

19 March 2018

Hon David Parker, Attorney-General

**Consistency with the New Zealand Bill of Rights Act 1990: Local Government (Community Well-being) Amendment Bill**

1. We have considered whether the Local Government (Community Well-being) Amendment Bill ('the Bill') is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. We have not yet received a final version of the Bill. This advice has been prepared in relation to the latest version of the Bill (PCO 21234/6.0). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill amends the Local Government Act 2002 to:
  - 3.1 restore the purpose of local government to being "to promote the social, economic, environmental, and cultural well-being of communities";
  - 3.2 restore territorial authorities' power to collect development contributions for any public amenities (such as sports grounds, swimming pools, and libraries) needed as a consequence of development; and
  - 3.3 make a minor modification to the development contributions power, to make it clear that advances of financial assistance from the New Zealand Transport Agency which are recoverable do not affect territorial authorities' power to collect development contributions for projects financed using that mechanism.
4. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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