

TIANZ improving business & industry performance

"have your say"



A guide to local government
for your tourism business





"have your say"

On the face of it, your typical tourism business appears to have little in common with regional, district and city councils. And to many small business people, local government is a mystery in the way it operates. So, why should a tourism operator be interested in their local council in the first place?

The truth is, local government has a profound influence on tourism businesses whether they are large or small. This makes it important that tourism business owners and operators have their say when councils are publicly consulting on key public documents. To do this requires you to keep up to date with what is going on within your local council and to take every opportunity to be involved.

This guide provides you with the basics on how to do this. The ideas and suggestions in this guide are deceptively simple. However, it is putting them into practice that really matters.

By getting involved and having input to your local council's decisions, you will raise their awareness of tourism. This is essential if councils are to develop and implement local policies that benefit rather than hinder your tourism business.



John Moriarty
CHIEF EXECUTIVE
TIANZ 2003

This information is of a general nature only and its purpose is to provide general guidance. TIANZ cannot take responsibility for any outcomes from using the material in this guide. This material is copyright and is the property of TIANZ. Use of this material, including quotes may be made for any lawful purpose providing TIANZ is acknowledged as the source of this work. TIANZ Copyright 2003

This guide



This guide is designed to give you a basic understanding of how local government affects your business and how you can have a say in the decisions your local authority makes.

The guide is divided into six sections:

- About Local Government in New Zealand, including important facts and figures relating to tourism.
- How local government influences tourism businesses and why you should take an interest in your local council.
- Key information on how local government organises itself and the opportunities for involvement in council decision-making.
- The sorts of questions that you should be asking your local council.
- A template you can use to develop your own submissions on council plans, strategies and any public council documents.
- A guide to how you can be continually active in influencing your council's policies.

This guide is presented in a succinct, readable style and will take you less than half an hour to read and digest.

What is local government?



Local government is the branch of government that is elected by, and directly serves local communities.

There are three types of council:

- 74 city and district councils
- 12 regional councils
- Four unitary councils

City or district councils provide local roads, district planning, water, and wastewater disposal, rubbish and waste disposal (including recycling), economic and community development, the planning and provision of recreation facilities, and strategic planning. They also undertake district planning and help to manage developments in their area.

Regional councils carry out regional and coastal planning, resource management policy and consents administration, transport planning, water resource planning, flood control, pest destruction, regional hazardous waste disposal, and park management (in some cases).

Unitary councils have the functions of both district and regional councils.

Some areas also have community boards. These are made up of elected representatives and represent the views of a particular part of a city/district to the council. Some community boards have responsibility for particular services in a local area.

In general, councils are advocates of their local area to central government and are seen as the natural leaders of a community.

How is local government relevant to tourism?



Your local authority influences your business in the following ways:

- The level and type of rates you pay are determined each year by your council in consultation with your community.
- Your council has the final say in what activities (including tourism activities) can take place in each part of your local area.
- Councils decide (either directly or indirectly) on the level and quality of services that are vital to the success of most tourism businesses including water and wastewater, local roads, signage, parks, sporting facilities, public toilets, museums and galleries, public walkways, malls, and rest areas.
- Councils play a vital role in regional and local marketing. This helps attract visitors to an area and generates useful business for tourism operators.
- Overall councils play a pivotal role in planning the long-term future of their community in consultation with residents. This planning will determine the council's policies for the decade ahead.
- Councils also run companies owned by the community to provide services such as road maintenance and cleaning services. Councils support tourism by funding regional tourism organisations (RTOs) which market destinations. RTOs also undertake research and can provide useful industry advice.

In summary, councils have a very wide range of responsibilities that directly or indirectly impact on your business.

These two case studies show how councils impact on tourism:

Scenario one

District X has experienced rapid population growth in the last 10 years. Tourism growth has been equally fast and basic services in the district such as water and wastewater are under pressure. The council has released plans to improve water and wastewater services and has proposed various funding options to pay for such services. These proposals will enhance services that serve as a foundation for business activity. The visitor industry also benefits because visitors must have access to safe water supplies. It is also important wastewater is well treated to ensure that the environment is not contaminated. However, as a ratepayer, you will probably end up paying more rates to enjoy the benefits of better services.

What are your views on the council’s proposals and are they fair?

Scenario Two

District Y is developing an economic development strategy and is currently consulting with the public on the first draft. This process will involve assessing the strengths and weaknesses of the district and determining the most effective council policies to maximise business and employment opportunities. There is potential for tourism growth in the area. As tourism businesses are part of the community, the council is interested in the views of the local tourism industry, and the role that tourism might play in the economic development of the district.

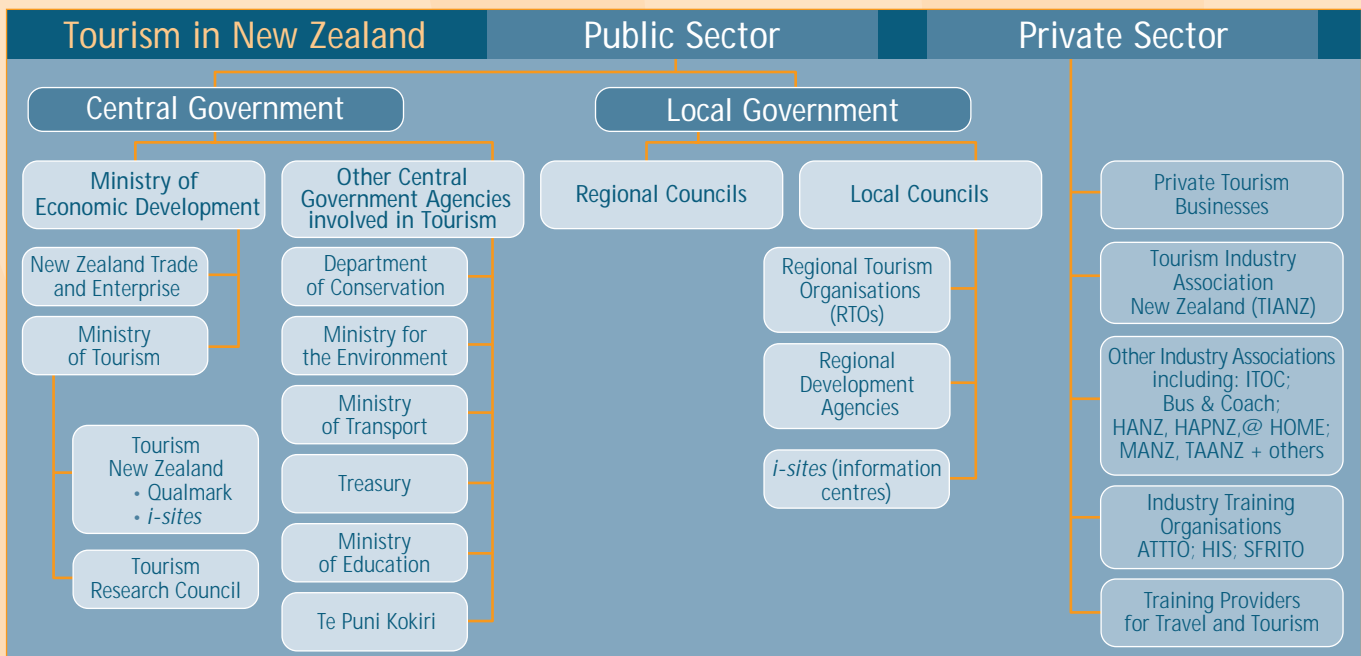
What are your views on the draft strategy and what advice would you give the council from a tourism perspective?

If you believe that changes should be made, or that there are points of view not taken into account in either of these scenarios, you need to do something. This guide will help you do just that.



How does local government fit in with the wider tourism industry?

This graph shows the many components that make up the tourism industry in New Zealand. Councils are an important component, their functions complement those of central government and help support the development of private tourism activity, including your business.



Council governance arrangements

Every three years citizens vote in local body elections to decide who will run the council. These councillors are then responsible for making policy decisions on behalf of the community, as well as approving annual and longer-term council expenditure. The number of councillors is based on the

population of the district/region and can vary considerably. The head of a city/district council is the mayor, while the leader of a regional council is a chairman.

In general, most cities, districts and regions, are divided into wards or constituencies. At election time, voters are invited to choose a particular number of candidates for the council in the ward or constituency they live in. Mayors are elected 'at large' (by voters across the whole city/district), while regional councillors elect one of their members as the chairman.

The elected councils employ a chief executive, who in turn is responsible for hiring and managing council employees. These employees are responsible for ensuring that the council's policies are carried out, and that the day-to-day responsibilities of the council are undertaken effectively and efficiently.

Members of the public can contact their local councillors by phone, email or letter. For a list of councillors in your area, and their contact details you can either:

- **Phone the council and ask for these details OR**
- **Visit the council's website. Most councils now have this information readily available (see the index of useful websites included later in this guide).**

Members of the public can also attend most council meetings. But, where councils are deliberating on sensitive matters such as budgets (after the public consultation process is complete), or meetings where discussions of a commercially sensitive nature are taking place (such as negotiating council contracts provided by a private company), the public may be excluded.

Local government in New Zealand is big business



Based on figures obtained from Local Government New Zealand, local government:

- contributes 3.5% of Gross Domestic Product
- has an annual operating expenditure of \$3 billion
- has an annual capital expenditure of \$800 million
- contributes 40,000 jobs
- has infrastructural assets of \$32 billion
- has a total of 1152 elected members throughout the country

For further information and details about the activities of these councils, go to www.localgovt.co.nz

What powers do councils have?



Although there are many pieces of legislation that impact on local government, councils' powers are derived from two key pieces of legislation:

Local Government Act 2002

This Act states that the main purpose of local government is to promote the social, economic, environmental and cultural wellbeing of communities. Councils have wide discretion to implement and fund initiatives and programmes that enhance the wellbeing of communities, subject to consultation with their community. The Act sets out a framework for running councils and the organisations associated with councils, and the consultative processes councils are required to go through in developing their policies.

You can download this Act from the Department of Internal Affairs website: www.dia.govt.nz in the Local Government section.

Local Government Rating Act 2002

This Act sets out the funding framework for local authorities, including the sorts of rates and charges they can use to pay for their activities.

You can download this Act from the Department of Internal Affairs website: www.dia.govt.nz in the Local Government section.

See Appendix One of this guide for the sorts of targeted rates councils can impose.

Another important Act for local government is the Resource Management Act 1991.

Resource Management Act 1991

This Act sets out a framework for sustainable resource management in New Zealand. It covers air, water, soil, biodiversity, the coastal environment, noise, subdivision, and land use planning in general.

Councils use and implement provisions from the Act to manage land use in their areas, and to manage and control negative environmental effects of activities in their districts and regions.

For further information on the Resource Management Act, go to the Ministry for the Environment website www.mfe.govt.nz

You could also approach your local authority to see if they have a guide for applicants for resource/building consents.



What sort of documents does your council consult on?

Most councils produce a number of plans each year for public consultation. Some plans are required by law and are known as statutory plans. These include annual plans and long-term council community plans. Others are particular to a certain area and are documents relating to policies proposed by a council, such as a tourism strategy or a recreational plan.

Annual plans

Every year, a council must produce an annual plan. This plan contains the council's spending and revenue-raising intentions for the next year and is broken down into areas such as works, community development, roading, and administration.

A council's draft plan must be made available for public consultation. Companies and individuals are able to make both a written and oral submission on this plan.

A council must take the views of the community into consideration when finalising its annual plan, but ultimately the council has the final decision on social, economic, environmental and cultural factors.

Draft annual plans are normally produced during the first three months of the year and released for public consultation between March and June. The financial year for local authorities ends in June.

Regional and district plans

Regional plans are developed by regional councils and district plans are developed by city and district councils. These are detailed plans that relate to land use, subdivision development, noise pollution, waste reduction and other local issues. District plans must be compatible with any regional and national policies and plans already in place.

In general, these plans focus on people's actions and their impacts on the wider environment we live in, and they contain strategies on how communities can work together to manage their environment.

Most (if not all) such plans are already in place but come up for renewal from time-to-time. Periodically, councils seek to vary existing plans. In both cases, submissions are sought from interested groups.

Long-term planning

At least every six years, all councils must survey their communities to identify desired outcomes. This process must ensure that all organisations, agencies and members of a community are given the opportunity to participate. The outcome of this exercise is then used to guide planning in the community. The council must monitor and report on progress in meeting desired community outcomes at least every three years.

Long-term council community plan

Every three years, each council must produce a long-term council community plan that sets out activities for the next 10 years. This shows the council's activities, their costs and what will be done over the period.

Draft strategies and policies

Councils also produce draft policies and strategies relating to a wide range of council activities, such as tourism strategies, recreational facilities strategies, economic development strategies, or dog control policy. Councils generally invite residents to comment on these policies and strategies at the draft stage.

In general, the process of consultation on draft strategies and policies is less intense than for the annual plan or the long-term council community plan, and is normally based on written submissions only, although this varies from council to council and depends on how significant proposals are.

Where can you find information on your local council and the work it is doing?



There are many sources of information about your council's activities, including the documents they are consulting on. For example, you can go to:

- Your local council website. On most council websites, you can download reports, strategies, draft annual plans, and draft long-term community plans. On some council websites you can view meeting schedules, pay your rates and contact your local councillors. On others you may make comments on draft council plans, proposals and policies by filling in special online submission forms. Some websites are particularly good at updating you on the activities of the council (a complete list of council websites in New Zealand is available at: www.localgovt.co.nz).
- Your local newspaper. Local newspapers always have items on the latest news from your council.
- Council circulars and newspapers.
- Public libraries.
- The customer services staff of your council. If they can't provide you with information, they will be able to refer you to relevant staff that can help you.
- Local government websites, such as New Zealand Local Government Online (www.localgovt.co.nz), have lists of draft and current plans and documents available on the web.

Consents



You can approach your council to find out how to apply for building/resource consents, or about how a council operates. While councils cannot work with you to ensure any applications you make are successful, they can advise on how to apply for consents, liquor licensing or any other relevant service.

Making a written submission



This section provides material on how to make a submission on the annual plan/community plan, and other plans/strategies your local council produces. Note that as well as making your own submission, you can work on a joint submission with other like-minded people (such as other tourism business operators).

Here are some tips on how to prepare a submission.

General submission (including district and regional plans)



Examples include: economic development strategy, tourism strategy, transport strategy, 'Mainstreet' campaign renovation proposals.

The following is a suggested outline of a submission:

A. Title of the submission, including title of the document being commented on

Use the correct title on your submission.

B. Name and description of your company

Include information on type of business, the industry sector you belong to and the size of your business (number of staff, approximate turnover. Note that any information you provide becomes public information. Only include information you would feel comfortable seeing in the local newspaper).

C. How the points in the document you are commenting on impact on your business

To do this, clearly read through the document and make some general comments on the areas that impact on your business. It is helpful to provide some examples to show how the documents link to your business.

D. Comment on the specific proposals in the document

In most documents, there are specific questions that submitters are asked to comment on. If you feel they are relevant, you can base this section of your submission on these questions. Alternatively, state clearly and succinctly your views on the proposals based on how they would impact on your industry sector, and your business.

Always try to back up your comments with specific examples. This considerably strengthens your submission.

Where you favour a proposal, say why. Where you disagree with a proposal, say why and it is helpful if you can propose a useful alternative.

E. Prepare a conclusion

Provide a brief summary on the points you have made. In this section, you should not introduce any new material to your submission.


Your summary should be either a brief paragraph, or a series of short bullet points.

F. Recommendations

State clearly what you agree/disagree with and the changes you would like to see made to the document.

G. Public Hearing

State whether or not you would like to make an oral presentation to the committee, or group considering the submissions (where these have been sought. See the later section on how to present an oral submission.) Where this is applicable, you should also say whether you intend to make a joint submission with any other individuals/groups. **Note that in general any comments made in both your written and oral submissions become public. Do not make any comments, or include any facts or figures about your business, that you do not wish to be made public.**



Submissions on annual plans, or long-term community plans

As for A to G above, however for section D add the following:

D. Comment on the specific proposals in the document and state your views on them.

In this section, you should also consider (in addition to the points in D above):

- First, how do the proposals in the document positively/negatively impact on tourism? Second, does the plan contain any references to tourism and is it clear from the plan that the council has a good understanding of the benefits tourism activity provides to the community? Is the council supportive of tourism? If not, what could it do to support tourism better?
- What positive initiatives (planning, new strategies, new facilities and infrastructural developments) are contained in the plan that would support the development of tourism, and economic growth as a whole? If these proposals are positive for tourism, are the costs of these initiatives spread fairly among ratepayers?
- Are any specific rates (look out for targeted rates) being proposed for tourism businesses? If so, what are they, and are they fair and reasonable? If not, why not?
- Are there any gaps in the plans? Are there issues that the councils should address that aren't already contained in the plan? If so, what are they, and what proposals should be developed to address these gaps?



Making an oral submission

Councils are required to provide an opportunity to those who have made a written submission on a statutory plan (such as the annual plan, or the long-term community plan) to also make an oral

presentation to the council. Councils sometimes invite oral submissions on other documents such as strategies or draft policies of significance to the community.

An oral submission gives you an opportunity to emphasise particular points about your submission, and to summarise your overall submission. Your willingness to make an oral submission also shows the council how important the issue is to you, and they will take your submission even more seriously.

The oral submission process also enables the council (or the council committee) to ask questions and seek clarification on any points in your submission that are unclear to them.

If you have made a written submission and have sought an opportunity to present an oral submission, you will be contacted by the council inviting you to make a presentation at a particular time. Note that many others will also be making presentations and it is important that you arrive on time.

When making an oral submission:

Do

- Introduce yourself and others who are with you at the beginning of your presentation. Briefly describe your business and why you are making a submission.
- Succinctly emphasise your key points and concerns.
- Always back up your comments with actual business examples. This will considerably strengthen your submission. It will also help if you relate your comments to the wider industry sector you are involved with, to show that you have thought of the impacts of proposals on others in your community.
- Allow plenty of time for the council/committee to ask you questions.
- At the end of your presentation, thank the committee for the opportunity to present, and invite members to contact you if they have any further questions.

Don't

- Read your submission, or go over every point. Your job is to highlight the main points.
- Ramble. This only wastes time..
- Criticise council proposals without saying why you do not agree with them and proposing constructive alternatives. Remember, it is easy to criticise, but more difficult to think of better ways of doing things.
- Speak to the media about your submission, or engage in any other publicity campaign once your submission has been handed in, and before you present your oral submission. This shows a lack of respect for the community consultation process, and will make local councillors and staff less willing to consider your submission objectively. After you have made your oral submission, don't make public statements that include new material that you didn't give the council at the time of your submission. Instead, send this new material to the council (if there is still time) so they may give this consideration.

How you can get involved with your local council



There are other ways you as a tourism operator can be actively involved in your council's decision-making:

- Get to know your local councillors and help them understand the issues facing tourism in your area.
- Attend and engage in public meetings whenever they are held.
- Take part in council surveys when you are invited to do so and provide constructive feedback.
- Make sure you are on the electoral roll and that you vote at all council elections.
- Stand for your local council at the next elections. You can do this if you are a New Zealand citizen and are enrolled (or have applied to be enrolled) on the electoral roll. The process to stand is relatively straight forward; ask at your local council.
- Form local networks of tourism businesses to make regular collective submissions to your local authority.



If you are dissatisfied in your dealings with your council

Getting involved and having input to the decisions your council makes is probably the best way of helping to ensure your council has tourism-friendly policies.

However, if you believe your council has made a decision that directly affects tourism without giving tourism businesses the opportunity to comment on proposals leading to this decision, contact your local councillor and let them know of your concern.

You may also make a complaint to the Office of the Ombudsman where you believe that a council has not complied with the law in any way, including in the consultation procedures it has used in the development of the policy itself. You may also make a complaint where you have had a dealing with a council on an administrative matter, e.g building consent, and you believe the council has treated you unfairly. The website of the Office of the Ombudsman is: www.ombudsman.govt.nz

NB You cannot make a complaint about a council on the basis of disagreeing with a council policy, where the council has followed a reasonable procedure (including complying with legislative requirements) in developing this policy.



What can TIANZ do to help you?

TIANZ can help with the following:

- Provide you with further information on local government and how it operates.
- Give you suggestions on who to approach in a council on a particular issue.
- Put you in touch with other members in your area who may have similar concerns to you on an issue.
- Undertake work on a local government issue that is likely to affect other tourism operators around the country, not just in your local area.
- Provide you with general guidance on how to make a submission.
- General statistics on the value of the tourism industry to communities.

TIANZ cannot assist you with:

- Writing a submission to your local council on behalf of your business.
- Preparing applications for building/resource consents, or any other application that directly relates to your business.



Useful websites

These are some websites that you might find helpful in preparing your submission:

- www.localgovt.co.nz (provides general information on local government and an index of recent plans and reports councils are consulting on. Also provides direct web links to all councils in New Zealand).
- www.govt.nz (the portal to the New Zealand Government website and provides access to all government services including government departments).
- www.lgnz.co.nz (website of Local Government New Zealand, which represents all 86 local authorities in New Zealand. This site contains many useful local government publications and resources).
- www.tianz.org.nz (website of the Tourism Industry Association New Zealand. This website also has links to the Regional Tourism Organisations by going into the Industry Facts, and then the NZ Tourism Partners part of the website).
- www.tourisminfo.govt.nz (website of Tourism New Zealand contains industry facts and figures).
- www.tourism.govt.nz (website of the Ministry of Tourism).
- www.trcnz.govt.nz (website of the Tourism Research Council of New Zealand contains comprehensive tourism data, statistics and research documents).

- www.stats.govt.nz (website of Statistics New Zealand contains comprehensive national, regional and local statistical data).
- www.dia.govt.nz (website of the Department of Internal Affairs for further information on local government).
- www.mfe.govt.nz (website of the Ministry for the Environment for further information on environmental initiatives).

Contacts at TIANZ

For further information on local government and how you can use this guide, contact TIANZ at email: policy@tianz.org.nz

Tips

- Building a good relationship with your local councillor can help raise the profile of tourism with your local council. You will also find out more about what is going on in your local community, giving you more opportunities to be involved in decision-making.
- Linking together with other tourism businesses to make a submission is a good way of sharing ideas. It also gives your submission much more authority.
- Carefully prepare any oral submissions you make on a separate piece of paper by listing the key points you want to make. Then make a note of the page numbers of the submission on which you make these points. This will help you to focus on the main points and make your oral submission stand out.
- Most plans and documents are available on your local council's website. By getting into the habit of visiting this website, you will keep up to date with what's going on in your community. (Phone your council to get the website address if you don't know it already).
- Your local Regional Tourism Organisation is a useful contact for advice on tourism-related support in your area. To find your local RTO, go to this link www.tianz.org.nz/Industry-Facts/NZ-TourismPartners.asp

Appendix one

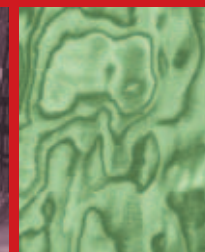
Targeted rates imposed by local authorities

This list is taken from Schedule Three of the Local Government (Rating) Act 2002

1. Annual value of the rating unit.
2. The capital value of the rating unit.
3. The land value of the rating unit.
4. The value of improvements to the rating unit.
5. The area of land within the rating unit.
6. The area of land within the rating unit that is sealed, paved, or built on.
7. The number of separately used or inhabited parts of the rating unit.
8. The extent of provision of any service to the rating unit by the local authority, including any limits or conditions that apply to the provision of services.
9. The number or nature of connections from the land within each rating unit to any local authority reticulation system.
10. The area of land within the rating unit that is protected by any amenity or facility that is provided by the local authority.
11. The number of water closets and urinals within the rating unit.

TIANZ improving business & industry performance

"have your say"



A guide to local government
for your tourism business



Tourism Industry Association
New Zealand
PO Box 1697, Wellington
New Zealand
Telephone +64 3 499 0104
www.tianz.org.nz