



# Cabinet

CAB Min (09) 27/10

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## Minute of Decision

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### Local Government (Auckland Council) Bill: Issues Relating to Select Committee Deliberations

Portfolio: Local Government

On 3 August 2009, following reference from the Cabinet Committee on Implementation of Auckland Governance Reforms (AGR), Cabinet:

#### Background

1 noted that on 6 April 2009, Cabinet:

- 1.1 agreed that there be a Mayor for Auckland elected at large with executive powers, and that those powers be limited to:
  - 1.1.1 appointment of the Deputy Mayor and committee chairpersons;
  - 1.1.2 proposal of the Auckland Council budget and strategic direction;
  - 1.1.3 establishment and maintenance of an appropriately staffed Mayoral Office;
- 1.2 agreed that the new Auckland governance structure should be a unitary Auckland Council at the regional level, together with local boards at the local (2<sup>nd</sup> tier) level;
- 1.3 agreed that the Auckland Council comprise a total of 20 councillors, with 8 elected at large, and 12 elected in 12 single member wards;

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2 noted that on 4 May 2009, Cabinet:

- 2.1 noted that three Bills were proposed to implement the Auckland governance reforms;
- 2.2 agreed to include in the second Bill an alternative southern boundary for the Auckland Council geographical area, which would retain the current boundaries of the Auckland Region, except for moving the area bordering the Firth of Thames into the Waikato Region;
- 2.3 agreed that the second Bill provide for Watercare Services Limited to undertake the integration of water and wastewater services in Auckland, under the oversight of the Auckland Transition Agency and in accordance with a process approved by the Auckland Transition Agency;

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- 3 **noted** that the decisions referred to in paragraphs 1 and 2 above were reflected in the Local Government (Auckland Council) Bill (the Bill), which was introduced on 14 May 2009 and is currently before the Auckland Governance Legislation Committee (the Select Committee);
- 4 **noted** the briefing by the Minister of Local Government and Associate Minister of Local Government on the progress in the consideration of issues concerning Auckland governance reforms;
- 5 **noted** that policy decisions are required on a range of issues to guide the departmental report to the Select Committee, which is required to report back on the Bill by 4 September 2009;

### Mayoral powers

- 6 **agreed** that:
- 6.1 the Mayor of Auckland have the statutory power to determine the committee structure of the Auckland Council;
  - 6.2 the Mayor of Auckland have the statutory power and responsibility to establish effective mechanisms for engaging with Aucklanders;
  - 6.3 it be made clear that it is the Mayor's role to lead the development of Council policies, plans and budgets;
  - 6.4 the Mayoral Office is assured of a budget of at least 0.2 percent of the Auckland Council's operating budget;

### Election of Mayor

- 7 **agreed** that the Mayor of Auckland be elected using the first past the post (FPP) voting system for the first election in October 2010;
- 8 **noted** that the voting system for the Mayor of Auckland, and other elections in Auckland after 2010, will be considered in the work for the forthcoming Local Government (Auckland Law Reform) Bill.

### Membership of Auckland Council

- 9 **agreed** that:
- 9.1 the Auckland Council consist of 20 councillors;
  - 9.2 there be no councillors elected at large;
- 10 **agreed** that the Local Government Commission be required to determine the number of wards in the Auckland Council area, their boundaries and the number of councillors per ward, on the basis that:
- 10.1 provision is made for a single member ward in the Rodney area and a single member ward in the Franklin area;
  - 10.2 the balance of the Auckland Council area is divided into multi-member wards, or single-member wards where appropriate;

### Voting systems

- 11 **agreed** that the 2010 elections of councillors and local board members in Auckland be conducted using the FPP voting system;

### Election publicity

- 12 **agreed** in principle, subject to the report referred to in paragraph 13 below, to a public information campaign in connection with the 2010 elections in Auckland, to explain the new governance arrangements, the positions for which elections are being held, and the importance of participation;
- 13 **invited** the Minister of Local Government to report back to the AGR by 28 September 2009, on:
- 13.1 options for ensuring the provision of adequate candidate information to electors in Auckland without requiring expensive campaign expenditure by candidates;
- 13.2 what campaign spending limits should apply to Auckland Council elections;

### Boundaries of Auckland

- 14 **agreed** that:
- 14.1 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;
- 14.2 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 Bill);
- 15 **agreed** that the issue of the future governance of the coastal area of Franklin around Kaiaraua be left to the Local Government Commission to determine;

### Water integration

- 16 **agreed** that:
- 16.1 the integration of water and wastewater services by Watercare must include:
- 16.1.1 a plan for the interim management of water and wastewater services in rural areas, from 1 November 2010, pending Auckland Council decisions on these issues;
- 16.1.2 detailed proposals for the management and operation of these services for consideration by the Auckland Council;
- 16.2 it be clarified that stormwater drainage (other than infrastructure used jointly for wastewater services) is outside the scope of the integration of water and wastewater services by Watercare;

**Next steps**

- 17 **noted** that the Department of Internal Affairs has been appointed as advisor to the Select Committee considering the Local Government (Auckland Council) Bill and expects to present its departmental report by around 4 August 2009;
- 18 **agreed** that the departmental report recommend changes to the Local Government (Auckland Council) Bill to give effect to the above proposals, and any necessary consequential, transitional or savings provisions;
- 19 **authorised** the Prime Minister and the Minister of Local Government to make decisions on any other significant policy issues that arise during the Select Committee's deliberations on the Bill;

**Publicity**

- 20 **noted** that a plan for communicating the above proposals will be developed by the Minister of Local Government, in consultation with the Prime Minister, taking into account the timing of the Select Committee's report back on the Bill.

Secretary of the Cabinet

Reference: CAB (09) 424; AGR Min (09) 5/2-3

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