

Mayor and Councillors
COUNCIL

26 FEBRUARY 2015

Meeting Status: **Public**

Purpose of Report: For Decision

LOCAL GOVERNMENT COMMISSION'S PROPOSAL TO REORGANISE LOCAL GOVERNMENT IN THE WELLINGTON REGION

PURPOSE OF REPORT

- 1 The purpose of the report is to provide a draft submission to the Local Government Commission for the Kāpiti Coast District Council to review and either confirm or amend. The draft submission is attached to this report.

DELEGATION

- 2 Council holds the delegation to make the submission to the Local Government Commission.

BACKGROUND

- 3 At the 5 February 2015 meeting of Council, a report was presented that outlined the progress of the Draft Proposal for Reorganisation of Local Government in Wellington, and highlighted what some of the significant issues might be for the Kāpiti District and its community.
- 4 Council discussed what its response might be at the 5 February Council meeting, and requested staff to prepare a draft submission for its consideration at the meeting of 26 February 2015.
- 5 Council expressed the firm view that the matter would be finally determined by a poll, and its role should therefore be one of providing information to the community, particularly in correcting the public record with regards to errors and assumptions in the report, and assisting the Commission to make the best possible decision.
- 6 On that basis, Council confirmed that it wished to maintain its previous stance of a neutral and constructive submission, given the feedback from the community regarding the reorganisation options in 2013.
- 7 The key elements Council sought to be included are:

Support:

- a) Support aspects of the proposal that are in line with the Council's previous submission; or that are, in Council's view, in the interests of the Kāpiti community and that it would like to see retained. These are:
- b) Two tier Council structure (Council with Local Boards)
- c) Transparency between the Council and the Local Boards
- d) Creation of wards

- e) Two representatives drawn from the Kāpiti Coast Ward to be elected to the Council (the Kāpiti Coast Councillors)
- f) The creation of a Kāpiti Coast Local Board
- g) The Local Board is to be elected from the Ward subdivisions, ie Ōtaki, Waikanae, Paraparaumu, and Paekākāriki-Raumati
- h) The Kāpiti Coast Councillors are to be appointed back onto the Kāpiti Coast Local Board
- i) Provisions for Māori involvement
- j) Retention of area offices and service centres
- k) The determination that debt should not be ring-fenced to each current authority

Strengthen and clarify:

- a) Strengthen aspects of the proposal such that it better protects aspects that Council believes should be maintained or enhanced. These are:
- b) clarifying that Council opposes transferring its water supply assets to a Council-Controlled Organisation; and seeks to ensure that these assets will continue to be directly managed by Council;
- c) clarifying direction on matters that the community has been deeply engaged on, such as water metering and the fate of the Proposed District Plan process; and
- d) clarifying the fate of community agreements and partnerships, and encouraging the Commission to signal a preference to retain these as far as possible

Correcting factual errors

- a) Ensuring that the Local Government Commission is basing its analysis on the correct and the best facts available to it, and correcting the public record in the areas of:
- b) operating costs per capita (compared to operating costs per ratepayer); and
- c) condition of infrastructure assets

CONSIDERATIONS

Issues

8 Key issues to consider from this point are:

- a) Process

The timeframes are very limited. Submissions must be with the Commission by March 2 2015. This leaves no time for new analysis or communication with the community about the Council's approach

- b) Community engagement

The process is managed by the Local Government Commission. It has specific statutory requirements to seek the views of a range of parties

including affected local authorities, affected Iwi and Māori organisations, any Community Boards and other bodies and groups as the Commission considers appropriate, and it must grant the opportunity to meet and hear from affected local authorities. From the process outlined by the Local Government Commission it appears that it anticipates that inviting submissions fulfills that obligation, and at this stage it intends to hold hearings only in Wellington. Council may wish to encourage the Local Government Commission to hold hearings in the area at the very least.

Financial Considerations

- 9 There are no unbudgeted financial considerations from participating in this process.

Legal Considerations

- 10 The Local Government Commission process is tightly prescribed within legislation and no discretion exists to deviate from this process.

Policy Implications

- 11 All existing Council policies would become null and void if the Local Government Commission proposal was adopted. This Council cannot bind the Greater Wellington Council into adopting any existing policies of the Kāpiti Coast District Council.

Tāngata Whenua Considerations

- 12 While a legislative requirement exists for the Commission to consult with Iwi it is ultimately up to Iwi to make their submission directly to the Local Government Commission. Te Whakaminenga o Kāpiti were briefed on the proposal at their meeting on 20 January 2015.

Significance and Engagement

- 13 In terms of Council's Significance and Engagement policy, the proposal has a high degree of significance for the community. Council has previously canvassed the community's views on this matter.
- 14 It is important to note that this is a Local Government Commission process and not a Council process hence the requirement for consultation is legally with the Local Government Commission itself. It has a responsibility to seek the views of affected local authorities, Iwi, Community Boards, CCOs and others it considers appropriate.
- 15 While Council, individual Councillors and Community Boards will liaise with the Kāpiti Community, no formal or comprehensive consultation is planned by Council. The short time frame allowed by the Local Government Commission for submissions and the fact that this included the Christmas/New Year period precludes comprehensive consultation in any case.

Publicity Considerations

- 16 A media release is proposed following Council's decisions at this meeting, summarising the main points of the submission, which will go to the Local Government Commission. The release will also be published on Council's website.

RECOMMENDATIONS

17 That Council;

- a) Adopt, with amendments if necessary, the draft Council submission to the Local Government Commission on the Draft Proposal for Reorganisation in Wellington lodging by 2 March 2015, as attached to this report;
- b) Agree that the Council should be represented at the hearing.

Report prepared by:

Approved for submission by:

Darryl Lew
Environmental Planning Manager

Stephen McArthur
Group Manager, Strategy & Planning

Sean Mallon
Group Manager, Infrastructure

Wayne Maxwell
Group Manager, Corporate Services

ATTACHMENTS:

Appendix 1

Draft submission to the Local Government Commission on the Draft Wellington Reorganisation Proposal