

Far North District Council Submission to the New Zealand Productivity Commission in regards to:
Towards Better Local Regulation Draft Report

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The Far North District Council ('Council') ('FNDC') wishes to acknowledge the effort of the New Zealand Productivity Commission in listening to the feedback from Councils and for the production of a comprehensive draft report. Council hopes that the Commission will forward these views into the final report and influence Central Government devolvement practices in relation to the next Better Local Government reform later this year.

The Far North District Council generally supports the Local Government New Zealand submission to the draft report as well as generally supporting the findings of the Commission.

Council does express disappointment that there is only one recommendation in the report and that all of the remaining 56 findings will probably be left without a recommendation to the Select Committee. Council does hope that the draft is an intermediate step and that the Commission will support more of its findings as recommendations for change.

Council does support the recommendation:

Chapter 5: The funding of regulations

R5.1 Regulations should be reviewed to remove specific fee amounts and make those fees at the discretion of local authorities, subject to the requirements of section 101(3) of the Local Government Act 2002

Council believes that this will allow Councils to set the full cost of recovery in the fees structure and not rely on supporting through the general rate. Generally, this should result in lower fees in large metropolitan cities and probable increases in predominantly rural districts with dispersed population centres. However, if the aim is to reduce the cost of doing business across the sector, Council fails to see any significant opportunities.

In regards F3.2, Council does not dispute the finding:

Differences in demography, labour markets and local incomes across New Zealand's local authorities may drive different regulatory needs and capacity at the local government level

But wishes to emphasize that there are considerable differences and constraints for rural councils. However, more consistent but less complex regulation would help to reduce the burden

In regards F7.3,

When regulations are developed centrally and implemented locally, the incentives faced by central government to undertake rigorous policy analysis are reduced. However, care needs to be taken not to confuse implementation problems with inadequacies in the underlying design of regulations – this requires careful post-implementation analysis

Council believes that the NES on Soil Contamination is a good example of poorly designed Policy, with no ground truthing of the needs. It appears an academic exercise that bears little resemblance to the reality out on the land.

In regards F9.4,

Centralising functions or providing more national guidance is often seen as a solution to inconsistency. However, inconsistency more often than not occurs because of the different understandings or approaches of local officials working on the ground. Greater consistency is more likely to be achieved through sharing good practice and coordination between local authorities, which could be facilitated by relevant departments and ministries

Council disagrees with this finding and attributes most of the cause to local interpretation being driven by poorly drafted national regulations