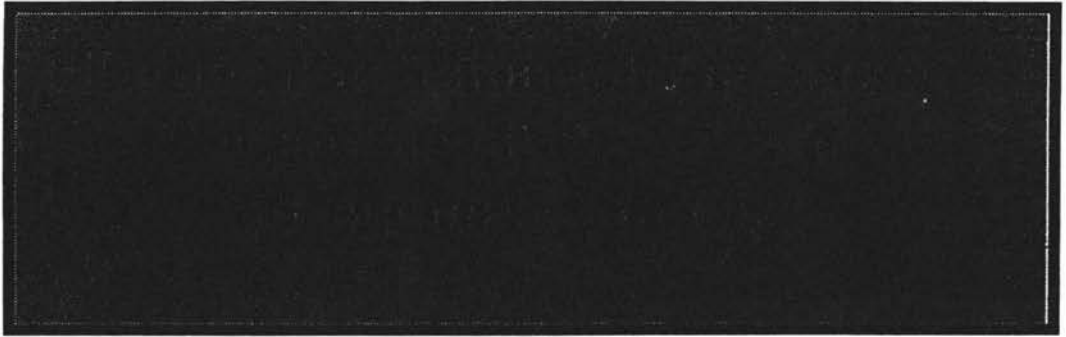
10. Have you made other consent applications with the Hawke's Bay Regional Council since 1 October 1991?:

Yes

No

If yes, please state nature of application.

11. If you have any comments on this survey, please feel free to write them down in the space provided.



The following questions relate to the grant of permits to the *Richmond (Takapau), Ltd.* by the Hawke's Bay Regional Council.

1. Why did you feel it was important to make a submission about an application of Richmond (Takapau), Ltd.?

2. How did you discover that you were able to make a submission?

- Through newspaper
- Through radio
- Through the Hawke's Bay Regional Council
- Through involvement in a group or club
- Through friends/acquaintances/colleagues/neighbours
- Through family
- Other (please state) \_\_\_\_\_

3. Apart from making a submission, you may have made known your opinions about any of the applications in some other way. A list of such ways is given below. Please tick the ones you were involved with (you may tick more than one).

- Organised a neighbourhood meeting
- Attended a neighbourhood meeting other than those organised by the Hawke's Bay Regional Council
- Contacted a Regional Council staff
- Contacted an elected Regional Council member
- Wrote a letter to the newspaper
- Organised a petition
- Signed a petition
- Other (please state) \_\_\_\_\_
- None

4. Was making a submission the preferred way for you to participate in the application, compared to some other way?

- Yes
- No

Please explain why or why not.

5. Did you attend the pre-hearing meeting called by the Hawke's Bay Regional Council on 14 August 1992 at the Takapau Town Hall?

- Yes
- No [please proceed to question no. 11.]

6. Using the scale provided, please rate how worthwhile you think the pre-hearing meeting was towards:
- 1 - NOT WORTHWHILE  
2 - LESS THAN WORTHWHILE  
3 - ADEQUATELY WORTHWHILE  
4 - MORE THAN WORTHWHILE  
5 - VERY WORTHWHILE
- a. Making you understand the nature of the application. 1 2 3 4 5
- b. Making you appreciate relevant Council policies. 1 2 3 4 5
- c. Enabling you to voice out your concerns. 1 2 3 4 5
7. To which consent application did you make a submission?
- WP921571/2/3T: Permit to take groundwater [**please proceed to question no. 9.**]
- DP921574W: Permit to discharge stormwater and surface runoff into the Porangahu Stream [**please proceed to question no. 9.**]
- DP921575W: Permit to discharge domestic sewage onto land [**please proceed to question no. 9.**]
- DP921576W: Permit to discharge meatworks effluent onto land [**please proceed to question no. 8.**]
8. Please rate the degree that you agreed with the Council's action in appointing a mediator -
- 1 - STRONGLY AGREE  
2 - DISAGREE  
3 - UNCERTAIN  
4 - AGREE  
5 - STRONGLY AGREE
- a. At the time that it was suggested that a mediator be appointed. 1 2 3 4 5
- b. During the mediation meetings on 3 and 5 November 1992. 1 2 3 4 5
- c. After the permit was granted. 1 2 3 4 5

9. Do you think that the Hawke's Bay Regional Council should have conducted a hearing on this application?

— Definitely not

— No

— Uncertain

— Yes

— Definitely yes

Please explain why or why not.

10. Please rate the way the Hawke's Bay Regional Council processed these applications by circling the appropriate response corresponding to each of the following Council activities:

1 - POOR  
2 - UNSATISFACTORY  
3 - SATISFACTORY  
4 - VERY SATISFACTORY  
5 - EXCELLENT

- |    |                                                                   |           |
|----|-------------------------------------------------------------------|-----------|
| a. | Ensuring that all interested parties were present.                | 1 2 3 4 5 |
| b. | Providing clarification on issues of contention.                  | 1 2 3 4 5 |
| c. | Mediating points of disagreement or misunderstanding.             | 1 2 3 4 5 |
| d. | Proposing conditions to be imposed on the permit/s to be granted. | 1 2 3 4 5 |
| e. | Facilitating decision on the application.                         | 1 2 3 4 5 |

11. How satisfied are you with the outcome of this particular consent process?
- Not satisfied
  - Less than satisfied
  - Adequately satisfied
  - More than satisfied
  - Very satisfied
12. How worthwhile do you think was your participation in this consent process?
- Not worthwhile
  - Less than worthwhile
  - Adequately worthwhile
  - More than worthwhile
  - Very worthwhile
13. Have you made submissions about other consent applications lodged with the Hawke's Bay Regional Council?
- Yes (please state nature of application)
  
  
  - No

---

*Now, for some background details about you, if the submission you made was not for a company or an organisation.*

---

14. Do you belong, or have you belonged, to any organisation?
- Yes  No

If yes, please state organisation/s.

15. In which age group are you?

- Under 15
- 15 - 19
- 20 - 29
- 30 - 39
- 40 - 49
- 50 - 59
- 60 - 69
- 70+

16. What is your gender?

- Male
- Female

17. To what ethnic group do you belong?

- Pakeha/European
- Maori
- Pacific Islander
- Other (please specify) \_\_\_\_\_

18. What is your highest educational qualification?

- No qualification
- School certificate or equivalent
- University entrance or equivalent
- Vocational or trade qualification
- University bachelor's degree
- Postgraduate degree
- Other (please state) \_\_\_\_\_

19. Please indicate your main occupation (tick one only).

- Paid employment (state occupation) \_\_\_\_\_
- Self-employment (state occupation) \_\_\_\_\_
- Unpaid household duties
- Voluntary work
- Study
- Retired
- Unemployed
- Other (please state) \_\_\_\_\_

20. Please indicate your yearly income (before tax).

- Less than \$10,000
- \$10,000 - \$19,999
- \$20,000 - \$29,999
- \$30,000 - \$39,999
- \$40,000 - \$49,999
- \$50,000 - \$59,999
- \$60,000 +

21. If you have any comments on this survey, please feel free to write them down in the space provided.

**Appendix G**

**QUESTIONNAIRE FOR THE NATIONAL  
SURVEY OF DECISION-MAKERS IN  
REGIONAL COUNCILS**

# QUESTIONNAIRE

## Public Participation in New Zealand Regional Councils

---

### PART ONE -- *WHAT DOES PUBLIC PARTICIPATION ENTAIL?*

---

Here are some statements on which your opinion is sought. Please circle the appropriate response.

1 - STRONGLY DISAGREE  
2 - DISAGREE  
3 - UNCERTAIN  
4 - AGREE  
5 - STRONGLY AGREE

- |      |                                                                                                                                                     |   |   |   |   |   |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|
| 1-1. | The public must be asked to help formulate controversial policies and plans.                                                                        | 1 | 2 | 3 | 4 | 5 |
| 1-2. | A genuine interchange between planners and people from all walks of life is imperative throughout the course of the planning process.               | 1 | 2 | 3 | 4 | 5 |
| 1-3. | The average ratepayer knows best how to make the region a better and pleasant place to live in.                                                     | 1 | 2 | 3 | 4 | 5 |
| 1-4. | Detailed information about a proposal or plan should be disseminated to the public.                                                                 | 1 | 2 | 3 | 4 | 5 |
| 1-5. | The Council must help the poor and the residents to form community organisations.                                                                   | 1 | 2 | 3 | 4 | 5 |
| 1-6. | The Council's decisions are easily accepted by the regional community when people and interest groups were involved in the decision-making process. | 1 | 2 | 3 | 4 | 5 |
| 1-7. | The discussion of all items in a Council meeting should be open to the public.                                                                      | 1 | 2 | 3 | 4 | 5 |
| 1-8. | Individuals should adjust their values and attitudes to those of the larger society.                                                                | 1 | 2 | 3 | 4 | 5 |
| 1-9. | Individuals should be able to decide how to use their own property in any way they want.                                                            | 1 | 2 | 3 | 4 | 5 |

- 1-10. Elected councillors should be allowed to take decisions without being influenced by citizen groups. 1 2 3 4 5
- 1-11. Government must deliberately include *have-not* citizens in the political and economic processes of society. 1 2 3 4 5
- 1-12. The ideas of the regional population must always be considered before any planning decisions are taken. 1 2 3 4 5
- 1-13. Every resident should have the opportunity to express their views on regional planning matters. 1 2 3 4 5
- 1-14. Making a written submission on a regional planning issue is a sufficient opportunity for citizens to get involved in decision-making. 1 2 3 4 5
- 1-15. Ratepayers must be allowed to veto any decision taken by the Council. 1 2 3 4 5

**PART TWO -- WHAT METHODS OF PUBLIC PARTICIPATION  
ARE USED BY YOUR COUNCIL?**

These public participation techniques are available for your Council to use. Please indicate how frequent each technique has been used by your Council since it started to prepare its annual plan and since the Resource Management Act took effect (please circle one number for each technique). To assist you in accomplishing this part of the questionnaire, a glossary of the various techniques listed is provided at the end of this questionnaire.

- 1 - NEVER  
2 - ALMOST NEVER  
3 - SOMETIMES  
4 - ALMOST ALWAYS  
5 - ALWAYS

- 2-1. Exhibition 1 2 3 4 5
- 2-2. Public meeting 1 2 3 4 5
- 2-3. Workshop 1 2 3 4 5
- 2-4. Discussion documents 1 2 3 4 5
- 2-5. Citizen survey 1 2 3 4 5

2-6. Referendum	1	2	3	4	5
2-7. Television and film	1	2	3	4	5
2-8. Public hearing	1	2	3	4	5
2-9. Consultation with organisations	1	2	3	4	5
2-10. Hotline	1	2	3	4	5
2-11. Co-option	1	2	3	4	5
2-12. Advocacy planning	1	2	3	4	5
2-13. Citizens' advisory group	1	2	3	4	5
2-14. Open council meeting	1	2	3	4	5
2-15. Community worker	1	2	3	4	5
2-16. Citizen review panel	1	2	3	4	5
2-17. Newspaper	1	2	3	4	5
2-18. Radio	1	2	3	4	5
2-19. Small group discussions	1	2	3	4	5
2-20. Others (please specify)					
_____	1	2	3	4	5
_____	1	2	3	4	5
_____	1	2	3	4	5

---

**PART THREE -- WHAT METHODS OF PUBLIC PARTICIPATION  
DO YOU PREFER?**

---

Please indicate to what extent you prefer each of these techniques (please circle one number for each technique).

**1 - STRONGLY DISLIKE**  
**2 - DISLIKE**  
**3 - UNCERTAIN**  
**4 - PREFER**  
**5 - STRONGLY PREFER**

3-1. Exhibition	1	2	3	4	5
3-2. Public meeting	1	2	3	4	5
3-3. Workshop	1	2	3	4	5
3-4. Discussion documents	1	2	3	4	5
3-5. Citizen survey	1	2	3	4	5

3-6. Referendum	1	2	3	4	5
3-7. Television and film	1	2	3	4	5
3-8. Public hearing	1	2	3	4	5
3-9. Consultation with organisations	1	2	3	4	5
3-10. Hotline	1	2	3	4	5
3-11. Co-option	1	2	3	4	5
3-12. Advocacy planning	1	2	3	4	5
3-13. Citizens' advisory group	1	2	3	4	5
3-14. Open council meeting	1	2	3	4	5
3-15. Community worker	1	2	3	4	5
3-16. Citizen review panel	1	2	3	4	5
3-17. Newspaper	1	2	3	4	5
3-18. Radio	1	2	3	4	5
3-19. Small group discussions	1	2	3	4	5
3-20. Others (please specify)					
_____	1	2	3	4	5
_____	1	2	3	4	5
_____	1	2	3	4	5

---

**PART FOUR -- *WHAT HAS PUBLIC PARTICIPATION  
ACHIEVED?***

---

Your opinion as to the extent that each of these outcomes of public participation has been achieved by your Council is sought. Please circle the appropriate response.

1 - NOT REALISED  
 2 - PARTIALLY REALISED  
 3 - ADEQUATELY REALISED  
 4 - SUBSTANTIALLY REALISED  
 5 - FULLY REALISED

- 4-1. The public participation strategy employed by the Regional Council has resolved conflicts arising from policies formulated by the Council. 1 2 3 4 5

The public participation strategy employed by the Regional Council has --

- |      |                                                                                      |           |
|------|--------------------------------------------------------------------------------------|-----------|
| 4-2. | yielded objective information on citizen attitudes, evaluations, and needs.          | 1 2 3 4 5 |
| 4-3. | created, among the participants, a sense of community or community identification.   | 1 2 3 4 5 |
| 4-4. | developed the participants' self-confidence and self-reliance.                       | 1 2 3 4 5 |
| 4-5. | taught citizens how the Council works and how they can maximize individual benefits. | 1 2 3 4 5 |
| 4-6. | fostered a favourable climate for proposed policies and plans.                       | 1 2 3 4 5 |
| 4-7. | enabled Council members and officers to be more responsive to the regional interest. | 1 2 3 4 5 |
| 4-8. | provided inputs that influenced decisions taken by Council members.                  | 1 2 3 4 5 |

#### PART FIVE -- *PERSONAL DETAILS*

Some background information is now being asked. Data collected from this part of the questionnaire will be treated confidentially and will only be used for descriptive purposes.

- 5-1. Name of Regional Council: \_\_\_\_\_
- 5-2. What is your designation in the Council?
- Mayor/Chairman
- Chief Executive
- Director of Planning
- Chairperson, Planning Committee
- Other (please specify) \_\_\_\_\_

- 5-3. What is your gender?
- \_\_\_ Male
- \_\_\_ Female
- 5-4. In which age group do you belong to?
- \_\_\_ Below 25
- \_\_\_ 25 - 34
- \_\_\_ 35 - 44
- \_\_\_ 45 - 54
- \_\_\_ 55 and over
- 5-5. To what ethnic group do you belong?
- \_\_\_ Pakeha/European
- \_\_\_ Maori
- \_\_\_ Other (please specify) \_\_\_\_\_
- 5-6. How many years of experience have you in local government?
- As a planner \_\_\_\_\_
- As a non-planner in a Council \_\_\_\_\_
- As an elected member \_\_\_\_\_

---

**PART SIX -- PLANNING RESOURCES**  
*(To be accomplished by the Chief Executive only)*

---

This part seeks to determine the available resources provided for public participation in your Council.

- 6-1. What is the average annual budget of the Council?      \$ \_\_\_\_\_
- 6-2. Approximately what percentage of the Council's annual budget is provided for public participation activities?      \_\_\_\_\_ %

- 6-3. What is the total number of planning staff in the Council? \_\_\_\_\_
- 6-4. Estimate how much time the planning staff spends on public participation exercises.

	Number of staff
Less than 5% of their time	_____
About 5 - 25% of their time	_____
About 26 - 50% of their time	_____
About 51 - 75% of their time	_____
More than 75% of their time	_____

- 6-5. In your opinion, are the resources provided by your Council for public participation activities adequate?

- Excellent.
- More than adequate.
- Adequate.
- Less than adequate.
- Poor.

---

**PART SEVEN -- YOUR COMMENTS ON THIS SURVEY**  
*(To be accomplished by all respondents)*

---

If you have any comments on this survey, please feel free to write them down in the space provided.

## GLOSSARY OF PUBLIC PARTICIPATION TECHNIQUES

- Exhibition** A means of presenting specific information that is difficult to convey in words by locating displays in busy areas such as main shopping streets or developing mobile exhibitions which are moved throughout the community.
- Public meeting** A meeting held by a Council when it requires a response from the public.
- Workshop** A number of people, usually with specialist interests, meet together to discuss issues and agree on specific results.
- Discussion documents** Documents which focus attention on planning issues and give people a framework within which they can comment.
- Citizen survey** Obtaining, through a questionnaire, a range of opinions and weightings of particular viewpoints from a sample or representative group of persons or organisations.
- Referendum** A technique where proposed public measures or policies may be placed before the citizens by a ballot procedure for approval/disapproval or selection of one of several alternatives.
- Television and film** Use of popular media to bring issues to the attention of the community.
- Public hearing** Characterized by procedural formalities, an official transcript or record of the meeting, and its being open to participation by an individual or representative of a group.
- Consultation with organisations** Use of groups and organisations who can disseminate information to their members and then assist planning teams to define issues by responding to participation policies, and play a useful role by reacting to specific proposals and options.

<b>Hotline</b>	Denotes any publicised phone answering system connected with the planning process.
<b>Co-option</b>	The process of absorbing outside elements into the leadership or policy-determining structure of an organisation.
<b>Advocacy planning</b>	Locating a planner in a community or allocating a planner to a community to develop, with members of that community, a plan which is then submitted for council approval.
<b>Citizens' advisory group</b>	A generic term used to denote any of several techniques in which citizens are called together to represent the ideas and attitudes of various groups and/or communities.
<b>Open council meeting</b>	Opening of council and committee meetings to the public to bring residents into the planning and decision-making processes.
<b>Community worker</b>	Help community groups to organise themselves by bringing to their notice relevant planning issues and helping such community groups to carry out town planning tasks, launch participation programmes, and ensure adequate communication with councils.
<b>Citizen review panel</b>	Technique in which decision-making authority is delegated to citizen representative who are either elected or appointed to sit on a review panel with the authority to review alternative plans and decide which plan should be implemented.
<b>Newspaper</b>	A means of informing a wide range of people through regular articles, news items, or special supplements.
<b>Radio</b>	A flexible medium with potential access to a large audience, which can inform and perhaps stimulate the public into further action through advertising meetings and exhibitions, news items, documentaries on planning, and talkbacks.
<b>Small group discussions</b>	Small groups of up to 12 people are convened for the purpose of in-depth discussion of issues of mutual concern.

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