

Murray Sherwin
New Zealand Productivity Commission
PO Box 8036
Wellington 6143

13 September 2012

Dear Murray,

Submission on the Local Government Regulation Inquiry 2012

The West Coast Regional Council are supportive of reviewing the level at which regulation is developed, and delivered, with the intent of making it clearer, quicker and easier for businesses to gain the necessary approvals to conduct their business.

The Council sees the regional level as being one that works well for regional scale business (eg farming, mining) with local matters best sitting with local councils (local services, social issues). The principle of subsidiarity is important to consider. National government logically manages issues that are common across the entire country: fish stocks, sea level rise, national infrastructure services (eg. highways, rail, electricity). Where there are significant variations between regions the national approach can be counter-productive.

Across-region regulatory co-ordination has benefits but not always to the national level, often the sub-national level may be better. The water metering regulations is an example of national regulations that have assisted some regions, but in the West Coast region they have added cost with no resulting benefit.

The Management of Dams under the Building Act operates as a shared service in Otago, West Coast and Southland. Otago is the lead agency. This has worked well for the three regions as West Coast and Southland do not need to employ specialist staff. Otago becomes the 'centre of excellence' for dam safety and all three regions benefit from that.

Many Regional Councils are merging their regional plans together for the 'one plan' approach which gives resource users a one stop shop for guiding consents applications (for regional functions). This could be extended to district plans and the West Coast Mayors and Chair forum is looking into the feasibility of one district plan for the region.

Plan development processes need to be streamlined. Council has only recently received the final decision from the environment court on a Plan Variation notified seven years ago. This glacial pace of plan appeal resolution slows down regulatory adaptability and innovation. It can make Councils reluctant to notify a new plan change because they wonder how long and costly the process will be. A quicker system is urgently needed.

Consent processing has been conducted efficiently at the West Coast Regional Council for several years now, and it seems the new discounting regulations have successfully quickened this processing elsewhere also. The reporting of environmental outcomes is also relatively good in the regional sector with most or all councils producing regular state of environment reports, and the Audit Office and PCE doing regular checks to ensure the environment benefits from the RMA planning, consenting and enforcement processes.

There is still a serious problem with the approach under the RMA to biodiversity as there is a strong feeling among our communities that private landowners should not be meeting the burden of protecting land that supports significant native bio-diversity. The RMA is not a good tool for protecting biodiversity in our view.

The West Coast Regional Council has achieved improved water quality in our lakes and rivers using the RMA regulatory and non-regulatory processes. This is a major success and is reinforced by the recent integration of outcomes and objectives between our Long Term Plan under the Local Government Act and our Regional Land and Water Plan under the RMA. We intend building on this to ensure industry on the West Coast is well supported by our low cost regulatory delivery – we are proud that our organization is welcoming and responsive to industry - while still ensuring environmental improvement occurs.

Finally, there is a concern that Government will seek to devolve increasingly more functions to local government without any funding provided to deliver the functions transferred. Local government then gets the blame for raising the rates in order to deliver the new regulatory function. This Council is not opposed to delivering government functions if those are more efficiently delivered at regional level, however, the funding needs to follow the function, to enable equity between tax funded and rate funded activities.

I trust these comments assist in your decision-making.

Yours sincerely

Chris Ingle
Chief Executive