

Submission
by
Northland Regional Council
to the
Local Government and Environment Select Committee
on
Local Government Act 2002 Amendment Bill (NO 3)

31 January 2014



1. General position

The Northland Regional Council welcomes the opportunity to submit on the Local Government Act 2002 Amendment Bill (no 3) (the Bill).

The Northland Regional Council is the local authority responsible for representing the communities of Northland and sustainable regional wellbeing. We are committed to the delivery of effective processes and governance arrangements, fair and efficient decision-making and charging practices and sound asset management on behalf of Northland's ratepayers and we therefore support the intent of the Bill. In particular, we support options for achieving better local governance and better Māori representation, engagement and involvement in decision making in any local government reorganisation process.

We therefore:

- support unitary authorities outside of Auckland having local boards with shared decision making with the governing body
- support empowering Māori and ensuring the scope of the Bill and final Amendment Act provides for Māori to have their preferred representation models considered in local government representation reviews and reorganisation processes.

The Bill is particularly timely given the Local Government Commission's (LGC) current draft reorganisation proposal for local government in Northland. With this in mind, it is essential that the LGC has a full range of governance options available to it when considering its final proposal for Northland.

Given the importance of the Bill to the region (and the current LGC reorganisation process) we ask that the committee hold a hearing in Northland.

We wish to be heard in support of our submission. Depending on the timing of the hearings, the Northland Regional Council will be represented by its Chairman, Bill Shepherd, Cr Dover Samuels (Chair of the Te Taitokerau Regional Māori Advisory Working Group) and its Chief Executive Officer, Malcolm Nicolson.

2. Local boards

We strongly support local boards as part of a unitary authority and the proposal in the Bill to make this structure available to unitary authorities outside of Auckland. We believe where a unitary authority is established, shared decision-making between a governing body and local boards best promotes good local government. We agree with the explanatory note in the Bill that states "a reorganisation involving local boards can provide for effective democratic governance at a community level, while achieving the benefits associated with a larger unitary council."

The council believes - based on its discussions with Northland communities, local experiences with community boards, and its own research into the Auckland local board model - more powerful 'local boards' are vital to deliver genuine representation and real control to communities. Our community engagement over the past 18 months has shown that local boards are a necessary component of a unitary council structure for Northland. Without local boards a unitary council is unlikely to be acceptable to the communities of Northland, no matter what the benefits of a unitary council are. We attach the outcomes of our community consultation to support this position. (Attachment A.)

It is essential that the LGC has the power to include local boards in its final proposal on Northland local government reforms. The council will be requesting that the Local Government Commission delay issuing a final reorganisation proposal for Northland until this Bill has become law. It is essential that the LGC has access to the full suite of governance options available to it and as such, the Bill and the provisions relating to local boards need to be enacted and effective as soon as possible.

Local boards provide statutory certainty of local representation and democracy within a unitary authority. This is particularly important where the unitary authority covers a large geographic area with a diverse and dispersed population such as Northland. This permanence is a significant advantage over community boards, which rely on the grace and favour of the council for their existence, delegations and funding. We strongly believe that once established as part of an overall reorganisation process, it should not be open to the governing body to abolish one or more local boards through a representation review. Any changes of this significance should only be permissible through a reorganisation proposal.

As well, local boards are established as part of a thorough reorganisation process conducted by the LGC. There should be very limited circumstances, if any, in which the very existence of local board areas would need to be revisited. Experience in Auckland has shown that this new governance model takes time to mature and bed in. As a result, there should be a prohibition on the abolition on the reorganisation of the unitary authority, including its local boards, for a period of time. We recommend at least six years.

We specifically acknowledge the significant workloads of councillors and local board members under the new model of co-governance and after discussion with Auckland Council have formed the view that the Bill should be amended to prohibit local board members being elected to more than one local board.

We support the obligation on the chief executive to provide advice and administrative facilities to local boards. Our discussions with Auckland Council have highlighted that appropriate advice and administrative support is a critical element to their ability to provide good local governance. The amount of administrative support required, particularly when setting up local boards, establishing local board plans and agreements and the processes for their input into governing body decision-making, was not necessarily fully appreciated when they were originally established. We recommend that the provisions relating to local board funding are strengthened to highlight the importance of funding good quality advice and support to local boards, as well as ensuring local boards are adequately funded by the governing body to undertake their decision-making responsibilities.

Our key requests to the committee on the local board aspects of reorganisation are that the committee:

- retains the provisions for local boards outside of Auckland
- ensures local boards are an option for the Northland reorganisation process
- retains the commencement date for the new sections 48A to R (pertaining to local boards) at 1 month after the date on which the Act receives Royal assent
- does not amend the Bill to allow for a council to consider the existence of local boards during a council representation review
- considers placing strict controls on when a local board can be abolished under a further reorganisation proposal - clause 13 “(i) the abolition of a local board area” or place

- ensures that chairs for local boards can only be elected from amongst the local board members
- prohibits local board members being elected to more than one local board
- strengthens the funding provisions to reflect the need to fund quality advice and support for local boards, as well as ensuring local boards are adequately funded by the governing body to undertake their decision-making responsibilities.

In addition to our general support, we also offer some suggestions in our detailed comments section to ensure that the local board model is fit for Northland's communities.

3. Māori representation

Council supports Māori empowerment and believes that Māori representation in local government is an issue for Māori themselves to determine. The LGC has proposed, in its draft reorganisation proposal, that the Northland Council must have a Māori committee (which it calls a Māori Board committee but in essence is just a regular committee of council and is not analogous to the Independent Māori Statutory Board in Auckland) and a Māori Advisory Committee on Resource Management until at least 2019.

While going some way to meet the Local Government Act 2002 and Resource Management Act 1991 obligations and responsibilities to Māori, these committees are no more than what can and is happening in local government already. For example, the Northland Regional Council has resolved to set up its own Māori Advisory Committee (provisionally called Te Taitokerau Regional Māori Advisory Committee) and is currently, via a working party, engaging with Māori in Te Taitokerau with a view to provide recommendations to council on the terms of reference for and Māori representation on the committee. The commission's proposed committees have no more standing or permanency than any other committee of council (post 2019) and can be disestablished at a later date. Their composition and terms of reference can also be changed. The Commission's thinking and its draft proposal on Māori representation is limited by the current law. It cannot propose an Independent Māori Statutory Board, nor can it propose local Māori constituencies or wards.

Since 2002, and the passage of the Local Electoral Amendment Act 2002, all councils have been able to create local Māori constituencies or wards but no local authority has done so. A number of councils, such as ourselves, have considered the option but for various reasons have not pursued it to date. (Northland Regional Council met with iwi chairs from Te Taitokerau and discussed pursuing a relationship and exploring options not driven by the current legal constraints and processes.) In addition the Local Electoral Act 2001 does not provide for Māori themselves to determine whether they wish to be represented through Māori wards on council.

Given the relationship already between the Local Government Act 2002 Amendment Bill (No 3) and proposed amendments to the Local Electoral Act 2001 for local boards, council asks the committee to consider an expansion to the scope of the Bill and to consult Māori on options that could be included for achieving better local governance and better Māori representation, engagement and involvement in local government decision making.

We do not purport to speak for Māori but we support empowering Māori and their choice in how they are represented. It is essential that the LGC has the full range of options available to it, working with Māori, for achieving better local governance and

better Māori representation, engagement and involvement in decision making in any local government reorganisation process. The scope of the Bill needs expanding to provide for this.

We support careful consideration by the committee of all representations from Māori to it on the Local Government Act 2002 Amendment Bill (No 3) and particularly support consideration of:

- additional amendments to the Local Electoral Act 2001 and the Local Government Act 2002 to give the Local Government Commission the power to consider local Māori constituencies or wards as part of a local government reorganisation proposal and provide for Māori themselves to determine whether they wish to be represented as Māori on council.
- additional amendments that would give the Local Government Commission the power to consider the establishment of an independent Māori board outside of Auckland based on section 67 of the Local Government (Auckland Law Reform) Act 2009 and sections 81 to 89 of the Local Government (Auckland Council) Act 2009 (with any necessary amendments borne out by implementation experience and evidence and the nature of and location of the reorganisation being proposed.)

Given Northland's Māori population, we would like to see the full range of options considered as part of the current reorganisation proposal process. In our submission to the Local Government Commission we will request that the commission delay its final proposal until the law can be changed to allow a wider range of options for Māori representation and involvement in local government decision-making.

4. Clause by clause analysis

Clause	Comment
<p>Clause 2: Commencement date</p>	<p>Clause 2 provides that different provisions of the Bill come into force on different dates. Unless otherwise specified, provisions come into force on the day after royal assent. The provisions pertaining to local boards come into force 1 month after the date on which the Act receives the Royal assent.</p> <p>The LGC has noted in its draft proposal that it is seeking views on a possible modification of its draft proposal (for a unitary authority with community boards) to provide for local boards in Northland should the Bill be enacted. The early enactment of the Act and in particular the local board provisions is supported as it will provide the LGC with a full suite of options when considering the current local government reform proposals in Northland</p> <p>The provisions relating to development contributions also come into force one month after the date on which the Act receives Royal assent. The Northland Regional Council does not collect development contributions but notes that there will be difficulties for those that do in incorporating the proposed changes to the development contribution provisions into the 2014/15 Annual Plan process.</p>

Clause	Comment
	<p>We propose below the development of good practice guidance prior to the proposed section 76AA relating to the significance and engagement policy (clause 18) comes into force. We therefore recommend that clause 2 be amended to provide that section 76AA does not come into force until six months from the date that the guidance is gazetted or publically notified.</p>
<p>Clause 7: Principles relating to local authorities</p>	<p>The Northland Regional Council strongly supports collaboration and co-operation in local government. While there have been some great examples of the council's working together, on the new Regional Policy Statement, in Civil Defence and Emergency Management, catchment planning, and flood risk management, there are many more opportunities to work better together, share expertise and use council-controlled organisations for better delivery of infrastructure, services and regulatory functions. The strengthening of the principle that local authorities should collaborate and co-operate is therefore welcomed.</p> <p>The question of how best to deliver infrastructure in Northland is of fundamental importance to the region and its ratepayers, as is the prudent stewardship and the efficient and effective use of council resources in the interests of the communities we serve. The council has a range of assets, including strategic investments in subsidiaries and shareholdings, property, plant and equipment. Property, plant and equipment include infrastructure assets (river management schemes), owner-occupied land and buildings, plant and equipment, vessels, dredging equipment and navigational aids and vehicles.</p> <p>The regional council is currently a net investor – it has not borrowed from external sources. We consider ourselves to provide prudent stewardship and use our resources efficiently and effectively, working with others where we can, in the interests of the district or region. We therefore support the amendments to sections 14(1)(e) and (g) as they are valid principles for local government and explicitly recognise the principles and way that this council operates.</p>
<p>Clause 8: Scope of triennial agreements</p>	<p>The negotiation of the triennial agreement is an opportunity for Northland's councils to co-operate and co-ordinate on matters of priority to Northland either by incorporating those priorities and an action plan into the agreement or by referring to a process for developing priorities and actions.</p> <p>We read the amended triennial agreement provisions</p>

Clause	Comment
	<p>alongside the Bill's other proposed amendments to ensure local authorities have a range of practicable and attractive options to achieve efficiencies in the scale at which services and facilities are managed and delivered. We therefore support the proposed changes to section 15 and welcome the strengthening of the triennial agreement and the intent that the agreement should give some direction to which infrastructure, local public services and regulatory functions the councils should look at in an effort to achieve efficiencies and effective delivery across the region.</p>
<p>Clause 9: Significant new activities proposal by regional council</p>	<p>The Northland Regional Council supports the changes made in the latter part of the Bill regarding the consultation, decision making and planning provisions for long term planning. In particular we support the new focused consultation document for long term and annual plans and reduced duplication between these plans. We therefore support the replacement of references to a draft Long Term Plan with references to the consultation document under new section 93A.</p>
<p>Clause 10 and 11: Transfer of responsibilities and delivery of services</p>	<p>The Northland Regional Council supports the transfer of responsibilities and shared services where this is effective (including cost effective) and efficient. We have transferred responsibilities under the Building Act for large dams to Waikato Regional Council and we currently use collaborative arrangements for Civil Defence Emergency Management (with the Kaipara and Whāngārei District Councils and are working with Far North District council on including them in this arrangement). We are also collaborating with other regional councils on the development of specific software for core regional regulatory functions and have identified other areas such as roading and transport planning, property management, planning and consenting, backroom services and rates collection for future shared services and pursue these through the Mayoral Forum and Triennial Agreement discussions.</p> <p>We welcome the new section 17 and its clarification of the tests for transfer, namely that that benefits of the proposal will outweigh any negative impacts. We also welcome the change to the requirement that the transfer must be included in an Annual plan or draft Long Term Plan, which will allow greater flexibility in the timing of consulting on proposal for transfer.</p> <p>The Northland Regional Council recognises that transfers of responsibilities and collaborative arrangements like shared services are currently under-utilised in Northland. This has been a largely an historical political issue rather than caused by legal impediments. Issues such as</p>

Clause	Comment
	<p>planning, funding and delivering roading infrastructure are long standing in Northland and proposals for a shared service have been routinely discussed by all Northland councils for years.</p> <p>However, it is not clear from the Regulatory Impact Assessment or the drafting that the proposed section 17A and its requirement that a council review of all activities as soon as practicable after an election will be the most efficient and cost effective way to achieve more transfers of responsibility and collaborative arrangements.</p> <p>The Northland Regional Council reviews the ways in which it delivers infrastructure, services and its regulatory functions to and behalf of its communities on an ongoing basis. Strategic management reviews feed into Activity and Asset Management Plans, Annual Plans, Long Term Plan (LTP) strategic planning, and the Triennial Agreement and take into account the purpose of local government, council priorities, objectives, legislative changes and risk management. As illustrated above, our reviews have led to more effective and efficient arrangements occurring where all parties are in agreement to proceed. These arrangements take time to develop and our experience suggests that they also take time to implement and deliver efficiencies.</p> <p>We are therefore supportive of reviews such as those contained in the proposed section 17A but consider that a council review of all activities as soon as practicable after an election is unnecessarily prescriptive and inefficient given;</p> <ul style="list-style-type: none"> • the ongoing nature of review already being carried out • the need to focus on priority areas once identified • timeframes for inducting the new council, completing triennial agreements and between the election and consultation on the council's draft annual plan for the following financial year • the current legal requirements for strategic planning and reporting, funding and delivering infrastructure, services and regulatory functions on behalf of communities (including asset and activity management planning, consultation requirements and the performance management associated with new CCOs, transfers of powers, and changes in levels of service or means of delivery). <p>Key issues for the Northland Regional Council post the 2013 elections were highlighted to councillors as part of their induction programme and included the government's better local government programme,</p>

Clause	Comment
	<p>changes to the Local Government Act 2002, including the change in purpose and the key council activities that were affected by this and needed to be considered as part of future Annual and Long Term Plans, the application for reorganisation of local government in Northland before the Local Government Commission, the changes to the Resource Management Act and in particular the National Policy Statement on Freshwater Management and the single plan concept (and the potential effects on council activities, programmes and regulatory functions), key environmental and economic issues in Northland such as Mediterranean fanworm and infrastructure development (include flood risk reduction assets and programmes), rating and bad debts and council's own investment portfolio and economic development agency, Northland Inc. (a CCO). Council has and continues to prioritise its reviews of these areas as it goes into its Triennial Agreement with other Northland councils, and its Draft Annual Plan 2014/15 and Long Term Plan 2015-2025 planning.</p> <p>The council therefore requests that the committee amends the proposed section 17A to allow for reviews to be undertaken when opportunities arise and / or on a prioritised basis and that these reviews are integrated as part of the current strategic planning requirements of the Act and not done on a prescribed three yearly basis tied to the election process.</p> <p>The council also requests that the committee consider the situation where a new council has been established after a reorganisation and transitional process to ensure that there is no unintended duplication and inefficiency and makes any necessary amendments to clause 11 to clarify that matters comprehensively reviewed in that reorganisation process do not have to be reassessed (or at least not to the same degree).</p>
<p>Clause 12: Naming of local boards</p>	<p>This is a technical amendment that standardises and clarifies how local boards are named. Council supports this amendment.</p>
<p>Clause 13: New matters that may be dealt with in an application to reorganise local boards</p>	<p>Council supports the establishment of local boards within the scope of local government reorganisation. We are concerned though, about the option of abolition of local boards through a reorganisation process once established. As experience at Auckland Council is demonstrating, local boards need time to establish and bed in and as such we consider that the Bill should be amended to prevent any further reorganisation for a specified period of time (at least six years).</p> <p>We do not support the appointment of ward governing</p>

Clause	Comment
	<p>body members to local boards with full voting rights. Ward governing body members are elected to focus on regional issues. Local issues are the focus of local board members. Appointing governing body members to local boards confuses the respective roles of the elected members and can lead to governing body members becoming overly involved in local issues. It is important that governing body members act in the best interests of the region, including their ward, and don't become "parochial" in their actions. While there are undoubtedly benefits in ward governing body members attending local board meetings in a liaison capacity, it is not appropriate for them to have voting rights on local issues.</p> <p>Therefore council requests that either the power to appoint governing body members to a local board is removed or the Bill is amended to provide that appointed governing body members do not have any voting rights. The sole purpose of their appointment to a local board should be to act as a liaison point between the local board and the governing body.</p>
<p>Clause 14: matters for which the chief executive of a local authority is responsible</p>	<p>We support the requirement for the Chief Executive to provide advice and administrative facilities to local boards. Our discussions with Auckland Council have highlighted that appropriate advice and administrative support is a critical element to their ability to provide good local governance and that the amount of administrative support, particularly when setting up local boards, establishing local board plans and agreements and the processes for their input into council decision-making, was not necessarily fully appreciated when they were originally established. Local boards need certainty that this advice and support will be adequately funded and as such, we recommend that the provisions relating to the local boards funding policy are strengthened to ensure this occurs.</p>
<p>Clause 15: Purpose of local boards</p>	<p>Council supports in principle the inclusion of Subpart 1A which adapts the local board provisions from the Local Government (Auckland Council) Act 2009 and allows the Local Government Commission to establish local boards as part of a re-organisation process involving the establishment of a unitary authority. In particular it supports the purpose of local boards and the principle of shared decision-making contained in proposed section 48D.</p>
<p>Clause 15, proposed section 48E: Election of local board chairs</p>	<p>The council considers that the appointment / election of a chairperson by all of the elected members of council is a strength of the regional council. It facilitates collaboration and co-operation, and good governance. We therefore agree with proposed section 48E(c)(i) that chairs for local</p>

Clause	Comment
	<p>boards can be elected from amongst the local board members.</p> <p>However the Bill also provides in proposed section 48E(c)(ii) that local boards could have a chairperson elected at large in accordance with section 19EB of the Local Electoral Act. There is potential for confusion with two parallel processes available for election of local board members and chairs. There is also the possibility for confusion between the election and roles and responsibilities of local board chairs and the relevant ward governing body member. As a result, we do not support the option for local board chairs to be directly elected as proposed in section 48E(c)(ii).</p> <p>The Bill should be amended to prohibit local board members being elected to more than one local board.</p>
<p>Clause 15, proposed section 48L: Allocation of decision-making responsibility</p> <p>Schedule 4: proposed new Part 1A to schedule 7, clause 36C: governing body delegations to local boards</p>	<p>We support the principled approach to the allocation of non-regulatory decision-making responsibility, and in particular, the presumption that decisions are allocated to local boards unless decision-making on a district-wide basis will better promote the interests of the communities in the district.</p> <p>We do, however, consider that this principle should be extended to regulatory decisions. Many of Northland's communities are small and remote. It is important that local board decision-making covers all of the activities that are of a local nature, that require local knowledge and will have a local impact. Some of these decisions that should be taken at a local community level are regulatory in nature. It is therefore appropriate for some of these decisions to be made by the local board. Examples include dog exercise and off-leash areas and street trading requirements, particularly in smaller, more remote communities. The legislation should provide certainty that these types of decisions will be made locally, rather than leaving this to a discretionary delegation by the governing body.</p> <p>Council therefore requests that the committee amend the proposed new clause 36C in schedule 7 (schedule 4 of the Bill) to require the delegation of regulatory activities to local boards where it would be in the best interests of the local community for decisions to be made by the local board at the local level. This could include factors such as the geography, nature of the particular communities, nature of the particular activity, and the need for local knowledge.</p>
<p>Clause 15, proposed section 48M: Local</p>	<p>It is essential that local boards are properly funded to carry out their roles and responsibilities. Inadequate</p>

Clause	Comment
boards funding policy	<p>funding fetters their decision-making role, undermines their purpose and their ability to represent communities and the principle of shared decision. We therefore request that the committee strengthens the requirements in the new section 48M for the Local Boards Funding Policy to require the governing body to adequately fund local boards to undertake their roles and responsibilities to an agreed minimum level of service.</p> <p>The Bill should clarify that the local board can have ('set') a local targeted rate without further governing body 'approval' where that local targeted rate is supported by the local board and its community and is consistent with the allocation and delegations of powers to the local board.</p>
<p>Clause 15, proposed section 48P: Code of conduct</p> <p>Schedule 4: proposed new Part 1A to schedule 7, clause 36B</p>	<p>It is very important that all elected members are governed by a consistent code of conduct as a way of ensuring good and transparent governance. Proposed section 48P(2) of the Bill exempts local boards from the duty to adopt a Code of Conduct under clause 15 of schedule 7 (LGA 2002). Instead, proposed clause 36B of schedule 7 requires local board members to comply with the code of conduct adopted by the governing body. We support this approach.</p>
Clause 15: Dispute resolution process	<p>The proposed section 48Q allows a local board, after reasonable efforts to find a resolution have been exhausted, to appeal to the Local Government Commission for a binding determination where it is dissatisfied with certain decisions of the governing body (namely the allocation of non-regulatory decision-making and decisions relating to proposed local bylaws). This mirrors the dispute resolution process in Auckland.</p> <p>We are aware that there are conflicting views about the legitimacy of this process and in particular about the authority given to the Commission, which extends to making a determination that ultimately can require an amendment to a council's LTP without consultation (in the proposed section 48R).</p> <p>However, given the importance of the allocation of decision-making, a clear, effective and efficient process to resolve differences between the tiers on the allocation of responsibilities is essential. We support a form of resolution that it not protracted and does not involve local boards (or people on their behalf) taking governing bodies to court over the allocation of responsibilities.</p> <p>We accept that enabling government appointees to make this decision in place of elected representatives is not ideal and runs contrary to democratic principles. If there</p>

Clause	Comment
	<p>is another option that provides for the required checks and balances then we would be happy to support such as process but in the absence of a clear alternative we support the need to provide for an appeal to the Local Government Commission for a binding determination.</p>
<p>Schedule 2, proposed amendment to schedule 3, proposed clause 42A relating to initial allocation of decision-making</p>	<p>The initial allocation of decision-making is of vital importance and it is essential that the local communities have meaningful input into its development. The initial allocation will be included in a reorganisation scheme (schedule 2, proposed amendment to schedule 3, new clause 42A). We believe that the Local Government Commission should be required to consult with existing local authorities and the community when preparing this initial allocation of decision-making. We also recommend an amendment to the Bill to prohibit the Local Government Commission delegating decision-making on the initial allocation of decision-making to a transition body (which it can do for the preparation of the reorganisation scheme).</p> <p>As well as inclusion in the LTP, it may also be helpful to amend section 40 of the LGA to clarify that governance statements should include a description of the non-regulatory decision-making allocation.</p>
<p>Schedule 3, clause 36: Transition board</p>	<p>Where a new unitary authority is established with local boards, clause 36, schedule 3 of the LGA should be amended to provide the transition board with a recommendatory role only. Given the significance of the restructuring, it is appropriate for all substantive decisions to be made by the Local Government Commission and for the Commission to take further advice if it deems this necessary once it has received the transition board's recommendations.</p>
<p>Schedule 3, proposed amendment of Schedule 6, clause 1: Constitution of communities and community boards</p>	<p>Council supports the prohibition on community boards when a unitary authority is established with local boards, as is the situation in Auckland (section 102 of the Local Government (Auckland Council) Act 2009). It is not appropriate for the governing body to establish a community board covering some or all of the same area governed by a local board due to the potential to cause confusion for members of the public, elected members and staff and the potential for interference (by the council or community board) with the proper exercise of powers by the local board.</p>
<p>Clause 18, proposed section 76AA: Significance and engagement</p>	<p>The Bill introduces a new section 76AA and replaces the current section 90 of the LGA. It requires a local authority to have a significance and engagement policy, specifies the content and purpose of the policy and requires consultation to occur under section 82 on the</p>

Clause	Comment
	<p>policy (unless the council considers on reasonable grounds that it has enough information on about the community interests and preferences to enable the purpose of this policy to be achieved).</p> <p>The Regulatory Impact Statement states that the changes “provide greater clarity about the purpose and intent of significance policies, and place” less emphasis on there being “thresholds” in these policies and the draft section refers to the identification of the “degree of significance attached to particular issues, assets or other matters”, to provide clarity about how and when communities can expect to be engaged in decisions about those issues, assets and matters, and to inform the council at the outset a decision making process the extent and form of any public engagement that is expected before a decision is made.</p> <p>In theory these are laudable aims but in practice there will be difficulties in determining the full range of issues, assets and matters that council may make a decision on in advance and the most suitable consultation and community engagement processes to use. It would therefore be useful for good practice guidance to be produced with local government input prior to this section coming into force and for the section to be amended to include the statement that the purpose of the policy is “as far as practicable” to do the aforementioned things.</p>
<p>Clause 19, proposed amendment to section 77: Requirement in relation to decisions</p>	<p>This stated purpose of this amendment is to simplify the requirement to assess benefits and costs. While the proposed amendment certainly is shorter it is not necessarily clearer. There was no rationale for the change in the Regulatory Impact Statement, nor any guidance on how the amendment will simplify assessments. How for example should this section be interpreted in light of the purpose of local government and the need to meet the current and future needs of communities? Does the change mean that the council is not required to consider intergenerational equity anymore? Should council ignore costs and benefits that can be given a monetary value and do benefits or costs that accrue immediately have more bearing on the assessment than those that eventuate later? Will the change lead to less certainty about which costs and benefits should be included than the current requirements?</p> <p>We recommend that the committee ensures there is no conflict between clause 19 and the purpose of local government and be satisfied that any amendment to the current section 77(1)(b) will result in an improvement on that section and in the assessment of costs and benefits</p>

Clause	Comment
	by councils.
Clause 21, proposed amendment to section 82(1)(f): Principles of consultation	This amendment clarifies that there should be access to a record or description of decisions made for those who present views, but individualised responses or packages of information to those people is not required. Council supports this approach.
Clause 22, proposed section 82A: Information requirements for consultation generally	This new section sets out the general information that must be made publically available for a consultation process in accordance with section 82. It does not apply where the Act requires the use of the special consultative procedure, or consultation in relation to an Annual Plan. It is clear, will assist the public when followed and will be of use to councils. Council therefore supports its inclusion.
Clause 23: The special consultative procedure and the use of summaries	Council supports the use of modern methods and alternative technology for engagement and consultation and the option to produce summaries of the information contained in a proposal (as opposed to the previous mandatory requirement to produce a summary). Many proposals are short and do not require a separate summary of information and enabling modern methods of engagement will suit many of Northland's residents and ratepayers. We are aware however that all consultation carries the risk that some people will not consider the council's chosen method of consultation to be acceptable and that there have been recent court decisions that have interpreted the consultation requirements in a very literal manner. The committee may wish to consider how to reconcile the judicial trend and the more flexible approach that this amendment aims to secure.
Clause 25, repeal of clause 85: the special consultative procedure in relation to the annual	Council welcomes the repealing of the mandatory requirement to use the special consultative procedure for an annual plan and the introduction of the alternative requirement in clause 31 (amending section 95) to consult in a manner that gives effect to the requirements of section 82 using a consultation document that complies with the new section 95A. We specifically support the emphasis on identifying significant or material differences rather than repeating information already contained in the relevant LTP and concentrating information and engagement on those differences, new spending proposals and any significant delays to projects or decisions not to proceed with them and the consequences of these matters where the consequences are significant.

Clause	Comment
	<p>We consider that consultation should occur on matters that lead to a variation to the LTP and that there is room for the committee to consider removing the requirement to consult on the Annual Plan where any changes do not amount to or lead to an LTP variation or where the local authority deemed it appropriate given the issues of interest to the community and its desire and commitments in its significance and engagement policy to inform and engage its communities in its decision making processes etc. Transparency and accountability to the public would be maintained through the publication of the final versions of the plans, in full. If the proposed amendment is retained then a definition of material and significant would assist councils to comply with the requirements.</p>
<p>Clause 29 and the introduction of a consultation document</p>	<p>Clause 29 inserts new sections 93A to 93G on consultation on a long-term plan. The council must still use the special consultative procedure but the requirement for a statement of proposal and a summary is replaced with a requirement to use a consultation document. The new sections (93A to 93G) set out the requirements for the content of the consultation document.</p> <p>The purpose of the amendment – to provide clarity and simplicity – are supported. The legal requirements around the LTP and its content (and the content of the summary) mean that a large amount of information previously made available to the public through the production of the draft Long Term Plan, e.g. full financials, funding impact statements, finance policies etc., was unlikely to have been relevant or meaningful to the majority of residents and ratepayers. In all likelihood, the prescriptive requirements around the content of the consultation document and the content of the LTP will not meaningfully reduce the resources and costs associated with these documents, particularly given people who wish to access the underlying information (i.e. parts of, or the entire, draft plan) would be able to request this from their council. Council notes that one of its most substantial costs is the cost associated with the audit of the LTP. (We note the RIS assumes that the presentation of the LTP will be less of an issue for the auditors than its content under the proposed amendments. We hope this is true and that the long-term plan and its associated documents are designed less to meet the requirements of auditors and more for the needs of our communities and that the audit fees reduce to reflect this.)</p>

Clause	Comment
	<p>Council would like to see more of the amendments suggested by the Efficiency Taskforce and further consideration given by the committee to the mandatory disclosures in the LTP required by the Act (particularly Schedule 10) and the potential for financial disclosures and other accountability information to be made publicly available on the council website. However council considers that the aims for the consultation are good and supports the amendment. We ask that the committee consider the submissions of SOLGM and LGNZ to the Efficiency Taskforce and the Efficiency Taskforce's recommendations to satisfy itself that all desirable improvements have been made.</p>
<p>Clause 32: combined planning</p>	<p>We support combined consultation and documentation for amendments to the LTP as part of consultation on the Annual Plan.</p>
<p>Clause 33: change in purpose for the financial strategy</p>	<p>We support the technical change in purpose from facilitating consultation to providing the context for consultation.</p>
<p>Clause 34: 30 year infrastructure strategy</p>	<p>Council is very supportive of the need for sound infrastructure and asset management planning by regional and territorial authorities. We support the development of a long term infrastructure strategy and its integration with long term planning, resource management planning and transport planning and the objectives to:</p> <ul style="list-style-type: none"> • encourage good asset management practice in local government; and • provide greater transparency for stakeholders about asset management issues for core local authority infrastructure. <p>We also support standard disclosure of asset information.</p> <p>As a regional council the council's main assets affected by the strategy are those we have for flood risk management. For unitary and territorial authorities the suite of assets is considerably larger and the amount of preparatory work will be much greater. The consultation document is likely to be large too, given it need to contain both the council's financial strategy and infrastructure strategy.</p> <p>The Regulatory Impact Statement does not quantify the costs that will fall on councils and ratepayers to complete this task before the next LTP consultation exercise. It</p>

Clause	Comment
	<p>therefore may not be realistic or cost effective to require a comprehensive strategy for all local authorities in time for the next LTP consultation exercise.</p> <p>Council is also concerned that there needs to be better integration between the Land Transport Act, the Resource Management Act and the Local Government Act for the full benefits of the Infrastructure Strategy to be realised. We are concerned that there are practical issues still to be resolved around the implementation of the recent Land Transport Amendment Act, specifically the timing of the Government's GPS and guidance for local authorities and the relationship between the Long Term Plan, the Regional Land Transport Plan and the planning necessary for the provision of local share funding.</p> <p>The government and local government should work together on good practice guidance for the sector prior to this section coming into force and the council asks that the committee considers deferring the commencement date to ensure that the resulting strategies meet the objectives of encouraging good asset management planning, funding and practice and providing greater transparency for stakeholders.</p>
<p>Clause 44: consultation on fees</p>	<p>Council supports the removal of the requirement to use the special consultative procedure before prescribing fees and supports the use of consultation that gives effect to section 82 instead.</p>
<p>Clause 45, new sections 150B to F: local boards and bylaws</p>	<p>Within clause 45 there are new sections 150B to 150E, which set out the process for a local board to propose the making, amendment, or revocation of a bylaw (to apply only within its local board area). They include provisions for local board consultation on the bylaw. The new section 150F provides that these powers can be exercised jointly by 2 or more local boards. These sections are similar to those that apply in Auckland and ensure that there is no inconsistency with the council's strategies, plans policies or bylaws. Council supports the amendment.</p>
<p>Clause 70 and Schedule 4 amend Schedule 7: providing for use of technology for meetings</p>	<p>These amendments:</p> <ul style="list-style-type: none"> • insert a new clause 25A, which provides for a member of a local authority or any other person participating in a meeting of the local authority to be present at the meeting by audio link or audiovisual link: • insert a new clause 27(5), which requires a local authority to provide in its standing orders for matters concerning the use of audio links and audiovisual links at meetings.

Clause	Comment
	Council supports the use of technology in local government meetings and the flexibility the Bill provides for councils to choose (if they wish to do so) to conduct meetings without every member being present in the same room. This means some elected members will be able to participate in the meeting by audio link or audio-visual link. This will be a useful tool, especially in rural regions with a large geographic area to cover.

Signed:

A handwritten signature in black ink, appearing to read 'Bill Shepherd', written in a cursive style.

Chairman Bill Shepherd on behalf of Northland Regional Council

Dated: 31 January 2013

Attachment 1

Community Engagement Outcome Reports	Page
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Community engagement outcomes 2 to 4 April 2013	34-53
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Northland Local Government Reform

Outcomes of Community Engagement by the Northland Regional Council

Dated 4 April 2013

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1.0 Executive Summary

A series of public community workshops, public meetings and a regional stakeholder workshop were held between 25 and 27 March 2013 in Whangarei, Kaikohe and Dargaville to canvass community views on options for local government reform in Northland. A total of 127 people attended seven sessions.

Participants were asked to comment on the various options available for local government in Northland.

As a general trend, two options are preferred:

- The status quo was a preferred option for many of the participants. It is familiar, keeps the separation of regional and district functions with the associated checks and balances, and retains regional assets in the ownership of the regional council. However, the status quo does need to be enhanced through, for example, greater collaboration and co-operation between the councils.
- One unitary authority was preferred by many because it is seen to provide economies of scale, consistency of service, policy and planning, and a single Northland voice when working with central government. For this option to be effective though, participants stressed the need for good local representation through either local boards or community councils that have real decision-making power and are properly funded.

On balance, participants slightly favoured the option of one unitary authority over the status quo. The option of three unitary authorities was the least favoured option

Participants were also asked to consider options for ensuring effective Maori representation in Northland's local government. No clear trends emerged in terms of preferred options. The following are some of the comments made at the sessions:

- Maori representation is critical to any form of local government.
- Maori need to be the key driver and decision-maker for the model used
- Some views were expressed not supporting Maori wards
- Concern was expressed that the status quo does not deliver effective representation
- The needs of urban and rural Maori are different so the mechanism for involvement may be different
- It is important to use mechanisms that engage all Maori, not only the elite
- It needs to do more than just tokenism
- There needs to be a greater emphasis in involving Maori in the decision-making.

- Having goodwill in the process is also important
- Treaty settlement entities must be accommodated

In summary, the overarching message emerging from the community engagement is that some form of change is required, even if the status quo is retained. As well, there are two clear options (the status quo and the option of one unitary authority with strong local boards or community councils) that the community would like to see kept on the table and considered further at this stage of the local government reform process.

2.0 Introduction

The issue of how to best structure local government in Northland has been raised a number of times over the years. More recently, the Far North District Council has applied to the Local Government Commission to have a single layer of local government in Far North (i.e. a unitary authority) with three community boards. This application is currently being considered by the commission, which has set a deadline of 15 April for alternative proposals.

The council held three public community workshops and three public meetings in Whangarei, Kaikohe and Dargaville between 25 March and 27 March (one workshop and public meeting in each district council area). A regional stakeholder workshop was also held in Whangarei. The purpose of this engagement was to canvass community views on options for local government reform in Northland. While the council thinks that the region would be best served by either a single Northland council with two tiers of governance, or that the status quo should remain, it has sought community views before making any decision on the option to be supported. This will inform decision-making in response to the Local Government Commission's request for alternative proposals.

In preparation for this community engagement, a background briefing paper was made available to participants. A copy of this is **attached at Appendix 1**. Participants were also provided with the summary documents **attached at Appendix 2**.

2.1 Community and Regional Stakeholder Workshops

The public community workshops included a variety of invited community representatives from around the region. As well, the public and media were invited to all sessions. These were three-hour sessions and were held during the day. Set out below is a summary of attendees at each session.

Location	Number of attendees
Whangarei (25 March 2013)	18
Kaikohe (26 March 2013)	32
Dargaville (27 March 2013)	16

The regional stakeholders workshop was held in Whangarei on 25 March 2013 and was attended by representatives of organisations that have a region-wide interest or perspective. 20 representatives attended this workshop.

Participants at the community and regional stakeholder workshops worked in small groups to consider the following questions:

1. A briefing was provided on the principles of good governance as well as the functions of the regional and district councils, and community boards. Participants were then asked to identify:
 - What do you think local government in Northland currently does well?
 - What do you think local government in Northland currently does not do well?
 - Each group was then asked to rank the top five from each list.

Participants were asked to keep these things in mind as they commented on the various options for local government in Northland. In other words, any option should seek to retain those elements that local government currently does well while minimising those elements that it does not do well.

2. A briefing was provided on local government options. These were as follows:
 - Status quo (1 regional council, 3 district councils) - This option retains the Northland Regional Council and the current Kaipara District Council, Whāngārei District Council and Far North District Council. It retains the ability to establish community boards.
 - 1 regional council, 2 district councils - This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.
 - 1 regional council, 1 district council - This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

- 3 councils (unitary authorities) - This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council
- 2 councils (unitary authorities) - This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.
- 1 council (unitary authority) - This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

For each option, participants were asked:

- What they liked about each option.
- What they didn't like about each option.
- What type of local representation would they prefer for each option (such as community boards or local boards).
- Any other comments.

3. Participants were also asked to comment on the options for ensuring effective Maori engagement.

Set out in section 3 below are the key outcomes from these sessions. Section 4 contains the outcomes from the sessions held in Whangarei, Kaikohe and Dargaville.

2.2 Public meetings

Due to growing public and media interest, a decision was made on 21 March 2013 to also hold three public meetings in Whangarei, Kaikohe, and Dargaville. These meetings were 90 minutes and were held in the evening. They were run in a similar, although truncated, version of the public community workshops. Set out below is a summary of attendees at each public meeting.

Location	Number of attendees
Whangarei (25 March 2013)	7
Kaikohe (26 March 2013)	17
Dargaville (27 March 2013)	17

3.0 Key Outcomes

3.1 Preferences on local government options

Participants were asked to comment on the options for local government in Northland. They were also asked to identify their two most and two least preferred options. The results of this are set out below.

They are subject to the following qualifications:

- Not all participants chose to indicate a preference.
- Some tables agreed their preferences as a group. Where this occurred, their preferences have been shown below based on the number of people at the table.
- Some people indicated a preference on the cusp between 2 unitary authorities and 1 unitary authority. This was on the basis that more information was needed on how these options would be structured. These preferences have not been recorded in the numbers above.

The outcomes of this exercise should only be used to give an indication of general trends or opinion. It does indicate that participants were generally split between the status quo and 1 unitary authority as their most preferred option, with a slight preference in favour of the 1 unitary authority option, although the status quo is a strong preference for many.

Participants made the following key points in coming to these views.

- A unitary authority needs good local representation through either local boards or some form of community councils. These need to have clear powers set in statute and be well funded. There was also some preference expressed for local boards or community councils having some regulatory powers.
- While the status quo is a preferred option for many, it does need to be enhanced through, for example, greater collaboration and co-operation between the councils.

The option of 3 unitary authorities was the least preferred option.

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	32	27	11	3
One regional council, two	2	8	6	6

	Most Preferred		Least Preferred	
district councils				
One regional council, one district council	6	6	8	17
Three councils (unitary authorities)	3	4	34	11
Two councils (unitary authorities)	5	3	4	16
One council (unitary authority)	41	26	6	4

3.2 Effective Maori representation

Participants were asked for their comments on options to ensure effective Maori representation in Northland's local government. This drew mixed responses and many participants felt unable to provide meaningful comment on the options, or their preferences, at this stage. Of those that did comment, some key points are as follows.

- Maori representation is critical to any form of local government.
- Maori need to be the key driver and decision-maker for the model used
- Some views were expressed not supporting Maori wards
- Concern was expressed that the status quo does not deliver effective representation
- The needs of urban and rural Maori are different so the mechanism for involvement may be different
- It is important to use mechanisms that engage all Maori, not only the elite
- It needs to do more than just tokenism
- There needs to be a greater emphasis in involving Maori in the decision-making.
- Having goodwill in the process is also important
- Treaty settlement entities must be accommodated

4.0 Whangarei meetings

Two workshops and one public meeting were held in Whangarei on 25 March 2013.

- 20 people attended the regional stakeholder workshop.
- 18 people attended the public community workshop

- 7 people attended the public meeting

4.1 What local government in Northland currently does and does not do well

The comments and observations from this are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
Regional council acting as an environmental watch dog. Oversight works well.	Lack of collaboration between councils and with other agencies.
Regional environmental monitoring and enforcement (although some noted that this could be improved)	Lack of opportunities for Maori to influence decision-making, lack of engagement with iwi and lack of Maori representation
Some good community infrastructure and services provided (eg town development, libraries, parks, pools, walking tracks, City Safe programme)	Perceptions of political bias in some areas, such as funding decisions. Concern that spending decisions are motivated by political drivers.
Making efforts to improve engagement with Maori	Lack of capacity and resources to facilitate RMA support for Maori.
Reasonably good engagement with key stakeholders and strategies to engage with community sectors. WDC advisory groups allow some input into process	Lack of good Northland engagement with central government – no “one Northland view”
Staff are good to engage with	Inadequate rating base
WDC has a good wastewater programme, is good at solid waste (although diverging views), high level of technical expertise, is good at heritage issues, and roads are managed well	Consultation processes lack vigour and poor communication to and with stakeholders. There is a lack of engagement by NRC with wider communities. Councils are not good at explaining their functions.
Councils are administratively run well	Some things should be dealt with regionally (such as roading, which requires working with NZTA)
Some good planning for growth and the services and infrastructure required	Different plans, policies and service levels across the region and inconsistency between them. There are also too many plans and policies.
Catchments based approach works well	Leadership and governance at executive levels. Low level of skills and knowledge in political leadership. There is a gap between governance and management. Councillors should be speaking to the public and engaging with the public more.
In some areas (such as emergency management) Councils work well together	Approach to prioritisation of works and poor coordination of work programmes. Also asset and contract management is poor.
Some good regional strategic planning is happening (although it could still be done	Not enough investment in staff to attract high calibre people

What local government in Northland currently does well	What local government in Northland currently does not do well
better and concerns that the plans are not implemented)	
Involvement in economic development is a strength but need to invest in staff and infrastructure not in businesses	Dysfunctionality between councils gives Northland a poor reputation
Good communications and public relations	Duplication of resources and staff
Some ward councillors are good at working with constituents	Concern that money is being spent on consultant reports when it should be spent on infrastructure
Taking action on major issues such as harbour contamination	Councils don't listen. Submissions are ignored.
	Maintenance of core infrastructure (such as roads)
	Financial prudence and management. Rising debt levels is a major issue. Concern that this is increasing because pet projects are being undertaken without community support.
	Haven't kept pace with standard business practice.
	Some services and activities, such as roading maintenance, and monitoring, compliance and prosecution
	There are some activities that councils shouldn't be doing, such as supporting local businesses. Also, councils don't always consult on big issues.
	Lack of trust in local government
	Engaging youth in the local government process.
	Lack of transparency. Council responses need to be more timely.
	Economic focus or the NRC is at the expense of the environmental focus
	Spatial planning: doing the right things in the right places
	Environmental performance is not always good.

4.2 Local government options

4.2.1 Preferences

Participants were generally split between the status quo and 1 unitary authority as their most preferred option, with the status quo being slightly preferred when the first and second preferences are taken

into account. The 1 unitary authority option is a preference if it has strong local representation through local boards or community councils. The status quo is a preference for many provided it is enhanced over the current situation.

It must be noted that not all participants chose to indicate a preference. Also, some tables agreed their preferences as a group. Where this occurred, their preferences have been shown below based on the number of people at the table.

Options	Preferred options		Least preferred options	
	First	Second	First	Second
One regional council, three district councils (status quo)	15	15	2	2
One regional council, two district councils		8	3	2
One regional council, one district council	3	2	2	13
Three councils (unitary authorities)		2	22	6
Two councils (unitary authorities)	1	1	1	6
One council (unitary authority)	19	8	2	2

At the public meeting, a show of hands indicated that people generally supported the status quo. The 2 and 3 unitary authority options were least preferred. Some people chose not to indicate any preference.

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

4.2.2 One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whāngārei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	Best option for demographic representation – closer to the
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	<p>people</p> <p>Least expensive in the short term</p> <p>It's known and it works – we understand it</p> <p>Keeps the “poacher/gamekeeper” checks and balances – deals very well and transparently with this</p> <p>Better than any of the other options</p> <p>You know your own councillor</p> <p>Leaves Kaipara debt where it is</p> <p>Not convinced it is broken</p>
Dislikes	<p>Lack of collaboration and consistency</p> <p>Failure to work together</p> <p>“My patch” mentality, parochialism</p> <p>Could be fine tuned</p> <p>Improve electoral process to avoid vote splitting</p> <p>Need to reveal voter preferences better</p> <p>See earlier comments on what is not working well in Northland local government currently</p> <p>Wasteful</p> <p>Fragments Northland</p> <p>Financial/rating base</p> <p>Economic focus of NRC</p>
Preferred local representation	<p>Community boards – revitalise interest and access to councillors</p> <p>Explore community boards and local boards</p>
Other comments	<p>More cooperation is required</p> <p>More joint services are possible</p> <p>Enhanced status quo – rationalisation, procurement, planning</p> <p>Issues with local government would not be affected by changing the structure</p>

4.2.3 One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	<p>Reduces staff numbers and 1 mayor</p> <p>Good for Kaipara debt. It could help Kaipara’s finances and a step in the right direction for the Kaipara issue</p> <p>Potential to be good neighbours</p> <p>Addresses east/west divide</p> <p>Retains 1 regional council</p> <p>This is almost an enhanced status quo</p>
Dislikes	<p>Kaipara debt not welcomed by non-KDC ratepayers</p> <p>Rates would go up</p> <p>Unclear where to draw the line</p> <p>Whangarei/Kaipara merger would be ok but other mergers not so good</p> <p>Far North might lose on growth opportunities at Whangarei and Mangawhai</p> <p>Whangarei gets the Kaipara debt</p> <p>No substantive change, so what is the point?</p>
Preferred local representation	Explore community boards and local boards
Other comments	Nil

4.2.4 One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

Likes	<p>Keeps the “poacher/gamekeeper” checks and balances</p> <p>This would be more financially sustainable</p> <p>Enhanced collaboration</p>
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	<p>Better integration and less plans</p> <p>Better interaction with central government</p> <p>Reduces conflict between districts</p> <p>Similar benefits to enhanced status quo</p>
Dislikes	<p>Might as well have just one organisation</p> <p>Pointless – geographic areas too big</p> <p>Would need local representation and facility for local decision-making – less efficient</p> <p>Diminution of local knowledge</p> <p>Major reconfiguration</p> <p>No precedent</p> <p>Potential conflicts between the organisations</p> <p>Political suicide</p>
Preferred local representation	<p>Local boards</p> <p>Explore community boards and local boards and community councils</p>
Other comments	<p>Nil</p>

4.2.5 Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	<p>Nothing</p> <p>Not feasible</p>
Dislikes	<p>No economies of scale</p> <p>Not sustainable and duplication</p> <p>No watchdog</p> <p>Multiple plans across Northland (eg 3 coastal plans)</p> <p>Issues regarding catchment management</p> <p>Not an efficient size</p> <p>Don't want North Port assets split</p>

	NRC assets get split 3 ways. Impossible to get agreement about anything at a regional level Costs are high Catchment management issues
Preferred local representation	Local boards
Other comments	Would require statutory change to maintain watchdog role

4.2.6 Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	Recognises distinct difference between north and south, east and west (particularly relevant for northern communities) Provides effectiveness while retaining local access, focus and democracy WDC and KDC combined is probably a good scale Some said there was nothing they liked
Dislikes	Not sure where boundaries would be drawn No watchdog Duplication No watchdog Don't want assets split FNDC is probably not of a sufficient scale Limits democracy Driven by political ambitions not the community
Preferred local representation	Local boards
Other comments	Are there ways to address the concerns over the port shares? Could a trust structure be used to ensure they are never sold?

4.2.7 One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	<p>Cost savings – recognises that the region is too poor to have multiple councils</p> <p>Economies of scale, efficiencies and effectiveness</p> <p>Consistency of service, policy, planning and better integration of plans- one approach, greater collaboration</p> <p>Northland speaking with one voice</p> <p>More coordination between planning and strategy</p> <p>Reduced planning</p> <p>People capability – attracting the right people</p>
Dislikes	<p>Risk of political involvement in the resource consenting process</p> <p>Loss of checks and balances – watchdog role</p> <p>It is too big and is a risk to democracy and representation</p> <p>Geographically too big</p> <p>Isn't the need for the same degree of consistency as Auckland</p> <p>Too distant from constituents</p> <p>Concerns about local representation and Maori representation</p> <p>Organisation is too big, total disruption, takes years to sort out</p> <p>Big business friendly? How would smaller local contractors fare in this model?</p> <p>Questioning the potential cost-effectiveness</p> <p>Seen as Whangarei-centric</p> <p>Could disenfranchise electors</p>
Preferred local representation	<p>Local boards</p> <p>Statutory local boards/community councils needed so parent council cannot disestablish them (although some concern that community councils could be too big)</p> <p>Needs to provide for community boards (although some noted that strong representation is needed – more than ward committees or community boards)</p>
Other comments	<p>Needs to provide for good Maori representation</p>

4.3 Effective Maori representation

Participants were asked for their comments on options to ensure effective Maori representation in Northland's local government. Key comments were as follows.

- Maori representation is critical to any form of local government
- Maori need to be the key driver and decision-maker for the model used
- Some views were expressed not supporting Maori wards
- Concern was expressed that the status quo does not deliver effective representation
- The needs of urban and rural Maori are different so the mechanism for involvement may be different
- It is important to use mechanisms that engage all Maori, not only the elite

Comments on possible options were as follows:

Advisory groups

- Brings together all views within Maori society on particular issues
- Has no teeth
- Lack of representation
- Better than nothing

Appointed members to council committees

- Big questions about mandate
- Would get over some of the direct representation issues
- Good appointees can give valuable input

Maori wards

- Some thought that Maori wards can't represent all and that some disenfranchisement will occur
- The "oath of office" knee-caps Maori representatives. Real tension between representation and leadership roles
- Electoral issues with this
- A referendum should occur so people can have their say about this

Maori statutory board

- Will tend to attract the elite, which is not what Northland Maori communities need
- Difficulty resourcing this
- Could get a Northland specific model. Would need to be properly resourced with Maori input into the design

5.0 Kaikohe meetings

One workshop and one public meeting were held in Kaikohe on 26 March 2013.

- 32 people attended the public community workshop
- 17 people attended the public meeting

5.1 What local government in Northland currently does and does not do well

The comments and observations from this are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
Checks and balances between the regional and district councils	Recognition and involvement of and engagement with Maori
A number of the community facilities and services (including libraries, parks, sportsfields recycling)	The way local government responds to Treaty settlements (during and after the process is completed)
Accessibility and opportunities to talk with councils and councillors	Structure is wrong at the community level. Community boards do not recognise communities of interest
Engagement with and representation of local communities	Local government reform has not addressed local issues. Bigger is not always better
The staff are good	The community should drive community outcomes
Local can react more quickly to change because they are local	The RMA process timeline, particularly consenting
Action is being taken towards creating local employment opportunities	Perception of Whangarei-centric
FNDC does refuse collection well	Environmental management and enforcement
NRC is good at its regional functions	Disconnect between local and central government (particularly no sustainable growth management strategy)
Websites can be good and provide good information	Disconnect between economic strategy and branding and lack of focus on economic plan
The Northland voice is put forward at the national level	Branding, especially for tourism
	Process is not community driven and doesn't empower communities (it is top down, not bottom up)
	Recycling is not done well in some areas
	Regulations and process can stop community-led projects. A more common

What local government in Northland currently does well	What local government in Northland currently does not do well
	sense approach is needed
	Could engage better
	Transparency issues – lack of and filtering of information
	Lack of cohesion, communication and co-operation between councils
	Staff turnover, continuity on large projects, and retention of corporate knowledge
	Contract management and management of projects. Lack of progress on major projects.
	No focus on social issues
	No overall plan for transport infrastructure in Northland
	Access to services outside of main centres
	Lack of Maori engagement with rural communities.
	The regional council could do better

5.2 Local government options

Participants were generally split between the status quo and 1 unitary authority as their most preferred option, with a slight preference in favour of the 1 unitary authority option, provided it has strong local representation through local boards or community councils. The status quo is a strong preference for many provided it is enhanced over the current situation. The options of 1 regional council and 1 district council, and 3 unitary authorities were the least preferred option.

It must be noted that not all participants chose to indicate a preference. Also, some tables agreed their preferences as a group. Where this occurred, their preferences have been shown below based on the number of people at the table.

Options	Preferred options		Least preferred options	
	First	Second	First	Second
One regional council, three district councils (status quo)	9	7	3	1
One regional council, two district councils	1		3	3

	Preferred options		Least preferred options	
One regional council, one district council			5	3
Three councils (unitary authorities)	3	2	5	1
Two councils (unitary authorities)	4	2	1	3
One council (unitary authority)	12	10	4	1

Note: 2 people indicated a preference on the cusp between 2 unitary authorities and 1 unitary authority. This was on the basis that more information was needed on how these options would be structured. These preferences have not been recorded in the numbers above.

In considering the various options, some general comments were made.

- All options require:
 - Good Maori representation
 - Good community representation
 - Local service delivery centres
 - Local decision-making
 - A bottom up approach to planning
- Small local communities (like the Hokianga) need to be better represented and have good mechanisms for local decision-making
- Local knowledge and capability needs to be built

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

5.2.1 One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whāngārei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	Checks and balances between regional and district council Core level of skill at the regional council
--------------	----------------------------------------------------------------------------------------------------------

	<p>Retains regional revenue</p> <p>Experience, comfortable and familiar</p> <p>Local autonomy</p> <p>Minimal expense</p> <p>It is working to a degree</p> <p>Holds most potential for strong local decision-making</p> <p>It is known</p> <p>Local staff</p> <p>Accountability</p>
Dislikes	<p>Different priorities</p> <p>Inconsistency of decision-making</p> <p>Does not represent isolated and smaller communities well</p> <p>Lack of accountability between the organisations – hard to get councils to take responsibility – buck passing</p> <p>4 authorities representing a small population</p> <p>Lack of integration in communities</p> <p>Doesn't encourage holistic solutions</p> <p>Parochialism</p> <p>Community boards have no real power</p> <p>Relationship with and lack of Maori representation</p> <p>Conflict between authorities</p> <p>Multiple authorities to deal with 1 issue</p> <p>Regional approach not quite delivering (transport)</p> <p>Duplication</p> <p>Current community boards</p> <p>NRC is Whangarei focussed</p>
Preferred local representation	<p>Some prefer local boards</p>
Other comments	<p>The status quo must be enhanced</p> <p>Better leadership is required</p> <p>Stronger regional planning is needed</p> <p>Stronger coordination and shared functions</p> <p>Good local representation is needed</p>

5.2.2 One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	Keeps the checks and balances in place A little bit more efficient
Dislikes	3 authorities representing a small population No better or worse so what does it achieve Cutting up what's there Limited cost savings Doesn't solve problems Too big Duplication
Preferred local representation	Some prefer local boards
Other comments	Nil

5.2.3 One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

Likes	Checks and balances Could be more streamlined and result in some cost savings
Dislikes	2 authorities representing a small population Fairly difficult to separate the two, particularly if they are located together Loss of local knowledge Bias towards greater populated areas Stupid Duplication
Preferred local representation	Some prefer local boards
Other comments	Nil

5.2.4 Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	Removes 1 level of governance Retains the “local” Expert staff
Dislikes	Too much duplication Doesn’t make sense Not financially viable Loss of local jobs
Preferred local representation	See general comments above
Other comments	Nil

5.2.5 Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	Assets Potential to separate urban and rural Cost savings Local representation FNDC plan for Maori representation Far north autonomy More control over destiny
Dislikes	Question the rating base available Would require boundary adjustments Duplication Loss of local

Preferred local representation	Cross between local boards and community councils – they need local regulatory powers (eg bylaw powers)
Other comments	Could ring fence and target rate for historic debt

5.2.6 One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	<p>Efficient and potential for cost savings (eg HR, IT)</p> <p>Stronger planning</p> <p>If it has effective community councils, then get corporate service and local decisions</p> <p>Takes away layers and organisational costs</p> <p>One voice for Northland</p> <p>Strength of unity</p> <p>Northland-wide view</p> <p>Logical if looking at amalgamation</p> <p>Can work with other regional entities (eg DOC)</p> <p>Catchment basis</p> <p>Equity across the region (recognises that people from across the region may benefit from infrastructure and services)</p> <p>Broadens the number of people to choose leaders from</p> <p>Rural voice could be heard</p> <p>Expertise</p> <p>Location wouldn't be important if local matters are decided locally</p>
Dislikes	<p>Small communities could be isolated</p> <p>Whangarei-centric (but dependent on representation)</p> <p>Cost versus population</p> <p>No checks and balances from having a separate regional council</p> <p>Threat to local decision-making</p> <p>Loss of local</p>

	<p>Access to council and representation may be reduced</p> <p>Needs good local representation</p>
Preferred local representation	<p>Needs empowered local representation with a strong local voice</p> <p>Local boards</p> <p>Some consider it needs a cross between local boards and community councils – they need local regulatory powers (eg bylaw powers)</p>
Other comments	<p>Move from Whangarei – needs to be in Kaikohe</p> <p>Need to deal with the Kaipara debt</p> <p>Could ring fence and target rate for historic debt</p> <p>Need robust local delivery</p>

5.3 Effective Maori representation

Participants were asked for their comments on options to ensure effective Maori representation in Northland's local government. Key comments were as follows.

- Need to do more than just tokenism
- Needs to be a greater emphasis in involving Maori in the decision making. Having good will in the process is also important.
- Over a billion dollars of settlement money will come to northland over the next 10 years.
- What do Maori want? Maori should be allowed to decide how they want to be involved and represented
- Treaty settlement entities must be accommodated

Comments on specific options were as follows:

Advisory groups

- Advisory committee is nothing more than a taken gesture
- No power

Maori wards

- Some felt there should be Maori seats

- Current Local Electoral Act process is not guaranteed and disadvantages Maori from a representation perspective

6.0 Dargaville meetings

One workshop and one public meeting were held in Dargaville on 27 March 2013.

- 16 people attended the public community workshop
- 17 people attended the public meeting

6.1 What local government in Northland currently does and does not do well

The comments and observations from this are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
Town and rural rubbish collection	Loss of identity – sustainability, lost jobs, clubs and local contracts, attrition rate
Happy with KDC staff	Debt and financial management and the long term and multiplier effect. Financial issues and rating base are a long term problem.
Efforts to improve facilities	Too many players in the management of the Kaipara Harbour
NRC watchdog function	Centralisation – moving away from the district, lack of autonomy
KDC worked well with Treaty partners and Rodney on catchment management	Governance skill set because of the low population – there is limited capacity
KDC biodiversity fund	Kaipara has no centre – it is disjointed
NRC enviroschools programme	Councils don't work well together for Northland. They don't work well together to talk to central government.
Maintenance of maritime assets	The size of KDC means there are too many consultants, ability to attract good staff, and issues with contracting
Assistance to local coastal communities for coastal stabilisation	Leadership issues – lack of good quality leaders, which is not necessarily linked to size
KDC knows its communities well	WDC overpromises and under-delivers and there is a lack of transparency
NRC's environmental information and programmes and pest control (eg environment fund, enviroschools)	Senior staff don't keep elected members sufficiently informed and have too much power
Roading is done as well as could be expected	Lack of Maori representation at the regional

What local government in Northland currently does well	What local government in Northland currently does not do well
with the money available (but there are still issues)	and district level
NRC staff assistance is good	Keep local money local
When joint council/community decision-making and ownership occurs, there are good outcomes (eg Kai Iwi lakes)	Perception that the communication and collaboration between the regional and district council is not good
There is a good example of NRC using the same landscape consultants on a project as the district council to ensure consistency of approach, rather than re-inventing the wheel	NRC does not achieve good representation of the Kaipara voice (only 1 representative at NRC level)
NRC appears to be prudent in its financial decision-making	District Plan processes in Kaipara are not good. There is a lack of early consultation. Early conversations are needed.
	There are instances of NRC being slow to respond to customer requests and to follow up
	Kaipara needs to be represented in the LGC process
	KDC is too far removed from communities at the staff level and difficulties talking to the right staff
	Councils consult and then do their own thing
	Councils are not working together well with central government on key economic development issues, especially roading
	Councils don't treat depreciation issues appropriately (eg no cash reserves and asset maintenance and management issues)
	Lack of integrated management between councils

6.2 Local government options

6.2.1 Preferences

Participants were generally more in favour of a unitary authority, provided it has strong local representation through local boards or community councils. The status quo was also a strong preference, provided it was enhanced over the current situation.

The option of 3 and 2 unitary authorities were the least preferred options.

There was a strong desire for enhanced local representation under all options, whether through local boards or community councils. The local representation needs to have real powers and a budget. It also needs to reflect the rural voice. Wards should not all be "urban".

It must be noted that not all participants chose to indicate a preference.

Options	Preferred options		Least preferred options	
	First	Second	First	Second
One regional council, three district councils (status quo)	8	5	6	
One regional council, two district councils	1			1
One regional council, one district council	3	4	1	1
Three councils (unitary authorities)			7	4
Two councils (unitary authorities)			2	7
One council (unitary authority)	10	8		1

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

6.2.2 One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whāngārei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	<ul style="list-style-type: none"> Environmental watchdog role of regional council Know how it works They are specialised entities Like local representation Local economic support and Northland Inc
Dislikes	<ul style="list-style-type: none"> A lot of debt in Kaipara for a small district to bear Nothing being done to advance industry or job creation in the area Lack of economic development

	<p>Affordability – ratepayer base is too small</p> <p>Duplication</p> <p>Nothing retains Kaipara identity</p> <p>Issues covered in session 1</p> <p>Not cost-effective</p> <p>Lack of governance</p> <p>Has not met expectations</p> <p>Prone to poor governance</p> <p>How current resources are being utilised</p>
Preferred local representation	<p>Strong local boards with a lot more power, democratically elected members who are much closer to the people</p> <p>Some support for community councils with their own budget (special legislation)</p>
Other comments	<p>Enhancements are needed to the status quo</p> <p>Population capacity limits governance expertise</p> <p>Would like to see these run better with a central pool of expertise</p> <p>We can get out of our debt</p>

6.2.3 One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	<p>Environmental watchdog role</p> <p>Savings to be made</p>
Dislikes	<p>Does not address economic growth or job creation</p> <p>Loss of Kaipara identity</p>
Preferred local representation	<p>Strong local boards with a lot more power, democratically elected members who are much closer to the people</p> <p>Some support for community councils with their own budget (special legislation)</p>
Other comments	<p>Nil</p>

6.2.4 One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

Likes	Environmental watchdog role Benefits to the management of the Kaipara Harbour No duplication – everything is done once Give Northland a unified voice Clear responsibilities Suits socio economic characteristics of Northland Simplified planning
Dislikes	Does not address economic growth or job creation Possibility of Kaipara area being dominated by Whangarei area
Preferred local representation	Strong local boards with a lot more power, democratically elected members who are much closer to the people Some support for community councils with their own budget (special legislation)
Other comments	Nil

6.2.5 Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	Nothing
Dislikes	Not viable Waste of time Opposed to splitting regional council assets Unwieldy

	Population too small Not necessarily giving economies of scale No council can get across all issues
Preferred local representation	
Other comments	Nil

6.2.6 Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	No comments
Dislikes	Where is Dargaville in the split? Boundary issues Who will look to promote industry here Whangarei is too different to Kaipara Opposed to splitting regional council assets Splits governance and dilutes power Conflict (headbutting) between organisations will continue "A plague on both their houses" Kaipara would be sidelined and Kaipara voice would be lost against Whangarei Unwieldy Not convinced you would get efficiencies through economies of scale No councillor can know all of the functions
Preferred local representation	Strong local boards with a lot more power, democratically elected members who are much closer to the people Some support for community councils with their own budget (special legislation)
Other comments	Nil

6.2.7 One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	<p>Efficiencies of scale</p> <p>Can recruit better people (eg management skills)</p> <p>1 plan/ 1 stop shop</p> <p>Consistent rules and policies</p> <p>One voice for Northland (to central government)</p> <p>One set of administrators</p>
Dislikes	<p>Where is Dargaville in the big picture</p> <p>Who will focus on growing Dargaville</p> <p>Poor representation currently – won't it get worse?</p> <p>Lack of watchdog function of regional council</p> <p>Could be seen as an attack on RMA by developers</p> <p>Possibly less loss of the Kaipara voice than 2 unitary authorities but still has representation issues</p> <p>No councillor can have full knowledge over all functions</p>
Preferred local representation	<p>Strong local boards with a lot more power, democratically elected members who are much closer to the people</p> <p>Some support for community councils with their own budget (special legislation)</p>
Other comments	<p>Some like/support the representation review constituencies</p> <p>The devil is in the detail</p>

6.3 Effective Maori representation

Participants were asked for their comments on options to ensure effective Maori representation in Northland's local government. Key comments were as follows.

- Maori should be guaranteed representation but it should be up to Maori to determine how that is provided for
- Everyone has the right to stand for council and to vote. Good people should be elected. As a result some do not support separatism or symbolism through separate Maori wards.

- If all Maori voted they could influence the general vote. This is an education issue to support Maori to have their voices heard through the general electorate.
- People should be voted for, not appointed.

Comments on specific options were as follows:

Advisory groups

- Cheapest option

Maori wards

- Maori wards are working well in the Bay of Plenty

Northland Local Government Reform

Outcomes of Community Engagement Meetings held in Kaitaia, Kerikeri and Mangawhai 2-4 April

Date: 8 April 2013
Author: Shireen Munday – Programme Manager Corporate Planning and Strategy
Version: Version 1

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Background & Summary

Background

When council originally resolved to proceed with the community engagement programme on local government reform at the council meeting in December 2012 phase one of the programme was designed to be held in three locations across Northland, being Whangarei, Kaikohe and Dargaville. This engagement was to be led by an independent facilitator. Subsequent occurrences, being the Far North District Council application for a unitary authority and the associated Local Government Commission process led council to the decision that additional public meetings in three other locations across Northland would be appropriate. These three public meetings were held between 2 and 4 April 2013 in Kaitaia, Kerikeri and Mangawhai. This report summarises the outcomes of those three meetings and should be read in conjunction with the report commissioned by the council from Tattico Limited which outlines the outcomes of the seven meeting held between 25 and 27 March in Whangarei, Kaikohe and Dargaville.

Process

The meetings were two hours long and were held in the evening between six and eight pm. They were run in the same fashion as the evening sessions held the previous week but were facilitated by the Chief Executive Officer as the independent facilitator had prior commitments. Set out below is a summary of attendees at each public meeting.

Location	Number of attendees
Kaitaia	9
Kerikeri	14
Mangawhai	17

Key Outcomes

Participants were asked to comment on the options for local government in Northland. They were also asked to identify their two most and two least preferred options. The combined results of this are set out below. They are subject to the following qualifications:

- Not all participants chose to indicate a preference.
- Some people stated they considered they didn't have a preference for any of the options presented.
- Some people indicated a preference on the cusp between two unitary authorities and one unitary authority. This was on the basis that more information was needed on how these options would be structured. These preferences have not been recorded in the tabulated results that follow.

Preferences on local government options

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	17	12	1	
One regional council, two district councils	5	3	2	
One regional council, one district council	1	1		2
Three councils (unitary authorities)			18	1
Two councils (unitary authorities)	1	2		15
One council (unitary authority)	11	3	5	

These outcomes should only be used to give an indication of general trends or opinion, but do largely align to the outcomes as detailed in the Tattico report, with the preferred option generally split between the status quo and one unitary authority. Participants also echoed the key points raised in the Tattico report. That is that a unitary authority requires good local representation as well as that the status quo option is considered the preferred option as long as it is enhanced to provide greater collaboration and co-operation between the councils.

Effective Maori representation

Due to time constraints the discussions on Maori representation was limited at the meetings, however the key comments as provided for in the Tattico report were reflected in the feedback received.

Commentary on public responses to the engagement programme

In contrast to the normally low level of engagement that local government engenders, questions regarding reform are high on the public agenda. Considerable media coverage and commentary via ‘Letters to the Editor’ indicate many Northlanders are both interested in and have strong opinions about the issue. The regional council’s engagement programme has generally been supported, with several commentators remarking favourably on the informative and unbiased approach it has used to solicit public opinion. At the time of writing this report, staff are aware of one alternative application already having been made to the Commission by a Northland based individual.

Combined results

In total 167 people were recorded as attending the ten meetings held in six locations across Northland. For completeness the table below collates the preferences indicated across all meetings held over the engagement period between 25 March and 4 April 2013.

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	49	39	12	3
One regional council, two district councils	7	11	8	6
One regional council, one district council	7	7	8	19
Three councils (unitary authorities)	3	4	18	12
Two councils (unitary authorities)	6	5	4	31
One council (unitary authority)	52	29	11	4

Kaitaia meeting

What local government in Northland currently does and does not do well

The comments and observations from these discussions are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
FNDC Representation	Staff attitude on occasion of enquiring re local govt.
NRC work with Forestry Industry explanation of RMA.	Personality driven/power of Mayor.
Regional Council current size plus scale is right for Northland.	Insufficient emphasis in District Council long term plan for the environment.
Environmental education opportunities provided.	Inconsistent advice between regional council plus District/Consents based (Building/Land use resource consent/Regional plan), no LIM/ PWN report at regional level.
Watchdog – checks plus balances.	

Preferences

Participants were generally split between the status quo, one regional and two district councils and one unitary authority as their most preferred option. Where one unitary authority was the preferred option a strong local representation was seen as very important, however commentary was also in favour of local representation to be provided for in the status quo model.

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	2			
One regional council, two district councils	2			
One regional council, one district council				
Three councils (unitary authorities)			4	
Two councils (unitary authorities)	1	1		3
One council (unitary authority)	4		3	

Comments on Options

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whangarei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	Separation of powers Retains Northland focus through regional council presence Keeps the Far North
Dislikes	Information gaps Requires goodwill for collaboration Kaipara is too small to continue Amount of properties is too low to sustain the assets and core infrastructure
Preferred local representation	
Other comments	

One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	Separation of powers Retains Northland focus through regional council presence Some rationalisation of asset management
Dislikes	
Preferred local representation	
Other comments	

One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

No comments were provided on this option.

Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	One stop shop for the district
Dislikes	No longer 'Northland' council Not financially viable
Preferred local representation	
Other comments	

Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	One stop shop for the district Keeps \$\$ in far north Some rationalisation of asset management
Dislikes	No longer 'Northland' council Population and rating base too small Small voices compared to whole of northland/other regions
Preferred local representation	
Other comments	

One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	<p>One stop shop for the district Consistent regulations Levels of Services across Northland Equity issues could be resolved Combined rating base Core infrastructure assets centrally managed Starts with a blank sheet of paper Maintains the regional council as one authority Northland organisations presence can speak with one big voice</p>
Dislikes	<p>We'll get lost in the bigger unit Need certainty re representation and powers Needs real accountability to communities</p>
Preferred local representation	<p>Local community boards</p>
Other comments	<p>Community boards could bring local issues to the unitary authority – what decision making powers? Needs to be permanent , elected and accountable to the community with real responsibilities. . Unitary council should meet in various places around the region on a rotation basis.</p>

Kerikeri meeting

What local government in Northland currently does and does not do well

The comments and observations from these discussions are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
There are some positive examples.	Criticism of timeframe, re: RMA. (Eg. Boardwalk).
In-house experts Regional (Environment).	Small populations vs. large geography. (Resources and funding capacity).
Independent watchdog.	? 100m debt
Local council has been financially prudent.	User pays
Civil Defence (Regional Council).	Why the need for change. Told in 1989 cost reduced, staff reduced, but opposite happened. How much money due to central government.
NRC done things well, good knowledge – help plus advice and good listeners.	FNDC small rating base (economies of scale).
Pest-control (good helpful response)	Lots of different voices. (Re: Leadership).
NRC – leadership/ communication (Re: Emergency situations/extreme events).	Cost associated with small council, rates have been increasing
Watchdog aspect of Regional Council.	Lot of ‘town’ focus and rates used to support this
Culture at Regional Council is good.	Not clear what rates being used for
Present system connects better to the individual communities.	Could have better communication. (Website has too much information).
Community boards are good for the Far North)	Not enough Co-operation and communication between Regional and District Councils.
Good to have access to council offices in Far North	District Councils driven by voters. Resistance to increase the rates equals less environmental compliance.
Environmental compliance – separation between rc and dc good	Community boards toothless and useless
	Lack of focus at the smaller communities as part of the greater entity.
	Four councils equals four plans – Not co-ordinated enough – charging for submitters and a costly process.

	Too many district plans.
	Regional Council taking District Council to court is silly. Doubles (?) ratepayers funds
	Culture at FNDC not good

Preferences

Participants were generally split between the status quo and one unitary authority as their most preferred option, with a somewhat higher preference for the status quo once second preferred options are included. Where one unitary authority was the preferred option a strong local representation was seen as very important.

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	5	6	1	
One regional council, two district councils	1		1	
One regional council, one district council		1		
Three councils (unitary authorities)			9	1
Two councils (unitary authorities)				12
One council (unitary authority)	3	3	2	

Comments on Options

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whangarei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	Working reasonably well Checks and balances familiar Not broken
Dislikes	Representation very town based Lots of scrapping Inefficiencies (4 councils) Lack of effectiveness

	Small population- large area Current structure does not support govern candidate Not sure about the efficiencies
Preferred local representation	Community lacks expertise for governance Community boards ok as long as delegations exist Community boards need clout
Other comments	Needs to be 'enhanced' status quo

One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	Keeps Kaipara debt away from Far North
Dislikes	Representation town based. Cost implications Messy middle ground Who inherits Kaipara debt
Preferred local representation	Community boards need clout
Other comments	

One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

Likes	Economies of scale Separation of function Some merit if roles changed
Dislikes	Cost implications – Kaipara 2 entities Too big an area
Preferred local representation	Community boards need clout
Other comments	

Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	
Dislikes	Crazy idea Can't see it working Too small
Preferred local representation	
Other comments	

Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	
Dislikes	Crazy idea Don't split regional council \$\$ Lack of control and environmental compliance
Preferred local representation	
Other comments	

One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	<ul style="list-style-type: none"> Consistency Collective, together Reduces overlap of functions Financially most efficient Economies of scale Simple Would benefit assets management and investments Potential savings
Dislikes	<ul style="list-style-type: none"> Big area to service Size of wards Loss of watchdog Too big
Preferred local representation	<ul style="list-style-type: none"> Has to be robust local representation to work Community boards need clout
Other comments	<ul style="list-style-type: none"> Are the promised efficiencies achievable

Mangawhai meeting

What local government in Northland currently does and does not do well

The comments and observations from these discussions are set out below. These comments do not necessarily represent the consensus of majority view of all participants.

What local government in Northland currently does well	What local government in Northland currently does not do well
Local representation is available.	Not enough people look at government as a business – needs to live within budget.
Regional Council work on the ground eg. Fencing and land management	Need to work better to share skills.
Co-operative approach - working with communities.	It depends on the people at the top – both management and politicians. (Need good governance).
Working with communities on the harbour. (Kaipara).	Not enough co-ordination and support between each local authority.
Good to have access to council offices in the Far North.	Kaipara so far in debt.
Watchdog is good	District councils undermine Regional Council
Monitoring role of NRC. (Good as long as it's done well).	Proposed RPS, Landscape and relationship to land management and the people who work the plan.
RMA does "some" things well, like Environmental Court and monitoring harbour.	Middle management not good at doing things on the ground / communicating with people.
Population in district and close to Auckland.	Don't feel listened to and no influence over decisions, people disenfranchised.
Generally responsive to communities, good track record in environment.	Don't feel bureaucracy serves the people.
	Over governed in relation to size.
	Split of Environmental responsibilities not helpful – should be done at a single look. (Government level), shouldn't require watchdog function.
	Not an area served well by NRC, water quality and coastal marine area work in relation to development activates.
	Lack of individual community input Getting involved in activities that could be achieved by individuals (eg commercial style ventures).
	Northland too dispersed to allow for adequate community input - streams of communication limited.

	Issues around endowment funds / equity and resources
	Mangawhai is changed due to Geographic location and proximity to all boundaries and demographics / socio-economics
	Local Government is spreading itself too thin – needs to focus on core infrastructure, including (?) / Parks.
	Generally responsive to communities, good track record in environment.
	Lack of community voice.
	Communication and lack thereof i.e. Monitoring did not talk to land owner.
	Physical problems with location of councils i.e. KDC Dargaville.
	District Council doesn't work for community (20 plus years).
	Breakdown of communication.
	89 small communities - lost voice, lost assets.
	Constituents have different opinion of its own council. Is not responsive.

Preferences

Participants were mostly in favour of the status quo, with one unitary authority as their second most preferred option. Where one unitary authority was the preferred option a strong local representation was seen as very important.

Options	Most Preferred		Least Preferred	
	First	Second	First	Second
One regional council, three district councils (status quo)	10	6		
One regional council, two district councils	2	3	1	
One regional council, one district council	1			
Three councils (unitary authorities)			5	2
Two councils (unitary authorities)		1		
One council (unitary authority)	4			

Comments on Options

Some comments on the options are set out below. They do not necessarily represent the consensus or majority view of all participants.

One regional council, three district councils (status quo)

This option retains the Northland Regional Council and the current Kaipara District Council, Whangarei District Council and Far North District Council. It retains the ability to establish community boards.

Likes	Is known/familiar Existing knowledge and governance Watchdog function of NRC Small is beautiful – KDC could have worked KDC not got enough ratepayers for area Representation available locally Regional approach to major issues
Dislikes	Inefficiencies due to population size KDC can never attract appropriate staff No need for separate councils Lacks co operation
Preferred local representation	Community Councils
Other comments	Modifies status quo required Community Boards did not work well in the past Enhancements require political will and management

One regional council, two district councils

This option retains the Northland Regional Council. It amalgamates the current Kaipara District Council, Whāngārei District Council and Far North District into two district councils. It retains the ability of the district councils to establish community boards.

Likes	Regional approach to major issues
Dislikes	Don't want to amalgamate with Whangarei Unknown
Preferred local representation	
Other comments	Still needs more local representation

One regional council, one district council

This option retains a regional council and amalgamates the current three district councils into one district council. It retains the ability of the district council to establish community boards.

Likes	
Dislikes	Unknown
Preferred local representation	
Other comments	

Three councils (unitary authorities)

This option establishes three unitary authorities for Northland. Each has the powers and functions of a regional and district/city council. This option has:

- One unitary authority for the Far North
- One unitary authority for the Whāngārei area
- One unitary authority for Kaipara

Likes	
Dislikes	No regional approach to big issues Duplication of regional functions and expertise
Preferred local representation	
Other comments	

Two councils (unitary authorities)

This option establishes two unitary authorities for Northland. Each has the powers and functions of a regional and district/city council.

Likes	Better size-wise
Dislikes	Not in best interest of Northland Regional approach to big issues Duplication of regional functions and expertise Not reflective of catchments
Preferred local representation	
Other comments	

One council (unitary authority)

This option establishes one unitary authority for Northland, which has the powers and functions of a regional and district/city council.

Likes	One stop shop function Regional approach to regionally important issues
Dislikes	Dictatorial All empowering Geographic size of unit Lacks local representation No relationship in other parts of Northland
Preferred local representation	Community councils Well-equipped local representation
Other comments	Would need very strong community councils

Effective Maori representation

Key Messages – all meetings

Participants were asked for their comments on options to ensure effective Maori representation in Northland's local government. Key comments were as follows.

- Maori representation at the local level should be guaranteed
- The current system is sufficient for Maori to ensure they have representation in local government
- It is for Maori to determine what kind of representation model would be best

Preferred Option

Due to time constraints the debate on Maori representation issues was limited and the results recorded provides no data on any preferred options indicated.

Northland Local Government Reform

Outcomes of Community Engagement Hui held in Whangārei 11 April 2013

Date: 12 April 2013
Author: Kathryn Ross, GM Planning and Policy

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Background

After the community engagement workshops and public meetings in Whangārei , Kaikohe and Dargaville (25 and 27 March 2013) and in Kaitāia, Kerikeri and Mangawhai (2-4 April 2013) council received a request from local tangata whenua from Whangārei to run a further session so that Māori might better understand and participate in the Local Government Commission's process. Council arranged the session for 11 April 2013.

Invitations to attend the Whangārei based hui were distributed through existing local Māori networks, including the networks of those who requested the meeting, and the council's own local networks.

This report summarises the outcomes and feedback of the 11 April 2013 session and should be read in conjunction with the report commissioned by the council from Tattico Limited (which outlines the outcomes of the seven meeting held between 25 and 27 March in Whangārei , Kaikohe and Dargaville) and the staff report prepared by Shireen Munday – Programme Manager Corporate Planning and Strategy for the Kaitāia, Kerikeri and Mangawhai meetings.

Process

The 11 April 2013 meeting was held in the evening (5.30pm-8.15pm). The Chief Executive Officer gave the same presentation that was given at the earlier meetings but the focus of the discussion was on the opportunities for Māori to participate in the Local Government Commission's process and how the Māori view could be established.

The hui discussion and format was participant driven. Rather than break into groups to discuss aspects of the presentation there was collective discussion. Participants commented on what local government currently does and does not do well but did not comment on the options for local government in Northland, preferring instead to address the issue of effective Māori representation and participation.

Location	Number of attendees
Whangārei hui	19

What local government in Northland currently does and does not do well

The comments and observations listed below were captured on a whiteboard as part of the collective discussion.

What local government in Northland currently does well	What local government in Northland currently does not do well
Access to and availability of WDC councillors	Does not have a good perception of where Māori sit in the big picture – perpetuates the status quo
Community facilities like the libraries	WDC when asked did not choose Māori seats – stuck with the status quo
Local government response to natural disasters – particularly the information and action on access / roads	No appreciation of local government's Treaty of Waitangi / Te Tiriti o Waitangi obligations – breaches of obligation, lack of good faith in decisions / governance
Love Mander park	Models for Māori representation don't have teeth. E.g. advisory committee
Town basin, especially the walkways, signage and descriptions	Perception / misunderstanding by councils of public service of what public service is – we pay their salaries
Like the buses and public transport	Almost / non-existent representation of Māori on councils – further comments about institutional racism, breaches of fundamental human rights in terms of participation and representation of Māori
0800 information lines are useful	Very little opportunity for Māori to input into environmental monitoring
Hotline is good – good response time mentioned	Lack of hapu participation in the allocation of resources
Regional council consultation with Māori is improving slowly	Lack of knowledge about who are the relevant hapu to be involved and kaupapa Māori
Consideration by councils of public and community interests against the private interests	Rating issues for Māori land
Excellent pest / biosecurity information e.g. pamphlets	Lack of skilled environmental commissioners – i.e. skilled in Māori culture
Regional council good at disseminating information	Historical information that has been provided to council has been lost – problems with the completeness of council records
	Disputes processes are imbalanced – council has a lot of resources, local Māori do not, there is an imbalance of power, hearings and processes need to be fair and there needs to be a review of council processes, actions and decision to ensure there is

	fair treatment
	Dust / air quality issues and their impact on health
	Land vested in councils (e.g. public works act) that was Māori land – should be returned not sold
	Consent processing – 35 year terms too long (tantamount to ownership), charging Māori for information
	Papakainga housing – question the role of legislation when Māori providing for themselves on their own land – e.g. building code and RMA constraints, rates
	Within councils there is an imbalance between the four well-beings and too much focus on economic
	Local government doesn't take responsibility for the actions of its contractors – it should be accountable – a roading example given when land not owned by council (but owned by Māori) was mistakenly used
	Local government not looking at things in a joined up way – stormwater drainage example given at Poroti Springs where new road drain goes into the headwaters
	Regional council environmental standards for fresh and coastal water aren't tough enough
	Equity concerns re rates – are we subsidising the farmers who take water for free
	No decent long term plan for infrastructure - roads specifically mentioned
	Council uses the excuse that it is broke to avoid fixing up the sewage problem but it has money. It just spends it on other things. Council not being financially prudent / sustainable

Effective Māori representation

Throughout the meeting the issue of Māori representation was discussed. The following is the overall flavour of the discussions. (It is not verbatim and cannot be considered to be comprehensive.)

The key concern was that Māori have not had the opportunity to develop what the best form(s) of effective Māori representation in local government are. It should be up to Māori to determine what they want and for local government, the Local Government Commission and/or Parliament to deliver this. If what Māori want can't be delivered within the current legal constraints then the law should change.

It was acknowledged that many were involved in discussions e.g. Iwi Chairs, Iwi CEOs, Leadership Group with Far North, Northland Regional Council or the Local Government Commission. These discussions were not however keeping everyone informed or allowing all to participate.

While the local board structure might deliver more Māori into elected positions (on the Local Board based on the percentage of Māori in a Board area) this was in no way guaranteed and was not considered to be sufficient. Effective representation might mean that 50% of the local authority or board should be Māori – reflecting the spirit of an equal partnership under the Treaty of Waitangi / Te Tiriti o Waitangi - even if the population of the governed area was not 50% Māori.

There was an appetite to consider where a statutory Māori Board might sit in the whole picture. Structures that were advisory in nature were not sufficient – i.e. where the advice could be heard but not acted upon.

It takes time for Māori to develop a pan-iwi/hapu position and it was felt that this issue was so significant that such a position should be developed. Participants were concerned that the Commission's timeframe would leave them out.

While it was up to Māori to develop their position the council should have a position on Māori representation that reflected the Māori position and should be prepared to advance it to the Commission and / or whomever it was that could give Māori what they wanted. This would give effect to local government obligations under the Treaty of Waitangi / Te Tiriti o Waitangi. Māori are not just another community group. There was discussion of the role Māori would play in Northland's future. They will be a, if not the, major land owner, asset holder and manager, and will have a significant role and stake in Northland's economic (as well as environmental social) future.

Some participants wanted to know more about how the Auckland Māori Statutory Board worked and how Māori seats might be delivered given the current limitations of the Local Electoral Act and Local Government Act.

It was agreed that a hui should be held that involved all Māori to establish the Māori position on representation (breaking through the silos of discussions that were happening currently). The regional council offered to provide assistance but emphasised it did not want to undermine a process that needed to be designed by Māori for Māori to establish their collective view.