



LGNZ FOUR-MONTHLY REPORT FOR MEMBER COUNCILS

// JULY-OCTOBER 2023



Ko Tātou LGNZ.

This report summarises LGNZ’s work on behalf of member councils. It’s designed to be put on your council agenda for discussion and feedback, or you might choose to use it in another way. We will produce this report three times a year.

This report complements our regular communication channels, including Keeping it Local (our fortnightly e-newsletter), providing a more in-depth look at what we do.

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Introduction

At National Council's most recent meeting, we decided to provide regular formal updates from LGNZ to member councils. A number of you have suggested a paper that you could put on your council agenda would be a helpful way to ensure everyone was across our work and able to give feedback. It's important to National Council that all member councils are across the breadth and depth of work that LGNZ is doing on your behalf.

These reports will be provided three times a year, and this first one covers the period July-October 2023.

Our SuperLocal Conference in July attracted record attendance and very positive feedback. Since conference, our energies have turned to a range of matters specific to the period between now and the end of the calendar year: the Future for Local government response, which is part of our broader Choose Localism campaign; preparation of our briefing document for the incoming Government; close liaison and partnership settings with Mayors Taskforce for Jobs, which is having a strategic reset; and numerous other matters that are captured in this report.

This report shows the breadth and scope of the mahi that our small team delivers – with care, commitment, creativity and very high standards.

Ngā mihi
Sam and Susan



Progress on strategic goals

Priority/01

Resetting the relationship with Central Government

Political engagement and government relations

Our political engagement is currently geared towards advancing the Choose Localism campaign. We have released a toolkit for members to use when they're meeting with local MPs so that they can champion localism and galvanise central politicians behind the movement.

Sitting alongside that is also our work to continue influencing election policy from Wellington. In late August, National's Social Development Spokesperson, Louise Upston and candidate for Remutaka Emma Chatterton, met with Susan, Scott and Mayors Max Baxter and Alex Walker from the MTFJ governance group to talk about how we could work with National, if in government, to progress the initiative. The briefing note we sent prior to the meeting emphasised the links between how MTFJ works in practice and the power of localism.

In mid-August, LGNZ also met with the Green Party to brief them about the Ratepayers Assistance Scheme and how it could support their Clean Power Payment Policy. We also took the opportunity to socialise the Regional Sector's flood protection business case with them.

Briefing to the Incoming Government

We've prepared a Briefing to the Incoming Government, which is an opportunity to familiarise the incoming government with local government, our key areas of focus, and to open the door for future engagement.

We are grounding this year's briefing in our Choose Localism campaign. It has two parts:

1. Cover letters tailored to individual ministers explaining how local government can help them, and how the work of local government interacts with their portfolio and priorities.
2. A briefing that covers key information about local government in New Zealand and LGNZ, and sets out key advocacy issues and opportunities for local government – as well as constraints.

It will be vibrant, high level, tailored to the government and ministers receiving it, and based largely on existing information and resources including our Relationship Reset and Policy Priorities documents, which were socialised with political parties in the lead up to and during the campaign period. It will be sent to ministers once a Government has been formed.



Priority/02

Establishing stronger Te Tiriti-based partnerships with Iwi Māori

Te Maruata update

Te Maruata held a whānui hui in Ōtautahi on 26 July as part of SuperLocal. This was a really well-attended hui, with around 70 Māori elected and appointed members, council staff and other key stakeholders in attendance. A key focus for the hui was for whānui members to share their expectations of the Rōpū Whakahaere – including what they want the Rōpū Whakahaere to prioritise focus on over this triennium, and how members want to be kept up to date on that mahi.

Rōpū Whakahaere members are meeting in November and will discuss the feedback that was shared and come up with a plan for actioning it.

Te Maruata are actively engaged in the mahi that LGNZ is doing on Choose Localism and the Future for Local Government. Mayor Faylene Tunui and Councillor Moko Tauariki are the Te Maruata representatives on the Future for Local Government Advisory Group.

With support from Councillor Dinnie Moeahu, we're continuing to hold monthly online wānanga for Te Maruata where whānui members get updates on key kaupapa and/or provide support to one another around issues members might be facing.

Mana whenua relations

We are also setting up a meeting with mana whenua in Te Whanganui-a-Tara to start building our own relationships and understanding of local needs. Tania Hawkins (on our team) and her husband, Hawkins, who is a kaumatua and has provided mihi whakatau at many of our events over the past 18 months, are facilitating this. Hawkins is keen to help build a bridge with mana whenua and walk alongside us as we build our knowledge of te ao Māori and tikanga. We will loop in Te Maruata and our new Māori advisor once they're on board.

Priority/03

Campaigning for greater local decision-making and localism

Choose Localism and Future for Local Government

An overview of this mahi

At SuperLocal we launched Choose Localism, our campaign to breathe new life into localism. The idea was to generate some excitement and optimism amongst our LG whānau as we navigate the



future for local government together. Choose Localism is our compass for the future. All our mahi needs to drive towards a more inclusive, participative and localist future.

The first stage of this work is to galvanise the LG whānui and create a strong consensus position that we can take to Central Government on our vision for the future. The second stage will be our localism showcase, planned for next year. This will include a collection of the best examples of localism being delivered around the motu. It will be designed to open central government's eyes to, and strengthen their view of, the value and capability of local government. The aim is to build confidence that local government can be a trusted partner in this new way of working together. And finally, the third stage, which is about engaging the public, will include our citizens' assembly. While the topic for this citizens assembly needs to be thought through, it is an opportunity to ask New Zealanders what they might need to participate in local democracy. The idea is that it will provide innovative solutions to the increasingly pressing problem of irrelevance and apathy.

Building consensus on the Future for Local Government

Our work to develop a consensus position on the final Future for Local Government report is a key part of our first step in our wider Choose Localism work programme – galvanising the sector. We're making good progress on our approach to building consensus with excellent engagement and input from our FFLG Advisory Group.

We've held one in-person meeting with members on 18 September and will hold another on 2 November. We've also shared a wide range of resources with councils and elected members, including data from the first event. And we've launched an online engagement platform that allows everyone to have their say. After 2 November, we'll develop a draft position with the Advisory Group that will be sent to members on 24 November. Then we are proposing to hold an SGM on 11 December for members to formally vote on whether to agree the position.

The position we develop with members will inform the conversations and negotiations that we'll be having around the future with the incoming government. We're conscious of the need to land on a position that our members are happy with – but that has enough flex to put us in a robust position to negotiate with the incoming government. We know there'll need to be some give and take on both sides.

Our Choose Localism work will pick up aspects of the Panel's final report that local government can get on with implementing now – without the need for legislative change or support from central government.

Priority/04

Ramping up our work on climate change

Next steps

Now that we've finished conversations with several councils about what they think we could be doing in the climate change space, we're pulling together a strategy and plan for this work. With



vacancies in the policy team, we're needing to think carefully about how we manage our limited resources to deliver across a number of priorities. We're also observing how our climate change work (and other policy and advocacy work) closely aligns with our work on Choose Localism – which adds to our leverage.

One of the big pieces of work that we are engaging on is the inquiry into community-led retreat. This inquiry was kicked off by the previous Environment Select Committee. Given strong levels of support for it from across the House, we expect that it will continue regardless of the outcome of the General Election. The Ministry for the Environment has put out two reports setting out issues and options for dealing with the challenge of managed retreat (including how to fund it) that we're analysing and discussing with members. We think this is an area where LGNZ can really add value by driving policy thought leadership on behalf of our members.

We've also submitted on the first round of consultation on a strategy to strengthen the resilience of critical infrastructure in Aotearoa New Zealand. With the impacts of climate change being increasingly felt around the country, it's clear that critical infrastructure such as roads and water treatment plants are not capable of withstanding more intense and frequent extreme weather events. We will work with DMPC to ensure Councils are heard through the second round of consultation, which is expected in Q1 of 2024.

Support for cyclone-affected councils

We were funded by the Ministry for the Environment to commission Simpson Grierson to provide legal advice to councils in Tairāwhiti and the Hawke's Bay on the voluntary buyout of category 3 land or changes to residential use rights. This advice made it clear that to achieve greater certainty and minimise the risk of legal challenge for affected councils, either amendments to the existing legislation or a new bespoke framework are needed. We wrote former Ministers Robertson (Minister of Cyclone Recovery) and McAnulty to ask for action on this. Their reply acknowledged the changes would minimise risk but did not agree to pre-emptive action. We will raise this matter with the new government at the appropriate time.

We're continuing to engage with DIA on the regulatory relief for councils affected by the severe weather events earlier this year. We had several affected councils attend our zoom meeting for Mayors, Chairs, and Chief Executives with DIA and other government agencies. This largely focused on the recently gazetted Order in Council that enables three-year plans instead of LTPs for eight of the most affected councils.

Priority/05

Delivering and building on our core work

Water services reform

During this reporting period, the Water Services Entities Amendment Bill was enacted. This was the last piece in the previous Government's water reform puzzle. We successfully advocated for several changes to the Bill:

- Setting establishment dates for the 10 entities now requires consultation with affected councils and iwi/hapū. Establishment dates have to be confirmed within six months of the legislation passing.
- References to no-worse-off payments to councils in the legislation were retained.
- When DIA oversight of council decision-making applies has been clarified.
- The potential burden of community priority statements has been reduced.

The outcome of the election has implications for water reform. If there are any changes to the way in which water reform proceeds, we will engage with National Council on that when details are clearer.

Prior to the General Election, DIA and the NTU changed the approach that they were taking to developing constitutions for the water services entities. They started with work with a Technical Advisory Group on the Northland/Auckland entity's constitution. LGNZ's legal advisor has participated in the Technical Advisory Group process, so that learnings from the first process can be shared with other councils. Whether this process continues given the election outcome remains to be seen.

Transport

In August, the Government released its draft GPS Land Transport. We developed a submission with strong input from members. We also launched our Position Statement on Transport in conjunction with the release of the draft GPS Land Transport. The position statement outlines the key policy objectives we will advocate for, including:

- A strategic, long-term approach to planning that joins up central and local government decision-making to address maintenance and climate adaptation needs.
- Sufficient, long-term transport investment that prioritises resilience building, safety and better asset management across both new developments as well as maintenance and renewals.
- Integrated transport and freight networks that support placemaking by connecting our rural communities, towns and cities and making them great places to live and work.
- A transport network that can adapt to the future climate and prioritise decarbonisation.

This provides a good basis for our policy and advocacy work, and we are now working with a newly appointed Transport Reference Group to develop a robust plan for our transport work, which will align with our broader Choose Localism mahi. This work will ramp up following the 2023 general



election, once we know the shape of the next government and have a good understanding of its transport priorities.

Resource management reform

During this reporting period, the Natural and Built Environments and Spatial Planning Acts were enacted. This was a significant milestone. Local government didn't get all the changes that we wanted and some fundamental concerns remain – particularly the reform's impact on local voice. However, LGNZ and the Local Government Steering Group successfully advocated for several key changes, in particular the inclusion of Statements of Community Outcomes and Statements of Regional Environmental Outcomes. This is one mechanism to ensure that there is local input into regional planning decisions. There was also broad support for the introduction of regional spatial planning.

We've been working closely with the Local Government Steering Group and the Ministry for the Environment to support the work that is ramping up on transition and implementation. A lot of this work is technical and targeted at council officers. However, we've been stressing the importance of making sure that elected members are engaged, updated on and involved in appropriate parts of the transition and implementation work.

It's not entirely clear what the change of Government will mean for Resource Management Reform; however, we know that both the National and ACT parties have expressed concerns about the reform, in particular the erosion of local voice and the creation of more complexity and added layers of bureaucracy. LGNZ is support the Local Government Steering Group to develop a briefing to the incoming Minister for the Environment.

If significant changes to the reform are proposed by an incoming Government, some of the thinking we've provided in earlier submissions on both Acts will be useful to inform the position that we take on any changes. Specifically, we've previously said that we see the introduction of regional spatial planning and the need for prioritised work on the Climate Adaptation Act as the most fundamental aspects of the reform. We've also expressed a view that the proposed Regional Planning Committees could be stewards of a planning process, by bringing together input from each individual council in a region and stripping out unnecessary duplication, rather than being responsible for making all planning decisions for individual communities.

We will assess the situation as the makeup of the government and its priorities become clearer and keep National Council involved in any decisions that need to be made.

Remits

The team are working through each of the remits that were passed at the 2023 AGM and coming up with a plan to action them. Due to staff shortages in the Policy Team right now and the need to factor in the outcome of the General Election, we anticipate work on remits ramping up in the New Year.



Other policy and advocacy work

Freedom camping

Following the introduction of the Self-contained Motor Vehicles Legislation Act, we are working with Simpson Grierson, the New Zealand Motor Caravan Association, MBIE and Taituarā to review and update the model bylaw for freedom camping, and also the good practice guide for councils and tourism operators. The previous guidance was produced in 2018 but is no longer consistent with the new legislation introduced this year. We're on track to have this guidance ready to share shortly.

Emergency management reform

We've developed and shared a submission on the Emergency Management Bill with members. Submissions are due on 3 November 2023, so there'll be plenty of time for members to provide us with feedback on our draft, and to use our draft to inform their own submissions.

Elected member census and survey of voters and non-voters

We're working on completing two research reports, which will be shared with members soon. The first is a report outlining findings from LGNZ's survey of people who voted, or didn't vote, in the 2022 local elections. This survey is one of a series which dates back to the 2001 elections and looks at the profile of voters and non-voters and their reasons for voting or not. The second is the findings from our triennial Census of elected members, undertaken in April/May of this year. The Census provides information on the demographics of elected members and allows us to determine the degree to which elected members reflect the diversity of the communities they represent. It also provides information on elected members' priorities. The information is helpful for our broader advocacy and engagement work, and for policy makers who seek to ensure that councils are both inclusive and relevant.

Media

Choose Localism

As our Choose Localism campaign takes shape, we are using social media and media to build awareness and understanding. You will see more of our work make the connection with localism in the media in the coming weeks.

In August we announced our position on Transport, which is advocating for a transformative approach to address challenges in the nation's transport network. LGNZ highlighted five key actions to address these challenges. The press release, which made a strong case for choosing localism being the answer to our transport woes, was picked up by RNZ, NewsTalkZB and by Inside Government.

Two opinion editorial articles, authored by Susan, called for genuine partnership, where localism is not just a slogan that's talked about, but governments follow through on it. That means central government listens to and collaborates with local councils, respecting their insights and engaging with communities to find the best path forward for major projects like LGWM. One op-ed was run in Inside Government and the other on Stuff.

Progressing remits

At the AGM, the membership passed a remit that LGNZ calls on central government to take action to reduce council audit fees. Advocacy in the media is part of that work. Newsroom published an article that discusses the increasing audit fees faced by local councils in New Zealand and their relevance to



the justice system and local government accountability. The Auditor-General highlights the challenges faced by councils in managing affordable rates and funding community needs.

Support for councils affected by engineering consenting issues

A large number of councils have been affected by alleged fraudulent signing of consenting documents by engineer, Jonathan Hall of Kodiak Consulting. Taupo District Council contacted LGNZ to see if we could help support affected councils.

We held zooms with affected and developed a media plan with input from law firm Rice Speir, which is working closely with several affected councils.

Our media approach is geared towards three key objectives:

- Help de-risk councils – Give councils guidance on best practice while supporting them to drive comms through local channels.
- Reduce pressure on councils – Be a source of support for councils when they need it, enabling them to focus on addressing the situation and supporting their communities.
- Align with advocacy efforts – Liaise with Engineering New Zealand and MBIE to enhance advocacy efforts and demonstrate a cohesive response to the situation.

Conference and Excellence Awards Update

We're already in planning mode for SuperLocal 24, which is being held in Wellington/Te Whanganui-a-Tara in August next year. We'll be working with WCC and mana whenua to make sure we provide a remarkable programme and an even better conference experience than this year.

We're working on the theme and a prospectus, which we're hoping to get out to potential partners and sponsors very soon.

Engagement with members, including sector and zone meetings

We're busy planning for our in-person combined sector hui in November, with the Future **by** Local Government on day one and our usual individual sector meetings on day two.

We've had really good engagement with our email newsletters and direct emails recently. Eighty percent of members opened our first post-conference email and more than 60% opened our Choose Localism email (and 43% of those clicked through to the website). These are astonishing open rates by industry standards so we're consciously working on how we keep them high over the coming months as well as experimenting with a new online participation platform to see if we can encourage greater two-way dialogue online.

Mayors Taskforce for Jobs

We've been heavily involved with the management of MTFJ since our Programme Manager departed in early July. We very pleased to have successfully recruited a new Programme Manager who started in October, as well as made a permanent appointment in the MTFJ Advisor role.

We've also been working closely with the Chair and a small subset of the Core Group on governance and the relationship with LGNZ. The Core Group has agreed to establish a Governance Group to help make more efficient and effective decisions and oversee the development of a new strategy for



MTFJ. An external facilitator will help guide this work alongside some insights research by TRA into the value of the programme and where the opportunities lie for growing and strengthening MTFJ in the future.

In September, we met with key National Party MPs from the Hutt to talk about the value of MTFJ as a vehicle for delivering positive social outcomes locally and the importance of sustainable funding for this crucial kaupapa. In the meantime, our 36 Community Employment Programme councils now all have their new two-year contracts and are deep in the mahi of getting rangatahi into work.

Young Elected Members

Our Young Elected Members had a successful hui pre-conference, with just under 40 attendees. Planning is now well underway for the YEM annual hui, which will take place in the Far North this year, from 6-8 December. This will be YEM's first annual hui since COVID, and the theme will be "Anga whakamua: Setting our collective course in the birthplace of Aotearoa".

Beyond the annual hui, the YEM committee are also working on updating and refreshing the YEM kaupapa, and developing a work plan to put this into action. YEM co-chair Alex Crackett is also a part of the FFLG Advisory Group and will bring a YEM-perspective to this work.

Community Boards Executive Committee

Our Community Boards Executive Committee (CBEC) is an engaged group and have had several constructive engagements early this year. Key areas of focus for CBEC include planning the Community Boards Conference, which will be held as part of SuperLocal 2024, and surveying community board members to understand their experience, needs and opportunities to support them.

Sarah Lucas, one of the CBEC Co-Chairs, has joined the FFLG Group and is contributing useful grassroots, community governance perspectives. A key concern for CBEC was the lack of reference in the Panel's final report to the role that community boards could play in local government's future.

Council capability

Ākona

We launched our new Ākona L&D platform and are now focused on building great courses tailored to our members' distinct needs. We've had several new councils join and are openly talking to both Taituarā and CEs to encourage more to come on board. The pricing is prorated so is now below the \$3500 threshold and that seems to be helping.

The new digital platform is performing well, and the three new courses are proving popular. Another six courses are under development, three of which are being co-developed with the councils who requested them. Work on preparing the framework to become a self-assessment tool and basis for a micro credential has begun, with a new sector working group being assembled to help boost the process.

The new Health & Safety course being co-developed with Tararua District Council will offer the sector a bespoke option to the Institute of Directors course, which is both unhelpfully generic and



costly. We expect to continue to enhance and tailor the Ākōna Governance course so that it too may offer an alternative option to expensive IoD offerings.

CouncilMARK refresh

The CouncilMARK programme has undergone an extensive overhaul. The Research Agency (TRA) was commissioned in 2022 to highlight areas the programme is performing well and areas for evolution. Based on these findings we initiated a programme redesign to optimise CouncilMARK and make it fit for purpose within this new local government context. We continued to work very closely with our stakeholders, including elected members, CEs, senior council staff and relevant central government agencies.

Guidance for members

We completed the Guide to recruiting and managing chief executives. This is a comprehensive guide that includes relevant templates, such as a draft employment agreement, performance committee terms of reference, and guidance on performance management.

Work is currently underway on an Elected Members' Guide to Representation Reviews. Shortly, approximately half of New Zealand's councils will be undertaking representation reviews. Many elected members, especially those elected for the first time in 2019 and 2022, will not only have little understanding of the representation review process itself, but also of the choices that they are able to make through that process.

Streetlights Profiles

In June 2022, the Electricity Authority approved a Streetlight dimming profile that when applied by councils will generate significant savings on the energy consumed by LED dimmable streetlights. Without this innovative new profile, some councils that have upgraded their streetlights to include a centralised dimming function may find themselves stymied by Electricity Authority rules that deem them non-compliant. This could lead to penalties being passed on by suppliers, or even their suppliers opting out of offering dimmable streetlighting.

We have been working with the energy retailers and a couple of councils to work through the operational processes and to implement a pricing structure before we can take this offering further to our members. It is estimated that the profiles will save Auckland Transport up to \$1.1m in energy savings, whereas some smaller energy consumers, like Palmerstown North City Council, will have savings in the region of \$18k per year. This will be for the life of the streetlights (usually 25 years) and does not include the carbon savings councils will be able to generate. We have just completed our implementation with Auckland Transport and are working with Christchurch, Wellington and Tauranga for the next implementations.

Moata Carbon Portal

We partnered with Mott MacDonald in 2021 to bring the Moata carbon portal to New Zealand. This is a tool that allows embedded (capital) carbon to be measured and monitored across any capital works programme. It enables councils to account for and reduce carbon emissions generated from water, transport and infrastructure (vertical and horizontal) projects. We have seen spreadsheets



being used to do this that quickly become out of date, with emissions factors varying. The portal allows councils to make real-time decisions that can shape their future carbon emissions and make greener infrastructure choices. The added benefit is that all the models developed in the portal are shareable with other councils and industry players.

Queenstown Lakes and Tauranga have both just completed carbon baselines with Mott MacDonald and we presented the results to QLDC in September. The QLDC baseline is the first carbon baseline that we are aware of in New Zealand that covers all business activities/groups across their entire long-term plan. Tauranga's baseline covered their water services only, with discussion ongoing about including transport next.

Napier have become portal subscribers to add to Auckland's Water Care and Wellington Water, and we are having conversations with Wellington and Nelson about being the next councils to take this up. The Wellington City implementation will be on their transport programme, with Napier using the portal on their water programme.

We are certainly seeing councils becoming more carbon focused – and with the next round of LTP planning underway, it's a perfect opportunity to embed carbon thinking and the Moata portal into the decision-making process.

Libraries partnership

Our Libraries Advisor has continued to engage with councils and their library teams, sharing best practice and advice and advocating for the importance of investing in libraries as vital community hubs. She is preparing a report before her contract ends in June 2024. It will set out the key trends and learnings that she's identified during her time with us.

In August, our Libraries Advisor travelled to Australia with a group of representatives from the library sector to visit Australian public libraries to identify best practice and trends that can be shared with New Zealand's councils and public libraries. This trip was fully funded by the National Library's New Zealand Libraries Partnership Programme.