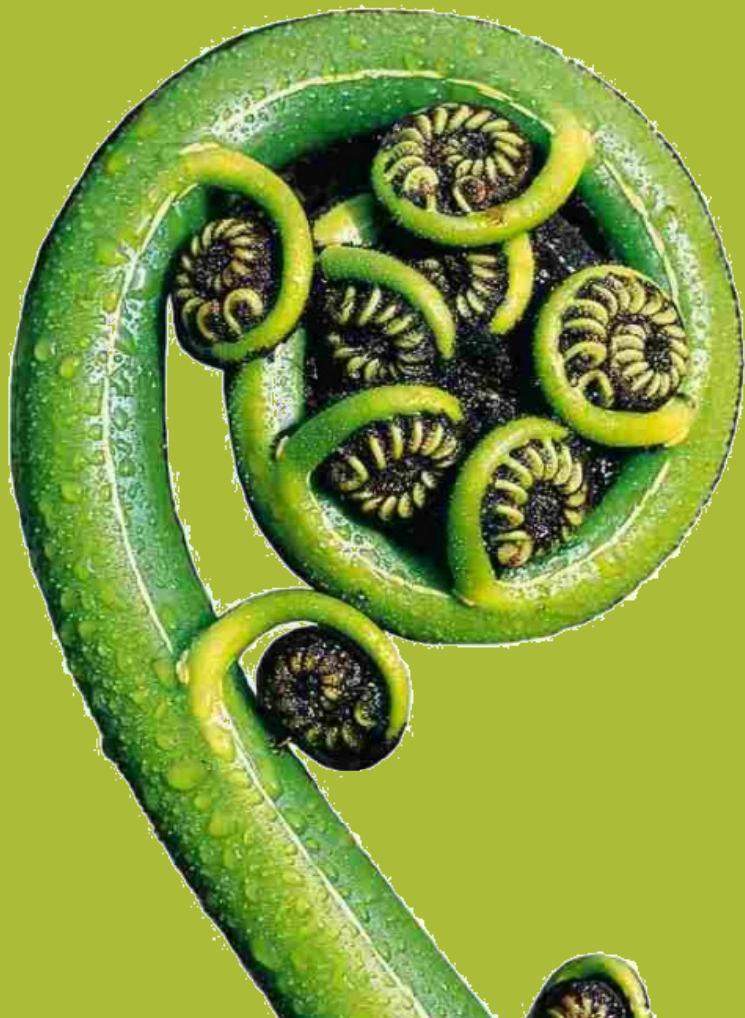


LGNZ's plan for a prosperous and vibrant New Zealand

The 2017 Local Government Manifesto



**We are.
LGNZ.**

Contents

- 1> **Local government – a partner in New Zealand’s governance** p5
- 2> **Strategic policy priorities** p10
- 3> **Fixing the legislative framework and building the platform for localism** p22

Foreword



For New Zealand to succeed as a country it must have prosperous and vibrant cities, districts and regions – as a nation we are, after all, the sum of our communities. This manifesto is designed to ensure councils have the legislative authority to meet the expectations of their citizens and work collaboratively with central government for the benefit of all New Zealanders.

Local Government New Zealand (LGNZ) is the voice of New Zealand's 78 councils. We advocate for the national interests of local authorities and invest in programmes to strengthen the performance of our members. Both are important if councils are to meet the expectations of their citizens and achieve economic growth, community vibrancy and environmental wellbeing.

Protecting and enhancing local democracy is paramount. Our vision is "Local democracy powering community and national success." It is through the strength of local democracy that councils have the mandate to make and implement the decisions necessary to transform communities. Councils have a general purpose to enable democratic local decision-making and meet the current and future needs of their communities for local infrastructure, services and regulatory functions. They are also governed by numerous statutes that impose specific duties, for example, environmental planning, the regulation of dogs and the location of class four gaming machines.

Most importantly councils have a critical role in "place shaping," that is, determining the character and quality of life of the areas they are elected to govern. Their role is unique as they are the only body that has a specific democratic mandate for ensuring place-based communities prosper and thrive.

Consequently, the performance of our local authorities, and the local government system itself, matters; it matters not just for each community but for New Zealand as a whole. Yet councils do not always have the policy levers, incentives or the "tools" to do "the job," such as dealing with the costs of growth. Achieving better outcomes requires a robust legislative framework that is fit-for-purpose. It also requires willingness by central government to work alongside councils and vice versa.

Many of the challenges facing our communities, such as those created by climate change, can only be resolved through joined-up action and LGNZ will seek to work with the incoming government

to facilitate strong collaborative responses to pressing and complex issues.

As the national organisation of local authorities LGNZ itself actively invests in building the capability of councils. The problem that we face is the fact that the legislative framework governing councils is too constraining. Our core legislation is fragmented, complex and fails to incentivise councils to innovate and invest in making their communities better places in which to live. We need to remove unnecessary processes that slow down decision-making and provide greater certainty about the role and responsibilities of councils. Most of all we need to recognise that New Zealand's future requires strong and empowered local government.

LGNZ's Manifesto sets out our vision for local government and the steps for achieving it. Creating more prosperous, vibrant and resilient communities requires a stronger local government system able and empowered to address the challenges we all face. It is an issue that should concern all New Zealanders. It is a matter of urgency.

The structure of the Manifesto follows LGNZ's policy priorities and concludes with the changes we believe are necessary to enable councils to deliver excellent community leadership, services and infrastructure, and the governance of their cities, districts and regions.

A stylized, handwritten signature in black ink, likely belonging to Lawrence Yule. The signature is fluid and cursive, with the first letter being a large, prominent 'L'.

Lawrence Yule
President
Local Government New Zealand

The outcomes LGNZ is seeking

A principle-based legislative framework integral to New Zealand's constitution with broad support across Parliament, through:

- An agency, prominently placed within the machinery of government, with responsibility for ensuring local government's interests are considered in the development of new policies, regulations and legislation;
- A partnership with central government reflecting the complementary role each sphere of government plays in New Zealand's governance; and
- A broader range of funding mechanisms to ensure the sustainability and affordability of council services and infrastructure, particularly in the face of increasingly complex challenges.

These are important requests as local and central government both have roles to play in the proper governance of New Zealand and it is important that they are able to play their roles in a manner which accords with well-designed rules and processes.

Getting there is the focus of this manifesto which sets out in detail what is required from the incoming government if we are to achieve the outcomes for communities and the country as a whole that we are all committed to achieving.



1

**Local government
- a partner in
New Zealand's
governance**

Local government – a partner in New Zealand’s governance

In our democracy sovereignty rests with Parliament which sets the rules within which both central and local government operate. It is Parliament which determines how New Zealand will be governed and how authority is distributed between central government and local government. Yet over time this authority has become concentrated at the centre ultimately to the detriment of local democracy.

Since 1930 local government’s share of total public expenditure has fallen from 50 per cent to approximately 11 per cent today, with central government allocating the remaining 89 per cent. New Zealand is now one of the most centralised countries in the OECD with detrimental consequences for our rate of economic growth and local empowerment. Centralised models are often characterised by “one size fits all” policy preferences and a hangover of the age of mass production. They can also be paternalistic to the interests of regions and localities and unsympathetic to innovation and experimentation. A meaningful partnership is required.

Challenges

This Manifesto reflects LGNZ’s commitment to localism. It is designed to “rebalance” governance in New Zealand by recognising the important role local government plays in our country and providing councils with the ability to properly fulfil that role. If New Zealand is to prosper we need to make use of the talent and the great ideas that exist in our communities – Wellington does not have all the answers. It is time to re-assess New Zealand’s status as one of the most centralised states in the OECD.

The legislative framework under which local government operates limits the ability of councils to address many important local issues and maximize the potential of the areas over which they have jurisdiction. Restrictions include:

- The small number of public activities for which councils are responsible;
- Unclear accountability for outcomes (councils often lack full responsibility for their services);
- Funding “tools” that fail to incentivise investment in growth;
- Legislation and regulatory responsibilities placed on councils without sufficient consultation; and
- Increasing intervention by the central government in local decision-making which undermines accountability.

A principled approach to localism

Underpinning the issues facing councils is the lack of principle-based coherent framework for shaping policy and legislation. To empower local government so that it can fulfil its role to build prosperous and vibrant communities the following principles must become a fundamental part of New Zealand’s legislative framework:

1. Localism

Accountability and allocative efficiency is enhanced when services are provided by the government that is closest to the communities receiving the services. This principle is also known as subsidiarity, which states that public responsibilities should lie with the sphere of government that is closest to the people unless it is more efficient or effective for them to be the responsibility of governments of larger scale.

2. Place-based solutions

Local government is the only sphere of government with the responsibility to represent the interests of communities of place. This provides a unique mandate for taking an integrated and holistic view of the needs of the areas over which they have jurisdiction and addressing the fragmented and siloed approach to delivering public services, as well as ensuring services address local needs and priorities.

3. Delegated responsibilities

Responsibilities delegated to local government should provide councils with the discretion to adapt the exercise of those powers to local conditions. Delegations should occur only after consultation with local government and be subject to a mutually agreed contract.

4. The right incentives

Local government’s legislative framework should incentivise elected members to act in the best interests of their communities by ensuring accountability is clear and unambiguous. Ambiguity occurs where local decision-making can be over-ruled by ministers or officials and where local voters are prevented from holding their elected representatives to account for their performance. Administrative supervision should focus only on ensuring compliance with the law and constitutional principles.

5. Citizen participation

Citizens expect to have a meaningful say about the nature of public services delivered in their cities, districts and regions. Vesting more authority at the local level increases the salience of local government and allows for greater democratic engagement. An engaged and active citizenry results in better accountability and transparency, builds social capital and assists councils to identify priorities.

6. Local democracy

Local self-government is an essential element to a well functioning democracy. Through participation, citizens learn the skills that enable communities to flourish as well as providing a training ground for future political leaders. Empowered local government allows for the expression of differences, reflecting our increasing diversity, and provides a context in which innovation can flourish.

7. Right funding tools

Effective local government is predicated on having financial resources commensurate with councils' statutory responsibilities able to be allocated according to their own discretion exercised within the framework of their powers. Councils need a diverse range of local taxes and charges which are able to keep pace, as far as practically possible, with changes in the cost of carrying out their responsibilities and increase as the economy grows. Provisions should exist to ensure low socio- economic communities are able to access good local public services.

These principles inform the recommendations in this Manifesto and, for the successful governance and social and economic performance of New Zealand, LGNZ seeks their inclusion in New Zealand's constitutional framework so that they will have an ongoing influence. It is also important that the promotion of these principles and the relationship between central and local government is entrusted to senior members of the Government and its administration.



Context and challenges

Like much of the world, New Zealand is facing multiple challenges that have the potential to negatively affect our social, economic, cultural and environmental quality of life. These challenges are driven by a number of fundamental shifts or mega trends and will have implications for the way in which government works, at both the central and local level. These shifts include:

- Changing settlement patterns and increasing urbanisation are affecting our communities differently. Some areas are struggling with the challenge of growth, while others are facing the challenge of maintaining services with static or declining populations.
- Threats to New Zealand's natural environment from growing population, increased visitor numbers and more intensive agriculture. New Zealand needs to find a balance between environmental stewardship and economic prosperity.
- Climate change, which is being felt through more frequent extreme weather events and rising sea levels. Local government plays a key role in mitigating effects through infrastructure investment, adapting to the new environment and contributing to reducing greenhouse gases, especially in cities.
- Automation, which is having a large impact on both the nature of work and the number of jobs. The impact is likely to be strongly disruptive for communities and will create challenges for councils seeking to strengthen community cohesion.
- Social cohesion, which is essential for communities to thrive and prosper, is being challenged by high levels of economic inequality and changing ethnic composition. Councils will need to adopt strategies to recognise their diverse cultural heritages as well as build relationships between communities.

Addressing the impact of these shifts so that communities can be provided with the services and infrastructure that they need to thrive and prosper will need both spheres of government to perform to the best of their ability and work together collaboratively. Although relationships are good at many levels they are yet to achieve the formality and strategic alignment required to meet these future challenges and their complexity.

Councils will need a broader range of powers and funding tools. However, the legislative framework under which councils work fails to empower councils sufficiently to adequately address these new challenges.

For example, councils like Auckland Council should have the legal authority to determine themselves whether or not a congestion tax or regional fuel charge should be applied. Likewise, councils facing costs created by visitors should have a way of capturing a portion of the value of spending made by those visitors in their district. Not only does the local government legislative framework hamper council's ability to address local problems it also undermines accountability, as locally elected members cannot be held accountable for failing to address issues that they are not empowered to do so.

This Manifesto sets out LGNZ's ideas for empowering councils in order to create a more prosperous and vibrant New Zealand.

The importance of infrastructure

Infrastructure, and how it is funded, is a major theme running through this manifesto as infrastructure is critical to our development and the nation's local and national infrastructure is under considerable pressure. The National Infrastructure Plan describes infrastructure as "the foundation on which so much of our economy relies, whether it is reliable electricity, clean drinking water, or transport networks that allow us to safely get to work and live our lives every day."

Together central and local government's infrastructure investment is worth over \$300 billion and the National Infrastructure Unit (NIU) forecasts infrastructure spending to increase by at least another \$110 billion by 2025. The value of this investment, its long life and the contribution it makes to New Zealand's economy and social well-being, makes it essential that infrastructure is well planned, managed, delivered and used.

< For New Zealand's future, infrastructure must be treated as an investment not a cost. >

Local government's ability to continue to provide essential infrastructure, given the range of funding and financing tools available to councils, is being challenged. Critical issues include:

- The impact of extreme weather events which exceed the capacity to which existing infrastructure is designed;
- Sea level rise and its future impact on both underground and surface infrastructure;
- Growing population and the cost of providing the necessary infrastructure;
- Increasing number of visitors and tourists in smaller communities which have limited means of recovering the costs; and
- Future infrastructure renewal demands.

New Zealand needs the incoming government to ensure that councils have the resources and the capacity to meet the infrastructure needs of their communities. Specific proposals for achieving this are set out in the next section.

New Zealand's infrastructure

Government	Local government	Private sector
<ul style="list-style-type: none"> • Schools • Prisons • Hospitals • State highway network • Rail • Electricity generation and transmission • Others <p>Approximately \$200 billion</p>	<ul style="list-style-type: none"> • Three waters • Local roads • Recreation/libraries • Cemeteries • Flood protection • Ports and airports • Landfills • Others <p>Approximately \$135 billion</p>	<ul style="list-style-type: none"> • Telecommunications • Energy • Productive and manufacturing capacity • Landfills • Others <p>Total unknown</p>

2

LGNZ's strategic policy priorities for New Zealand

LGNZ's five strategic policy priorities for New Zealand

1 > Infrastructure: Ensuring infrastructure and associated funding mechanisms are in place to allow for growth and maintenance across housing, building, transport, broadband, tourism-related, three waters and flood control infrastructure.

Future proofing our three waters infrastructure

Water is critical to the health of New Zealanders and our economy. It is also a highly valued resource, as water scarcity becomes a reality in many parts of the world; consequently protecting the quality of water and ensuring it is used wisely is urgent. In New Zealand water is subject to a range of legislative and regulatory reforms ranging from the framework for the allocation of freshwater, the standards which govern potable water and the quality of our wastewater treatment systems.

Fundamental to these reviews are the drinking water, wastewater and stormwater infrastructures which are mostly owned by local authorities.

Councils have been responsible for urban and rural infrastructure since their establishment in the mid 19th Century with investment decisions reflecting issues of affordability and the need to improve community health. The importance of doing this well was reinforced recently by the contamination of the Havelock North water supply and the Edgcombe floods.

Over time the cost of building and maintaining water infrastructure has increased due to higher community and national expectations and the increased frequency of extreme weather events. Yet there has been a lack of national information about the state of our water infrastructures – something that LGNZ has addressed through its 3 Waters project in 2015 which provides an information base for identifying and promoting best practice, developing tools for assessing service design and problem identification.

On the basis of our three waters' research the following desired outcomes were identified as essential for an effective water infrastructure system. They are:

1. Understanding customer needs and expectations;
2. Effectively managing and investing in physical assets;
3. Effectively recovering costs;
4. Promoting efficient usage; and
5. Continuing to learn and grow.

As a result of this work, LGNZ has identified a need for a “co-regulated” approach to strengthening the capacity and resilience of our water infrastructure. We seek the incoming government's support to establish this regulatory approach.

To address the pressures on councils and communities to provide more resilient and effective water infrastructure systems, New Zealand needs the incoming government to:

1. Ensure local authorities have access to a broad range of infrastructure funding options sufficient to meet current and future needs for water infrastructure provision; and
2. Introduce a co-regulatory framework to ensure New Zealand's potable water, wastewater and stormwater systems meet desired outcomes.

Integrating transport

Efficient and well-managed transport networks are vital for regional and national development. To maximise our economic potential an integrated transport system incorporating roads, rail, maritime and aviation is needed. More specifically a joined-up approach to regional and national planning must be designed and implemented. LGNZ is looking for a transport framework that:

- Addresses current and future demand and provides appropriate transport choices;
- Is safe and increasingly free of death and serious injury;
- Delivers the right infrastructure and services to the right level in a cost effective manner; and
- Mitigates negative environmental externalities, such as polluted run-off.

Transport is a sector in which local government plays a significant role. Councils own 88 per cent of all roads which carry up to eight times as much primary produce tonnage as the processed and manufactured products carried on the state highway network. On roading alone expenditure in 2014/15 was over \$1.23 billion, including expenditure on new infrastructure, maintenance, renewal and operations. In addition councils are responsible for:

- Roads;
- Cycleways;
- Public transport;
- Regional transport planning; and
- Land use planning.

There is an improving relationship between councils and the NZ Transport Agency, which has been reflected in the Agency's process for amending the Financial Assistance Rate and the collaborative approach to putting in place the One Network Road Classification system. LGNZ also supports current efforts to explore service delivery models that meet local needs and align with the increasing demands being made on the transport system.

There are however growing pressures on the ability of councils to continue to meet their community's transport needs, such as congestion problems created by rapid population growth; the impact of logging trucks on rural roads and limited authority to recoup the cost from the forestry companies; and the lack of intermodal planning which could, if adopted, take pressure away from the roading network.

To fund and manage increasing demands being made on our roading and transport networks, New Zealand needs the incoming government to:

1. Enable councils to utilise a broader range of funding mechanisms, such as regional petrol taxes, congestion and road user charges;
2. Allow councils to receive a share of royalties from extractive industries in their areas to compensate local communities for the use made of local transport infrastructure; and
3. Introduce integrated transport planning across all modes of transport.



Stronger cities and urban environments

Cities are sites of innovation and engines of economic growth with their importance only set to grow as the rate of urbanisation increases. The performance of cities underpins national success, especially in the context of our growing knowledge and digital economy. Critical to successful cities is their ability to attract talented and creative individuals. Cities around the world compete for talent on the basis of the quality of life they offer – their liveability. For New Zealand cities to compete they need the following:

- The right to make decisions on urban issues;
- A range of funding mechanisms, including those that incentivise investment in activities that create economic returns; and
- An integrated and strategic approach to city policy at the national level.

In short, a fit-for-purpose planning system that enables local authorities and citizens to make critical decisions' about the nature of appropriate infrastructure and how it is funded is needed. Pressing issues are being more inclusive, better transport links and the supply and affordability of housing. Addressing this issue requires a joined-up response involving both spheres of government.

< Great cities attract, retain and develop increasingly mobile talent and organisations, encouraging them to innovate, create jobs and support growth. >

(Australian Government Smart Cities Plan)

The current legislative framework is not helpful. Councils lack the authority to develop new funding tools to address issues like traffic congestion, have insufficient incentives to invest in new infrastructure as there are limited tools for capturing value uplift, and innovation is constrained by their legislative framework (such as “joint and several” liability). Consequently our cities face the risk of under-investment in critical urban infrastructure. Some positive change is underway, for example:

- The proposed legislation to establish “urban development authorities” (UDAs) to better enable urban development at scale; and
- The National Policy Statement on Urban Development Capacity which recognises the role councils play in enhancing social, economic, cultural and environmental well-being.

Yet these changes do not go far enough. UDAs may speed up development but councils still lack mechanisms for capturing the value that is created by these initiatives, as resulting growth in GST and income taxes are received by central not local government. A more coherent urban or city policy framework is needed.

If New Zealand is to have smart cities that attract talent through liveability, New Zealand needs the incoming government to:

1. Adopt policy and regulatory frameworks that give councils greater decision-making authority and a wider range of funding options; and
2. Take a strategic and coordinated approach to city and urban policy.



2 > Risk and resilience: Understanding and addressing risks from natural hazards and other events – both for infrastructure and to support resilience in the economy and our communities.

Assessing risk and resilience

Given our geography New Zealand has a high exposure to hazardous and extreme events, from low-frequency high-impact events, such as earthquakes and flooding caused by extreme weather events. Given our low and spread out population the impact of these events is magnified.

The recent Kaikoura earthquake has exposed some of these vulnerabilities, such as the north transport corridor, which continues to limit the movement of goods and people. New Zealand needs to develop the frameworks and policy tools to respond meaningfully to such events and reduce community and economic risks.

As owners of significant infrastructure, with a total asset value of over \$130 billion, and holding the responsibility for mitigating hazards through land-use planning, local government has a major role to play in achieving local, regional and national resilience. It is vital that we are prepared to address potential risks which means better emergency preparedness nationally and locally. The recent work that the Wellington region has undertaken with central government strengthening the resilience of its water supply is an example of this, however, given the substantial risk factors New Zealand faces we need a more strategic and comprehensive approach across the country.

Climate change poses an unprecedented level of risk to our natural and built environment. Much of the responsibility for adaptation falls to local government, however councils cannot address these issues by themselves. A national conversation is required. Councils can also play an important role in mitigation by working with their communities to reduce emissions. To be effective, climate adaptation will require a diverse range of actions and policy approaches. We need:

- A consistent information base, innovative solutions and dialogue to agree on funding options; and
- Proactive collaboration between central and local government, and between city, district and regional councils.

LGNZ is committed to working with councils to increase awareness and understanding of the need to prepare for risk and resilience in relation to infrastructure, land-use planning and leadership. As an organisation we will help our members to build awareness within their communities to the threats posed by sea level rise and other climate change impacts. However, this work cannot be successfully undertaken without the active involvement of central government.

In order to assist our members understand risk LGNZ and the government have prepared a business case for establishing a Local Government Risk Agency (LGRA). The LGRA is designed to increase local capacity and develop a consistent standard of risk management. Establishing this agency is an urgent matter and will be a priority for this term.

To ensure local authorities and their communities understand the nature of the risks facing them today and in their future, New Zealand needs the incoming government to:

1. Commit to the ongoing support of the LGRA; and
2. Lead, in association with councils, a national discussion on the importance of understanding risk and building resilience.

3 > Environment: Leading and championing policy and working alongside central government, iwi and stakeholders to deal with the increasing impact of environmental issues including climate change, the quality and quantity of New Zealand's freshwater resources, and biodiversity.

Sustaining our environment

New Zealanders pride themselves on the quality of their environment and we have received significant financial advantage from the international image of New Zealand as a country that is “clean and green.” Yet human activity impacts on the environment in a multitude of ways with effects on water and air quality, natural flora and fauna, and the characters of our landscapes and seascapes.

< Managing the loss of natural capital in New Zealand relies on not only proactive conservation, but on the sympathetic and effective exercise of statutory duties. Local governments are key catalysts of environmental outcomes. >

(Marie Brown, Senior Policy Analyst, Environmental Defence Society)

Our environment also has an intrinsic value, as captured in the concept of kaitiakitanga which is embedded in our natural resources legislation as stewardship. In many situations it is up to the local authority to exercise that stewardship and find the right balance between preserving environmental quality and enabling economic opportunities, a responsibility that is becoming more difficult and complex, for example:

- Population growth and sprawl impact on the landscape, water and air quality and energy use through commuting; and
- More intensive agriculture results in more polluted waterways. In addition, both trends put pressure on natural habitats and their flora and fauna.

In addition, climate change and increased international trade exposes New Zealand's environment to new threats and new pests. Protecting the quality of our environment and enhancing biodiversity is largely the responsibility of local authorities; in this territorial authorities and regional councils play complementary roles.

New Zealand has a range of regulations and laws that seek to protect the environment and we need to examine how well regulations and laws interact, and the outcomes achieved. Ensuring our environmental vision aligns with our economic goals and objectives, and the types of activities that we invest in will need to be carefully planned if the results are to be sustainable. Councils may need a greater range of policy tools and levers.

Local government's roles are largely determined by the Resource Management Act 1991 (RMA). The RMA has been subject to substantial tinkering and now needs major reform to address increasing complexity and the gradual erosion of local discretion and citizen engagement in the process of deciding environmental outcomes.

In order to ensure our environmental legislation is fit-for-purpose and is able to ensure environmental quality while allowing for economic development, New Zealand needs the incoming government to:

1. Undertake a first principles review of the resource management system and legislative framework in active collaboration with local authorities and communities.
2. Ensure local authorities have the 'statutory tools' to meet agreed environmental targets.

Protecting our freshwater

The quality of our water is, and will continue to be, one of the defining political issues for governments at both the national and local level over the foreseeable future. Improving water quality represents major challenges for both regional and territorial councils, yet New Zealand lacks an overall integrated framework for the future management and allocation of its water resources.

Water quality is under considerable challenge, especially with growth in New Zealand's population and agriculture-based economy and the expectation that high-intensity agriculture and urbanisation will continue to expand into new areas, potentially affecting water quality in more water bodies. Amongst the issues are:

- Increasing nitrogen levels at more than half of the measured sites;
- Declining levels of pastoral agriculture and increasing levels of intensive agriculture (nitrogen leaching from agriculture has increased by 29 per cent since 1990, especially from livestock urine); and
- Urban waterways having the worst overall water quality due to the impact of both storm and wastewater systems (although affecting only one per cent of our waterways).

The current water quality target for selected waterways to achieve 90 per cent swimability by 2040 will impact directly on local government and communities. Major issues include the costs and trade-offs involved in meeting increased water standards and the resulting impact on local communities, families and business, as well as the cost of upgrading wastewater and stormwater systems.

To address this gap LGNZ is leading the Water 2050 project to create a comprehensive framework that brings freshwater issues and water infrastructure into a coherent policy framework. It will integrate freshwater quality and quantity, standards, rights and allocation, land use, three waters infrastructure, cost and affordability, and funding while recognising that the allocation of iwi rights and interests in freshwater is a live issue for the Crown.

Meeting freshwater quality standards requires a multi-party response, involving both spheres of government, and all sectors.

To enable an integrated policy framework for freshwater New Zealand needs the incoming government to:

1. Quantify the costs and trade-offs required to meet freshwater quality standards, in both rural and urban areas, and lead a public dialogue to increase community awareness of the issues;
2. Identify, in conjunction with local government, the required additional funding for any increase in standards;
3. Work with local government and iwi to identify and implement fit-for-purpose water allocation model(s); and
4. Give a single government agency responsibility for coordinating the Government's diverse interests in water, including fresh and drinking water, infrastructure and allocation.

Responding to climate change

New Zealand's climate is changing and will continue to change. The extent to which it does depends on the global emissions trajectory. Changes include: rising sea levels that will cause land loss through coastal erosion and storm events; higher temperatures and changes to rainfall patterns that will affect economic activity and ecosystems; and more intense tropical cyclones which increase the need for (and cost of) emergency response.

< Low carbon infrastructure and patterns of development are essential to future prosperity. >

The way in which communities live and function are already being impacted by climate change, and these impacts are expected to increase in magnitude and extent over time (to some extent) regardless of how much we (and the rest of the world) reduce carbon emissions. **However, the decisions made today will affect how much our climate changes and our ability to respond in effective ways to a changing climate.** The current predictions for New Zealand are for:

- **Rising sea levels:** New Zealand sea levels are expected to continue to rise for centuries in all emissions scenarios (just under one metre by late this century under a mid-range scenario).
- **Higher temperatures:** Warming is expected to continue (0.8 degrees by 2090 in a low carbon emissions scenario; 3.5 degrees by 2090 in a high carbon scenario), with greater extremes in the temperatures observed.
- **Regional rainfall changes:** Rainfall change is expected to be strongly regional, with increased droughts in the east and north of the North Island. Extreme rainfall is also expected to increase.
- **More intense tropical cyclones:** New Zealand is expected to experience stronger, but fewer, tropical cyclones.

While communities will be differently affected by climate change all communities will face higher costs as infrastructures are adapted and enhanced to meet the additional demands that extreme weather or sea level rise places on them. Future costs will involve both mitigation and adaptation. Factors that will need to be considered are:

- Where will the resources to pay for adaptation come from?
- How can governments incentivise communities to minimise their exposure and vulnerability to climate change?
- Who will lead the public education needed to help citizens understand how a changing climate will affect them?

To successfully respond to the mitigation and adaptation needs created by climate change, including the cost, New Zealand needs the incoming government to:

1. Ensure New Zealand meets its carbon reduction commitments in collaboration with councils; and
2. Take a collaborative approach to finding solutions to the future social and economic costs of adapting to sea level rise.



4 > Social: Working alongside central government and iwi to address social issues and needs in our communities including an ageing population, disparity between social groups, housing (including social housing) supply and quality, and community safety.

Social housing and healthy homes

For New Zealand to prosper it needs healthy communities, and healthy communities need good homes. Quality of housing has a major impact on the way in which people use social services, attend school, work and participate in civic life. It has a big influence on the life chances of citizens and ultimately the social and economic success of cities, districts and regions. It is of interest to councils for a number of reasons:

- Regulatory responsibilities concerned with the safety of buildings;
- Planning responsibility;
- Responsibilities under the Building Act; and
- Owners and providers of social housing.

Local government is New Zealand's second biggest provider of social housing, owning approximately 11,500 social housing units, most of which are the results of investments made during the period when the Government provided low cost loans to enable councils to provide pensioner housing in order to free up the Housing Corporation to focus on families and people with special needs.

Despite this significant contribution, current policies (namely the inability for councils to be community housing providers) prevent local government from playing an ongoing role. Councils wishing to continue as social housing providers and address housing needs in their communities are faced with the need to find a sustainable financial model. Local government can also play other roles, from advocate to broker, using their popular mandate to bring agencies together to create a more integrated approach to social housing provision and address gaps.

The standard of housing in New Zealand is generally poor, with many people living in rental homes that are damp and cold and prone to mould. Current legislative tools available through central and local government are inadequate to address the problem. Unhealthy home environments have significant impacts on the health of people living in them and community quality of life. Addressing this issue requires a national response, such as setting minimum standards for rental housing.

Councils also need clear powers in certain circumstances to be able to require developers to provide a proportion of 'affordable' homes to ensure their towns can provide accommodation for workers and essential staff.

To ensure cities and districts have the housing stock to meet the needs of our diverse communities New Zealand needs the incoming government to:

1. **Adopt a policy framework that recognises the multiple roles councils can play in social housing, including eligibility to make use of income related rents;**
2. **Implement a stronger policy and regulatory framework for improving the standard of rental housing; and**
3. **Provide councils with the right to require developers to include a proportion of affordable homes in new developments.**

Making our communities safer

It has been well accepted for many years that communities which have high levels of social capital have better performing government institutions and higher levels of economic growth. Social capital is a way of describing the level of “connectedness” in an area. Where people feel more connected there is greater sharing, reciprocity and trust. Residents are more civic minded, neighbours look out for each other and people take greater responsibility for the quality of life in their neighbourhood, whether picking up rubbish, painting over graffiti or looking after traps to catch predators. Such communities are also more resilient.

Councils, because of their proximity to citizens, undertake a broad range of programmes to build community cohesion. Such programmes are extremely important in areas experiencing demographic change and inward migration. From providing social housing for new migrants and sponsoring sports competitions that bring communities together to initiatives like Ashburton District Council’s “Start with a Smile” initiative, innovative strategies are being used to bring communities together.

< Communities experiencing deprivation and/or high levels of crime are likely to experience lower levels of social cohesion, loss of economic investment and ultimately population decline. >

Some communities, however, face multiple challenges, such as social deprivation and crime, which undermine their ability to self-organise and which are beyond the scope of local authorities to address. In many cases, such communities receive services from multiple agencies funded by central government; services that can be uncoordinated and may not address the specific needs and priorities of the local area. Councils are well placed to assist governments to evaluate the effectiveness of local spending.

Connectedness can also be undermined by increased levels of crime and offending. This is an issue that has been raised with central government by many local authorities, particularly those in rural and provincial New Zealand.

Consequently LGNZ welcomed the Government’s decision in early 2017 to significantly increase the number of Police and earmark at least 140 of the new staff for rural communities. It is important that the rollout of the new recruits addresses those areas of greatest need and is provided in a way that strengthens confidence in the Police and improves perceptions of safety. LGNZ is committed to working with the Commissioner of Police to ensure local communities’ need for on the ground policing are met.

In order to ensure communities are safe and have the range of social services appropriate to their needs, New Zealand needs the incoming government to:

1. **Provide all communities with adequate policing;**
2. **Work with interested local authorities to develop a model for assessing the effectiveness of social spending; and**
3. **Develop decision-making models that enable councils, and local organisations, to work with government departments to develop innovative and place-based approaches for addressing local issues.**

5 > Economic: Developing a range of policy levers to address and fund economic development and growth across all of New Zealand.

Strengthening local economic development

Sustainable economic growth is important to New Zealand, as it is to all countries. Growth provides governments with the resources to invest in public services and infrastructure so as to make the lives of citizens better. In order to be a successful trading nation New Zealand must develop and strengthen ties with potential markets. Investment flows not to countries but to cities and places within countries that are attractive to entrepreneurs and investors.

Yet not everyone benefits from growth. Although the New Zealand economy continues to expand some parts of our country are missing out on the benefits of that growth. They face a number of challenges and it is often the local authority that is left as the “provider of last resort.” Challenges include:

- Loss of employment opportunities due to changing technology and investment trends;
- Ageing populations and loss of younger generations;
- Lack of access to efficient transport modes; and
- Public perceptions, such as levels of crime or dependency, which discourage inward investment and immigration.

< Local communities should share the benefits that accrue to central government from extractive industries and growth. Local government should receive financial benefits for creating economic growth (and suffer a loss when it does not). >

(Dr Oliver, Hartwich New Zealand Initiative).

LGNZ itself has reviewed the effectiveness of local government’s economic development spend in order to help councils develop approaches that are most likely to succeed and use public resources prudently. Councils already make a significant financial contribution to economic development activities within their districts. In the 2015/16 financial year this amounted to approximately \$250 million in spending specifically earmarked to increasing economic growth. Many of these programmes are undertaken in collaboration with central government agencies and local partners.

However, the legislative framework under which councils work does not help.

Current rules dis-incentivise councils from investing in growth since taxation growth from new enterprises, in the form of GST or income tax, is received by central, not local, government. LGNZ is working to change this situation by advocating for mechanisms that will allow councils to capture “value uplift”, for example, through mechanisms such as special economic zones. Local government’s mandate to engage in economic development is also far from clear since the purpose of local government was amended in 2012. Clarity of purpose would certainly help.

In order to strengthen local government’s mandate to facilitate stronger economies at the regional and local level, New Zealand needs the incoming government to:

1. **Allow the creation of special economic zones to attract investment in specific locations;**
2. **Provide mechanisms for councils to capture value uplift in their areas; and**
3. **Take a collaborative and innovative approach with councils when developing economic policy and strategy at both national and sub-national levels.**



Enhancing the visitor experience

The visitor industry is now New Zealand's largest export industry with the number of tourists expected to be 4.5 million in 2019, an annual growth rate since 1995 of 11.9 per cent.

The speed of the industry's growth is putting many of New Zealand's smaller communities under pressure to provide the services, amenities and infrastructure that visitors need. It is a problem created by the way in which councils are funded, as new facilities will be paid for out of property taxes by local ratepayers while visitor expenditure, in the form of increased GST and income tax, benefits central rather than local government.

As identified by the Deloitte report "National Tourism Infrastructure" (April 2017) the highest infrastructure priorities at the whole-of-country level include:

- Visitor accommodation;
- Airports and related facilities;
- Telecommunications;
- Information sites;
- Car-parking;
- Water and sewerage systems;
- Public toilets; and
- Road transport.

By far the majority of these priorities are either the direct or indirect responsibility of local government. The situation, in which the costs are borne by a different sphere of government to that which received the financial benefit, is unfair to local residents. Councils also have regulatory responsibilities in relation to many of these activities, such as freedom camping, however, regulation is hampered by the inability to apply infringement fines.

Without more equitable forms of funding there is a risk that visitors will lack the appropriate range of local amenities they need to have a positive experience. This poses a reputational risk for New Zealand, and a policy risk for tourism as a whole, should communities object to paying for an industry which creates national rather than local benefits. The objective for both central and local government is the creation of a prosperous New Zealand.

In order for visitors to New Zealand to have access to good quality local services and amenities, New Zealand needs the incoming government to:

1. Provide councils with a mechanism for capturing a share of local visitor spending and/or establish a national visitors levy which is annually allocated to councils on the basis of an agreed and transparent formula;
2. Develop, in collaboration with local government and the tourism industry, a sustainable national tourism strategy; and
3. Provide councils with the power to issue infringement fines.

3

**Fixing the
legislative
framework and
building the
platform for
localism**

Fixing the legislative framework and building the platform for localism

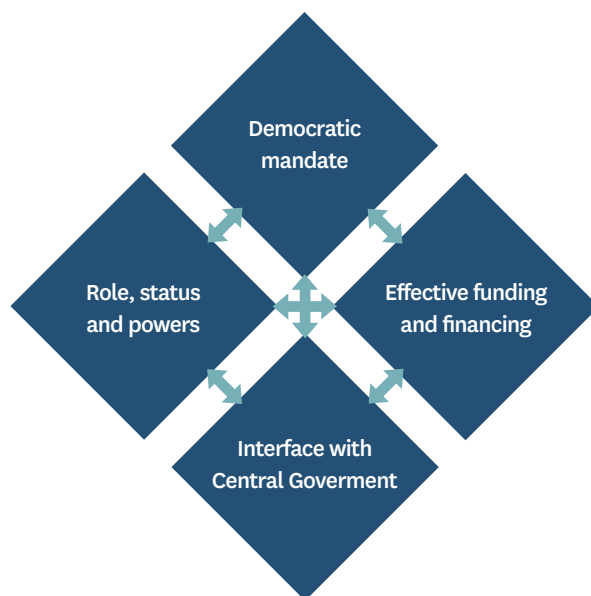
Ensuring New Zealand's future well-being and its social and economic resilience requires the energy and the innovation of its people and their communities. This is a role that local government is uniquely situated to perform as we are the sphere of government that has the most direct and intimate relationship with citizens and communities. Yet local government's ability to fulfil this role is constrained. It is constrained by councils' overall legislative framework, their narrow range of functions, and by the way in which local government is funded.

LGNZ is committed to ensuring councils have the ability to address the challenges facing New Zealand and its communities. Getting the framework right is essential if councils are to ensure better local services and infrastructure, provide stronger local and regional leadership and strengthen local democracy. It is also essential if we are to achieve better local government performance. Fixing the local government framework and building a future platform involves changes to:

- Role status and powers;
- Funding;
- Democratic process; and
- Central and local government interface.

All four factors are closely interwoven, as figure one sets out. For example, local government's relationship with central government requires a strong local democratic mandate; however, this mandate depends on the ability of councils to address local issues which in turn depends on the way in which they are funded.

Figure one: Building a sustainable policy and legislative platform



1 > Stronger role, status and powers

Responding to a fast changing world means that the legislative framework governing local government must be flexible and enable councils to adapt to changing circumstances and address new issues. This requires councils to have a broad range of powers, including funding and regulatory powers, but also a sound accountability framework within which those powers must be used.

The existing statutes governing councils' general roles, powers and accountability are no longer fit-for-purpose. For example, the Local Government Act 2002 (LGA), which provides local authorities their general powers and the principles and procedures councils must follow when making decisions, has been subject to at least three major reforms since its was redrafted in 2002. Further changes are proposed in the LGA Amendment Bill 2016. Many of these recent changes have had the effect of limiting the discretion of elected members and ultimately meaningful engagement of citizens.

Key issues

Problems with the current framework include:

- **Overly prescriptive and complex accountability provisions.**

These provisions, which are throughout the LGA, have also become increasingly ambiguous, as it is often no longer clear whether elected members are accountable to citizens or to central government ministers. The complex accountability provisions are also time-consuming and expensive to operate.

- **Uncertainty of purpose.** Since 1989 the purpose of local government has been amended at least four times. For a sector that owns more than \$120 billion worth of assets and spends nearly 4 per cent of gross domestic product, this is concerning as it creates uncertainty about role and function and disincentives long-term investment. Local government's purpose and role must reflect their central place in promoting the social, economic, cultural and environmental well-being of their communities and be given constitutional status to provide ongoing certainty.
- **Ministerial over-rule and intervention powers.** The growth of these powers directly undermines the discretion and accountability of elected members, which both undermines their electoral accountability and their performance. Dual accountability is no accountability at all. Local government has operated successfully for nearly 150 years without such intervention mechanisms, it is not clear why they should be needed now. Other options, such as local referenda, are available if ministers have concerns about mandate and accountability.
- **Incomplete regulatory powers.** The LGA modernised local government's bylaw making powers but failed to create an effective infringement regime. Without such a regime councils are left with having to take offenders to court for the recovery of what tend to be small fines, well under the cost of taking the prosecution. Without access to an infringement regime councils are limited in dealing with a range of nuisance issues, such as window washers and freedom camping.
- **Amalgamation of councils and services.** Over the last few years central government has made a range of legislative changes to facilitate the consolidation of council boundaries and their services. These changes have lacked any empirical basis, have not involved meaningful consultation with local government, and have resulted in considerable community

opposition. Local authorities themselves, working with their communities, are best placed to determine the most efficient and effective way of delivering services. External bodies, such as the Local Government Commission, should be there to advise and facilitate in situations where councils and communities' have identified issues and opportunities.

- **Local governance.** Recent changes to the LGA, such as s.41A which sets out the leadership role of mayors and enables them to appoint deputies and committee chairs, are poorly designed and are causing conflict in a number of local authorities. The uncertainty associated with these provisions undermines the quality of local governance as well as the reputation of local government itself.
- The **Local Authorities (Members Interests) Act 1968 (LAMIA)** sets out the accountability of elected members and ensures that they act in the public interest. However, it is extremely dated and creates significant implementation issues. For example, LAMIA prescribes the "contracting rule" whereby an elected member is disqualified from office if he or she is interested in a contract with their council which exceeds \$25,000 in any financial year. In today's currency \$25,000 is equivalent to \$430,500 - as a result many talented local citizens are unable to stand for office. This must be changed.

Out of date and complex legislation, such as the ongoing debates over the purpose of local government, distract councils from their task of providing good governance to their communities. It also creates a level of uncertainty about the future role of councils which is a risk for organisations that own long-life infrastructure and are required to plan for many decades in advance.

To establish a fit-for-purpose legislative framework New Zealand needs the incoming government to:

1. Endorse the localist principles set out in this Manifesto and give them constitutional status; and
2. Establish joint central and local government officials' groups to review the LGA 2002 and LAMIA 1968 to ensure their consistency with these principles.

2 > More effective funding and financing

One of the key principles underpinning effective local government is that it should have a tax base and/or revenue system sufficient to undertake its assigned responsibilities and over which it has significant autonomy. This is captured in the widely accepted definition of local government, which states that local governments are:

“democratically elected bodies which have well defined discretionary powers to provide services to their citizens and finance them with the proceeds of one or more exclusive local taxes of which they can determine the base and/or rate of tax.”
(Bailey 1999)

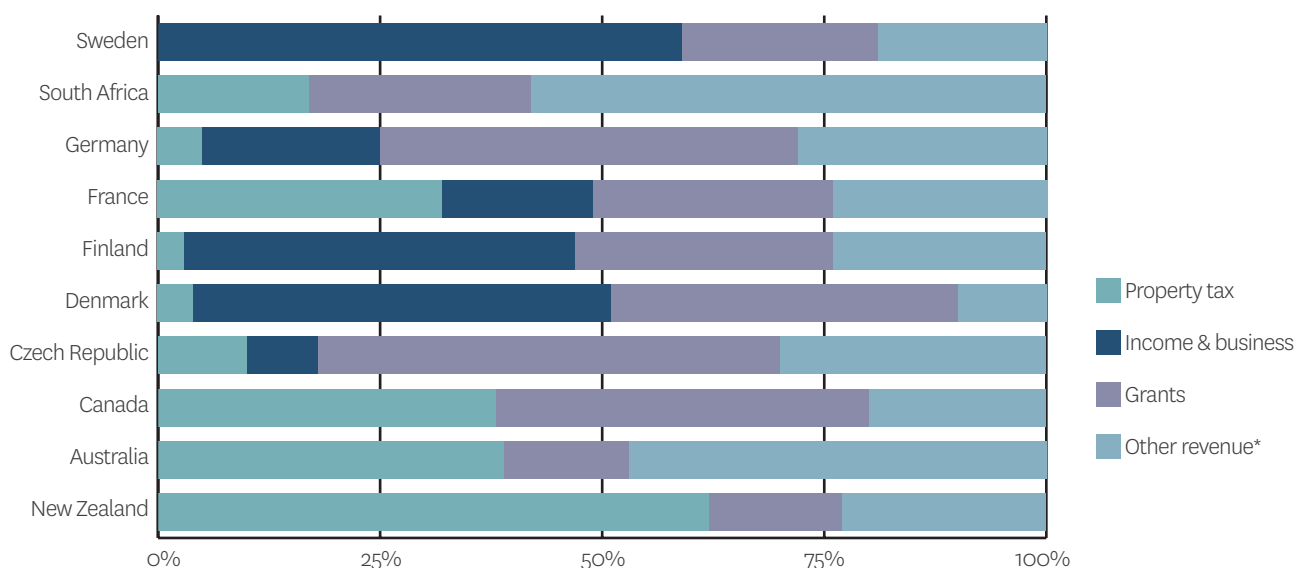
Having the authority to determine the base and rate of tax is essential for accountability and councils’ ability to respond to local interests. Compared to other countries, New Zealand’s local government tax base includes a high percentage of property taxes. Roughly 58 per cent of its operating revenue comes from property tax, 14 per cent from grants and 22 per cent from other revenue. By comparison, local government in Canada receives 38 per cent of its revenue from property tax, 42 per cent in grants and 18 per cent from other revenue, while local government in Denmark receives 3 per cent of its income from property tax, see figure two.

Dependence on a single form of tax creates sustainability risks; ideally councils should have a mix of taxing instruments. Because property taxes are poorly related to people’s ability to pay, councils are often reluctant to increase rates to the level necessary to maintain infrastructure investment. Yet the costs faced by councils are rising faster than general inflation. Increases in service standards due to community expectations or central government requirements, such as drinking water standards and measures to enhance freshwater quality, are adding to infrastructure costs. Population and visitor growth is forcing councils to increase service levels and develop new infrastructure, while economic growth and the pressure it puts on existing infrastructure is requiring more to be spent on enhancements and renewals.

Concerns about local government funding promoted LGNZ to undertake a Funding Review in 2015. The review found that:

- There is a lack of “horizontal equity” within local government whereby some cities and districts are more able to afford good quality infrastructure and services while others lack a sufficient economic base;
- Central government policy makers lack strong incentives to fully consider the effects of government policy changes on local government. This results in central government imposing new responsibilities on local government with inadequate consideration of the costs and benefits; and

Figure two: Local government operating revenue



(Source: World Bank 2014, Local Councils 2014)

- New tools are needed to incentivise councils to put in place initiatives to increase local economic growth.

A number of largely technical issues were also identified with the Local Government (Rating) Act 2002 (Rating Act) which sets out the rules that govern the way in which councils make decisions about property taxes. For example:

- The mechanism by which regional councils utilise territorial authorities to collect regional council rates and penalties on unpaid rates;
- The complexity of the rating resolution process and duplication with the LGA;
- Rating exemptions;
- The inability to require the payment of local mining royalties to offset the cost to local communities; and
- The lack of complementary revenue options.

Addressing these issues is essential if councils are to meet community and central government's expectations for better and more responsive services.

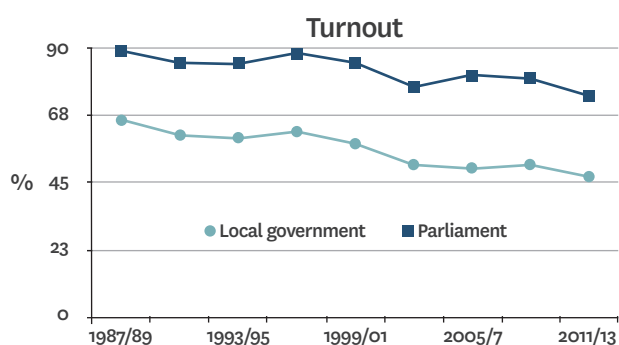
In order to ensure councils have the funding options to meet community and government expectations, New Zealand needs the incoming government to:

1. Undertake a review of the way in which local government is funded which takes into account the findings of the LGNZ Funding Review; and
2. Undertake a review of the Rating Act to modernise its provisions and remove those aspects that are no longer relevant.

3 > Stronger local democratic processes

While effective local democracy involves more than the proportion of eligible voters who turn out to vote, turnout is still widely regarded as key to the legitimacy and mandate of our governments. Turnout rates for local government elections have fallen by nearly 20 per cent over the last 25 years. Consequently, improving voter turnout is important for changing perceptions about local government's democratic legitimacy. See figure three.

Figure three: Average turnout



Although the decline in turnout is not unique to New Zealand, most countries in the OECD have experienced a loss of interest in local and national elections. Some countries, such as Denmark, have shown that it can be reversed. Denmark introduced proactive measures to highlight the importance of civic participation. Many of these options are just as applicable in New Zealand, for example:

1. **Increasing community understanding about governance in New Zealand.** Surveys of residents undertaken by LGNZ and other agencies indicate a considerable lack of knowledge about how local government works and what councils do. For example, LGNZ's Local Government Survey, undertaken in 2014 found that approximately one third of resident did not know that councils provided local roads.

While many councils invest in local "outreach" initiatives (such as sponsoring "kids voting" and preparing resources about their role and function for local schools) a more comprehensive and nationally consistent approach to citizen education is needed, one that is built into our school curriculums.

2. **Online voting.** Although turnout in local elections increased significantly with the universal adoption of postal voting in 1989 it has steadily declined since that date. Today fewer people are familiar with "post" and, as a result, the postal service is now less comprehensive than previously. Postal and booth voting are also poorly suited when it comes to the needs of citizens who are travelling during the voting period or communities with disabilities, such as the blind.

In order to meet the needs of travellers and disabled voters, as well as remove risks posed by changes to the postal service, there has been a call to introduce online voting. This was the subject of the Online Voting Working Group report in 2014 which found that online voting was a practicable option. Proposals were developed for a trial of online voting in association with the 2016 local authority elections which did not go ahead due to the lack of time in which to ensure, to the Government's comfort, the security of the online voting process.

LGNZ, and its partner organisation (the Society of Local Government Managers, as well as a number of councils) are seeking the incoming government's support to trial online voting during the 2019 local elections. At the very least we wish to make it available for New Zealanders who are overseas in the voting period. To do this, however, an amendment to the Local Electoral Act 2001 (LEA) allowing a different voting system to be used in a part of a district is needed.

3. **Recall elections:** At the national level if a government loses the confidence of the House and no alternative government is available then another election is called. No similar provision exists at the local government level. Occasionally communities elect members to a council who are unable to find common ground and work together. In some cases individuals may be elected to councils without understanding the nature of the role they stood for and find that they are completely unsuitable for public life.

Under the current legislative framework these councils, even if highly dysfunctional, stay in office for three years, regardless of popular opinion. Internationally it is common for citizens to have the ability to demand, through a petition process, a recall election to address governance problems created by elected representatives who, for what ever reason, lose the confidence of their electorates.

4. **Referenda for Maori constituencies:** The ability to demand a poll to overturn a council decision to create a Maori ward or constituency is anomalous and discriminatory and should be removed.

In order to ensure the ongoing integrity and sustainability of our local democratic system New Zealand needs the incoming government to:

1. Modernise the LEA 2001, including the addition of provisions to enable online voting in parts of district and remove ability to demand a poll to overturn a proposed Maori ward or constituency;
2. Authorise and fund the Electoral Commission to promote democratic participation for both national and local elections; and
3. Investigate the feasibility of incorporating a citizen-based recall provision in cases of entrenched governance failure.

4 > Stronger central government interface

Effective governance requires utilising the knowledge and strengths of both spheres of government, central and local. Each has a role to play and the challenge is to find institutional mechanisms for sharing information, clarifying expectations and coordinating their various programmes.

Currently, high-level relationships are addressed through the annual Central Government and Local Government Forum at which local government leaders meet with the Prime Minister and members of cabinet. It is an opportunity to identify issues, share objectives and agree, where appropriate, actions and strategies. In addition to the Forum, regular meetings are held with individual ministers and local government representatives and also between chief executives in both spheres of government.

Yet there are still gaps. Legislation directly affecting local government is drafted and presented to the House with no local government input and costs are shifted to councils with no adequate regulatory impact assessment. These gaps were highlighted by the Productivity Commission in their 2013 report “Towards Better Local Regulations.” The Commission observed that:

- Current institutional arrangements can shield central government from the full fiscal and political cost of assigning regulatory functions to local government. This can have the effect of reducing the quality of regulations;
- There is often limited analysis of local government’s capability or capacity to implement regulations prior to the allocation of additional regulatory functions (or changes to existing functions);
- Central government agencies with oversight responsibility for regulations do not have knowledge of the local government sector commensurate with the importance of the sector in implementing these regulations; and
- Engagement with local government during the design of new regulations is generally poor, resulting in a missed opportunity to improve the quality of policy advice from central government agencies and the resulting quality of regulation.

The Commissioners noted that the lack of engagement was not a new problem and were clear in their view that a considerable effort from both levels would be needed to move the relationship onto a more effective footing. Despite good personal relationships between political leaders they recommended that some form of institutional structure is required to support the relationships and the necessary joint work of the two levels of government. The Commission recommended the establishment of:

“a forum at the political level, with ministers and mayors as members. The existing Central Government Local Government Forum (jointly chaired by the Prime Minister and President of LGNZ) could provide the starting point. However, the proposed revamped forum would need to be quite different in terms of its profile and agenda, to be recognised as a key place where nationally significant issues are considered on an ongoing basis. It would also need a structured and continuing work programme.”

While the Productivity Commission focused primarily on regulatory functions the model proposed would work for a range of responsibilities.

In order to develop a good working relationship between central and local government, New Zealand needs the incoming government to:

1. Endorse and continue the annual Central Government Local Government Forum; and
2. Establish a joint officials’ working party to assess mechanisms for strengthening the central and local government relationship.
3. Implement the recommendations of the Productivity Commission’s report *Towards Better Local Regulation*.



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