

House of Representatives  
Supplementary Order Paper

Wednesday, 28 May 2014

Local Government Act 2002 Amendment Bill (No  
3)

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*Proposed amendments*

Su'a William Sio, in Committee, to move the following amendments:

*New clause 3A*

After the *Part 1 heading* (page 8, after line 23), insert:

**3A Section 3 amended (Purpose)**

In section 3(d), replace “meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions” with “promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach”.

*Clause 4*

After *clause 4(3)* (page 10, after line 7), insert:

- (3A) In section 5(1), definition of **community outcomes**, replace “meeting the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions” with “order to promote the social, economic, environmental, and cultural well-being of its district or region, in the present and for the future”.

After *clause 4(5)* (page 10, after line 14), insert:

- (5A) In section 5(1), definition of **significance**, paragraph (a), before “the district or region”, insert “the current and future social, economic, environmental, or cultural well-being of”.

*New clause 5A*

After *clause 5* (page 11, after line 8), insert:

**5A Section 10 amended (Purpose of local government)**

Replace section 10(1)(b) with:

“(b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.”

*Clause 7*

After *clause 7(2)* (page 11, after line 28), insert:

(3) In section 14(1)(h)(i), replace “interests” with “well-being”.

*Clause 19*

Replace *clause 19* (page 33, after line 11) with:

**19 Section 77 amended (Requirements in relation to decisions)**

Replace section 77(1)(b) with:

“(b) assess the options in terms of—  
“(i) their advantages and disadvantages; and  
“(ii) the present and future well-being of the district or region; and”.

*New clause 32A*

After *clause 32* (page 46, after line 11), insert:

**32A Section 101 amended (Financial management)**

In section 101(3)(b), after “on”, insert “the current and future social, economic, environmental, and cultural well-being of”.

*Schedule 5*

After the heading to *Schedule 5* (page 101, after line 2), insert:

**Clause 2**

In clause 2(1)(c), after “on”, insert “the current and future social, economic, environmental, and cultural well-being of”.

After *new clause 21A* (page 103, after line 16), insert:

**Clause 23**

In clause 23(d), after “on”, insert “the current and future social, economic, environmental, and cultural well-being of”.

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**Explanatory note**

This Supplementary Order Paper amends the Local Government Act 2002 Amendment Bill (No 3) to reinstate references to social, economic, environmental, and cultural well-being that were removed by the National Government in 2012.

The “4 well-beings” provide the modern focus of local government on serving and being accountable to the communities they serve. It highlights the constitutional role that local governments play in community development and nation building.

Given that the “4 well-beings” remain in these other Acts of Parliament, the risk of inconsistency and confusion is real, especially with the Resource Management Act 1991 and the Local Government Act 2002.

Reinstating the “4 well-beings” as the cornerstone of the roles that local governments play in New Zealand gives confidence to local governments and the communities they serve that local decisions are best made locally reflecting the principle of subsidiarity—that responsibility for decisions and action be devolved to the closest practical effective level of community.

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