

Report 13.50
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Committee Council
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Towards Better Local Regulation draft report

1. Purpose

To agree to support the Local Government New Zealand submission on the Towards Better Local Regulation Draft Report released by the Productivity Commission.

2. The decision-making process and significance

Officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties.

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

2.1 Significance of the decision

Part 6 requires Greater Wellington to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

3. Background

In early 2012, the Government asked the Productivity Commission (the Commission) to look at what local government regulates, how they do it, and to identify improvements, particularly in regard to whether regulations are best made and implemented locally or nationally.

July 2012, the Commission released an Issues Paper setting out the inquiry terms of reference and posing a series of 65 questions for public consultation. The Issues Paper covered three broad areas:

- How could the allocation of regulatory functions between central and local government be improved?
- How can central and local government improve regulatory performance in the local government sector?
- How can the regulatory performance of the local government sector be measured in order to make improvements in the future?

Greater Wellington Regional Council submitted on the Issues Paper in August of last year.

In December, the Commission released Towards Better Local Government Regulation Draft Report (Draft Report). The Commission is seeking submissions to test its draft findings, and plans to release a final report by 1 May 2013.

4. **Comment**

Greater Wellington Regional Council's submission on the Issues Paper supported the intent to improve regulatory performance and reduce the cost of regulation for councils, communities and businesses, particularly in relation to Resource Management Act processes. The submission focussed on:

- The focus of the enquiry
- Local government roles and responsibilities, particularly the lack of awareness of the role of regional councils
- Improving the plan making processes
- Effective monitoring and assessment of performance

The Draft Report picks up on many of the matters raised by Greater Wellington Regional Council and other submitters. It shows a good understanding of local government regulation and the role of local government, particularly when compared to the Issues Paper of last year. The key conclusions are contained in *Cut to the Chase*, the summary document appended at **Attachment 1** to this report.

A paper has been prepared by Local Government New Zealand (LGNZ) examining the questions and recommendations from a local government perspective and providing an initial response. The paper has been appended as **Attachment 2** to this report.

While we have not yet received the final submission from LGNZ, officers support the approach being taken in the attached paper and recommend that a

letter of support be written and provided to the Productivity Commission supporting the LGNZ response.

5. Communication

No external communications are planned as a result of this report.

6. Recommendations

That the Council:

- 1. **Receives** the report.*
- 2. **Notes** the content of the report.*
- 3. **Agrees** that a letter of support be written in support of Local Government New Zealand's submission to the Productivity Commission.*
- 4. **Delegates** to the Chair the ability to sign the letter following the receipt of the final Local Government New Zealand submission.*

Report prepared by:

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Attachment 1: Cut to the Chase, Towards better local regulation draft report – December 2012

Attachment 2: Towards Better Regulation: A Response To The Productivity Commission's Questions And Recommendations (LGNZ)