



15 February 2009

NC07-11

Zone and Sector Key Issues Report February 2010

a. Supporting Community Well-being

i. *Community Safety and Well-being*

Joint Central/Local Government Social Sector Forum

The Minister for Social Development and Employment has released a discussion document on the new Auckland Social Policy Forum which is available online:

[http://www.beehive.govt.nz/sites/all/files/Auckland%20Social%20Policy%20Forum%20Discussion%20Document%20%20\(PDF\).pdf](http://www.beehive.govt.nz/sites/all/files/Auckland%20Social%20Policy%20Forum%20Discussion%20Document%20%20(PDF).pdf).

Feedback on this document closes Friday 21 May.

If you have priority social issues that need addressing at national level, please email info@lgnz.co.nz. For more information refer *Key Issues Report* November 2009.

Alcohol

A copy of LGNZ's submission for the Law Commission review of the regulatory framework for the sale and supply of liquor is available on our website: <http://library.lgnz.co.nz/cgi-bin/koha/opac-detail.pl?bib=4399>.

ii. *Review of Fire Legislation*

The Department of Internal Affairs (DIA) and the National Rural Fire Authority (NRFA) are drafting guidelines for fire authorities to help clarify legal status and responsibilities. The guidelines will be released upon completion.

The Fire Service Commission (FSC) has drafted a Section 15 and 16 fire control template for agreement between the FSC and fire authorities. Fire officials are working on the amended drafting for LGNZ to consider. The Section 15 template has been finalised and distributed to principal rural fire officers in each region. The Section 16 template is still to be finalised.

b. **Enhancing Environmental Outcomes**

i. ***Climate Change and Sustainable Land Management***

NES on sea level rise

Cabinet is expected to make decisions on a National Environmental Standard (NES) in the next few months. The National Council Climate Change Sub-committee has been closely involved in early discussions on what this might look like. LGNZ has indicated a strong preference for a NES with numbers and non-regulatory guidance on methodology. It's important the Government is made aware of your support for a NES on sea level rise.

Emissions Trading Scheme (ETS)

The Government's Climate Change Response (Moderated Emissions Trading) Amendment Bill passed its third reading with the support of the Māori and United Futures Party on 25 November 2009. Work continues on the regulations. Areas of interest are defining tree weed species and amendment of indigenous forests rates. Drafts for both are expected for release in late February (at time of writing). A draft on waste gases is expected to be released in May/June.

Forestry obligations:

- Councils which deforest more than two hectares of pre-1990 forest land become mandatory participants of the ETS and legally obliged to notify the Ministry of Agriculture and Forestry (MAF).
- Councils which have deforested more than 2 hectares of pre-1990 forest land between 1 January 2008 and 31 December 2009 should have notified MAF by 31 January 2010.
- Deforestation after 31 December 2009 of more than two hectares of pre-1990 forest land must be notified to MAF within 20 working days of starting the deforestation by the person responsible (usually the landowner).

Notification forms are available at:

www.maf.govt.nz/sustainable-forestry/ets/form_notify-deforestation.htm

Copenhagen Accord on climate change

This year the Government announced New Zealand would join the Copenhagen Accord on climate change. It submitted the existing target range of 10-20 per cent below 1990 levels by 2020. This target is conditional on;

- a global agreement that works towards limiting global temperature rises of not more than 2°C,
- comparable efforts by other countries,
- actions by advanced and major emitting developing countries fully commensurate with their respective capabilities,
- effective rules governing land use, land use change, and forestry,

and full recourse to a broad and efficient international carbon market.

ii. ***Civil Defence and Emergency Management (CDEM)***

The allocation for the \$1 million CDEM subsidy is now a contestable fund. The new regime applies from 1 July.

The Ministry of CDEM is now working with the sector to develop operational details for the fund. LGNZ hopes to have information on fund criteria by early May 2010.

iii. ***Waste Management and Minimisation***

New Zealand Waste Strategy

The Ministry for the Environment (MfE) and LGNZ review of the New Zealand Waste Strategy is still under review. Councils must consider the Strategy while developing waste management and minimisation plans under the Waste Minimisation Act, 2008. LGNZ will keep you updated on progress.

Waste Minimisation Fund

Applications for MfE's annual funding round close on 1 March 2010. The fund aims to provide investment in infrastructure and ensure educational and promotional capacity is developed. LGNZ anticipates oversubscription of the first round.

The first payouts for the local authority waste levy were made in January with \$3 million being distributed across 73 councils.

The contestable fund and the waste levy payout are funded from the \$10 per tonne levy on waste to landfills that became law 1 July 2009.

ETS regulations on waste emissions

MfE has started work on ETS regulations for waste emissions with a technical advisory group representing a range of sectors. LGNZ anticipates draft regulations will be available for consultation late in May.

iv. ***New Start for Fresh Water***

The Land and Water Forum (LAWF), a collaborative process to build consensus on goals for water management, has started its 2010 programme of meetings. It's due to report back in July. Four local government nominees are involved.

Proposed National Policy Statement (NPS) for Freshwater Management

LGNZ waits for the Board of Inquiry to report to the Minister on its outcomes.

NESs for Water

Three NESs for water management are under development: measurement of water takes, ecological flows and water levels, and on-site wastewater systems. The water takes are being drafted into regulation. The other two await decisions by the Minister.

v. *Biosecurity*

MAF is reviewing parts of the Biosecurity Act. These are;

- border management,
- marine biosecurity,
- pest management,
- biosecurity preparedness and response,
- the sanctions regime for non-compliance,
- other - including access to rural property data and Farms On Line.

Pest management and Farms On Line are of most relevance to LGNZ. The marine biosecurity work relates to biosecurity risks in New Zealand's Exclusive Economic Zone, particularly drilling rigs and platforms, and tankers discharging ballast water.

Future of Pest Management (FOPM) Project

A draft MAF discussion document summarising the proposed amendments should be released for public consultation in June.

The FOPM workstreams include;

- crown obligations as a landowner,
- roles and responsibilities of the terrestrial, freshwater and marine areas,
- legislation review,
- physical control and monitoring tools,
- club responses.

Stakeholder representation in the workstreams includes regional councils, the Department of Conservation (DOC), Land Information New Zealand (LINZ), the aquaculture industry, Crown Research Institutes, tangata whenua, and MAF. A FOPM steering committee will sign off the direction proposed by the workstreams.

Binding the Crown to regional pest management strategies and the formation of a 'gatekeeper' are key proposals. Developing the gatekeeper role has been challenging. The role aims to provide a process to identify a preliminary objective for a pest and determine who is best placed to do this. A final paper tasks and scope is completed and LGNZ has been advised this would be discussed by the Biosecurity Central/Regional Forum (BCR) late this month.

Farms On Line

MAF is developing Farms On Line to provide a register of rural properties to help prepare for and respond to biosecurity threats. Information will come from local authority rating databases. MAF proposes amending the Biosecurity Act to allow access to these databases. It will ensure Farms On Line complies with the Privacy Act.

National Pest Management Strategy for Bovine Tuberculosis (Tb NPMS)

There is no indication if a Board of Inquiry (BOI) is required for the strategy. The Regional Affairs Committee (RAC) signed off a sector view on funding future Tb NPMS in November. This will form the basis of further discussion with the Animal Health Board to ensure the efficiency and effectiveness of the Tb programme.

c. **Supporting Regional Growth**

i. *Economic Development*

Economic Development Committee

The National Council agreed to the terms of reference for an Economic Development Committee in December. Sector Chairs appointed as National Council representatives are;

- Peter Tennent (Provincial Sector Chair and the National Council portfolio holder for economic development),
- John Forbes (Rural Sector Chair),
- Len Brown (Metro Sector Chair),
- Stephen Cairns (Regional Sector Chair).

The committee chair will hold the National Council portfolio for economic development. The Committee first met in February and representatives discussed further membership for the committee. Initial membership will be drawn from;

- The National Council (representatives already agreed),
- Economic Development Agency New Zealand (EDANZ),
- Regional Tourism Organisation New Zealand (RTONZ),
- Mayors Taskforce for Jobs (MTfJ).

The Committee expects to meet at least three times a year. The Committee aims to respond to the Government's focus on economic growth, and distinguish and clarify work councils do to support economic growth.

The National Council agreed this work stream should take precedence in 2010. LGNZ hosted a workshop with a group of experts from across the country in December. A report from the workshop will be presented to the Committee.

Rugby World Cup 2011 (RWC 2011)

Joint presentations to the Metro and Rural and Provincial Sector meetings were made in November.

Leon Grice, Director, New Zealand 2011 Office (NZ 2011 Office, part of the Ministry of Economic Development (MED)) and Nigel Cass, General Manager, Tournament Services, Rugby New Zealand 2011 Ltd (RNZ 2011) presented to Metro Mayors. Leon Grice and Martin Snedden, chief executive RNZ 2011 Ltd, presented to Rural and Provincial Sector Mayors.

The RNZ 2011 presentations addressed;

- RWC 2011 structure, joint approaches, planning and delivery, dedicated resources focused on RWC 2011,
- the responsibilities of RNZ 2011 and NZ 2011 Office,
- playoff cities: match and team hosting - 26 of 48 games happen in metro cities. Fan zones were a major focal point.

They also looked at joint approaches to;

- integrated ticketing - looking at what a match ticket would do on match day to get a fan to the game, with consistency across the regions,
- a national accommodation bank, commercial accommodation to set up along side; the hotel sector was key as well as cruise ships; campervans will be prevalent and will grow,
- how planning and delivery will be rolled out,
- and dedicated resources focused on RWC 2011.

The focus of the newly established NZ 2011 Office is on:

- A national festival programme looking at regional financial commitments, scoping, identifying regional ideas, creative vision, branded events, opening and closing ceremonies, and key national moments during 2011. This work is run by Briony Ellis.
- A business engagement and business and hosting programme will focus on recruitment synergies, an onshore programme mobilising key conference organisers, networks to develop and manage business hosting and showing events.
- A volunteer and hosting programme, volunteer and hosting strategy: a single volunteer programme was decided on.
- Managing the RWC New Zealand brand (the fern).
- Estimated tourism numbers - current estimate 65,000. The Ministry of Tourism is working with the Delphi group on more specific numbers. It's anticipated these will develop into "live" data this year with ongoing inputs into a shared model for the next 18 months.

The Office will report to Ministers of RWC 2011 and the 2011 Group Advisory Board, chaired by Mayor Bob Parker.

Last year LGNZ initiated a meeting with key agencies which included NZ 2011 Office, MED co-ordination group, and RNZ 2011. Agencies agreed to:

- regular meetings to ensure agencies are up-to-date on workstreams, issues and possible gaps
- an agreement to include the LGNZ Infrastructure team in future transport conversations.

The group will also include representatives from EDANZ and RTONZ.

Host locations were announced in December. Twenty-three centres, 16 in the North Island and seven in the South Island will host at least one of the 20 teams.

Feedback from the regional co-ordinators' groups, established by LGNZ, was mixed. As a result, LGNZ will hold workshops later in the year in the North and South Islands. The workshops should provide feedback on what works well and what needs more attention and share information in areas of particular interest.

LGNZ is aware of anticipated new legislation; to date, it has not been consulted.

ii. ***Tourism***

RTONZ has focused on developing two of five key workstreams identified in the 2015 Tourism Strategy;

- developing new funding models for regional tourism organisations. At present local government is the prime funder,
- embedding tourism into the funding structures of local councils.

The first draft of the funding model work is nearly complete. LGNZ had input at an early stage and anticipates a short consultative process following the release of the report.

The embedment process into local government workstream aligns with LGNZ's economic development portfolio. LGNZ expects to play a more active role through 2010.

The total spend for RTOs is currently \$37,159,867; with 73 per cent sourced from local government. This represents a 69% increase since 2004 so it's important for the sector to present a collective voice while recognising local initiatives and needs.

iii. ***Mayors' Taskforce for Jobs (MTfJ)***

Verbal updates will be available at each zone meeting.

d. **Sustaining Transport and Infrastructure**

i. ***Funding Issues***

The New Zealand Institute of Economic Research (NZIER) has drafted a report on options for future transport network funding. This will be a starting point for increasing sector understanding of the issues, ultimately leading to consensus on the preferred funding options. This report will be on LGNZ's website shortly.

ii. ***Financial Assistance Rate (FAR) Review***

Movement on the FAR is unlikely in the near future but LGNZ will continue pursuing funding of local roads on an equity basis - that is local roads carry 50 per cent of the vehicle kilometres travelled and generate 50 per cent of revenue for the hypothecated fund. LGNZ believes the current National Land Transport Programme (NLTP), with its 60 per cent skew towards state highways, isn't equitable or sustainable.

iii. ***National Land Transport Programme***

The sector is under pressure to bring roading capital works projects forward. This is led by Roothing New Zealand (RNZ) which argues significant lay offs are inevitable unless more construction work is found. Historically local government has underspent its capital works budgets, although maintenance budgets (significantly bigger) are always fully spent.

Further, the media and Minister haven't understood the implications of flexibility that comes from changing from an annual funding commitment to a three year programme.

LGNZ does support though RNZ's view that the current emphasis on Roads of National Significance (RONS) tends to concentrate spending away from provincial and rural areas.

Local government is maintaining its level of infrastructure spend but this is not well understood outside the sector. The sector is also under scrutiny for increasing rates to fund infrastructure without this investment translating into physical works. The need to fund depreciation is driving this but again this is not well understood.

iv. ***Road Safety Strategy 2020***

The 2020 Road Safety Strategy will be released in late February. It takes a 'safe system' approach. This has sub-themes of safe speeds, roads & roadsides, drivers, and vehicles.

The Minister is keen for an implementation plan. LGNZ expects to see a range of legislative or regulatory interventions, some of which have been flagged. These could include raising the driving age to 16, extending the driver period before a full licence can be obtained, zero alcohol tolerance for drivers under 20, possible reduction in blood alcohol levels from 80-50mg/l and alcohol interlocks for recidivist drivers.

The Automobile Association (AA) is releasing a national KiwiRap report in April. This shows safety features for state highways are improving but deteriorating on local roads. Accident statistics tend to support this. The reason is obvious when looking at the relevant investment in safety works on each of the two parts of the network. There's an opportunity to explain this so that rather than the AA being seen as "bagging the sector" its views will support what we assert - we need more money!

v. ***New Zealand Transport Strategy***

The Government does agree with several aspects of the *New Zealand Transport Strategy 2008* and its future is uncertain. It is non-statutory and beyond the normal political accountability processes.

The Minister will need to provide clarity as Regional Land Transport Committees will need a national framework against which to set their regional transport strategies. There is no indication as to when this might be.

vi. ***Transport Submissions/Legislation***

The Land Transport (Enforcement Powers) Amendment Act and the Vehicle Confiscation and Seizure Act are now law.

The Vehicle Confiscation and Seizure Bill's purpose is to reduce traffic offending by increasing the deterrents available to courts and police. The Land Transport (Enforcement

Powers) Amendment Act enables road controlling authorities to create 'anti-cruising' bylaws. LGNZ offered to coordinate developing a model bylaw. Most of the 20 councils which responded, however, intended to review or modify their own bylaws.

The Minister is allowing changes to permit overweight and over-sized vehicles on selected routes from 1 April 2010 despite LGNZ's submission expressing concerns. It appears the roll-out will be managed in order to assess and mitigate potentially adverse effects.

On a different note there were changes to the Land Transport (Road User) Rule 2004 (SR 2004/427) with a new rule 2.13 being added as part of Land Transport (Road User) Amendment Rule 2009 (SR 2009/253) which now requires road controlling authorities to authorise the use of motorcycles and mopeds on footpaths for the delivery of newspapers, mail or printed material to letterboxes. It is suspected that most will be unaware of this requirement.

vii. ***MED Proposals for Road Corridor***

A Utilities Act is likely to evolve from the Omnibus Infrastructure Bill to make a code for managing the road corridor mandatory on corridor managers and utility owners. While a mandatory code will become inevitable, many of the changes LGNZ asked for in its select committee submission have been incorporated.

LGNZ is working on additional comments to the Minister of Infrastructure for possible inclusion in a Supplementary Order Paper. The Omnibus Infrastructure Bill is currently awaiting its second reading, having been reported back by the Select Committee.

The implementation copy of the *National Code of Practice for Utilities Access to Road Corridor* can be viewed at: www.nzuag.org.nz/.

viii. ***Geospatial Strategy.***

Strategic priorities for the New Zealand Geospatial Office (NZGO) include;

- engagement with local government,
- establishing metadata standards,
- discovery of fundamental datasets,
- the economic benefits derived from geospatial data application.

Project plans for these areas have been developed and await funding approval.

ix. ***Broadband***

LGNZ is working with MED on two projects:

Developing a good practice guide

This builds on the Broadband Friendly Protocol and will include case studies where fibre has been laid successfully and collaboratively. These studies will consider where councils have used regulation well and where collaboration and communication has increased opportunities for the extended community.

The guide will draw out translatable learning in plain English so it could be easily used by councils, telcos, the community (particularly businesses and educational establishments) and politicians.

Working together around information gathering - pre and post - shallow trenching trials

Conversations on shallow trenching trials continue. Once trials are finalised and funding secured, lessons will be shared across the sector. LGNZ will provide support by collating questions prior to trials for the project team, connecting engineers and project teams, and supporting the distribution of learning from the trials after completion.

Funding for these projects is expected to come from a variety of sources.

Copies of LGNZ's submissions to the Government's discussion papers on the roll-out of broadband infrastructure are on the LGNZ website:

<http://library.lgnz.co.nz/cgi-bin/koha/opac-searchresults.pl?&subjectitems=Submissions>

e. **Maintain and Enhance the Framework for Local Governance and Democratic Participation**

i. ***Citizenship Education***

Growing Active Citizens

This is a project to provide leadership, information and inspiration to get young people involved in planning, making decisions and becoming future leaders and active community participants. For updates on this workstream go to:

<http://www.lgnz.co.nz/projects/SocialandCommunityIssues/GrowingActiveCitizens/index.html>

Kids' Voting

In 2010 Kids' Voting will again offer schools a parallel local government election experience. In 2007 83 schools, over 8,000 students and 43 city and district councils took part. To register as a participating council, go to www.kidsvoting.org.nz.

Youth Citizens' Juries

LGNZ developed *Youth Citizens' Juries: A Guide to Setting Up and Running a Youth Citizens' Jury* for councils and schools. Youth Juries provide a unique opportunity for young people to be included in decision-making and participate in the political process. A guide and DVD is available by emailing info@lgnz.co.nz if you would like more copies for your council, library or local schools.

http://www.lgnz.co.nz/projects/SocialandCommunityIssues/GrowingActiveCitizens/youth_citizens.pdf

Taking Action in My Community

Taking Action in My Community is a teaching programme for civics education aimed at Years 7 and 8. This resource helps students learn about council activities and encourages them to develop their own campaigns.

<http://www.kapiticoast.govt.nz/Your-Council/The-Role-of-Council/Resources-for-Teachers/>

Youth Development Partnership Fund

This provides an opportunity for councils, 12 to 24-year-olds and the Ministry of Youth Development to collaborate on local youth development projects. Round six of the fund is open. Applications for funding can be submitted to the Ministry until midday, Friday 19 March 2010.

<http://www.myd.govt.nz/funding/youth-development-partnership-fund/index.html>

Local Government Official Information and Meetings Act (LGOIMA)

The Law Commission is undertaking a review of LGOIMA. LGNZ made a submission which was supportive of the statute but sought changes around dealing with vexatious requests and ability to charge.

Members' Interest Act

The Office of the Auditor General's (OAG) decision on conflict of interest on Environment Canterbury's councillors may have implications for councils. It appears to represent a new interpretation of the Members Interest Act. A literal reading of this decision would exclude councillors voting on any decision that might result in financial benefit, such as a decision to adopt differential rates or introduce targeted rates. LGNZ is waiting on legal advice from its solicitors to clarify this. An update will be given at the meeting.

ii. ***Māori and Local Government***

Te Maruata Māori Advisory Committee

Te Maruata discussed a range of topics at its first meeting in November including;

- Treaty settlement matters,
- influencing engagement of Māori in the elections,
- key areas of the committee's action plan.

An action plan was agreed for the committee to develop a webpage on the LGNZ website. It decided its focus this year will be the local body elections.

Committee chair Mayor John Forbes will provide a brief verbal update on Te Maruata February 2010 meeting at the March National Council meeting.

Implications of Treaty Settlements for Local Authorities

LGNZ met with the Minister of Treaty of Waitangi Negotiations and the Minister of Local Government in December to discuss possible principles for treaty settlements and local government. Feedback was sought from councils on proposed principles and responded to the Ministers in January 2010. This includes consideration of principles about early input of local government; consideration of integration with local government responsibilities and consideration of where costs fall.

The proposed principles had not proceeded to Cabinet at time of writing. The RAC developed a position paper on engagement in treaty settlements. This position has been discussed with Ministers and contributed to the work on principles.

LGNZ's submission to the Ministerial Panel reviewing the Foreshore and Seabed Act is available on our website: <http://library.lgnz.co.nz/cgi-bin/koha/opac-detail.pl?bib=4295>

f. Strengthening Local Government Finances and Capacity

i. *Review of Local Government Funding*

Te Puni Kōkiri is leading work on the rating of Māori land. Cabinet approved a series of hui for February on what Māori land should and shouldn't be rated.

ii. *Review of the LGA 2002 Transparency, Accountability and Financial Management*

A draft bill is now being developed for the Minister's reforms of the Local Government Act (LGA) 2002. A number of issues delayed the first reading. Delays create issues for councils and implementation. If the Bill is not through Parliament by September or October, councils will begin their new long term council community planning (LTCCP) under existing rules. Should the bill receive its first reading before the March National Council meeting, a verbal update will be provided.

iii. *The Consolidation of Auckland*

The third Auckland Bill is currently being considered by select committee. LGNZ's submission was approved under delegated authority. The Bill outlines the final changes necessary to enable the establishment of the new Auckland Council and its local boards by November 1 this year.

LGNZ's submission expressed several concerns. In the main they were about the Government's decision to establish seven council controlled organisations (CCOs), including transport and economic development.

LGNZ believes most of these decisions should be taken by the council itself. LGNZ is concerned at the role of the Local Government Commission (LGC), which can give binding rulings in any disputes between local boards and the council, including budgets. Finally LGNZ is concerned the Government is replacing territorial fragmentation with functional fragmentation and is limiting the ability of the new council to provide effective governance.

g. Building Local Government Capability

i. *International*

An application for funds from New Zealand Aid (NZ Aid) to enable Porirua, Waitakere and Manukau city councils to develop technical assistance programmes in the Cook Islands and other Pacific island countries has been successful and awaits Ministerial approval.

h. Delivering Good Regulatory Outcomes

i. *Resource Management Act (RMA) Review*

Work on scoping phase two workstreams is well advanced. Terms of reference and priorities for each workstream have been set for aquaculture, water, the Environmental Protection Authority (EPA) and infrastructure. LGNZ expects a progress report around late

February.

The Cabinet paper and minutes on this are available on the MfE website:
<http://www.mfe.govt.nz/rma/central/amendments/reform-phase2.html>

Cabinet has recently appointed new Urban and Infrastructure technical advisory groups (TAGs) to support the Government's programme of resource management reforms.

The Urban TAG is due to report back on 31 March while the Infrastructure TAG has a report date of 30 June. These TAGs will feed into the Government's broader Phase II RMA reforms and a further amendment Bill. LGNZ will continue involvement in the Phase II reforms where possible.

MfE released two discussion documents on implementing the Phase I amendments. The first on discount regulations proposes that local authorities will discount fees for processing resource consent applications if statutory timeframes are not met and the local authority is at fault. The preferred option is for a local authority to refund 25 per cent of the fees to the applicant where processing their application is one week late.

The sliding scale proposed does not differentiate between notified and non-notified applications. This is likely to result in refunds being made which are considerable. LGNZ has provided feedback on the discount proposals and this is available on our website:
<http://library.lgnz.co.nz/cgi-bin/koha/opac-detail.pl?bib=4445>.

The document on survey regulations will make the supply of data mandatory for local authorities.

ii. ***Food Act Review***

The *Domestic Food Review* was released by the New Zealand Food Safety Authority in December. This looks at the implementation of proposals as revised by the Government. Focus is on National Programmes rather than Food Control Plans. It's difficult to consider implementation in isolation with no confirmation of the new legislation and no detail. LGNZ and the Local Government Food Safety Steering Group submitted on the document. This is available on our website at <http://library.lgnz.co.nz/cgi-bin/koha/opac-detail.pl?bib=4447>.

iii. ***Public Works (Offer Back of and Compensation for Acquired Land) Amendment Bill***

The select committee report on the Public Works (Offer Back of and Compensation for Acquired Land) Amendment Bill has been extended to 17 June 2010.

iv. ***Building Act/Weathertightness***

Building Act Streamlining Projects

An on-line consents scheme proposed by the Department of Building and Housing (DBH) in 2008 will be reconsidered as part of the Building Act review package in 2010.

The Building Amendment Bill (No. 2) - amendments to make Project Information Memorandums (PIMs) voluntary and to establish a system for national multi-use approvals, started on 1 February.

Building Act Review

The Building Act Review is expected to proceed in two stages. The first discussion document seeking feedback on high level proposals should be released at the end of February. This will be available on the DBH website. LGNZ will prepare a submission.

Qualifications for Building Officials

Two new building qualifications, the National Diplomas in Building Control Surveying - Small Buildings, and Medium and Large Buildings, are now established. This follows a pilot, completed by Otago Polytechnic, for a Recognising Prior Learning (RPL) assessment process. The pilot involved 16 candidates and its purpose was improving knowledge about the likely process and cost of undertaking the qualification.

Chris Randell (Dunedin City Council) and Stewart Geddes (Central Otago District Council) were awarded their diplomas for achieving both the small buildings and the medium and large buildings qualifications. An analysis of candidate support, evidence gathering and the assessment processes used in the pilot, will look at ways to improve these processes. The final results of the pilot and the outcomes of the analysis will be reported. The qualifications via RPL will then be available for new candidates.

Weathertight Homes

The Government review of the current system for fixing leaky buildings is underway. The Pricewaterhouse Coopers report on the extent of the problem is now available on the DBH website at <http://dbh.govt.nz/2009-news-index#PWC>.

Discussions between the Minister and some Metro Mayors about possible solutions have yet to agree to a possible formula for sharing the costs of repair.

v. *Fencing of Swimming Pools*

The DBH has started work on legislative review options. The preferred option is to incorporate amendments into the next phase of the Building Act review. DBH intends to undertake targeted consultation on options but this has been deferred.

vi *Walking Access Commission*

Discussions have re-opened with DIA and the Walking Access Commission on preparing guidance on road stopping and management of legal roads.

vii. *Dog Control*

LGNZ continues working with the Minister and DIA officials on the review of the Dog Control Act. A recent spate of high profile dog attacks on people and their pets makes this work all the more meaningful.

viii. *RMA Making Good Decisions Programme*

Evaluation of the programme delivery in 2009 indicates a high level of satisfaction and value from both the foundation and re-certification courses in 2009.

The Advisory Board for the programme has endorsed a review of the programme in 2010 to ensure it is “fit for purpose” prior to significant rollout post the 2010 election.

The next round of foundation workshops is scheduled for March 2010 and re-certification workshops during April-May 2010.

Further details about the programme can be found at <http://centreforcontinuingeducation.com/rma/>

ix. ***Aquaculture Reforms***

The Aquaculture Legislation Amendment Bill (No 2) awaits its second reading. The reported back Bill addresses some of LGNZ’s concerns about timeframes for coastal occupation charges.

The Aquaculture TAG reported to the Ministers for Fisheries and Environment on the general review of aquaculture provisions (as part of the RMA phase II review). LGNZ lodged a submission on the report, which is available on our website at <http://library.lgnz.co.nz/cgi-bin/koha/opac-detail.pl?bib=4417>

x. ***National Policy Statements (NPSs)***

New Zealand Coastal Policy Statement (NZCPS) Review

The Board of Inquiry has prepared its report and recommendations which are now with the Minister of Conservation. Officials are expected to brief their Ministers early this year on the BOI report.

Electricity Transmission National Policy Statement

MfE advises a series of workshops on the NPS and NES on Electricity Transmission will be held in March 2010.

xi. ***National Environmental Standards (NESs)***

Transmission

The National Environmental Standard (Electricity Transmission Activities) came into effect on 14 January 2010. The NES applies to existing high voltage electricity transmission lines, not to the construction of new transmission lines, or to substations. Guidance material is being developed by MfE. Initial guidance is available on the MfE website at <http://www.mfe.govt.nz/laws/standards/electricity-transmission.html>. MfE is holding a series of workshops in March on the NPS and the NES on Electricity Transmission.

The second NES in the original consultation document (third-party activities affecting transmission) is being re-considered.

NES on Contaminated Land

MfE has released a proposed NES for Assessing and Managing Contaminants in Soil for discussion. Policy and technical advisory groups have contributed to the development of the NES and local government has been represented.

The proposed NES contains planning controls for district and city council plans for assessing contaminants in soil and also a set of soil value guidelines (SGVs) which are designed to provide a set of chemical-specific soil contaminant thresholds intended to define an adequate level of protection for human health for a range of differing land-uses in New Zealand.

The closing date for submissions is 19 April 2010. LGNZ will prepare a submission.

xii. ***Ready Response Fund***

National Council approved two applications in December. An application from Queenstown-Lakes District Council seeking support for their Environment Court case relating to the Plan Change for affordable housing, and a joint application from Central Otago District Council and Otago Regional Council seeking support for the High Court appeal of the Project Hayes wind farm.

xiii. ***Professional Development***

Registrations for this year's workshops have opened. Three workshops are being offered this year, Financial Governance 101, Asset Management and Decision Making. All three are designed to assist elected members to understand, interpret, develop, plan and govern more effectively. With 33 workshops offered this year there is enough choice of locations and dates for everyone.

i. **Connecting with our Members**

i. ***Internal Governance***

Community Boards

The Community Board Executive met in November and discussed a number of matters;

- preparation for the Rotorua 2011 Community Board Conference. An invite for entries for the Best Practice Awards will go to councils in March,
- an update for the Executive on targeted rates and the Local Government Amendment Bill (No 2),
- information from a survey sent to Community Board Chairs, which was written by the New Zealand Community Board Executive Committee and the New Zealand Police, which aims to enhance the relationship between the two areas.

ii. ***Communications***

Fiona Mayo, LGNZ's new communications manager came on board in November last year. Since December, the team has issued two editions of *e-News*, and one of *Quarterly News* with one in production.

Four Fortnightly Updates have also been distributed to chief executives, mayors and chairs.

Media enquiries

We received 20 media enquiries between December 2009 and January 2010. Areas of interest were;

- dangerous dogs,
- delays in resource consent applications,
- gang patch by laws,
- boy racer by laws.

Conference

Planning is well underway for Conference 2010. This year's theme is 'building prosperous places' and it will be held at the Sky City Convention Centre in Auckland July 25 - 28. We can confirm the Lord Mayor of Brisbane Campbell Newman, London based specialist in city building, investment and strategies for globalisation Greg Clark and Peter Biggs, of Clemenger BBDO in Melbourne. LGNZ is currently developing a web page where online registration will be available.

Eugene Bowen
Chief Executive
Local Government New Zealand