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ARTICLES

New Zealand makes controversial changes to the purpose of local government – *Richard M Fisher*

Since retaking power in 2008 after a decade of Labour-led government, the National Party has embarked on a series of local government regulatory reforms that seek simplification and cost savings. Recent amendments to the *Local Government Act 2002* (NZ) have significantly changed the purpose of local government, by removing requirements to consider the social, economic, environmental and cultural wellbeings of communities. In addition, the role of local government is now restricted to "core services" and "quality infrastructure". The amendments have attracted considerable negative commentary. Fears have been raised that the changes will complicate rather than simplify council roles, and reintroduce arguments of ultra vires that were extinguished by the general power of competence to make decisions permitted by the LGA. The amendments are discussed, as well as their most likely immediate impact upon practitioners. 69

(Environmental) crime does not pay: The effectiveness of the criminal prosecutions under pollution legislation in NSW – *Tim Poisel*

Although New South Wales is a world leader in the area of sentencing for environmental crimes, the current trend of the courts is to impose relatively small fines, which are absorbed as a cost of business by corporations. It is argued that the most effective way of enforcing environmental crimes and increasing general deterrence effect is the use of the "big stick" on corporate officers. To achieve this end, it is imperative that the NSW Environment Protection Authority more rigorously prosecutes corporate officers and considers targeting more directors of large corporations for environmental offences. 77

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