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Committee Secretariat  
Governance and Administration Committee  
Parliament Buildings  
Wellington

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## **Waimakariri District Council submission on the Local Government (System Improvements) Amendment Bill**

### **1. Introduction**

- 1.1. The Waimakariri District Council (the Council) thanks the Governance and Administration Committee for the opportunity to provide a submission on the Local Government (System Improvements) Amendment Bill.
- 1.2. We note the Governance and Administration Committee is consulting on the Local Government (System Improvements) Amendment Bill until 27 August 2025.
- 1.3. This submission supports a number of aspects of the Local Government (System Improvements) Bill (the Bill).

### **2. Background**

- 2.1. Waimakariri District is located in the Canterbury Region, north of the Waimakariri River. The District is approximately 225,000 hectares in area and extends from Pegasus Bay in the east to the Puketeraki Ranges in the west. It lies within the takiwā of Ngāi Tūāhuriri one of the primary hapū of Te Rūnanga o Ngāi Tahu. The District shares boundaries with Christchurch City to the south, Selwyn District to the south and west, and Hurunui District to the north.
- 2.2. The Waimakariri District is geographically diverse, ranging from provincial townships such as Rangiora and Kaiapoi, through to the remote high country farming area of Lees Valley. Eighty percent of the population is located in the east of the district and approximately 60 percent of residents live in the four main urban areas of Rangiora, Kaiapoi, Woodend/Pegasus and Oxford. The remainder live in smaller settlements or the district's rural area, including approximately 6000 on rural-residential or rural 'lifestyle' blocks.
- 2.3. Geographically, socio-culturally and economically, the Waimakariri District is primarily a peri-urban area. Residents are drawn to and identify with the outdoor lifestyle and recreation opportunities available in our district. However, due to its proximity to Christchurch City, the district has a significant and growing urban and peri-urban population. Consequently, primary production and construction are the two largest economic sectors in the district.

### **3. Key Submission Points**

#### **Amendments that the Council supports**

- 3.1. Clause 5 / section 5 – The Council supports the modernisation of the public notice requirement by changing the requirement to publish public notices in newspapers from mandatory to optional. How the community consumes media has changed since the original Act was drafted and the modernisation of the Act is well overdue.
- 3.2. Clause 6 / section 10 – The Council is generally supportive of the overall purpose statement including the new purpose to support local economic growth and development and highlight the importance of understanding the future needs of our communities.
- 3.3. Clause 9 / section 17A - The Council supports the removal of the requirement for six-yearly service delivery reviews. Central Government has clearly stated that cost effectiveness is a priority for Local Government, and the removal of the service delivery reviews allows for cost effectiveness to be continually monitored as opposed to a cumbersome and sometimes costly 6-yearly audit.
- 3.4. Clause 12 / section 42, clause 21 / Section 259, clause 25(9) / new Schedule 7, section 26A - The Council supports the aligning of the access to information clauses with the decisions applied by the Courts for its consistency and clarity.
- 3.5. Clause 19 / section 118 – The Council supports clarifying the authority of an acting or interim chief executive to sign certificates of compliance for lending arrangements
- 3.6. Clause 25 / Schedule 7, clause 34(4) – By extending the length of a chief executive's second term to 5 years this Bill will provide certainty of tenure for the role and consequentially may potentially increase the candidates interested in the role.
- 3.7. Clause 25 / Schedule 7, clause 15 – We support the proposals to make alterations to the Code of Conduct and Standing Orders. It is important that the Standing Orders reflect the local circumstances. For example, the Waimakariri District Council's Mayor does not hold the casting vote.

#### **Amendments for further consideration**

- 3.8. Clause 5(1) / section 5(4) – The Waste Amendment and Litter Acts amendment Bill identifies one of the roles of the Council in waste management is waste minimisation. This plays an important role in waste processing costs, benefits the environment and helps transition towards a circular economy. We ask that consideration be given to including minimisation within the definition of waste management.
- 3.9. Clause 6 / section 10 – The qualifier of 'good quality; in relation to the definition of public services is potentially ambiguous. The definition is subjective. Without guidance within the Bill this may fall on the Court's to interpret, and leaves Councils open to litigation. We ask that a definition of 'good quality' is added to the Bill, ensuring a consistent approach across Councils. Certainty of what the Parliamentary intention of the phrase will play an important part in the implementation of the Bill.

- 3.10. Clause 7 / section 11A – whilst supportive of the adjustments for waste management and civil defence emergency management, we highlight that the regulatory function of local government is not included within this list. We suggest the inclusion of an additional clause that enables this work to be carried out as part of local governments' core services.
- 3.11. Examples of function Local Government must undertake that do not fall within clause 7 / section 11A include, but are not limited to:

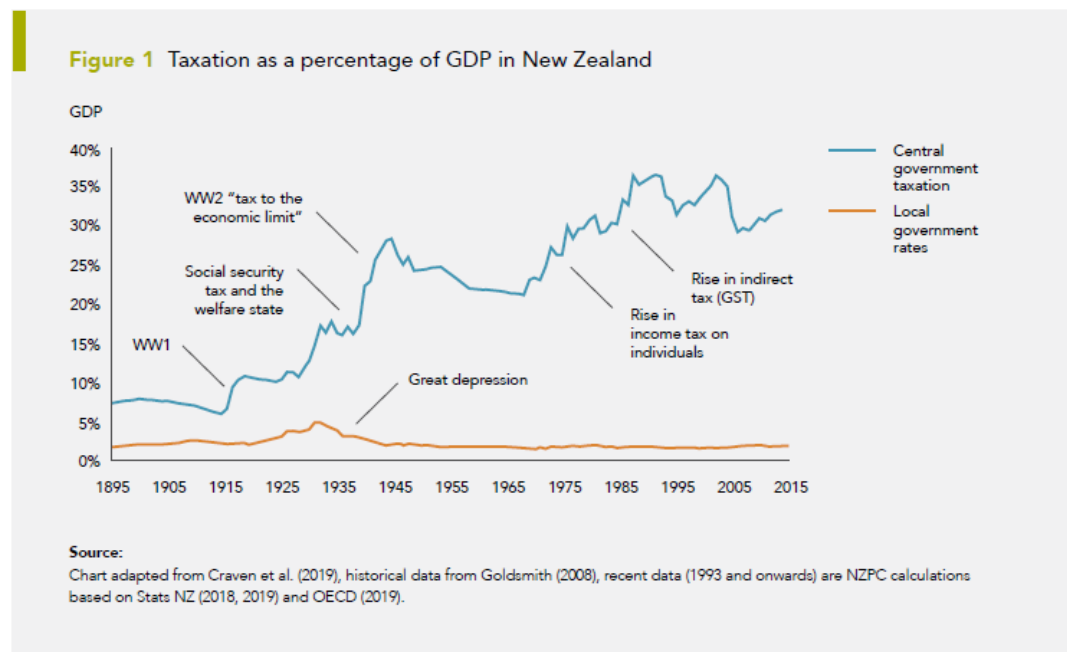
Public Toilets	Health Act 1956
Gambling Premises	Gambling Act 2003, Racing Industry Act 2020
Liquor Licensing	Sale and Supply of Alcohol Act 2012
Food Safety	Food Act 2014
Hairdressing Premises	Health (Hairdressers) Regulations 1980 and Health (Registration of Premises) Regulations 1966
Dog Control	Dog Control Act 1996, Impounding Act 1955
Annual and Long-Term Plans	Local Government Act 2002
Building Unit	Building Act 2004, Building (Accreditation of Building Consent Authorities) Regulations 2006
Resource Consents & District Plans	RMA 1991
Cemeteries	Burial and Cremation Act 1964, Health Act 1956
Election Administration	Local Government Act 2002, Local Electoral Act 2001,
Bylaws and Policies	LGA 2002

- 3.12. The mandate to move 'back to basics' and focus on providing core services may leave members of the community seeking assistance with social welfare issues without the same level of support. There is insufficient Central Government support and funding in this area and the concern is this will leave members of our communities unsupported. This includes the provision of small, accessible, affordable housing for the elderly in our District.
- 3.13. There are a growing number of non-core activities that the Council undertake. These activities can provide a return on investment to the Council, whether this is financial, such as a return on an investment property purchase, or by helping to reduce youth unemployment through partnerships with local businesses and job fairs. A small investment in community funding can have a significant impact locally.

### **General Commentary**

- 3.14. The use of public money should be transparent, and Governments should act in a fiscally responsible way. The Council ensures it is administered in a financially sustainable and transparent manner. Local Government's share of taxation against GDP has reduced in recent years. Costs have increased in this time, and this has required Councils to be more financially prudent. While concerns have been raised about Local Government over the setting of, and use of rates, it is

important to note that Central Government should also face the same level of oversight and scrutiny. Implementing fiscally responsible budgets and policies should not only be directed towards Local Government. Central Government should also undertake to take a fiscally responsible approach to spending.



- 3.15. The Council has ensured that core services are prioritised. Approximately 86% of the rates apportioned in the 2025 financial year was used to fund core services as set out in proposed section 11A. The balance of the apportionment is made up of governance and shared services (6%), continuing earthquake/redzone recovery (3.5%) and administering regulatory functions (4.5%).
- 3.16. In 1997 due to Government reforms the Council formed a CCO consenting authority. In 2008, the Council decided to bring the activity inhouse, which has eventuated in significant savings to those using the service and to our ratepayers. It avoided duplicated overheads, costly computer software and systems and provided better economy of scale. Through-out the recovery and rebuild after the 2010 & 2011 earthquakes, our experience of having these services inhouse is considered to be core and crucial services that serve our community and supported our district's economic recovery.
- 3.17. Assets are assessed by the Council by using best practice methods. Whole of life costs are assessed to ensure value for money over the course of the assets life, including maintenance, power consumption and other financial considerations. Our Council is committed to ensuring there is generational equity in our infrastructure. Assets are planned and managed to ensure replacement and renewal costs do not overwhelm future budgets and are spread evenly across many years.
- 3.18. Central government has increasingly assigned more responsibilities to councils. These additional responsibilities have created financial implications on ensuring delivery of cost-efficient local government services. In many cases, legal restrictions prevent councils from recovering costs, and in others, central government has not provided funding options despite the national benefits involved—resulting in a growing number of unfunded mandates. We note that in

particular within the proposed reform is the increasing costs to Councils to meet the Central Government auditing processes.

- 3.19. Council acknowledges the pressures on local ratepayers as the cost of living increases. The Council worked to limit the impact on its ratepayers by keeping its rates as low as possible (under 5%) while maintaining the level of core services expected by the community. Debt and depreciation funding have been used to fund necessary infrastructure projects in order to ensure intergenerational equity in rates today and years into the future.
- 3.20. We ask for further clarification about the additional budget to the Department of Internal Affairs to implement the performance benchmarking, Benchmarks can provide a simple way to measure and compare performance, however, they can also lack context and detail and therefore are not always useful for comparison. There are material differences between local authorities, such as whether they are high or low growth areas, whether they have high or low infrastructure deficits, their geographical differences (such as climate, proximity to certain industries), their natural disaster risk profile, and so on. Providing benchmarks for comparison may not capture these differences and the different needs of local authorities. The intent of this provision is to give the public a better sense of “what good looks like” in terms of council performance but it is unclear how the public will be able to accurately do this, given the issue raised.
- 3.21. It is essential that consultation is embedded in the process to enable a constructive and cooperative relationship between Central and Local Government. There is need for a genuine partnership based on a shared commitment and accountability for the wellbeing of all citizens.

#### **4. Summary of Position and Recommendations**

- 4.1. The Waimakariri District Council appreciates the opportunity to contribute to the development of the Local Government (System Improvements) Amendment Bill. We support many of the proposed changes and welcome efforts to modernise and clarify the legislative framework. We also encourage further consideration of the areas highlighted in this submission to ensure the Bill reflects the diverse needs of our communities and acknowledges the responsibilities of local government in delivering these.

Our contact for service and questions is Sylvia Docherty – Policy & Corporate Planning Team Leader (03 266 9173 or [sylvia.docherty@wmk.govt.nz](mailto:sylvia.docherty@wmk.govt.nz)).

Yours faithfully



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Jeff Millward  
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