



NATIONAL COUNCIL OF WOMEN OF NEW ZEALAND

TE KAUNIHERA WAHINE O AOTEAROA

Oral submission to the Local Government and Environment Select Committee on the Local Government Act 2002 Amendment Bill (No 3) (165-1) made by Dr Judy Whitcombe and Wendy Zemanek on 20 February 2014

Local Government and Environment Select Committee: Deputy Chair: Eugenie Sage, Green, List; Maggie Barry, National, North Shore; Jacqui Dean, National, Waitaki; Paul Goldsmith, National, List; Phil Heatly, National, Whangarei; Moana Mackey, Labour, List; Su'a William Sio, Labour, Mangere; Andrew Williams, NZ First, List; Melissa Lee, National List.

The meeting was chaired by Eugenie Sage, Deputy Chair.

Good morning. My name is **Judy Whitcombe** and my colleague is **Wendy Zemanek**. We are both members of the Parliamentary Watch Committee of the National Council of Women of New Zealand. The submission has been prepared from a background of policy decisions and consultation with the members of our organisation.

Introduction

We note that this Bill is a second phase of the Local Government Reforms. NCWNZ consulted members and commented on the 2012 Amendment Bill and before that on the 2010 Bill. The efficiency and effectiveness emphasis in the changes proposed in 2012, and now included in the reprinted Act, are addressed further in this No. 3 Bill - for example in clause 7. One branch noted that "Central Government appears to be extending its influence over local and regional authorities".

The NCWNZ written submission S14.03 extends over 6 pages but in the time available today we will concentrate on those clauses where members expressed some concerns.

Core Services Cl 6 Section 11A

Here the change from libraries, museums, reserves, *recreation facilities and community infrastructure* in the current Act (section 11A) is changed to "*other recreation and community facilities*", (the repeal of the definition of *community infrastructure* defined in the 2002 Act is noted in cl. 4).

The submission also points out that "community infrastructure" appears again in the Bill in clause 49 where it is redefined to include specified assets, some of which are facilities – eg "community centres or halls". It is suggested that clarification of the definitions of infrastructure and their applications in the Bill is required.

Our members have also expressed views on the terms which could be used to define core services – the importance of a healthy physical environment was also noted.

Principles relating to local authorities Cl 7, section 14 amended

Here again there is a change of wording. In (1) "*actively seek to collaborate and co-operate with other local authorities and bodies*" replaces "*collaborate and co-operate*" S. 14 (1) (e). Another change is the use of "*improve the effectiveness and efficiency*" to replace "*efficient use of resources.*" The example of the existing co-operation in Whanganui was given in the submission. However, a potential difference in standards and priorities between local authorities could be a barrier for this collaboration, and national guidelines were suggested for some of the decentralised responsibilities.

In clause 7 (2), the change proposed retains [S 14 (1) (g)] “prudent stewardship and the efficient and effective use of resources” but adds “including by planning effectively for the future management of its assets”. The submission notes the potential difficulties of small unitary authorities (with an example of Wairarapa given) which may not have the resources or expertise to manage the extra responsibilities. Doubts about the capability of small unitary authorities were raised by another branch.

Delivery of Services Cl 11, new section 17A

In the current Act section 17 covers the transfer of responsibilities by a regional council or a territorial authority. The Bill proposes the introduction of a new section 17A to focus on the delivery of services by a local authority with a review of the cost effectiveness of current arrangements “as soon as possible after each triennial election.” Here members’ views were related to their experience, as Councils currently undertook planning through the long-term and annual planning process, and the new section proposed would bring in still more reviews.

While the “different entity” responsibility proposed in (3) sets out agreement parameters, members identified a potential to move towards privatisation, and this was not supported.

Local Boards Cl 15, new subpart 1 A in Part 4 Section 48

The addition of a new subpart is needed to clarify the relationship between unitary authorities and local boards and their functions in the future. This is largely based on the Auckland Council Act (according to the Explanatory Note) and extends over 14 pages in the Bill. The submission focussed on only two aspects – membership of local boards and functions. The specification of functions, duties and powers of local boards in 48H were supported. However, it is important to note the status of local boards, as defined in 48 G, and the limitations of their operations.

Principles of Consultation Cl 21 section 82

Here the proposed change in the wording to exclude the reasons for the decisions taken by the local authority and replace this by “a clear record or description of relevant decisions made by the local authority” aroused concerns as members thought that those making submissions should be entitled to receive a response which covered the reasons behind the decision taken.

Infrastructure strategy Cl 34 section 101B

The introduction of this new section dealing with infrastructure strategy was supported. However, as the submission states, the 30 year horizon was seen as excessive.

Development contributions and principles Cl 48, New sections 197AA and AB

The proposed recovery of the development contributions was supported. However, the concerns here related to the importance of balancing development with the environmental and social impacts.

The Development Contributions principles, proposed for S 197AB, were supported, although the differing size and resources of local authorities could present some implementation difficulties.

Summary

As stated in the submission, while some changes are supported, NCWNZ continues to have concerns of about the direction of the local government reforms – we now have Amendment Bill No 3. The longer term societal costs, from the narrower focus for local authorities, were the main concern expressed by our members.

Report on the Oral Submission

Chairperson **Eugenie Sage** offered two options, emphasising that we could only have 10 minutes. "Either read out your submission, or discuss specific points." Judy therefore omitted her introduction, the second part of Principles relating to Local Authorities, and most of the Local Boards paragraph.

Jacqui Dean asked our view on affordability of rates. Judy said this was always a concern, as emphasised in NCW's 2012 submission. However, it was a topic that members did not focus on when responding to this bill.

Jacqui noted our emphasis on good, cost-effective processes that would lead to affordable rates. Judy said the focus of responses was environmental, social and cultural aspects which respondents did not want to lose.

William Sio said that local boards being able to have input is a concern, for example all the roading land is separately owned outside the council. Judy said we had no specific response on this topic.

Previous Presentation Wellington Regional Council – Fran Wilde

Points made:

- The Local Government Commission was too powerful
- The general idea of the Bill was supported but increasing bureaucracy was noted and examples given.
- The current arrangements were frustrating - \$400,000 spent on a long-term plan. Now the Bill is proposing another planning step with the infrastructure strategy.
- She mentioned the 2 tier structure proposed for the Wellington region