

## 16. REVIEW OF LOCAL GOVERNMENT ACT

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Corporate Plan Output: Public Accountability	

The purposes of this report are to inform elected members of my involvement in work towards the review of the Local Government Act and to, separately, propose machinery to enable the City Council to respond rapidly to discussion papers from Local Government New Zealand on this subject.

### GOVERNMENT STEERING GROUP

Cabinet resolved in July to put in place an ad hoc Ministerial Committee and a Steering Group of officers as key mechanisms to lead and oversee the reform of the Local Government Act. The intention is to undertake an intensive programme of work with the aim of legislation being introduced to Parliament in December 2001.

The Steering Group is chaired by the Department of Internal Affairs and comprises senior officials from a number of central government departments and the Prime Minister's Office. Local Government New Zealand were asked to nominate two individuals to be members of the Steering Group. One of their own team (currently Mike Reid) has taken one of these roles. The other role was earmarked for a local government chief executive. After discussion with the Society of Local Government Managers I was approached and accepted the role.

The Steering Group will be responsible for preparing papers through the Office of the Minister of Local Government for the ad hoc Ministerial Committee and Cabinet including a public consultation document later this year. It is charged with establishing the terms of reference for five working groups on different aspects of the Act and then overseeing the process of the operation.

At this stage what is intended is a complete rewrite of the Local Government Act. In order to do justice to the task, to effectively advocate views from within the local government sector and contribute from the viewpoint of a local government practitioner, the role is likely to take a reasonable but variable proportion of my time over the next 16 months.

It has been agreed that while I will need to respect confidences of the discussions of the working group I am at the same time completely free to advise the Christchurch City Council on its input into the reform process.

### LOCAL GOVERNMENT NEW ZEALAND

The process described above is one which is being managed by Government. In parallel with it Local Government New Zealand established some months ago a steering group on matters to do with the Act. Peter Mitchell is a member of this group.

We have been advised by Local Government New Zealand that due to the tight timeframe for review of the Act they will be seeking response from Councils on specific issues often with very short timeframes.

While it would be appropriate for the City Council's response on a formal Government consultation document to be considered by the full Council it will not be practical for specific inquiries with short timeframes from Local Government New Zealand to be treated in this way. I would recommend that a subcommittee give consideration to significant matters raised by LGNZ during the process of review of the Act.

Currently the Legislation Subcommittee augmented by Councillors Booth, Wright and Buck has had one meeting to consider in more detail aspects of redrafting the Act. I would suggest that the terms of reference of the augmented Legislation Subcommittee be extended to include the preparation of responses to Local Government New Zealand on matters relating to the Local Government Act Review. It needs to be recognised that in the context of responding on short timeframes it is unlikely to be possible to set aside a regular meeting time for the subcommittee and also unlikely that with meetings scheduled at short notice it will be possible to find times to suit all members.

The Subcommittee would be requested to meet with the six Community Board chairs on issues directly related to Community Boards.

- Recommendation:**
1. That authority be delegated to the augmented Legislation Subcommittee to respond to requests for input from Local Government New Zealand on aspects of the Local Government Act review, on behalf of the Council.
  2. That the Subcommittee report to the Council on the consultation document(s) to be released by Central Government.