



# Cabinet

CAB Min (09) 33/17

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## Minute of Decision

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### Additional Item: Amendments to Local Government (Auckland Council) Bill

Portfolio: Local Government

On 14 September 2009, Cabinet:

#### Background

- 1 **noted** that on 3 August 2009, Cabinet agreed that:
  - 1.1 the Local Government Commission be required to determine the northern boundary of Auckland so that, as far as practicable, the boundary splits the Rodney District so that only the clearly urban and peri-urban part from Orewa (area C on the map attached to the paper under CAB (09) 424) is included within the boundary of the Auckland Council area, with the balance included in the Kaipara District and the Northland Region;
  - 1.2 the Local Government Commission be required to determine the southern boundary of Auckland that, as far as practicable, the boundary includes in the Auckland Council area that part of Franklin north of the current regional boundary, with the exclusion of Mangatangi and Mangatawhiri catchments (as currently provided in the Local Government (Auckland Council) Bill (the Bill));
  - 1.3 the issue of the future governance of the coastal area of Franklin around Kaiawa be left to the Local Government Commission to determine;

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- 2 **noted** the contents of the submission tabled at Cabinet by the Minister of Local Government entitled, *Amendments to Local Government (Auckland Council) Bill*;
- 3 **noted** that the northern and southern boundaries of Auckland recommended in the Auckland Governance Legislation Committee's report on the Local Government (Auckland Council) Bill (the Bill) are consistent with Cabinet's decisions set out in paragraph 1 above;

#### Northern Boundary

- 4 **agreed** that the Bill be amended to reinstate the previous provision for the northern boundary of Auckland to be based on the existing northern boundary of the Auckland region, thereby including all of Rodney District within Auckland;

## Southern Boundary

- 5 **agreed** that the southern boundary of Auckland should remain as recommended in the Auckland Governance Legislation Committee's report on the Bill (i.e. based on the existing southern boundary of the Auckland region, with the exception of the Mangatawhiri and Mangatangi catchments and the area around Kaiāua);

## Transitional planning and reporting

- 6 **noted** that it is desirable to clarify the obligations of existing Auckland local authorities in terms of annual plans and annual reports for the 2010/11 year;
- 7 **agreed** to include amendments in the Bill to:
- 7.1 clarify that existing Auckland councils must prepare 2010/11 annual plans only for the four months up to their disestablishment on 31 October 2010;
  - 7.2 provide that, so long as these plans are consistent with councils' 2009-19 long term council community plans, they do not need to use the special consultative process to adopt them;
  - 7.3 clarify that the existing councils must set 2010/11 rates on a 12 month basis;
  - 7.4 clarify that documents to meet the planning requirements of the Auckland Council for the first 8 months of its existence (1 November 2010 to 30 June 2011) will be prepared by the Auckland Transition Agency prior to the establishment of that council;
  - 7.5 provide that the existing councils are not required to produce separate annual reports for the 12 months of 2009/10 and the four months of 2010/11 but can produce a single report for the 16 month period;
  - 7.6 provide that annual planning for the last 8 months of 2010/11, for areas of existing councils to be included in other councils outside Auckland, must be covered in Local Government Commission determinations in relation to those areas;
- 8 **noted** that the third Auckland governance Bill will include further, more detailed, provisions relating to the planning and rating requirements for the Auckland Council for the period 1 November 2010 to 30 June 2011;

## Legislation

- 9 **agreed** that the decisions in paragraphs 4 and 7 above be progressed by means of a government Supplementary Order Paper (SOP) to the Bill;
- 10 **invited** the Minister of Local Government to issue drafting instructions to Parliamentary Counsel Office for the preparation of the SOP;
- 11 **authorised** the Minister of Local Government to approve the release of the SOP;

**Publicity**

- 12 **noted** that the Prime Minister intends to announce the decision in paragraph 4 above as soon as possible;
- 13 **noted** that it is not proposed to make a public announcement of the decisions set out in paragraph 7, but that the Secretary for Internal Affairs will communicate those decisions to the Auckland local authorities.

Secretary of the Cabinet

Reference: Paper tabled by the Minister of Local Government  
*Amendments to Local Government (Auckland Council) Bill*

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Proactively Released by the Minister of Local Government