

Local Government Bill 2001 –
As Introduced and as Reported Back from the Select Committee December 2002

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
1	Title	1		No change
2	Commencement	2		Changed – some differences in provisions to have immediate effect
Part 1	Preliminary provisions	Part 1	Preliminary provisions	
3	Purpose	3		Changed – redrafted to a more concise statement
4	Treaty of Waitangi	4		Changed – to clarify the Crown’s responsibility to take account of the principles of the Treaty of Waitangi
5	Interpretation	5		Changed – numerous changes relating to changes in other Parts
		5A	Meaning of council-controlled organisation and council organisation	Changed and moved from clause 5
		5B	Exempted organisations	Changed and moved from clause 42(4)
6	Acts bind the Crown	6		No change
Part 2	Role and structure of local government	Part 2	Role and structure of local government	
7	Purpose of part	7	Outline of Part	Changed to reflect standardised terminology and approach to outline clauses
8	Purpose of local authorities	7A	Purpose of local government	Formerly clause 8, amended for greater clarity
		8	Role of local authority	New provision
9	Status and powers	9		Changed – clarification of powers for territorial authorities and regional councils
		9A	Performance of functions under other enactments	New provision – clarifies clauses 7A and 9
10	Description of local government			Moved to new Part 2A – now clause 22CA
11	Local authority may enter into agreement with the Crown to exercise responsibility, duty, or power, or provide service for the Crown			Deleted, unnecessary given clause 9
12	Principles relating to local authorities	12		Changed - redrafted and some new content
13	Triennial agreements	13		Changed – clarification that there is to be a single agreement for a region
14	Significant new activities proposed by regional council	14		Changed – clarification of when a regional council (or its CCO) must use this process
15	Transfer of responsibilities	15		No change
16	Local authorities			Moved to new Part 2A - now clause 22B
17	Minister is territorial authority in certain cases			Moved to new Part 2A - now clause 22C
18	Reorganisation proposal			Moved to new Part 2A - now clause 22D

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Clause No.	Clause Title	Clause No.	Clause Title	
19	Order in Council to give effect to reorganisation schemes			Moved to new Part 2A – now clause 22E
20	Power to amend reorganisation schemes			Moved to new Part 2A – now clause 22F and change to clarify
21	Responsibilities, powers, and duties of Minister	21		No change, remains in Part 2
22	Secretary	22		No change, remains in Part 2
		Part 2A	Structure and reorganisation of local government	New Part
		22A	Outline	New clause
		22B	Local authorities	Moved from Part 2 – was clause 16
		22C	Minister is territorial authority in certain cases	Moved from Part 2 – was clause 17
		22CA	Description of local government	Moved from Part 2 – was clause 10
		22D	Reorganisation proposal	Moved from Part 2 – was clause 18
		22E	Order in Council to give effect to reorganisation schemes	Moved from Part 2 – was clause 19
		22F	Power to amend reorganisation schemes	Moved from Part 2 – was clause 20
		22G	Application to be called city council or district council	New clause
		22H	Local Government Commission	Moved from Part 10 and drafting amendment – was clause 225
		22I	Commission is a body corporate with full powers	Moved from Part 10 – was clause 226
		22J	Functions and powers of Commission	Moved from Part 10 – was clause 227
		22K	Report to Minister on matters relating to local government	Moved from Part 10 and amended to clarify – was clause 228
		22KA	Commission to review operation of Act	New clause, Commission to review Act after 2007 local authority election
		22L	Membership of the Commission	Moved from Part 10 and amended to require one member to have knowledge of tikanga Maori, and to be appointed after consultation with the Minister of Maori Affairs – was clause 229
		22M	Commission is a Commission of Inquiry	Moved from Part 10 – was clause 230
		22N	Evidence before Commission	Moved from Part 10 – was clause 231
		22O	Further provisions relating to Commission and its proceedings	Moved from Part 10 – was clause 232
		22P	Appeals against decisions of Commission	Moved from Part 10 – was clause 233
Part 3	Governance and management of local authorities and community boards	Part 3	Governance and management of local authorities and community boards	
23	Purpose of this subpart	23AA	Outline of Part	Changed to reflect standardised terminology and approach to outline clauses
24	Governance principles	24		Changed to reflect standardised approach to principles and (a) moved to clause 27
25	Management principles			Clause deleted, as (a) not required and (b) moved to clause 28

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Clause No.	Clause Title	Clause No.	Clause Title	
26	Local governance statements	26		Changed to add (aaa) and (aa) to contents of statement, and new (1A) on timing to produce statement
27	Governing bodies	27		Changed to add new (2A) moved from clause 24, and new provision relating to employee elected to governing body.
28	Chief executive	28		Changed to merge and reorder subclauses (2) and (3), and to include new (3A) - moved from clause 25
29	Certain members indemnified	29		Changed to clarify indemnity does not apply to liability for loss and that directors appointed by councils are not to be indemnified.
30	Report by Auditor-General on loss incurred by local authority	30		No change
31	Local authority to respond to Auditor-General	31		No change
32	Members of local authority liable for loss	32		No change
		32A	Members may be required to pay costs of proceeding in certain cases	Moved from clause 224 with no change
33	Further provisions of Schedule 5	33		No change
34	Purpose of subpart			Merged with clause 23AA
35	Establishment of community boards	35		No change
36	Membership of community boards	36		No change
37	Status of community boards	36		Changed to clarify a community board is not a local authority
38	Purpose of community boards	38	Role of community boards	Changed heading and clause to reflect standardised approach to terminology relating to purpose, and role includes overseeing services provided by the territorial authority
39	Powers of community board	39		Changed to provide powers prescribed by Order in Council expire after 6 years
40	Application of other provisions to community boards	40		No change
Part 4	Council controlled - organisations	Part 4		
41	Purpose of this Part	41	Outline of Part	Changed to provide an outline of Part 4
42	Meaning of council-controlled organisation	5A	Meaning of council-controlled organisation and council organisation	New clause providing new definitions of a: <ul style="list-style-type: none"> • Council organisation (CO); and • Council-controlled trading organisation (CCTO) Changed to provide additional exemptions from definition of a CCO
		5B	Exempted organisations	New clause providing exemption procedures for statutory organisations and small organisations Exemptions to be reviewed 3 yearly
43	Consultation required before council-controlled-organisation established	43		Minor drafting changes only
44	Appointment of directors	44		Minor drafting changes Changed to require a policy on remuneration of directors

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Clause No.	Clause Title	Clause No.	Clause Title	
45	Role of directors of council-controlled organisation	45		Changed to clarify role of a director as assisting a CCO meet its objectives
		45A	Principal objective of council-controlled organisation	New clause setting out the principal objectives of a CCO
46	Decisions relating to operation of council-controlled organisation	46		Minor drafting changes only
47	Statements of corporate intent for council-controlled profit organisations	47	Statements of intent for council-controlled organisations	Changed: <ul style="list-style-type: none"> to apply to all CCOs to refer to a "statement of intent" so a statement of intent may not be inconsistent with a CCO's constitution so statement of intent may cover 2 or more related CCOs
48	Performance agreements for council-controlled non-profit organisations			Clause deleted
49	Performance monitoring	49		Changed to clarify that a local authority must agree to a statement of intent or take all practicable steps to modify it
50	Half-yearly report	50		Minor drafting changes only
51	Annual report	51		Changed so clause does not apply to a CCO that is listed on a stock exchange
52	Content of reports on operations of council-controlled organisations	52		Changed so clause 52 does not apply to half yearly reports Changed so only "material" variances are reported Deleted clause 52(c)
53	Financial statements and auditor's report	53		Changed by deleting the list of specific financial statements
54	Auditor-General is auditor of council-controlled organisations	54		No change
55	Protection from disclosure of sensitive information	55		Minor drafting changes only
56	Application of Act to related and associated companies	56		No change
57	Transfer of undertakings to council-controlled organisations	57		No change
58	Official information	58		No change
Part 5	Planning, decision making, and Accountability	Part 5	Planning, decision making, and Accountability	
59	Commencement			Removed to avoid duplication with clause 2
60	Purpose of this Part	60	Outline of this Part	Reconfigured as "Outline" in line with overall approach throughout Bill
61	Decision-making	61		Significantly redrafted including new obligations to check compliance, and application to decisions under other Acts unless inconsistent with those other Acts.
62	Principles of decision-making	62 62B	Requirements in relation to decisions Compliance with procedures in relation to decisions	Significant redrafting and restatement as requirements to be observed in proportion to significance of decision.

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Clause No.	Clause Title	Clause No.	Clause Title	
		62C	Identification of inconsistent decisions	
		62A	Community views in relation to decisions	New clause to require consideration of community views throughout the decision making process.
63	Contributions to decision-making by Maori	63	Contributions to decision-making processes by Maori	Changed to remove reference to other population groups. New 63(2) requires local authorities to make judgements about compliance
64	Compliance			Deleted – replaced by specific requirements in relation to relevant clauses
65	Information to be prepared in accordance with generally accepted accounting practice	90A		Amended to clarify intent and relocated to subpart 3
66	Principles of consultation	66		Significant redrafting in line with standard format for principles clauses.
67	Special consultative procedure	67		Minor changes to clarify process requirements
68	Statement of proposal	68	Special consultative procedure in relation to long-term council community plan	Major revision to separately specify the information requirements for each situation in which the special consultative procedure is to be used
		68A	Use of special consultative procedure in relation to annual plan	
		68B	Use of special consultative procedure in relation to adoption or review or amendment of bylaws	
		68C	Other use of special consultative procedure.	
		68D	Use of special consultative procedure in relation to change of mode of delivery of significant activity.	New clause to require special consultative procedure in respect of changes in mode of delivery.
69	Summary of information	69		Minor changes of clarification
70	Significant proposals			Deleted. Effectively replaced by new clauses 68D and 77A.
71	Assessment of whether decision is significant	71	Policy on significance	Amended to restrict to requirement for policy – other matters moved to definitions of “significance”, “significant” and “strategic asset” in clause 5.
72	Requirement to use special consultative procedure			Deleted as unnecessary.
73	Process for identifying community outcomes and priorities	73	Process for identifying community outcomes	Amended to clarify nature and purpose of procedure.
74	Obligation to report against community outcomes and priorities	74	Obligation to report against community outcomes	Minor changes to require consultation with other organisations on monitoring and reporting procedures.
75	Long-term council community plan	75	Long-term council community plan Audit of long-term council community plan	Amended to clarify purpose of plan and related procedures
		75A	Audit of long-term council community plan	New clause to provides for the auditing of the long-term council community plan. (cf also clause 68)
76	Annual plan	76		Amended to reflect that annual plan to consist of annual budget and funding statement.
77	Effect of resolution adopting long-term council community plan or	77		Minor amendments for clarification.

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Clause No.	Clause Title	Clause No.	Clause Title	
	annual plan			
		77A	Certain decisions to be taken only if provided for in long-term council community plan	New clause to require decisions of strategic importance or consequence to be consulted on in the context of the long-term council community plan.
78	Annual report	78		Minor changes to clarify relationship to plans.
79	Audit of information in annual report	79	Audit of information in annual report and summary	Changes to clarify the scope of the auditors report on the annual report.
80	Purpose			Deleted. Only substantive requirement incorporated in clause 82.
81	Balanced budget requirement	81		Amended to state criteria for "financially prudent".
82	Principles of financial management	82	Financial Management	Amended for clarification and to treat as substantive requirements rather than principles.
83	Funding and financial policies	83		Minor drafting and reference amendments
84	Revenue policy and financing policy	84		Amended to provide for a single policy, and to clarify relationship with funding decision processes.
85	Asset management policy			Deleted (cf. amendments to clause 2 of Schedule 8)
86	Liability policy	86	Liability management policy	No change
87	Investment policy	87		Minor change for clarification
		87A	Policy on development contributions or financial contributions	New clause on development contributions policy
		87B	Policy on partnerships with the private sector	New clause on policy relating to the contribution of funds or resources to public/private sector partnerships
88	Policy on remission and postponement of rates on Maori freehold land	88		No changes
89	Rates remission policy	89		No changes
90	Rates postponement policy	90		No changes
91	Interpretation	91		Amended to include definition of protected transaction
92	Prohibition on borrowing in foreign currency	92		No change
93	Constraints on receiver	93		No change
94	Rates as security	94		Minor amendments to clarify intent
95	Register of charges maintained by local authority	95		No changes
		95A 95B 95C 95D	Protected transactions Certificate of compliance Good faith in relation to protected transactions Saving provision in respect of power of court	New clauses to continue provision for protected transactions (from former clause 236)
96	The Crown not liable for debts	96		No change
97	Prospectuses and loan documents to contain statement that the Crown does not guarantee securities or loan	97		No change
		Part 5A	Specific obligations and restrictions on local authorities	New Part, includes clauses 121-123, 126-130 from Part 7 in the Bill as introduced

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Clause No.	Clause Title	Clause No.	Clause Title	
			and other persons	
		97AA	Outline clause	New clause providing outline of Part 5A
		97A	Interpretation	New clause providing definitions for this Part
121	Requirement to make assessment of water and wastewater services			Merged with clauses 97B, 97C and 97E – see Part 5A above
122	Requirement to make assessment of other sanitary services			Merged with clauses 97B, 97D and 97E – see Part 5A above
123	Extent to which information included in assessments			Moved to clause 97F – see Part 5A above
		97B	Requirement to assess water and other sanitary services	No significant change
		97C	Information required in assessment of water services	Changed to provide a clearer focus on communities and risks to communities Changed so that assessments address adequacy of supply of drinking water
		97D	Information required in assessment of sanitary services	No significant change
		97E	Process for making assessments	Medical Officer of Health to be consulted on all assessments Changed so consideration of options to meet current and future demands has regard to the promotion of appropriate technologies Changed to require a local authority to have regard to its duties under section 23 of the Health Act when making any assessment under clause 97B
		97F	Extent of information in assessments	Minor drafting changes only
126	Restrictions on disposal of parks	97M	Restrictions on disposal of parks	Changed to apply to a park or part of a park Changed so a local authority must consult, but not necessarily use the special consultative procedure
127	Further restrictions on disposal of parks by Auckland Regional Council	97N	Protection of regional parks or reserves	Changed to provide an Order in Council process for protection of regional parks Changed so minor boundary adjustments can be made
128	Restrictions on disposal of endowment property	97O	Restrictions on disposal of endowment property	Merged with clause 97O and clause 97P Changed to allow the Minister to approve a change in the use of income derived from an endowment property
		97P	Conditions applying to sale or exchange of endowment property	Changed so Minister for Land Information and the Minister in Charge of Treaty of Waitangi Negotiations must be notified of proposal to sell land endowed by the Crown Clarifies that there is no obligation on Ministers to take any action following notification
129	Restrictions on exiting from delivery of water supply and wastewater services	97G -L	See below	Merged clause 129 into clauses 97G-L in Part 5A above
		97G	Obligation to maintain water services	New clause: Defines a local government organisation (LGO) Clarifies water services that the subpart 2 applies to Requires that a LGO: <ul style="list-style-type: none"> • must continue to provide water services

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Clause No.	Clause Title	Clause No.	Clause Title	
				<ul style="list-style-type: none"> • must not use water assets as security for any purpose • can only sell an interest in a LGO to another LGO • can dispose of water assets if it is able to fulfil its water service obligations • may only stop the supply of water in certain circumstances (see clause 120MA) • may restrict the supply of water in certain circumstances (see clause 120M)
		97H	Power to close down or transfer small water services	New clause providing that LGOs may close down or transfer small water services (servicing no more than 500 people) in certain circumstances
		97I	Criteria for closure of water services	New clause setting out matters that must be reviewed prior to a water service being closed down
		97J	Criteria for transfer of water service	New clause setting out matters that must be reviewed prior to a water service being transferred
		97K	Contracts relating to provision of water services	<p>Changed so contracts with a private sector party can be for a maximum of 15 years</p> <p>During a contract a LGO must retain control over:</p> <ul style="list-style-type: none"> • Pricing • Management; and • Policy relating to the delivery of water services
		97L	Partnerships and joint ventures	<p>Changed to define joint venture as an arrangement solely between LGOs for provision of a water service</p> <p>Changed to define a partnership as an arrangement with a private sector party for provision of water service</p> <p>Public consultation is required before a LGO enters into a joint venture or a partnership for water services</p> <p>Partnerships are limited to a maximum of 15 years</p> <p>Changed so a LGO must retain control over pricing, management and policy on delivery of water services throughout any partnership arrangement</p>
130	Territorial authority may not charge residents to join library	97Q	Obligation to provide free membership of libraries	Changed to apply to all local authorities and CCOs, moved to Part 5A
Part 6	Bylaws	Part 6	Regulatory and enforcement powers of local authorities	Part includes clauses from Parts 6, 7 & 9 of the Bill as introduced
98	Purpose of this part	98	Outline of this part	Minor drafting changes only
99	This part subject to Bylaws Act 1910	99	Bylaws Act 1910	Minor drafting changes only
100	General bylaw-making power for territorial authorities	100		Bylaw making power in (c) expressed differently
101	Mandatory bylaws	Nil	Nil	Deleted – specific bylaw making power inserted in 102(c)
102	Specific bylaw-making powers of territorial authorities	102		(a)(xii) deleted, other clauses redrafted for clarity. Liquor bylaw powers under (b) moved to new Clause 102A
		102A	Power to make bylaws for liquor control purposes	Moved from 102(b) and added powers around vehicles in liquor bylaw areas and exceptions for transporting liquor previously in

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Clause No.	Clause Title	Clause No.	Clause Title	
				LGA74
103	Special requirements for bylaws in relation to trade wastes	103		Minor drafting changes only
104	Power of regional councils to make forestry bylaws	104	Power of regional councils to make bylaws	Limited forestry bylaw powers to only those forests owned or controlled by a regional council. Added 3 new bylaw-making powers.
105	Local authorities may prescribe fees by bylaw or resolution	105	Fees may be prescribed by bylaw	Changed to clarify this only relates to regulatory matters and does not prevent other forms of charging under the general power in Cl 9
106	General provisions applying to bylaws	106		Add power to recover costs incurred by a local authority in relation to an activity licensed under a bylaw.
107	Effect of Building Act 1991 on bylaws	107		Minor drafting changes only
108	Transfer of bylaw-making power	117A		Moved, no change
109	Power to join with other bodies to make bylaws	109		Deleted, not required
110	The Crown bound by certain bylaws	110		Minor redrafting plus new (3)
111	Power of exemption	111		No change
112	Determination whether bylaw is appropriate	112		No change
113	Special consultative procedure must be used except in certain circumstances	113		No change
114	Public notice of bylaws and availability of copies	114		Changed to apply to all local authorities
115	Review of bylaws	115		No change
116	Procedure for and nature of review	116		Changed to clarify use of special consultative procedure is required
117	Expiry of bylaws	117		Changed to have effect 2 rather than 5 years after review date
		Clauses 117B – 117O		Moved from Part 7
		117B – 117O	Injunctions restraining commission of offences and breaches of bylaws	Moved from clause 136, no change.
		117C	Removal of works in breach of bylaws	Moved from clause 137, no change
		117D	Seizure of property not on private land	Moved from clause 138, no change
		117E	Seizure of property from land	Moved from clause 139, changed to add (4) to exclude member or officer of that council who is a JP from issuing a warrant
		117F	Conditions for exercise of warrant to seize property on private land	New clause consisting of previous clause 139 (4) (5) and (6), no change
		117G	Return of property from private land	Moved from clause 140, no change
		117H	Power to dispose of property seized and impounded	Moved from clause 140 (5) (6) (7) and (8), no change
		117I	Powers of arrest, search, and seizure in relation to bylaw prohibiting liquor in public place	Moved from clause 141 (1) (2) and (3), changed to apply to vehicles in liquor bylaw areas plus changes in offence and arrest powers

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Clause No.	Clause Title	Clause No.	Clause Title	
		117J	Conditions relating to power of search	Moved from clause 141 (4), changed to changed to apply to vehicles in liquor bylaw areas and new power to allow immediate search subject to process requirements of (2) (3) and (4)
		117JA	General power of entry	New clause for entry under this Act or other Acts
		117K	Power of entry for enforcement purposes	Moved from clause 142, changed in (2) to allow entry without notice where that would defeat purpose of entry
		117L	Power of entry in case of emergency	Moved from clause 143, changed to also apply to damage to the environment
		117M	Authority to Act	Moved from clause 144, changed to remove previous (5)
		117N	Power to recover for damage by wilful or negligent behaviour	Moved from clause 168, changed to apply to all local authorities
		117O	Costs of remedying damage arising from breach of bylaw	Moved from clause 169, no change
118	Appointment of enforcement officer	118		Changed to clarify more than one officer can be appointed and that any offence under the Act may be enforced (not just bylaws)
		118A	Enforcement officers may require certain information	New clause - power for enforcement officer to obtain name and address etc of suspected offender
119	Contracting out of administration and enforcement of bylaws	119	Contracting out of administration and enforcement of bylaws	Changed to clarify extent of contracting permitted
120	Enforcement and administration of regional council bylaws	120	Enforcement and administration of regional council bylaws	Minor drafting changes
		120A – 120Z		Moved from Part 7
		120ZB – 120ZM		Moved from Part 9
		120A	Construction of works on private land	Moved from clause 149, changed to require reasonable notice and allow inspection plus minor drafting changes
		120B	Power of entry to check utility services	Moved from clause 150, changed to restrict rather than stop water under (3) and clarify 1(c)
		120C	Removal of Fire Hazards	Moved from clause 155, changed to clarify definition of growth
		120D	Rights and obligations if notice given under section 120C(1)	Moved from clause 156, changed to only apply to previous clause (other 2 original clauses referred to have been deleted)
		120E	Occupier may act if owner of premises makes default	Moved from clause 157, no change
		120F	Local authority may execute works if owner or occupier defaults	Moved from clause 158, minor changes only
		120G	Recovery of cost of works by local authority	Moved from clause 159, no change
		120H	Liability for payment in respect of private land	Moved from clause 160, minor drafting changes only
		120I	Power to acquire land	Moved from clause 165, no change
		120J	Compensation payable by local authority for land taken or injuriously affected	Moved from clause 166, no change
		120K	Local authority not authorised to create nuisance	Moved from clause 167, no change
		120L	Waste of water	Moved from clause 132, changed to refer to reticulated water

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Clause No.	Clause Title	Clause No.	Clause Title	
				supplied by or on behalf of a local authority
		120M	Power to restrict water supply	Moved from clause 133, changed to refer to power to restrict water supply, only to level that does not create insanitary conditions
		120MA	Power to stop water services	New clause – water may be stopped to effect repairs, or in emergency circumstances
		120N	Discharge of sewage	Moved from clause 134, minor drafting changes only
		120O	Discharge of trade wastes	Moved from clause 135, changed to reorder and make provisions subject to the RMA
		120P	Interpretation	New interpretations clause relating to development contribution matters
		120Q	Discharge of trade wastes	Moved from clause 161 (1), changed to only allow territorial authority to require a contribution when they have a policy
		120R	Basis on which development contributions may be required	Moved from clause 161, changed to clarify basis on which contribution may be required
		120S	Limitations applying to requirement for development contributions	Moved from clause 161(2), changed to clarify limitations
		120T	Contents of development contributions policy	New clause
		120TA	Contents of schedule to development contributions policy	New clause
		120TB	Maximum development contributions not to be exceeded	New clause
		120U	Use of development contributions by territorial authority	New clause to clarify use of funds for capital expenditure not maintenance
		120V	Use of development contributions for reserves	Moved from clause 161 (3) and (4), changed to allow use of funds on community facilities on reserves, acquiring interests in land for conservation purposes or payment toward enhancement of Maori reservation open to the public.
		120W	Alternative uses of development contributions for reserves	Moved from clause 161 (4), minor drafting changes to modernise.
		120X	Powers of territorial authority if development contributions not paid or made	Moved from clause 162, changed to link trigger for contribution to withholding power plus addition of ability to prevent commencement of resource consent and to use statutory land charges.
		120Y	Refund of money and return of land if development does not proceed	Moved from clause 163, drafting changes only
		120Z	Refund of money or return of land if not applied to specified reserve purposes	Moved from clause 164, changed to specify 10 year term and apply only to reserve contributions taken for a specified purpose.
		120ZA	Application of other Acts	New clause for clarification purposes
		120ZB	Interpretation	Moved from clause 206, no change
		120ZC	Application of District Court Rules to removal orders	Moved from clause 207, no change
		120ZD	Scope of rules made under section 120ZC	Moved from clause 208, no change
		120ZE	Application for removal order	Moved from clause 209, no change
		120ZF	Circumstances when court may make	Moved from clause 210, no change

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			removal order	
		120ZG	Right of objections	Moved from clause 211, no change
		120ZH	Consideration of objections	Moved from clause 212, no change
		120ZI	Appeal to High Court final	Moved from clause 213, no change
		120ZJ	Compliance with removal order	Moved from clause 214, no change
		120ZK	Limits to power of entry to enforce compliance	Moved from clause 215, no change
		120ZL	Provisions of Resource Management Act 1991 and Building Act 1991 continue to apply	Moved from clause 216, no change
		120ZM	Relationship with Fencing Act 1978	Moved from clause 217, no change
		Part 6A	Offences, penalties, infringement notices, and legal proceedings	New Part
		120ZN	Offences relating to water wastage	New clause
		120ZO - 120ZZK & 120ZL - 120ZZP		Moved from Part 9 – see below
Part 7	Specific obligations, powers and restrictions of local authorities and other persons			Deleted. Clauses moved to Parts 5A & 6
124	Fire Hydrants			Retained in LGA in '74
125	Pipes must be kept charged with water			Retained in LGA in '74
126	Restrictions on disposal of parks	97M	Restrictions on disposal of parks	Changed to apply to a park or part of a park Changed so a local authority must consult, but not necessarily use the special consultative procedure
127	Further restrictions on disposal of parks by Auckland Regional Council	97N	Protection of regional parks or reserves	Changed to provide an Order in Council process for protection of regional parks Changed so minor boundary adjustments can be made
128	Restrictions on disposal of endowment property	97O	Restrictions on disposal of endowment property	Merged with clause 97O and clause 97P Changed to allow the Minister to approve a change in the use of income derived from an endowment property
		97P	Conditions applying to sale or exchange of endowment property	Changed so Minister for Land Information and the Minister in Charge of Treaty of Waitangi Negotiations must be notified of proposal to sell land endowed by the Crown Clarifies that there is no obligation on Ministers to take any action following notification
129	Restrictions on exiting from delivery of water supply and wastewater services	97G -L	See below	<ul style="list-style-type: none"> Merged clause 129 into clauses 97G-L in Part 5A above
131	Control of source of water supply			Deleted
132	Persons supplied with drinking water to prevent waste	120L	Wastage of Water	Moved, changed to refer to reticulated water
133	Power to stop water supply	120M 120MA	Power to restrict water Power to stop water services	

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
134	Discharge of sewage into sewerage drain in accordance with bylaws not an offence	120N	Discharge of sewage	Moved, minor drafting changes only
135	Right to discharge trade wastes into sewerage drains	120O	Discharge of Trade wastes	Moved, changed to make subject to RMA
136	Injunctions restraining commission of offences and breaches of bylaws	117B	Injunctions restraining commission of offences and breaches of bylaws	Moved, no change
137	Removal of works in breach of bylaws	117C	Removal of works in breach of bylaws	Moved, no change
138	Seizure of property, not on private land, involved in commission of offence	117D	Seizure of property, not on private land	Moved, minor drafting changes only
139	Seizure of property on private land involved in the commission of offence	117E	Seizure of property from land	Moved, changed to add (4) to exclude member or officer of that council who is a JP from issuing a warrant
		117F	Conditions for exercise of warrant to seize on private land	New clause consisting of previous clause 139 (4) (5) and (6), no change
140	Return of property seized and impounded	117G	Return of property seized and impounded	Moved to clause 140, no change
		117H	Power to dispose of property seized and impounded	Moved from clause 140 (5) (6) (7) and (8), no change
141	Powers of arrest, search, and seizure in relation to bylaw prohibiting liquor in public place	117I	Powers of arrest, search, and seizure in relation to bylaw prohibiting liquor in public place	Moved from clause 141 (1) (2) and (3), changed to apply to vehicles in liquor bylaw areas plus changes in offence and arrest powers
		117J	Conditions relating to power of search	Moved from clause 141 (4), changed to apply to vehicles in liquor bylaw areas and new power to allow immediate search subject to process requirements of (2) (3) and (4)
142	Power of entry for enforcement purposes	117K	Power of entry for enforcement purposes	Moved from clause 142, changed in (2) to allow entry without notice where that would defeat purpose of entry
143	Power of entry in case of emergency	117L	Power of entry in case of emergency	Moved from clause 143, changed to also apply to damage to the environment
144	Authority to Act	117M	Authority to Act	Moved from clause 144, changed to remove previous (5)
145	Covering watercourses			Retained in LGA 1974 s446
146	Betterment contributions if watercourse covered in			Retained in LGA 1974 s447
147	Construction of private drains through adjoining premises			Retained in LGA 1974 s460
148	Territorial authority may require owners of land to provide private drains			Retained in LGA 1974 s459
149	Construction of works on private land	120A	Construction of works on private land	Moved from clause 149, changed to require reasonable notice and allow inspection plus minor drafting changes
150	Power of entry to check utility services	120B	Power of entry to check utility services	Moved from clause 150, changed to restrict rather than stop water under (3) and clarify 1(c)
151	Owner's rights in respect of private drains			Retained in LGA 1974 s461

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
152	Territorial authority may declare private drain to be public drain			Retained in LGA 1974 s462
153	Removal of tree roots obstructing public drains			Retained in LGA 1974 s468
154	Removal of obstructions from drainage channel or watercourse			Retained in LGA 1974 s511
155	Removal of fire hazards	120C	Removal of fire hazards	Moved from clause 155, changed to clarify definition of growth
156	Notices under sections 153(1), 152(1), and 155(1)	120D	Rights and obligations if notice given under section s120C	Moved from clause 156, changed to only apply to previous clause (other 2 original clauses referred to have been deleted)
157	Occupier may act if owner of premises makes default	120E	Occupier may act if owner of premises makes default	Moved from clause 157, no change
158	Territorial authority may execute works if owner or occupier defaults	120F	Local authority may execute works if owner or occupier defaults	Moved from clause 158, minor changes only
159	Recovery of cost of works by territorial authority	120G	Recovery of cost of works by local authority	Moved from clause 159, no change
160	Amounts payable in respect of private land	120H	Liability for payments in respect of private land	Moved from clause 160, minor drafting changes only
161	Contribution for developments	120V	Use of development contributions for reserves	Moved from clause 161 (3) and (4), changed to allow use of funds on community facilities on reserves, acquiring interests in land for conservation purposes or payment toward enhancement of Maori reservation open to the public.
		120W	Alternative uses of development contributions for reserves	Moved from clause 161 (4), minor drafting changes to modernise.
162	Territorial authority may refuse to issue certificates or authority until development contribution paid or made	120X	Powers of territorial authority if development contributions not paid or made	Moved from clause 162, changed to link trigger for contribution to withholding power plus addition of ability to prevent commencement of resource consent and to use statutory land charges.
163	Refund of money and return of land if development does not proceed	120Y	Refund of money and return of land if development does not proceed	Moved from clause 163, drafting changes only
164	Refund of money or return of land if not applied to reserve purposes	120Z	Refund of money or return of land if not applied to specified reserve purposes	Moved from clause 164, changed to specify 10 year term and apply only to reserve contributions taken for a specified purpose.
165	Power to acquire land	120I	Power to acquire land	Moved from clause 165, no change
166	Compensation payable by local authority for land taken or injuriously affected	120J	Compensation payable by local authority for land taken or injuriously affected	Moved from clause 166, no change
167	Local authority not authorised to create nuisance	120K	Local authority not authorised to create nuisance	Moved from clause 167, no change
168	Power to recover damage for wilful or negligent behaviour	117N	Power to recover damage for wilful or negligent behaviour	Moved from clause 168, changed to apply to all local authorities
169	Costs of remedying damage arising from breach of bylaw	117O	Costs of remedying damage arising from breach of bylaw	Moved from clause 169, no change
170	Notice of removal of water pipes to be given to territorial authority			Subclause (3) moved to clause 120M, remainder deleted
171	Drawing off water from waterworks			Deleted
172	Drawing off water from water race			Deleted
173	Recovery of damage from unlawful			Retained in LGA 1974 s467

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
	connection of private drain			
Part 8	Powers of Minister to act in relation to local authorities			
		174AA	Outline	New clause
174	Minister may appoint review authority	174	Minister may appoint review authority	Changed – clearer drafting only
175	Minister may appoint Commissioner to perform and exercise the powers and duties of local authority or call election	175	Minister may appoint Commissioner to perform and exercise the powers and duties of local authority or call election	Changed – split to be new 175 and 175A
		175A	Minister may appoint a person to act on behalf of local authority on initiate a review	New provision – split from 174
176	Election called by Minister	176	Election called by Minister	No change
177	Appointment of commissioner for Disaster Recovery	177	Appointment of commissioner for Disaster Recovery	Changed – clearer drafting only
178	Status of Commissioner for Disaster Recovery	178	Status of Commissioner for Disaster Recovery	Moved to schedule 13 – as clause 30
179	Liability of Commissioner and Deputy Commissioner for Disaster Recovery	179	Liability of Commissioner and Deputy Commissioner for Disaster Recovery	Moved to schedule 13 – as clause 31
Part 9	Offences, infringement offences, removal orders and legal proceedings			Part deleted, clauses generally moved to new Part 6 and Part 6A
180	Offences relating to removal of water pipes			Deleted
181	Offences relating to drawing off water			Deleted
182	Other offences relating to waterworks	120ZO	Offences relating to waterworks	Moved to new Part 6A, changed to require approval before undertaking works, drafting changes
182	Other offences relating to waterworks	120ZP	Liability for cost of damage	Moved, minor drafting changes
183	Offences relating to water meters	120ZQ	Offences relating to water meters	Moved to new Part 6A, changed to require approval before undertaking works, drafting changes
184	Offence to draw off water from water race			Deleted
185	Other offences relating to water races	120ZR	Offences relating to water races	Moved to new Part 6A, changed to require approval before undertaking works, drafting changes
186	Offence relating to private drains			Deleted
189	Obstruction of member, officer, or agent of local authority	120ZS	Obstruction of member, officer or agent of local authority	Moved to new Part 6A, minor drafting changes
190	Offences by occupiers	120ZT	Offences by occupiers	Moved to new Part 6A, no change
191	Offences in relation to notices sent to occupiers or owners	120ZU	Offences in relation to notices sent to occupiers or owners	Moved to new Part 6A, no change
192	Damage to notices	120ZV	Damage to local authority works or property	Moved to new Part 6A, & combining with former cl 193 & 194, into one clause

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
193	Negligent damage to local authority works or property			Moved to new Part 6A, & combining with former cl 192 & 194, into one clause
194	Wilful damage to local authority works or property			Moved to new Part 6A, & combining with former cl 192 & 193, into one clause
187	Offence relating to advertising	120ZW	Offence relating to advertising	Moved to new Part 6A, no change
188	Unauthorised use of Coat of Arms	120ZX	Unauthorised use of Coat of Arms	Moved to new Part 6A, no change
195	Offences by members or officers of local authorities	120ZY	Offences by members of local authorities	Moved to new Part 6A, no change
196	Penalty for acting without warrant	120ZZ	Penalty for acting without warrant	Moved to new Part 6A., no change
197	Offence by member or officer of Higher Salaries Commission	120ZZA	Offence by member or officer of Higher Salaries Commission	Moved to new Part 6A, no change
200	Offence of failing to comply with Act	120ZZB	Offence of failing to comply with Act	Moved to new Part 6A., no change
198	Offences punishable on summary conviction	120ZZC	Offences punishable on summary conviction	Moved to new Part 6A, no change
199	Defence to breach of bylaw	120ZZD	Defence to offences under this Act	Moved to new Part 6A, changed to widen defences and apply to all offences under Act
		120ZZE	Laying of information	New clause
201	Penalties for offences	120ZZF	Penalties for offences	Moved to new Part 6A, changed as to type of penalty applying to various offences
202	Interpretation	120ZZG	Interpretation	Moved to new Part 6A, no change
203	Proceedings for infringement offences	120ZZH	Proceedings for infringement notices	Moved to new Part 6A, no change
204	Issue of infringement notices	120ZZI	Issue of infringement notices	Moved to new Part 6A, no change
205	Entitlement to infringement fees	120ZZJ	Entitlement to infringement fees	Moved to new Part 6A, no change
206		120ZB	Interpretation	Moved from clause 206, no change
207		120ZC	Application of District Court Rules to removal orders	Moved from clause 207, no change
208		120ZD	Scope of rules made under section 120ZC	Moved from clause 208, no change
209		120ZE	Application for removal order	Moved from clause 209, no change
210		120ZF	Circumstances when court may make removal order	Moved from clause 210, no change
211		120ZG	Right of objections	Moved from clause 211, no change
212		120ZH	Consideration of objections	Moved from clause 212, no change
213		120ZI	Appeal to High Court final	Moved from clause 213, no change
214		120ZJ	Compliance with removal order	Moved from clause 214, no change
215		120ZK	Limits to power of entry to enforce compliance	Moved from clause 215, no change
216		120ZL	Provisions of Resource Management Act 1991 and Building Act 1991 continue to apply	Moved from clause 216, no change
217		120ZM	Relationship with Fencing Act 1978	Moved from clause 217, no change
218		120ZZK	Proceedings in District Court	Moved to new Part 6A, no change
219	Judges not disqualified for being ratepayers	120ZZL	Judges not disqualified for being ratepayers	Moved to new Part 6A, no change
220	Representation of local authority in	120ZZM	Representation of local authority in	Moved to new Part 6A, minor changes

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
	proceedings		proceedings	
221	Service of legal proceedings on local authority	120ZZN	Service of legal proceedings on local authority	Moved to new Part 6A, no change
222	Evidence of ownership, vesting, or control	120ZZO	Evidence of ownership, vesting, or control	Moved to new Part 6A, no change
223	Recovery of debts	120ZZP	Recovery of debts	Moved to new Part 6A, no change
Part 10	Local Government Commission			Part deleted and clauses moved to Part 2A
225 - 233				Moved to Part 2A, see above
Part 11	Miscellaneous provisions	Part 11	Regulations and other Orders in Council	
234	Regulations	234		Removed provision for development contributions regulations
235	Amendment of Schedule 2 by Order in Council	235		No change
		235A	Circumstances when Order in Council may extend time or validate action taken	Ex LGA 1974 s719 (originally overlooked)
236	Dealings between local authority and other persons			Moved to Part 5
Part 12	Transitional Provisions	Part 12	Consequential amendments, repeals revocations, transitional provisions, and savings	
237	Consequential amendments	237		No change
		237A	Water Services	New clause to amend LGA 1974 to allow Watercare Services Ltd to operate territorial authority water supply if requested to do so.
238	Amendment to Personal Properties Securities Act 1999	238		No change
239	New Schedule added to Receiverships Act 1993	239		No change
240	Repeals	240		No change
		240A	Repeal of enactments relating to special consultative procedure	New clause to repeal existing special consultative procedure provisions
		240B	Repeal of Local Government (Prohibition of Liquor in Public Places) Amendment Act 2001	New clause to repeal Act but preserve amendments made to LGA 1974.
241	Repeal of spent local Acts	241		No change
242	Repeal of provisions relating to regional parks of Auckland and Wellington Regional Councils	242	Repeal of provisions relating to regional parks of Wellington Regional Council	Amended to restrict application to Wellington Regional Council parks
243	Revocations	243		No change
		243A	First triennial agreement	New clause to specify when first triennial agreement under clause 13 required.
		243B	First governance statement	New clause to specify when first governance statement under clause 26 required.
		243C	First policy on appointment of directors	New clause to specify when first policy on appointment of directors

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
				under clause 44 required
		243D	First statement of intent and report and accounts of existing local authority trading enterprises	New clause to specify when the first statement of intent under clause 47 is required for existing local authority trading enterprises
		243E	First statement of intent of other council controlled organisations	New clause to specify when the first statement of intent under clause 47 is required for council controlled organisation that are not currently local authority trading enterprises
		243F	First policy on significance	New clause to specify when first policy on significance under clause 71 required
244	Long-term council community plan	244		Significant amendments to clarify requirements in respect of first long-term council community plan under clause 75
		244A	Long-term council community plan for period beginning on 1 July 2006	New clause to require local authorities to adopt a long-term community plan for the period commencing 1 July 2006
		244B	Annual plan	New clause dealing with transitional annual plan for 2003/4.
		244C	Certain decisions to be taken only if provided for in annual plan or special consultative procedure used	New clause dealing with matters subject to clause 77A before first long-term council community plan adopted.
245	Annual reports	245		No changes
246	First annual plan	246		Drafting changes only
		246A	First assessment of water and sanitary services	New clause to specify when first assessment of water and sanitary services under clause 97B required.
		246B	Waste management plan	New clause to require completion of waste management plan (under LGA 1974) by 1 July 2005
247	Special consultative procedure	247		No changes
248	Development Contributions	248		Amended to cover all situations when contributions can be required
249	Reorganisation proposals	249		No changes
250	Existing charges	250		No changes
251	Bylaws	251		No changes
252	Standing orders	252		Minor drafting change
253	Communities and community boards	253		No changes
254	Chief executive	254		Additional clarification
255	Members of Commission	252		Minor drafting changes
256	Community Trusts	256		Additional clarification
		256A	Borrowing from sinking fund	New clause to continue authority for local authorities to borrow from a sinking fund
257	Cancellation of part of loan in respect of which sinking fund is held	257		No change
258	Consent required for release of sinking fund	258		No change
259	Provisions relating to Public Trustee and Board of National Provident Fund	259	Provisions relating to Public Trust and Board of National Provident Fund	Minor reference changes only
260	Public Body Leases Act 1969	260		Minor drafting changes
		260A	Sale of land purchased for commercial or	New clause to preserve existing provision in respect of such land

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Clause No.	Clause Title	Clause No.	Clause Title	
			industrial purposes	
261	Local Authorities (Employment Protection Act 1963	261		No change
262	Local Authorities Loans Act 1956	262		No change
263	Existing Provisions	263		No change
264	Existing causes of action	264		No change
265	Saving	265		No change
		265A	Saving in respect of bylaws of Transit New Zealand	New clause to preserve bylaw powers of Transit NZ
		265AA	Saving in respect of bylaws made in respect of Government roads	New clause to preserve bylaw powers in respect of Government roads
		265B	Saving in respect of Infrastructure Auckland	New clause to preserve effect of cross references in LGA 1974 provisions relating to Infrastructure Auckland
		265C	Prohibition of vehicles and consumption of intoxicating liquor in public place	New clause to preserve existing prohibitions under LGA 1974 for 12 months
Part 13	Amendments to the Local Electoral Act 2001	Part 13	Amendments to the Local Electoral Act 2001	
266	Local Electoral Act 2001 called principal Act in this Part	266		No change
267	Commencement	267		No change
		267A	Purpose	New clause to include reference to representation in purpose section
268	Interpretation	268		Addition of new technical definitions
		268A	Rules applying to electoral officers, deputy electoral officers and other electoral officers	Minor drafting change
269	New Part 1A inserted	269		Series of changes to new sections involving: <ul style="list-style-type: none"> - minor technical changes - minor changes to better reflect policy intentions - changes agreed by select committee relating to requirement for fair representation
270	New section 20 substituted			Clause deleted (reinstatement of ratepayer franchise)
271	Special voting			Clause deleted (reinstatement of ratepayer franchise)
272	New section 23 substituted for sections 23 and 24			Clause deleted (reinstatement of ratepayer franchise)
273	New sections 24A to 24F inserted	273		Minor technical changes
		273A	Candidate qualifications	New clause recommended by Justice and Electoral Committee
274	Local authority may resolve to change electoral system	274		Redrafted clause to synchronise with clause relating to Maori wards/constituencies
		274A	Public notice of right to demand poll on electoral system	Redrafting of existing section to synchronise with clause relating to Maori wards/ constituencies
		274B	Electors may demand poll	Redrafting of existing section to synchronise with clause relating to Maori wards/ constituencies
275	Requirements for valid demand	275		Redrafted clause to synchronise with clause relating to Maori wards/constituencies

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
		275A	Local authority may resolve to hold poll	New clause recommended by Justice and Electoral Committee and to synchronise with clause relating to Maori wards/constituencies
		275B	Limitation on change to electoral systems	Redrafted clause to synchronise with clause relating to Maori wards/constituencies
		275C	Poll of electors	Redrafted clause to synchronise with clause relating to Maori wards/constituencies
		275D	New section 34 substituted	Redrafted clause to synchronise with clause relating to Maori wards/constituencies
276	Compilation of electoral roll			Clause deleted (reinstatement of ratepayer franchise)
277	Public notice of procedures for enrolment as ratepayer on electoral roll			Clause deleted (reinstatement of ratepayer franchise)
278	Supply of information by Chief Registrar of Electors			Redrafted clause to mirror clause relating to Maori wards/constituencies
279	New section 45 substituted			Clause deleted (reinstatement of ratepayer franchise)
280	Repeal of provisions relating to ratepayer electors			Clause deleted (reinstatement of ratepayer franchise)
		280A	Notice of election or poll	New clause recommended by Justice and Electoral Committee
		280B	Nomination of candidates	New clause recommended by Justice and Electoral Committee
		280C	Name of candidate	New clause recommended by Justice and Electoral Committee
281	New section 57A inserted	281	New sections 57A and 57B inserted	Minor technical change
282	New section 58A inserted	282		No change
		282A	Forfeiture of deposit and refund of deposit	New clause recommended by Justice and Electoral Committee
		282B	Candidate profile statements	New clause recommended by Justice and Electoral Committee
		282C	Further notice to electors of election or poll	New clause recommended by Justice and Electoral Committee
		282D	General rules affecting scrutineers	New clause recommended by Justice and Electoral Committee
		282E	Retirement, death, incapacity, or invalid nomination of a candidate	Minor technical change
283	New section 79 substituted	283		No change
		283A	Scrutineers' presence at processing prohibited before close of voting	Minor technical change
		283B	Counting of votes	Minor technical change
		283C	What happens if same person elected as mayor and another member	Minor technical change
284	New sections 88A to 88F inserted	284		Minor technical change
		284A	Interpretation	Minor technical change
		284B	Return to be open for public inspection	New clause recommended by Justice and Electoral Committee
		284C	Apportionment of electoral expenses	New clause recommended by Justice and Electoral Committee
		284D	When members leave office	New clause recommended by Justice and Electoral Committee
		284E	Extraordinary vacancy in local authority or community board	Minor technical change
285	New section 117A inserted	285		No change
286	Notice of intention to fill vacancy by	286		No change

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
	appointment			
		286A	Election to fill extraordinary vacancy	Minor technical change
287	New section 120A inserted			Clause relocated
288	New section 135 substituted	288		No change
		288A	Duty to take action in respect of offences	New clause recommended by Justice and Electoral Committee
		288B		Relocation of another clause with minor change to cover polls on Maori wards/constituencies
		288C	Regulations	New clause providing for regulation making powers on representation
		288D	New section 140A inserted	New clause providing for regulation making powers on electoral systems
289	Electoral rolls			Clause deleted as a consequence of the reinstatement of the ratepayer franchise
		289A	Transitional provisions relating to electoral systems	Minor technical change
		289B	Schedule 1 amended	Technical changes arising from STV implementation
290	New schedule 1A inserted	290		No change
		290A	Related amendments to new Zealand Public health and Disability Act 2000	New clause recommended by Justice and Electoral Committee
291	Consequential amendments	291		No change
292	Repeals	292		Minor technical changes
293	Transitional provision in respect of ratepayer electors	293	Transitional provision relating to polls on electoral systems	Technical changes as a consequence of the reinstatement of ratepayer franchise and other matters
		293A	Certain determinations to remain in effect	New transitional provision

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Clause No.	Clause Title	Clause No.	Clause Title	
Schedule 1	Acts under which responsibilities, powers, and duties are conferred or imposed on Minister of Local Government and Secretary for Local Government			No change
Schedule 2	Local authorities			Technical drafting changes only
Schedule 3	Reorganisation of local authorities			Some drafting amendments, and changed to: <ul style="list-style-type: none"> • Clarify intent that proposals initiated by petition are to be signed by 10% of electors in each affected district/region • Limit the period for the withdrawal of a proposal to 20 working days • To replace the term “principal local authority” with the terms, “joint committee of the affected local authorities or the appointed authority” • Provide a process for the establishment of joint committees of affected local authorities.
Schedule 3A	Provisions relating to Local Government Commission			Moved from Schedule 11, no changes
Schedule 3B	Appeals against decisions of Local Government Commission			Moved from Schedule 12, no changes
Schedule 4	Constitution of communities			Minor changes to: <ul style="list-style-type: none"> • change % of electors who can propose constitution of community • require copy of resolution to be sent to Higher Salaries Commission
Schedule 5	Local authorities and community boards, and their members			Changes to clause 5, 14, 20, 22, 25, 30, 31, 33, 34. New clauses 11A and 33A to: <ul style="list-style-type: none"> • Clarify that a local authority must make payment to a person, and in accordance with a determination. • Set out requirements related to review of performance.
Schedule 6	Statements of Intent			Amended to <ul style="list-style-type: none"> • Refer to statement of intent only • SOI to be completed by 30 June • New requirements for contents of SOIs
Schedule 7	Council-controlled organisations and transfer of undertakings			Minor changes and clarify
Schedule 8	Council plans and reports			Amended to clarify and rationalise requirements for content of LTCCP, annual plan and annual report
Schedule 9	Matters relating to rates relief on Māori freehold land			No change
Schedule 10	Conditions of constructing or undertaking works on private land without the owners consent			Minor drafting change only
Schedule 10A	Methodology for calculating development contributions			New
Schedule 10B	Procedure for making removal orders			Moved from Schedule 14
Schedule 11	Provisions relating to Local Government Commission			Deleted, clauses moved to Schedule 3A
Schedule 12	Appeals against decisions of Local Government Commission			Deleted, clauses moved to Schedule 3B
Schedule 13	Powers of Minister			Several clauses redrafted to clarify – some reordering of provisions – 2 clauses moved from Part 8,
Schedule 14	Procedure for making removal orders			Deleted, moved to Schedule 10B
Schedule 15	Consequential amendments			Addition of large number of additional consequential amendments identified after introduction.
Schedule 16	New Schedule to Receivership Act 1993			No change
Schedule 17	Enactments repealed			Addition of a number of additional enactments repealed, and extension of provisions to be retained in Local Government Act

BILL AS INTRODUCED		BILL AS REPORTED BACK BY THE SELECT COMMITTEE		COMMENT
Clause No.	Clause Title	Clause No.	Clause Title	
				1974
Schedule 18	Local Acts repealed			Addition of large number of spent local Acts identified after introduction.
Schedule 19	Order in Council Revoked			No change
Schedule 20	New Schedule 1A of the Local Electoral Act 2001			Minor technical changes to better reflect policy intention and clarify impact of provisions in certain circumstances
Schedule 21	Consequential Amendments			Technical changes as a consequence of the reinstatement of ratepayer franchise