



**LOCAL GOVERNMENT COMMISSION
MANA KĀWANATANGA Ā ROHE**

Media Release

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Local Government Commission receives Wairarapa application

The Local Government Commission has confirmed it has received an application to reorganise the three Wairarapa local authorities into a single council. It has also spelled out the process that must now be followed.

The Chief Executive Officer of the Commission, Donald Riezebos, said the Wairarapa application is the third received by the Commission since new legislation was passed late last year.

“The Commission anticipates the application may draw responses from other local authorities in the Wellington region but the Wairarapa councils are officially the first out of the blocks and will now trigger a process for examining reorganisation in the region,” said Mr Riezebos.

“The Commission is aware of media coverage as to the possibilities of reorganising other councils in the rest of the region, but it would be inappropriate to comment on the implications of the Wairarapa proposal for other councils’ decision-making.”

The Commission is currently also considering reorganisation applications affecting four councils in Northland and five councils in Hawke’s Bay.

Mr Riezebos noted that an alternative Hawke’s Bay proposal includes part of the Wairarapa but he declined to comment further as the Hawke’s Bay reorganisation process is already underway and must be allowed to run its course.

“The three independent Commissioners who are considering the reorganisation proposals are all very experienced and respected in local authority matters and will approach the task with an open mind,” said Mr Riezebos.

Mr Riezebos said the process for changing local government structures, boundaries and functions is set out in Schedule 3 of the Local Government Act 2002 and there are a number of distinct steps that must be followed.

“A number of these stages require community consultation and demonstrations of community support. The final decision on local government reorganisation in an area will be in the hands of electors of the area if they demand a poll.”

The next stages of the process are as follows (legislative terms in bold):

- The Local Government Commission must determine the **affected area of the district or region** if local government in the area were to be reorganised.
- The Commission will determine **whether to assess** the Wairarapa application. An application can be declined if it is frivolous, outside the scope of the Local Government Act, or similar changes have already been considered.
- The Commission must be satisfied there is evidence of **demonstrable community support** in the affected area for change. There does not need to be a majority in favour of change.
- The Commission will issue a public notice stating it has received the application and invite **alternative applications**. Alternative applications are not the same as a public submission. The opportunity for public submissions occurs at a later stage. **Alternative applications** must contain information about changes or improvements rather than merely arguing for the status quo.
- The Commission will consider the **alternative applications** alongside the original application and alongside **existing arrangements** (the status quo).
- The Commission identifies **reasonably practicable options** for local government in the affected area. One of these options must be the status quo.
- The Commission determines its **preferred option**. The preferred option must have regard to a local authority's resources and communities of interest.
- If it does not select the status quo as its preferred option, the Commission prepares a **draft proposal**. It publicly notifies the draft proposal and calls for public submissions.
- It must also **seek the views** of affected local authorities, iwi and a range of statutory agencies, including the Auditor General; the Ministry for the Environment; the Parliamentary Commissioner for the Environment; Te Puni Kokiri, and Inland Revenue.
- The Commission **must consider** each submission and **may hold hearings** and undertake further **consultations** before deciding whether to proceed.
- If it does decide to proceed, the Commission prepares a **final proposal** and publicly notifies it. A period of 60 working days will be allowed for responses, for example a **petition to require a poll**.
- A petition of **10% or more of affected electors** in any one of the affected districts is able to trigger a poll.
- If **more than 50%** of valid votes support the proposal, or if no poll is called for, the final proposal will be implemented and the proposed changes will take place. If the proposal attracts support from 50% or fewer of those voting, the reorganisation proposal will lapse.

In any event, no change would be made before the next local authority elections in October 2013. Guidelines on the reorganisation process are available at www.lgc.govt.nz

There are five unitary authorities in New Zealand: Auckland, Gisborne, Marlborough, Nelson and Tasman. Auckland is the most recent council to combine the two levels of local authority functions. The others became unitary authorities at varying times: Gisborne 1989; and Marlborough, Nelson and Tasman in 1992. The Chatham Islands Council also effectively operates as a unitary authority, as it is not within a region.

All other local authorities in the country work under a two tier framework of regional and district councils which have separate regulatory and planning responsibilities.