**Terms of Reference of the Rules Reduction Taskforce**

**Problem Statement**

There are a wide range of regulations that affect property owners and those who enjoy the use of property, for example business owners and those who hold consent rights. For the purpose of this Terms of Reference they are collectively referred to as “property owners”. Regulation is necessary in some circumstances to achieve outcomes that otherwise might not occur, for example to ensure public safety.

Property owners must interact with central and local government to comply with many regulations. It is important that regulation strikes the right balance between public benefits and the compliance costs imposed. It is important that, in addition to getting this balance right, such transactions are conducted effectively and efficiently and minimise the compliance costs for property owners.

The government is aware that some property owners have concerns about the regulatory requirements that they must meet and the time and money required to complete regulatory transactions. These concerns may also include the complexity and confusing nature of some regulatory requirements, regulations, and their implementation. It is important for government to understand the basis of such concerns, in order to act on opportunities to improve regulation and address unintended consequences for property owners.

It is important that local government and central government work together on this issue, hence the proposed joint approach.

**Purpose**

The Central-Local Government regulatory review group (the Rules Reduction Taskforce) is established to provide independent advice to the Minister of Local Government about high value[[1]](#footnote-1) opportunities for central government and local government to address regulatory requirements affecting property owners which are not fit for purpose.

These may include centrally or locally driven processes which result in sub-optimal outcomes, are inefficient or ineffective. The Rules Reduction Taskforce will provide a channel for such concerns into a constructive mechanism.

**Review process**

The review will have two elements:

1. Provision of a briefing for the incoming Taskforce by departmental officials, containing scene-setting background material, including on local government and a high level overview of relevant local regulatory regimes and their operation. Officials will also inform the Rules Reduction Taskforce about relevant reforms and review work already in progress; and
2. The Rules Reduction Taskforce with central and local government and other representatives will consider the departmental briefing for the incoming Taskforce, listen to local concerns about local regulation that may not be fit-for-purpose, and prepare advice to the Minister of Local Government identifying and recommending high value opportunities to be addressed.

**Scope of Work**

The scope of the review focuses on the identification of high value opportunities to improve regulation/legislation which is administered by local authorities (local regulation). The focus is identifying not fit-for-purpose regulation which adversely and unnecessarily affects property owners e.g. by imposing unnecessary bureaucratic hurdles.

The scope includes:

* Considering information provided by government agencies about local regulation[[2]](#footnote-2).
* Considering submissions directly from property owners and the public through an online submission form attached to the Govt.nz website. People will also be able to complete this submission form and submit it by email or post.
* Considering local concerns about local regulation that is not fit-for-purpose or is poorly implemented, with a focus on regulation and regulatory practice which adversely and unnecessarily affects property owners.
* Identification of opportunities to address regulatory requirements affecting property owners that result in poor local outcomes, are inefficient or ineffective. In some cases such requirements may impose costs or restrictions on property owners with minimal benefit.
* Identifying high value opportunities with gains that are easy to realise and which will benefit wide groups of property owners without compromising the original intent of the requirements. Such opportunities may be able to be addressed by central government (including through legislation), by local government (e.g. matters relating to district plans), through joint action between groups, or by other means.
* Use of departmental advisors and the local government sector, where appropriate, to assess the ease with which potential opportunities might be realised.
* Where opportunities would require implementation at a local level these should be separately identified for subsequent consideration by local government.
* Preparation of a report to the Minister of Local Government setting out the Rules Reduction Taskforce’s conclusion.

The scope excludes:

* The consideration of a full range of options to realise identified opportunities and the recommendation of a specific solution for each opportunity.
* Revisiting issues that have already been sufficiently covered through other processes, including publicly announced reforms or reforms currently underway (e.g. RMA reform consultation).

**Membership**

The Rules Reduction Taskforce members will be appointed by the Minister of Local Government. Members will be selected based on their ability to contribute in a practical way. There will be central and local government representatives. Industry, community, advocacy and business groups will also be represented as appropriate. As well as central and local government experts, the Taskforce will include specialists from the building and trades sector.

Consideration will be given to the diversity of the Taskforce, in accordance with Cabinet Office circular CO (02) 16 (Government Appointments: Increasing Diversity of Board Membership).

**Timing**

Indicative timing for the work of the Rules Reduction Taskforce is from February 2015 with a report back by 31 August 2015. The online submission form attached to the Govt.nz website opened on 29 August 2014 and will close to new submissions on 1 June 2015.

**Deliverables**

The Rules Reduction Taskforce will develop a project plan to organise its work into a series of tasks with identified timeframes.

A briefing will be provided to the incoming Rules Reduction Taskforce by departmental officials setting out background material and a high level overview of relevant local regulatory regimes that impact property owners.

The key deliverable for the Rules Reduction Taskforce will be a report by 31 August 2015 to the Minister of Local Government identifying its findings:

* Generally
* Specifically, recommending high value opportunities to address regulatory and any other requirements that inappropriately affect property owners. The Rules Reduction Taskforce may wish to consider organising its recommendations as:
  + - opportunities for central government to address;
    - opportunities for local government to address; and
    - opportunities for local and central government to address jointly.

The report is to suggest possible reasons for identified shortcomings in local regulation. This advice will feed into further central government analysis. It is therefore not expected that the recommendations of the Rules Reduction Taskforce will identify specific solutions for implementation in relation to each opportunity although it may suggest possible approaches for further investigation.

**Support**

Policy and administrative support for the Rules Reduction Taskforce will be provided by the Department of Internal Affairs and will draw on the expertise of other agencies as required.

**Consultation**

To help identify opportunities for regulatory change consultation will be required with organisations representing local government, such as Local Government New Zealand and the New Zealand Society of Local Government Managers, and central government agencies including the Ministry of Business Innovation and Employment, Ministry for the Environment and the Treasury.

If the Rules Reduction Taskforce assesses legislation with a view to identifying it as a candidate for review or amendment, it should consult the department responsible for administering that legislation.

The Rules Reduction Taskforce will undertake such other consultation as it considers appropriate, for example with interest groups.

1. High value opportunities relate to specific areas of regulation affecting property owners where the removal or amendment of the requirements could provide significant benefit to property owners without producing detriment to other stakeholders or to public policy objectives. [↑](#footnote-ref-1)
2. For the purpose of this Terms of Reference ‘local regulation’ is regulation/legislation which is administered by local authorities. This includes locally made regulations under the Resource Management Act, including those in councils’ district plans and decisions made under the Building Act. [↑](#footnote-ref-2)