

21 September 2012

SUBMISSION

This is a submission to the Productivity Commission (the commission) on the Local Government Regulatory Performance Issues Paper.

INTRODUCTION

This submission is from the Dunedin City Council, PO Box 5045, Moray Place, Dunedin, 9058. The Dunedin City Council is the Territorial Local Authority responsible for promoting the economic, social, environmental and cultural well-being of the residents of Dunedin City under the Local Government Act 2002.

This submission is subject to ratification by the elected representatives of the Dunedin City Council at their meeting on 29 October 2012.

GENERAL

The Dunedin City Council thanks the Productivity Commission for the opportunity to make a submission on the Issues Paper. In general the Dunedin City Council (the Council) supports the submissions made by the Society of Local Government Managers (SOLGM) and Local Government New Zealand (LGNZ) on the Local Government Regulatory Performance Issues Paper. In particular, the Council supports the following points made in those submissions:

Local Government New Zealand

- Where the national sentiment on an issue is less strong, in some cases a rationale exists for sub-national governments having a devolved regulatory power that is able to reflect regional and/or local preferences.
- That there is often a lack of local government involvement in the design and review of regulatory frameworks.
- That the commission should consider the cumulative impact of assigning a number of regulatory functions to local government (not just the impact of assigning individual regulatory functions to local government).
- That the commission should take into account funding, capacity and accountability issues in considering local government's role in regulation.
- That the allocation of liability is another important consideration in the establishment of regulatory functions.

Society of Local Government Managers

- That the scope of truly 'local regulation' is relatively modest.
- That references to roles being "delegated" by "central government" to "local government" are misleading as they appear to imply that there is an agency or accountability relationship between a local authority and the executive. The Council agrees that this relationship more accurately rests between a local authority and parliament.

- That the title of the paper, "the Local Government Regulatory Performance Issues Paper" misrepresents the appropriate focus of the commission's inquiry which is, and should be, focussed on the regulatory system as a whole, not solely on the performance of one actor within this system.
- That the commission should question the appropriateness of legislation and underlying policy advice if "various parties acting in accordance with the law does not produce the results that Ministers or their advisors want or may have expected," for example "where regulatory matters are handled differently in different places but where it is important to have a nationally standard approach."
- That the Treasury publication – "The Best Practice Regulation Model, Principles and Assessments" includes a useful set of principles (along with SOLGM's additional principle of 'effectiveness') for identifying good regulation.
- That it is important to have clear and transparent processes in place for trading principles off against each other.
- That the paper may overstate the role that competition in the field of regulation plays when it comes to business location decisions which are more likely to be affected by other considerations eg availability of skilled labour, transport and communications infrastructure etc.
- That 'accountability' is an important principle which should be taken into account during any discussion of how roles and responsibilities are shared between levels of government.
- That much of the debate about the performance of local authorities in their regulatory roles is likely to be linked to 'disconnects' in the chain of accountability which see local government bearing the cost of administering regulatory systems designed largely by other parties.
- That the allocation of regulatory functions to different levels of government should be based on a clear set of principles and an appropriate level of scrutiny and formal review of the cost and cumulative impact of allocating roles to local government (both of which are currently lacking).
- That the principles referred to above should be codified and inserted into the guidelines for Regulatory Impact Statements.
- That all local government related legislation should be referred to a common committee during the parliamentary process (either as sole scrutiny by Select Committee or as an additional step in the process) to help develop a greater level strategic oversight on issues affecting local government and greater legislative integration and consistency.
- That the policy development process would often benefit from the establishment of a separate work-stream focussing on policy implementation issues.
- That improving the quality of the regulatory frameworks that span a local and central government requires a whole of government perspective spanning central and local government.
- That the government should show greater willingness to involve managers and staff of local authorities in the more detailed aspects of the policy development process where the policies in question will affect local government and should develop some guidelines for central government departments to facilitate this.
- That the provision of up to date guidance material from central government is a key issue in ensuring effective implementation of regulation, a point which is supported by the Australian Productivity Commission.

- That it is essential that once legislation is enacted that there is 'ongoing maintenance' undertaken by the administering department to ensure that areas of uncertainty and contradiction and differing interpretation can be resolved. In some cases local authorities have spent considerable time and resources trying to resolve or work around inconsistent and unclear legislative clauses which are not reviewed (for example the local government development contributions working group has spent a great deal of time trying to interpret the development contributions provisions of the Local Government Act 2002).
- That it is important that central government recognise the importance of local authorities Long Term Plan cycle when considering a change to the allocation of regulatory responsibilities (and any other responsibilities which will have an impact on funding).
- That central government needs to recognise that a transfer of a function to local government will 'crowd out' expenditure on other priorities particularly if local government performance measures are introduced which set effective or de-facto caps on rating levels.
- That legislation often imposes limits on Council's ability to charge truly fair and reasonable costs for particular regulatory services and that remaining costs (including but not limited to those associated with policy development and risk management) are therefore passed on to the ratepayer.
- That the Commission should consider whether the current definition and scope of 'actual and reasonable cost' should be expanded to include the full range of costs incurred by Councils when acquiring regulatory responsibilities.
- That the discretion local authorities have over how the cost of regulatory activities is allocated between fee payers and ratepayers will generally be a less significant driver of the general level of costs faced by those being regulated, than the nature of the processes that are written into legislation and which local authorities are required to follow.

Other general points

The Council notes that some of the figures for Dunedin quoted in table 6 on page 46 of the Issues Paper are misleading. This is because the figure for "Resource Consent processing" is the percentage of the total cost of the Council's Resource Consent team which is recovered through consent fees but this team does not only process resource consents. In the Council's experience there is significant variation in the structure of, and work undertaken by, Councils' 'Resource Consent' teams which can make simple benchmarking like this difficult.

RESPONSE TO SPECIFIC QUESTIONS IN THE ISSUES PAPER

In addition to providing support for the submissions and points raised above the Council also adds to the following responses to the specific questions raised in the Issues Paper. As LGNZ has comprehensively responded to each of these questions in its own submission the Council has only made specific comments where it has a specific point to add, or in order to stress particular points made by LGNZ.

The Commission's approach

Q 1 What is the relative importance of the range of regulatory activities local government undertakes? Where should the Commission's focus be?

The Council considers that it is very important that the Commission considers the assessment and policy development processes which establish the regulatory framework under which local government operates. It supports LGNZ and SOLGM's calls for a more formal principle based approach to determining where responsibilities for (and costs of administering) regulation should lie.

The Council supports LGNZ's view that the variability in how the regulatory framework is applied in practice (where variation is not expected) often results in local authorities bearing risks which should be borne by other parties. It believes that it is important to identify those activities for which the local government sector is not resourced, equipped or funded to deliver and determine how these issues may be resolved.

The Council also considers that it is important that the Commission assesses the level of, and opportunity for, local government participation in the policy development process on issues relating to and impacting on Local Government. In the Council's view this would address a number of regulatory issues particularly where these relate to implementation.

Q 2 What are the main economic, social, demographic, technological and environmental trends that are likely to affect local government regulatory functions in the future?

The Council considers LGNZ's response to be fairly comprehensive but would like to stress that the economic pressure which is reducing people's disposable income and in turn the ability of local government to realistically manage a cost recovery model based on user pays is a critical issue. It would also like to add that the challenges associated with climate change and increasing cost of energy supplies are also important but were not explicitly mentioned in LGNZ's submission.

Q 3 Has the Commission accurately captured the roles and responsibilities of local government under the statutes Table 2?

In addition to the statutes listed in LGNZ's submission the Council would add that it has some responsibilities resulting from the Health (Drinking Water) Amendment Act 2007 and the Land Transport Management Act 2002.

Regulatory variation

Q 6 Do the different characteristics and priorities of local authorities explain most of the difference in regulatory practice across local government?

In the Council's view, there are a number of reasons why regulatory practice may vary across local government. For example different characteristics, issues and priorities exist between local authorities and in many cases these are legitimate reasons for regulatory variation, as a one size fits all approach could lead to under or over-regulation in some areas. In some cases differences in regulatory practice may result from insufficient guidance from central government regarding the implementation of regulation and/or ambiguities in the legislation. Both of these issues could and should be addressed at a central government level with input from local government.

Q 7 Are community expectations to "do more" about social issues leading to different approaches to regulation between local authorities?

In the Council's view, it would often be appropriate for it to 'do more' about social issues if its community demanded it. This is one reason why the Council noted in its answer to Question 6 that there may be legitimate reasons for regulatory variation. However the Council agrees that local authorities' ability to respond to expectations to "do more" is largely limited to its power to develop by-laws which, by definition, are designed to allow Council to develop a unique local solution to an issue. Outside of its ability to develop bylaws, local authorities' ability to 'do more' in response to community expectations is limited. As LGNZ notes in its submission, this has led to local authorities approaching parliament to address issues which it does not have the regulatory ability to control eg tagging, issues with alcohol consumption and so called 'boy racers'.

Q 8 To what extent are local preferences a source of regulatory variation in New Zealand? How far should councils, when implementing a national standard, have discretion to reflect local preference in their bylaws?

The Council agrees with LGNZ that the reference to 'bylaws' in this question is inappropriate as bylaws are, by definition, designed to reflect local preference. Whether local variation is appropriate when implementing a national standard would depend on the nature of the standard. In some areas eg building control and food hygiene, there should generally be very limited scope for local variation and implementation should be consistent across the country. However as LGNZ notes in its submission:

"When developing a regulatory framework central government needs to be clear on the subject of whether national consistency is important or whether the priority is for local variation. Where national consistency is important then a decision to devolve or delegate the regulatory function must be examined closely."

Q 9 Are there areas of regulation where local and central government regulation appear to be in conflict? If so, how far should such conflicts be accepted as a consequence of the diversity of preferences?

The Council agrees with LGNZ that this question is misleading in that the only true local government regulation are bylaws and no bylaws will be in conflict with central government regulation. In other cases local government has a role in implementing regulation set by central government. Where this provides some discretion to local government there is scope for local actions to be misaligned with central government's intent but if this is the case then this may require greater guidance on implementation or changes to the legislative framework. In saying this there does seem to be some conflict in relation to the regulation of liquor licensing. For example legislation establishes special licences as a 'discretionary' matter left to local authorities to interpret as they see fit. However if an appeal is taken to the Liquor Licensing Authority then the authority seems to follow the specific terms of the law rather than respecting the local authority's discretion on such matters.

Q10 Does the way in which a local authority chooses to exercise its regulatory powers – through bylaws or through its District Plan – lead to differences in effectiveness and outcomes for communities?

The way a local authority chooses to exercise its regulatory powers can have an impact on their effectiveness or outcomes. As LGNZ notes, in practice many councils share their templates on policies and bylaws which will reduce this impact. The Council supports the idea of best practice templates and guidance wherever possible.

Q14 Can you provide examples of inconsistencies in the administration and enforcement of regulation between local authorities?

There are numerous examples of inconsistencies in the administration and enforcement of regulation between local authorities. This includes interpretation of the Building Act and Food Act regulations, the development contributions provisions of the Local Government Act 2002, implementation of the Resource Management Act National Environment Standard and the approach to special licences provided under the Sale of Liquor Act. Typically these examples stem from inconsistencies or ambiguities in legislation and a lack of regulatory review and implementation guidance from central government.

Q15 Do these inconsistencies impose extra costs on businesses? If so, are these extra costs significant?

Such differences will impose some extra costs on businesses. As LGNZ notes, for most businesses the inconsistencies between councils in terms of cost variation are likely to be minimal (although they may be seen as 'significant' by some parties). Cost differences are likely to be larger in more complex development projects or in cases where businesses are choosing where to locate their operations or are operating across local authority boundaries

(eg national franchises). The time that is required to understand different approaches to regulation in different jurisdictions must also be considered.

Q16 To what extent does variation in regulatory practice matter?

Variation in regulatory practice matters if there is no legitimate justification for it or if it is imposing unreasonable costs on businesses and the community. For example the Council considers that it is hard to justify variation in regulatory practice where this is purely driven by ambiguities and different interpretations of the legislation. In such cases businesses operating across more than one jurisdiction do make comparisons and this makes it difficult to defend a particular position which raises legal risks.

However variation in regulatory practice can be justified in some circumstances and as LGNZ states in its submission "without variation there cannot be innovation." Ultimately whether variation in regulatory practice matters depends on the objectives of a particular piece of legislation (ie was the objective to develop a nationally consistent approach or allow regulatory practice to vary to encourage innovation or reflect a communities' particular circumstances).

Q17 Can you provide examples of regulatory innovation by local government?

A number of years ago the Dunedin City Council introduced a risk based approach to the grading of food premises in the city. This approach was innovative at that time and if the Food Bill passes through parliament then a similar approach will be put in place nationwide.

Q19 What mechanisms or incentives are there for local authorities to share innovations (or experiences with "failed" innovations) with others?

There are currently a number of mechanisms that local authorities have for sharing best practice. These mechanisms include social networks, cluster groups, conferences, professional organisations, cross-Council working groups and meetings, sector publications and the Local Government Online Mailing Lists. In most cases it is in a Council's interest to share their experiences and learning with other Councils.

Q20 What factors encourage (or deter) local authority innovation? (e.g. the (in)ability to capture the cost savings from innovation)

In many cases Councils are driven towards innovation through their own professional desire to provide a good service to their community and to assist the development of the area in which they live. Given the level of public interest in the use of public money and the demands on local authority expenditure Councils are also driven towards innovation by "the ever pressing need to do more with less."

Local authority innovation is sometimes deterred or stifled by legislation which can be overly prescriptive and ambiguous sometimes restricting local authorities' ability to achieve a good outcome for its constituents. Innovation can also be stifled by funding pressures (as it can sometimes bring higher costs, particularly in its early stages) and risk aversion (as the payoffs to innovation are often longer term and may be unknown). These latter two issues are often amplified by the attitude of the media and the public which frequently criticise local authorities for its real or perceived failures and for the costs and inconveniences created by new initiatives. By definition innovation involves a degree of risk and may be disruptive but the environment in which local authorities operate is not necessarily open to this.

Q22 Which of the factors discussed in this chapter are the most important for allocating regulatory functions locally or centrally?

The Council supports LGNZ's view that because local governments are closer to local communities and businesses they may have better information about their preferences and local conditions, and may be better able to design or implement regulations in a

manner that reflects local needs and preferences. However there may be instances where national consistency is important and should outweigh local preferences. There could also be areas where local government does not have the capacity to implement particular regulatory functions.

The Council also notes that in some cases there are benefits to clustering regulatory responsibilities rather than fragmenting responsibilities across multiple tiers of government. A good example of fragmentation is the separation of regulatory duties under the Gambling Act. Under this Act local authorities are required to have a Gambling Venues Policy and grant consents relating to the location of gambling machines. However, while a local authority's Gambling Venues Policy may attempt to place controls on the location and number of gambling machines the policy does not apply retrospectively, limiting its effectiveness at controlling machine numbers. Furthermore the consents issued by Council generally do not need to be reviewed and all other administration of the Gambling Act, including granting of gambling licences and monitoring, is undertaken by the Department of Internal Affairs. Despite the limited control that this system provides local authorities, they essentially become the front line for complaints about gambling issues because of their public gambling venues policies.

Q27 Does the local government regulation making process lead to good regulation? If there is evidence to show that it does not, how could the process be improved?

The Council agrees with LGNZ that the term 'local government regulation making process' is unclear and that it is difficult to provide a general response to this question as the process will vary significantly depending on the regulatory role in question. Nonetheless the Council notes that the legislative requirements placed upon Local Government (for example those sections of the Local Government Act relating to consultation and decision making requirements) encourage a certain amount of rigour in the decision making process. It must however also be recognised that local authority decision making is not solely based on technical analysis and that public opinion and media attention will be important factors in determining the outcome of the decision making process. Given this, the only way of ensuring better outcomes from a technical perspective is to ensure that the benefits and costs of various options are presented and communicated to the public in a balanced and effective way.

Q28 Do you have examples of regulatory responsibilities being conferred on local authorities with significant funding implications?

LGNZ has provided a useful assessment of the costs to local government of just four pieces of legislation. There are however numerous other examples of regulatory responsibilities being conferred on local authorities with significant funding implications. This includes the cost of implementing and maintaining accreditation for Building Control activities (which cannot be recovered) and funding of responsibilities under the Sale of Liquor Act which are currently 50% funded (this funding rate would be revised under the Alcohol Reform Bill currently before parliament). The costs resulting from the recent introduction of a National Environmental Standard concerning health from soil contamination is another example. After nine months councils throughout the country are continuing to deal with issues of how to implement this standard.

Q29 How might central government regulation-making better take account of the costs and impact on local authorities from the delegation of regulatory functions?

In order to ensure that the costs and impact on local government is properly taken into account the Council considers it essential that:

- the government takes a principled based approach to determining which tier of government should assume regulatory responsibilities.

- a more rigorous and consistent assessment of the costs of proposals is undertaken. This assessment should take a 'whole of government approach' which includes assessing the costs to local government and probably needs to be included within the Regulatory Impact Assessment framework to be effective.
- greater care, and in some cases time, is taken drafting legislation to ensure that legislation is clear, unambiguous and easy to interpret and that any inconsistencies and ambiguities are ironed out before legislation comes into force.
- legislation is not overly prescriptive.
- central government involve local government more closely in the policy development process on matters which will affect them.
- there is a greater focus on implementation issues during the policy development process.
- Increased guidance is provided to local authorities as to the government's expectations on how the implementation of regulation is expected to occur.

Regarding the involvement of local government in the policy development process the Council notes that there are some effective examples of this occurring, for example consultation on the Food Bill, and the government should be commended for this.

Q30 How might central government better work with local authorities on the design implementation and funding of delegated regulatory functions?

This could be achieved by greater and more consistent inclusion of local government managers and staff during the policy development process, particularly when it comes to discussion of implementation processes.

Q34 Can you provide examples of regulatory cooperation and coordination between local authorities or between central and local government and describe success and failures?

A few examples in which the Dunedin City Council participates include cluster groups relating to Building Control, Animal Control and Parking Enforcement activities and the national Development Contributions Working Group. All of these initiatives are successful at sharing best practice and knowledge among authorities dealing with similar issues. The Council's Liquor Licensing activity also works closely with a group which includes representatives from New Zealand Police and health promotion services to inform its regulatory work.

Q40 Which local government regulatory areas (e.g. planning and land use, building and construction, environmental regulation, public safety and food safety) impose the greatest unnecessary regulatory burden on individuals and businesses?

In the Council's view most local authorities aim to undertake their regulatory work while minimising unnecessary regulatory burdens on individuals and businesses. This does not mean that local authorities' activities will not impose a regulatory burden on individuals and businesses but that in cases where it does this regulatory burden is deemed necessary to benefit or protect the wider community. It should however be noted that given that most regulation is established by central government and only administered by local government it is generally central government which determines that some level of regulatory burden is necessary to ensure the public good.

In saying this, where the legislation is unclear, ambiguous, complex and/or is difficult to implement this can create an unnecessary regulatory burden. Examples of this include the National Environmental Standard concerning health from soil contamination and the

development contributions provisions of the Local Government Act 2002.

Q41 In what ways are these regulatory areas unnecessarily costly (e.g. are they too complex, prescriptive or unclear?)

In many cases legislation is complex, overly prescriptive and unclear. For example the government introduced development contributions as a tool which could be used to achieve a fairer allocation of costs between existing and future ratepayers. However the provisions of the Local Government Act 2002 relating to development contributions are complex, at times contradictory and are so prescriptive that they potentially limit a local authority's ability to achieve an equitable allocation of costs. They have also led to different interpretations across the country meaning unnecessary costs for local authorities and businesses working across jurisdictions.

Q44 How well are the principles on which local authorities are required to base funding of regulatory activities applied?

Generally, funding and the actual recovery of costs is applied in a manner that is consistent with the requirements established by law and any guidance material provided to inform this process. If there is a perceived issue regarding the extent to which these principles are applied then greater guidance from central government may be required.

Q46 To what extent are councillors involved in the administration and enforcement of regulation? Has this raised issues in regard to the quality of regulatory decision-making and outcomes?

Councillors have an important role in establishing policies and regulation such as local bylaws. However Councillors are not typically involved in the administration and enforcement of regulation and this separation is considered good practice. Generally the only time that Dunedin City Councillors become involved in regulatory issues which may be considered administrative is when its Hearing Committee is considering a notified consent application.

Q48 Are current processes for reviewing existing regulations adequate? Could they be improved?

The Council agrees that the current processes for reviewing existing regulations is inadequate and need improving. Reviews need to be undertaken on a regular, but not too frequent, basis in order to ensure that regulatory issues are resolved promptly and that regulation reflects current circumstances and conditions. It is also essential that local government representatives are closely involved in these reviews to ensure that implementation issues are adequately addressed.

Q49 In which regulatory areas are there good regulatory review mechanisms? In which regulatory areas are there poor or insufficient regulatory (review?) mechanisms?

There are some areas where regulatory review mechanisms are better than others, including those relating to the Food Act and the Building Act (in some parts). There are a number of examples where review mechanisms are inadequate. One example is the Amusement Devices Regulation 1978 which stipulates a specific fee of 10 dollars (excl GST) for permit applications, a value which has not been reviewed for a number of years.

Q51 Is there a sufficient range of mechanisms for resolving disputes and reviewing regulatory decisions of local authorities?

The Council considers that the current mechanisms for resolving disputes are adequate. In our experience most appeals to the Environment Court are now resolved through mediation.

Q52 Are some special mechanisms used excessively, frivolously or for anti competition reasons?

Some special mechanisms are used excessively. For example prior to 2009 amendments to the Resource Management Act trade competitors would often appeal decisions using thinly disguised arguments that a development would have genuine environmental effects. This particular issue has largely been remedied by the 2009 legislative amendments.

Q53 In what areas of local government regulation is performance being monitored effectively?

Internally, performance is generally adequately monitored across the board and undertaken as part of good organisational practice. As LGNZ notes significant sections of Council's performance frameworks are also included in Long Term Plans, Annual Plans and Reports and reviewed by the Office of the Auditor General. In some areas an additional layer of external monitoring is undertaken. For example the Liquor Licensing Authority reviews every decision made locally and carries out random audits while the Department of Internal Affairs regularly audit the performance of Councils' Animal Control unit.

Q56 What challenges or constraints do local authorities face in developing and sourcing data for better practice regulatory performance measures?

Generally Councils will source available data if this is required to measure regulatory performance. However while data is generally available to track performance at a high level more detailed performance data required to inform focussed performance drives can be difficult to obtain and/or the cost-benefit of obtaining this more detailed information does not stack up. Furthermore, while Councils are continuously gaining new information about their assets (eg older water assets) there is still much we do not know with regard to these assets.

Finally some Councils face capacity constraints which can limit their ability to develop and source data for better practice regulatory performance measures. In some cases differences in computer software and data storage between Councils can make it difficult to acquire comparable information.

Q57 Are there examples where local authorities are using better practice performance measures? What, if any, obstacles exist for wider adoption of these measures?

As noted by LGNZ the role of the Office of the Auditor General in auditing performance measurement frameworks has led to some convergence in the types of measures Council uses. Nonetheless there is certain to be some examples of Councils using better practice performance measures although as Councils continuously share best practice and update their performance management frameworks examples of better practice performance measures do tend spread throughout the sector.

In some cases, a solution which works in one area may not work in another. For example accreditation for building control activities has led to better practice and comparable performance measures. However, this approach to achieving comparability of performance measures may not work in other less specialised areas.

Q59 What regulatory performance indicators are most commonly used by local authorities? Can you provide specific examples of good input, output and outcome measures for regulations you have experience with? What makes them good indicators?

Most Councils use similar performance indicators because there is a limited number of measures which can be used practically and cost effectively and because best practice tends to filter throughout the sector. Commonly used measures include residents' or user satisfaction surveys, compliance with statutory timeframes, output measures and process measures. While all performance measures are imperfect these indicators do provide Councils with the ability to determine whether their performance is tracking in the right

direction. Given the imperfections of individual performance measures it is important that Councils performance frameworks include a balanced range of measures without too much emphasis placed on one indicator. For example in and of themselves residents' satisfaction surveys may be considered quite subjective but when combined with more objective measures they do provide an indication of how well the Council is meeting its stakeholders' expectations.

Q60 What kind of centrally provided data would enhance the local government regulatory monitoring regime?

The Council considers that it is unlikely that further provision of data by central government would be beneficial for local authorities' regulatory monitoring regime. The data collected by local authorities lacks comparability making benchmarking difficult and the costs of establishing a uniform performance monitoring system are likely to outweigh its benefits.

Q61 Are there quality issues in existing nationally available data sets that would need to be resolved before developing national performance measurement regimes?

Yes. Data collected by local authorities vary depending on their individual priorities which can create issues of data comparability. The variation in computer operating systems and software can also lead to different capabilities and limitations in terms of data measurement. If a national performance measurement regime is established then significant care will need to be taken to ensure that the results for individual authorities are directly comparable.

Q65 Is there a role for a third party evaluator to measure customer service standards in local authority regulatory functions?

The Council definitely does not see the need for third party evaluation of customer service standards. Most councils already conduct their own customer or resident satisfaction surveys and these surveys are typically delivered by third parties. The quality and independence of measures arising from these surveys is also considered by the Office of the Auditor General through their annual audit of annual reports.

The Council also supports LGNZ's view that elected representatives are held accountable for meeting their customer's needs every three years. It also supports the view that performance targets need to vary to reflect the individual priorities of different communities and that generally it would be inappropriate to establish national performance targets and directly benchmark in many areas.

There may however be some exceptions where a standard level of service delivery is required under a particular regulatory regime. For example the Council is supportive of the third party evaluations of building control activities undertaken through the accreditation process run by International Accreditation New Zealand (IANZ).