



Cabinet

CAB Min (09) 38/9

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42

Minute of Decision

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Report of the Cabinet Committee on Implementation of Auckland Governance Reforms: Period Ended 23 October 2009

On 27 October 2009, Cabinet made the following decisions on the work of the Cabinet Committee on Implementation of Auckland Governance Reforms for the period ended 23 October 2009.

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|-------------------|---|--|
| AGR Min (09) 11/1 | <p>Local Government (Auckland Law Reform)
 Bill: Interim and Transitional Provisions
 Portfolio: Local Government</p> | CONFIRMED |
| AGR Min (09) 11/2 | <p>Local Government (Auckland Law Reform)
 Bill: Local, Private and Provincial Acts: Transition Issues
 Portfolio: Local Government</p> | CONFIRMED |
| AGR Min (09) 11/3 | <p>Local Government (Auckland Law Reform)
 Bill: Entities, Assets and Liabilities, Taxation and Staff
 Portfolio: Local Government</p> | Separate minute: see
CAB Min (09) 38/9A |

Rebecca Kitteridge
 Secretary of the Cabinet

Reference: CAB (09) 625

Distribution: (see over)



Cabinet Committee on Implementation of Auckland Governance Reforms

AGR Min (09) 11/2

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Minute of Decision

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Local Government (Auckland Law Reform) Bill: Local, Private and Provincial Acts: Transition Issues

Portfolio: Local Government

On 21 October 2009, the Cabinet Committee on Implementation of Auckland Governance Reforms (AGR):

- 1 noted that the Department of Internal Affairs and the existing Auckland local authorities have identified policy issues in local, private and provincial Acts, arising from the transition to the new Auckland governance structure, which require clarification or decisions;
- 2 noted that the existing local authorities have undertaken initial research to confirm which local, private and provincial Acts:
 - 2.1 can have their intent incorporated into new Auckland legislation;
 - 2.2 are only required until the new governance structure or entities are established in Auckland;
 - 2.3 require only amended references to be operational; or
 - 2.4 will no longer be required as at 1 November 2010;
- 3 noted that issues relating to the Auckland Metropolitan Drainage Act 1960 and the North Shore Drainage Act 1963 have been considered by Cabinet in a separate paper under CAB (09) 597;
- 4 agreed that the Local Government (Auckland Law Reform) Bill (the Bill) include consequential amendments reflecting governance changes to the Auckland Regional Amenities Funding Act 2008, the Museum of Transport and Technology Act 2000, and the War Memorial Museum Act 1996 (consequential amendments to the electoral college provisions and levy mechanisms, as outlined in the paper under AGR (09) 20);
- 5 agreed that the Bill include amendments to the Museum of Transport and Technology Act 2000 and the Auckland War Memorial Museum Act 1996 to recognise that only that part of Franklin District to be within the Auckland Council area is liable to pay levies for the museums, and that this apply from 1 November 2010;

- 6 **noted** that the Franklin District Council has agreed to remove the Franklin District Council (Contribution to Funding of Museums) Amendment Bill from the Parliamentary system if paragraph 5 above is agreed;
- 7 **agreed** that where existing Auckland local authorities and the Department of Internal Affairs have confirmed that local and provincial Acts can have their intent easily incorporated into the Bill, the Minister of Local Government may issue drafting instructions to the Parliamentary Counsel Office to achieve this;
- 8 **agreed** that local and provincial Acts that existing Auckland local authorities and the Department of Internal Affairs agree are only required until the new governance structure or entities are established in Auckland, be repealed;
- 9 **agreed** that the Bill consequentially amend local, private and provincial Acts that existing Auckland councils identify only require amended references;
- 10 **directed** the Department of Internal Affairs, in consultation with other agencies as appropriate, to undertake preliminary scoping work to identify any local, private or provincial Acts that may require substantive amendment in the context of the Auckland governance reforms, and to report back to AGR as soon as practicable with advice on the options available (including legislative mechanisms and possible timeframes) for addressing the issues;
- 11 **agreed** that communication of the government's decisions in relation to the content of the Bill be co-ordinated by the Office of the Minister of Local Government, with the Office of the Prime Minister and the Office of the Associate Minister of Local Government

J. Harvey
Janine Harvey
Committee Secretary

Reference: AGR (09) 20

Proactively Released by the Minister of Local Government