



LOCAL GOVERNMENT COMMISSION

Mana Kāwanatanga ā Rohe

Friday 20 November 2009

Background on Auckland governance

The Local Government Commission

In April this year, the Local Government Commission began work on determining the boundaries and representation arrangements for the new Auckland Council, as required by the Local Government (Auckland Council) Act 2009.

The determination of the boundaries follows the Government's high level decisions on Auckland governance announced in April this year and the report of the Royal Commission on Auckland governance released in March.

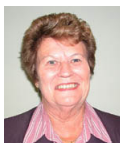
The Local Government Commission's determinations must be made by 1 March 2010.

The Local Government Commissioners are:



Sue Piper (Chair)

Ms Piper is a former Wellington City Councillor with considerable local government experience. She has served on a number of boards in the public and non-government sectors. She is a member of the Te Papa Tongarewa Board and President of Croquet New Zealand.



Gwen Bull CNZM JP

Ms Bull was a member of the Auckland Regional Council from 1995 to 2004, and Chairperson of the Council from 2002 to 2004. She also chaired the Auckland Regional Growth Forum between 2002 and 2004.



Grant Kirby ONZM

Mr Kirby has run his own consulting business since 1993, mainly as a project director on local government-related projects across the Auckland Region.

Before 1993 Mr Kirby held a number of senior positions in the Auckland City Council. He was Local Government Commission Chair from 2001 – 2005. In 2000 and 2001 he was appointed as Commissioner to act in place of the Rodney District Council.

Government's high level decisions on Auckland governance

The Government's high level decisions on Auckland governance were summarised in a report in April 2009, entitled 'Making Auckland Greater'.

Those high-level decisions included:

- one unitary Auckland Council as the first tier of governance
- one mayor for Auckland with governance powers, elected at large by the region's residents and ratepayers
- 20 councillors to sit on the Auckland Council (8 elected at large and 12 elected from wards)
- 20 to 30 local boards across the region as the second tier of governance
- the final number of local boards, and boundaries of the Auckland Council, wards and local boards to be determined by the Local Government Commission.

The Government determined that legislation should be enacted so that the members of the governing body (Auckland Council) and second tier bodies (local boards) be elected at the October 2010 local government triennial general elections.

Subsequently Parliament enacted the:

- Local Government (Tamaki Makaurau Reorganisation) Act 2009
- Local Government (Auckland Council) Act 2009.

The purpose of the Local Government (Tamaki Makaurau Reorganisation) Act 2009 is:

- to establish a single unitary authority to govern the entire Auckland region on and from 1 November 2010
- to dissolve the existing local authorities that govern the Auckland region (being 1 regional and 7 territorial authorities) at the close of the preceding day
- to establish an entity to facilitate the transition to the new local government arrangements
- to require existing local authorities and other local government organisations to support the reorganisation by both doing specified things and from refraining from doing specified things
- to make any necessary amendments to any other enactments.

The purpose of the Local Government (Auckland Council) Act 2009 is:

- to make further provision for the Auckland Council established under section 9 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009
- to provide the Local Government Commission with the necessary functions and powers to determine certain matters in relation to the Council
- to amend certain enactments.

Key new provisions in the Local Government (Auckland Council) Act 2009 included:

- the 20 councillors of the Auckland Council all be elected by wards with the number of wards determined by the Local Government Commission
- the number of local boards determined by the Local Government Commission maybe outside the range of 20 to 30 on the grounds of effective representation of communities of interest.

Royal Commission on Auckland governance

A Royal Commission on Auckland governance was established by the Government in October 2007 to respond to growing concerns about the workability of local government arrangements in Auckland.

The objectives of the Commission's inquiry, as set out in its terms of reference, were:

- To receive representations on, inquire into, investigate, and report on the local government arrangements (including institutions, mechanisms, and processes) required in the Auckland region to maximise, in a cost effective way:
 - the current and future well-being of the region and its communities; and
 - the region's contribution to wider national objectives and outcomes.

The Royal Commission's inquiry included:

- over 3,500 written submissions
- 550 oral submissions over 27 days of hearings in nine locations in Auckland
- five hui with Māori and workshops with Pacific and other ethnic groups
- numerous informal consultations with individuals and organisations
- an extensive programme of research
- visits to Brisbane, Melbourne, Toronto, Vancouver, Seattle, and London to study governance structures and to meet international experts.

The Royal Commission reported to the Government on 25 March 2009, key recommendations included:

- Auckland needs an overarching vision for the region uniting Aucklanders to achieve prosperity for all, quality of place and lifestyle, and enhanced well-being for the region's diverse and growing population.
 - The Auckland Council should include a vision for the region in its spatial plan.
 - The Mayor of Auckland's annual 'State of the Region' address should describe progress towards the attainment of the vision.
- A unitary authority, to be called the "Auckland Council", should be formed to assume all local government responsibilities in the Auckland region.
- The Auckland Council should operate and have representation at two levels: the elected Auckland Council, and six local councils.
- The six local councils should be given Māori names to be determined by the Local Government Commission after consultation with mana whenua, with interim names as follows:
 - Rodney Local Council
 - Waitemata Local Council
 - Waitakere Local Council
 - Tāmaki-makaurau Local Council
 - Manukau Local Council
 - Hunua Local Council.
- Local councils should share the governance of their area with the Auckland Council but will be subsidiary to it.
- The Mayor of Auckland should preside over the Auckland Council. The Mayor should be elected at large by the electors of Auckland.
- The Auckland Council should comprise 23 councillors elected or appointed as follows:
 - 10 councillors elected at large
 - 8 councillors elected in four wards
 - 2 councillors elected in two rural wards
 - 2 councillors elected at large by voters on the Māori electoral roll
 - 1 councillor appointed by the Mana Whenua Forum.

- The relationship between the Auckland Council and each local council should be governed by a three-yearly governance agreement negotiated in the year following each local body election.
- The membership of local councils (including chairs) should be as follows:
 - Rodney Local Council – 7 members
 - Waitemata Local Council – 15 members
 - Waitakere Local Council – 11 members
 - Tāmaki-makau-rau Local Council – 22 members
 - Manukau Local Council – 21 members
 - Hunua Local Council – 7 members.
- Local councils should be elected by wards, with generally two members per ward.
- The chair of each local board should be appointed by councillors. Upon appointment, the chair will cease to have any formal role as a representative of the ward from which he or she was elected; the next highest polling candidate in the same ward will be deemed to be elected as one of the ward's representatives in place of the chair.
- The boundary of the Auckland Council as a regional council will remain the same to the north, and be amended to the south (generally going to the Waikato River with certain areas in the east merging with Waikato region) with corresponding changes to the boundary of the Waikato region.
- The Waikato Regional Council (Environment Waikato) should retain its powers over all parts of the Waikato River and its tributaries and catchment in the Auckland region.
- Six wards of the Auckland Council should be created comprising four urban wards within the metropolitan urban limit, with their common boundaries fixed in accordance with the ordinary statutory criteria for territorial authority wards, and two rural wards being the remainder of the district outside the metropolitan urban limit, generally north and south of the urban area. The Hauraki Gulf Islands will be in the northern rural ward.
- All land currently in Franklin District but outside the proposed Auckland Council boundary should be merged into Waikato District being the land at Onewhero and Kaiaua.
- The Government should request the Local Government Commission to determine the exact location of each boundary for the Auckland Council, local councils, all council wards, and communities.
- Once established, the Auckland Council should have the power to adjust the boundaries of local councils and their wards and to create new local councils and wards where necessary.