

I hereby give notice that an ordinary meeting of the Upper Harbour Local Board will be held on:

**Date:** Thursday, 17 May 2018  
**Time:** 9.30AM  
**Meeting Room:** Upper Harbour Local Board Office  
**Venue:** 30 Kell Drive  
Albany

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## Upper Harbour Local Board OPEN ADDENDUM AGENDA

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### MEMBERSHIP

<b>Chairperson</b>	Lisa Whyte
<b>Deputy Chairperson</b>	Margaret Miles, QSM, JP
<b>Members</b>	Uzra Casuri Balouch, JP Nicholas Mayne John McLean Brian Neeson, JP

(Quorum 3 members)

**Cindy Lynch**  
**Democracy Advisor**

**15 May 2018**

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## Local Board feedback on the Local Government (Community Well-being) Amendment Bill

File No.: CP2018/07923

Item 28

### Te take mō te pūrongo / Purpose of the report

1. To provide an opportunity for local boards to formally provide feedback on the government's Local Government (Community Well-being) Amendment Bill.

### Whakarāpopototanga matua / Executive summary

2. The government introduced the Local Government (Community Well-being) Amendment Bill into Parliament on 5 April 2018. The bill has been referred to Select Committee and submissions are now open.
3. On 1 May 2018, the Planning Committee approved that staff would develop a submission on the Local Government (Community Well-being) Amendment Bill and established a political working group to approve the final submission.
4. The political working group consists of the chair and deputy chair of the Planning Committee, chair and deputy chair of the Environment and Community Committee, chair and deputy chair of the Community Development and Safety Committee, a member of the Independent Māori Statutory Board and two local board chairs.
5. The bill seeks to address two main areas:
  - to reinstate the purpose of local government to promote the social, economic, environmental and cultural well-being of communities
  - to restore the power to collect development contributions for a wider group of infrastructure projects.
6. Both of these areas can have significant impact on council's way of working, as they define local government's purpose and its ability to collect funds.
7. In both 2012 and 2014, changes were made to the Local Government Act 2002 regarding these two main themes. Auckland Council made submissions opposing those changes. The submission to this new bill will be founded on the evidence from those previous submissions.
8. Broadly, the submission intends to support the amendments. However, staff require time to ensure a robust analysis of any potential impact, particularly of the development contribution changes.
9. To develop a submission, staff will work across the council family, including CCOs, and with the Independent Māori Statutory Board.
10. An opportunity is provided for local boards to formally provide feedback on the government's Local Government (Community Well-being) Amendment Bill.
11. Submissions on the bill close on 25 May 2018. Due to the tight timeframes, local boards need to provide their feedback for consideration by 16 May 2018. Any formal feedback received after 16 May and before 21 May 2018 will be attached to the final submission.

### Ngā tūtohunga / Recommendation/s

That the Upper Harbour Local Board:

- a) provide formal feedback on the Local Government (Community Well-being) Amendment Bill.

## Horopaki / Context

12. The Local Government (Community Well-being) Amendment Bill has two main themes:
  - to reinstate the purpose of local government to promote the social, economic, environmental and cultural well-being of communities
  - to restore the power to collect development contributions for a wider group of infrastructure projects.
13. Specifically, the bill seeks to
  - restore the purpose of local government to promote the social, economic, environmental, and cultural well-being of communities, taking a sustainable development approach
  - restore territorial authorities' power to collect development contributions for any public amenities needed as a consequence of development
  - make a minor technical modification to the development contributions power to allow territorial authorities to collect development contributions for projects financed through financial advances from the New Zealand Transport Authority.
14. The Governance and Administration Select Committee deadline for submissions on the bill is 25 May 2018.

## Tātaritanga me ngā tohutohu / Analysis and advice

15. The Local Government Act 2002 Amendment Act 2012 made significant changes to the purpose of local government through an amendment to section 10. This removed the focus on social, economic, environmental and cultural well-being of communities and reoriented the purpose towards the provision of cost-effective infrastructure and core services.
16. In 2014, there was another amendment to the act which made an array of changes, including to the development contributions regime. This limited territorial authorities' ability to collect development contributions for community amenities (e.g. sports grounds, swimming pools and libraries).
17. In both 2012 and 2014, Auckland Council made submissions opposing these changes to the act.
18. The development of this submission will be based on the evidence of the council's previous submissions on the act.
19. Broadly, the submission intends to support the amendments. However, staff require the remaining time to gain input from subject matter experts across the council family and ensure a robust analysis of the impact, particularly of the development contribution changes.

## Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views

20. An opportunity is provided for all local boards to provide formal feedback. Local Board Services sent out an email on 13 April 2018 to all local board members outlining the objectives of the bill and that staff would be requesting local board involvement.
21. Submissions on the bill close on 25 May 2018. Due to the tight timeframes, local boards need to provide their feedback for consideration by 16 May 2018. Any formal feedback received after 16 May and before 21 May 2018 will be attached to the final submission.
22. Additionally, two local board chairs have been invited to participate on the political working group that endorses the final council submission.

23. The proposed restoration of the purpose of local government to include social, economic, environmental and cultural well-being aligns well with local boards planning for and delivering on issues of local importance, as defined in the Local Board Plans.
24. The restoration of local government's power to collect development contributions will allow for better access to funding of key local facilities that are of significant interest to local boards such as swimming pools and sports grounds.

### **Tauākī whakaaweawe Māori / Māori impact statement**

25. The bill's proposed changes align well with the Independent Māori Statutory Board's Māori Plan for Tāmaki Makaurau that describes the implementation of their key directions through the lens of the four pou of social, cultural, economic and environmental wellbeing areas.
26. Māori experience disproportionately high negative social, economic and health outcomes. The reinstating of a more holistic purpose of local government could have a positive impact on Māori by refocusing local government decisions to require consideration of broader outcomes.
27. Council staff will seek to engage and receive input from mana whenua by email. Staff will also seek input from the Independent Māori Statutory Board.

### **Ngā ritenga ā-pūtea / Financial implications**

28. There are no anticipated negative financial implications from supporting the bill. However, staff will work with the finance team to identify and analyse any impact.

### **Ngā raru tūpono / Risks**

29. If the local board does not contribute to the submission, then there is a risk that the Auckland Council family's position on this bill will not include their insights.

### **Ngā tāpirihanga / Attachments**

There are no attachments for this report.

### **Ngā kaihaina / Signatories**

Authors	Bonnie-May Shantz - Principal Policy Analyst
Authorisers	Louise Mason - GM Local Board Services Eric Perry - Relationship Manager