

In Confidence

Office of the Minister for Land Information

Chair, Cabinet Legislation Committee

Local Government (Manawatū-Whanganui Regional Council) Order 2019

Proposal

1. This paper seeks authority to submit this Order in Council to the Executive Council. The order changes the name of Manawatu-Wanganui Regional Council to Manawatū-Whanganui Regional Council.

Background

Statutory process for changing council names

2. The New Zealand Geographic Board Act 2008 (NZGBA) and the Local Government Act 2002 (LGA) prescribe linked and sequential processes for:
 - changing the name of a local authority district or region (under the NZGBA), then
 - changing the relevant council's name (under the LGA).
3. The processes under the NZGBA provide for public submissions, analysis, and consideration of the request from the relevant council to change its district or region name. The process under the LGA sets out the formal steps to change the council's name.

Prior step — changing the region name under the NZGBA

4. Section 11(2) of the NZGBA gives the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa (the Board) a function to alter the name of a local authority region if the relevant local authority consents or requests it by resolution.
5. On 20 June 2018, the Manawatu-Wanganui Regional Council (the Council) resolved to make such a request and asked the Board to alter the name of 'Manawatu-Wanganui Region' to 'Manawatū-Whanganui Region'.
6. The Board accepted the Council's request at its meeting on 27 September 2018 and publicly notified the proposed alteration between 5 November 2018 and 5 February 2019, as required by section 16 of the NZGBA.
7. At its meeting on 11 April 2019 the Board considered the 33 supporting and eight objecting submissions but did not agree with the objections to the proposal and confirmed 'Manawatū-Whanganui Region'.
8. Under section 19 of the NZGBA, the Board cannot make the final decision if objections have been made and are not upheld by the Board.

9. On 30 May 2019, the Board, acting under section 20(1) of the NZGBA, reported its decision to me and sought a final determination under section 20(2) of the NZGBA confirming, modifying, or rejecting the requested alteration. On 7 June 2019, I confirmed the requested alteration.

Changing the Council's name under the LGA

10. On 7 June 2019, I noted and agreed to the Board's request under section 22(2) of the NZGBA to recommend to the Governor-General to make an Order in Council under section 260 of the LGA (the order) to amend the name Manawatu-Wanganui Regional Council in schedule 2 of that Act, to give effect to the alternation.

Effect of the order and next steps

11. The order amends the reference in Schedule 2 of the LGA from 'Manawatu-Wanganui Regional Council' to 'Manawatū-Whanganui Regional Council'. The amendment does not require any compliance on the part of the public.
12. The order that changes the Council's name, and the Minister for Land Information's determination that changes the name of the region, must both come into force on the same date. This is a requirement under section 23(2)(b) of the NZGBA. Both will come into force on 18 October 2019.

Consultation

13. LINZ undertook consultation with the Department of Internal Affairs (DIA) while preparing all documents associated with this process and provided DIA with the draft order.

Financial implications

14. There are no financial implications.

Human rights, disability or gender implications

15. There are no human rights, disability or gender implications.

Legislative Implications

16. As an Order in Council is required to give effect to the alternation, the Parliamentary Counsel Office was consulted and provided with drafting instructions to prepare the order.
17. The order has been certified by Parliamentary Counsel as being in order for submission to Cabinet.

Impact Analysis

18. This proposal is exempt from the impact analysis requirements as it has no or only minor impacts on businesses, individuals or not for profit entities.

Publicity

19. The NZGB will, as required by section 23 of the NZGBA, give notice of my determination altering the name of the region in the New Zealand Gazette and local and national papers. I also intend to release a media statement announcing the change.

Proactive Release

20. I intend to proactively release this paper, subject to the redaction of any material as consistent with the Official Information Act 1982.

Proactively Released

Recommendations

21. The Minister for Land Information recommends that the Cabinet Legislation Committee:
- 21.1. **note** that section 11(2) of the New Zealand Geographic Board Act 2008 (NZGBA) gives the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa (the Board) a function to alter the name of a local authority region if the relevant local authority consents or requests it, by resolution

Prior process — changing the region name under the NZGBA

- 21.2. **note** that on 20 June 2018 the Manawatu-Wanganui Regional Council resolved to make a request of the kind referred to in recommendation 1 and asked the Board to alter the name of 'Manawatu-Wanganui Region' to 'Manawatū-Whanganui Region'
- 21.3. **note** that the Board dealt with the requested alteration as required by sections 16 to 20 of the NZGBA, by publicly notifying, and receiving submissions on the requested alteration and by deciding to reject the objections it had received in relation to the requested alteration
- 21.4. **note** that on 30 May 2019, the Board, acting under section 20(1) of the NZGBA reported its decision to the Minister for Land Information and sought a final determination by the Minister under section 20(2) of the NZGBA confirming, modifying, or rejecting the requested alteration
- 21.5. **note** that on 7 June 2019 the Minister for Land Information confirmed the decision of the Board

Changing the Council's name under the Local Government Act

- 21.6. **note** that on 7 June 2019 the Minister for Land Information noted and agreed to the Board's request under section 22(2) of the NZGBA to recommend to the Governor-General to make an Order in Council under section 260 of the Local Government Act 2002 (LGA)
- 21.7. **note** that the Order in Council amends the reference in schedule 2 of the LGA from 'Manawatu-Wanganui Regional Council' to 'Manawatū-Whanganui Regional Council'
- 21.8. **authorise** the Order in Council to be submitted to the Executive Council.

Authorised for lodgement

Hon Eugenie Sage

Minister for Land Information