

## Perspectives on metropolitan governance

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### Editor's introduction

To complement Zack Taylor's paper on Regionalism from Above: Metro Governance in Canada, the journal commissioned four short 'perspectives' from Commonwealth countries grappling with similar issues – Australia, England, New Zealand and South Africa. The purpose was not in any way to 'review' Taylor's work, but rather to establish a broader picture of issues and trends in metropolitan governance, and to identify common threads.

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The perspectives from Australia, England and South Africa focus on recent developments and governance issues in particular metropolitan areas. These are respectively the fast-growing outer metropolitan sub-region of Western Sydney; the long-established conurbation of Greater Manchester; and the vast, emerging ‘multi-nodal sprawl’ of South Africa’s Gauteng City Region, centred on Johannesburg. The New Zealand perspective takes a different approach, exploring the implications of shifts in national policy towards a focus on wellbeing and the quality of life in communities, with significant implications for the future of local government and the way metropolitan areas are governed.

Nevertheless, all four perspectives reveal similar underlying concerns that metropolitan governance frameworks and practices often struggle to keep pace with global trends, urban growth, community needs and national priorities. Effective inter-government relations are crucial, but local governments may not be at the table, or their views may be largely ignored. The governance of metropolitan regions becomes increasingly fraught, a battleground between the forces of devolution and centralisation. How can meaningful and effective collaborative governance be realised? Who should take the lead and do we have the right tools and skills? In such a complex and fluid environment, can we realistically expect anything more than brief periods of clarity and consensus that at least enable agreement on the next few steps?

## **Western Sydney and the City Deal: a precursor to metropolitan governance reform?**

### **Alex Gooding**

At first glance there are strong similarities in the factors that influence Canadian and Australian metropolitan governance. The three attributes highlighted by Taylor (2022) – the concentration of population in a few large urban regions, a federal constitutional system which leaves the provinces largely in charge of metropolitan governance, and a Westminster parliamentary system with single-member electorates that elevates the political importance of local issues – are also all present in Australia.

However, within this broadly comparable framework there are significant differences. Australian state governments have been much more uniform and less innovative in their approaches to metropolitan governance than their Canadian provincial counterparts. For example, there have been no attempts to introduce two-tier municipal arrangements, and formal regional governance structures in urban areas are relatively rare (Nicholls and Spiller 2020).

Overwhelmingly, local government ‘reform’ in Australia has involved consolidation of councils through amalgamations initiated or forced by state governments, usually in pursuit of economies of scale and efficiencies in service delivery and, to a lesser degree, to improve the ‘strategic’ capacity of

municipalities. While these moves have created larger councils, improving the system of urban management and metropolitan governance was rarely seen as a key outcome, at least until recently.

Over the years there have been several proposals to establish formal metropolitan-wide governance mechanisms in the five mainland state capital cities (where the majority of Australians live), but most of these failed to gain traction. The most significant exception is Brisbane, where a (then) metropolitan-wide council was created in 1924. Although urban development now extends far beyond its boundaries, the City of Brisbane remains Australia's most populous local government area and dominates its region.

Another example (which could be described in Taylor's terms as a metropolitan single-purpose body) was the formation by the New South Wales (NSW) state government of Sydney's Cumberland County Council (CCC) in 1945. The CCC, which comprised councillors elected by sub-regional groupings of municipalities, was charged with developing and implementing a planning scheme for the whole Sydney region (Winston 1957). However, while it succeeded in producing the plan, the CCC faced resistance from key government departments in implementing it. Eventually the CCC became less relevant to the city's management and the government dissolved it in the early 1960s (Wardlaw 2003).

As Wardlaw points out: *"the Government was not prepared to devolve real authority for the planning of an area accommodating some three quarters of its own constituents to a local government body which could become a rival for power"* (2003, p. 61). The fact that Brisbane City Council had indeed become a significant powerbase within Queensland reinforced this view.

The reluctance of state governments to either share meaningful political power with metropolitan municipalities or to substantially devolve authority for city-wide planning or management to local government remains the underlying dynamic of Australian metropolitan governance arrangements (Butt et al. 2020). In response, a number of less formal collaborative metropolitan and sub-metropolitan arrangements have developed, notably in Western Sydney.

### **Western Sydney: early attempts at collaborative governance**

As in Canada and elsewhere, the management of Australian capital city regions has been driven by their ever-expanding urban footprint, which has exacerbated fragmentation of local government by turning surrounding rural council areas into suburban extensions of previously compact urban centres. These outer suburban areas now contain a large proportion of the urban population and their needs for infrastructure and services demand a growing share of available resources.

This is particularly evident in Western Sydney. A century ago, the council areas west of Parramatta (Sydney's 'second CBD' which lies roughly at the centre of the current metropolitan region) had a population of around 85,000 (Commonwealth of Australia nd; Bradfield 1924). Today, the broadly comparable area of the designated 'Western Parkland City' plus the City of Blacktown immediately

west of Parramatta has over 1.5 million residents (GSC 2018b; Australian Bureau of Statistics 2022), more than a quarter of the metropolitan total. Most of this growth has occurred since the Second World War, and the failure of successive metropolitan strategies to link planning with funding during much of this period resulted in a disastrous lag in providing infrastructure and services (Toon and Falk 2003).

Ironically, it was federal recognition of this problem that was the catalyst for the region's most enduring collaborative partnership, the Western Sydney Regional Organisation of Councils (WSROC).<sup>1</sup> In the early 1970s the regional policies of the Whitlam Labor government spurred the establishment of around 80 regional organisations of councils (ROCs) across Australia (Kelly et al. 2009). Many of these collapsed after the subsequent return of a conservative government, but WSROC escaped this fate by transforming from the 'top-down' regionalism of the ROC policy into a regional advocacy group for municipalities to lobby state and federal governments to overcome the region's increasingly obvious infrastructure and service deficits (Gooding 2005).

WSROC also established wider, informal partnerships with other organisations in advocating for the region. Many of these early campaigns were successful, leading to additional hospital facilities and the establishment of a regional university (Marshall et al. 2003). By the 1990s WSROC was exploring models for collaborative engagement with the state government, particularly through the planning system, and also attempting to form broad governance partnerships 'from the ground up' with other regional organisations (WSROC 2001, 2005; Gooding 2005). Many of these organisations were themselves directly or indirectly products of WSROC's lobbying (Gooding 2005).

However, while these initiatives were often effective in influencing government planning priorities and establishing lines of communication between local government and state departmental staff, state agencies (and often the government itself) resisted the organisation's attempts to engage in enduring collaborative arrangements. WSROC also lacked the resources and authority to develop a sustained cross-sector collaborative governance model (Gooding 2005). In recent years WSROC's relevance has diminished and a number of councils have left the organisation. This also reflects changing patterns of urban development and governance flowing from the designation of a 'Western Parkland City' and the signing of a federal-state 'City Deal'.

### **Revisiting metropolitan governance in the 'Western Parkland City'**

Continued population growth and infrastructure investment are altering the social and economic structure of Western Sydney. Previously, communities of interest had evolved along the road and rail corridors radiating east to west through the region from central Sydney. The development of the North West and South West Growth Centres (NSW Government 2010), combined with the completion of the

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<sup>1</sup> The author was the CEO of WSROC from 1996 to 2008. WSROC comprised the councils in the northern and central sections of the broader Greater Western Sydney region.

M7 orbital Motorway introduced a new set of linkages between outer metropolitan municipalities and communities along a north–south axis. Grappling with the very high growth rates mentioned earlier, the outer western councils began to see themselves as a group facing distinctly different issues compared to their relatively more established counterparts in the eastern part of the region.

An example of this was the involvement of a number of these farther west councils in the formation of the National Growth Areas Alliance (NGAA), established in 2007 as “*the peak body for local governments in Australia’s outer urban growth areas*” to advocate “*to state and federal governments on growth area challenges and opportunities*” (NGAA 2022). The NGAA currently has 20 member councils across four states, and all five of the NSW Councils are in Western Sydney (NGAA 2022). While the NGAA seems to be pursuing a path of distributed advocacy rather than a form of collective governance, many of its policies and actions, such as calling for the “*rebalancing of the spatial structure of our capital cities*” (NGAA 2020), are similar to those that WSROC had been advocating for many years.

This reordering of spatial patterns in Western Sydney was reinforced by several key planning decisions taken by the federal and NSW governments. In particular, the commitment to build Sydney’s second airport has been a catalyst for major change. The Greater Sydney Commission’s (GSC)<sup>2</sup> Greater Sydney Region Plan: A Metropolis of Three Cities subsequently identified the Western Parkland City as part of a restructure of the metropolitan area into three ‘30-minute’ cities (GSC 2018a). It encompasses eight large and populous local governments centred on the airport site, which lies at the western edge of the planned urban area, roughly at the mid-point of the emerging north–south axis. The airport is seen as a major focus for new development and economic investment (GSC 2018b).

Maximising the potential economic and social benefits of the airport is also the focus of the federal government’s Western Sydney City Deal, signed in 2016. This sought to establish a collaborative partnership between the federal government, NSW government and the eight councils (Commonwealth of Australia 2018). A federal government initiative, it is one of nine such Deals which are based on a common set of principles, including “*a shared vision for growth, reform and improvement*”, “*a negotiated and customised approach, across the whole of government*” and “*institutional and governance reforms for sustained improvement*” (Australian Government 2018, p. 1).

The Western Sydney City Deal also contains a number of ambitious commitments including substantial funding for transport infrastructure, a new ‘Aerotropolis’ close to the airport and a range of employment, education, housing and environmental initiatives. To manage the City Deal, several elements have been added to the collaboration arrangements adopted by the GSC elsewhere. There are three governance bodies – a Leadership Group with ministerial and mayoral representation from the three levels of

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<sup>2</sup> Now the Greater Cities Commission (GCC).

government; an Implementation Board comprising government officials and local government CEOs; and a Coordination Committee “to oversee coordination of City Deal commitments” (Australian Government 2021, p. 53).

Another key governance element is the establishment of a Planning Partnership involving the eight participating municipalities plus the adjoining City of Blacktown, the GSC and several state agencies. These arrangements are described in detail by Morrison and Van Den Nouwelant (2020).

The attractions of the City Deal framework for participating local governments were obvious, as outlined in a 2018 report to Campbelltown City Council in terms that were echoed by other cities (Penrith City Council 2018; Liverpool City Council 2018).

*The Western Sydney City Deal continues to represent a fundamental opportunity to reform the relationships between all levels of government and between the Councils in the Western Parkland City, leveraging off the once in a lifetime investment in planning and building a new third Metropolitan City – the Western Parkland City – with the Western Sydney Airport as an important economic focus.*

*Over its projected 20-year lifespan, the implementation of the Deal is anticipated to deliver changes of great and lasting significance to our current and future communities, including access to opportunities that the Western Parkland City has not seen before (Campbelltown City Council 2018, p. 16).*

These arrangements, combined with the already changing spatial relationships within Greater Western Sydney and the development of other networks such as the NGAA, have had serious consequences for WSROC and its erstwhile neighbour in the Macarthur sub-region to the south (MACROC). The two ROCs’ boundaries and advocacy suddenly seemed less relevant to their members in the face of the level of resourcing and access on offer through the City Deal. This, combined with other factors (including the effects of municipal amalgamations), led to several councils deciding to leave WSROC, while MACROC was disbanded completely in 2018 as a direct result of the incorporation of its entire area into the City Deal (Campbelltown City Council 2018).

There has been an associated decline in relevance of the concept of Greater Western Sydney itself. The term is not mentioned at all in the GSC Regional Plan, nor the City Deal documents. ‘Western Sydney’ appears to have been redefined as being synonymous with the Western Parkland City, while the eastern part of the region has been incorporated into the ‘Central River City’ based on Parramatta (Commonwealth of Australia 2018). This redefinition may also reflect the reality that as Greater Western Sydney now contains half the metropolitan area’s population, it may have outlived its usefulness as a single region for planning purposes.

### **What next?**

There are two ways to look at the City Deal governance framework. The first is to evaluate its effectiveness in terms of practical intergovernmental cooperation to achieve specific outcomes.

Morrison and Van Den Nouwelant (2020) nominated a number of preconditions required for successful collaboration, such as a clear institutional design, strong leadership, and the ability to deliver intermediate outcomes. Their assessment of the Planning Partnership component of the governance arrangements against these criteria was largely positive, but also identified some potential weaknesses, for example the lack of formal status and a limited lifespan which could undermine the stakeholders' commitment to long-term cooperation.

The second approach is to assess the City Deal in terms of its contribution to metropolitan governance. Here it is important to distinguish between the modest collaborative components of the underlying GSC 'Three Cities' metropolitan plan (for example, its 'Collaboration Areas' programme) and the more intensive arrangements in the City Deal. The former most resembles the 'provincial metropolitan policy overlay' described by Taylor (2022) in the Canadian context. As such, the GCC's regional planning approach "*continues the focus on centralisation and administrative reform for State Government, as opposed to broad-based metropolitan governance reform*" (Nicholls and Spiller 2020, p. 162).

The City Deal agreement has brought more ambitious considerations of governance into this equation. Morrison and Van Den Nouwelant (2020) point to the symbolism of the high priority the Deal has given to establishing "*a Planning Partnership with local government to drive forward planning in relation to larger-than-local matters*". They also note that "*bringing together all levels of government and introducing ambitious planning reforms show that the parties realise that the stakes are high and new governance modes are needed*" (Morrison and Van Den Nouwelant 2020, p. 79). Significantly, the engagement of all three levels of government also has the potential to undercut the state government's tendency towards centralising control over local government.

However, while it has demonstrated the benefits of a collaborative approach, the Planning Partnership has been designed primarily to implement the commitments of the City Deal rather than to provide an enduring model of metropolitan governance. Nicholls and Spiller (2020) identified five 'pillars' of metropolitan governance reform, including defining a functional metropolitan 'place'; applying principles of subsidiarity; establishing fiscal independence; ensuring democratic accountability; and addressing inequality. Beyond providing a definition of place, the City Deal does little to address these principles.

It is also unclear how a transition from the current City Deal arrangements to an ongoing model incorporating these principles could be managed, or how even the limited current arrangements could be applied to the rest of metropolitan Sydney without the incentive of the additional federal funding and support provided through similar City Deals. To complicate matters, the state government has now dramatically expanded the Three Cities concept into a six-city model, adding the Lower Hunter and Central Coast Cities to the north of Sydney and Illawarra-Shoalhaven to the south. This emerging conurbation is somewhat akin to Ontario's Greater Golden Horseshoe. Its planning will be overseen by

a revamped ‘Greater Cities Commission’ (GCC) and will aim to “*create a polycentric region where each city builds on its existing strengths and local character while leveraging the benefits of scale to attract new talent and investment as well as enhanced infrastructure and amenities*” (Stokes 2022, p. 1).

While recognition of the scale of the NSW coastal conurbation and the need to plan for it holistically is long overdue, the implications for metropolitan governance are still unclear. The state government evidently intends to maintain overall control of urban planning, but it has provided no indication of how the six city regions will be managed within a cohesive framework. At this stage, the City Deal arrangements for Western Sydney seem unaffected by the announcement.

If the new Western Sydney airport and ‘Aerotropolis’ develop as planned, and the City Deal succeeds, the Western Parkland City will eventually incorporate a major new urban centre rivalling and in some ways superseding the current sub-regional centres of Campbelltown, Liverpool and Penrith. This may cause tensions, but on the other hand it appears that the participating municipalities may be developing a capacity and enthusiasm for working collaboratively at a metropolitan scale, and for engaging with federal and state governments on a more equal footing, rather than as subordinates. On this basis the Western Sydney City Deal may yet provide a catalyst for the evolution of more inclusive and equitable forms of metropolitan governance within the state government’s broader six-city vision.

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## Comparing ‘regionalisms from above’

### Alan Harding

As an academic-cum-practitioner who believes that a more decisive and resolute ‘regionalism from above’ would make for a more productive and happier United Kingdom, I have long been taken by Zack Taylor’s reading of the largely benign role played by Canadian provincial governments in shaping metropolitan fortunes. Sure, he reminds us, it is possible to find instances in which provincial muscularity provoked resentment and tension further down the governmental order, but the controversies they have engendered appear to have been contained within a highly devolved system that continues to find myriad ways of promoting metropolitan management and co-ordination.

The variations in the basic forms of Canadian metropolitan institutionalisation and governance that Taylor identifies in this latest piece will surely strike a chord with observers in other national contexts. Within the Greater Manchester metropolitan context, for example, we have experienced the full panoply of organisational forms he points to – from voluntary inter-municipal networks operating alongside single purpose metropolitan agencies through to statutory, multi-purpose, elected metropolitan authorities. That these forms have waxed and waned over time in both the UK and Canada serves to remind us that metropolitan management is certainly not evolving along a single, globally recognisable path. Managing the metropolis remains an art, characterised by sets of piecemeal time- and place-specific responses to patterns of spatial change; rather than a science that sees comprehensive attempts to align all the public powers that shape those patterns.

What is striking from a UK perspective compared to Canada, however, is just how weak and inconsistent ‘regionalism from above’ has been in recent decades. This might seem like an odd claim, for two reasons. On one hand, recent UK government timidity with respect to metropolitan reform followed a period in which there were sweeping changes in the structure and functions of municipal authorities. The comprehensive reforms of the 1970s were specifically designed to make better sense of the pattern of urbanisation and suburbanisation that had followed in the wake of industrialisation, and to end the false dichotomy between urban and rural areas that had dominated sub-national administration over the previous century. In very deliberately following the trail blazed by the likes of metropolitan Toronto, the UK introduced a nationwide system of two-tier local government; and the biggest departure from the status quo was found in the six largest metropolitan areas of England. However, those new metropolitan county councils, along with an earlier model of ‘regionalism from above’ introduced for London a decade earlier (the Greater London Council), survived for only twelve years before they were abolished by the second Thatcher government.

On the other hand, the UK has clearly taken firm steps down the road of constitutional change by recognising claims for greater sub-national self-determination in its constituent non-English nations. The relatively strong forms of devolution granted to Scotland, Wales and Northern Ireland at the end of the last millennium were not, however, driven by a concern with urban or metropolitan development. None of the devolved administrations, furthermore, have introduced much in the way of innovations in metropolitan management. Only in the case of London – with the creation in 1999 of the Greater London Authority and the country’s first directly elected metro Mayor – has any UK national government taken the lead in establishing new *metropolitan* governance arrangements in the last four decades. That was the same Labour administration which devolved power beyond England. Its attempts to promote a weaker form of devolved governance elsewhere in England foundered in 2004, however, when the first of a planned series of referenda on the creation of elected authorities for England’s weakly institutionalised administrative regions (as opposed to metropolitan areas) produced an overwhelming ‘no’ vote.

During the period in which UK governments of all political stripes turned their backs on metropolitan governance, they also presided over a comprehensive weakening of the functions, powers and resources of local government. Direct municipal service delivery roles in key areas such as schooling, social housing and public transport virtually disappeared and local authorities were stripped of their freedom to set local business property taxes or to vary the level of residential property taxes beyond the narrow fiscal parameters imposed by national governments. As wave after wave of centralisation and marketisation washed through the local government system, municipal discretion was increasingly limited to spending declining resources on those purposes sanctioned centrally.

This is the context in which the importance of metropolitan co-ordination has been rediscovered in England but largely from the bottom up rather than the top down. The experience of Greater Manchester since the abolition of its upper tier metropolitan authority in 1986 is the leading example within the UK of a process whereby unitary authorities in complex urban areas have come together voluntarily to build the networks, the institutions and the resource bases that provide for greater co-ordination in the delivery of those functions that make greater sense at the metropolitan scale than within narrower, artificial administrative boundaries. Such was the vigour with which Greater Manchester's ten municipal authorities pursued their collective interests that at a critical moment in time its bottom-up agenda, based on improving economic performance and sharing its fruits more widely, fused with the 2010–2015 Coalition government's aspirations to rebalance the national economy spatially whilst at the same time massively reducing sub-national government spending.

### **Evolution of metropolitan governance in Greater Manchester**

**1974–1986** Two tier system comprising a strategic, metro-wide Greater Manchester County Council with ten large lower-tier boroughs (cities and towns).

**1986–2010** Ten unitary boroughs along with indirectly elected statutory bodies for metropolitan services (air and surface passenger transport, policing, fire services, waste disposal); boroughs co-operate, via a voluntary Association of Greater Manchester Authorities (AGMA), in the bottom-up development of metropolitan institutions and programs, emphasising economic development.

**2011–2017** Creation of a new, statutory Greater Manchester Combined Authority endowed with powers and resources via the absorption of bottom-up structures and programmes, plus a series of bespoke central-local 'deals', largely economy-related but including delegated power over health services provision.

**2017–present** Strengthening of the Combined Authority with the direct election of a metro Mayor, operating through a Cabinet comprising all ten leaders of the borough councils, funded by grants from higher levels of government and precepting of borough taxes.

The somewhat uncomfortable reconciliation between a sustained, bottom-up regionalism (at least in Greater Manchester's case) and a more temporary, tactical top-down variant did not survive the seismic changes in national government priorities that followed in the wake of the Brexit vote and the COVID pandemic. But it did trigger a second, more limited wave of metropolitanisation, based on a series of

‘deals’ struck between national government departments and collections of metropolitan districts. Since Greater Manchester became the first pilot experiment in 2011, new Combined Authorities, featuring directly elected mayors in provincial England for the very first time, have been created in a slowly growing number of English urban regions. Just as Taylor describes in the case of Greater Vancouver, where the Regional District of municipalities (Metro Vancouver) has been able to draw upon and expand a longstanding track record of cooperative governance, so it has become easier for England’s Combined Authorities to enter into new areas of joint activity. In Greater Manchester’s case, previous successes in building up critical metropolitan assets in economic development and related fields have enabled its directly elected mayor to use his convening powers to push forward with further initiatives in areas such as homelessness, employment standards, bus regulation and retrofitting buildings.

Nevertheless, progressive centralisation in the governance of England and a fitful and inconsistent approach to metropolitan development across all parts of the UK have proven to be a more significant constraint on innovation in metropolitan management than has been the case in Canada. ‘Regionalism from above’, as a result, is better established in Canada than it has been in the UK anywhere apart from London for the last four decades. Paradoxically, though, the UK’s timid approach to metropolitan reform beyond the capital has helped strengthen a bottom-up form of regionalism that is decidedly patchy but has been growing organically for more than three decades now.

Whether this organic movement will ever trigger a more substantial ‘regionalism from above’ in the UK is radically uncertain. As colleagues in political science often delight in reminding me, no unitary state has ever willingly become federal. My optimistic response, however, is that for all the centralisation we have seen over the last 40 years, the UK’s is a union in which degrees of devolution have become something of a political battleground and a source of creative instability. The current UK government’s approach to the tension between centralising and devolutionary approaches is to begin to curtail the autonomy of the non-English UK, but that approach has proved counter-productive, actively feeding nationalist and separatist sentiment. The much greater empowerment of metropolitan areas is surely a better long-term bet for protecting the integrity of the UK than any amount of centralisation.

## **Re-shaping the governance of metropolitan communities: an Aotearoa New Zealand perspective**

**Peter McKinlay**

Discussion of metropolitan governance and indeed of governance within the public sector generally is typically concerned with structure and regulation – designing arrangements intended to facilitate major infrastructure, development and service delivery. This typical understanding is manifested in the way in which practitioners of spatial planning define their area of focus:

*Spatial planning refers to the methods used by the public sector to influence the distribution of people and activities in spaces of various scales. Discrete professional*

*disciplines which involve spatial planning include land use, **urban, regional**, transport and environmental planning. Other related areas are also important, including economic and community planning. **Spatial planning takes place on local, regional, national and inter-national levels and often result in the creation of a range of spatial plans** [emphasis in original] (geo41.com 2022).*

The practice of metropolitan governance goes back centuries, centuries over which governance has become increasingly centralised both locally and regionally and, perhaps most importantly, nationally. Central governments have exercised increasing control, sometimes directly, sometimes indirectly through means such as the allocation of financial resources.

There is something of an irony in centralisation increasing at the very same time as exponential evolution in information technology has created at least a theoretical potential for much greater decentralisation. In practice, the growing reliance on information technology has supported centralisation in a number of ways, such as the use of GIS to support land use and spatial planning and the emergence of the ‘surveillance state’ exemplified by modern China.

This note explores the potential for a reversal of the trend to increasing centralisation in at least some jurisdictions as concerns mount about growing inequality, social dysfunction and the increasing complexity and cost associated with the micro management of service design and delivery.

The growth of these concerns has, in a number of jurisdictions, seen an increasing interest in understanding *wellbeing*, and a variety of initiatives on the part of higher tiers of government to incorporate wellbeing within their policy objectives. Well-known examples include community planning in Scotland, the wellbeing practice instituted as a result of the Well-being of Future Generations Act 2015 in Wales, and New Zealand’s commitment to a Wellbeing Budget expressed as: “...*this Government has committed to putting the wellbeing of current and future generations of New Zealanders at the heart of everything we do*” (Robertson 2019, p. 2).

Initially, this looked more like a public relations exercise than a genuine shift in policy. In contrast with the strong community emphasis in other jurisdictions, the New Zealand approach was to be run primarily by the Treasury and based on a set of indicators within its ‘living standards framework’. Three years on and as a consequence of a number of other policy shifts, it may be leading to a fundamental change in the way New Zealand is governed.

Notably:

- New Zealand’s health and disability system is being restructured. Some 20 district health boards – hospital owners/managers and the primary commissioners of other health and disability services – are being replaced by a single entity, Health New Zealand, which will work in partnership with a new Maori Health Authority.

- The vocational training network including a number of polytechnics is being consolidated into a single entity.
- Resource management planning is undergoing major reform with the expressed intention of removing any involvement in land-use planning from territorial (district-level) local authorities in favour of a regional approach.
- Central government is making increasing use of national policy statements as sometimes seemingly arbitrary interventions in major aspects of local and metropolitan governance.
- The major infrastructure activity of local government, ownership and management of ‘three waters’ infrastructure (potable water, wastewater and stormwater), is to be shifted from councils into four major sub-national entities.
- The State Sector Act 1988 passed as part of the major reform initiatives of the late 1980s has been replaced. One driver for this reform was the reality that government departments had become in practice a network of semi-autonomous entities. The new Public Service Act 2020 is intended to create a more unified public service based on a spirit of service to the community.

The initial reaction of much of local government was to wonder whether there would be a role left at all for local governance after major functions are centralised, and with them much influence over what happens within their districts. And other locally influenced institutions are also disappearing – health boards, polytechnics. In response, the Minister of Local Government has established a ministerial enquiry into the future for local government with wide-ranging terms of reference.<sup>3</sup> There is a sense that much of the future for local government may lie in working more closely with its communities, but this also is a space being contested by central government, especially through the evolution of its wellbeing policy.

The Public Service Commission, reflecting the purpose of the new Public Service Act 2020 to rebuild a more joined up public service, has designated a number of senior regionally based public servants as regional public service commissioners (RSPCs) with a mandate “*to bring together, coordinate and align central government decision makers... as it relates to regional leadership, planning and delivery of wellbeing outcomes for communities in their regions*” (Te Kawa Mataaho Public Service Commission 2021, p. 5).

In a related development the Minister of Health has just announced the nature of one of the key elements of the health sector reforms, the establishment of a network of ‘localities’ across New Zealand. The Minister’s announcement states that a “*locality coordinator will draw together health providers, iwi, local authority representatives, and social sector agencies to work out what is available and what is*

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<sup>3</sup> For further information on the purpose and scope of the review see: <https://www.dia.govt.nz/Future-for-Local-Government-Review>

*needed at a local level. The purpose of the process is to engage with the relevant community and understand its needs*” (Little 2022). There will be 60–80 localities: the first nine are all based on existing local authority districts.

These various changes suggest that despite the apparent emphasis on centralisation across government’s reform programmes to the feared detriment of local and metropolitan governance, the core of major reforms may be more one of centralising in order to decentralise. This can be seen, for example, in the health sector reforms where the rationale is to bring together 20 different regional service providers into a single entity which can then empower localities to develop services targeted to local needs and circumstances, but within an overarching focus on equal access nationally.

The emphasis in the role of RSPCs on the delivery of wellbeing outcomes for communities and in the role of health localities on targeting local needs, both stress the importance of identifying and understanding communities. This may be the trigger for major change. Research evidence from a number of major think-tanks internationally<sup>4</sup> emphasises two critical aspects of communities:

- Wellbeing policy/practice, to be meaningful, needs to focus on wellbeing at a community level if the tyranny of the average is to be avoided.
- Effective community involvement means involvement with communities identified by their people – self-identifying communities – not communities determined by officials drawing on data analysis or other methodologies.

This leads naturally to recognising that the future for local government should include enabling and supporting self-identifying communities. As with any new approach the question is how: who should do what?

First, what does the practical experience of other jurisdictions suggest? Among other things it is important to create an enabling environment: communities will not form because bureaucrats think they are a good idea; they will form because the people of communities themselves want to make it happen, and the requisite resources and support for that purpose are available.

Next, the likely size of the typical self-identifying community, regardless of the population of the local authority in which the community is located, will likely be 5,000–7,000 people or thereabouts, centred around a local shopping centre, church, school or important community amenity. For a country the size of New Zealand (a population of approximately 5.1 million people) this implies the potential for in the order of 700–800 communities.

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<sup>4</sup> Examples from the UK include New Local, Locality (with its mantra ‘voice choice and control for communities over decisions which affect their place’) and the Carnegie UK Trust; and from the US the Kettering Foundation and the Centre for Public Service at Portland State University.

Issues of scale and transaction costs make it clear that, if any element of the public sector is to take the role of enabling self-identifying communities, it will be local government not central government. Councils are typically very close to their communities simply because of the range of things they do in their 'business as usual' role. In New Zealand they have a statutory purpose of enabling local democracy and promoting community wellbeing.

Three years ago when the wellbeing budget approach was announced, it looked very much like a top-down, centrally driven venture at risk of being remote from the people it was intended to serve. However, serendipity, the strength of international research on the potential of communities, and working examples of what can be done, all point to the potential for a shift to much more of a bottom-up approach to local and metropolitan governance, based on the strength of communities.

Next a note on implementation. As part of New Zealand's resource management reform, there is a growing emphasis on spatial planning. A group of New Zealand councils are currently looking at the recent Scottish initiative of empowering self-identifying communities to prepare local place plans. This is an initiative which could be picked up without requiring any new legislative authority (the statutory purpose of New Zealand local government is already sufficient). Properly supported (councils assisting with organisational and capability development; the use of participatory budgeting to give people a strong incentive to become engaged...), this is an approach which provides a single and coordinated process for expressing community needs and aspirations over a broad range of services, including health.

Finally, a focus on self-identifying communities also offers a further and significant advantage – a natural means for strengthening the relationship between local government and *mana whenua*, Maori, who have a traditional attachment to place.

So, what may all this mean for the governance of metropolitan areas? Traditionally there has been a broad understanding between central and local government that central government is responsible for major social services and local government looks after local infrastructure, regulation and local arts, culture and recreation activity. This understanding has persisted notwithstanding significant and growing socio-economic disparities across metropolitan areas and associated and growing social dysfunction. What now seems inevitable is a pivot away from an emphasis on infrastructure as the major preoccupation to an emphasis on quality of life in communities. In response, metropolitan governing structures will need to become more distributed, working locally with groups of communities and helping them to partner with central government and other service deliverers. At the same time, addressing the so-called 'wicked issues' must become a collaborative process drawing, on and indeed unleashing, the capabilities of the many and diverse communities which make up metropolitan areas. With those shifts in governance to a focus on community wellbeing, local governments should play a

much greater role in ensuring that public-sector interventions are well targeted and effective, especially in more disadvantaged metropolitan communities.

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## Through the broken hourglass: perspectives from South Africa's Gauteng City region

**Marius Pieterse**

The South African model of federalism has been likened to an hourglass, with comparatively weak provincial governments functioning as intermediaries between more powerful national and local spheres (Steytler 2017; de Visser 2019). While the Constitution of the Republic of South Africa, 1996 (hereinafter ‘the Constitution’) provides for national and provincial oversight and regulation of, and sometimes intervention in, local government affairs (sections 139, 151, 155(6) and 156(3)), it awards municipalities a right to govern locally on their own initiative (section 151(3)) and determines that national and provincial government “*may not compromise or impede a municipality’s ability or right to exercise its powers or perform its functions*” (section 151(4)).

Municipalities are awarded ‘executive authority’, ‘the power to administer’ and attendant bylaw-making authority over a range of functional areas including building regulations, municipal planning, water supply systems, electricity reticulation and trading regulations (section 156(1) read with Schedules 4B and 5B of the Constitution). There is also a strong expectation that administration of other functional areas such as housing, health services and transport will be delegated to them if they demonstrate the requisite capacity (section 156(4)). Moreover, a constitutional chapter on ‘cooperative government’ enjoins the national, provincial and local spheres of government to align and coordinate their activities, to “*respect the constitutional status, institutions, powers and functions of government in the other spheres*” and to “*exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere*” (section 41 of the Constitution). In giving effect to these provisions, a string of Constitutional Court decisions have nullified provincial attempts to exert control over municipal planning (for discussion, see Pieterse 2019).

While implementation of the Constitution's devolution scheme has been complicated (see Christmas and de Visser 2009) the upshot is that control over urban form and function in major South African cities rests predominantly with local government, subject to national and provincial monitoring, oversight and support.

The effect of municipal demarcation and categorisation under section 155(1) of the Constitution, read with the provisions of the Municipal Structures Act 117 of 1998, has been that most of South Africa's major urban agglomerations are largely governed by single 'metropolitan' municipalities. The exceptions are a nascent cross-municipal coastal urban strip in KwaZulu Natal (see Todes 2014) and the Gauteng City Region (hereinafter 'GCR'), a dense multi-nodal sprawl of some 18,000 square kilometres which not only functions as South Africa's economic engine but arguably also constitutes the most significant megacity in sub-Saharan Africa (de Visser 2019).

The GCR includes three metropolitan municipalities, the cities of Johannesburg, Tshwane (Pretoria and surrounds) and Ekurhuleni (a conglomeration of erstwhile mining towns to the east of Johannesburg). There are also six local municipalities governing mining and industrial towns to Johannesburg's west and south, which are further clustered under an upper tier of two 'district' municipalities tasked with regional development and service-coordination. Importantly, the GCR is near-perfectly encircled by a provincial boundary, making Gauteng the country's only predominantly urban province.

On paper (and on the map) then, the Gauteng provincial government is for all practical purposes a metropolitan one and could be expected to behave as such. It has (sometimes exclusive) legislative competence over all of the functional areas under local government's executive and administrative control, as well as shared competence with national government over urban functionalities like housing, health services and transport (section 104 read with Schedules 4A and 5A of the Constitution).

Yet, except for the establishment of a regionwide urban observatory, and its dominant stake in the public-private partnership operating a cross-municipal rapid rail system, the Gauteng province's efforts in metropolitan governance have been fairly meek. Policy-wise, it has for the most part toed the national line in functional areas where its legislative and executive competence overlaps with that of national government (de Visser 2019; Turok 2010). Perhaps burnt by the Constitutional Court decisions referred to above, it has further steered clear of micromanaging municipalities within its territorial jurisdiction, to the point where it has attracted criticism for failing to intervene in instances where local governance has faltered or collapsed (Pieterse 2021).

Considering Zack Taylor's typology of province-driven metropolitan governance in Canada, it appears that Gauteng's constitutional positioning as the throat of the hourglass, combined with a dearth of bureaucratic skill and resources (compared to that at the disposal of national government and the metropolitan governments under its jurisdiction), has constricted its ability to assert itself as a leading

institution for metropolitan governance. Moreover, its exercise of spatial planning powers (which it shares with national government and municipalities under the Spatial Planning and Land Use Management Act 16 of 2013) have not thus far approximated a metropolitan policy overlay. Meanwhile, cumbersome national legislative regulation of public-private partnerships and multi-jurisdictional entities has stifled the establishment of multi-purpose regional organisations (de Visser 2019).

Instead, the provincial government attempts to facilitate cooperative governance across the GCR through its driving role in intergovernmental coordination structures established by the Intergovernmental Relations Framework Act 13 of 2005 (hereinafter 'IGRFA'), which operationalises the constitutional chapter on cooperative governance (de Visser 2019). But these fora are consultative and consensus based, and are viewed as toothless and ineffective, not least because they reflect a top-down conception of cooperative government dominated by national interests (Palmer et al. 2017). Their proceedings therefore appear to make little difference to regional governance in the GCR.

The IGRFA arguably reflects political sensibilities at the time of its drafting, when government at national, provincial and local levels was largely politically congruent and dominated by the African National Congress (hereinafter 'ANC') (Woolman and Roux 2009). From 1994 until 2016, the ANC ruled nationally, in eight out of nine provincial governments, and in seven out of eight metropolitan municipalities across the country (with the Western Cape and City of Cape Town the respective exceptions at provincial and metropolitan levels). In Gauteng, all but one local municipality (Midvaal, arguably the most rural in the province) were ANC dominated. A precariously thin line between party and state institutions combined with strong centrist and hierarchical tendencies in the ANC ensured that intergovernmental relations structures functioned free from conflict and that the developmental visions of different spheres of government remained broadly aligned (Woolman and Roux 2009; Pieterse 2019).

But this house of cards tumbled in the 2016 local government elections, when the ANC lost majorities in Johannesburg and Tshwane, which both fell to be governed by flimsy coalitions of smaller parties headed by the official opposition, the Democratic Alliance. Continued electoral decline would see the ANC secure only the narrowest of majorities in Gauteng's 2019 provincial elections. In 2021's local government elections, it went on to lose control of all three Gauteng's metropolitan councils and to dip below 50% of support in all but one local municipality. With most municipalities in the province now under unstable coalition government and current South African party politics acrimonious at best, party structures can no longer dependably ensure cooperative governance. Perhaps predictably, existing intergovernmental relations platforms under the IGRFA are similarly coming up wanting (de Visser 2019).

With much of the political glue that propped up the constitutional hourglass seemingly having become unstuck, and with capacity and resource constraints peaking amidst the Covid-19 pandemic, prospects for constructive metropolitan governance in the GCR currently appear dire. The national government

is currently piloting a District Development Model (intended to be institutionalised as an intergovernmental relations platform under the IGRFA), in terms of which the three spheres of government engage in joint developmental planning for metropolitan municipalities and municipal districts. Provincially, however, established frameworks and institutions remain unaltered. More than ever, it appears necessary for the Gauteng provincial government to awake to its metropolitan character and to leverage the constitutional powers and legislated institutional clout at its disposal in pursuit of a regional developmental vision.

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