

[REDACTED]

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**From:** Lesley [REDACTED]  
**Sent:** Friday, 24 June 2016 3:27 p.m.  
**To:** LGC  
**Subject:** Alternative LG proposal

To whom it may concern,

It is obvious that the supercity model fails those regions furthest from the epicentre. A disproportionate amount of money is spent on services in the Orc-land isthmus.

The level of debt is staggering and growing daily. The amount spent on council salaries is not representing good value. There are too many council employees.

Transparency is a joke. ACC is arrogant and profligate. Residents feel unable to complain and do not feel listened to when they do.

The needs of urban Orc-land and rural Orc-land are so distinct they may as well be different "cities".

Council has gone far beyond its core services. When I read in my local paper that there are over 200 events planned to celebrate Matariki, most if not all at ratepayers expense, I see red.

This sort of "feel-good" expenditure should be funded by the groups concerned, or by private enterprise with a view to making money from admission fees, not by the ratepayer/taxpayer.

The upper boundary of Orc-land should be a line drawn from Orewa to Kaukapakapa in the north.

I am not familiar with the problems in the south of the city, so do not have an opinion where the southern boundary should be.

Council income should be divided as follows:

\*Core services, not counting salaries : 80% (roading, lighting, litter, building permits etc). Other services the council currently undertakes, like dog registration, water/wastewater services, food premises control and accreditation etc etc should be contracted out, costs to be borne by those the service exists for).

\*Council salaries, including ancillary services : no more than 15%

\*Contingencies: 3%

\*Grants: 1% .

\*Other: 1%

All "feel-good" expenditure, including social/cultural activities, should be funded by private enterprise, with a view to turning a profit. If you go to an event, expect to pay for it.

Libraries, swimming pools and community halls should pay a peppercorn rental but be self-funding otherwise. If the community can't use and run the facilities, then hard as it sounds they shouldn't be funded by the rest of us.

It is unreasonable to expect the 670 kilometres of unsealed roads in Rodney to be sealed to first-world standards.

It is unreasonable to expect roads to be sealed to their furthest extent, especially if only one or two households live in their outer limits.

There should be a list aiming to seal the first 3 km of any road, those roads with the greatest density of properties, on school bus routes, or used as major thoroughfares done first. Little dead-end low-volume side streets will be lower priority. People wishing to seal their own stretch of road to serviceable standard should not have to pay rates until the cost has been recouped.

I see the greatest need a return to core services, with better access to the decision-makers than we currently have, and a removal of all the touchy-feely frippery that we are all committed to fund whether we use it or not.

Lesley Munro  
[REDACTED]

Wellsford North.



(Helensville Electoral Roll)

23<sup>rd</sup> June 2016

Chief Executive Officer  
Local Government Commission  
P.O. Box 5362  
Wellington 6145

**Application for local government reorganisation by Northern Action Group**

In response to the Commission's invitation for alternative applications, I submit as follows:

I support the division of Rodney into North and South, under Auckland Council, with 2 Councillors and 2 Local Boards. Rodney being such a large geographic area (46% of Auckland (Super) City), just one Councillor is impractical. Also, the north and south are separate communities of interest.

However the boundary as proposed by NAG needs to be modified as regards the west coast. Firstly, as proposed by NAG, the 5 Marae of Ngati Whatua o Kaipara are divided between two jurisdictions; Reweti and Haranui in the south, Puatahi, Kakanui and Araparera in the north. With their Treaty settlement in place, this could not work.

Secondly, the wider Helensville area has an identity as 'South Kaipara', encompassing all communities from Glorit (north) to Taupaki (south).

Therefore, to retain existing community identity and interests, the dividing boundary would need to be north of Glorit, at the western end.

Funding bases need to be reviewed to be fairer and more effective. Current practice of using population ratios to determine funding allocations results in Rodney receiving a relatively low amount (population 3.9%), yet having the largest land mass (46%). This is particularly evident when it comes to road sealing. Our roads will never all be sealed on current funding provision. Recently Local Board funding allocation was amended from 100% population based, to 90% population, 5% geographic, 5% socio/economic. This resulted in Rodney's Local Board funding

allocation almost doubling. With this as evidence of some will on the part of Auckland Council to consider more equitable outcomes, I urge that further reviews are considered.

Additionally, Local Boards do not currently have the funding or power originally envisaged. For communities to feel engaged, we need to see our Local Board empowered, and with funding to achieve tangible outcomes. Auckland Council feels too bureaucratic, with democracy very watered down.

For our community, Auckland's 'North West', the biggest issue is road congestion. This is hindering economic growth in every way. We are told that any solutions are at least 3 years away from final planning. Huge growth is happening, particularly around Kumeu/Huapai, with little infrastructure provision. Part of the problem is the lack of cohesion between Auckland Transport and New Zealand Transport Agency. Currently they blame each other and Council denies responsibility.

Finally, please recognize that the 'North West'/Rodney South is a 'community of interest' working together on many levels. We absolutely do not want to be divided.

A handwritten signature in black ink, appearing to read 'Holly Southernwood'. The signature is fluid and cursive, with the first letter 'H' being particularly large and stylized.

Holly Southernwood  
Board member of North West District Business Association (Business Improvement District)  
Chair of Helensville/Parakai Ratepayers  
Helensville Commercial Property Owner  
Organiser of Helensville Christmas Festival

Alternative Application.

From 'Better Together' Waiheke, June 2016.

Re: 'Our Waiheke' proposal for a Waiheke Unitary Authority, November 2015.

To: The Local Government Commission

Transmitted by email:

[Simon.cunliffe@dia.govt.nz](mailto:Simon.cunliffe@dia.govt.nz)

Please direct to the appropriate officer.

The under-signed submit for consideration an alternative proposal for the reorganisation of local government in respect to Waiheke Island and the Islands of the Hauraki Gulf.

We would respectfully request that the Commission takes into account the following factors when it considers this alternative application:

1) Await the outcome of pending legislative amendments.

Before any decisions are made that will affect the residents and ratepayers of the Auckland region (the community of interest), we believe it is better to await the proposed options for improved Local Government Services promised in amendments to the Local Government Act due for introduction into the House of Representatives, June 2016.

2) There are risks involved in 'Our Waiheke' application.

The 'Our Waiheke' proposal for a separate Waiheke unitary authority is not well supported:

- It fails to present complete, plausible and credible figures. It is based largely on assumption;
- It Involves risks to the quality and capital development of current and future local infrastructure;
- Estimates are speculative and incomplete in respect to the delivery of public services and regulatory functions at the expected current levels;
- Overall benefits of breaking away from Auckland are not well described; and,
- Support from the population of the Auckland region is not evident.

3) Our Waiheke costs are estimates only and not comprehensive.

The best current estimate of the Auckland Council owned asset base that would transfer to a proposed Waiheke Unitary Authority is \$309 million. These assets will require ongoing maintenance, upkeep and capital development. These costs will need to be met by the local community.

The cost of debt incurred by a local authority is normally serviced from future revenues, particularly rating revenue. The cost of debt servicing is unknown.

Further, Auckland Council is unable to provide the total cost of providing public facilities, amenities and services to Waiheke Island as not all costs are identified on a specific basis.

Auckland Council advises that costs can generally be broken down into three types:

A) Costs that are incurred for a specific project, which can be then identified and allocated to a local area (examples include operating a library, sealing a particular stretch of road, or building a stand-alone water treatment plant);

B) Costs that are incurred on a regional basis and provide services for the entire region (examples include running elections, preparing unitary plans, managing or employing customer contact centres, public transport planning, civil defence and emergency management); and

C) Costs that are incurred for works in specific locations but where the costs are charged on a wider basis within contracts that have gained council savings through economies of scale (examples include parks maintenance, facilities management).

Therefore, a substantial portion of costs incurred by the council group cannot be identified as belonging to a specific local area and the only way to do so would be to allocate costs across the Auckland region on some arbitrary basis (e.g.: population, area, rates income).

4) Costs of de-amalgamation may outweigh benefits.

The push for de-amalgamation arises from a frustration with:

- Rate rises;
- Perceived inefficiencies;
- Lack of input into issues where local decision making may provide a better outcome, (subsidiarity)and,
- The perception that inadequate account is being taken of Waiheke's fragile island environment and the national heritage of the surrounding Hauraki Gulf and its islands.

5) resolve conflict over repeated claims for de-amalgamation.

This is the third time that a sector of the Waiheke community has sought to break away from Auckland, previous attempts having been made in 1989 and 2009.

In the interests of reducing the cost and eliminating the continual disruption to the wider community we would ask for clear parameters to be put around repeated applications for devolution.

Every application carries a very real risk that it will lead to a divided community. Divisive things divide. A divided community is the antithesis to good local government.

Conclusion.

These are the issues that we believe can be better addressed under the proposed amendments to the Local government Act.

The submitters are of the opinion that devolution to a parochial model is not the answer for Waiheke and that the costs of de-amalgamation may far outweigh any benefits.

We hold that a more flexible approach to local government organisation aimed at efficiencies and satisfaction with value for money, and the setting of priorities based on facts rather than ideologies would help offset many of the frustrations with local government.

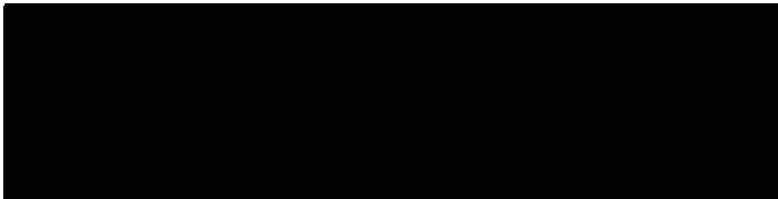
End.

**Alternative application to  
North Rodney Unitary Authority (Northern Action Group - NAG) proposal  
under clause 10 of Schedule 3 of Local Government Act 2002**

**Proposer**

James Grant Kirby, 2233 Kaipara Coast Highway, RD4 Warkworth, Auckland 0984. Ph 09 4205185; [REDACTED]

This application is supported by the following affected property owners:



Expressions of support are attached.

**Section 24(1) considerations**

This alternative proposal calls for the removal from the Northern Action Group (NAG) proposal the area to the west of their proposed boundaries and its inclusion in the Kumeu subdivision of the Auckland Council Rodney ward. The proposal is for the western boundary of the NAG proposal to be amended to coincide with the parliamentary electorate boundary of the Helensville electorate (plan attached). This results in an estimated 800 people being removed from the area of the proposed unitary council. I note that the NAG southern boundary severs several mesh blocks.

**Reasons for proposal**

1. Community of interest

Reorganisation proposals can cover more than one community of interest. That does not mean they can split existing communities of interest. The NAG proposal separates the south-west area of their proposed unitary authority from its predominant community of interest to the south.

The population bordering the Kaipara Harbour in the west have little community of interest with the majority population on the east coast. SH16, which runs along the west coast, provides easy access to the south. Helensville/Kaukapakapa/Kumeu and Albany provide the main service centres and facilities for west coast residents who would infrequently travel to the east coast. The local service town is Kaukapakapa.



Auckland Council provides service centres at Helensville and Kumeu. NAG propose a main centre at Warkworth and a minor one at Wellsford. Nothing is proposed to cater for residents bordering the Kaipara Harbour in the south-west.

This community of interest was recognised by the Representation Commission in 2013 when it included the area under discussion within the Helensville parliamentary electorate. Community of interest was one of the criteria the Representation Commission had to comply with when it made this change. I cannot find any objections to the Representation Commission's proposal and final decision from west coast residents within the area concerned.

It should be noted that my discussions with Iwi have revealed that they see their community of interest in the west as being more extensive than my alternative proposal, which could lead to the exclusion of a greater area from the NAG proposal than I am promulgating.

## 2. Future growth

The discussion about the city limits causing land shortages for housing raises serious concerns. Land to the south of the city (Franklin ward) has highly valuable land use capability category 1 agricultural soil which should not be used for housing. The land along the Kaipara Harbour is lower value general farming land with clusters of lifestyle blocks. Retaining this land within the Auckland Council area makes sense for future expansion.

There are several 'special housing areas' (SHA) and housing initiatives that can only occur as part of greater Auckland. The following developments are all close to the area recommended by this alternative proposal for retention within the Auckland Council:

- an approved 60 lot- SHA development in Helensville;
- a SHA to provide for Maori housing near the Woodhill forest;
- a large 200ha SHA site at Argent Lane, Wainui that Fulton Hogan are about to develop for housing; and
- surplus retired houses from Hobsonville Land Company are being retro-fitted for Maori housing in Helensville and further north.

## 3. Worry about financial impact of NAG proposal

Auckland Council is a good address. Property values could drop if the area was put into a small non-Auckland Council unitary authority. The Auckland Council recognises the remoteness of the area from many of the council provided facilities. A value differential is applied in recognition of this and rural rates have decreased since the Auckland Council policy was introduced. Given the financial pressures the farming sector are currently under, there is little enthusiasm for potential rate increases which could occur within a small and struggling unitary authority.

I also note that there does not appear to be any provision made to fund depreciation under the NAG proposal. Given the large underground asbestos cement (AC) pipe infrastructure in the townships within the NAG proposal and the knowledge that these pipes have reached the limit of their serviceability, it is critical that their replacement is programmed within the next few years. A recent assessment of AC pipe replacement in Wairarapa townships of similar sizes to Rodney towns put the AC pipes replacement cost at over \$100m.

The area proposed by NAG also contains about 700 kilometres of unsealed roads. The former much larger Rodney Council could not manage significant road sealing.

NAG needs to show how the proposed council will fund the huge infrastructure maintenance, replacement and improvement programmes it will face.

The NAG proposal also contemplates a “no borrowing” policy. Responsible borrowing is not a bad thing (we have all done it for our first homes). It also gives a fairer intergenerational equity for expensive infrastructure works and allows for timely intervention before more expensive total failures.

#### 4. Environmental concerns

The Kaipara Harbour has a delicate environment that must be protected. I doubt that a unitary authority of 20,000 people predominantly focused on the east coast settlements will offer the Kaipara Harbour the environmental monitoring and protection that it deserves and requires. The NAG proposal is mute on this important matter. The Auckland Council has already upped the level of monitoring and care that is being given to the harbour. It would be unfortunate if another less able authority became involved in harbour management to any significant level.

### Other information

#### a) History

The former Rodney Council was the only amalgamated council that had more “get rid of it” than “keep it” submissions to the Royal Commission considering Auckland governance. One has to question whether the NAG proposal will satisfy its ratepayers more than its legacy council did.

NAG also promoted ‘amalgamate with Kaipara District’ as its first proposal. Kaipara was in deep financial strife caused by infrastructure costs and was replaced by commissioners shortly thereafter. It makes one worry about the value of NAG’s due diligence, and operational and financial estimates.

The NAG proposal makes much of the fact that all the rates collected in Rodney are not spent in Rodney. Cross subsidy between communities within a council is normal and



makes best use of the critical mass generated. The benefit of critical mass normally evens out over time.

b) Rural and Iwi understanding

NAG have stated that much of their concern is based on a lack of understanding by Auckland Council of rural communities. I have had it confirmed to me by a member of the Auckland Council's Rural Advisory Panel that NAG have never raised or discussed their concerns with the Panel. I also note that the drive for separation comes largely from the east coast townships of the Rodney ward. These areas are more urban than rural, so I fail to see how the proposed unitary authority will help rural understanding.

A member of the Auckland Council Maori Statutory Board has also expressed concern to me about the Board not being consulted about the NAG proposal.

c) Proposed Auckland Unitary Plan (PAUP) considerations

Auckland Council is a unitary authority and has completed its hearings on the PAUP. It is due to return its findings to Auckland Council shortly. The hearings process has involved key local businesses and landowners such as quarry owners, Federated Farmers, and the 'Gibbs art sculpture park' which has its own Kakanui precinct. Many landowners have spent hundreds of thousands of dollars engaging in this process and hearings before the Auckland Unitary Plan Independent Hearings Panel (AUPIHP). Their input would be null and void if the NAG proposal sees the light of day.

The unitary plan also supports growth in Auckland by establishing Warkworth as a satellite town that could support an additional 8,000 residents. NAG believes that if this plan proceeded under its new unitary authority it would be completely self-funding. I think experience would indicate that there will be an ongoing and substantial cost incurred by this level of expansion. NAG also fail to understand that a bigger council has the resources to promulgate, implement and, just as importantly, monitor compliance with a unitary plan.

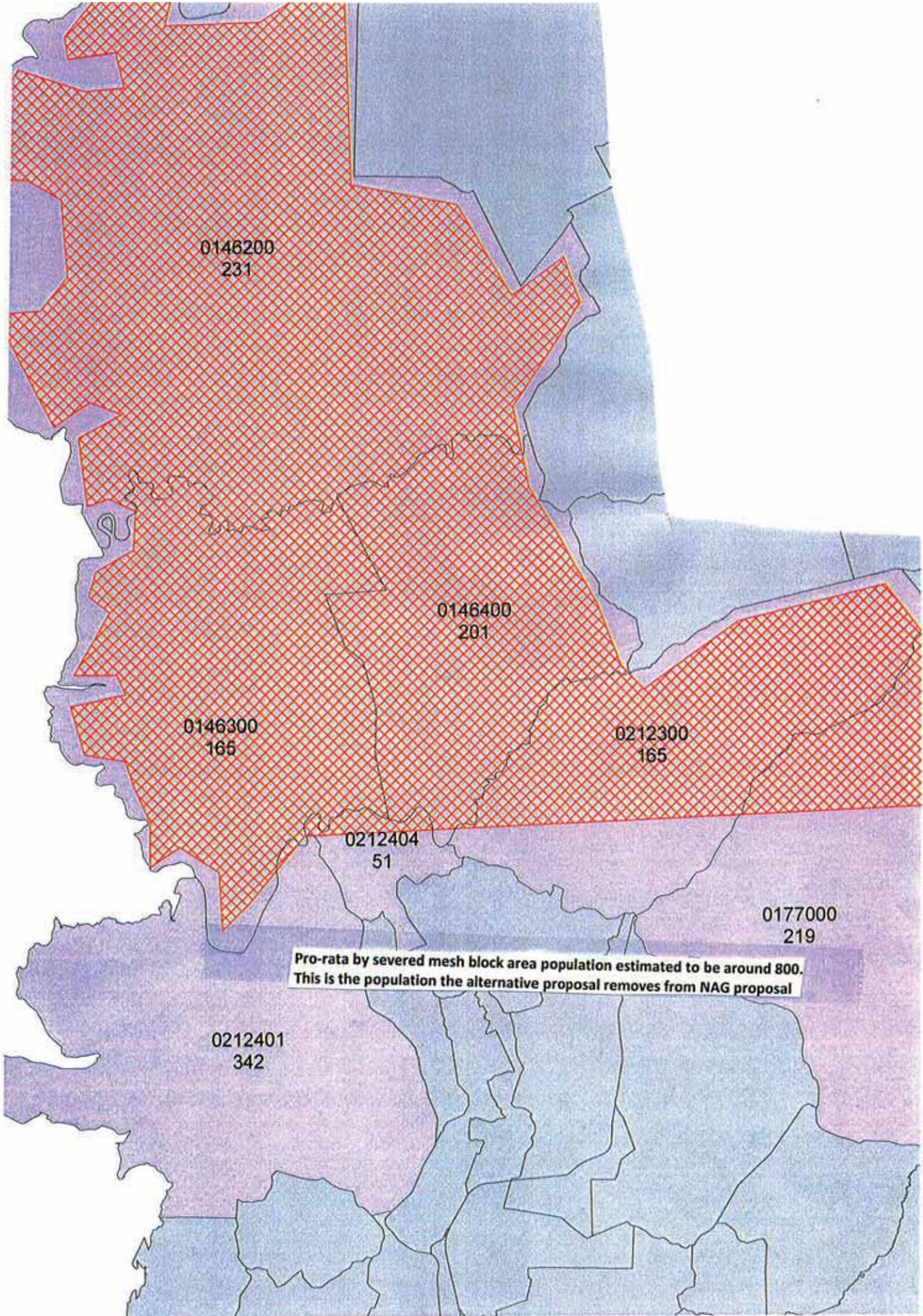
**Hearing**

I wish to be heard at any hearing conducted on this matter.

**Grant Kirby ONZM**







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231

0146400  
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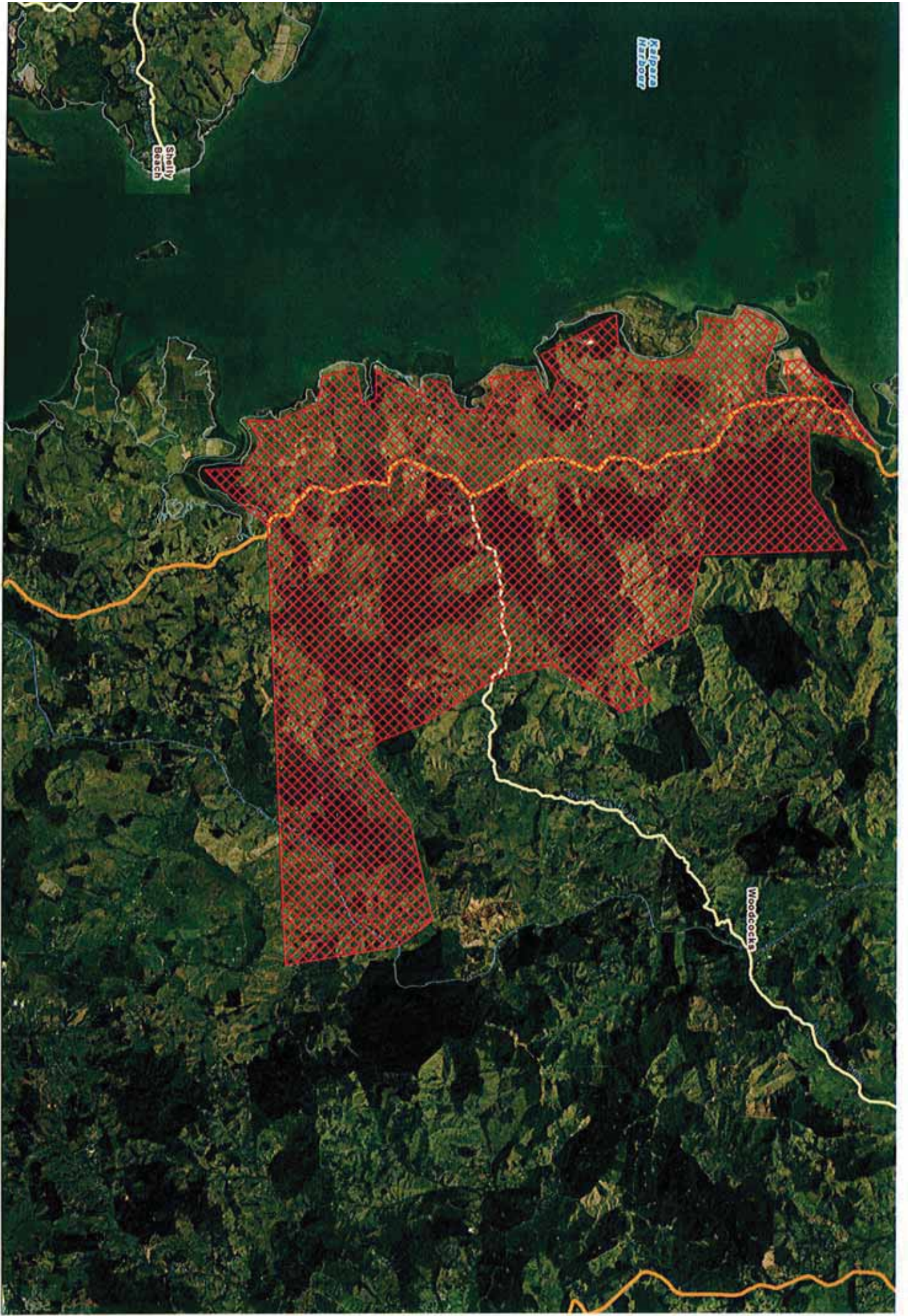
0212404  
51

0177000  
219

**Pro-rata by severed mesh block area population estimated to be around 800.  
This is the population the alternative proposal removes from NAG proposal**

0212401  
342





## Grant Kirby

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**From:** [REDACTED]  
**Sent:** Saturday, June 18, 2016 9:25 AM  
**To:** Grant Kirby  
**Subject:** Support for J G Kirby's alternative application to Northern Action Group (NAG) proposal

Hi Grant

This is to confirm my support of your alternative application to the North Rodney Unitary Council proposal by NAG under the Local Government Act 2002. I concur with all the points you have made in your alternative proposal.

I would like to note for the record that NAG have unilaterally included our area in their proposal without any consultation. They have never approached me, nor to my knowledge have they approached members of our local community to ask if we would like our area to be included in their proposal.

Regards

[REDACTED]



## Grant Kirby

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**From:** [REDACTED]  
**Sent:** Wednesday, June 15, 2016 10:16 AM  
**To:** [REDACTED]  
**Subject:** Alternative Application to North Rodney Unitary Authority Northern Action Group Proposal

Dear Grant

This is to confirm the support of Manaia Properties Limited, of the Alternative Application you are proposing as an alternative to the Application for a North Rodney Unitary Authority proposed by the Northern Action Group (NAG).

Manaia Properties Limited is the proprietor of approximately 1300ha of land at Glorit, of which about 800ha is actively farmed and the balance managed for conservation purposes. The company enjoys good support from the Auckland Council for its conservation efforts.

Manaia Properties Limited shares the concerns you express in your alternative proposal about the separation of the south west of the NAG proposed unitary authority from its predominant community of interest to the south, and in particular that this area, or at least a large part of it, is within the Kaipara Harbour catchment, rather than the Hauraki Gulf catchment, as is the case with the area to the east and around the Warkworth township.

In addition to this email, I will be writing on behalf of the company to the Local Government Commission expressing the company's support for your proposal.

Good luck with your proposal. Please let me know if there is anything else we can do to assist.

Yours sincerely

[REDACTED]  
Director



**Grant Kirby**

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**From:** [REDACTED]  
**Sent:** Monday, June 13, 2016 3:12 PM  
**To:** 'Grant Kirby'  
**Subject:** RE: nag proposal

HI GRANT

[REDACTED] accept your nag proposal.

**Grant Kirby**

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**From:** [REDACTED]  
**Sent:** Tuesday, June 14, 2016 10:33 AM  
**To:** [REDACTED]  
**Subject:** Re: nag breakaway proposal

To Whom it may concern,

[REDACTED] Support Grant  
Kirby's Alternative Application To North Rodney Unitary Plan Authority.

Yours Sincerely

[REDACTED]

On Wed, Jun 8, 2016 at 9:32 PM, Brendon Gray [REDACTED] wrote:

**Grant Kirby**

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**From:** [REDACTED]  
**Sent:** Wednesday, June 1, 2016 8:58 PM  
**To:** Grant Kirby  
**Subject:** Re: FW: Auckland Council paper on NAG

Hi Grant and Jan,

It certainly makes sobering reading. I support your alternative option that excludes our properties. There is no way that this area could financially sustain itself given the cost of infrastructure, particularly roads, parks and libraries. The NAG proposal may also have other 'knock-on' effects for residents in terms of where the Waitemata District Health Board may draw its boundary in future.

Let us know how best to support your alternative option.

regards,

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Saturday, 25 June 2016 12:22 a.m.  
**To:** LGC  
**Cc:** [REDACTED]  
**Subject:** Submission to Local Government Commission re (alternative application) on changes for local government arrangements in Auckland. (Auckland Council).

25 June 2016

(Apologies - I have been swamped with the Auckland Mayoral campaign)

Submission to Local Government Commission re (alternative application) on changes for local government arrangements in Auckland. (Auckland Council).

I wish to address the Local Government Commission in person in support of this submission.

[REDACTED]

As a 2016 Auckland Mayoral candidate, I support the proposals from both the Rodney Northern Action Group, and Our Waiheke who both want more direct local and community control through becoming Unitary Authorities.

I am someone who opposed the Auckland 'Supercity' literally from 'Day One' - 5 September 2006 - the date of the 'failed Mayoral coup'.

This occurred at an Auckland Mayoral Forum meeting, when the then four City Council Mayors, effectively 'ganged up' against the Auckland Regional Council (ARC) and jointly signed an 'Open Letter' to Prime Minister Helen Clark, pushing, (on behalf of business interests) for an Auckland 'Supercity' to urgently replace the ARC and existing Auckland Councils.

Myself and a fellow Auckland Community 'Public Watchdog', [REDACTED] were tipped off about this meeting, which we effectively 'gate-crashed' and disrupted, on the basis that the Auckland Mayoral Forum was not a 'creature of statute', and had no lawful authority to attempt to railroad through such a reorganisation proposal.

In my view, our intervention at that time, helped to slow down this (unlawful) Auckland 'Supercity' reorganisation proposal, and the resulting public and Council 'fuss' helped ensure the appointment and consultation process via the Royal Commission on Auckland Regional Governance.

However, in my considered opinion, this Auckland 'reorganisation' was never really about 'governance' - it was always about infrastructure.

Bigger contracts - for bigger but fewer private contractors.

Setting up the 'economies of scale' - not for the benefit of the majority of ratepayers and citizens, but potentially to privatise Council Controlled Organisations (CCOs), (arguably the most significant recommendation of the Royal Commission) - first CCOs - then Public- Private -Partnerships (PPPs).

In my view, the CCO model has been the mechanism through which the Auckland region is being run 'like a business - by business - for business'.

Seven democratically elected Councils (warts and all) were replaced with seven undemocratically selected CCOs, each with their own Boards of Directors, Executive staff, staff, consultants, contractors, offices, Statements of Intent etc.

But where is the transparency and democratic accountability with this CCO model?

Where are hundreds of million\$ of public rates monies which are going to CCOs actually being spent?

Having conducted a one person 'rates revolt' in defence of my lawful rights as a citizen to 'open, transparent and democratically accountable' local government, for the last 9 years, I am pleased to be able to confirm that the Local Government and Environment Select Committee agree with me.

[http://www.parliament.nz/resource/en-nz/51DBSCH\\_SCR69296\\_1/924613ec7fb831c4e74bd062f73287ac2ceb5081](http://www.parliament.nz/resource/en-nz/51DBSCH_SCR69296_1/924613ec7fb831c4e74bd062f73287ac2ceb5081)

"Accountability and transparency of Auckland's council-controlled organisations

The petitioner told us of her concern that the public was unable to have a say on the model of Auckland's CCOs after the 2009 Auckland "super city" merger.

She stressed that the public is also unable to have a say about the directorship of CCOs or to have any direct say in CCO statements of intent.

She believes that this is because CCOs are not classified as local authorities for the purposes of the Local Government (Rating) Act 2002.

The petitioner strongly believes that CCOs need to be more accountable to Auckland ratepayers because a percentage of rates goes towards the operations of CCOs.

She told us that she is defending her "lawful right as a citizen to know where my money is being spent".

The petitioner questions how the efficiencies and cost-effectiveness of Auckland CCOs is monitored.

She is particularly concerned that information about the financial transactions of CCOs is unclear and difficult for the public to access.

For example, she would prefer that contractor transactions were easily available in a written format for public scrutiny.

The petitioner also asked why Auckland Transport does not provide open access to information about transport subsidies, given that much transport in Auckland is privately operated.

We were also told that Auckland rates have increased to pay for a transport levy.

'Democracy for developers' via the 'One Plan' for the Auckland region.

In my view, both Auckland Council and central Government have helped to inflate the highly speculative Auckland real estate market by not following the statutory requirements of the Local Government (Auckland Council) Act 2009, which lawfully required 'spatial planning' to be 'evidentially based'.

It wasn't.

Despite the Department of Statistics recommending the 'medium' population growth projection of an extra 700,000 people coming to Auckland by 2040, two people, Mayor Len Brown and the (former) Auckland Council Chief

Planning Officer, Dr Roger Blakeley, chose to use the Department of Statistics 'high' population growth projection of an extra 1,000,000 people coming to Auckland by 2040.

I provided evidence on this matter to the Social Services Select Committee to support my Petition 2011/64.

This 'extra million people' coming to Auckland by 2040, was the underpinning driver for the Special Housing Areas legislation, which, in my view, has helped to exacerbate the current crisis of homelessness in Auckland.

Housing New Zealand has, in my view, now been effectively transformed into a property development company, which is engaging in 'land banking'.

While some of our most vulnerable citizens try to sleep on cardboard in Queen Street, or crammed into cars, caravans and garages, there are hundreds of empty State houses in Auckland.

Not to mention thousands of empty private sector homes, where the lights never go on at night, because they weren't bought for either owners or renters to live there - but for speculative capital gain.

Where is the leadership being shown by central government to develop a national population growth, migration and regional employment strategy?

Why does all this 'growth' have to come to Auckland?

Who is benefitting from 'packing and stacking' people on top of each other in the skinniest part of New Zealand?

Property developers, foreign investors, bankers, land bankers, speculators and money-launderers?

What is this Government actually doing to stop the Auckland Real Estate market being used for money-laundering?

What is 'local' about local government in Auckland, when central government effectively threatens Commissioners, and Aucklanders NOT having 'the last say' when it comes to property development where WE live in OUR Auckland communities?

In my view, the Local Government needs to conduct an urgent review of this Auckland 'Supercity', and Auckland Council Controlled Organisations (CCOs) against the underpinning statutory requirements of the Local Government (Auckland Council) Act 2009, Local Government Act 2002, Local Government (Rating) Act 2002, and Public Records Act 2005.

In my view, there should be absolutely no legislative changes to extend either the 'amalgamation' or the CCO model without a full, proper and independent inquiry into both the Auckland 'Supercity' and Auckland CCOs, where ratepayers and citizens are given a full and thorough opportunity to express their opinions and experiences.

Yours sincerely,

A black rectangular redaction box covering the signature of the author.

# MANAIA PROPERTIES LTD

Mataia  
2791 Kaipara Coast Highway  
Glorit RD4  
WARKWORTH

██████████ ██████████  
██████████ ██████████  
E-mail: rg.manaia@xtra.co.nz

24 June 2016

Chief Executive Officer  
Local Government Commission  
P O Box 5362  
Wellington 6145

Dear Sir

Re: Alternative Application to Northern Action Group Proposal

This is to confirm the support of Manaia Properties Limited, of the Alternative Application proposed by James Grant Kirby, as an alternative to the Application for a North Rodney Unitary Authority proposed by the Northern Action Group.

Manaia Properties Limited is the proprietor of approximately 1300ha of land at Glorit, of which about 800ha is actively farmed and the balance managed for conservation purposes. The company enjoys good support from the Auckland Council for its conservation efforts. The land is within the area proposed by the Northern Action Group to be a unitary authority.

Manaia Properties Limited shares the concerns that Mr Kirby expresses in his Alternative Application about the separation of the south west of the Northern Action Group's proposed unitary authority from its predominant community of interest to the south, and in particular that this area, or at least a large part of it, is within the Kaipara Harbour catchment, rather than the Hauraki Gulf catchment, as is the case with the area to the east and around the Warkworth township.

Please direct all correspondence in this matter to:

Richard Gardner  
8 Ada St  
Remuera  
Auckland 1050

Yours faithfully

P R Gardner  
Director





Te Awaroa Residents & Ratepayers Association  
PO Box 21, Helensville 0840  
Email: tarrassoc@gmail.com

**(Representing Helensville and Parakai, situated in South Rodney)**

23<sup>rd</sup> June 2016

Chief Executive Officer  
Local Government Commission  
P.O. Box 5362  
Wellington 6145

**Application for local government reorganisation by Northern Action Group**

In response to the Commission's invitation for alternative applications we submit as follows:

1. Representation as currently based on population ratios within Auckland (Super) City is not working for us. One Councillor covering the whole Rodney geographic area is impractical. Financially, this system deprives us. With 46% of the land mass and only 3.9% of the population, the geographic factor needs to be incorporated in the funding allocations. Specifically, we have the most unsealed roads, with no possibility of this ever being addressed by population based funding allocations. Also our socio/economic status is lower than average, another factor that should be taken into consideration for funding.
2. Where is the iwi voice in the NAG application? The boundary as proposed between north and south Rodney divides the 5 marae of Ngati Whatua o Kaipara – Reweti and Haranui in the south, Puatahi, Kakanui and Araparera in the north. With their Treaty Settlement in place, being divided under two different governing bodies could not work.
3. The state of our waterways and harbours is already compromised by too much division of responsibility. Rather than further division we need collaboration on these matters.
4. We are still adjusting to the ongoing changes brought on us by the formation of the Auckland (Super) City. Further significant change is not helpful at this time.
5. The NAG application does not indicate how their proposal would work in all practical aspects. Expecting to 'drop' the regional parks is an example of incohesive thinking.
6. We believe Local Boards should have more power and funding, as originally intended. Auckland City is bureaucratically top heavy, denying us democracy. We do not have governance by the people, for the people.
7. The biggest issue currently for south Rodney is road congestion, getting worse daily. We need there to be better interface between Auckland Transport and New Zealand Transport Agency. It is too easy for them to blame each other, or 'pass the buck',

currently. Beyond that, Auckland Council itself 'passes the buck' to these two organisations.

8. Our greatest concern, should the NAG proposal be seriously considered, is where south Rodney would be left. Attached to a neighbouring Ward? Or worse, divided between more than one neighbouring Ward? South Rodney, commonly recognised as the 'North West' (of Auckland), has its own distinct identity and works together as a community on many levels. We do not want our community divided.



Holly Southernwood  
Chair of Te Awaroa Residents & Ratepayers Assoc.

# **Taupaki Residents and Ratepayers Association**

**63 Amreins Rd, Taupaki. R.D2 Henderson. Ph: 8109435**

**Email: [shawz@clear.co.nz](mailto:shawz@clear.co.nz)**

22 June 2016.

Local Government Commission  
PO Box 5362  
Wellington 6145  
NEW ZEALAND

## **Proposal from the Northern Action Group (NAG)**

The purpose of this letter is to register a formal objection by the Taupaki Resident & Ratepayers Association to the proposal by the NAG to split off the northern area of the Rodney Ward from Auckland Council.

We have discussed this at our recent Committee meeting, and at our AGM in June, and our Association has held consultation with the Kumeu-Huapai Residents & Ratepayers Association on the matter.

We agree with the Kumeu-Huapai Resident & Ratepayers Association that the Rodney Ward as it exists lacks meaningful representation with 1 Councillor and 1 Local Board trying to cover a large geographic area and separate communities of interest.

We register here, our support of the proposal by the Kumeu-Huapai Residents & Ratepayers Association to delineate the Rodney Ward into two Wards, (still within Auckland Council), but each with a Councillor and a Local Board, thus giving it better representation of its separate communities of interest and its geographical spread.

We would be happy to further express our views by attending any meeting or hearing into this matter.

Yours faithfully,



Ian Shaw  
Chairman  
Taupaki Residents & Ratepayers Association



[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, 24 June 2016 1:40 p.m.  
**To:** LGC  
**Subject:** Manukau City Council

As residents of Half Moon Bay x 2 we elect to return to our former area Council Manukau City Council please.

[REDACTED]

Sent from my iPad

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 24 June 2016 1:07 p.m.  
**To:** LGC  
**Subject:** submission re council

I wish to advise my husband and I want Auckland to go back to having Borough Councils rather than the Auckland Council as it is run today. It is a nightmare trying to make anything happen even involving really simple issues. What one would call a bureaucratic nightmare.

[REDACTED]  
Half Moon Bay  
Auckland 2012

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 24 June 2016 12:18 p.m.  
**To:** LGC  
**Subject:** Submission to the Local Government on Auckland City

To Whom it may Concern,

Dear Sir Madam,

I am writing on behalf of Friends of the EarthNZ.

Our Concerns are as follows:

1. The overweening powers of CCOs
2. The weakness of local boards in being able to represent truly local democratic interests.
3. The failure to design a comprehensive rail transport system which would involve the construction of major lines running eastwards to the Howick/Pakuranga region and northwards to the Orewa region
4. The apparent constitutional weakness of  
our elected councilors
5. The low numbers of our elected councilors
6. The overweening powers of non-elected planners and officials
7. The failure to develop comprehensive environmental protections for the gulf, the gulf islands, the regional parks and general city city management which still allows the use of herbicides like round-up - a proven agent in the causing on non-Hodgkins Lymphoma

Could you please inform us of your response, and if unable to receive further material from us, please regard this summary as a submission about which we are prepared to appear before the Commission and speak to salient points.

Yours faithfully,

[REDACTED]

Please respond to [REDACTED]

Sandspit Residents and Ratepayers Association  
Chairman Roger Burrill  
PO Box 325  
Warkworth 0941  
June 23, 2016  
[Burrill.r@xtra.co.nz](mailto:Burrill.r@xtra.co.nz)

To: Chief Executive Officer  
Local Government Commission  
PO Box 5362  
WELLINGTON 6145

[info@lqc.govt.nz](mailto:info@lqc.govt.nz)

**In regard to the invitation for alternative applications for local government reorganisation in the Auckland Council area.**

The Sandspit Residents and Ratepayers Association have discussed this matter and feels there needs to be a change in how North Rodney is governed.

- Due to the mainly rural nature of the community at large, North Rodney has little in common with the needs and administration of the Metropolitan regions of Auckland.
- The area is underrepresented in Auckland Council, due to the low density of the population and large geographical area.
- The association sees a need for change that recognises the nature of the North Rodney Community.
- The Association is concerned that the rates revenue collected from the North Rodney region is far in excess of what is returned in the way of services by the Auckland City Council and that much of the rates revenue is absorbed in to the high cost of administration and Metro Auckland expenditure.

**The Sandspit Residents and Ratepayers Association endorse the principles expressed by the NAG Group in their Proposal to form a North Rodney Unitary Council, but not necessarily their application.**

Chairman SRRA

  
Roger Burrill

Cc: Ken Bogue Deputy Chairman, [ken.bogue@raywhite.com](mailto:ken.bogue@raywhite.com)

Greg and Nancy Doherty, Secretaries, [gregd@hqh.com](mailto:gregd@hqh.com)

Letter to Local Government Commission – [info@lgc.govt.nz](mailto:info@lgc.govt.nz); (P.O.Box 5362 Wellington)

Below are some of my reasons for asking you to support the “Our Waiheke” plan for Independence from Auckland City.

1)Waiheke is physically discrete - No roads, bridges, reticulated water, storm water drainage, sewerage or other infrastructure items cross into another territory. Recreational and other facilities are not shared. In effect, we are visitors in Auckland and they are tourists here.

2)Our only physical ties to Auckland are via privately owned bus and ferry companies docking at Half Moon Bay and the CBD (which is rapidly becoming less and less user-friendly for ferry users as bus termini move further away, more ‘events’ and roading decisions close off access to the ferries and the needs of the elderly and disabled are marginalised). There would be virtually no changes necessary to alter wharf usage agreements (indeed if Waiheke had had control of the recent berthage contract changes we would almost certainly not have lost the competition advantages of having a second ferry operator). Even Watercare’s plant at Owhanake which services a tiny part of Oneroa village is completely independent.

2)We have different community values and aspirations from our urban neighbour. The very raison d’etre of the super city was to homogenise and create uniformity while Waiheke is different physically and socially (the majority of us would not pay the ferry fares if life here were in fact the same as in Auckland).

3)It is this “difference” from the urban that is celebrated in our selection by Lonely Planet as the 5<sup>th</sup> best regional destination and by Conde Nast Traveller as the 4<sup>th</sup> best Island in the world and features high on the Air NZ in flight “to do” list. Waiheke makes up only 0.6% of Auckland voters but its Tourism potential and consequent infrastructure needs give it an importance well beyond its power.

4)Both previous amalgamations (Auckland City and Auckland Council) promised Waiheke a greater degree of self determination/rule/independence than other areas because of 1-3 above – this has never eventuated (if anything it has decreased).

5)Promised ‘economies of scale’ have also been replaced by huge budget excesses largely due to the replacement of local knowledge and input by hired consultants and a regime which turns local consultation into the rubber stamping of pre-determined outcomes.

6)As decision making and power move further and further away from the local community, trust in the process is diminished

Negatives of administration by Auckland City:

7) We have continuing issues with Auckland Council in general but particularly with its Planning Division (which appears to be more in sympathy with external entrepreneurs and developers than with the existing local community), and with its CCOs.

8) For example ATEED undermines its Waiheke 'strategy' by supporting activities around the CBD ferry terminus (e.g. fan zones, start and/or finish lines of sports events, cruise terminus) which make access to the Island difficult (especially for the elderly and disabled) while at the same time they do not promote improvements in fundamental 'on Island' infrastructure like toilets, rubbish removal, transport or the preservation of the very environmental factors which have attracted the visitors in the first place.

9) Our greatest bug-bear Ak Transport is diminishing and destroying the very things which make Waiheke (the golden goose) such a popular destination – it's mix of low impact facilities and old fashioned rural ambience. The impact of a CCO like AT (which is a "democracy free entity" (Gulf News 14/1/16 pg 1) not accountable to any elected authority and uncontrollable to both those who 'employ' it and those it 'serves') is much more dangerous when the concepts are so far out of their experience and expertise that decisions that would barely be noticed on the mainland can be lethal on a small island.

10) Independence would avoid financial waste in the hundreds of thousands of dollars being haemorrhaged to pay for 'mistakes'. Our experience of city administration has been a long history of bungling and frustration. N.B. it is ALWAYS cheaper and easier to avoid/prevent problems than to repair them:

a) budgets used up on the glossy 'expert' consultations so none is left for the actual job (Oneroa service lanes and beautification). Spending up to a hundred million p.a. (\$62mill Gulf News 5/6/08) on consultants (which infers getting advice) is not the same as consulting (which assumes listening and heeding).

b) AT creating, then having to remove or adapt, inappropriate solutions/structures e.g. road 'calming' humps in Oneroa (cancelling the trolley derby & santa parade); and in Ostend – (damaging bus axles and ambulances); dodgem style alternating flower beds inserted into the shared cycle/pedestrian Matiatia footpath; oversized roundabouts Oneroa and Surfdale that buses can't get round; unneeded Rocky Bay road 'repairs' that took 3-4 months to completely destroy the road and then necessitated repair of the entire stretch of roading; Rocky Bay pedestrian bridge which cost \$160,000 but still wasn't 'fit for purpose'; the Blackpool to Surfdale Esplanade which has been turned into a visual and driving nightmare with its pot holes and bollards which narrow the road so much that neither maintenance graders nor emergency service vehicles can use what is the Island's only alternative route to the ferry.

11) There is still no mention in the next ten years of a plan to address parking issues at Matiatia. Matiatia has an annual through-put comparable with Auckland Airport, 1000 daily commuters and up to a quarter of a million people per month. Yet the available public



transport "key hole" is only 4 bus lengths long and there is no free parking within a kilometre of the ferry - and that is the unterraced, unmarked and unsealed "temporary" for almost 15 years disgrace of Owhanake .

12)Not one single Waiheke project appears in any city budget for the next ten years. But this is not primarily about money it is about GOVERNANCE. With our own Council we could decide the priorities.

13)Imagine if Ak Council had agreed to mediate rather than litigate the Matiatia Marina application. One million city and half a million local dollars could have been spent on that indoor public pool that they refuse to include in the budget instead of being spent opposing (successfully) a project City planners short-cut process and discounted fees for.

14)A Waiheke Council would notice when millions of dollars of wharf taxes "disappeared", would differentiate between Planning guidelines and rules and would pursue enforcement with something a little more forceful than a 'wet bus ticket'.

15)It would not treat a new competitor on a monopoly ferry route so unfairly as to cause it to withdraw from the market purely on the basis of discriminatory decision making nor support the trebling of sailings over summer while having no item at all in its 10 year plan for anticipated new project expenditure.

16)If a project is prioritized and budgeted for locally, it means A) the right job is done (bus shelters of wood for the weather not glass for the vandals) B) it is DONE right with local oversight C) it is done in a penny pinching manner (so other jobs can also fit within the budget) e.g. \$10,000 was allocated to move a bus stop sign 3 metres while the \$5,700 to give each household a DVD explaining how to maintain a healthy septic system was denied.

17)In support of my points I refer you to others who have recently commented through our local (award winning media) on our troubled relationship with Auckland City. These tend to revolve around wasteful spending, non-eventuating outcomes, paralysis by competing sections of the bureaucracy, lack of institutional and/or local knowledge, poor communication, the consultation and job quote 'gravity trains' (jobs up to 4 times more expensive than the local quote), CCOs as a law unto themselves, and lack of communication between different sections of Council (e.g. 3 'owners' of Matiatia land but no mutual plan):

Mike Lee on 'consultation' – Gulf News, 28/1/16

Peter Leenstra on 'the war' - Gulf News, 14/1/16, pg 13

Paul Walden on our 'comprehensive transport plan' - Gulf News, 14/1/16, pg 16

Paul Walden on our 'herding cats' - Gulf News, 14/1/16, pg 16

Mr Tavares on democracy failures - Gulf News, 31/12/15

Carl Flavell on so called maintenance - Gulf News, 28/1/16, pg 7

Summation:

18) Look at what IS happening – sell Downtown to developers, then move buses from the transport hub of Britomart, pedestrianize Quay street, restrict disabled and freight access to the wharves (except for cruise ships) etc etc

19) Local Board members have been quoted as saying that approximately 90% of meeting time is spent/wasted 'battling' with Council employees.

Our relationship with Auckland City is dysfunctional - It is 'broke' so let's fix it.

It is no accident that Wellington and others have sent the government a resounding NO to being 'upsized' to 'super' status because Auckland's 'experiment' has clearly shown the outcomes are not desirable.

20) While Rodney's reasons for seeking Independence are probably similar, their claim shouldn't be lumped in with ours. Because they have 'neighbour/overlap' issues there are complexities whereas because we are a discrete entity our separation would be clear cut and easy.

21) The objective of the Super City is to unify Auckland into a cohesive unit with single District Plan etc. To subsume semi-rural Waiheke into such an urban amalgamation would be inappropriate and counter to all the stated regional and national policies for the Island and the antithesis of local community wishes.

As an island separated from Auckland, Waiheke's infrastructure and other core functions are independent so governance of the islands can and should reflect this. Core areas such as Transport (roading, footpaths, traffic, etc); Water; Waste (rubbish, sewerage, drainage etc); Planning and Consents should all be decided and administered locally in order to effect economies of (small) scale, accountability, community participation, and development appropriate to a non urban 'recreation' area. - I believe that only keeping the Islands of the Gulf separate will enable them to retain and enhance their points of difference from the city which I believe to be a desired outcome. Waiheke IS different and forcing the square peg into a round hole does BOTH a disservice. Homogeneity would be the death knell for the Gulf Islands.

22) I believe the only successful solution for Waiheke (despite its small size) is independence within the context of a Hauraki Gulf Islands Ward/Council/area.

[REDACTED]

[REDACTED]

[REDACTED]



# Submission to Local Government Commission (LGA) re Governance of Auckland Council (AC)

[REDACTED]  
[REDACTED]  
[REDACTED]

My proposal is based on what I perceive as the abysmal lack of interest by the Auckland Council in the concerns of the citizens it supposedly represents. So called "public consultations" seemingly fall on deaf ears as the Auckland Council (AC) proceeds with its pre-determined courses of action.

In our area of Warkworth, there is an immense resentment about this issue. I and others make submissions to these "public consultations" and the lack of AC acknowledgement or response to our concerns is totally frustrating. As a consequence we feel disenfranchised, as well as a strong resentment towards AC for what seems to be dictatorial decision-making driven by AC officials and not by the ratepayers who pay for AC.

People living even further north of us in Wellsford and Te Hana most probably experience even more frustration given how much further they are from Auckland's CBD where the main concern, vision and focus of AC resides.

You, as the LGA, will be well aware that we, who reside in the new Auckland Supercity, were forced to amalgamate by government legislation. There was no referendum. Government believed they knew better than those of us who actually live here. At the last moment the northern boundary of the new city was suddenly extended to include Puhoi, Warkworth, Wellsford and Te Hana, all of which are rural service towns. No input from the residents was sought on this decision - it was made by decree.

Under the **Local Government Act 2002**

Subpart 1 - Purpose of local government

10 Purpose of local government is -

- (1) The purpose of local government is
  - (a) to enable democratic local decision-making and action by, and on behalf of, communities;

In Auckland City this purpose seems not to have been met in any useful manner whatsoever.

The Local Government Commission already knows that there are a number of better ways to govern a community and that the associated templates and models are already in place and practice in some parts of New Zealand.

What I do fail to understand is why it is not mandatory for all councils in New Zealand to be obliged to follow one or more of these proven models and thereby empower communities in managing and enhancing their own environments.

As is often the case, there is a wealth of information available from various sites on the internet. I have selected parts extracted from both the Thames Coromandel District Council and your own

LGNZ site. The following document has remarkably useful content. and without wishing to repeat to you, a document with which are fully familiar, I would like to simply highlight some of the statements from this document

**A Good Practice Guide for Enabling and Supporting Place-Based and Related Community Governance**      **New Zealand-Australia**      **September-October 2014**

(<http://www.lgnz.co.nz/assets/KnowHow-pdf-documents/Good-Practice-Guide-Community-Governance-2014.pdf>)

The guide sets out to provide a pathway for councils and other entities towards building a community governance approach into the way in which decisions are taken on behalf of the communities they serve.

The focus of the guide is on non-statutory community governance where the framework is set by the Council (or other entity), but the initiative to establish individual community governance bodies comes from the community. Statutory forms of community governance are typically 'top down' in the way they are established. They both depend on council initiative for their establishment, and can be disestablished as a result of council action. Examples include New Zealand's community boards and the use of Council committees in Australian local government.

The guide sets a course that is 'bottom up', centered on place and neighbourhoods (that is, place-based), in contrast with 'top down' approaches which have been the more usual first step for councils seeking greater community involvement, but extending also to communities of interest and of identity.

The principles include:

- a need for clear on-going council commitment including some support for capability development and resourcing
- an understanding of the importance of respecting the independence of community governance groups, and rate payer.

Two examples of where New Zealand Councils that are able to successfully establish governance that is "bottom-up" and centered on place and communities.

Southland District Council

Thames Coromandel District Council

They have made very extensive use of powers of delegation to community boards and, more generally, put a strong emphasis on working with their communities whether or not they are formally constituted.

**Southland District Council**

Southland District Council (SDC) is generally accepted is having the most community based and participatory to community governance and community boards in New Zealand. The introductory message from the Chief Executive provides an insight to the approach adopted by Southland District Council to governance.

When the Southland District Council was formed 21 years ago, a lot of thought went into identifying **one founding principle** - a key message to underpin our culture and drive everything we do. In the end, it came down to two words: **"People First"**

**'People First' is also the Council's slogan.**

### **Southland Community Boards and Local Committees**

- SDC actively promotes and supports local input into decision-making through its 12 Community Boards, 16 Community Development Area Sub-Committees and various other committees.
- Southland community boards can make local policy decisions on water supply, sewerage, drainage, reserves, footpaths, street lighting, camping grounds, traffic management, waste management and many other local activities.
- Community boards are delegated to approve leases including leases on recreational land, managing specific local halls and cemeteries.
- The most significant function of the community boards is the preparation of local budgets and recommending the level of local rates, particularly where the local community wants an enhanced or better standard/level of service than the standard level of service.
- The principle of local people determining their priorities for their community activities and influencing the level of local rates is applied. For district wide activities/rates, communities that want an increased level of service beyond the district level set their rates (via Council) accordingly.

### **Community Development Area (CDA) Sub-Committees**

CDAs were established in the Southland model to further encourage local representation in assessing the needs of communities. The sub-committees are formed when a request is received from a community and local support can be demonstrated. Operating at a lower level than Community Boards, some CDAs are responsible for all activities in their communities, and others are responsible for only recreational facilities. CDAs can recommend to Community Boards and/or Council.

### **Governance Support in the Southland Model**

- Eight council area offices are operated as a first point of contact for residents and ratepayers (located in Invercargill, Winton, Te Anau, Otautau, Lumsden, Wyndham, Stewart Island and Riverton).
- Many of the Council's services including responding to general customer enquiries are provided through the area office staff.
- Area offices provide secretarial support for Community Boards, Community Development Area subcommittees, committees of council and other organisations.
- All area offices except the main Invercargill office, Te Anau office and the office on Stewart Island are accommodated with local libraries, following the Council's "one stop shop" concept.
- The administrative (staff function) contributes to strong, effective leadership by providing support to local decision-makers. The administrative support model strengthens Council's links with the numerous communities in Southland by having local staff situated in local offices in or near to the community.

It is evident from the SDC Ten Year Plan and general organisational approach that people and communities are a key focus of SDC and the way it goes about its business.

## **Thames Coromandel District Council (TCDC)**

1. That Council adopts a new partnership approach to the governance of the District that will primarily be delivered through the five Community Boards.
2. While noting Council's overall accountability and responsibilities under the Local Government Act 2002 for the governance of the District, Community Boards could be granted authority based on the principle of Boards exercising powers of general competence, to make governance decisions relating to the following activities and sub-activities
  - Parks and Reserves
  - Halls
  - Libraries
  - Airfields
  - Swimming Pools
  - Public Conveniences
  - Cemeteries
  - Local Transportation
  - Local Strategic Planning
  - Community Grants
  - Local Economic Development
  - Local Bylaw Levels of Service

### **Key Drivers**

Some key drivers include:

- Recognition that local government nationally is changing and that opportunities exist for the council to take a proactive approach to implementing some of these new directions.
- Recognising and providing for diverse community needs.
- Developing a responsive approach to customers and stakeholders that increases customer satisfaction.
- Developing partnerships and collaborative approaches in the provision of some Council services.
- An organisational drive toward achieving increased efficiencies and cost reductions.
- Streamlining decision-making to empower both elected members and staff to make decisions quickly and with a good understanding of community views when doing so.
- Utilising and empowering Community Boards to the greatest degree practicable and at the same time ensuring strong community representation structures are in place should amalgamation occur.
- Focusing on and funding the essential services together as a district and funding the non-essentials as communities and linking this to a new governance approach.
- Efficiency gains with cost reduction and improved responsiveness.
- Increased accountability.
- Improved relationships and satisfaction.
- Identifying and implementing opportunities for decentralised decision-making associated with Community Boards.
- Maximising value from an area based governance and service delivery where appropriate.

The following example from TCDC's experience highlights the value of drawing on knowledge held by the community. The value of working closely with communities, and drawing on the knowledge and expertise which is held at a community level was quite dramatically illustrated by an experience of the Thames-Coromandel District Council. Puriri, a small dairying community within the district, needed a new water supply system. Council engineers designed a new system with an estimated capital cost of \$16 million for approximately \$35,000 per rate payer. The community was less than enthusiastic! As a result Council engineers and local farmers, through a series of barbecue meetings at the local hall, designed a solution drawing on local knowledge which met needs at a third of the original estimated cost

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Two examples of overseas cities are cited:

### **Portland, Oregon**

The experience of Portland, with its 40 years of history in the practice of community governance, provides a number of valuable lessons for councils, wherever they may be, which are building their own culture and practice of community governance, and includes a clear illustration of what can happen when a council itself fails to maintain a strong commitment.

During the 1970s and 1980s the city developed a very strong culture and practice of community governance and was recognised as one of the five leading cities in the US in developing participatory democracy. During the 1990s and early 2000's, the city's commitment waned and as a result the relationship between the Council and neighbourhood associations became more conflictual than collaborative. The review initiated by Mayor Potter reinvigorated the city's commitment, and Portland is again a leading exemplar of good practice in community governance.

What is meant by good practice – how should it be applied?

#### **Good practice:**

Consists of the known effective ways of carrying out functions and managing processes

Has a view to excellence

In reality, will be a synthesis of practices that have worked well in one's own organisation and elsewhere, and which have had proven successful results.

Good practice has to be adapted to the context and needs of the individual organisation. It does not work by just being borrowed from somewhere else.

#### **'Good practice' is best used as a means to:**

learn from the experiences of others and avoid re-inventing the wheel

assess an entity's performance against the best available practices

identify standards the entity might wish to achieve, areas for innovation, improvement or development and the routes for doing so

adapt and implement practices that work well elsewhere to the entity's own use.

#### 4.1 Learning from experience

As the research evidence comes in, the case that well-managed community governance adds real value both for councils and other entities of community governance on the one hand and communities on the other grows ever stronger.

The evidence also shows that building a culture and practice of community governance takes time, requires an on-going commitment, needs to be properly resourced, and depends crucially on building and maintaining trust.

## 4.2 Lessons from Portland

*Reach beyond “geographic” community.* Effective involvement of a broad spectrum of community members requires recognition that people define community in different ways. Geographically based neighbourhood association systems remain the easiest place for many communities to start. However, communities also need to look at how people gather and work together and build a system that supports and involves a range of community groups.

*Use a Bottom-up Approach.* Supporting and guiding the evolution of a community involvement system is most effective when it focuses on empowerment and working collaboratively with community leaders rather than trying to impose system changes from above.

*Build relationships and trust on many levels.* You need to tackle the issues of effective engagement at multiple levels in the community and within council. Building relationships and trust is vital. For Portland some of the biggest positive changes were the growing openness of neighbourhood system leaders to seeing under engaged groups as equal and valued partners and the burgeoning number of personal relationships that are starting to bridge this previous divide.

*Be willing to let your language evolve.* Be aware of the language you use. Terms such as “citizen involvement” can be a deterrent for immigrant and refugee community members. Also, “under-represented” somehow focuses on the group rather than the council’s responsibilities to engage them. Developing a common vocabulary or understanding of terms such as “equity” and “people’s expectations” is important.

*Use a multipronged approach;* build capacity in community and in city government. System changes are more likely if, at the same time you are increasing capacity for involvement in the community, you increase willingness and ability among council leaders and staff to partner with community members.

*A strong political champion is essential.* In Portland’s case mayoral leadership was critical. However, it is not enough to have a Mayor say “just do it”. You need a comprehensive strategy, resources, and broad buy in from people in council and in the community. To continue to make progress, over time elected leaders and council executives have to understand and champion comprehensive community involvement.

*Seed money is vital for building community capacity.* Seed money is a vital tool with which to engage people and leverage additional resources in the community. The community can do much more small amounts of money than the council can.

*Staying the course.* Some elected officials may expect immediate praise from community members for opening the door to greater community involvement. The reality is that people who open the door to something new are often the most attacked, and people may vent their frustrations on them simply because they are there. This goes with the territory. You’ve got to stay firm in your commitment.

This all takes time. None of this work happens quickly. It takes time for people to change their views and for relationships and trust to build between people and organisations on the one hand and council on the other. Be patient, and commit to allowing the process to unfold organically. Tell the story. We all need to do a better job of telling compelling stories that answer the questions: Why is this important work? Who's affected? How is it making a difference? Good stories are vital for building and sustaining broad support for community involvement.

### **Lambeth Borough Council**

The Lambeth Borough Council, within the greater London area of England has adopted an approach of being the 'co-operative council' including a commitment that wherever possible services should be delivered through cooperative or community based structures. The Borough has adopted seven key principles in its delivery of public services, they are:

- Principle 1: The council as a strong community leader.
- Principle 2: Providing services at the appropriate level personalised and community based.
- Principle 3: Citizens and communities empowered to design and deliver services and play an active role in their local community.
- Principle 4: Public services enabling residents to engage in civil society through Employment opportunities.
- Principle 5: A settlement between public services, our communities and the citizen (this is what we provide, this is what you do for yourself) underpinned by our desire for justice, fairness and responsibility.
- Principle 6: Taking responsibility for services – regardless of where they are accessed or which agency provides them.
- Principle 7: Simple, joined up and easy access to services – location and transaction, for example, "one place to do it all" and "one form, one time to do it all" – providing visible value for money.

#### Provision of Services

1. Fully Council funded and managed services(called district services); and
2. Partly Council funded and community managed services (called community services).

Both models have strengths and challenges and one is not necessarily superior to the other. Both approaches have differing levels of cost and levels of service.

It is important to recognise that what suits one community in relation to services and the costs they are willing to pay for the service may not suit another. It may be the simple recognition that different provision solutions for different communities are okay.

While this is a brief overview of one Council in England it illustrates some simple, proactive actions and guiding principles that could be developed as a basis for a more responsive approach to governance.



Whilst I am prepared to recognise that an amalgamation of many councils into just one supercity is a problem-fraught process, I strongly believe that the Auckland Council has used a very blinkered approach in building a new city, so much so that most of the peripheral districts will regard the amalgamation as a very expensive failure which does not recognise to take into account the actual needs of its residents.

As we have seen above, there are numerous ways of achieving a more balanced and effective community based decision making processes. In our northern part of the Supercity we do not feel included in any way whatsoever; in fact misunderstood, ignored and excluded would better represent our interactions and feelings about the current governance of Auckland City

The examples of community based governance have focussed on smaller jurisdictions, but the principles and the templates are still applicable to any larger entity.

A further consideration for the LGC is of course the physical and size and geography of the Auckland Supercity. Longitudinally, we have a very large land mass in a peninsula structure which contributes to the pains the AC is trying to cope with.

The following article, I think, provides an overview which helps us understand why so much frustration occurs for us as citizens and ratepayers.

### **Dushko Bounovich and Matthew Bradbury "Curing Auckland's Growing Pains"**

Monday 29 February 2016 [http://www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=11597098](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11597098)

The problems of a growing Auckland are becoming more and more urgent. Bunk-beds in the city are being let for \$170 a week; the average house costs 10 times the average annual income; ugly terraces and apartments are built in random locations; mature trees are felled and reserves encroached upon, while parks and golf courses are eyed by developers; the Ports of Auckland is filling in the harbour; motorways are doubling in width. And the suburbs are rising in revolt against the Council.

But what if we thought about Auckland not as a traditional city but as a city-region that extends at least from Wellsford and Helensville to Pokeno and Orere Point?

In Europe planning authorities have long ago realised the inevitability of urban sprawl and neighbouring cities and towns coalescing into conurbations. Frankfurt is a famous example of a super-efficient city that consists of more than 70 local authorities. It prides itself on its inclusion of agriculture into the metropolitan fabric, its first class, evenly distributed, recreational green open spaces, and international airport amidst a forest, which serves three major cities.

Other famous models of successful, decentralised and polycentric development are metropolitan Munich and the urban region of the Ruhr. Both cover large areas, include plentiful open spaces, and have managed to contain urban sprawl in the form of a coherent polycentric pattern.

The Auckland city-region could do even better. Being located on a land-bridge, Auckland has mainly grown in the northern and southern directions. After 100 years of growth and amalgamation, it has grown into a linear conurbation some 70km long. By 2040 it could be 150km long. This is not bad news; linear cities are famously efficient.



They typically have a single transport corridor, often accompanied by other cardinal infrastructure. This enables investment into fast, high-capacity, high-frequency transit. In Auckland this corridor is State Highway 1. But, with strategic investment into a new harbour crossing and improving the existing rail infrastructure, this corridor could be also the main public transport spine, as railway or busway, or both. It is in this corridor that most of the intensification should take place. Increasing density in places like St Heliers and Kohimarama makes little sense.

Growth is already happening along this corridor anyway - witness the boom in Te Rapa, Pokeno, Silverdale and Warkworth. However, this development is haphazard, exacerbating traditional urban sprawl and commuting distances. It also relies too much on expensive and vulnerable infrastructure.

Instead, we suggest a linear, city-region that follows the opportunities and respects the constraints in the landscape. Its central spine would connect many nodes of density, functioning as centres of commerce and production, with high-rise living. There could be 20-odd nodes between Whangarei and Hamilton.

This is what we call the "working city". In contrast - the "lifestyle city" would be situated on the glorious east coast. We see it as part of the larger "NZ Riviera", stretching from Whangarei to Whakatane. Here, the world-renowned qualities of Auckland's superb suburban lifestyle would mature to the level where Auckland would truly become the "world's lifestyle capital".

New infrastructure technologies, such as localised sewerage and water systems, super-efficient solar panels, internet and electric cars, mean that any new urban settlement is not necessarily reliant on expensive centralised infrastructure systems. We no longer have to get our power from the South Island or by burning fossil fuel, and we don't have to drive two hours to work.

Distributed, small scale, clean, green and smart infrastructure also means more autonomy in securing the basics of life. This means less exposure to disruptions and crises - a vitally important consideration in the face of advancing climate change.

Housing affordability then comes as a bonus. By acknowledging that Auckland is a city-region, the housing crisis - which is actually an urban land crisis - can be tackled in a rational way, distributing the population across the whole region.

Similar reasoning applies to the Ports of Auckland dilemma. By looking at the upper North Island as one region we can figure out the inevitable division of roles between our three big northern ports.

Historically, this area was always the most desirable part of Aotearoa. It has been home to four great iwi - Ngapuhi, Ngati Whatua, Tainui, and Te Arawa - for many centuries. Let us then embrace our new-old regional home - Te Hiku o Te Ika, The Tail of the Fish, Auckland, the Regional City.

*Dushko Bogunovich and Matthew Bradbury teach urban design at the Department of Architecture and Landscape Architecture, Unitec.*

## Submission on Alternative Reorganisation for Auckland Council Area

To: Chief Executive Officer,  
Local Government Commission,  
PO Box 5362,  
Wellington 6145,  
NEW ZEALAND

Telephone: +64-4-460 2228

Facsimile: +64-4-494 0501

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**(1) We support the status quo.**

**(2) We submit that there should be more 'checks and balances' (ie. quantitative accountability measures) introduced for Auckland Council Committees and Local Boards, particularly in terms of the allocation of financial resources.**

Our concern about financial accountability and transparency stems from numerous decisions taken by the current Waiheke Local Board - the net effect of which has been to direct public money to unqualified, inexperienced community groups to conduct ill-defined works/projects for Council. These works have not been open to tender by other parties and there is little or no accountability regarding the methodology or resulting reports. The community groups do not have any history of expertise in the fields to which they have been funded to conduct work. Such works and projects would normally be undertaken by qualified in-house Council staff or suitably qualified Council approved Consultants. They would also be subject to the 'checks and balances' built into the relevant Council contracts and expectations of the appropriate professional bodies.

While the following examples come from the Waiheke Local Board (WLB), the principle is equally applicable to other Local Board areas and Council Committee decisions.

The Waiheke Resources Trust has received approximately \$400,000 from the WLB. This amount is the equivalent of one year's discretionary Operational funds for the Board. Most of the money has been used to pay Trust members to write reports and plans and to conduct public consultation. There is no evidence that Trust members have the expertise to undertake these Council tasks to any, let alone a credible level or that this is a service that they offer in the open market place. To date, the results have been minimalistic and there is no evidence of 'value for money' for the ratepayer. Accountability and transparency measures that one would expect to be

applied to the work if done by local government staff or a Council consultant have not been applied.

The so-called Waiheke Resources Trust is the umbrella organisation for Waiheke Resources Limited, a private business. As yet there have been no outcomes for the Waiheke community in terms of the work they have been funded to do that meet the purpose of local government.

*' to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses'.*

The WLB has also funded reports by community groups that duplicate Auckland Council work – past, current and projected.

<u>Community group:</u>	<u>Grant from WLB:</u>
<ul style="list-style-type: none"> <li>• 'Direction Matiatia' Duplicates work of Auckland Transport and the legacy Auckland City Council</li> </ul>	\$150,000
<ul style="list-style-type: none"> <li>• 'Hauraki Gulf Conservation Trust' Duplicates work of 'Seabreeze', a Marine Spatial Plan for the Hauraki Gulf</li> </ul>	\$54,000
<ul style="list-style-type: none"> <li>• 'Waiheke Resources Trust' - Project Little Oneroa Duplicates work of Auckland Council Environmental Monitoring team and Waiheke Wastewater Officer</li> </ul>	\$40,000
<ul style="list-style-type: none"> <li>• 'Essentially Waiheke' update The principles of this document have already been incorporated into the Hauraki Gulf Islands District Plan Review</li> </ul>	\$30,000
<ul style="list-style-type: none"> <li>• Waiheke High School Board of Trustees Funds allocated to undertake a swimming pool feasibility report. This work duplicated work either already completed by, or able to be undertaken by, Council officers and consultants. The resulting report by the community group was inadequate and of poor standard. Conducted by a party that stands to gain from a Council funded pool on its grounds, it lacks credibility and because of this should be considered irrelevant.</li> </ul>	

In addition, the Waiheke Local Board has transferred the management of local ratepayer owned halls/facilities from Auckland Council to a number of community groups and one private business.

Until recently, Council's halls for hire on Waiheke were rented out to individuals and community groups on a daily or hourly basis through a centralised booking system and managed by Auckland Council's Community Development Department. Hireage

fees counted as income in Auckland Council's balance sheet and helped defray the cost of maintaining these halls. There was both accountability and transparency in this arrangement (which applies across the region) with regular reports on income and expenditure appearing in the Local Board minutes and equal opportunity for access for all individuals and groups.

However, the current Waiheke Local Board has been permitted by Auckland Council to adopt a model whereby these publically owned, community facilities are now either leased to local community groups/Trusts or private businesses and given to 'gatekeeper' groups to 'manage'.

Once under 'management', the Local Board also grants substantial, annual 'management fees' to the favoured group, thereby paying them to undertake the bookings work that was previously done by Council's bookings system. The group also gets to keep any hireage fees from other people. Thus, ratepayers continue to pay for all the upkeep and maintenance of the buildings through their rates but are denied the income. Ratepayers also have their access to their community facilities restricted because of the incumbent lessee, with the Local Board making annual 'invisible' grants to community groups, in the form of management fees. Once public money is granted to the 'management Trusts' there is no further opportunity for ratepayers to access accounts. Accountability and transparency are denied.

On Waiheke, the current Waiheke Local Board has transferred the management of the following Council owned community facilities to these community groups/Trusts or private businesses:

- Old Waiheke Library Building - Waiheke Adult Learning and Literacy
- Old Oneroa Bowling Club Building - Waiheke Resources Trust
- Surfdale Hall - Rudolf Steiner School
- Ostend War Memorial Hall - Waiheke RSA

The management fees awarded to these groups comes from Local Board's discretionary funds.

**(3) Further, we submit that the application by a group calling itself 'Our Waiheke' (OW) to de-amalgamate from Auckland Council and form a Unitary Authority is 'frivolous' and does not satisfy any of the requirements of providing 'good, local government'.**

The 'Our Waiheke' proposal:

- Does NOT have sufficient community support.
- Would NOT improve economic performance or be cost effective and instead, has the potential to impact severely on the ability of Waiheke ratepayers to uphold any credible, solvent form of local government.



- Would NOT provide better quality or good quality infrastructure and services. Rather, it completely misrepresents and understates the current infrastructure and services provided by Auckland Council.
- Would NOT have the necessary resources to be successful and shows little understanding of the complexities of Local Government requirements and responsibilities – practical and legal.
- Is 'frivolous' and based on unsubstantiated, qualitative and emotive statements.
- LACKS credible, quantitative analysis, especially with regard to financial obligations.
  
- FAILS to present complete and credible figures. Instead giving speculative, incomplete estimates in respect of regulatory functions and service delivery.
  
- DOES NOT provide any definitive or credible benefits to the ratepayer of undertaking such a de-amalgamation move.
  
- WOULD NOT meet the purpose of local government:  
*'to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses'.*

Yours faithfully,

(Representative of Applicants)

A large black rectangular redaction box covering the signature and name of the representative of applicants.A large black rectangular redaction box covering the signature and name of the representative of applicants.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, 23 June 2016 5:14 p.m.  
**To:** LGC  
**Subject:** Submission: Auckland Council Changes

[REDACTED]

23/6/16

**SUBMISSION (Alternative Application) ON CHANGES FOR LOCAL GOVERNMENT ARRANGEMENTS IN AUCKLAND (Auckland Council).**

**Background :-**

My name is [REDACTED] and together with my husband [REDACTED] have been a landowner and ratepayer at the above address for over forty years.

I have an MA (Anthropology) and 20 years teaching experience at the University of Auckland.

I have been a committee member of multiple local residents' organisations, including Birkenhead Residents' Association, Birkenhead Historical Association and Little Shoal Bay Protection Society. This has resulted in a long background of working with the community on local body issues, firstly with Birkenhead Council, then North Shore Council, and finally the amalgamated Auckland City Council. My aim has always been to assist local residents to be involved in local body issues that affect them. Since the amalgamation of Auckland councils to the super-sized Auckland City Council, I have found widespread dissatisfaction and alienation amongst Auckland communities and their residents towards engaging with Council over local issues.

**Introduction :-**

In contrast to the original proposals made by the Royal Commission on Auckland Governance, the adopted model created by Rodney Hide and John Key has resulted in a drastically inferior Auckland Council. The failings of the so-called "supercity" are numerous and, as recent research has shown, deeply felt by its residents. Due to time constraints, my submission is restricted to briefly describing just some of these major failings of this present flawed model of governance.

**Examples Where Changes Are Needed :-**

1.)Despite early assurances to the contrary, local input from each original council area has been devastated. The present structure of local boards makes them virtually powerless and with hugely eroded grass-roots involvement. Individual local area identity has been lost and very few local residents feel able to participate in council issues due to the hugely complex and poorly presented material, often difficult to access. This has been an alienating experience for the majority.

2.)The huge number and size of new plans presented to the public for feedback have been incomprehensible by their design, their structure and their administration. It has been a callous and cynical exercise to suggest non-professional people be expected to take part in multi-volume documents and complex online presentations such as the Unitary Plan. The response from the public in my experience is now to turn away and abandon any attempt to take part.

3.)Adding to this problem of size and complexity of documents, booklets etc is the relentless use of inflated language, full of jargon, technical terms and spin, made worse by the repeated use of the much despised “most liveable city” term. The failure of this term to be realised has become a wry joke amongst Aucklanders. Council’s claims of successful public participation are revealed as ridiculous by the proportionally small number of submissions to the UP that leave the vast majority of 1,377,000 Aucklanders uninvolved.

4.)The establishment of the Council Controlled Corporations has created a totally undemocratic system which should be completely re-structured and made directly responsible to the whole Council. At present the CCO’s frequently act independently and arrogantly with scant regard for Council wishes, and CCO decisions are being made by un-elected individuals on high salaries. All Aucklanders have learnt to be very suspicious of CCOs since the Ports of Auckland example of undemocratic practice. This is one of the most flawed areas of the current Council structure.

5.)The “economies of scale” that Aucklanders were promised from the “supercity” have been a farce where the opposite has happened. Aucklanders are well aware of Council’s hugely burgeoning numbers of bureaucrats and consultants, creating unsustainable costs of rates increases, massive debt and excessive salaries for some positions. These high costs have not brought superior efficiency or greater satisfaction to rate-payers in their dealings with Council; instead the opposite is true, with long waits the norm for most Council processes.

### **Conclusion :-**

The 5 issues above are just a few of the problems deeply inherent in the current Auckland Council model; there are many more that create the whole of this very unsatisfactory operating system. My submission asks for an independent study into a complete restructure of Auckland City Council.





The Chief Executive  
Local Government Commission  
P.O. Box 5362  
Wellington  
[info@lgc.govt.nz](mailto:info@lgc.govt.nz)

## **SUBMISSION TO: Alternative Proposals with regard to reorganisation of Auckland Local Government**

### **Background**

This submission follows on from, and supports, the content and sentiments of both a submission which has been made previously to the Local Government Commission and a 1000 signature petition that was presented to Parliament and promoted by local MP Sue Bradford under a Private Members Amendment Bill in February 2010.

The petition which was started by myself and others, was then adopted and promoted by the Wellsford Action Group. Within a week of commencement approximately 40% of north, north Rodney voters had signed. The petition and the subsequent Private Members Amendment Bill requested that Members of the House amend the legislation before them involving the creation of a new amalgamated Auckland Council by amending the Northern Boundary location of Auckland Council to the Hoteo River thus excluding north north Rodney.

The requested proposal was for: the amended Auckland Council Northern boundary to be in alignment with the existing Northland Parliamentary boundary at the Dome Valley / Hoteo River.

Please note this boundary change promoted by the Wellsford Action Group (WAG) is different from that sought later by the Northern Action Group (NAG)

### **Founding Principle**

*It is submitted: that the founding principle of the local government act is to enable local people who have a common community of interest and focus to engage democratically with local government processes and effect change in order to promote the welfare and wellbeing of their local community.*

## **Community of Interest**

*It is submitted:* that the area of the Auckland Council which is located to the north of the Dome Valley and Hoteo River is *well recognised* as having a *unique rural community of interest*.

The residents of this area have a *strong sense of rural identity and purpose*. They also share a sense of belonging to a community that has strong historical ties to the Kaipara Harbour, which reaches 30 kilometres north of the existing newly formed Auckland Council boundary.

The area to the north of the Hoteo River is defined not only by its distinct geographical topography and rural farming character but also by the residents rurally focussed community of interest which tends to focus on activities relating to the farming sector and the rural service town of Wellsford. For greater commercial and social service needs, residents are just as likely to travel to Whangarei as to Auckland. In deed, all our local sporting competitions are held against communities north of Auckland up to Hikurangi and Whangarei. The rural farming character and community of interest of North Rodney is quite different from the urban interests in other parts of Southern and Eastern Rodney and therefore should be enabled to engage with like communities of similar interests.

## **Tangata Whenua tradional Rohe divided**

*It is submitted:* that the new Auckland Council Boundary now divides in two the traditional tribal boundaries and natural community of interest of local Tangata Whenua in two, making difficult kaitiakitanga of Mana Whenua, Mana Moana, Mana Tangata. It is understood that the Rohe of the local hapu of Te Uri O Hau southern boundary is located at the Hoteo River, therefore coinciding with this proposed boundary amendment.

## **Historical community of interest and associations**

*It is submitted:* that since the Albertland settlement scheme, of approximately 4,500 immigrants who settled in Port Albert and its surrounds in the 1860's, there has developed an historical community of interest north of the Dome that has included parts of the Kaipara District and Rodney District ridings of Tauhoa, Wharehine, Albertland North and Albertland South and Whakapirau



[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, 23 June 2016 2:19 p.m.  
**To:** LGC  
**Subject:** Auckland Council Structure - Waitakere

## **Auckland Council Structure – Alternative Application**

Dear Local Government Commission,

I live in the small suburb of Oratia in the foothills of the Waitakeres.

As you consider Auckland Structure changes, I would like to bring to your attention the political alignment issues in the Waitakere Ranges Local Board boundaries.

The Waitakere Ranges Local Board is the most geographically, politically and economically diverse board in Auckland.

### **Oratia is Not considered a Community of Interest**

The recent Electoral Boundary changes, have put the safe Helensville seat of the Prime Minister John Key, and the marginal Opposition swing seat of Labour Opposition Candidate, David Cunliffe's Whau Electorate, in the same local board area. Despite our diversity, Waitakere Ranges Local board is a homogeneous single party left board . .

Prior to the Electoral Boundary change the Waitakere Board objected saying that it would separate their Coastal and Bush communities of interest.

"Using the name Helensville for an electorate representing the coastal and bush villages of West Auckland is confusing and has no association with the area," board chairwoman Sandra Coney says.....

The board says the amalgamation of the rural coastal and bush villages of the Waitakere Ranges into a proposed rural north-west Auckland electorate of Helensville is its main concern.

"Moving West Auckland's rural coastal and bush communities of Waima, Woodlands Park, Parau, Waitatarua, Laingholm, Huia, Karekare, Piha and Te Henga into this proposed north-west electorate also fails to give due consideration to the area's community of interest." [Link](#)

The comments above specifically exclude the Rural Foothills of Oratia, Swanson and Henderson Valley and Waitakere to be part of the group and their "communities of interest". The concern was for the Rural Coastal and Bush areas being associated with Helensville. But, the Eastern rural foothills are blue voting areas and have been excluded from their comment and also from budgets and decision making.

While the last Waitakere Long term plan public consultation said that the Capex was going to Glen Eden and Oratia for town development. We were misled, and these projects were not in the budget.

One example is our largest contractor, is not based in our area but in the New Lynn Electorate. Ecomatters partnership contracts with the Western Boards of over \$1.2 Million per annum. Ecomatters Trustees and Managers include two Waitakere Local Board Members, the board secretary, the co-owner of the Labour-Greens Ad agency Christine Mitchell of Running with Scissors and a local Labour MP's assistant. Ecomatters runs environmental education campaigns, events and door knocking campaigns. This is not in the interest of the people of the Foothills. I would like to see spending benefit our own local area for local outcomes like footpaths and sewerage and a town square and a paint for the village hall and local cultural (not political) events, and our few remaining rural heritage farms, and our own environmental issues..

## **Heritage Area Act**

The Rural Foothills are protected under the Waitakere Ranges Heritage Area Act. The Acts objectives include:

- (i) to recognise that people live and work in the area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural well-being:
- (j) to provide for future uses of rural land in order to retain a rural character in the area:

There has been no attempt to provide for future uses of rural land and the impact on the rural character and orchards were not reviewed in the statutory monitoring document.

. To meet the objectives of "distinct communities" we must have genuine representation of our distinct cultural heritage and area. I'd like to see our own funding ring-fenced to our area and genuine local representation. Oratia and the foothills need representation that reflects it's rural economic understanding and believes in the social and culture of the local people.



## **Rich and Poor**

The gap between rich and poor in Waitakere is also diverse. The coastal communities of Huia , Laingholm and Titirangi South driving through Decile 10 Titirangi and directly to the wealthy newly renovated New Lynn area in the Whau Local Board.

While, Glen Eden is used to house WINZ and the Pokies and Trust bar which funded the Multimillion dollar Titirangi's Lopdell precinct renovation, but sees little of the return into their own area. This is the closest shopping precinct for the Rural Foothills.

**In summary, it's not working!.**

This is not a full application but a notification of a difficult situation.

In conclusion, I ask that some alternative representation structures be considered for the Waitakere and particularly the Rural Waitakere Foothills. Please give us our own precinct, our own funding, and own representation. It would be better to have smaller parcels of funding for each rural village to meet our simple needs rather than one giant funding pie that is dominated by the metropolitan suburbs and party politics. And then perhaps those representatives could meet bi-monthly for a combined board to decided on wider regional issues like weeds and roads. Oratia currently run most of our own affairs community halls, picnic tables, local gardens, via our own local volunteers. This would just be giving legal structure to the job rural communities already do running their local affairs.

Kind Regards



\*This is my own opinion and doesn't represent any other organisation I belong to.

Chief Executive Officer

Local Government Commission

P O Box 5362

Wellington 6145

[info@lgc.govt.nz](mailto:info@lgc.govt.nz)

**Submission to Local Government Commission re alternative applications for Local Government reorganisation in the Auckland Area**

**I respectfully submit:** *that the area north of the Hotoe River and currently in the Northland Parliamentary Electorate be allowed to return to its rural roots with the Kaipara District and amongst its fellow rural dwellers.*

*It is my contention that this area no longer has the usual form of two tier local government. It is missing a local government level, Auckland City, in my opinion, has failed to adequately provide local governance, mostly due to lack of knowledge of the area and the distance from its CBD. Consequently, it has failed to deal with the everyday problems of the ratepayers expeditiously or at all.*

*I see no reason why our neighbour Kaipara District Council could not provide this usual lower tier form of government in the Wellsford area .It would bring the needed strength to KDC and make for a more economic unit.*

I have lived in Wharehine for nearly 20 years prior to that I lived on the Hibiscus Coast for almost 30 years. Wharehine is a remote rural farming community with little (if any) Council amenities. It borders the Kaipara Harbour and lies about 90 kms north of Auckland CBD and about 20 kms west of Wellsford. The latter is our farming and household servicing centre, as well as the emergency services domicile of police, medical and fire. It is necessary to travel an additional 20km (40 km total) south to contact Auckland Council offices.

We are in the Northland Parliamentary Electorate. A few years ago, this area was taken out of the Rodney Parliamentary Electorate and put into the Northland Parliamentary Electorate by the Electoral Commission, presumably because of "compatibility of interest" such as Kaipara Harbour, farming communities as well as historical and traditional ties. It is noted that this same criteria "compatibility of Interests" is set down for the deliberations of the Local Government Commission.

Traditionally this area and Wellsford have looked to the North and not to Auckland as its centre. In the 1860's when first settled by the Albertlanders, it was an area called Albert land which focussed

around the Northern Kaipara Harbour. Presently, our sports codes compete with the north in facilities provided locally not by Auckland. For instance the Wellsford Rugby Club plays against Whangarei, Dargaville, Hikurangi, etc. Their centre being Dargaville. Similarly cricket also comes under Northern Districts area.

When this area was thrust into the city against our will and inclinations, the local Hapu's Rohe was also insensitively bisected causing the necessity for the Iwi to liaise with both the Northland Region and the Auckland City. The Rohe's southern edge coincides with the Hoteo River boundary as does the Northland electorate's southern boundary and *I would respectfully submit that is the logical and realistic place for Auckland City to stop and to also have its Northern Boundary.* I have previously submitted to the Commission and am now even more definite that this is the proper and logical place for these boundaries. **Our community's place is in the Northland Parliamentary Electorate and with Northland. NOT with Auckland City.**

In the recently advertised grand plans for North Auckland's future transport plan envisaged to be for the *next 30 years, Wellsford was not mentioned* and seemingly Auckland Transport thinks North Auckland stops at Warkworth. This Wellsford area is levied a transport rate. The nearest AT bus service is at Waiwera, the end of the line for Aucklanders but some 70 km distant for the North. When the imposition of the transport rate was questioned we were told that the transport rate covered both roading and bus services. It is to be noted that this area is principally served by SH1 & SH16 (both a central government responsibility) and mostly gravel roads. It is understood that Auckland Council policy is, no further sealing, if this is so we are precluded from any return on our transport rate. According to this latest advertisement we apparently have no hope of having our present, or even our future needs fulfilled for at least the next 30 years. It could then be concluded that AT do not aspire to fulfil even our present basic needs but intend to take our money in the form of a transport rate.

Although we may not have the people power of the urban dwellers in the city I believe we are entitled to fair and considerate treatment, but it seems our basic needs are ignored and neglected whilst our assets and cash have evaporated. We now feel bereft, neglected and forgotten on the edge of Auckland's urban world.

To sum up: **I respectfully submit that the area north of the Hoteo River, now in the Northland Parliamentary Electorate and formerly in Rodney District, be allowed to return to its historic roots in the North amongst its compatible community.**

**I believe that the democratic right to have a say in local issues should not be taken away. Local knowledge of places, traditions, history, a sense of continuance of what has happened in the past from which to build for the future is needed at local government level as well as a community of interest. *The tyranny of distance alone* makes this rural area separate from the urban centre of Auckland.**

The Northland area of local government was scheduled for a local government reorganisation and our neighbour Kaipara District is soon to come out of administration, all sorted and ready to take-

over the governance of this area. It seems a very felicitous and logical and sensible time to reorganise and join together with minimum upset involved either financially or in the practical reorganisation.

**I do not support the northern boundary line at Puhoi as suggested by NAG.**

I wish to be heard.

[Redacted text block containing multiple lines of blacked-out content]

Contact Details:

[Redacted contact details]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, 10 June 2016 8:54 p.m.  
**To:** LGC  
**Subject:** Alt for local government reorganisation in Auckland - [REDACTED] Revised submission

Why the breakway proposals?

It is necessary to ask why there is so much concern about the Supercity Governance.

1. It is too remote from the ratepayers. The lack of local managers that can take ownership for local operations and deal with local concerns.
2. Loss of democracy. The Local Boards work well within their authority but are very limited and are toothless to deal with the bigger problems. Councillors do not relate to Local Boards. There is only one councillor for Rodney. We have a dud and no alternative.
3. Over half the budget goes on Auckland Transport and Watercare. These organisations do not respond to democracy (or Local Boards or councillors).
4. The silo concept use to allocate jobs does not lend itself to team work. It is very hard to find which silo to deal with and if you have to deal with multiple silos then you are unlikely to get satisfaction anywhere.
5. Staff rarely identify themselves. They rarely use full names. Rarely say what their job is. Rarely use business cards.
6. Staff always look at reasons for not doing something before looking to see what can be done. They lacks a 'can do' attitude.
7. Some individuals shine but overall they are not proud of their organisation. Most are only doing their job because they are being paid.
8. The organisation does not have a good corporate culture. This is partly because it is too big. Senior managers are too remote.
9. Having the right culture will develop the right staff and they will go the extra mile.
10. The call centres are intended to help people but unfortunately they are also used as gatekeepers. It is too hard to find out who does what, what the organisation structure is and to speak to anyone directly.
11. There is no 'Team Auckland' and a seriously lack of team culture.
12. Many staff are protective of their own jobs and not good at delegation. Some are serious control freaks.
13. Many staff never answer phone calls, never answer messages, never reply to emails.

Get the organisation to relate to the local people and develop the right culture and the problems will be solved.

I know it is easier said than done but without the right culture people are going to hark back to their vision of a local council like it used to be 40 years ago where you could call in and meet a real person and get something done.

Auckland Council needs to get its act together if it is not going to continually get pressure from breakaway action groups.

[REDACTED]



24 June 2016

**Sandra Preston**  
Chief Executive  
Local Government Commission  
P O Box 5362  
Wellington 6145

Dear Madam

**Application for local government reorganisation by Northern Action Group**

I write in response to the Commission's invitation for alternative applications in response to the Northern Action Group application to form a unitary authority over the northern area of the former Rodney District and present Rodney local board area.

The present local government authority for this area is the Auckland Council established on 1 November 2010.

The amalgamation (the biggest reorganisation in the history of local government in New Zealand) was the outcome of a Royal Commission of Inquiry on Auckland Governance. The Royal Commission consulted, travelled widely, including overseas, heard formal submissions and deliberated for a period of some 18 months before reporting its findings on March 2009. This was to amalgamate the seven territorial local authorities, and the Auckland Regional Council into one unitary authority. However, interestingly as it turned out, the structure of the new Auckland Council as finally determined by the government was significantly different from that recommended by the Royal Commission. Nevertheless both schemes retained the northern half of the former Rodney District within the Auckland region.

The Local Government Commission in responding to the application by the North Rodney Action Group has asked for alternative applications because the northern Rodney application has implications for the whole Auckland region – not just northern Rodney.

I am aware of a previously unsuccessful attempt by northern Rodney interests to break away from the Auckland region in 2009. The aspirations at the time were to join Kaipara District Council (in the Northland region). Fortunately for northern Rodney ratepayers the attempt was declined by the government, otherwise ratepayers in northern Rodney would be sharing the huge burden of debt-ridden (effectively bankrupt) Kaipara District and would now be governed by outside appointed commissioners. Northern Rodney ratepayer

opponents to this breakaway attempt in 2009 argued that the breakaway was supported (and a long-running newspaper advertising campaign funded) by developer interests motivated by moving to what they perceived as a more lightly regulated environment.

However now there is a second application relating to northern Rodney but this time the aspiration is for this area to be administered by a totally independent unitary authority. Under the Local Government Act (2002) s.5, a 'unitary authority means a territorial authority that has the responsibilities, duties, and powers of a regional council ...' Under Schedule 2, Section 3 (1) of the same Act it is further defined as having:

- (a) The responsibilities, duties and powers of a territorial authority in respect of the district for which it was constituted; and
- (b) The responsibilities, duties and powers of a regional council in respect of the region over which it has control.

The best known example of a unitary authority is the Auckland Council itself – so giving effect to the application would dis-unite (in regard to northern Rodney at least), a recently formed unitary authority to form another, much smaller unitary authority.

The problem with that, is that in terms of its regional responsibilities, northern Rodney unitary council would then for all practical and legal purposes become another 'region' of New Zealand. A viable North Rodney administrative region located between Auckland and Northland may be difficult to achieve given the requirements of Schedule 3 section 6 **Minimum populations of districts and regions**. Such a North Rodney region would be the smallest in New Zealand, while the present Auckland region, which is by far the most populous in the country is presently, in terms of territorial area, the smallest. If the application were to succeed the Auckland region would become even smaller.

Given that the present boundaries of regional authorities in New Zealand are generally based on the historical provincial boundaries, or natural catchments therein, one would imagine meeting the requirements of Schedule 2 (Part 3) **Boundaries** would also constitute a challenge for creating a new region in New Zealand. Even more so the requirements of LGA Schedule 3 section 4 **Appropriate boundaries**. Bearing in mind what eventuated at Kaipara District Council very soon after the 2009 breakaway attempt one hopes better due diligence has been undertaken for this application.

I am personally unable to see benefit in having northern Rodney effectively taken out of the Auckland region. However, having said that, in response to the formal invitation by the Commission for alternative applications for local government reorganisation in the Auckland Council area I would submit as follows:

By way of introduction I am an elected member of the Auckland Council, representing the Waitemata & Gulf ward. I am also one of that very rare breed, in Auckland at least, a councillor member of a CCO Board (Auckland Transport). I have had 24 years experience in local and regional government and was for six years until amalgamation, chairman of the Auckland Regional Council, whose responsibilities by definition covered the whole Auckland region.



Speaking from my direct experience before, during, and after the formation of the Super City, I cannot state in all honesty that the present 'Super City' arrangements, nearly six years on, are by any means optimal in terms of efficiency, cost-effectiveness and democracy.

Let me be clear, my conclusions are not only those of just myself. If the results of the Auckland Council's own recent public opinion polls of 3000 citizens (Citizens Insight Monitor) are to be believed, they are shared by many Aucklanders. I draw the Commission's attention to the following quite damning findings:

- 15 per cent of respondents were satisfied with the council's performance, while 36 per cent were dissatisfied.
- 17 per cent of respondents say they trust the council to make the right decision, while 47 per cent do not.
- Residents who live closer to the city centre and those in South Auckland tend to rate the council more highly than those who live further out.

I believe there is compelling evidence to indicate that the Auckland Council as presently constituted is falling short on its statutory obligations, which are in the words of the s3 **Purpose** of the Local Government Act, providing 'for democratic and effective local government that recognises the diversity of New Zealand communities.'

The 2010 'Super City' amalgamation resulted in an organisation which today has assets in the order of over \$43 billion, a debt in the order of \$8b and a turnover of about \$5.6b a year and some 11,000 employees. This is on the scale of a major business corporation. In the business world it is standard practice that significant corporate mergers, after 5 years or so, are subjected to a post-merger audit. This has not happened with the 'Super City', nor is one planned. Such an exercise could only be initiated by the council itself or by the government that created it. Obviously there is a political reluctance to undertake such a measure on the part of both the government (which created it) and the council - but such a review really needs to happen. This application relating to the structure (and by implication) performance of the Auckland Council hopefully focuses attention on the 'Super City' and the need to objectively assess its performance.

So disappointing has the performance of the Super City been that ratepayers often tell me they prefer the legacy arrangements. Unfortunately, there is no going back. So without overturning the amalgamation project of 2009/10, I believe there is scope for the present Auckland Council structure to be reformed and modified, to better meet the statutory requirements set out in the purpose of the Act.

While some of the Super City's problems are political and relating to management culture, much of them in my view are structural. Simply put the Super City is too big, too monolithic, too bureaucratic and with too much of its responsibilities outsourced to the CCOs (some like Auckland Transport are also over-sized with too many non-transport responsibilities. CCO's as successors to LATE (Local Authority Trading Enterprises) should be focussed solely on commercial activities).

On the other hand democratically elected Local Boards are badly under-resourced in terms of funding, powers and responsibilities and are in a few cases (Rodney being one) burdened by having to represent a too greater territorial area to provide good *local* government.

My submission therefore is for the Commission if it declines the present application for a unitary authority, to invite northern Rodney residents to present an application to form a **district council**, thus remaining within the Auckland region, providing reasons and evidence as a set out in the 3<sup>rd</sup> schedule of Act to support this application.

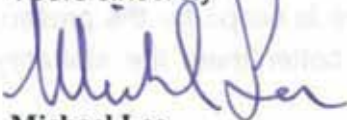
The benefit of such a form of reorganisation is that it would better achieve in my view enhanced *local* government and therefore be better placed to achieve the criteria for reorganisation set out under the 3<sup>rd</sup> schedule and especially under s3 '**Promotion of good local government.**' This could be achieved while enabling the Auckland Council to continue in its role as the regional authority for the Auckland region, for instance in terms of transport and without complicating the ownership and management of the eight strategically significant coastal regional parks that the Auckland Council owns in this area, which it should be recalled were purchased by ratepayers from across the whole Auckland region and are owned on their behalf.

Providing the opportunity for district councils in the rural part of the region (Waiheke is another example) within the umbrella of the *regional* Auckland Council, alongside local boards in the more urban areas would by utilising a standard and time-tested local government organisational template, better enable the amalgamated Auckland Council model to evolve and adapt in response to changing conditions, and provide another string to the region's organisational bow to better meet the aspirations of the people and diverse communities within Auckland, in particular rural communities.

Without compromising a unified region it would in my view, also bring an element of healthy competitive tension to the monolithic Auckland Council in the way the council and its staff and its CCOs respond to its ratepayers.

It is a concept worth investigating.

Yours sincerely



**Michael Lee**  
Auckland Councillor  
*Waitematā & Gulf Ward*





24 June 2016

Chief Executive Officer  
Local Government Commission  
PO Box 5362  
WELLINGTON 6145

**Submission to the invitation for alternative applications for local government reorganisation in the Auckland Council area**

The Royal Commission on Auckland Governance reported its findings in March 2009. Its findings reiterated its terms of reference, and in particular the requirement that the Commission should recommend local government arrangements for the "foreseeable future in order to maximise, in a cost effective manner, -

- (a) the current and future well-being of the region and its communities; and
- (b) the region's contribution to wider national objectives and outcomes.

Items (d) and (e) listed under "Relevant matters" in the terms of reference where the basis for the Commission's review of Auckland's governance arrangements. The Commission considered<sup>1</sup>:

- (d) *what ownership, governance, and institutional arrangements and funding responsibilities are required to ensure the effective, efficient, and sustainable provision of public infrastructure, services, and facilities to support and enhance—*
  - (i) *the current and future well-being of the Auckland region and its communities; and*
  - (ii) *the performance of the Auckland region as a growth engine in the New Zealand economy and in its role as a key transport hub for New Zealand and the Pacific region; and*
  - (iii) *the ability of the Auckland region to compete internationally as a desirable place to live, work, invest, and do business; and*
  - (iv) *the ability of the Auckland region to respond to economic, environmental, cultural, and social challenges (for example, climate change); and*
- (e) *what governance and representation arrangements will best—*
  - (i) *enable effective responses to the different communities of interest and*

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<sup>1</sup> Report of the Royal Commission on Auckland Governance, March 2009, Vol. 1, p309-310.



*reflect and nurture the cultural diversity within the Auckland region; and*

- (ii) provide leadership for the Auckland region and its communities, while facilitating appropriate participation by citizens and other groups and stakeholders in decision-making processes; and ....*

The Commission developed guiding principles when assessing alternative governance models and to assist it when developing an alternative option that aligns with these principles –

### **Common identity and purpose**

The new structure should encompass the interests of the entire Auckland city-region and foster a common regional identity and purpose. Auckland needs an inspirational leader, inclusive in approach, decisive in taking action, a person able to articulate and deliver on a shared vision, and who can speak for the region. The new structure should support better coordination of key services and infrastructure, and foster integrated planning and decision making. The urban core should be recognised as critical to the economic vitality of the region, and rural values and areas protected.

### **Effectiveness**

The structure should deliver maximum value within available resources, in terms of cost, quality of service delivery, local democracy, and community engagement. It should allow services to be delivered locally, where appropriate. It should also be more efficient than the current system, and provide improved value for money.

### **Transparency and accountability**

Roles must be clear, including where decision making should be regional and where local. Appropriate accountability must be achieved for delivering outcomes, use of public funds, and stewardship of public assets. Institutions should work in an open manner and should communicate clearly about their activities, how much they spend, and the results.

### **Responsiveness**

The structure should respect and accommodate diversity and be responsive to the needs and preferences of different groups and local communities. It should be inclusive and promote meaningful public participation. It must be nimble in responding to change.<sup>2</sup>

The Commission's recommendations for a two-tier governance model based on an Auckland Council and Local Council concept was accepted in-part by the government. However, the Commission proposed four urban and two rural local councils based on the following:

- (iii) Rodney Local Council
- (iv) Waitemata Local Council (formally North Shore)
- (v) Waitakere Local Council
- (vi) Tamaki-makau-rau Local Council (formally Auckland)
- (vii) Manukau Local Council (including Papakura)
- (viii) Hunua Local Council (formally Franklin)

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<sup>2</sup> Report of the Royal Commission on Auckland Governance, March 2009, Vol. 1, p313.

The government did not favour the local council concept. But the government did opt for 21 local boards, which with statutory functions. The function of local boards was to ensure Aucklanders are heard on issues and make local decisions on local issues.

The Local Government (Auckland Council) Act 2009 (the Act) codifies the functions, duties and powers of local boards, including –

- (a) must exercise the responsibilities conferred on it by section 16(1); and
- (b) must monitor and report on the implementation of the local board agreement for its local board area (in accordance with section 23); and
- (c) must communicate with community organisations and special interest groups within its local board area; and
- (d) must undertake any responsibilities or duties that are delegated to it by the governing body under section 31 or Auckland Transport under section 54; and
- (e) may consider and report on any matter of interest or concern to the local board, whether or not the matter is referred to it by the governing body; and
- (f) may exercise any powers that are delegated to it by the governing body under section 31 or Auckland Transport under section 54.

Section 16(1) of the Act codifies that each local board is responsible and democratically accountable for –

- (a) the decision making of the Auckland Council in relation to the non-regulatory activities of the Auckland Council that are allocated to the local board in accordance with section 17; and
- (b) identifying and communicating the interests and preferences of the people in its local board area in relation to the content of the strategies, policies, plans, and bylaws of the Auckland Council; and
- (c) identifying and developing bylaws specifically for its local board area, and proposing them to the governing body under section 24; and
- (d) the agreement reached with the governing body (as set out in the local board agreement) in respect of local activities for its local board area.

While the government did not adopt the Local Council proposal of the Royal Commission it did delegate to Auckland Council the legislative means to achieve similar outcomes as those sought by the Royal Commission through a co-governance model.

Local Boards could perform valuable functions proposed by the Royal Commission, and which are within the scope of Auckland Council's statutory power to delegate. These functions include –

“... local roads (as distinct from arterial roads) make a significant contribution to local amenities, including as they do, street furniture, footpaths, street lights, street trees, lawns, and sometimes garden beds. The quality of these elements and changes to them are matters of importance to local residents ...”<sup>3</sup>

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<sup>3</sup> Report of the Royal Commission on Auckland Governance, March 2009, Vol. 1, p367.

“... look beyond the services and functions [local councils] are delivering, and to engage with others working in the community – including central government agencies such as the police and health (for example, district health boards), the education sector, business groups, volunteers, and not-for-profit groups. [Local councils] might, where appropriate, exercise a positive facilitating role in helping these entities work together for the good of the community, for example, by highlighting particular needs, and providing leadership where appropriate. In some instances it may be as simple as providing people in the community with places where they can meet.”<sup>4</sup>

“... The local council will, once every three years, prepare a community action plan. The plan will be prepared by the local council in coordination with the elected Auckland Council’s LTCCP or annual plan. The community action plan will cover a period of at least six financial years. The plan will, to the extent determined by the local council, describe

- outcomes for the social, economic, environmental, and cultural well-being of the community
- how these outcomes have been identified
  
- how the elected Auckland Council and the local council will contribute to furthering these outcomes
  
- the specific activities and the programmes and projects comprising them that will, as their main purpose, contribute to these outcomes
  
- budget allocations requested by the local council and any related proposals
  
- alignment with regional strategies.”<sup>5</sup>

## AUCKLAND COUNCIL

Auckland Council has achieved much in its first six years, including –

- the adoption of a spatial plan (the Auckland Plan), which provides a 30-year blueprint for Auckland;
- the notification of the Proposed Auckland Unitary Plan (PAUP) in September 2013, which will be made operative in 2016; and
- the establishment of 21 local boards, which provide a valuable interface with the community.

Whilst these achievements have been significant, the co-governance model is far from a success, Local Boards are not empowered to fulfil their roles.

## CO-GOVERNANCE

I have some sympathy NRUC’s comment in their submission, *‘We believe the basic problem why local governance is not working for North Rodney lies in the ill-conceived notion that a rural area could be effectively governed by a remote and*

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<sup>4</sup> Report of the Royal Commission on Auckland Governance, March 2009, Vol. 1, p370.

<sup>5</sup> Report of the Royal Commission on Auckland Governance, March 2009, Vol. 1, p373.

***urban-focused administration'*** I would amend the words 'urban-focussed' to city centric in my experience of how Auckland Council governance is taking place.

I am not completely opposed to the current structure of 21 Local Boards with 20 Councillors and one Mayor. I believe the legislation enables the co-governance model to work effectively for the region. The barrier to empowering the 21 Local Boards lays in the tightly held reins of the administration in not enabling subsidiarity.

### **POLICY DEVELOPMENT**

It is my view the co-governance model of Auckland Council should see the Governing Body and Local Boards developing policy together. Briefings by officers should be held in co-governance, similar to the model Deputy Mayor Hulse implemented for developing the draft Unitary Plan. The current process is for the Governing Body to receive a briefing, then officers will visit the 21 Local Boards to gather their input, a report will then go to the Governing Body with recommendations, often without Local Board input influencing the officer's original report. An example of this is the Empowered Communities Approach – 21 Local Boards opposed this policy, 21 Local Boards supported a delay in the implementation so the policy could be developed to meet the needs of the Local Boards who would be front facing the community in the outcomes. Had this policy been developed using a true co-governance model it would have been delayed a year to ensure robust design. The outcome of the decision to proceed in this financial year has effectively disempowered Local Boards in community development and left our community groups isolated.

In addition to flawed policy being developed and implemented, the cost to the organisation of at least 22 briefings across the region must be exorbitant. Every Local Board will have to hold a workshop with their own Local Board Services staff present, officers from Auckland Council will be present, refreshments will be provided, travel costs would need to be covered 21 times. There is also the delay in development while these 21 consultations takes place.

The above example may be applied to the development of many policies and by-laws this Council has adopted in the past nearly 6 years.

Policies that require a tangible outcome, such as a smokefree signage policy, required Local Boards to fund the signage on Council owned facilities. This policy was adopted after we had budgeted for our financial year, is another example of the disconnect between the Govering Body and Local Boards.

Local Boards have been placed in a position whereby they are expected to fill the funding gaps left by changes in Council funding policies to local groups previously funded by local councils. We simply do not have the budget for it. There is no discussion between the two governance bodies – the Governing Body is simply provided with a summary of Local Board feedback resulting from the 21 individually held local board workshops.

### **LOCAL PROCUREMENT**

As the organisation continues to develop a regional approach to savings Local Boards are experiencing a loss of local jobs and contracts to our local residents and businesses. Local Boards should have delegated authority to procure locally. I support NRUC's position in 3.3 and 4.2.2 of their submission to have a 'buy local' policy. Using the 'savings' as the measure of success of a city is not helpful to those trying to empower and sustain their local communities. We simply cannot afford for the major players in the procurement space to get richer while our local economy suffers.

## REGIONAL DECISION MAKING vs LOCAL DECISION MAKING

The Thames-Coromandel District Council Community Governance document recognises some basic principles of community governance that shifts governance responsibility closer to the community through its Community Boards.<sup>16</sup> Some of those principles are:

- Community capability is an important value adding resource for Council
- Unless good reasons exist to do otherwise, decision making authority should occur at the lowest possible level.
- In some cases, opportunities exist to decentralise the operation and management of council functions.
- There is no 'one size fits all' approach to community governance

The below excerpt from the Thames-Coromandel document<sup>7</sup> is critical to subsidiarity:

*'A simple response to the question of how to empower communities is to increase community board delegations. While this is an option, a recommended first step is to ensure that:*

- a) The existing delegations are understood by both staff and elected members; and*
- b) Community boards and their delegations are recognised and supported by the administrative structure within TCDC.*

*For example, community boards could be given significantly increased responsibilities and associated delegations by Council. **However, if boards are not supported to exercise and achieve their delegated governance role, such changes are pointless.***

*Council itself has made initial changes to deliver on its objective of empowered community boards including:*

- a) Community board chairs being invited to and given meaningful opportunities to participate in all Council meetings.*
- b) Greater emphasis on ensuring that input from the relevant board has been obtained prior to making decisions, particularly on local issues but also on wider strategic issues.*

*These simple changes have already led to an improved relationship between boards and Council, essentially contributing to the development of a 'one team' approach to governance while placing greater emphasis on ensuring decisions are made with an understanding of local community needs.*

Local Boards are still viewed as 2<sup>nd</sup> place in a hierarchical structure by the majority of Councillors and Council officers. This limits our ability to deliver on our local board outcomes. There is enormous strength in 21 Boards working in their communities to deliver on the Auckland Plan. Each Board area has uniqueness where place making will hold a point of difference from area to area. One size fits all thinking and policy making does not empower transformational leadership or change. Local Boards need to be mandated with their full delegations under the legislation with the associated budgets so we may get on with our place in making Auckland the Most Liveable City in the World.

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<sup>6</sup> Thames Coromandel District Council Community Governance p21.

<http://www.tcdc.govt.nz/Download/?file=/PageFiles/7643/Draft%20Thames%20Coromandel%20District%20Council%20Community%20Governance%20Report%20for%20Council.pdf>

<sup>7</sup> Thames Coromandel District Council Community Governance p33.



**Local Board Services**

It is my view that if Local Boards were working to their capacity in terms of delegated decision making the Local Board Service Team would work in a completely different way. Currently they are fronting internal challenges as the organisation struggles to deliver on the Local Board plan outcomes. The model has pitched colleague against colleague in some instances where the role and mana of the Local Boards is not being upheld. This is an organisational culture that needs to change across Council. The pressure placed on staff from the ever evolving department restructures and internal delegations continues to stall work plans, push projects out, incur costs overruns and create stress. There is little time for collaboration between the Local Board Service teams across the region on matters of submissions to policy to garner a sub-regional flavour. Efficiencies can be gained through this collaboration of effort, there simply is no time as the workload is onerous and never-ending.

**SUMMARY**

While I can see benefit of reducing elected membership down to the ward model of governance, I think we are too far down the track with the 21 Board model to revert to a change in structure, something for the future perhaps.

What's urgently required are the full delegations under legislation handed over to the Local Boards so they may get on with their responsibilities in local governance. This will enable the Governing Body to focus on the regional decisions. Co-governance needs to be enacted so that Local Boards are at the discussion table with the Governing Body when discussing any matter that will impact a Local Board area. Only then will we realise the full potential of the Super City.

Best regards

[Redacted signature]

[Redacted contact information]

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23 June 2016

### **Submission to the Local Government Commission**

1. This is a submission in response to the Local Government Commission's request for alternative applications for local government reorganisation in the Auckland Council area
2. The address for service is Orakei Local Board, Auckland Council, Private Bag 92300, Victoria Street West, Auckland 1142.
3. Please direct any enquiries to Mark Thomas, Orakei Local Board Member. [REDACTED] [REDACTED] or email [mark.thomas@aucklandcouncil.govt.nz](mailto:mark.thomas@aucklandcouncil.govt.nz)
4. I wish to appear before the Local Government Commission to discuss this submission.

### **Executive Summary**

I believe local government in Auckland needs to be reorganised. The new Auckland Council model has not delivered adequate regional progress and has been particularly weak in delivering key local priorities. These results have impacted the trust and satisfaction held by both citizens and elected members about Auckland Council (refer: appendices 1 and 2).

Only 17% of Aucklanders trust council's decision making five and half years after amalgamation. Just 51% of elected members are satisfied with Auckland Council, a 13% drop from the last survey in 2014.

The changes I seek impact the way Auckland Council works, rather than its geographic structure.

In October 2014, the Orakei Local Board met with Auckland Council CEO Stephen Town to discuss the problems we were experiencing with the local board model.

These issues have not been substantially addressed. I detail these below and submit that a new model of local government be established to improve regional and local governance.

### **Introduction**

In making this alternative proposal I focus specifically on the changes I believe are needed to the constitution [refer: LGA 2002, S24 (1) (b)] of Auckland Council.

A map of the 21 local board areas is attached (refer: appendix 3) to show the areas that would be affected by the proposed changes.

I outline the specific areas where I believe changes are needed. These are:

- 1 Auckland Council local board delegations
- 2 Council Controlled Organisation delegations
- 3 Auckland Council planning
- 4 Auckland Council budgeting and asset management

This submission is mindful that an alternative application must promote good local government (Schedule 3, clause 12) including:

- improved economic performance, including efficiencies and cost savings;
- productivity improvements, both within the local authorities and for the businesses and households that interact with those local authorities;
- simplified planning processes within and across the affected area
- promote the benefits to all communities of a consistent or co-ordinated approach;
- promote the benefits to particular communities of reflecting the particular needs and preferences of each community.

There have been regular attempts at Auckland Council over the previous five and a half years to deal with these issues. Council has a governance review underway to provide information to the incoming council later in the year. However, if the organisation was going to provide solutions to these issues it would have done so by now.

I believe it is possible that the right new mayor for Auckland could make a substantial change to many of these issues I raise. But that new mayor's efforts would be supported if the changes I propose are incorporated into the constitution of Auckland Council.

## Key issues

- 1 **General delegations:** Local board delegations do not reflect the key local place making role of local boards. Local board influence has been progressively "regionalised" with key local decisions being taken centrally. Local board input is token at times on key issues or sometimes not included. For example, local boards were not meaningfully involved in the first term's (2010-2013) contracting processes for parks maintenance and community facilities operations despite these assets being under local board governance and budget control. In the current term, a unilateral decision was taken by council senior management to reduce library hours as part of achieving cost savings targets (refer: <http://www.aucklandcouncil.govt.nz/en/newsevents/culture/ourauckland/mediarleases/pages/aucklandlibrariesholdontopeninghours.aspx>).

Yet in the Long Term Plan, boards have been allocated decision making for “the use of local libraries” (ref: <http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/longtermplan2015/Documents/ltp-vol2.htm#decision>). Neither the original draft LTP proposal nor the final compromise was approved by local boards. As a result of the decision by the Governing Body, a number of local boards have been forced to pay additional funding to retain the existing hours.

This is inefficient and creates community resentment. I believe amending local board delegations would help create a more efficient, productive structure that enhances community benefit.

Alternative proposal: Auckland Council’s allocation of decision-making for non-regulatory activities is revised in legislation to give local boards’ actual decision making over the areas they control including: parks & recreation, community facilities, libraries, business area and local planning, town centres, street and local environment.

- 2 Council Controlled Organisations (CCOs) delegations:** The CCO model fails to adequately reflect key local board priorities. The Mayor’s letters of expectation to CCO’s and the Governing Body Statement of Intent priorities have been unable to address this.

The misalignment issues are most acute with Auckland Transport which frequently does not engage effectively with communities or local boards on key issues, or if it does often ignores this feedback. Only 40% of Auckland Council elected members are satisfied with Auckland Transport’s consultation (refer: Elected Member Survey appendix 2).

The biggest challenge has been making progress with town centre improvement activity where AT has limited capability, is difficult to work with and slow to act. An Auckland Transport executive member conceded that they are not set up to prioritise “the myriad” of local board projects.

The most recent example has been Auckland Transport’s decision to change the rules and charges for displaying town centre cross street banners and pole flags despite local boards being delegated responsibility for town centre branding.

There has also been conflict between local boards and Auckland Events, Tourism and Economic Development (ATEED). Local boards have to deal with ATEED and council separately regarding events and this should be streamlined. ATEED does not focus on local board priorities as part of its tourism planning. The Auckland Visitor Plan ([http://www.aucklandnz.com/downloads/Auckland\\_Visitor\\_Plan\\_2021\\_-\\_September\\_2015\\_1.pdf](http://www.aucklandnz.com/downloads/Auckland_Visitor_Plan_2021_-_September_2015_1.pdf)) makes no reference to local board priorities. As a result, around a dozen separate local board tourism plans have had to be developed (e.g. <http://nztri.aut.ac.nz/main/orakei/getlocal.html>).

It is a similar story with economic development. The Auckland Economic Development Strategy ([http://www.aucklandnz.com/images/uploads/page\\_images/economic-development-strategy.pdf](http://www.aucklandnz.com/images/uploads/page_images/economic-development-strategy.pdf)) makes no reference to local board economic priorities (other than the Business Investment District programme) and a series of individual local board economic development plans have been prepared as a result (<http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/businessandconomy/Pages/local-economic-development.aspx>).

With both of these CCOs, as well as Auckland Council Investments Limited, Panuku Development Auckland, Regional Facilities Auckland and Watercare, we need a new way of operating to better deliver both regional and local priorities.

There are considerable efficiency and cost saving benefits to be gained by locating responsibility more closely to where it lies.

Alternative proposal: CCO establishment legislation should be revised to incorporate the local council service delivery functions contained in the Royal Commission's recommendation. This will allow local boards to have greater responsibility for the local place making activities of CCOs and for CCOs's to make more progress on their regional priorities.(ref: Royal Commission local council options appendix 4)

- 3 **Auckland Council Planning:** The board hears regularly about the importance of the 30-year Auckland (Spatial) Plan, and 3-year Local Board Plans are supposed to be key inputs to the Auckland Plan. But they are generally poorly reflected in the Plan and so we hear much less about their priority from officers. Local Board Plans were updated in 2014 (after the first three years) and they should have been a key input into council's 10 year Long Term Plan and yet they were overwhelmingly not reflected. Considerable time and resources is invested in establishing these documents and yet even the top 5 priorities in these plans are not guaranteed inclusion in the 10 year plan.

For example, the Orakei Local Board's top three priorities (refer: Orakei Local Board Plan appendix 5) are progressing a new "Selwyn" train station, progressing the Tamaki Drive masterplan and refurbishing the Meadowbank Community Centre. The first two are absent from the LTP. The community centre upgrade was in the previous LTP for the 2016-17 year but was moved back to 2020-21 despite its condition deteriorating. Local board plans appear to exist as just "nice ideas" that may or may not come to pass rather than being the key strategic platform for all wider Auckland Council views on issues in their area.

There were similar problems with the development of Auckland Council's Unitary Plan, where many communities felt disconnected from the planning process run by council staff.

My alternative proposal produces a more simplified planning process for council.



Alternative proposal: The legislation is amended to proscribe that local board plan priorities are formally adopted and budgeted within the council's 10 year Long Term Plan, noting time-phasing may be needed. Council's legislative spatial planning be revised, as required, so that Area planning process can permit local boards to lead plan changes to the Unitary Plan to better reflect local needs.

- 4 **Auckland Council budgeting and asset management:** Local Board budgets comprise around \$300M or 8.5% of Auckland Council's \$3.5Bn total annual budget, but effectively boards only have complete discretionary control of around \$30M (less than 1% of council budget). Local boards have very limited visibility of regional budgets and are not meaningfully involved in prioritisation discussions. Local boards have also not been involved in the significant contracting decisions made that impact the assets they are responsible for. Examples include not being involved in the parks maintenance and operations contract tender; and not being involved in the contracting process for our local facilities contracts (swimming pool, recreation centres). Although there are obviously significant regional services delivered into local board areas (transport, water etc), this budgeting imbalance reinforces the lack of priority for local issues.

Council's asset management approach does not prioritise local priorities. The former Auckland City Council purchased the Liston Park sports ground and buildings from Marist Rugby Club in 2009. 7 years later, the building is damaged and dilapidated as no effective capital management planning has been in place. Greater local board capital management decision making would have resolved this problem.

There are inefficiencies caused by the lack of local board involvement and prioritisation in budgeting and asset management.

Alternative proposal: Section 93 of the Local Government Act 2002 (Long Term Plan) is amended to require local board plan priorities to be incorporated by agreement with the relevant local board. Related council financial budget, financial policy and asset management policies are similarly revised.

## **More Detailed Consideration Of The Orakei Local Board Plan Issues**

Three year local board planning is, in theory, a key success of Auckland's amalgamation.

This allows local boards to lead a significant engagement process to develop thoughtful and clear priorities for their communities. These plans are supposed to be key inputs to the 30-year Auckland Plan and then to the 10-year Long Term Plan budget. The following is an outline of the key priorities in the current Orakei Local Board Plan to indicate how the document is travelling. The full document is included as appendix 4.

*1. Outcome: a world-class Tāmaki Drive precinct*

The Tamaki Drive Masterplan has been the board's top priority. It was developed with Auckland Transport and co-signed with the Mayor in 2012 and yet Auckland Transport (AT), a key enabler of important parts of the plan, has not prioritised it in the Regional Long Term Plan. Auckland Council has similarly not prioritized key projects in the LTP despite local board advocacy to both organisations.

Funding in the LTP for the Tamaki Harbour Edge Connector (boardwalk), one of the key projects, is missing. The Governing Body and AT seem to engage on prioritisation but Local Boards aren't part of the conversation.

*2. Outcome: Balanced use of road space and public transport that is frequent and easy to access*

Only 11 per cent of Orākei residents currently travel by bus or train. Growing public transport is a key Auckland Plan priority and the board identified that a new train station between the Meadowbank and Glen Innes train stations (the Selwyn train station) would address this issue. This would be supported by feeder bus services that have the potential to connect all of our suburbs to Auckland Transport's planned frequent network of buses and trains. The board has been advocating for this since 2012 and funded initial investigation work ourselves. AT has undertaken some exploratory work which says it is possible, The board understands a new train station is clearly a significant investment and detailed planning would be required but despite being a local board priority that accords with a key Auckland Plan goal and has been established by AT to have merit, is still neither an RLTP nor LTP priority for further work.

*3. Outcome: Quality parks, reserves and places to be active*

Auckland Council purchased Colin Maiden Park in St Johns in our ward for \$60m in 2013. The board is developing a masterplan for the park that will take into account the views of the wider community and the various sports clubs that have expressed interest in using the park. This will ensure that the future use and development of the park meets our community's recreational needs. This is an important role of local boards. However, there is no CAPEX funding to implement in the LTP to deliver the key outcomes of the Masterplan. This risks making the process less credible. Key local board priorities should automatically be included in the LTP, although there will always need to be negotiation around the level of funding and timing.

*4. Outcome: Well-built and improved community centres, enhanced libraries and well-designed neighbourhoods shaped by the community*

The redevelopment of the Meadowbank Community Centre has been the Board's top priority since 2012. It was funded in the previous LTP in 2016/17 and yet this has been deferred without our approval and in opposition to our advocacy to 2021.

*5. Outcome: Pollution-free waterways, tree-lined suburbs, protected built and natural heritage*

Heritage/character evaluations of some pre-1944 buildings have been a tool feeding into the Unitary Plan process. However suburb assessments requested by a range of local boards were not been progressed in time to influence the draft Unitary Plan. My board wanted to ensure that growth in our area is shaped by our community, but this has not been a priority for the Unitary Plan.

*6. Outcome: Fair rates and better council services for all of our ratepayers*

The Orākei Local Board contributes around \$115m in rates to council, but receives \$15m as an operating budget. This is overwhelming tied to our local assets: parks (the majority), libraries and community centres – and there is very little flexibility or local control. Further, the LTP reduced budget for parks maintenance – despite our and other local boards' opposition. As local assets drive a great deal of local place making, local boards need to have greater influence over these or their credibility will be more limited.

*7. Outcome: Distinctive, people-centred town centres and a thriving local economy*

The Board works closely with our business and residents' associations, and has identified a number of urban design, access and visual opportunities to improve the look and feel and pedestrian experience of our town centres (Ellerslie, Mission Bay, Remuera and St Heliers). However, most of these opportunities exist within the Auckland Transport controlled road corridor and it has been difficult to engage with AT to get these projects implemented. Local boards should have the ability to be more influential on local transport issues.

## **Conclusion**

I believe significant changes to the delegations, planning, budgeting and asset management of Auckland Council are needed to improve its effectiveness.

The amalgamation has created significant potential for addressing legacy planning, transport and other issues. However this potential is being eroded as the falling citizen and elected member satisfaction surveys show.

Auckland Council will have a new mayor later this year, and their efforts to address the issues raised in this submission will be enhanced if the Commission agrees to the recommendations that have been made.

## About the submitter

Mark Thomas is an elected member of Auckland Council. He is one of the Deputy Chairs of the Orakei Local Board, first elected in 2010. Mark is a candidate for Mayor of Auckland.

The Orakei Local Board is the statutory body that represents 81,000 people in the communities of Orakei, Mission Bay, Kohimarama, St Heliers, Glendowie, St Johns, Stonefields, Meadowbank, Remuera and parts of Ellerslie. It is one of 21 local boards that sit within Auckland Council. The Board comprises 7 elected members.

## Appendices:

- 1) Citizens Monitor Survey:  
<http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/HowCouncilWorks/PerformanceAndTransparency/Documents/citizeninsightsmonitorbaselinesummaryjune2016.pdf>
- 2) Elected Member Survey:  
<http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/representativesbodies/electedrepresentatives/Documents/2016acelectedmemberssurveyfullreportfinal25052016.pdf>
- 3) Map of the 21 Auckland Council local board areas: attached.
- 4) Royal Commission local council options: attached
- 5) Orakei Local Board Plan:  
<http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/representativesbodies/LocalBoards/Orakeilocalboard/Documents/orakeilocalboardplan201417.pdf>

TO: Chair & Members, Local Government Commission

FROM: [REDACTED]

SUBJECT: **Submission on changes for local government arrangements in Auckland. (Auckland Council).**

### **Introduction:**

(a) Background:

In making these comments, I should explain that I have had fairly wide and lengthy experience in local and central government. Briefly: MP (including serving on Local Government select committee); Councillor and Committee chairman on North Shore City Council; Birkenhead/Northcote Community Board member, Birkenhead Licensing Trust elected member; Kaipatiki Local Board member; Devonport/Takapuna local board member.

I write in support of a submission on the same subject, to the LGC by Tony Holman, plus adding some comments of my own.

### **Discussion**

#### **Council Controlled Organisations**

The CCOs should be re-absorbed into the council structure, either as special departments or business units under democratic governance and control. Each would be responsible for reporting to and being accountable to a relevant committee of council, or directly to council.

Most of the issues of direct concern to communities and people are issues under the arms'-length control of the CCOs. Although, theoretically responsible to the 'governing body' CCOs control the main assets of the people of Auckland and there is little access available to ordinary people to influence the decisions of the CCOs. For example, simple issues such as painting yellow parking lines on the road used to be the prerogative of community boards. Now, local boards can only request it be done but are not decision-makers.

[

Although the Royal Commission based recommendations on the four principle guidelines: of common identity and purpose, effectiveness (including quality of service, local democracy and community engagement); transparency, and responsiveness, it is hard to see these guidelines being met in either the Governing Body or the CCOs to a high level of expectation.<sup>1</sup>

#### **High costs**

The previous councils (prior to amalgamation) budgeted to spend \$2.8b in the 2008/09 year. In the 2016/17 year Auckland Council budgets: ... to invest \$1.2 billion in Auckland over the next year to support growth, while also providing \$3.7 billion to deliver day-to-day council

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<sup>1</sup> Para 22 of Summary



services.<sup>2</sup> The burden on ratepayers has reached breaking point, especially as the rating base is focused on capital value and the Auckland residential market has skyrocketed.

It was predicted that *“adopting the Commission’s proposals will result in estimated efficiency savings in the indicative range of 2.5% to 3.5% of the total expenditure of the Auckland councils planned for 2008/9 (of around \$3.2 billion.)”*.<sup>3</sup> This Council has failed the residents in this respect.

I don’t wish to dwell further on the make-up of Council nor the CCOs. But the issues that affect the community, outside of regional and those controlled by CCOs are those pertaining to the local boards.

I suggest that the Commission revisit the original proposals for 6 Local Councils rather than the proliferation of local boards that we have today.

I suggest that the issues relating to a lack of transparency, democracy, community focus and empowerment are brought about by the sheer number of local boards. The unwieldy number has invited a lack of respect by Council (governing body) towards the local boards, rather than a true co-governance model. Council has therefore retained most powers, arguing that the issue has a regional bearing. This regional argument has been used to retain control of even local issues in a drive towards homogenisation of service in spite of local need eg. Libraries and parks.

My main observations as a local board member are as below:-

1. *Most decision-making is really done in ‘briefings’ out of the public eye. This is when the debate is had, defacto decisions made and officers’ reports presented. The briefings are not held under LGOIMA and don’t need to be by law. Therefore, they are not publicly advertised nor agendas made available to the public. But the decision-making meeting in public is in most cases a rubber stamp. The public are unaware of the background debate or the various members’ individual views. Devonport/Takapuna Local Board is one of the only or few to hold these sessions in public. Only strong lobbying led to summaries of events being placed on the public minutes of the subsequent meeting. In most cases these are insufficient. Further defacto decision-making is done by portfolio members at portfolio meetings. Again these are held in closed sessions and the make-up is determined by the Board majority effectively shutting some members out.*
2. *CCOs rarely decide in the direction requested by the local board. Eg. Panuku consults amongst a large number of stakeholders about selling parkland. This includes asking adjacent landowners if they wish to buy said reserve. This is prior to asking the local board for a view. Subsequent decisions are made by the Governing Body and sometimes against the wishes of the respective Boards. Boards can advise and give an opinion but in the case of many of the issues the Local Board is treated as an ordinary stakeholder rather than a partner.*
3. *Chairs of local boards have become an informal but powerful layer between the Local Boards and Governing Body. Chairs are not elected at large by the community,*

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[http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/annual\\_plan/Pages/home.aspx#annualplan20162017](http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/annual_plan/Pages/home.aspx#annualplan20162017)

<sup>3</sup> Para 76.

*yet are placed in a strong role. I suggest this occurs because it is easier to consult with the number of Chairs than full boards.*

4. *The Governing Body plans and visions are very regionally based. This is as it should be. But, the impact on local communities and neighbourhoods is hard to evaluate. Auckland Council has driven hard to blend Auckland's diverse communities into one homogenous mass, yet at the same time maintains a charade of diversity via a number of stakeholder panels and groups. But, local board boundaries were established in an effort to recognise communities, and not just communities of interest. The Unitary Plan passes scant regard for the neighbourhood effect except for a few heritage areas. Even these are evaporating as the weeks pass. The new recycling/rubbish, libraries, sportsgrounds, parking, facilities, arts, public arts, Business Improvement districts and numerous other plans and strategies illustrate the determination that all peoples squeeze into one mould.*
5. *Local boards have been effective in areas such as Parks and renewals. But there has been a lessening of the interaction between (previous) councillors and community boards with the community. And, this has been replaced with a more community control approach as the Boards become the local arm of Council to impose its will on communities and neighbourhoods. Even community development is more controlling how communities develop rather than communities developing as they envisage for the future. This control is often exerted by withholding or directing funds more than previously occurred. But more so, the portfolio model focuses such powers in the hands of a few, rather than a council at large.*

*I recommend a revisiting of the structure of local boards within the council setting to enhance community development and participation. The Royal Commission's model (which I was opposed to at the time) now seems a better model than the current one. I consider that the fewer number of Boards would provide an enhanced, larger and more robust board in which the Governing Body will develop greater confidence. Devolution of governing body powers to such boards would allow them to focus more on provision of services to local communities. The current smaller sizes means that council level retains most powers that residents expect in local boards. Larger boards would allow a robust committee structure, unlike the current portfolio model, allowing for greater transparency and open governance. Each board need only have 10-20 members (depending on size) not the sum of the current board membership of the comprising boards. Therefore, cost savings will result through fewer members but also less officer time as they report to (approx..) 1 board instead of 2-3 as currently.*

*But whatever model is chosen, it needs to be one that can be effective and responsive to local communities and neighbourhoods. The division of decision-making needs to be re-evaluated. The Board areas should comprise communities of interest. Such communities should be engaged with and the process transparent. If these goals are achieved, Auckland Council services to its communities will be effective, of higher quality, cost effective and enhanced. A further advantage would be a more balanced relationship between the powers and therefore the relationship between the boards and governing body.*

*I stress that these views are my own and are not submitted on behalf of any group.  
However, I also support and have relied in part on the submission by Tony Holman.*

[REDACTED] 24 June 2016

[REDACTED]

[REDACTED]

25 June 2016



LOCAL GOVERNMENT COMMISSION

30 JUN 2016

RECEIVED

The Commissioner  
Local Government Commission  
P. O. Box 5362  
Wellington 6145

Dear Sir

**AUCKLAND COUNCIL REORGANISATION**

I support reorganisation of the Auckland Council on the grounds that it lacks accountability to ratepayers.

Auckland stretches from Rodney in the North to Franklin in the South a distance of about 100km. Both Rodney and Franklin are predominately rural areas with the area in between being residential, commercial and industrial. Rodney south to North Shore is mainly residential and it is similar in the South where South Auckland is mainly residential. In the middle is the CBD, a mixture of residential commercial and industrial.

My point is that these areas have no identity as being Auckland, have no community interest such as between Rodney and North Shore and the interests and concerns of South Auckland have little similarity to the interests and concerns of places north of the Harbour Bridge.

Auckland has a number of Local Boards representing specific areas but they are essentially toothless as decisions must meet the requirements of the Albert Street bureaucrats.

Day to day operations appear to be controlled/co ordinated from Albert Street (the Head Office) taking weeks for the most simple issue to be addressed. Another concern is the lack of oversight of basic matters with the only remedy for an enquirer is a call centre which does not always generate a response. A large hole in the road near a busy intersection took over 3 week to fix and that resulted in the fill being 4inches above the road level. No supervision, no avenue of remedy so we just have to put up with it.

A local council would be contactable nearer the scene and give local accountability.

A local issue raised by email with all Councillors, Board members of 2 local Boards and the CEO about a Targeted rate lacking legal authority has not been adequately addressed, Council instead relying upon it being of "social benefit" which is not a requirement of the Rating Act.

The emphasis of the Council is the CBD and moving people into and out of that area. There is little planning for moving activities into other areas such as is seen in other cities where places as distant as Huntly are developed as satellite business areas.

In Australia motorways are moving 100,000 to 150,000 vehicles a day without holdup, except for accidents. Our motorways come to a standstill even outside of peak hours and it will never improve because of the narrow isthmus that limits development of alternative routes.

Auckland will grow through the development of satellite business areas that do not require everyone travelling to the CBD. These will not come about by Auckland Council maintaining its grasp of development in the interests of the CBD but by local councils being responsible for local areas.

How Auckland should be divided is a matter for wider debate by ratepayers. All I would want is the opportunity to be part of that debate.

Yours faithfully,





TO: Chair & Members, Local Government Commission

FROM: [REDACTED]

**SUBJECT: Submission on changes for local government arrangements in Auckland (Auckland Council)**

## **1. Introduction:**

### **My main concerns and submission relate to:**

- Council Controlled Organisations
- Unsustainable costs, rates and debts
- Mayoralty
- Major lack of transparency, public information, access and accountability
- Over-reliance on large corporates to provide contract services with loss of local engagement and quality of outcomes
- Serious shortcomings in customer relationship management follow through and feedback
- Poor quality adherence to principles of open government information
- Inadequate delegation of powers and funding to Local Boards
- Poor local engagement, monolithic, remote organisation, eroding local community organisations and local identity.
- Huge staff with excessive powers, dominating the few elected members.
- Failure of the “promises” and intent of the ‘super city’ and the ‘more liveable city.’

## **2. CHANGES PROPOSED TO AUCKLAND LOCAL GOVERNMENT:**

### **2.1 Council Controlled Organisations**

**Proposal:** CCOs should be re-integrated into the council structure, either as special departments or business units under democratic control. Each would have its own manager and required specialist and be responsible for reporting its activities, needs and performance either to a relevant committee of council, or directly to council.

Currently CCOs are operating semi-autonomously building their own systems for maintenance and relationship management. This creates unfortunate consequences where for example two adjacent pieces of land may be managed by two different bodies - eg a street by AT and the reserve by Auckland Council Parks. Maintenance work in this area may be undertaken by two different contractors leaving undefined tasks unresolved.

An example of this is in Birkenhead where a road runs beside a drain. Neither contractor has cleared the drain in over 4 years - leaving dirty water flowing across the car park.

If a problem occurs which overlaps these two pieces of land, then in principle a call needs to be made to both the Auckland Council contact centre AND to the AT contact centre. If the call is made to the wrong one, then time is taken by the first level agent to redirect it to the correct one.

If a major emergency incident occurs, then information will arguably be submitted to and managed in different systems. This will lead to poor response coordination.

**Reasons:**

(a) Currently, although the CCOs are (theoretically) responsible to the ‘governing body’ they hold between them the bulk of the people’s communal assets, including water, ports, transport, airport shares and other investments, and property including commercial and other land. These should not be put at ‘arms length’ divided up into separate silos, lacking democratic control, public consultation and strong input from the elected members and the public.

(b) There have already been graphic instances of the ‘governing body’ being ignored, or challenged by CCOs such as the defiance shown by the Ports of Auckland. To quote from a report of the Committee for Auckland –

*“One risk that the report sees to regional governance is that the CCOs operate as functional silos, where assets and services operate independently from the rest of the council structure. Governance issues such as this are highlighted by recent tensions around the independence of Auckland Transport and the reclamations of the Ports of Auckland.”*

Please note, they use the word ‘independence,’ a major problem, along with the separate, independent policies and plans of each company, lacking any effective integration between them and the council.

(c) However, there are much more subtle ways in which such organisations easily defeat any control by the ‘governors’ through the weak oversight and influence provided by means of the Statements of Intent. These are initiated by the company concerned, the facts and policies are provided by them, and any discussions between them and the council’s preferences are easily circumvented because council will not have (in house) the required information or expertise to successfully challenge it.

Although the Royal Commission proposed a single independent services performance ‘Auditor’ to deal with the compliance and performance of the CCOs, this would be totally inadequate and beyond a single person. He/she would need a considerable staff, some of whom would need to be embedded in each CCO.

It is much more effective and efficient to have these organisations as part of an integrated council.

The argument that such assets and facilities are better kept at 'arms length' and away from the elected arm is facile in my view and destructive of democratic determination and disclosure, and undermines citizens' influence through their elected members. These are, after all, publicly owned assets. The public have paid for them, they own them, and they need to see the direct benefits that they are entitled to.

Furthermore, the corporate model of a skewed local government, is not only inappropriate in a democracy, the separation into companies readies them more likely for sale to private enterprise, which brings more and more pressure from big and usually powerful multi-nationals, which inhabit this world. Examples of the issues which can arise from this have occurred in both California and part of the UK where corporates have held the communities to ransom over provision of key services or have minimised the handling of flood controls based on a profit-making model.

Finally, although the Royal Commission advocated for the CCOs they have not met, and cannot meet the Commission's four principle guidelines:

- "Common identity and purpose
  - Effectiveness (including quality of service, local democracy and community engagement)
  - Transparency and
  - Responsiveness."
- (Para 22 of Summary)

It is also clear that despite the Commission noted that "*All council activities (such as public transport, urban design, rate-setting and roads and infrastructure) have significant social consequences*" and were concerned about council's "*obligation to promote social well-being*" \* Not only has council performed very badly in this arena, the CCOs are totally unable to do this and are generally focussed elsewhere.

\* (Para 70 Royal Commission Summary)

In relation to council/publicly owned assets (eg open space, ports, other money-earning assets) both council and their CCOs should be banned by legislation from selling or otherwise removing them from general public benefit unless a referendum of all ratepayers is held to determine the wish of the public who own them (e.g. Swiss canton and Californian models).

## **2.2 Unsustainable costs, loans and rates – belies the 'savings' promoted originally.**

### **Proposal:**

My understanding is that the Royal Commission undertook a careful survey of amalgamation processes in overseas countries to find out how to achieve the best benefits with maximal cost savings. The model they chose for this was based on four cities under overall governance. When the amalgamation was put in place under Rodney Hide, this research was ignored and the amalgamation process was rushed and major rapid change took place. In the process, many existing benefits were lost

(institutional knowledge, high quality experienced staff, clear understanding of processes amongst others).

**Reasons:**

It appears that the following situation has occurred:

- Auckland Council liabilities now equal \$20,000.00 per household.
- Council staff numbers now far exceed pre amalgamation numbers. Pre-amalgamation, approximately 8,200 staff. Now about 12,000, and still climbing.
- Salary approximately \$1 billion with increasing additional amounts on perks and expenses. (Does not include costs of consultancies.)
- Mayor promised 2.5 % average increase. This has ballooned to 9.5% average, with the worst hit areas facing up to more than 16.9% .
- Council collects about three billion dollars a year in rates and charges
- AC spends more than \$400,000,000.00 a year in loan interest payments.
- Massive outlay on the Unitary Plan process causing major costs, disruption and confusion along with serious community alienation. Most community groups and leaders I am aware of have given up in dismay at participating in UP processes.

It appears that huge amounts are being wasted by lack of due diligence (e.g. purchase of the (former ASB) Building, now needing extensive repairs; lavish and ill considered schemes of Auckland Transport; extremely high levels of payment for a big layer of management positions, and separate board and management structures in the CCO silos.

In the lead-up to amalgamation, various groups and individuals predicted “savings” which would come from the ‘super city.’ This included the following in the Commission’s summary headed ‘Adding up the savings’ (Paras 74 – 79.)

The corporate finance consultants Taylor Duignan Barry were asked by the Commission to provide a financial analysis and comparison of the costs of a unified Auckland vs six councils.

Unsurprisingly, the estimates provided by the engaged experts found that “*adopting the Commission’s proposals will result in estimated efficiency savings in the indicative range of 2.5% to 3.5% of the total expenditure of the Auckland councils planned for 2008/9 (of around \$3.2 billion.)*” (Para 76).

There should now be a further study undertaken to show the **real** costs of amalgamation and the predicted costs set out currently in the council’s 10 year financial plan, and detailing the inefficiencies and the efficiencies currently existing.

It should also estimate the general cost/benefits of this council structure and administration, including all social aspects.

## 2.3 Mayoralty.

### Proposal:

- (a) That the current legislation concerning the Mayor and Mayoral powers be altered, with the position of head of the governing body being determined from among the councillors elected, as has been the case formerly for the Chairman of the Regional Council and that therefore there be no region-wide public election
- (b) That the special powers given to the Mayor in the Auckland Council legislation, be removed, including the power to appoint the deputy-Mayor and Chairs of council committees, these positions to be determined by the councillors from among their number.

### Reasons:

Proposal (a) is recommended for the following reasons:

- The current law means that the likely candidates able to mount an effective region-wide campaign is narrowed to a very tiny group of rich or famous people. This is an unhealthy situation in a democracy putting the outcome of the election at the mercy of the best constructed publicity campaign that money can buy.

Worthy and valuable people who would be more representative and have a better understanding of the wider community and do not have strong connection with specific sectoral interests, are likely to make decisions which encompass the needs, desires and financial realities of the general public.

In either case, the very significant amount of money required to carry out a mayoral campaign is likely to see parties seeking large donations to participate.

That in turn means that those wishing to help in any substantial way will see this as an “investment” in the future activities of the council led by such a Mayor. There will be expectations, possibly even “understandings” reached about those desired outcomes in giving substantial donations.

This is anti-democratic and verges on corruption in the US style of both their local and government politics. In my view, totally undesirable.

- Very important too, is the cost of replacing a Mayor through a new election during the term. That situation was a likely scenario during the term of the current Mayor of Auckland.

However, it could arise from a variety of possibilities : ill-health; death; criminal charges and conviction, etc.



The main point is that a Mayor must critically retain the confidence of the councillors to lead the council and the region. If that fails and the councillors decide the incumbent is failing in an ongoing and serious way, then a new election for the position may be held by the councillors, **at no cost to the ratepayers, and with no interregnum** while a new region-wide election is held.

To use the considerable ARA/ARC experience of this system, to my knowledge shows that it did *not* lead to any instability in council and nor did it require anyone to be stood down and replaced.

The summary and recommendations of the Royal Commission on this matter (largely adopted) are characterised by an unrealistic, Utopian dream of having a succession of “inspirational leaders.”

These are rare phenomenon and will not emerge simply because they are given special powers.

Proposal (b):

This is simply the logical and desirable extension of Proposal (a) above, and has been used traditionally and successfully by a number of councils and community boards over time.

It rests on the same general principle that the confidence of the majority of councillors must be retained by the various chairs for the council to progress in as unified way as possible.

## **2.4 Major lack of transparency, public information, access, quality of service and accountability**

### **Proposal:**

Provision must be made to align all local government policies and processes with best practice in open government information and customer relationship management. This should be a requirement for Councils - not an option to which lip service is given.

Provision must be made to require Council departments, CCOs and contractors to provide information proactively about issues and changes in policy which may impact individuals and groups.

Provision should be made to more proactively support community engagement and empowerment in budget setting, local planning and contractor engagement.

Council should adjust its processes so that small local contractors or community groups can be awarded contracts - especially for activities requiring local or specialist knowledge. We are aware of cases where Council has rejected bids by highly qualified contractors without due regard for the quality of outcomes for the costs expended. In some cases, services provided by large contractors involve unnecessary duplication of volunteer efforts or result in one off actions with no follow up. Such issues result in a waste of rates and community time.

Council systems should be amended so that local community groups can easily see the sums being expended in their community and can then make practical bids to deliver better value for money through a combination of voluntary project management, voluntary service delivery or use of donated materials. These processes should be built into Council systems - not treated as a minor adjunct.

Council contact management and work management systems should be redesigned to make it easier for

- (a) requests submitted to council to be routed to voluntary groups or small contractors
- (b) requests to be linked to the outcome of the work action undertaken by contractors or volunteers
- (c) access provided so that residents, ratepayers and other stakeholders can view the status and outcomes of their requests.

### **Reasons:**

While the Council has a digital policy promoting good quality communications with its residents, ratepayers and stakeholders, current practice falls far short of providing open government data, high quality customer relationship management processes that would allow citizens to be able to know what is going on and to know how their submissions and requests are being managed.

Currently most public requests fall into a black hole and the only way to find out what is happening is to personally contact a council officer or elected representative to investigate. This is undemocratic as well as being costly for Council and the public. All requests submitted to Council should be tagged with a reference number (as is currently done to its credit by AT) so that the submitter can easily find the request status and know what division of Council the request has gone to.

Progressively Councils are moving towards depriving citizens of the right to have input and comment. This has been promoted locally and nationally as a tool to improve efficiency. Efficiency can be gained by earlier consultation with relevant communities rather than by expensive consultants and contractors engaged at an early stage to make proposals that serve no value.

However, what has occurred in some instances is that Council departments, local boards or CCOs have implemented expensive solutions with no consultation

with the public. Wastage could be reduced if models for open government budgetting were adopted from successful overseas examples.

Examples include:

- An example in the North Shore resulted in the expenditure of \$65,000 on an unnecessary structure in the wrong location. AT has indicated it will require a similar cost to remove it. Not only was the structure not required and unpopular with the community, but it proved to be badly built and a number of panels have fallen out. With genuine proactive consultation, the poor decision making and consultation by the CCO could have been avoided and a sum arguably nearing \$100k saved.
- Another example involved a specialist consultancy being engaged to survey requirements for recreational amenities. Fees were spent proposing items of expenditure which the community didn't want before even the local board or relevant community groups and stakeholders were consulted.
- The Council's property arm has also spent time and money negotiating to sell off Council reserve land in response to private developers seeking to expand their commercial opportunities. These processes have been kept secret from elected members, affected neighbours and relevant community groups.
- The InfoCouncil system used by Council to manage agendas, minutes and attachments does not provide adequate tools to allow busy citizens access to the information they need to interact with Council. For example, agenda items or reports may be buried in long documents that are only available in graphic format - making it impossible to search these long documents, usually available only a day or two before a meeting, for items of interest.
- Council procedures for engaging large contractors through complex procurement processes has resulted in a loss of quality of service in many areas.
- A request for service to address an issue overlapping private and public land was made to Council in 2015. No response was received over a long period. After a year, a follow up call was made with detailed background notes that outlined various important issues to be covered. This was addressed to a Council officer but passed on to a contractor without the covering information. The information was again provided to the contractor who advised that the issue would be dealt with. A phone call was made to advise that part of the problem would be resolved and that the remainder was being passed back to the Council to deal with. Councils must implement quality processes and systems that are less likely to alienate the public and community volunteers.

## **2.5 Inadequate delegation of powers and funding to Local Boards**

**Proposal:**

That considerably more responsibilities in relation to community engagement, local needs and desires and community organisations be delegated to Local Boards and that council be required (by legislation) to provide the necessary funding, staff, processes, systems and other resources to achieve all of the requirements for better outcomes in these matters.

(This proposal is the same for the next related topic, 2.6)

### **Reasons:**

The following comments from the report of the Committee for Auckland, encapsulate lucidly all of the key points of concern under this heading (2.5) and the next topic (2.6)

#### *“Primary Findings / Observations*

*“Increasing inequality is a failure at both regional and central government level. The Auckland Council’s vision for Auckland as ‘the world’s most liveable city’ is not yet in sight for many residents of Auckland. The report recognises that the governance system needs attention in some areas. Three outtakes emerge from the report:*

##### *1. Community Participation Needs Work*

*The principal determination of the report, which directly impacts equitable growth, is that the links between the region and the neighbourhoods need to be strengthened.*

*The second systemic problem identified by the Royal Commission – that community engagement was poor – remains an unresolved issue. The size and complexity of the new Auckland Council is inherently alienating, even though the council does have sector group panels to provide input into council. Scale may undermine the public’s sense that they can get involved with or influence decision making.*

*The local board model is a key part of public engagement. It has yet to achieve its potential as an effective means of representation. In creating local boards, the government departed from the Royal Commissions’ recommendation of a second-tier of six locally elected councils. Local decisions are devolved to local boards. The initiative was certainly well-purposed as it provided a mechanism for grassroots locally-representative input into decision making.*

*However local boards lack power and potency. Furthermore, most residents don’t feel they can participate in local board decision making. The practice of community engagement varies from board to board.*

*The role and effectiveness of the local boards is critical for strengthening grassroots input from communities. Decision-making is legally meant to be ‘shared’ between the governing body and local boards. It is not. Local boards have a broad mandate but lack power, profile and respect. The lines between local decisions and regional decisions are blurred. The part time status of members and low profile / status of boards impede exercise of their power.*

*Representative governance has yet to come to fruition. The local board model needs to be stronger for regional governance to deliver. The demands of a growing population base underscore this. The Howick local board, for example, represents a population the size of Hamilton. Local boards could*

*potentially have a local economic development role through community-focused initiatives.”*

Over all, ‘power’ and consultation needs to be moved downwards, not upwards towards the Mayor, Mayor’s office and bureaucrats.

## **2.6 Poor local engagement, monolithic, remote organisation, eroding local community organisations and local identity.**

### **Proposal:**

That considerably more responsibilities in relation to community engagement, local needs and desires and community organisations be delegated to Local Boards and that council be required (by legislation) to provide the necessary funding, staff, processes, systems and other resources to achieve all of the requirements for better outcomes in these matters.

### **Reasons:**

One of many issues raised by the Royal Commission was that in its view, Auckland had suffered from insufficient effort being put into social well-being over a considerable period although they gave no quantitative or other proof of this assertion.

In addition, the highly disruptive processes put in place by the Government to align district plans has resulted in even more serious alienation of even normally engaged members of the community. This goodwill and engagement needs to be won back by improvements to local board processes and resources, by greater community empowerment especially in the early phases of developing policies and projects. Members of the public don’t enjoy being treated like fools in being surveyed on a short list of items where the major decisions have already been made by contractors or staff.

They also saw as part of their ‘vision’ for the new council that it would *“unite Aucklanders to achieve prosperity for all, quality of place and lifestyle and enhanced well-being for the region’s diverse and growing population.”*

Ch. 6, Recommendations)

High minded hopes and objectives, but unfortunately there were no indicators given of the then existing levels and measures of well-being, nor how these aims should be achieved by the new council.

Unfortunately deprivation, well-being and greater equality have deteriorated considerably since their recommendations, as evidenced in housing costs and scarcity, rapidly rising rents and homelessness, congestions, loss of environmental quality, increasing noise, increasing health problems of the poor, major income disparity in the face of these overwhelming problems.



Additionally, council and government cuts to assistance for many community and volunteer organisations have exacerbated many problems.

The “most liveable city” is seeing more and more Auckland ‘refugees’ leaving for other places in order to attempt to find more acceptable conditions. There are serious risks to the social fabric of Auckland arising from poor quality housing, low incomes and lack of environmental quality.

## **2.7 Council staff with excessive powers and limited consultation and information sharing.**

### **Proposal:**

That an independent study be carried out into the powers of staff and contractors, including unnecessary or assumed powers currently exercised by staff or contractors, (especially in senior roles), which are, or may be impeding information to or authority and responsibilities of the elected arms of council (ie the governing body and local boards.)

That report to be presented to the elected arms of council, the Local Government Commission and to Government for appropriate remedial action.

### **Reasons:**

As outlined elsewhere in these submissions, the costs, continuing expansion of staffing levels and the general authoritarian attitude shown by some senior levels of council management suggest a systemic belief/policy that they are “in charge” and that they will keep the elected members and the public members with as little information as possible and with little respect.

In particular, there have been a number of publicised occasions when councillors have only learned of developments or decisions of staff when they have read it in the media. Worse, some officers have refused to give important information to councillors which, not only were the councillors legitimately entitled to have, but which legally they needed to properly fulfil their statutory roles.

In other words illegal attempts were made to stop information being provided to council/councillors upon request.

*Submitted by* [REDACTED]

## **APPENDIX -**

The following note is appended as a reminder of what Councils should aim for in working for greater community engagement:

### **A Good Practice Guide for Enabling and Supporting Place-Based and Related Community Governance New Zealand-Australia September-October 2014**

(<http://www.lgnz.co.nz/assets/KnowHow-pdf-documents/Good-Practice-Guide-Community-Governance-2014.pdf>)

The guide sets out to provide a pathway for councils and other entities towards building a community governance approach into the way in which decisions are taken on behalf of the communities they serve.

The focus of the guide is on non-statutory community governance where the framework is set by the Council (or other entity), but the initiative to establish individual community governance bodies comes from the community. Statutory forms of community governance are typically 'top down' in the way they are established. They both depend on council initiative for their establishment, and can be disestablished as a result of council action. Examples include New Zealand's community boards and the use of Council committees in Australian local government.

The guide sets a course that is 'bottom up', centered on place and neighbourhoods (that is, place-based), in contrast with 'top down' approaches which have been the more usual first step for councils seeking greater community involvement, but extending also to communities of interest and of identity.

The principles include:

- a need for clear on-going council commitment including some support for capability
- development and resourcing
- an understanding of the importance of respecting the independence of community governance groups, and rate payer.

Two examples of where New Zealand Councils that are able to successfully establish governance that is "bottom-up" and centered on place and communities.

- Southland District Council
- Thames Coromandel District Council

They have made very extensive use of powers of delegation to community boards and, more generally, put a strong emphasis on working with their communities whether or not they are formally constituted.

**TO: THE LOCAL GOVERNMENT COMMISSION**

**RE:** The application by the Northern Action Group (NAG) for the separation of the Northern Rodney area from Auckland City and the creation of a new unitary authority.

Submission of Bruce Allan Manson.

1. I am a resident of Orewa within the boundaries of the Auckland City. Until recently I resided in Warkworth for eleven years and for a number of those I was co-chair of the Warkworth Area Liaison Group. My submission is based primarily around my knowledge of activities in the Warkworth/Snells Beach/Algies Beach/Omaha/Sandspit.
2. I am familiar with the proposal by NAG which, while the detail has changed with respect to the type of organisation being promoted, still has at its core secession from Auckland City.
3. I oppose the application on the following grounds:
  - I. The area proposed for a Unitary Authority is not large enough to support and carry out the duties of such an authority. This appears to be acknowledged by the applicant wherein it is proposed that some regional services such as control and management of regional parks will remain with Auckland City.
  - II. The proposal ignores the extent of the relationship between the affected area and Auckland City which has developed since amalgamation in 2010. This includes the production of the Auckland 30 year long term plan; the development of a new Unitary Plan; the attention by Council Controlled Organisations such as WaterCare Services to the planning of infrastructure upgrades; the integration of the library services; and consultation around the need for major roading upgrades.
  - III. A major element of this relationship is the declaration of Auckland City to designate Warkworth as one of two 'satellite towns' (the other being Pukekohe in the south) and with an estimate of growth to around 20,000 within the next 30 years. As result a number of organisations and individuals will be making forward planning decisions in the light of this prediction. This has been heightened by the decision to extend the

northern motorway from Puhoi to Warkworth thereby increasing further the link between Auckland City and the Warkworth Area. A survey of recent commercial activity in the area is testimony to this. If history tells us anything it is that projections are likely to come true earlier rather than later. The NAG proposal will effectively create “an island” authority with at best tenuous links to organisations to the north and the south.

- IV. As a ‘green fields’ start-up the proposed new authority will be required to develop new systems and processes at a not inconsiderable cost. It will also be required to repeat the same planning process which is about to conclude within Auckland namely, the development of its own unitary plan. The claim by the applicant that a new plan for the area will be “simple” fails to recognise the explicit requirements of the Resource Management Act, the dual responsibilities of a unitary authority and the breadth of variation in the aspirations of groups and individuals over what they believe such a plan should include. Having contributed through the rating base to the formation costs of the Proposed Auckland Unitary Plan (PAUP) and through time and money expended during the submission process the proposal by NAG would have citizens repeat this process all over again for an uncertain outcome not to mention the planning uncertainty that would overshadow all future development.
- V. The proposal makes no mention as to the ‘fate’ of the balance of the current Rodney Ward namely the townships of the west such as Henderson, Kumeu and Huapai. In this regard the proposal is deficient.
- VI. By way of a more general submission, the statements relating to many of the proposed ‘activities’ such as libraries; ‘buy local’; rating policy; ‘plan for local needs’; public transport; community volunteers; regulatory consents; borrowing policy; financial hardship assistance policy; are not unique to the area and could well be used to describe the activities of any other local authority. In particular the proposal seems to assume that only a new authority can deliver on these. On matters such as rating; financial hardship assistance; borrowing policy; use of the annual general charge etc the proposal ignores the fact that local government is a creature of statute and must work within the rules.
- VII. A new authority is not needed to achieve any of these stated aims. The delivery of any particular service can be more efficiently achieved within the confines of the present structure.
- VIII. In large measure the proposal by NAG is based on perceived and in some cases real shortfalls in service delivery. Dissatisfaction with

performance is not grounds for a reorganisation proposal of the extent under consideration in this process.

#### **4. Representation**

In large part the applicants proposal revolves around the size of the present Rodney Ward; the fact that it has only one voice on the Governing Body and covers a geographical area too large for one councillor regardless of competency.

To the extent that these are the realities of the situation I can agree with the concerns expressed on this issue. I do however disagree with the proposed method of fixing the problem.

#### **5. Alternative Proposal**

It is my submission that any alternative proposal for the exercise of local government in the area should take into account the whole of the current ward and not just the northern area as described in the application. As it stands the application makes no mention as to the balance of the ward not included in its proposal. It also ignores the fact that growth in these other areas is proceeding apace and will require much the same additional level of focus as will be needed in the Warkworth Area.

**My alternative proposal for a reorganisation of local government in the Rodney Area is to create an additional ward and an additional local board by forming two areas based on a boundary line running west to east in the present ward. North of the line to be known as the “Warkworth Ward” and south of the line to be known as the “Kumeu Ward”. Each ‘new ward’ to be represented on the Governing Body by one councillor and each ward to consist of one local board the composition to be determined by the Commission.**

**The proposed new wards to be serviced out of Warkworth for that ward and out of Kumeu for that ward.**

**In regard to the above proposal I provide a map of the current ward with a line approximating that shown as the southern**



**boundary in the NAG application to be the boundary between the two new wards.**

## **6. Reasons for the Alternative**

- I. There is general acceptance of the fact that because the current Rodney Ward comprises approximately 46% of the geographical area of the Auckland City governance through the provision of just one councillor on the Governing Body and one Local Board is more difficult than in the higher density of urban based wards. While such a proposal may be at odds with representation based on population it is submitted that the situation is unique relative to the rest of the region and can be justified on the above facts.
- II. The creation of an additional ward based on the above can be achieved at minimal cost. There would be little in the way of 'up front' costs involving systems and other processes. Facilities in each ward centre exist for housing the new entities.
- III. There would of course be increased operating costs associated with the addition of one councillor and the need to provide staff servicing of an extra local board.
- IV. The alternative retains "membership" of the Auckland Region and continues the links that have built up over the past six years.
- V. There would be no need to carry out a new and uncertain planning process.
- VI. It recognises that projected growth in each new ward can proceed in a more focussed way by providing a closer link between ward, local board and the Governing Body.
- VII. An additional councillor will provide more weight around the Council table and should serve to create more awareness of the needs of those areas that are a mix of urban and rural.

- VIII. The provision of the extension of the northern motorway (a contract is due to be announced in August) will enhance the link for northern residents and will also tend to accelerate growth in the Warkworth Area.
- IX. While Warkworth is currently seen as a “rural” township, this is changing. The town is the gateway to the eastern areas of Sandspit; Snells Beach; Algies Bay; Omaha Beach; Matakana and a number of regional parks. Each of these areas are growing and will continue as tourist elements in and around Auckland CBD reach capacity and attention is directed to the tourist opportunities in the north. Currently all private, commercial and tourist traffic accesses the eastern destinations via Warkworth.
- X. Roading development in the west and adjacent to the Kumeu-Huapai area can also be expected to contribute to growth as will a range of commercial developments around the Westgate area.
- XI. All of these growth factors affecting as they will, two quite distinct areas of the current ward will benefit from closer scrutiny and support with the creation of the additional ward as proposed.
- XII. All of the work done by individuals and groups in the Warkworth area (and no doubt by many in the Kumeu area) in relation to the various planning documents and the PAUP in particular will be seen to be worthwhile as the areas remain within the larger organisation. This will be lost if the applicants proposal is allowed to proceed.

## **Conclusion**

Any reorganisation and particularly within local government can be fraught and should not be entered into without good strategic vision. It needs to recognise the likely state of communities into the future and set a structure around this that enables people and communities to realise their aspirations and ambitions. The work carried out by Auckland Council in this regard while criticised in some quarters, is the best way forward and should not be disrupted by implementation of the applicants' proposal.

The proposal by NAG does not in my view achieve this element of forward thinking. Instead, if it allowed to proceed will create an atmosphere of uncertainty not needed in todays' world. I submit that the application by NAG should not be permitted to proceed and commend to the Commission the alternative proposal.

Dated 24 June 2016

This submission is made by:

Bruce A. Manson

[REDACTED]

[REDACTED]

[REDACTED]



# mahurangi action

## alternative application

under Schedule 3 of the Local Government Act 2002

Alternative application by Mahurangi Action Incorporated

Representative of applicant Cimino Cole, secretary

secretary@mahurangi.org.nz

### Proposed changes to Auckland Council governance arrangements:

Mahurangi Action Incorporated (Mahurangi Action) hereby applies to the Local Government Commission for the single local board within the Rodney Ward of Auckland Council to be replaced by two local boards:

- 1 a northern local board that conforms with the present Warkworth and Wellsford subdivisions; and
- 2 a southern local board that conforms with the present Dairy Flat and Kumeu subdivisions, of the current Rodney Local Board.

*(An annotated map of the proposed local-board areas is appended to this alternative application)*

Mahurangi Action further applies for the number of Warkworth subdivision local-board members to be increased from three to four, in order that:

- 1 the northern local board in total has an odd number of board members; and
- 2 in anticipation of population growth in Warkworth, in what Auckland Council has deemed to be one of two satellite growth centres in the rural Auckland region.

Mahurangi Action further applies for consideration of the name Tamahunga to be used for the proposed north-Rodney local board.

Finally, Mahurangi Action applies for a moderate amount more power to be shared with the local boards by the governing body of Auckland Council.

### What the proposed changes are seeking to achieve and how the changes would be achieved by the approach proposed in the application:

Mahurangi Action, in proposing this change—the splitting of the Rodney Local Board into two separate local boards, and devolving more power to local boards generally—is seeking to achieve three things:

- 1 increase local representation of the respective proposed local-board areas;
- 2 decrease the sense of alienation that the forced amalgamation produced in communities that generally didn't regard themselves as urban Auckland; and
- 3 increase the power of local-boards to provide effective representation.

Mahurangi Action believes that residents of north Rodney would strongly relate to a north Rodney local board, particularly if meaningfully consulted about a unifying name for the local board area.

### Potential improvements that would result from the proposed changes and how they would promote good local government:

The sense of alienation resulting from the forced amalgamation, exacerbated by the Northern Action Group's dogged pursuit, first of union with Kaipara District Council, and then as a separate unitary authority, is uncondusive to good local government.



The creation of a new local board, and one that, along with the other local boards, enjoyed a moderate amount more power than local boards currently are allowed, would send a strong signal to the people of north Rodney that their communities are recognised as having distinctly different issues and needs from the balance of the Auckland region.

### Other information Mahurangi Action considers relevant to the commission's consideration of the application:

#### Mahurangi Action track record

From the commencement of the royal commission process, Mahurangi Action and the *Mahurangi Magazine* have engaged in an open-minded exploration of how Auckland region's governance could be improved. Included in the 30 *Mahurangi Magazine* articles published (listed page 4) is the draft of this alternative application, and a call, on 25 May 2016, for input.

#### Incontestable need for regional governance

Mahurangi Action's formative experience, and indeed the proximate driver for founding the organisation in 1974, was an example of the need for regional governance. The then Warkworth Town Council was pursuing a localised wastewater treatment solution when it was clear to others, including the special water board tribunal that considered the water right application, that a system that included nearby Mahurangi coastal settlements was preferable, including in respect to safeguarding Mahurangi Harbour oyster-farming operations.

That a legal loophole was exploited by the town council to go it alone then, and that the current proposal of Watercare, 42 years later, is for a combined scheme, only goes to illustrate the need for comprehensive regional governance.

Mahurangi Action's other two areas of focus, landscape protection and sediment mitigation, strongly reinforce its experience of the need for regional governance:

- 1 Acquisition of regional parkland in the 1970s protected the Mahurangi landscape from coastal residential settlement at a time when available town planning mechanisms were minimal; and
- 2 The 10 years of scientific surveys of the Mahurangi Harbour's benthic communities leading up to 2004, and the Mahurangi Action Plan that those studies spawned, were initiated by the Auckland Regional Council and continue under Auckland Council, without which the harbour would have received no help in addressing its sediment accumulation rate, double that of other Auckland catchments.

These three examples, of course, are not a definitive list of regional governance needs, which would include transport and residential planning, to name two of the more obvious.

Auckland's regional governance practice dates from the establishment of Auckland Regional Planning Authority in 1954. Then came the Auckland Regional Authority, with its built-in provisions for the purchase of regional parks, beginning with Wenderholm 50 summers ago, followed by the Auckland Regional Council in 1989, and culminating in the region being constituted a unitary authority, Auckland Council, in 2010. After 62 years of progressively building robust regional governance, and with a population more than three and a half times greater<sup>1</sup>, the Northern Action Group notion that the Auckland region could somehow dispense with regional governance is risible—north Rodney, overnight, would be rendered an unfettered developers' El Dorado, à la Mangawhai and its attendant governance debacle.

The evolution of regional governance, however, might have taken a number of different legitimate paths other than the creation of a unitary authority. Certainly, Mahurangi Action was far from convinced that the royal commission had diligently explored options to the monolithic model it ultimately recommended. Specifically, the commissioners ignored Mahurangi Action's humble urging that they consult Professor Brian Dollery of the University of New England, who would later, in 2003, write a report for the Napier City Council<sup>2</sup> that concluded:

- 1 The proposed amalgamations scenarios advocated in [respect to Hawkes Bay and Northland] are not supported by available empirical evidence and past experience of compulsory council mergers; and

- 2 Shared service arrangements should be considered as an alternative option to forced council amalgamations.

That a forced amalgamation would provoke a backlash was entirely foreseeable. But neither is it cause to prolong the disruption with any form of de-amalgamation, which even the libertarian Fraser Institute finds 'is not often desirable.'<sup>3</sup>

### Giving Auckland governance a fair go

The application by the Northern Action Group is unabashedly dogma-driven and wholly without merit as a governance model for an area that is totally in the thrall of New Zealand's dominant conurbation of Auckland—home to one third of New Zealanders. With significant numbers of residents commuting from north Rodney, and even from Mangawhai north of the Auckland Council boundary, it is clear that functionally, north Rodney is part of the Auckland region.

The massive, undisclosed and on-going cost of creating one unitary authority from one regional and seven city and district councils would be greatly added to, was part of the region to be now split off and another new unitary authority created, before the new governance arrangements have been fully bedded in.

While it was the democratic right of the Northern Action Group actors to oppose Auckland region unification, and to agitate for secession once it occurred, the majority of north-Rodney residents, and organisations such as Mahurangi Action, have been working diligently to obtain the best results from the new structure. As Mahurangi Action stated to the royal commissioners, the time for providing the citizens of the Auckland region with a poll should have been once the commission had identified a number of robust options for the governance of the region. If a poll is now to be held, it should not be held as in response to the piecemeal Northern Action Group application, but should follow a commission of inquiry held say in 2025, allowing a five-electoral-term stabilisation period, provided there was a region-wide public consensus for one.

### Name for north Rodney

Aside from its twin coasts, the principal geographic features of north Rodney are:

- Tamahunga Range
- Kaipara Harbour (southern part of)
- Mahurangi Harbour

Next in line include South Kaipara Head, Tāwharanui Peninsula, and Cape Rodney. If the Rodney Ward is to have two local boards, the southern local board connection to Cape Rodney would be tenuous in the extreme, making Kaipara or South Kaipara a more natural, and geographically coherent choice. In the proposed north-Rodney local-board area, Mount Tamahunga has a stronger geographic dominance than does Cape Rodney, which shares its coastal sentinel role with four-kilometre farther easterly-jutting Tāwharanui Point.

Mahurangi Action commends Tamahunga as a name for a new local board, which would have an implicit mission to represent Aucklanders north and south the Tamahunga Range to the best of its ability and to engender a sense of shared community in the Auckland region's north.

### Two-Rodney-Ward application

The Rodney Ward, with its population of only about 55 000<sup>4</sup>, is currently the best represented ward in the Auckland region. In contrast, the Waitemata & Gulf Ward, which as its name suggests includes Waiheke and Great Barrier Island, is the least, with Councillor Mike Lee currently representing more than 86 000 people<sup>4</sup>. Without doubling the number of councillors to 40, Mahurangi Action can see no democratic way that the present Rodney Ward could be split into two and allowed two councillors, as applied for by the Kumeu–Huapai Residents and Ratepayers Association. Not only would the proposal would give Rodney people three times the representation allowed Waitemata & Gulf Ward residents, it would result in a governing body of 22, which would increase a mayor's opportunity to cast two votes.

## Conclusion

Sixty-two years of regional governance has seen the growth of regional services greatly valued and enjoyed by Aucklanders, including a network of regional parks that ensures that inhabitants of the metropolis enjoy similar levels of access to wild places that the balance of New Zealanders, with their typically closer proximity to *national* parks, enjoy.

Any breaking up of the region now—de-amalgamation—would be an historically retrograde step, unless it was accompanied by the reintroduction of a regional tier of government.

In its final submission to the Royal Commission on Auckland Governance<sup>5</sup>, Mahurangi Action supported the model proposed by the then Auckland City Council calling for ‘a menu of options’ for representation at the neighbourhood level<sup>6</sup>. This might have seen, for example, council-supported forums Wellsford- and Warkworth-based, serving that part of the region north and south respectively of the Tamahunga Range.

Short of such flexibility belatedly being introduced, the alternative application of Mahurangi Action Incorporated is for:

- 1 the current Rodney Local Board to be divided into two;
- 2 the current Warkworth and Wellsford subdivisions to form a ‘Tamahunga’ local board;
- 3 the current Warkworth subdivision to elect four local board members; and
- 4 all local boards to enjoy a moderate amount more power than currently allowed.

<sup>1</sup> *New Zealand Official Yearbook* 1954

<sup>2</sup> *Bigger is Not Always Better* Dolly and Kortt 3 December 2013

<sup>3</sup> *De-Amalgamation in Canada – Breaking Up is Hard to Do* Fraser Institute 7 July 2015

<sup>4</sup> Census Meshblock Dataset Statistics New Zealand 2013

<sup>5</sup> Local Government (Auckland Council) Bill Submission 930

<sup>6</sup> Thirty into 1.4 Million Equals One Tamahunga Local Board *Mahurangi Magazine* 10 April 2009

### **Mahurangi Magazine articles about, or mostly about, the region's governance arrangements**

Mahurangi Action Application for a Tamahunga Local Board

Mahurangi Action to Submit to Building a Better Region

More Support for a Rose for Rodney

A Healthy Dose of Overdue Democracy

As a Name for the Region Auckland is Wrong

*Mahurangi Magazine* Open Letter to Labour

District Council Desperate Bid for Self-Preservation

Last-Minute Changes Cause to Plan for Celebration

Action Plan is Mahurangi Preparing for the Transition

Electing the Mayor of Mahurangi

Bad Language but Boundary Brilliant

Rodney Didn't Speak Rodney Roared

Key Calls for a Pūhoi–Makarau Line Uprising

Notion to Exclude Mahurangi Uncalled-For

Auckland Regional Council Media Release Rodney's Disaster

New Zealand Labour Party Minority View

Letter to Lockwood – Mahurangi Must Remain in Region

Mahurangi Action's Last Glossy Gasp

Local Government (Auckland Council) Bill Submission 930

Council Barking up the Wrong Rodney Unitary Authority

Taking the Dumb Out of Referendum – Yes and No

Crude Devices and the R-Word

Thirty into 1.4 Million Equals One Tamahunga Local Board

Wanted – Name for New Plan and New Name for Rodney

Twin Streams Floated their Punt

What Time's the Tide on Saturday 24 January 2060?

Mahurangi Action Submission to the Royal Commission on Auckland Governance

Wanted – Attractive, Well-Developed Models

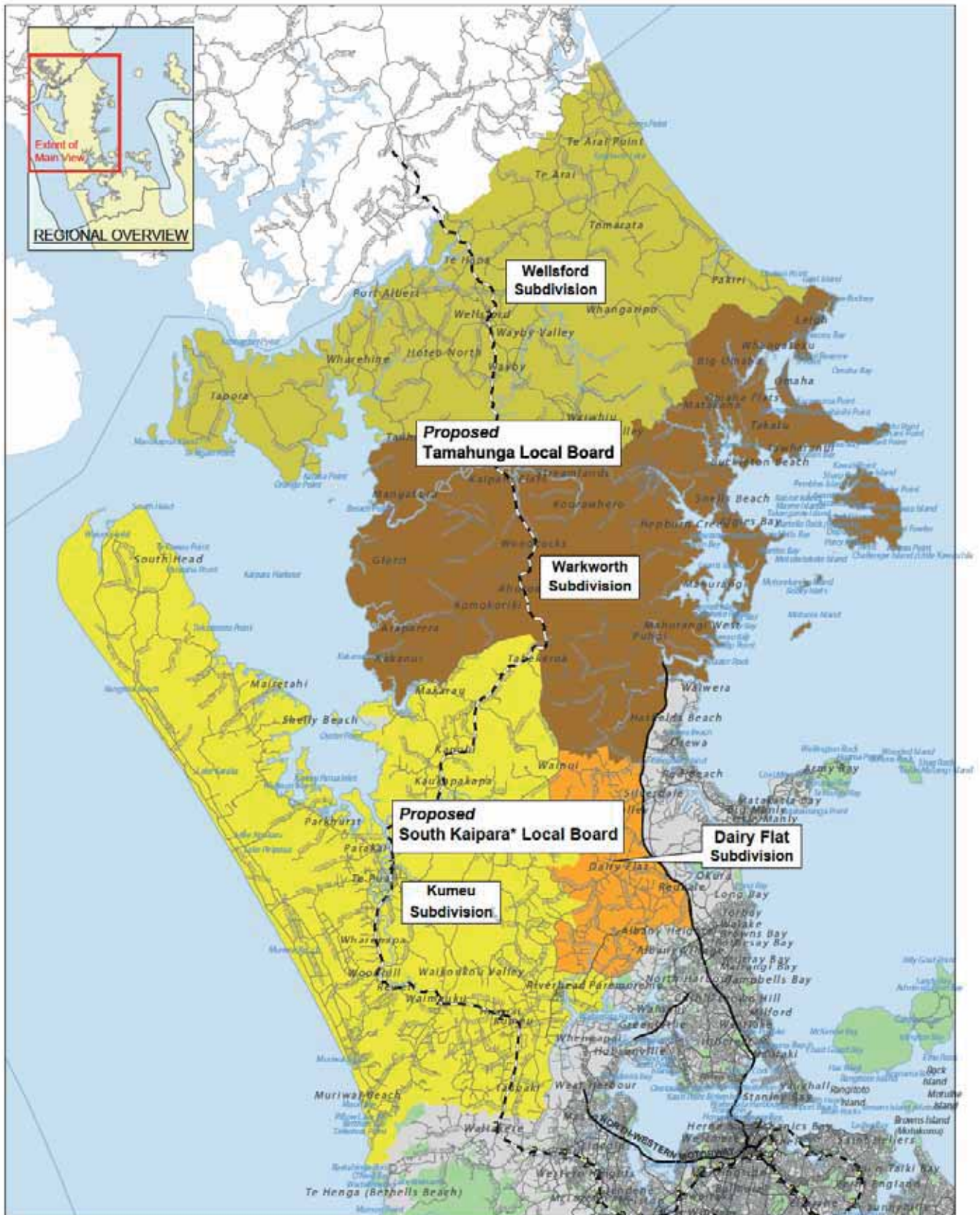
We Can Get Bitter, or Get Learning

In the Hands of Aucklanders



# Proposed two-local-board division of current Rodney Ward area

\*Please note that providing suggestions for names for proposed south-Rodney local board is not considered to be the prerogative of Mahurangi Action Incorporated.



Submitters:

Sue Henry ( The Housing Lobby)

In conjunction with The Tamaki Housing Group

Friday 24 June 2016

Local Government Commission  
Attention: Chief Executive Officer

- Pursuant to clause a9 of Schedule 3 of the Local Government Act 2002.
- Submission to alternative application for Local Government Reorganisation.

Introduction:

A serious issue arises from the shift away from seven democratically elected councils, to seven undemocratically appointed council controlled organisations and amalgamation. The model framework should be subject to intense scrutiny. This has not been the case. The present council governance structure is totally disjointed from its functions transferred over to detached (silo)CCO's.

It's worthwhile considering how far removed the amalgamation model has become from the stated purpose of the Local Government Act 2002

Local Government Act 2002:

Subpart 1 purpose of Local Government Act is:

1. The purpose of the Local Government Act is:

- (a) To enable democratic local decision making and action by, and on behalf of the communities and
- (b) To meet the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost effective for households and businesses.

In this act good-quality in relation to local infrastructure, local public services and performance of regulatory functions means infrastructure services and performance that are –

- (a) efficient and
- (b) effective and
- (c) appropriate to present and future circumstances

Comment:

Example if you look at -



1 (a) It's clearly obvious the general public have been sidelined from the democratic local decision making process. The process has become demonstrably biased in favour of the corporate sector particularly property development companies.

(b) Another glaringly, obvious example is the public exclusion, and ignored community input on the rezoning of suburbia. Services the public have previously utilised have been reduced.

-The council controlled organisation model is simply not capable of delivering services previously councils function. The duplication is ridiculous.

Solutions:

In accordance with the Local Government Act 2002, we would like to see the old Auckland Council catchment taken out of the supercity and reinstated to the previous model.

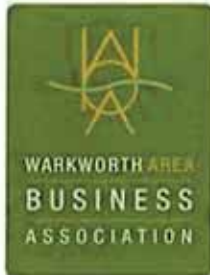
We would recommend for the rest of the region that the Auckland Council be replaced with the once workable Auckland Regional Authority, and Community Boards be replaced with local Borough Councils. It would not be costly to do this as the structures are already in place. To keep Local in Local Government elected representatives must take back control.

The Maori statutory board and all other ethnic advisory boards should go, they are no different to unelected CCO's and ultimately they do not deliver any council function.

Will there be an opportunity for submitters to speak in Auckland.

Regards

Sue Henry



Alternate Application by the Warkworth Area Business Association in response to Commission submission under Clause 9 Schedule 3 of the Local Government Act 2002 regarding the application by the Northern Action Group.

Submitter; The Warkworth Area Business Association  
P O Box 3  
Warkworth.

Submission date; 24 June 2016

1. Response to Application by the Northern Action Group (NAG).
  - a. The Warkworth Area Business Association (WABA) does not support the application by NAG.
2. Description of Proposed Changes sought by WABA.
  - a. WABA advocates for separate Council representation for Warkworth Subdivision (see attached plan) and suggests there to be a Auckland Councilor for the Warkworth Subdivision (including Puhoi, Warkworth Kaipara Flats, Matakana, Snells Beach, Omaha and Leigh), and another for the western portion of the area subject to the NAG application.
  - b. WABA understands that the appointment of separate Councilor for the Warkworth Subdivision will require a separate Local Board and would support this.
3. Explanation.
  - 3.1 For not supporting the NAG application.

## Affiliation

- a. WABA sees the future of the Warkworth Subdivision as being aligned with and part of Auckland City.
- b. The Warkworth Subdivision is at present experiencing significant population growth and is forecast to have a population which is approximately four times that of the current population within a twenty year period. Warkworth is identified as a Satellite Town. This population growth is primarily a consequence of a northern expansion of old Auckland, is facilitated by improving roads (the State Highway Extension is almost certain to result in a population boom) and at least in the short term, given impetuous by housing pressures within Auckland central.
- c. The origin of the majority of the Warkworth Subdivision's population growth results in strong southern ties, with a reasonable percentage of the area's population travelling south on a regular if not daily basis for work. Though the burden of travel, combined with a growing local population and consequent product and service demand, often causes many "new immigrants" to orientate their work in part if not totally to the provision of a local service, there is an increasing southern affiliation within the Warkworth Subdivision.
- d. A further factor which promotes a southern affiliation is the Warkworth Subdivision being a weekend/holiday destination, not just for tourists but for many who reside primarily in Auckland central. Omaha is an example of an residential area where there is in excess of one thousand dwellings and where the majority of dwellings are holiday homes for owners who reside primarily in Auckland central.
- e. Warkworth has become a hub for employers in the industrial and innovative manufacturing sector who require strong ties with Auckland City for sustained economic growth. Infrastructure investment including roads and UFB/Fibre are necessary to facilitate day-to-day business. This sector is not represented in the NAG proposal.
- f. The Auckland Tourism section of ATEED has advised that they see the region which is the Warkworth Subdivision as a jewel in the crown of Auckland and are actively promoting and effectively engaging visitors with the area. Disengaging with Auckland Council will put this relationship and the mutual benefit that results at risk.

## Resource

- g. The Warkworth Subdivision will require significant investment in infrastructure to enable it to provide for the forecasted population growth. The resources of the greater Auckland area will be required to meet this cost.



4. Proposed changes sought.
  - a. The area subject to the NAG application equates to 46% of the Auckland Council area and as such is too large to be adequately represented by a single Councilor and a single Local Board.
  - b. Despite the origin of the majority of the population growth forecast, the Warkworth Subdivision is in itself rural or coastal in nature, with growing residential and commercial centres and not generally urban.
  - c. In the Large green belts and distance separate Warkworth Subdivision population centres from urban Auckland and enhance locality differences, preserving historic character.
  - d. In the west, the main population centres of Helensville and Kumeu have a greater level of connectivity with West Auckland.
  - e. The differences between the east and west was highlighted during the recent failed Warkworth BID process. A contributor to failure being the fact that the process was influenced by a western local board member who did not understand or place appropriate weight upon local Warkworth advice. In the absence of this influence the BID is more likely to have succeeded.
  - f. Forecast population growth within the Warkworth Subdivision, speed and quantum, will be coupled with significant infrastructure challenges including roads, water, wastewater, power, data, education and health service provision, which will require the resource of more than one Councilor and the support of a focused Local Board which does not need to balance duties to other areas.
  - g. Council will benefit from higher level infrastructure funding and strategic planning occurring at the regional level if it had the support of a Local Board and a Councilor focused solely on the Warkworth Subdivision.
  - h. Warkworth has become an Industrial and Innovation Manufacturing Hub with many SME and a few larger Employers. In order to support employers and grow economic development in the Warkworth Area these infrastructure investments are vital. For this growth to reach its potential the Warkworth Subdivision requires complementary focused advocacy.
  - i. The Auckland Tourism section of ATEED has advised that they see the region which is the Warkworth Subdivision as a jewel in the crown of Auckland and are actively promoting and effectively engaging visitors with the area.

Tourism within the Warkworth Subdivision is a boom industry and requires complementary infrastructure in turn requires focused advocacy.

5. Potential Improvements.

A Auckland Councilor and a Local Board who represent the Warkworth Subdivision alone will;

- a. Better represent the area during a time when there will be significant issues that require Council input and support.
- b. Better represent the needs of the Warkworth Subdivision to Auckland Council during a time when informed representation will be crucial in the context of Council's decision making.
- c. Lessen risk to Council of failing to utilize the opportunities that present themselves within the Warkworth Subdivision for the good of the greater Auckland area.
- d. Generally provide Council with the benefit of higher level infrastructure funding and strategic planning occurring at the regional level.

6. Submission by Mahurangi Action Incorporation

WABA is supportive of the submission by Mahurangi Action Inc which it considers to be complementary to WABA's submission.

We thank you for considering this application.

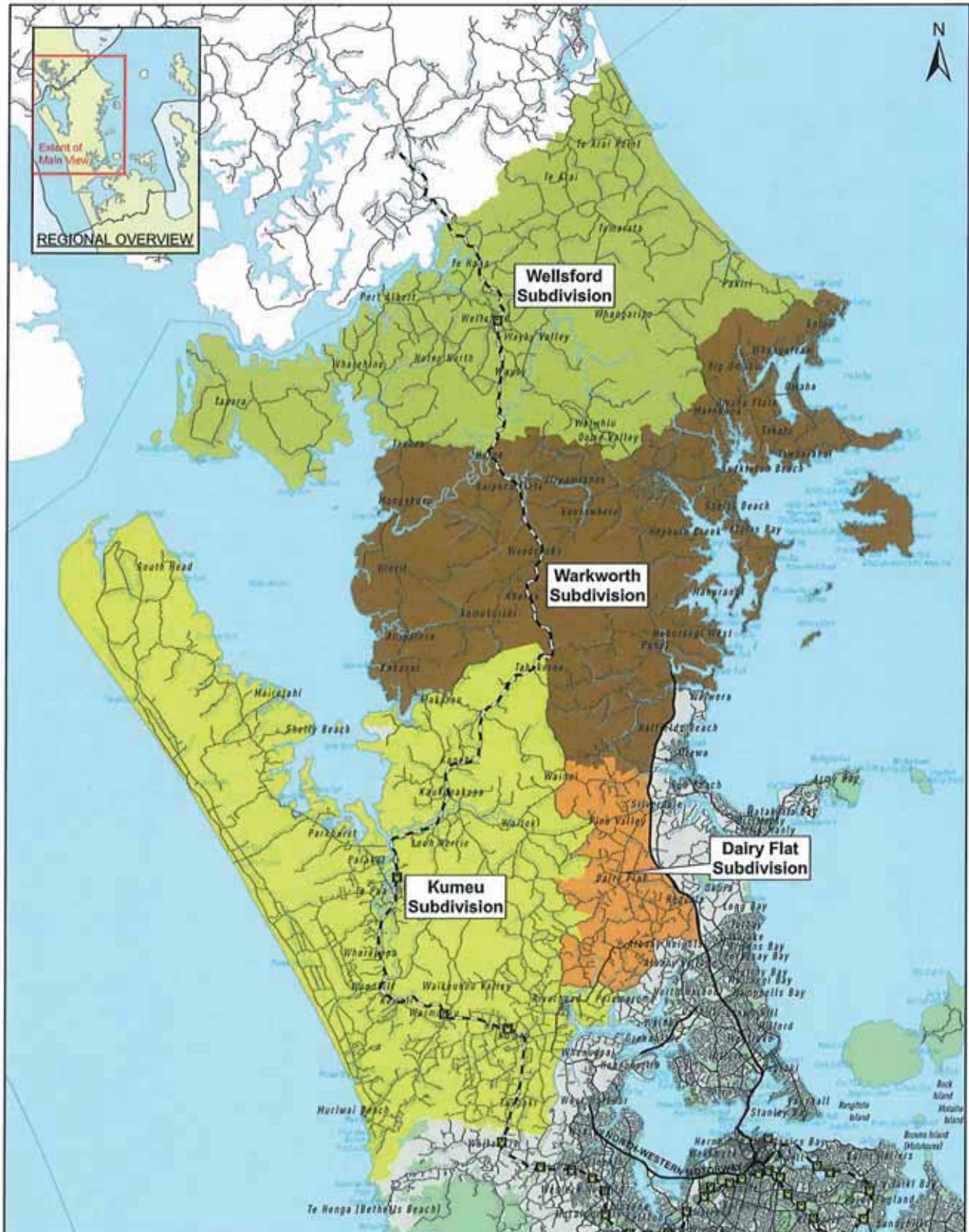


Yours sincerely  
Chris Murphy  
Chairperson  
Warkworth Area Business Association.

P. O Box 3  
Warkworth 0910



# Rodney Local Board and Subdivisions



# SPAN

## *Strategic Property Advocacy Network*

Strategic Property Advocacy Network (SPAN) is a volunteer organization representing many hundreds of ratepayers who live in the Waitakere Ranges in the west of the Auckland region. Our objectives are to protect private property rights and to promote good government by acting as the watchdog of Council and central government activities on behalf of property owners. We support environmental responsibility together with appropriate development and economic activities in the foothills of the Waitakeres and the villages along the Manukau and Tasman coasts.

### **SUBMISSION RE ALTERNATIVE APPLICATIONS FOR LOCAL GOVERNMENT REORGANISATION IN THE AUCKLAND COUNCIL AREA**

SPAN successfully proposed that Auckland become a unitary authority when the opportunity arose in 2008. Despite some discontent after six years of unitary governance, SPAN does not resile from its original position. There can be no doubt that there are significant advantages for both Auckland and central government in having one local authority in Auckland, rather than the original eight.

Cohesion in Auckland is critical for problem solving. Historically there had been a high level of fragmentation and central government had the unenviable task of dealing with eight different agendas, some of which were conflicting. This led to progress on important issues being delayed and in some cases stopped. Even if there is disagreement, Auckland now speaks with one voice to central government, which gives central government the opportunity to discuss the matter and come to a negotiated conclusion. The Central Rail Link is an example of this.

Any attempts to return to borough council thinking in places like Waiheke and Rodney are short term and tactical, rather than long term and strategic. In the same way that household insurance policies make a contribution to EQC on a national basis, there needs to be an acceptance that transport costs in particular must be shared by the wider community for ultimate public betterment. Secession by Rodney may jeopardise proposed roading improvements in the area, simply because an enlarged Kaipara or independent North Rodney would not have the financial resources to deal with this.

Despite these demonstrated benefits there is room for improvement. As political appeasement for those opposed to change, local boards were introduced as part of reorganisation. In the west at least board performance has been unsatisfactory. The boards have been ineffective but expensive, and policy has been hijacked by extremist elements. The boards would argue that their capability has been hampered by the governing body, and there is no doubt some truth in this.

The fact remains however that the performance of too many board members has been inadequate, and ratepayers have not received value for money for the very considerable costs of having local boards. There is a better solution that SPAN proposed but was disregarded for political reasons. The solution favoured by SPAN is to adopt the same system successfully used by Brisbane for the last 91 years. This is the mini parliamentary system of empowering elected councillors by supporting them with appropriate resources in their respective ward offices.

The way the system works is for each councillor to have a small team of specialised support staff in a local office, in the same way that an MP operates. If constituents have a problem they need to discuss, they make an appointment to see their councillor, and the issue is then either dealt with on the spot, or taken further by the councillor. The fact that Brisbane have been successfully using this system for so long demonstrates its effectiveness.

The beauty of the system is its simplicity and its direct communication with the governing body. There has been understandable cynicism and frustration among Aucklanders that they have been denied the opportunity to make their voices heard by the governing body, as evidenced by the debate on intensification. The Brisbane system deals with this problem, and is far more cost effective. For all of these reasons SPAN submits that local boards are replaced with appropriately resourced ward offices.

**John Newick**

Chair

Strategic Property Advocacy Network

20 June 2016



TO: Chair & Members, Local Government Commission

FROM: [REDACTED]

SUBJECT: **Submission (alternative application) on changes for local government arrangements in Auckland. (Auckland Council).**

## **1. Introduction:**

### (a) Background:

In making these suggestions, I should explain that I have had fairly wide and lengthy experience in local and regional government. Briefly: Officer, ARA, 6 years; Councillor of Northcote Borough 6 years; Chairman of Directors, Watercare, 1 year only because elected Councillor and Committee chairman on North Shore City Council, 15 years; Birkenhead/Northcote Community Board member, 15 years; Shareholders' Representative Group Watercare 10 years; Auckland Regional Growth Forum, 12 years.

### (b) References:

I have referred particularly to the Summary and the Recommendations of the Royal Commission on Auckland Governance and to a report from the Committee for Auckland.

### (c) My main concerns and submission relate to:

- Council Controlled Organisations
- Unsustainable costs, rates and debts
- Mayoralty
- Major lack of transparency, public information, access and accountability
- Inadequate delegation of powers and funding to Local Boards
- Poor local engagement, monolithic, remote organisation, eroding local community organisations and local identity.
- Huge staff with excessive powers, dominating the few elected members.
- Failure of the "promises" and intent of the 'super city' and the 'more liveable city.'

## **2. CHANGES PROPOSED TO AUCKLAND LOCAL GOVERNMENT:**

### **2.1 Council Controlled Organisations**

**Proposal:** That legislation require that the CCOs be re-absorbed into the council structure, either as special departments or business units under democratic control. Each would have its own manager and required specialist and be responsible for

reporting its activities, needs and performance either to a relevant committee of council, or directly to council.

**Reasons:**

(a) Currently, although the CCOs are (theoretically) responsible to the ‘governing body’ they hold between them the bulk of the people’s communal assets, including water, ports, transport, airport shares and other investments, and property including commercial and other land. These should not be put at ‘arms length’ divided up into separate silos, lacking democratic control, public consultation and strong input from the elected members and the public.

(b) There have already been graphic instances of the ‘governing body’ being ignored, or challenged by CCOs such as the defiance shown by the Ports of Auckland. To quote from a report of the Committee for Auckland –

*“One risk that the report sees to regional governance is that the CCOs operate as functional silos, where assets and services operate independently from the rest of the council structure. Governance issues such as this are highlighted by recent tensions around the independence of Auckland Transport and the reclamations of the Ports of Auckland.”*

Please note, they use the word ‘independence,’ a major problem, along with the separate, independent policies and plans of each company, lacking any effective integration between them and the council.

(c) However, there are much more subtle ways in which such organisations easily defeat any control by the ‘governors’ through the weak oversight and influence provided by means of the Statements of Intent. These are initiated by the company concerned, the facts and policies are provided by them, and any discussions between them and the council’s preferences are easily circumvented because council will not have (in house) the required information or expertise to successfully challenge it. I have seen this many times, both as a member of the Watercare Board and later, my several years on the SRG Watercare.

Although the Royal Commission proposed a single independent services performance ‘Auditor’ to deal with the compliance and performance of the CCOs, this would be totally inadequate and beyond a single person. He/she would need a considerable staff, some of whom would need to be embedded in each CCO. (Para 68 summary of Royal Commission.)

It is much more effective and efficient to have these organisations as part of an integrated council.

The argument that such assets and facilities are better kept at ‘arms length’ and away from the elected arm is facile in my view and destructive of democratic determination and disclosure, and undermines citizens’ influence through their elected members. These are, after all, publicly owned assets. The public have paid for them, they own them, and they need to see the direct benefits that they are entitled to.



Furthermore, the corporate model of a skewed local government, is not only inappropriate in a democracy, the separation into companies readies them more likely for sale to private enterprise, which brings more and more pressure from big and usually powerful multi-nationals, which inhabit this world. I saw some of this in my brief time as Chair of Watercare, and later while on the SRG.

Finally, although the Royal Commission advocated for the CCOs they have not met, and cannot meet the Commission's four principle guidelines:

- “Common identity and purpose
  - Effectiveness (including quality of service, local democracy and community engagement)
  - Transparency and
  - Responsiveness.”
- (Para 22 of Summary)

It is also clear that despite the Commission noted that “*All council activities (such as public transport, urban design, rate-setting and roads and infrastructure) have significant social consequences*” and were concerned about council's “*obligation to promote social well-being*” \* Not only has council performed very badly in this arena, the CCOs are totally unable to do this and are generally focussed elsewhere.  
\* (Para 70 Royal Commission Summary)

In relation to council/publicly owned assets (eg open space, ports, other money-earning assets) both council and their CCOs should be banned by legislation from selling or otherwise removing them from general public benefit unless a referendum of all ratepayers is held to determine the wish of the public who own them (e.g. Swiss canton and Californian models).

## **2.2 Unsustainable costs, loans and rates – belies the ‘savings’ promoted originally.**

### **Proposal:**

That there should now be a further independent study undertaken to show the **real** costs of amalgamation and the predicted costs set out currently in the council's 10 year financial plan, detailing the inefficiencies and the efficiencies currently existing.

It should also estimate the general costs/benefits for the social and community aspects of council activities in this region since amalgamation.

### **Reasons:**

Advice I have had indicates the following:

- Auckland Council liabilities now equal \$20,000.00 per household.
- Council staff numbers now far exceed pre amalgamation numbers. Pre-amalgamation, approximately 8,200 staff. Now about 12,000, and still climbing.

- Salary approximately \$1 billion with increasing additional amounts on perks and expenses. (Does not include costs of consultancies.)
- Mayor promised 2.5 % average increase. This has ballooned to 9.5% average, with the worst hit areas facing up to more than 16.9% .
- Council collects about three billion dollars a year in rates and charges
- AC spends more than \$400,000,000.00 a year in loan interest payments.

It appears that huge amounts are being wasted by lack of due diligence (e.g. purchase of the (former ASB) Building, now needing extensive repairs; lavish and ill considered schemes of Auckland Transport; extremely high levels of payment for a big layer of management positions, and separate board and management structures in the CCO silos.

In the lead-up to amalgamation, various groups and individuals predicted “savings” which would come from the ‘super city.’ This included the following in the Commission’s summary headed ‘Adding up the savings’ (Paras 74 – 79.)

The corporate finance consultants Taylor Duignan Barry were asked by the Commission to provide a financial analysis and comparison of the costs of a unified Auckland vs six councils.

Unsurprisingly, the estimates provided by the engaged experts found that *“adopting the Commission’s proposals will result in estimated efficiency savings in the indicative range of 2.5% to 3.5% of the total expenditure of the Auckland councils planned for 2008/9 (of around \$3.2 billion.)”*(Para 76).

There should now be a further study undertaken to show the **real** costs of amalgamation and the predicted costs set out currently in the council’s 10 year financial plan, and detailing the inefficiencies and the efficiencies currently existing.

It should also estimate the general cost/benefits of this council structure and administration, including all social aspects.

### **2.3 Mayoralty.**

#### **Proposal:**

- (a) That the current legislation concerning the Mayor and Mayoral powers be altered, with this position being determined from among the councillors elected, as has been the case formerly for the Chairman of the Regional Council and that therefore there be no region-wide public election.
- (b) That the special powers given to the Mayor in the Auckland Council legislation, be removed, including the power to appoint the deputy-Mayor and Chairs of council committees, these positions to be determined by the councillors from among their number.

#### **Reasons:**

Proposal (a) is recommended for the following reasons:

- The current law means that the likely candidates able to mount an effective region-wide campaign is narrowed to a very tiny group of rich or famous people. This is an unhealthy situation in a democracy putting the outcome of the election at the mercy of the best constructed publicity campaign that money can buy.

Worthy and valuable people who would be more representative and have a better understanding of the wider community and do not have strong connection with specific sectoral interests, are likely to make decisions which encompass the needs, desires and financial realities of the general public.

In either case, the very significant amount of money required to carry out a mayoral campaign is likely to see parties seeking large donations to participate.

That in turn means that those wishing to help in any substantial way will see this as an “investment” in the future activities of the council led by such a Mayor. There will be expectations, possibly even “understandings” reached about those desired outcomes in giving substantial donations.

This is anti-democratic and verges on corruption in the US style of both their local and government politics. In my view, totally undesirable.

- Very important too, is the cost of replacing a Mayor through a new election during the term. That situation was a likely scenario during the term of the current Mayor of Auckland.

However, it could arise from a variety of possibilities : ill-health; death; criminal charges and conviction, etc.

The main point is that a Mayor must critically retain the confidence of the councillors to lead the council and the region. If that fails and the councillors decide the incumbent is failing in an ongoing and serious way, then a new election for the position may be held by the councillors, **at no cost to the ratepayers, and with no interregnum** while a new region-wide election is held.

To use the considerable ARA/ARC experience of this system, to my knowledge shows that it did *not* lead to any instability in council and nor did it require anyone to be stood down and replaced.

The summary and recommendations of the Royal Commission on this matter (largely adopted) are characterised by an unrealistic, Utopian dream of having a succession of “inspirational leaders.”

These are rare phenomenon and will not emerge simply because they are given special powers.

Proposal (b):

This is simply the logical and desirable extension of Proposal (a) above, and has been used traditionally and successfully by a number of councils and community boards over time.

It rests on the same general principle that the confidence of the majority of councillors must be retained by the various chairs for the council to progress in as unified way as possible.

## **2.4 Major lack of transparency, public information, access and accountability**

**Proposal:**

**Reasons:**

## **2.5 Inadequate delegation of powers and funding to Local Boards**

**Proposal:**

That considerably more responsibilities in relation to community engagement, local needs and desires and community organisations be delegated to Local Boards and that council be required (by legislation) to provide the necessary funding, staff and other resources to achieve all of the requirements for better outcomes in these matters.

(This proposal is the same for the next related topic, 2.6)

**Reasons:**

The following comments from the report of the Committee for Auckland, encapsulate lucidly all of the key points of concern under this heading (2.5) and the next topic (2.6)

*“Primary Findings / Observations*

*“Increasing inequality is a failure at both regional and central government level. The Auckland Council’s vision for Auckland as ‘the world’s most liveable city’ is not yet in sight for many residents of Auckland. The report recognises that the governance system needs attention in some areas. Three outtakes emerge from the report:*

### *1. Community Participation Needs Work*

*The principal determination of the report, which directly impacts equitable growth, is that the links between the region and the neighbourhoods need to be strengthened.*

***The second systemic problem identified by the Royal Commission – that community engagement was poor – remains an unresolved issue. The size and complexity of the new Auckland Council is inherently alienating, even though the council does have sector group panels to provide input into council. Scale may undermine the public’s sense that they can get involved with or influence decision making.***

***The local board model is a key part of public engagement. It has yet to achieve its potential as an effective means of representation. In creating local boards, the government departed from the Royal Commissions’ recommendation of a second-tier of six locally elected councils. Local decisions are devolved to local boards. The initiative was certainly well-purposed as it provided a mechanism for grassroots locally-representative input into decision making.***

***However local boards lack power and potency. Furthermore, most residents don’t feel they can participate in local board decision making. The practice of community engagement varies from board to board.***

***The role and effectiveness of the local boards is critical for strengthening grassroots input from communities. Decision-making is legally meant to be ‘shared’ between the governing body and local boards. It is not. Local boards have a broad mandate but lack power, profile and respect. The lines between local decisions and regional decisions are blurred. The part time status of members and low profile / status of boards impede exercise of their power.***

***Representative governance has yet to come to fruition. The local board model needs to be stronger for regional governance to deliver. The demands of a growing population base underscore this. The Howick local board, for example, represents a population the size of Hamilton. Local boards could potentially have a local economic development role through community-focused initiatives.”***

(Emphases above are mine.)

Over all, ‘power’ and consultation needs to be moved downwards, not upwards towards the Mayor, Mayor’s office and bureaucrats.

## **2.6 Poor local engagement, monolithic, remote organisation, eroding local community organisations and local identity.**

### **Proposal:**

That considerably more responsibilities in relation to community engagement, local needs and desires and community organisations be delegated to Local Boards and that council be required (by legislation) to provide the necessary funding, staff and other resources to achieve all of the requirements for better outcomes in these matters.

### **Reasons:**

One of many issues raised by the Royal Commission was that in its view, Auckland had suffered from insufficient effort being put into social well-being



over a considerable period although they gave no quantitative or other proof of this assertion.

They also saw as part of their ‘vision’ for the new council that it would “*unite Aucklanders to achieve prosperity for all, quality of place and lifestyle and enhanced well-being for the region’s diverse and growing population.*”

Ch. 6, Recommendations)

High minded hopes and objectives, but unfortunately there were no indicators given of the then existing levels and measures of well-being, nor how these aims should be achieved by the new council.

Unfortunately deprivation, well-being and greater equality have deteriorated considerably since their recommendations, as evidenced in housing costs and scarcity, rapidly rising rents and homelessness, increasing health problems of the poor, near static wages in the face of these overwhelming problems.

Additionally, council and government cuts to assistance for many community and volunteer organisations have exacerbated many problems.

The “most liveable city” is seeing more and more Auckland ‘refugees’ leaving for other places in order to attempt to find more acceptable conditions.

## **2.7 Huge staff with excessive powers, dominating the few elected members.**

### **Proposal:**

That an independent study be carried out into the staffing levels, salary levels, powers of staff, including unnecessary or assumed powers currently exercised by staff, (especially senior staff), which are, or may be impeding information to or authority and responsibilities of the elected arms of council (ie the governing body and local boards.)

That report to be presented to the elected arms of council, the Local Government Commission and to Government for appropriate remedial action.

### **Reasons:**

As outlined elsewhere in these submissions, the costs, continuing expansion of staffing levels and the general authoritarian attitude shown by some senior levels of council management suggest a systemic belief/policy that they are “in charge” and that they will keep the elected members and the public members with as little information as possible and with little respect.

In particular, there have been a number of publicised occasions when councillors have only learned of developments or decisions of staff when they have read it in the media. Worse, some officers have refused to give important information to

councillors which, not only were the councillors legitimately entitled to have, but which legally they needed to properly fulfil their statutory roles.

In other words illegal attempts were made to stop information being provided to council/councillors upon request.



**23.6.16**

Chief Executive Officer

Local Government Commission

PO Box 5362

Wellington 6145.

[REDACTED]

22 June 2016

[REDACTED]

[REDACTED]

Dear Madam,

I have lived in the Kumeu area of Auckland Council for 40 + years during this time I have been involved in local Governance by way of the local Kumeu/Huapai Residents and Ratepayers group. I have always been very committed to Community and the concept of Community Governance. My original training was in Valuation and I have a diploma in Valuation and Farm Management.

Our Residents and Ratepayers group has written its own submission, which I support but I wanted to give you a perspective of the process from a community point of view. So I submit as follows:

I have studied the history of the Northern Action Group's attempt to break away from the Auckland City and the dealings between your Commission and this Group. As guided by the Judges decision, you have decided to invite alternative positions to be placed before you. I hope you will accept this proposal.

Under the old regime of a Regional Council, and local District Councils, it was very obvious that the Auckland Area was in a mess. It seemed to an observer that all the elected bodies were in conflict with each other! This conflict was very obvious in the Rodney area. There was not only tension between the Northern and Southern communities in the Rodney area but also with other bodies, especially the Regional Council. This was very obvious when it came to district planning where the Regional Council and the District Councils' battled it out regardless of community desires, right up to the Environment Court.

I understand the Government's need for a unitary body but I also appreciate the tensions of the Northern Rodney communities and the desire to stay out of Auckland. This is still evidenced today as it was evidenced in the Bill put before

Parliament by the then Rodney Council that desired to remain a District Council. This bill was defeated but not by much, this indicates the slim mandate for Minister Hide to turn Auckland on it's head. I know that your Commission requires proof of Community feelings and I feel the proof lies with the recent Auckland survey and also from the recent result of the attempt to amalgamate the Hawkes Bay Councils.

I also fear that if the position of the Northern Action Group is accepted and a new unitary Council is allowed, that our area would then be subsumed into the surrounding Local Board Areas. Considering, that we have been chosen by both the Auckland Council and the National Government for the site of a future city within 25 years, we (the communities) need to be fully involved in it's planning and development and have a relevant Structure Plan in place. Presently we do not have a suitable Structure Plan and it's development will not even start until 2018, yet we already have consented growth of around 8000 people. This is not efficient government.

I support the present Auckland Unitary Council but I would like you to consider the following changes to how the Council is set up or organized.

### **Purpose of Local Government is:**

From the Local Government Act 2002

#### ***“Purpose***

*The purpose of this Act is to provide for democratic and effective local government that **recognises the diversity of New Zealand communities**; and, to that end, this Act—*

*(a)*

*states the purpose of local government; and*

*(b)*

*provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and*

*(c)*

*promotes **the accountability of local authorities to their communities**; and*

*(d)*

*provides for local authorities to play a broad role in meeting the current and future needs of their communities **for good-quality local infrastructure, local public services, and performance of regulatory functions.***

*Section 3(d): replaced, on 5 December 2012, by [section 4](#) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).*

#### ***Purpose of local government***

*(1)The purpose of local government is—*

*(a) to **enable** democratic local decision-making **and action by**, and on behalf of, communities; and*

*(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.”*

From my perspective the governance structure of the Auckland Council Act differs from the Local Government Act and is not particularly interested in the communities involvement. It ensures that the Council and Local Boards make all the final decisions **for our communities** using the mandate of a **representative form of Government**. The numbers of voters the Auckland Councillors' represent is far too large. They have no way of obtaining a mandate for their decisions. Not only this, it is a trend for voters to **not even vote** in local elections, which further weakens the mandate to govern. At least, in the last Rodney District Council we (in the West) had better representation. Under the present Rodney Local Board we have a group of councillors with very little power. Except for rather mundane local powers, they are specifically excluded from any power in the regulatory sphere.

1. What the present structure does not do is foster **participatory Government** to enable communities to **make decisions** even though this is the intention of the Acts.

I consider that the intention of the Legislation of Local Governance is to foster Communities and their ability to make decisions. Why would they put the purpose of local government to do this?

The intentions of the Auckland Council Act is more about efficiency, economics business and this essentially a separation of communities from the process.

I note that none of the various Acts actually **define what a community is**. They talk about it lots and they write it into the Acts; it is in fact mentioned **339 times in the local Government Act**. Like the term "**in the public interest**" it is a term open to almost any definition! Interesting the word "community" is only mentioned **28 times** in the Auckland Council Act.

2. I would like you to include **a definition of "Community"** in the Acts so that is clear and definable in terms of local government. Such a definition could be as follows

*A community is defined as a geographical area where people choose to live this would vary in size depending on the place. In the present Rodney Board area there would be around 30 distinct communities.*

3. This definition would then for the basis for an **additional tier** of local government dealing with **community participation** in local governance, especially when dealing with the **centre and structure plans**.

I would like to see such defined communities then being empowered in the Act to **select a group of community members** to work in a **collaborative partnership with the Local Board** and the **city planners**. Such group would obviously need a budget and other resources. Presently, the process has an imbalance of power and money consequently leads to a silo mentality and



definitely works against horizontal management. From my experience in our community, in in the voluntary sector, this is the case.

The task of this group would be not to make decisions but to work with the community to establish the needs and desires of the community and then evidence them (needs and desires) for the Local Board and the Auckland Council planners.

Obviously this is a shift from the decision-making mandate the councilors presently gain from being elected, to a participatory model. This is not dissimilar to proportional representation in Parliament.

It would not interfere with the general submission process and this could still continue but it would provide planners and councillors, evidenced-based community positions. This evidence of support could be used in the RMA court if necessary. Presently the consultation process is run by the Local Boards for Centre planning and the Auckland Council for Spatial and Structure planning. They have the power and the budget and the agenda, whereas the Community Volunteer Service Community [VCS] has less cohesion and less money, but they do know what the community wants and who in the community has the expertise to help in achieving their desired goals and objectives.

We as a Ratepayer Group actually presented much detail about our communities' needs and desires, to the present Auckland Plan Commission but the Local Rodney Board was not allowed to present it's communities views due to restrictions of legislation. It is required to stick to the Auckland Council's official view. The same applies to the present application you are dealing with. This does not allow the Board freedom to express a community view, which is one of the requirements of the Local Boards. This problem was exemplified by the Auckland Councillors who effectively overruled the Auckland Council's own Spatial Plan.

Another obvious advantage for a greater budget and power being allocated to Local Boards would mean that instead of having to deal centrally for work to be carried out locally, which involves distances, time and obviously money. Being able to finance local initiatives would save money and provide local employment. Our own Board has publically stated that using Auckland Council providers is far too expensive and they prefer to try and utilize local providers, as these are often far more community orientated. This fact alone improves the performance of Local government.

Also, the Local Board Councilors could be fully involved in the community process. I suggest they could perform their task of advocating and leading evidenced community desires. This would help take politics out of Local Government at a local level. This would remove the present hurdle of the executive telling the councillors that they should stay out of this sort of process, as they will be the ones making the final decisions. Effectively it enables the necessary separation to allow the councillors to fully advocate and lead the communities. By allowing extra power to the Boards and the community the **political aspect of local governance would be diminished**. Political ideologies don't have a place in Community Governance.

This arrangement would require a budget and more delegated power to the local boards, which was the original intention of the Royal Commission.

3. With regards to the governance of the present Rodney area, I would like to see **two councillors elected** on to the Auckland Council and **each Councillor** having an **elected Local Board**. One north and one south. I realize that the ratios of representation would be different from the other more densely populated areas but the size of the area and the nature of the economy would make this justifiable. I would suggest the two boards would have the same administration staff and would have a lesser number of Councilors, say, five Councillors and elected Chair.

At present the Auckland Council has delegated very few powers to its Local Boards and this was not the intention of the Royal Commission who suggested much more power. I guess the Government of the day wanted to constrain local community influence but I would argue strongly that so long as the **regional policies were sound and the Local Boards obligated to follow them** then they could be delegated much more power and financial control. It is obvious that the Local Boards, even though they are charged with ensuring and enabling communities to make decisions, finding and supporting local needs and desires, they are forced to present to the communities the position that has been given to them by the Auckland Council. Examples of this would be the position taken by the Rodney Board with regards to the Northern Action Group's application and also the position taken on the Auckland Spatial Plan process.

One of your tasks I believe is to review and assess good governance. From the recent survey of the performance of the Auckland Council it can be seen that the community is generally not happy with the performance of the Auckland Council.

I hope you will consider some of the suggestions I am putting to you with regards to empowering our local communities. The benefit in doing this would be large and include the following:

1. Increased interest in election process due to the community seeing more notice being taken of community's ability to make themselves heard.
2. Better connections within the community itself, which would lead to a more resourceful and resilient community structure.
3. The Council would benefit with a planning process that was developed by a planning collaboration between planners and the community. This benefit would ensure that the community position was recognized and evidenced.
4. A direct ability to tap into community resources. It is well recognized that CVS's have good links in their own area
5. Councillors at all levels would be better aligned to community desires and needs rather than aligned to political ideologies.

The present CCO's and also NZTA are not at all connected in any partnership form with communities and in our case in Kumeu/Huapai, they have played "cat and mouse" with the community. They won't make definite decisions on

required transport infrastructure, especially SH16. I believe they should be required to work in partnership with the communities they affect Essentially they are too distant from both the Council and communities. This would require an **adjustment in the regulations running the NGO's and the CCO's** to ensure they empowered communities in the decisions affecting the communities. Most of the CCO's have no direct community representation, even from the Auckland Council.

If planning forums (as I suggest) are developed, then this new community ability would be able to be focused on these organisations, and make them perform and consequently be more accountable to a defined community voice. This is another form of accountability.

In terms of Tangata Whenua, I am happy to see their rights enshrined within the Acts that define Local Government. Tangata Whenua have a Board on the Auckland Council and sit as a right, with a vote on Council Committees. The Local Boards have to work with them.

I believe that what I am suggesting is simply an extension of this form of **participatory governance for the communities we live in**. It has been done in other countries and I have attached links to examples of what I suggest. I also feel such changes would help the Northern Areas of the present Rodney area, by allowing greater local control but still under the umbrella of the Auckland Council Regional policies.

Yours sincerely,



Link to the models I support for community planning:

[www.communityplanningtoolkit.org/site/default/files/CommunityPlanningUpdate.pdf](http://www.communityplanningtoolkit.org/site/default/files/CommunityPlanningUpdate.pdf)

[www.hms0.gov.uk/legislation/scotland/acts200330001.htm](http://www.hms0.gov.uk/legislation/scotland/acts200330001.htm)

Chief Executive Officer,  
Local Government Commission.  
P O Box 5362  
Wellington 6145.

Dear Sir/Madam,

**Submission for local government reorganisation by Northern Action Group  
and the Review of Governance in Auckland City.**

I would like to respond to the invitation issued by the Local Government Commission for public submissions to the above Review. My understanding of this invitation is based upon the following press release on 14 April 2016.

“In August 2015, the Commission agreed to assess an application from the Northern Action Group (NAG) for a unitary authority for North Rodney. The Commission had earlier declined to assess the application on public interest grounds but was overturned on this ground by the High Court.

The Commission has since been gathering further information.

On 14 April, the Commission determined that the “affected area” for the application is the Auckland Council area, and not just North Rodney. It also decided there is demonstrable community support in the Auckland Council area for local government reorganisation and notified its intention to call for alternative applications.

The Commission will now call for alternative applications. There are other suggested local government arrangements relating to the Auckland Council area, which can be made by any person, body, or group.

The Commission will be inviting ideas and suggestions from people and parties interested in local government in the Auckland Council area, said Commission Chair Sir Wira Gardiner.”

My interest in responding to this invitation is as a citizen and ratepayer of Auckland City, and my information is based upon 10 years of experience with Council matters through the Coatesville Residents and Ratepayers Association, and upon 30 years international experience in large scale rural development (funded by international development banks) where the issue of governance and management has been central to success. I have used data from the report “The Governance of Auckland - Five Years on” produced by the Committee for Auckland.

My area of concern lies with community representation and engagement within Rodney.

My impression of the Rodney Local Board is that it is under resourced, lacks authority and is relatively unresponsive to its electorate. We have local evidence of this. I believe it is this, in the main, that has led to the action of the Northern Action Group (NAG), whose proposal, if accepted, would not alter the basic problem that

has led to its initiation. The formal financial and organisational implications of the NAG proposal are not part of my expertise, except to remark that it is hard to see how NAG would have sufficient resources to be at all viable. I suggest there may be other options for dealing with their difficulties.

In its report the Committee for Auckland correctly states “Good structures may make good outcomes possible, but they cannot guarantee them.” Whereas the Local Board structure makes good sense from an organisational standpoint, Rodney is a very different entity to the more urbanised areas of Auckland. It is this difference that makes desirable outcomes more uncertain, and provides justification for suggestions for other options that would be worth considering .

The Committee also makes the point “We do think the governance system could be improved, particularly with regards to local engagement and participation. The Royal Commission on Auckland Governance highlighted two major problems facing the region: “regional governance was weak and fragmented; and community engagement was poor”. While the first of these problems has been addressed, the second remains a major issue for Auckland.” Engagement is complex in that community groups are hugely varied in terms of interests, size and their level of capability, NGOs serving the communities are similarly varied, as are business and lobby groups such as business associations and ratepayer organisations. Successful engagement depends on a level of commitment towards this goal and the employment of community engagement methodologies. Both seem to be seriously lacking in both Council staff and elected representatives.

Rodney is different in that:

- Its is a very large area to administer, the largest of any of the local board areas in Auckland and, I would suggest, too large an area for the present governance structure to provide good local government.
- Land use is diverse ranging from large commercial farming of different kinds - sheep, cattle, dairying, viticulture, glasshouse production and horticulture - to lifestyle settlement in peri-urban areas and to fully urbanised areas. It is questionable whether the interests of all these land users are adequately represented given the present structure.
- Population is scattered and a mix of intensive urban areas (the special housing areas around Kumeu and Riverhead), country towns (Helensville and Warkworth), small rural settlements (Waitoki, Wainui, Wellsford) and a range of rural areas. Each of these has differing infrastructure and community development requirements.
- The diverse areas and scattered population makes representation difficult. Representative ratios for New Zealand and Auckland are 1:4847 and 1:8980 respectively thereby showing Auckland to be grossly under represented. In comparison Rodney’s ratio is 1:6366 which, while appearing to be comparatively favourable, is an inadequate ratio given its size and diversity.



- As population grows representation will become even more of an issue and Rodney's population growth is expected to be 68.7% within the next 30 years (57,300 to 99,300).

An issue linked to that of representation is that of community engagement and participation. It is telling that Figures 3 (Governance of Auckland Council) and 4 (Auckland's Strategic Planning Network) in the Committee for Auckland's report shows only linkages within the Council structure and no linkages with the communities it is there to serve.

The Figure 3 diagram show local boards on the same level as the governing body and the establishing legislation describes decision-making as being shared. However,

- Stated responsibilities are not always what occurs in practice and the report states "In reality, what is a local decision and what is a regional one, is not clear cut";
- Local boards may suggest new local by-laws but the governing body is under no obligation to accept or authorise these;
- Local board access to decision-making is shaped by the governing body in a top down driven manner;
- Delegation of functions and responsibilities to local boards is entirely at the discretion of the governing body
- It would appear to be a very top-down method of management where bottom-up inputs are very weak. The interface between top-down driven imperatives - for which the governing body is responsible, and bottom-up interests of the communities - for which the local board is responsible, requires much more attention.

When people are excluded from planning processes and implementation arrangements they feel disempowered, disengaged and sense of a master/servant relationship develops. Council makes many statements about community engagement, and community empowerment, but reality indicates a "them and us" attitude and a sense of powerlessness prevails in communities. People complain that "it is a waste of time contacting Council" and "Council will do whatever it wants regardless of what we have to say".

Consequently the percentage of residents who feel they can participate in local board decision making is very low across Auckland, and in the case of Rodney was 23% in 2014 and 20% in 2015. A disappointingly low and a worsening figure. This suggests that Council needs to create different engagement policies and abilities if it wishes to develop a culture of inclusivity and partnership with communities. These remarks are of particular significance for Rodney.

My submission therefore, is for the Commission to decline the NAG proposal but to strengthen the (Rodney) governance structure, and to recommend improvements to the engagement methodologies used by Auckland Council.

### **Strengthening Governance.**

My suggestion is for (Rodney):

#### **1. Two Community Boards (CB) to be formed** that would:

- operate under and be responsible to the Local board;
- Comprise elected representatives (suggest five) from each area represented. This would bring the total number of elected persons to 19 (9 Local Board and 10 CB's) and the representation ratio for Rodney to 1:3015;
- Elect one member from each CB as a member of the Local Board to represent local interests. At present some Local Board members do not live in the areas they represent;
- Establish linkages and communication with community-based organisations (CBOs) within the area of its jurisdiction eg ratepayer associations, environmental and social service groups etc. At present the RLB has no register of CBOs.
- Assist communities to express themselves through community plans and/or project proposals. Desirably each community should develop its own plan that would serve to guide the CB and to inform formal Council planning processes.
- To be allocated funds for Local Board approved projects which the CB then manages in collaboration with the concerned community. The diversity of the area emphasises that CBs be involved in planning and implementation processes. The community engagement model developed by the Thames/Coromandel Council is an example of what might be achieved, and where more cost-effective outcomes might be obtained.
- The CB's could be formed to represent either:
  - Geographic areas - for example a north/south split; or
  - Zoned areas which might include urban and peri-urban (Countryside Living and Mixed Rural) zones. This might appear as a north-east/south-west split.

#### **2. At the Rodney Local Board (RLB) level**

- Currently RLB members are elected “at large” and may not reside in the areas they represent. This could continue as these bring an “outside”

perspective, but two CB representatives would be added to the mix to strengthen local perspectives.

- The diversity of the area requires a higher level of local planning, budgeting and financial control at Local Board level. In particular a larger allocation of funds for rural road infrastructure improvement. Roads and other services once suitable for farming communities become inadequate as population and settlements expand.
- There are differences in the way local boards manage. In the case of the RLB, workshops are used to advance knowledge or action in certain areas but they are held in-house and in-camera, members of the public who may have something to contribute are excluded. In comparison the Takapuna Local Board does not have workshops and its meetings are open to the public. A higher level of transparency and involvement is sought for Rodney.
- RLB members and Council staff at the RLB level require training in, and be required to engage with community participation. In order to respond to ratepayers staff members first have to learn how to listen to them. A change of attitudes and abilities is required, where the communities are regarded as
  - An information resource - an important source of local information. In overseas situations this is referred to as “indigenous knowledge” and relates to “soft” information to complement the “hard” information used by planners and engineers.
  - Providing a projects monitoring capability. Communities live with completed works and are in the best position to comment on or evaluate completed work.
  - Providing a source of local energy for project implementation. Most communities are only too willing to contribute time and labour to smaller projects.
  - Acting as potential project partners. By engaging with communities in the planning phase they are more likely to become involved with implementation and the following monitoring and evaluation. In this sense they become project partners.
- RLB develops a method of measuring community engagement in Council-led processes, and in levels of community confidence in RLB and Council actions.

### **3. Councillors**

Because of Rodney’s size and diversity there would appear to be a good case for increased representation at the governing body in the form of two councillors. At the present time the linkage between the RLB and the one Councillor appears to be weak because of time pressures on that councillor. A level of attendance at Local

Board meetings should be a basic requirement. Two councillors would be in a better position to represent the area, and to strengthen the connection between the RLB and the governing body. There could be a case for one Councillor to be elected at large as it is at present, and for one to be a member of the Local Board.

#### 4. Outcomes

The perceived outcomes would include:

- No significant alteration to the existing Auckland Council governance structure;
- Strengthened vertical integration between levels in the structure by having CB representatives active at RLB level and Councillors providing a stronger connection between the RLB and the governing body;
- Providing an opportunity for the RLB to focus more on governance issues and to devolve implementation arrangements more towards the CB's
- Improved sensitivity and responsiveness to community interests and concerns;
- Increasing levels of involvement of communities through their CB's in planning, project implementation and asset maintenance;
- Rising levels of community engagement.

Thank you for the opportunity to make this contribution towards your deliberations.

Yours sincerely









**Kumeu - Huapai**

Residents & Ratepayers Association Inc  
PO Box 687, Kumeu 0841, Auckland

Chief Executive Officer  
Local Government Commission  
P.O. Box 5362  
Wellington 6145

22<sup>nd</sup> June 2016

Dear Sir

Re: Application for Local Government Reorganisation proposed by the Northern Action Group and a Review of Governance on Auckland Council

The Local Government Commission (LGC) has been directed to obtain submissions on the proposal by Northern Action Group (N.A.G.) to create a separate Unitary Authority in the North Rodney area.

This public consultation has been the result of the High Court Decision CIV2014-485-0098 NZHC805 which directed the LGC to consult the whole Auckland Council area over the proposal. As part of that decision the wider public needed to be consulted over the proposal.

The Local Government Commission (LGC) has requested that submissions be made on the proposal or any other alternative proposal for governance of the Auckland Council.

The Association wishes to make a submission on the application and propose a viable alternative to the N.A.G. proposal.

## 2.

### **Background**

Rodney District was a Local Government area in the Northern most part of the of Auckland Region from 1989 – 2010. The area was an amalgam of Helensville Borough Council & Rodney County Council in 1989.

The Rodney District Council (RDC) was based in the geographic centre of the area, being Orewa. That location was central to Warkworth, Wellsford in the North, Hibiscus Coast in the East and to the South West, Kumeu & Huapai.

The Auckland Council came into effect on the 1<sup>st</sup> November 2010 having been through the largest re-organisation of Local Government in New Zealand history. The amalgamation was the result of the Royal Commission Inquiry on Auckland Governance.

The result was the combining together of 4 City Councils', (1) Borough Council and (2) Rural District Councils' plus the Auckland Regional Council. The eight units became established by the Local Government Commission as the 'Auckland Council' (AC).

The outcome was different from the Royal Commissions recommendations. The Rodney area, excluded the urbanised area on Hibiscus Coast & Whangaparaoa, the balance being formed into the Rodney Ward. The Rodney area went from 1 Mayor & 12 Councillors, to 1 Councillor and a Local Board of 9 members.

### **Consultations**

The Association was aware of the original application by N.A.G. to be excluded from the Auckland area back in 2009. The proposal amalgamation with Kaipara District Council was seen as an attempt to keep out of Auckland and remain a rural based District. That concept was rejected by the Government at that time.

The new application completed in November 2013 was not discussed with the South Western area representatives.

Also the Rodney Local Board has not advised the community that a different proposal was mooted by N.A.G.

### 3.

Our first knowledge of the proposal was the public notice on the 24<sup>th</sup> June 2016 in the Herald. Since that time and after advising adjacent ratepayer groups and obtaining information from the L.G.C. we have met to decide on our response.

We register our disappointment at N.A.G. and the Rodney Local Board for not advising the public and community of the proposal.

Rodney District lost Hibiscus Coast & Whangaparoa but was left with the rural area of the Rodney District. That remaining area is from Te Hana in the North to Brighams Creek in the South/West.

The area contains quite different rural townships & settlements being Wellsford, Warkworth, Snells Beach, Kawau Island, Kaukapakapa, Helensville, Waimauku, Kumeu, Huapai, Muriwai & Riverhead. There is no major central township area from which the area can be administered to serve the 'Rodney Ward'.

There is no natural geographical or administration centre for the current Rodney District Board. They still meet in Orewa in the old Rodney District Council buildings, but that is out of the Rodney Boards area.

Geographically having the urban area taken out of the District we are now left with two substantial different rural areas, one in the North and the other in the South/West.

The Northern area is in general based around Warkworth whilst the South/West area is based around Kumeu.

There is very little connectivity between the two areas as the North's connection is via S.H/Way 1 & Orewa and the Bays to Central Auckland.

The South/West area is connected to Central Auckland via the S.H/Way16 with the townships connected by the arterial State Highway 16.

The close proximity to Westgate and downtown Auckland gives the South/West a semi rural area. We are not urbanised yet but still retain the rural township feel with most land holdings being lifestyle blocks.



### **The N.A.G. Proposal**

There are elements of the N.A.G. proposal that we have some sympathy with and have agreement on, but there are problems of governance if the N.A.G. proposal is approved in its current form.

N.A.G. proponents object to North Rodney being included in the super-city due to the distinctly rural nature of North Rodney, claiming it is inappropriate for such a community to be ruled by an urban-based and focused administration. Their polls indicate a very clearly expressed desire by a majority of submitters not to be included in the 'super-city'.

The N.A.G. proposal submits that only the North Rodney portion of the Auckland region meets the criteria laid down in the act (that enables communities to organise their own local governance). Kumeu-Huapai are in South/West Rodney, but obviously will be affected by the decision regarding the N.A.G. proposal if it is approved, as it will leave our area as semi rural with a fast growing population and a uncertain future administration.

### **KHRRRA make the following observations**

1. We agree that North Rodney is rural with rural township & coastal settlements.
2. We also agree with the N.A.G. that the Northern area of Rodney is 'more separate' from Auckland than our South/West Rodney, largely because commuting to Auckland Central is feasible from southern Rodney while the greater geographical separation makes it less feasible from North Rodney and less desirable in terms of the cost of roading or trains necessary to facilitate commuting). Therefore North Rodney will likely remain more rural in the future with the resultant differences between North & South/West Rodney becoming more pronounced.
3. The South/West Rodney concerns are that our proximity to Auckland threatens unplanned urbanisation and our focus is on encouraging planned growth with matching financed infrastructure. North Rodney wishes to be protected from 'planned growth' by the city limit boundary.
4. South/West Rodney see ourselves as a collection of small rural towns, with areas of commonality and connectivity between them. North Rodney, see themselves a rural with rural townships such as Warkworth serving the hinterlands.

5.

5. The Unitary Authority means that N.A.G. has to administer Regional & Local issues under one authority. Given that Auckland Council has substantial reserves and public space with the N.A.G. proposal, the funding of money to the new Unitary Authority we believe will be very difficult. In the past, the old Rodney District Council didn't receive any benefits for the Regional Parks & Reserves from the Regional Council.
6. The problem of size and economies of scale in the past have shown that in this area Local government has failed. The Kaipara District had Commissioners appointed to manage their affairs and Rodney District Council even with the Orewa & Whangaparaoa areas included had Commissioners appointed. The small Local Authority we believe, with minimum overheads and costs will not succeed in the future.
7. We don't see the scale and size of the N.A.G. proposal as succeeding in practical financial terms or being politically acceptable.

Despite these differences we feel the South/West Rodney has much in common with North Rodney. Our area is largely rural but lifestyle blocks rather than productive farm units. Forced urbanisation will push our population to 30,000 extra people, probably within 15 years.

We believe that South/West Rodney is not a good fit with the Massey Henderson Ward, as that area is extensively suburban in character and is being build out with even higher densities in residential development which we don't wish to see in our rural townships.

We believe based on the above that the N.A.G. application should not be approved.

#### **Alternative Proposal**

We would like to put an alternative proposal to the Commission for consideration. The proposal we believe is achievable by the Local government commission is as follows:-

1. The area of the existing Rodney Board be split into two separate Board areas. The division would generally on the Waiwera –Makerau lines as proposed by N.A.G.



6.

2. That the areas for the identification of this proposal be known as North Rodney & South/West Rodney. When approved the North Rodney be renamed Rodney Board and the South Western area be renamed not using the name Rodney.
3. That the two areas still be administered by the Auckland Council.
4. The two Boards have a reduced membership to 6 or 7 to reflect the reduced area of administration with the Chairperson elected from the elected members.
5. That each Board be based on the centres of Warkworth & Kumeu respectively.
6. The internal division to be made on areas of commonality for the election of members.
7. That there be, an Auckland Councillor for each board elected area. This would increase the Auckland Councillors by one. This would avoid the necessity of one Councillor trying to represent 46% of the Auckland Council land mass as at present.
8. Both areas are subject to residential growth with little infrastructure in place. A second Councillor would help ensure the in balance between rural areas and urbanised areas is taken into account with the compilation of the new Council.  
Population criteria (considered as a criteria in the Local Government Act 2009 now repealed) created a serious in balance between the urban representatives and rural based Councillors.

### **Observations**

The current Auckland Council structure of having one Councillor for the Rodney Board area simply has not worked. That's not a reflection on the current Councillor. It is too much to ask one individual to cover 46% of Auckland's territory and represent that area effectively. With the diverse areas and substantial different communities has made development progress for Rodney very difficult.

The Local Board has had to deal with the North/South division with limited delegated power and responsibilities. The lack of Board involvement with the Community has not helped the concern that South/West Rodney doesn't have a voice.

The Local Government Commission have, already recognised that smaller Boards with clearly defined areas of interest have and small populations have been established.

Great Barrier & Waiheke Islands' have small population based Boards. They seem to work successfully.

A similar model should be used for the Rodney area to ensure representation is effective for both areas of interest despite the size of population.

The lack of ability to connect to the Auckland Council has become of great concern. Its lack of being able to have the existing Local Board properly funded and able to engage with the community also means there is a disconnection with the community.

The Local Government Commission must as part of the review of the N.A.G. application look at the wider considerations.

The Commissions must as a first principle ensure that the areas of administration must be based on communities that are linked together physically and that the administration works and is relevant to them.

There is no doubt, that the Auckland Council has problems being too large, bureaucratic and isolated from communities. The Local Boards are underfunded and have little powers confirmed on them. The Rodney Board has the added problem of having to represent a large geographical area with a small number of elected representatives.

### **Conclusion**

We believe that the Auckland Council external area should not change in its size. All that should occur is to the administration of area can be revisited and altered to ensue that communities of interest are respected.

We believe the above proposal will achieve that. We are prepared to attend a meeting or hearings if required.

Pete Sinton  
Chairman



24 June 2016

Herne Bay Residents Association Inc  
(HBRAI)  
PO Box 46 095,  
Herne Bay,  
Auckland 1147

**Attention**

Chief Executive Officer  
Local Government Commission  
PO Box 5362  
Wellington 6145  
NEW ZEALAND

**Regarding Requests to Secede from Auckland Council (Super City) from the  
Northern Action Group (NAG) and One Waiheke group**

Dear Sir/Madam

We write regarding the application to the Local Government Commission (LGC) by the Northern Action Group and One Waiheke to secede from the Auckland Council Super City.

HBRAI welcomes the opportunity to comment and takes the position that it does not wish to 'turn back the clock' - rather it argues that the current Auckland Council 'structure' (because that is where the problems lie) can be modified and reformed to better meet the needs of all Aucklanders.

**Request for a 'Fair' Hearing for all Aucklanders**

HBRAI is however aware of the burden of preparing a robust and comprehensive case for presentation to the Commission. Resident groups do not have the financial resources to employ the level of expert assistance necessary for the Commission and they are at a significant disadvantage when pitted against an e.g. Auckland Council defence team – ironically funded by ratepayers.

This is problematic for a number of reasons. Firstly Aucklanders have never had an opportunity to have a 'fair' say on the structure, governance and management of their city. They were disenfranchised when the Super City was created and there is a danger this will happen again in front of the Commission. Other cities have had a say and based on the Auckland experiment, have said NO!

Secondly, there is compelling evidence that the Auckland Council is falling well short of meeting its statutory obligations and has most critically lost the confidence of residents and ratepayers. The Council should therefore not be in a position to speak on behalf of all residents at any LGC hearing.

The New Zealand Herald report on the Auckland Council Performance 18 June 2016, noted:

- 36 per cent were dissatisfied with the council's performance; 15 per cent were satisfied
- 47 per cent did not trust the council to make the right decision; 17 per cent did
- 35 per cent did not have confidence the council is going in the right direction; 20 per cent did
- 36 per cent were critical of the council; 52 per cent were neutral, seeing positives and negatives; 9 per cent thought highly of it.

The survey also showed that the council's reputation in outlying areas of the Super City is 'weak' in the wards of Rodney (36 marks out of 100); 'below average' in Franklin, Papakura, Waitakere Ranges, Upper Harbour and parts of Orakei (40-44); and 'average' in Henderson-Massey, Whau, and Maungakiekie-Tamaki (45). This report is indicative of a very dysfunctional city that is in urgent need of reform and any LGC hearing must ensure all affected parts of the city – have a 'fair' say.

To overcome this significant imbalance, HBRAI requests that the LGC appoint an Amicus Curiae to represent all residents and ensure that a balanced review is undertaken of the current Auckland Council. Wherever the status quo is challenged, it is unfair to impose the burden of proof on resident groups who have already faced substantial costs through e.g. the Proposed Auckland Unitary Plan.

This request needs to be addressed with urgency if Aucklanders are not to be disenfranchised again.

### **HBRAI Position on Northern Action Group and One Waiheke Solution**

Like these two groups, HBRAI has significant concerns about the current structure, governance and management of the Auckland Council. These concerns, we believe, have driven both groups to seek to secede from the Super City and while we share their concerns we do not agree with their solution.

We also appreciate that Rodney and Waiheke Island both enjoy distinct qualities that to some extent set them apart from urban Auckland, but they are both integral to the future planning of the city.

Part of the rationale for the Super City was to streamline regional planning, to ensure a more 'liveable', equitable, efficient and economically successful city. While as NAG and One Waiheke point out, this has not happened, carving off portions at this stage will not achieve these objectives.

HBRAI is not an expert on the needs of Rodney but would suggest that the area could have a significant role to play in e.g. future transport and infrastructure planning for Auckland City.

Robust regional planning for Auckland cannot happen if significant portions are removed as this would in part return Auckland to a planning regime fraught with fragmented decision making.

### **Super City Structural Flaws that Require Review and Reform**

Since its creation as a Super City, Auckland Council has failed to deliver on the promise for a more efficient, business like, democratic, liveable and cost-effective city. At the core of the problem is the 'structure' of the city which has proved to be unwieldy and has failed to achieve the quality of proper (democratic) governance and management needed for a city the size of Auckland.

*Imbalance in Governance Structure & Restoration of Democracy*

- The Mayoral Office is too powerful and out of balance with the second tier of Council (councillors) e.g. the right of the Mayor to elect committee chairs
- This power imbalance has created a power vacuum which the bureaucrats have taken advantage of e.g. Proposed Auckland Unitary Plan 'out of scope' zone changes
- Restoring the power imbalance could be addressed through an increase in the number of Councillors and wards across Auckland and providing councillors with more resources e.g.
  - Councillors should have access to Mayor's reports as of right
  - Councillors must also be empowered by having access to funding to seek independent (external) advice where this is necessary
- As the third/local tier in the Governance structure, Local Boards struggle to fulfil their remit e.g. provide input into regional planning strategies and bylaws
- This could be improved by 'prescribed' formal delegation of specific roles to the Boards and requiring CCOs e.g. AT to respect the Board's governance role
- Council Controlled Organisations (CCOs) e.g. Auckland Transport have too much power and too little oversight by elected representatives (Councillors)
- All CCOs should have a minimum of two elected representatives sitting on their boards to ensure the wishes and interests of all Aucklanders are safeguarded.

*CCO Roles to be more clearly defined*

- CCOs such as Auckland Transport are currently acting outside their legislative remit operating as planning authorities – the proper function of Council
- The role of CCOs should be clearly defined as limited to business matters leaving planning and policy issues clearly with Council elected representatives
- Auckland Transport should not e.g. be responsible for the future of the city's transport network. This is a policy and planning issue for elected Councillors.

*Improved Financial Management of Auckland City*

- The process of constructing, consulting and monitoring the Annual and Long Term Plans needs to be a lot more robust to avoid financial mismanagement
- Financial mismanagement has been evidenced in e.g. massive cost overruns for IT contracts and massive salary increases authorised by the CEO. HBRAI requests e.g.
  - Council be regularly audited for efficiency in areas such as staffing by credible external companies e.g. McKinsey & Co and recommendations implemented
- The underpinning legislation to the Super City or LGA needs to contain a requirement that Council adopts best practice in order to ensure financial efficiency
- Property management has not been robust and efficient and HBRAI requests that property not currently in use for community or administration be commercially reviewed.



Herne Bay Residents Association Incorporated (or Herne Bay 1011) is a group largely set up out of frustration with the Auckland Council (Super City). It is all about raising awareness about 'macro' issues affecting Herne Bay, adjacent suburbs and all Auckland. The group has taken an active role in a number of key issues affecting the whole of Auckland including the Proposed Auckland Unitary Plan (PAUP) and Ports of Auckland decision to expand operations further into the Waitemata Harbor. HBRAI has been in existence for over 10 years, has more than 200 members and collaborates with other groups e.g. Character Coalition, Auckland 2040 and Northcote Residents Association (NRA) For more information please go to our website at <http://www.hernebay1011.nz/>.

Thank you. Please do not hesitate to contact us (contacts below) should you require any additional information or clarification around the HBRAI position.

Kind regards

Christine Cavanagh (Co-Chair HBRAI)

[REDACTED]

Dirk Hudig (Co-Chair HBRAI)

[REDACTED]

# APPLICATION

TELEPHONE 0800 327 646 | WEBSITE [WWW.FEDFARM.ORG.NZ](http://WWW.FEDFARM.ORG.NZ)



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To: Local Government Commission  
  
Chief Executive Officer  
Local Government Commission  
P O Box 5362  
Wellington 6145

Name of Person making the Application

Federated Farmers of New Zealand (Auckland Province) Incorporated  
Private Bag 92-066  
Auckland 1142

This is an alternative application to the following applications that have been made to the Local Government Commission:

An application for reorganisation of local government in Auckland from the Northern Action Group

An application for reorganisation of local government in Auckland from Our Waiheke

**ALTERNATIVE APPLICATION TO LOCAL GOVERNMENT COMMISSION REGARDING:  
APPLICATIONS FOR REORGANISATION OF LOCAL GOVERNMENT IN AUCKLAND  
FROM THE NORTHERN ACTION GROUP AND OUR WAIHEKE**

**1 INTRODUCTION**

- 1.1 Federated Farmers of New Zealand (Auckland Province) Incorporated (“Federated Farmers” or “the Federation”) thanks the Local Government Commission (“the Commission”) for the opportunity to make alternative applications to the applications that have been made for reorganisation of local government in Auckland by the Northern Action Group and Our Waiheke (“the Applications”).
- 1.2 In regard to these Applications and its own “Alternative Applications”, Federated Farmers has engaged in extensive consultation with its members with interests in Auckland.
- 1.3 Federated Farmers looks forward to further consultation with the Commission about the Applications, as well as its Alternative Applications.
- 1.4 Accordingly, Federated Farmers would appreciate the opportunity to discuss this submission in greater detail. Federated Farmers seeks the opportunity to participate if and when the relevant hearings are held.

**2. GENERAL COMMENTS**

- 2.1 By way of background, Federated Farmers opposes the Applications. Federated Farmers surveyed its entire Auckland membership, seeking the members’ views on the state of the arrangements for local governance in Auckland, as well as their views on a number of other matters relevant to the Applications, including the Applications themselves. The Applications garnered very little support from Federated Farmers members, including from those in the areas that were directly the subject of the Applications.
- 2.2 The response to the survey was very light. This in itself is seen as an indication that there is very little interest in the sort of radical reorganisation of local governance in the parts of Auckland that would be directly affected by the Applications.
- 2.3 Turning to the survey itself, of those that responded, most are satisfied with the current governance arrangements. Of those that are dissatisfied with the current governance arrangements, the governance sharing arrangements between the governing body and the local board was given as being the main matter that gave rise to concern.
- 2.4 Amongst the reasons for opposing the Applications, members cited a lack of, or lack of accuracy of, projected financial information. Some of the information that was supplied was seen to be wildly optimistic.
- 2.5 Federated Farmers also tested its membership on a number of much less radical alternative applications to those proposed by the proponents of the Applications. Generally these Alternative Applications are aimed at bolstering the representation of the truly rural areas of Auckland on the two local boards that are the subject of the

Applications. As a result of its survey and some subsequent follow up with its Auckland Provincial Executive, three Alternative Applications are proposed.

### **3. ALTERNATIVE APPLICATIONS**

#### **3.1 GENERAL**

- 3.1.1 In terms of the statutory requirements, each of the Alternative Applications seeks to achieve better representation of the truly rural areas of Auckland's Rodney and Waiheke Local Board Areas on, respectively, the Rodney and Waiheke Local Boards. The better representation would be achieved by the elected members of the subdivisions concerned individually being in a position to better represent, respectively, both the truly rural parts as well as the more urbanised parts, of the Local Board Areas.
- 3.1.2 The potential improvements that would result from the proposed changes are that there would be improved local governance of the rural areas of both the Rodney and Waiheke Local Board Areas, along with improved local governance of the more urbanised areas of those local board areas.

#### **3.2 ALTERNATIVE APPLICATION 1**

- 3.2.1 The application is that the part of the Warkworth Subdivision of the Rodney Local Board that is part of the Helensville parliamentary electorate become part of the Kumeu Subdivision of the Rodney Local Board Area.
- 3.2.2 In terms of the statutory requirements, as regards s 24(1)(j) of the Local Government Act 2002, this Alternative Application seeks the alteration of the boundaries of the Warkworth and Kumeu subdivisions of the Rodney Local Board, to better achieve good local governance of the Rodney Local Board Area.
- 3.2.3 Alternative Application 1 involves the removal, from the area that is subject to the Northern Action Group Application, of that area that is to the west of the proposed new subdivision boundaries in the Application, and the inclusion of that same area in the Kumeu Subdivision of the Auckland Council's Rodney ward. The western boundary would thus be amended to coincide with the parliamentary electorate boundary of the Helensville electorate.
- 3.2.4 Federated Farmers' Alternative Application 1 is the same as the Alternative Application proposed by James Grant Kirby, and that Alternative Application is supported by Federated Farmers.

#### **3.3 ALTERNATIVE APPLICATION 2**

- 3.3.1 The application is that the Kumeu subdivision, as proposed to be amended by Alternative Application 1, and which, in its present form, is currently represented by 4 local board members, be split into 2 subdivisions. This would be achieved by creating a boundary between a new northern and a new southern subdivision, each represented by 2 local board members.
- 3.3.2 In terms of the statutory requirements, as regards s 24(1)(j) of the Local Government Act 2002, this Alternative Application seeks the alteration of the boundaries of the Kumeu subdivision of the Rodney Local Board, to better achieve good local governance of the Rodney Local Board Area.

3.3.3 Alternative Application 2 involves adjusting the boundaries of the Kumeu subdivision of the Rodney Local Board Area, as proposed to be amended by Alternative Application 1, so as to create a northern and a southern subdivision, by putting a new boundary line roughly along a line that would result in half the population of the present subdivision coming within each of the new northern and southern subdivisions, including, within the new northern subdivision, the area that is proposed to be included in the Kumeu subdivision by Alternative Application 1.

#### 3.4 ALTERNATIVE APPLICATION 3

3.4.1 The application is that the Waiheke Local Board, currently represented by 5 local board members elected at large, be split into 2 subdivisions, by creating a boundary between a western subdivision of Waiheke Island and a subdivision comprising the eastern part of Waiheke Island, and the other islands in the Waiheke Local Board area. The eastern part of Waiheke Island, probably that lying to the east of the Waiheke Forest and Bird Reserve, and the other islands would be a predominantly rural subdivision represented by 1 member, and the balance of Waiheke island, a predominantly urban subdivision, would be represented by 4 members.

3.4.2 In terms of the statutory requirements, as regards s 24(1)(j) of the Local Government Act 2002, this Alternative Application seeks the alteration of the boundaries of the Waiheke Local Board, by creating two subdivisions, to better achieve good local governance of the Waiheke Local Board Area.

3.4.3 Alternative Application 3 involves adjusting the boundaries of the Waiheke Local Board Area so as to create a western and an eastern subdivision, by putting a new boundary line roughly along a line that would result in four fifths of the population of the present Local Board Area coming within the area of the new western subdivision and one fifth within the new eastern subdivision.

### 4. **CONCLUSION**

4.1 Federated Farmers commends its Alternative Applications to the Local Government Commission.

### 5. **ABOUT FEDERATED FARMERS**

5.1 Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers. Federated Farmers of New Zealand (Auckland Province) Incorporated is a branch of Federated Farmers of New Zealand, and represents farming and other rural businesses in the Auckland area.

5.2 The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and



- Our members adopt responsible management and environmental practices.



.....  
Richard Gardner  
Senior Policy Advisor, Federated Farmers of New Zealand

24 June 2016

.....  
Date

**Contact Details**

Richard Gardner  
Senior Policy Advisor  
Federated Farmers of New Zealand  
Private Bag 92-066  
Auckland 1142

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To: Chief Executive Officer  
Local Government Commission  
PO Box 5362  
WELLINGTON 6145

[info@lgc.govt.nz](mailto:info@lgc.govt.nz)

## Auckland Council reorganisation proposal

This proposal is submitted by:

David Robert Hay



### About the submitter

I am an independent candidate for the Mayoralty of Auckland at the 2016 local government elections.

From 2007 to 2010 I was employed as a Senior Policy Analyst at Manukau City Council, in the Policy and Strategy Unit, and from 2010 to 2014 as a Principal Policy Analyst at Auckland Council in the Social Policy Unit.

In 2009 I convened a Green Party party working group on Auckland governance, in which capacity I wrote the Green Party's submission to the Royal Commission on Auckland, and presented the submission to the Royal Commission. I later presented a personal submission to the select committee on the *Local Government (Auckland Council) Bill 36-2*.

### Scope of Proposal

This proposal applies to the whole of the Auckland region.

### Reasons for proposal

In preparing this proposal I have read and considered the two reorganisation proposals recently submitted to the commission: the North Rodney application and the Waiheke application, as well as all of the submissions the commission received in response to those proposals.

I submit this as a new and different proposal, not as a response to the earlier ones. The core focus of this proposal, and the reason I am submitting it separately, is to address the need for Auckland to implement and deliver the Auckland Plan and the Auckland Unitary Plan with greater input from local communities.

The earlier proposals and submissions provide a great deal of useful information about the need for change in the Auckland council structure. They generally focus on the imbalance of power in decision-making between local boards and the governing body of Auckland Council, which heavily favours the latter. But they do not deal much, if at all, with the broader strategic context and the reasons that the Auckland Council was created.

I acknowledge the enormous amount of work that the current Auckland Council has undertaken to deliver the Auckland (spatial) Plan and then a Unitary Plan that gives it legal effect. And I accept that perhaps it was necessary, in the first few years of the Auckland Council, for a region-wide view to take precedence over local concerns.

But now is the right time, with those key documents adopted by the council, to empower communities to participate fully in the next steps along this journey.

I therefore submit this proposal as a request that the commission empower people and communities in Auckland to have a greater say in how the vision for Auckland, embodied in those strategic plans, will be realised as places where vibrant, sustainable, successful communities will thrive.

I have waited until the Independent Hearings Panel delivered its findings to the council, prior to finalising and submitting this document, and I request that the maps appended to this document should be read in conjunction with the zoning maps produced by the Independent Hearings Panel.

# Stronger Democracy in Auckland

## Summary of Proposal

The key elements of my proposal are:

- Creation of two types of local board: larger boards (i.e. more elected members and support staff), for urban and peri-urban areas, and a smaller boards (i.e. fewer elected members and staff) in rural areas, the Hauraki Gulf islands and possibly the CBD.
- Fewer Local Boards overall, with greater responsibilities in their areas of jurisdiction, giving much greater effect to the subsidiarity clauses in the *Local Government (Auckland Council) Act 2010* than has been the case until now.
- A smaller Governing Body, with fewer responsibilities at a higher level, including a stronger focus on governing the council organisation and CCOs. A key responsibility will be facilitating cooperation among the Local Boards and CCOs, with the power to compel cooperation among them if necessary.
- A prescribed delegation structure that provides far greater clarity and certainty to citizens about which tier of local government in Auckland is responsible for which council activities.

## Making the supercity more superb

It is important not to lose sight of the objectives that drove the creation of the Auckland “Super City” in 2010, in particular:

- **Effective Governance:** multiple political establishments had been unable, or reluctant to cooperate effectively on region-wide issues - in particular land use planning and the provision of network infrastructure (especially transport).
- **Organisational Efficiency:** there had been an unwillingness, and/or inability, within and among council organisations, to collaborate and achieve operational savings (especially in shared back-office infrastructure and services).

The Auckland Council model has certainly overcome the first problem.

But perhaps it went too far, creating a remote “top-down” model of control that has disempowered local communities. Much of Auckland’s policy and decision-making now takes place in downtown Auckland, where staff have less connection to and direct engagement with the communities the council serves.

Local government exists to deal with detail, at a level that central government cannot. It also deals with the problem of integrating policy across the “four well-beings” (environmental, economic, social and cultural) at a level that is important to local people and specific to particular places.

The key purpose of this proposal is to take a half-step back, toward the previous model of governance in Auckland, without going so far as to recreate the parochialism and lack of effective cooperation that plagued Auckland in the past.

It is my perception that the problem of organisational efficiency has not been effectively solved, yet, by the Auckland Council.

Eight large council organisations and several CCOs have been replaced by one very large council organisation and several very large council-controlled organisations. I am uncertain that this is actually more efficient, or that any decision made by the Local Government Commission could will solve the efficiency problem.

But I hope that my proposal to restrict the Governing Body’s role and responsibilities will require it to focus on fewer policy issues and activities, at a higher level, thereby encouraging it to devote more time and attention to governing the council and CCOs effectively, thereby improving the performance of those entities.

This proposal is not intended to save money by reducing the cost of democratic governance.

In preparing it, I have heeded the work of Benjamin Barber’s book titled *Strong Democracy: participatory politics for a new age* (1984, 2003), in which he critiques modern liberal representative democracy.

In short, he argues that citizenship tends, in modern times, to be delegated upward by citizens to elected representatives and their professional advisors. This reduces citizens’ direct participation in the process of governing, and weakens the effect of their voting preferences on the behaviour of elected representatives. He describes this as a “thin” model of democracy.

His book is titled “Strong Democracy” to promote a different approach. He says a strong democracy must re-engage citizens in the process of democratic governance. He argues that citizenship is, and should be regarded as, an intrinsic good, not an instrumental means to an end.

I agree wholeheartedly. I argue that, if the role of government in a democratic society is to produce public goods, which the market cannot, then the single greatest public good that it can, and must, produce is democracy itself.

On that basis, a reorganisation of local government in Auckland should actively seek to revive and reinforce the practice of civic participation and democratic governance.



I urge the commission not to take a parsimonious approach in pursuing that objective. If financial savings must be found then they should be found within the council bureaucracy, by making it more efficient, and through elected members making prudent financial decisions on behalf of their constituents. It is always a false economy to undervalue democracy itself.

## Two Sizes of Local Board

The Local Government Act allows for two types of governance entity: the Governing Body of Auckland Council, and 21 Local Boards.

The core to this proposal is the creation of fewer Local Boards, with greater powers. But if the commission were to do this in every part of Auckland, then some communities might feel their needs were not being adequately met. The issues that were strongly expressed in the North Rodney and Waiheke proposals would not be addressed.

The Local Boards are currently wildly variable in terms of the populations they serve - from Great Barrier Island (pop: 939) to Howick (pop: 127,125).<sup>1</sup> I propose that the Local Government Commission provide for greater consistency among local boards by creating two types, or categories, of Local Board:

- Larger boards for urban and peri-urban areas (i.e. within and traversing the urban/rural boundary), having 9 or 11 elected members.
- Smaller boards for rural areas, and for areas defined by special needs and considerations (the two gulf islands; perhaps the CBD), having 5 or 7 elected members.

The Local Government Act currently does not provide for community boards, where local boards exist. This seems a pity; community boards provide a method by which smaller communities, remote from the centre of a district, may achieve a greater degree of self-governance.

The North Rodney and Waiheke reorganisation proposals could have been largely addressed by creation of community boards, with powers delegated by the council to provide for most, if not all, of the control over local matters that the proposals sought.

In the absence of an ability to create community boards in Auckland, I suggest the best way forward is to create two groups of local board: one being larger, more like a city or district council; the other being smaller, more like a community board with high levels of delegation.

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<sup>1</sup> Retrieved from: <http://www.censusauckland.co.nz/local-board-view/> on 27 April 2016

## Fewer and Larger Local Boards

In general, the local boards should be much more like a full city or district council, in terms of their functions and decision-making powers.

Local Boards in Auckland were established as a sort of halfway house between a local authority and a community board. Despite the “subsidiarity” clauses in sections 15 to 17 of the *Local Government (Auckland Council) Act 2009*, Auckland’s Local Boards have been treated by the Governing Body much like community boards once were, in the old Auckland City Council jurisdiction: as sounding boards for key policy decisions, but with little substantive decision-making power.

The report of the Royal Commission on Auckland, in volume 4 (research), contains a very useful chapter on Community Boards, including some examples of how local authorities in other parts of New Zealand have delegated a great deal of responsibility and control to community boards.

The current treatment of Local Boards in Auckland seems to have led to confusion about the best way for the remote communities to obtain improved representation: some submitters to the Rodney and Waiheke proposals have advocated for new Governing Body wards to be created, others advocate for secession from the Auckland region entirely.

It would be better for Local Boards to have full decision-making power over a wider range of activities. Critically, this would make it much easier for citizens to understand where responsibility and accountability sits for the council’s various activities: “If it’s about parks, then it’s your local board” instead of “if it’s about a regional park then its the Governing Body, but if it’s about a local park then it’s your local board”.

I suggest that these larger local boards should have between 9 and 15 members - but always an odd number to ensure that the chair will have a casting vote, if the other members are tied.

The Royal Commission considered, amongst the options put before it, an “eleven cities” model for Auckland. I propose that this be used as the basis for establishing the larger Local Boards to replace the current number of twenty-one.

The eleven cities model proposed to create nine urban jurisdictions of very similar population size - between 99,000 and 198,000 - and two rural jurisdictions in the north (55,000) and the south (77,000). The eleven cities were to be based on existing council wards.

The choice of geographic unit is important. There is no particular reason to use historic local authority boundaries, and there are advantages to using areas that which would improve alignment between central and local government agencies in operational activities - particularly community safety, civil defence and emergency management, and public health. I note that the police administrative boundaries in Auckland align with the District Health Board boundaries, whereas local government boundaries have not done so in the past.

My proposal, therefore, is to create new local boards be based on police station areas.

The proposal is to create sixteen jurisdictions:

- Nine larger local boards comprised of two or more police station areas grouped together.
- Seven smaller local boards comprised of one police station area (more or less, with some adjustments).

<b>New Local Board</b> (Nth-Sth order)	<b>police station area/s</b> Shapefiles at: <a href="https://koordinates.com/x/WGWtrm">https://koordinates.com/x/WGWtrm</a>
Whakapirau	Wellsford (+ part of Mangawhai)
Matakana	Warkworth
Kaukapakapa	Helensville
Aotea	Great Barrier Island
Waiheke	Waiheke Island
<b>Whangaparaoa</b>	Orewa, Whangaparaoa, Browns Bay, Albany
<b>Waitakere</b>	Kumeu/Huapai, Massey, Henderson, New Lynn
<b>Pupuke</b>	North Shore, Glenfield, Takapuna
<b>Waitemata</b>	Ponsonby, Balmoral, Avondale
<b>Tamaki</b>	Auckland Central, Newmarket, Glen Innes
<b>Mutukaroa</b>	Onehunga, Mt Wellington, Otahuhu
<b>Ohuiarangi</b>	Howick, Otara, Beachlands
<b>Manukau</b>	Mangere, Airport, Manurewa, Papatoetoe
Hunua	Eastern part of Papakura (Clevedon Valley and Hunua Ranges)
<b>Pukekohe</b>	Pukekohe and the western part of Papakura
Waiuku	Waiuku (plus Clarks Beach and Waiiau Pa)

Maps of the proposal are presented in Appendix One, with comments explaining some of the rationale for each and more detail about boundary adjustments.

In any reorganisation proposal the local-vs-regional “balance of power” should be a key consideration.

Critically, in my opinion, the Royal Commission’s 11 cities proposal subdivided Auckland and Manukau cities, thus diminishing their ability to compete with, and to undermine, the role of the Auckland Regional Council. Whether or not that was the commission’s intention, I thought it one of the most significant aspects of that proposal.

The Local Boards each need to be large enough to be democratic and effective in their own right, but not so large as to contest for power with the Auckland Council over region-wide policy (unless, of course, a clear majority of them are at odds with the regional body over policy direction).

My proposal does not seek to overturn the structure created for Auckland Council to overcome the problem of organisational efficiency. In fact it depends on that structure remaining in place, while seeking to clarify and improve the structure of governance.

The eleven cities model was rejected by the Royal Commission because it was likely to be too expensive and inefficient. This was principally a problem of operational efficiency: increasing the number of fully independent local authority bureaucracies would not have solved Auckland’s solve the efficiency problem.

What I propose does not involve the creation of new and separate council administrations: the key roles of policy-making and service delivery will continue to sit with the Auckland Council CEO, as they must, under section 42 of the LGA, and the various sections pertaining to Local Boards. I imagine much of the Council’s service delivery functions would remain with Council Controlled Organisations.

I imagine that each Local Board would have its own staff, with the CEO of Auckland Council appointing a General Manager for each Local Board and formally delegating the powers needed to execute the activities of the Local Board as determined by the Commission.

I acknowledge that matters to do with the internal structure and operation of the council organisation are controlled by the Local Government Act and are beyond the powers of the Local Government Commission to determine.

However by creating these new local boards and devolving powers and responsibilities to them, the Commission can powerfully influence how the CEO must configure the council’s operations to give effect to the representation and decision-making structure that the Commission creates.

## **Governing Body**

The Governing Body should have fewer members, all elected by Single Transferable Vote on a region-wide basis (i.e. not by wards).

I suggest 10 to 14 members, but in any case an even number so that the Mayor - who is elected separately - will have a casting vote if the others are tied. Reducing the current number of members on the Governing Body will restrict its “bandwidth” in terms of the variety of matters its members can consider during a term in office. This will help force it to concentrate on issues of region-wide significance.

Election by STV will ensure that councillors elected to the Governing Body are those most representative of the interests of all Aucklanders.

The election of Governing Body members on a region-wide basis should emphasise to them, and to voters, that the job of governing body members is to represent the interests of Auckland as a whole, not to advocate for the interests of a ward or sub-regional area. The latter role must sit more clearly, and more substantively, with the Local Boards.

## **Division of Responsibilities**

I propose that the Governing Body’s powers should be prescribed by the Commission to include only those matters that a council cannot delegate under the Local Government Act, and/or which are of region-wide significance. These are:

- Appointing a CEO
- Passing a bylaw
- Striking a rate
- Adopting a Long-Term Plan or Annual Plan
- Adopting and amending the Auckland (spatial) Plan
- Adopting and amending the Unitary Plan
- Governance and oversight of CCOs
- Regulatory activities (see below)

Much of this allocation of decision-making is already set out, in principle, in sections 48I to 48L of the *Local Government Act 2002* and/or sections 15 to 17 of the *Local Government (Auckland Council) Act 2009*.

My plea is that you to interpret and apply these legislative provisions and to act, in effect, as if you were making a determination under sections 48R and 48S of the Local Government Act 2002, in favour of delegating as much decision-making power as possible to the Local Boards.

I repeat that creating a smaller Governing Body is an essential aspect of this proposal: it is intended to constrain the Governing Body’s “bandwidth” (i.e. the number of matters that it can consider in the period of one term, within the number of meetings that members could feasibly attend, and agenda items they could attend to). I consider this absolutely necessary to focus the Governing Body’s attention on region-wide issues, ensuring that it only intervenes in local matters in exceptional circumstances.



The law assigns decision-making responsibility to the Governing Body for “regulatory activities”, without clearly specifying what those activities are, or how parts of that responsibility might be either delegated to or shared with local boards.

This can be problematic. Much of the work done in creating the Unitary Plan is (or was) a regulatory activity, much of which had to be done on a region-wide basis - in particular the amalgamation and rationalisation of seven pre-existing district plans and a regional policy statement.

Arguably, however, Local Boards could have, and should have, had much greater say in the final step of the Unitary Plan process: the application of the new rules to neighbourhoods, precincts, and individual properties.

There is, I think, a widespread perception that this step was insufficiently sensitive to local interests and/or could have been better informed by local knowledge. Whether that perception is justified by the facts is not important here: perceptions matter in politics, and if Local Boards had taken a greater role in that part of the unitary plan process the perception may have been avoided or significantly diminished.

This creates a rather perplexing problem, that might be beyond the commission’s remit: creating a effective delegation structure that clearly assigns responsibility for decision-making to the lowest level of governance, consistent with the idea of subsidiarity, but also ensures that local boards are involved in, and remain committed to, regulatory decisions that affect the whole region.

I suggest that the concept of the Governing Body having “reserve powers” is essential to resolving that issue. That requires a structure which would allow the governing body to share its regulatory powers with local boards, while reserving the right to reject any proposals that were inconsistent with regional vision and strategy.

Technically, the reserve powers concept could be implemented by delegating certain responsibilities for regulatory decision to Joint Committees comprised of Governing Body and Local Board members. These committees would have delegations to recommend decisions to the Governing Body, but not make final decisions.<sup>2</sup>

I imagine a structure somewhat like a bicameral parliament: the joint committee in place of a House of Commons and the Governing Body in place of an Upper House (or Senate).

I acknowledge that these are matters which the Local Government Commission cannot directly control. Legally, the structure of committees falls within the ambit of the mayor.

But in making determinations on any reorganisation proposal the commission must necessarily explain its reasoning, and in doing so it might provide guidance on how it sees

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<sup>2</sup> Joint Committees may be established by s.30, Schedule 7, of the Local Government Act 2002.

its determinations being implemented. In that context, you might reflect upon the ideas set out in this section.

I have attached (Appendix Two) an extract from the Royal Commission on Auckland's report.

This extract comprises pages 453 to 461 of Volume 4 of the report, showing how Queenstown-Lakes District Council delegated decision-making responsibilities to the Wanaka Community Board in its district.

I found it to be both clear and comprehensive, and I commend it to you as a template for describing the division of responsibilities between Auckland Council's governing body and its Local Boards, under the structure proposed above.

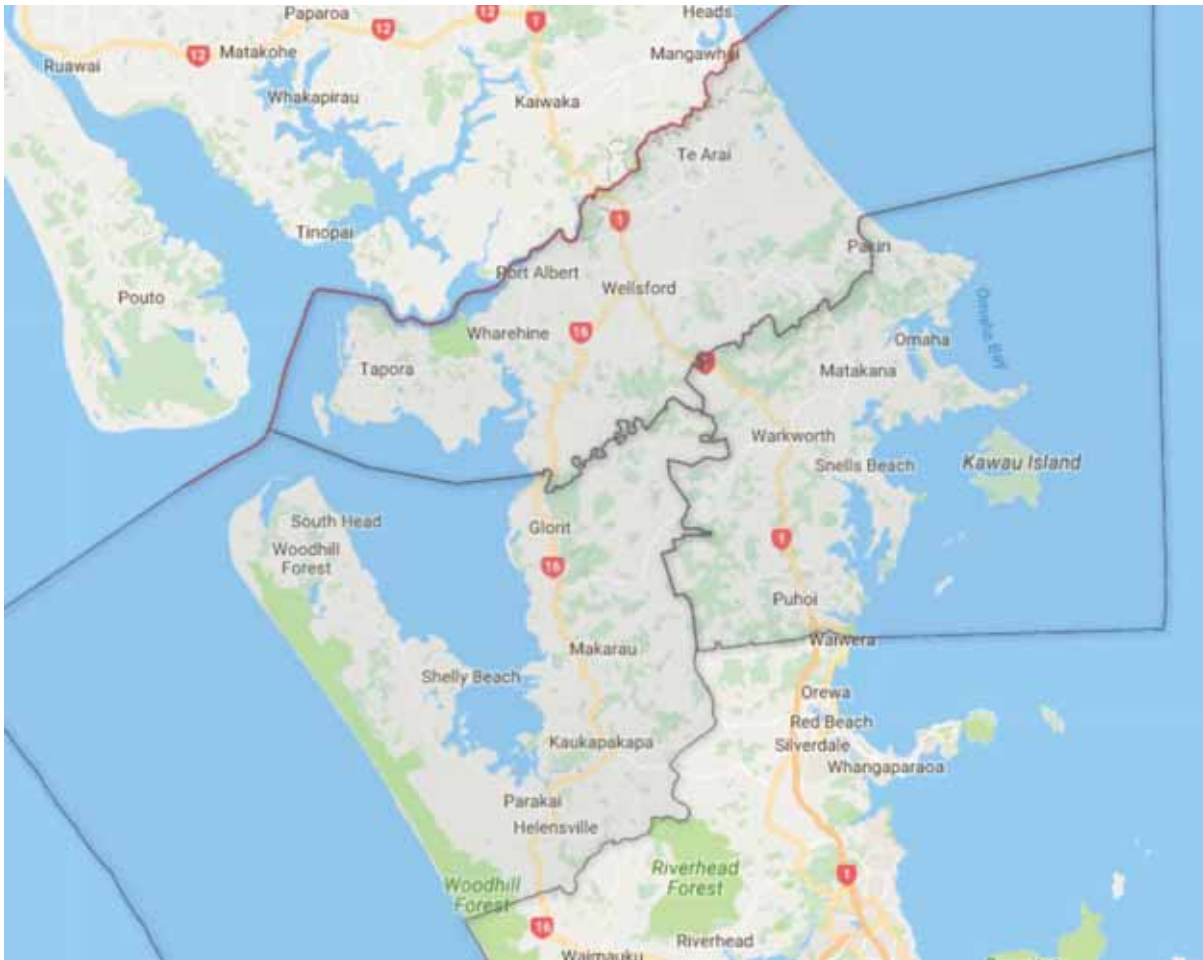
# Appendix One - Maps

The following maps are intended to outline my proposal for creating new representative jurisdictions - they are not definitive.

I have made a few amendments where the police station area boundaries needed adjustment, for reasons explained under each map. The shapefiles for these maps are publicly available online at: <http://tinyurl.com/superAkl>

I have proposed Maori names for all the areas, using the name of a significant geographical feature in each area, where a new name was chosen over an existing english name (i.e. Great Barrier Island becomes the Aotea Local Board area).

## Three Northern Local Boards



I propose three smaller local boards, aligned to the three police station areas of Wellsford (Whakapirau Local Board), Warkworth (Matakana Local Board) and Helensville (Kaukapakapa Local Board), plus part of the Mangawhai police station area that overlaps the Northland/Auckland regional boundaries.

This would create three natural communities of interest with a predominantly rural character, centred around the three largest townships in what used to be the northern part of Rodney District. Similar proposals have been submitted to the commission, in response to the North Rodney reorganisation proposal.

I note that the western part of the Wellsford/Helensville police station areas starts at the Araparera River, and submitters to earlier proposals have suggested the Hotoe River would be more appropriate. To reflect this preference the Wellsford/Helensville local board boundary has been redrawn at Hotoe River in this map.

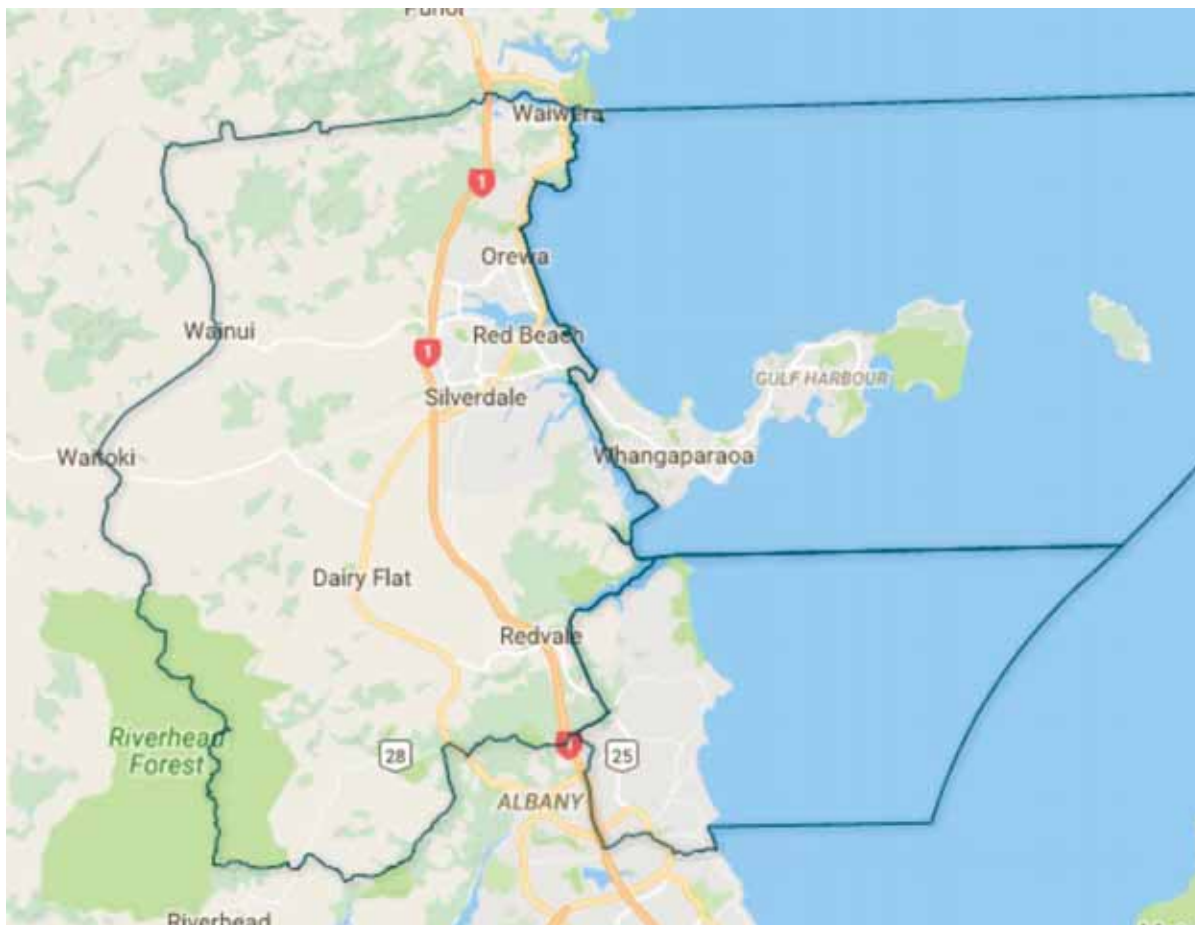
## Two Gulf Islands Local Boards



I propose that these currently existing local boards remain, with increased delegations (as with all others).



## Whangaparaoa Local Board

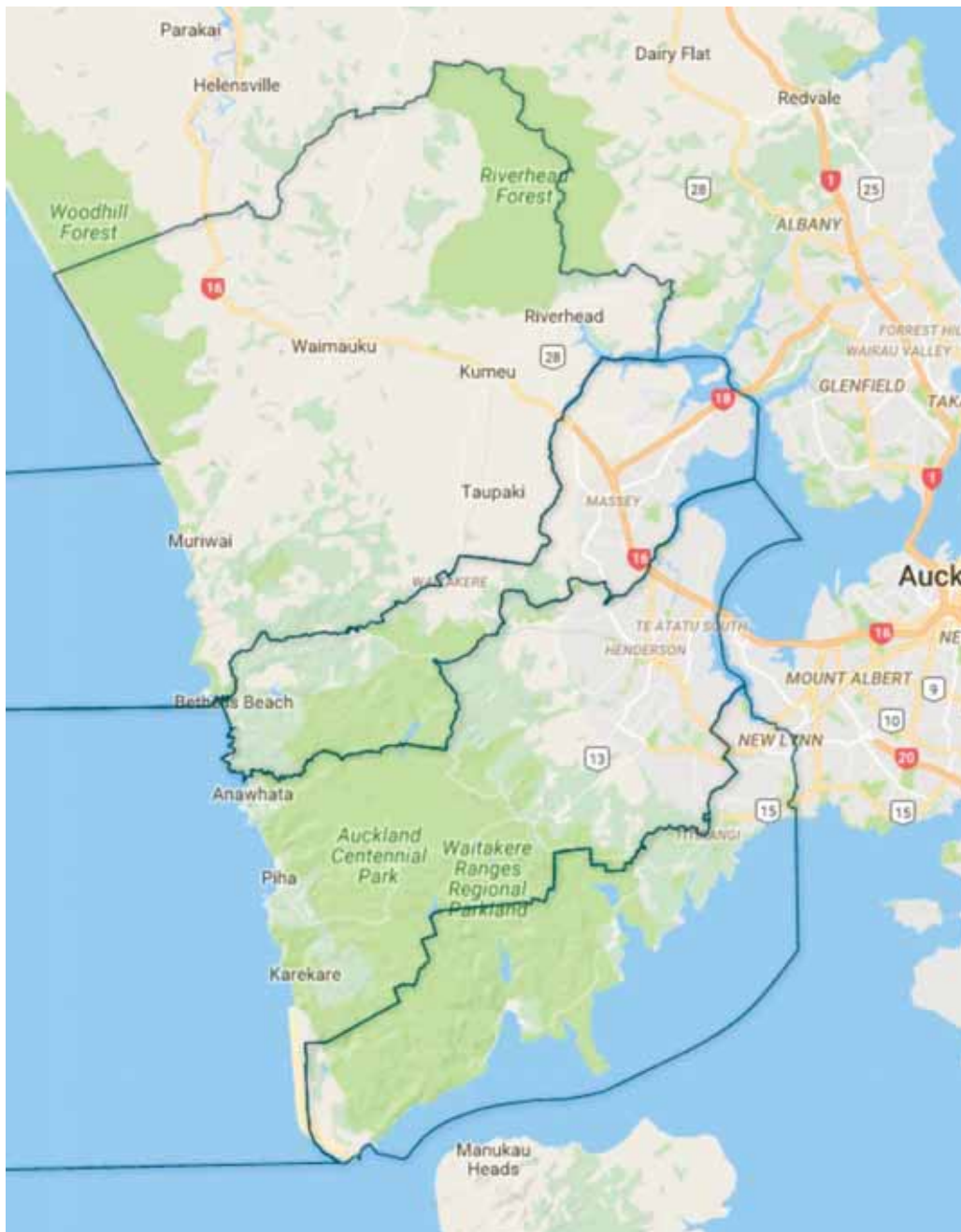


I propose a peri-urban local board comprising the three police station areas of Orewa, Whangaparaoa and Browns Bay.

This area mostly coincides with the current Hibiscus and Bays local board area. Importantly, it adds a larger inland area to encompass one of Auckland's potential areas for greenfields development (a Future Urban zone in the Unitary Plan).

The western edge of the Orewa police station area could be adjusted to fully include the hamlets of Waitoki and Wainui.

## Waitakere Local Board

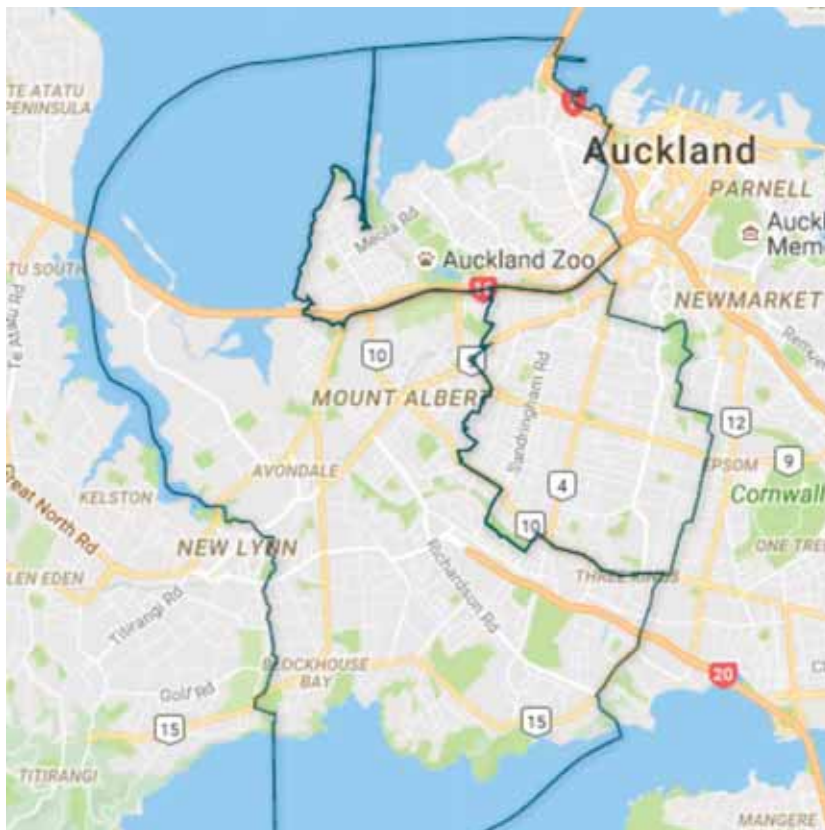


I propose an urban local board comprising the police station areas of Kumeu/Huapai, Massey, Henderson and New Lynn.

This peri-urban local board recreates and expands the area that was previously Waitakere City. The area includes the Future Urban zones of Kumeu, Coatesville and Whenuapai.

It also encompasses one of Auckland's potential future development corridors, along the main trunk railway line toward Helensville.

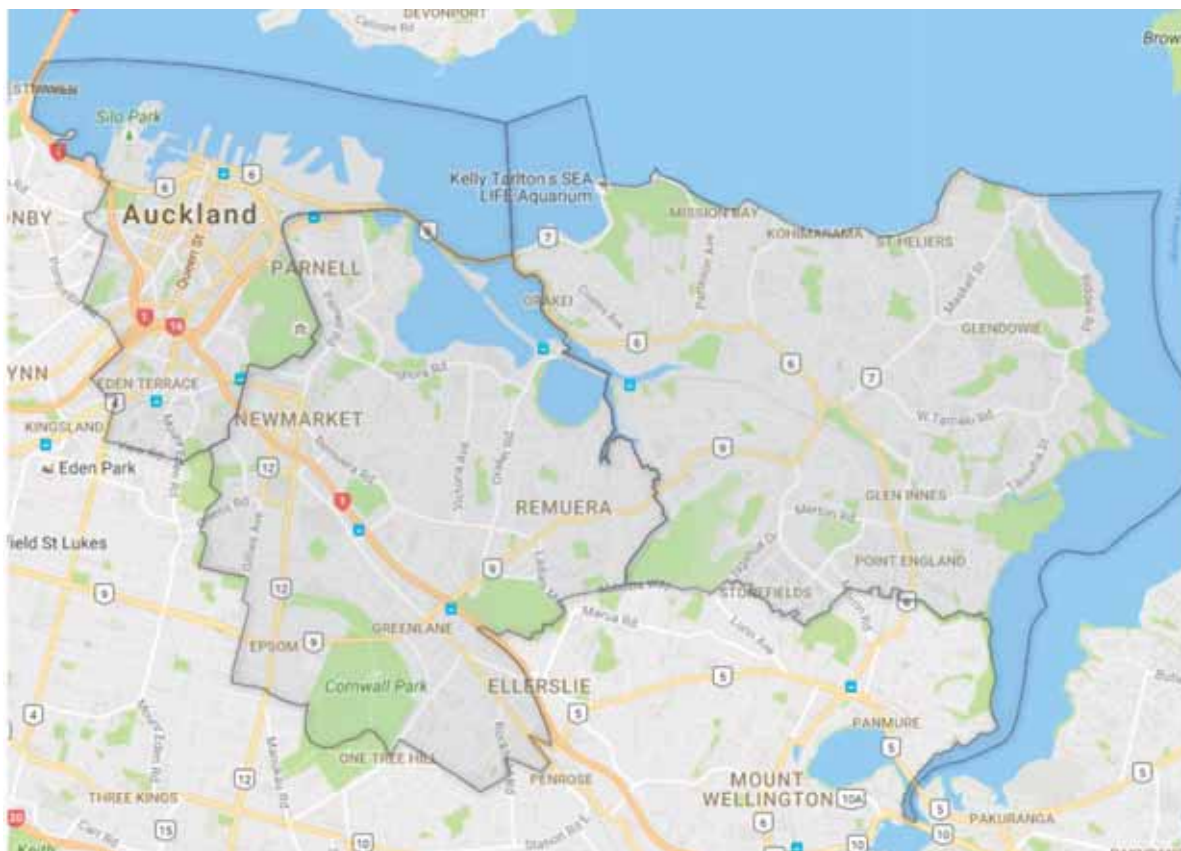
## Owairaka Local Board



I propose an urban local board comprised of the Ponsonby, Balmoral and Avondale police station areas.

The suggested name is Owairaka - the name of the volcanic cone (a.k.a. Mt Albert), which lies at its centre.

## Tamaki Local Board



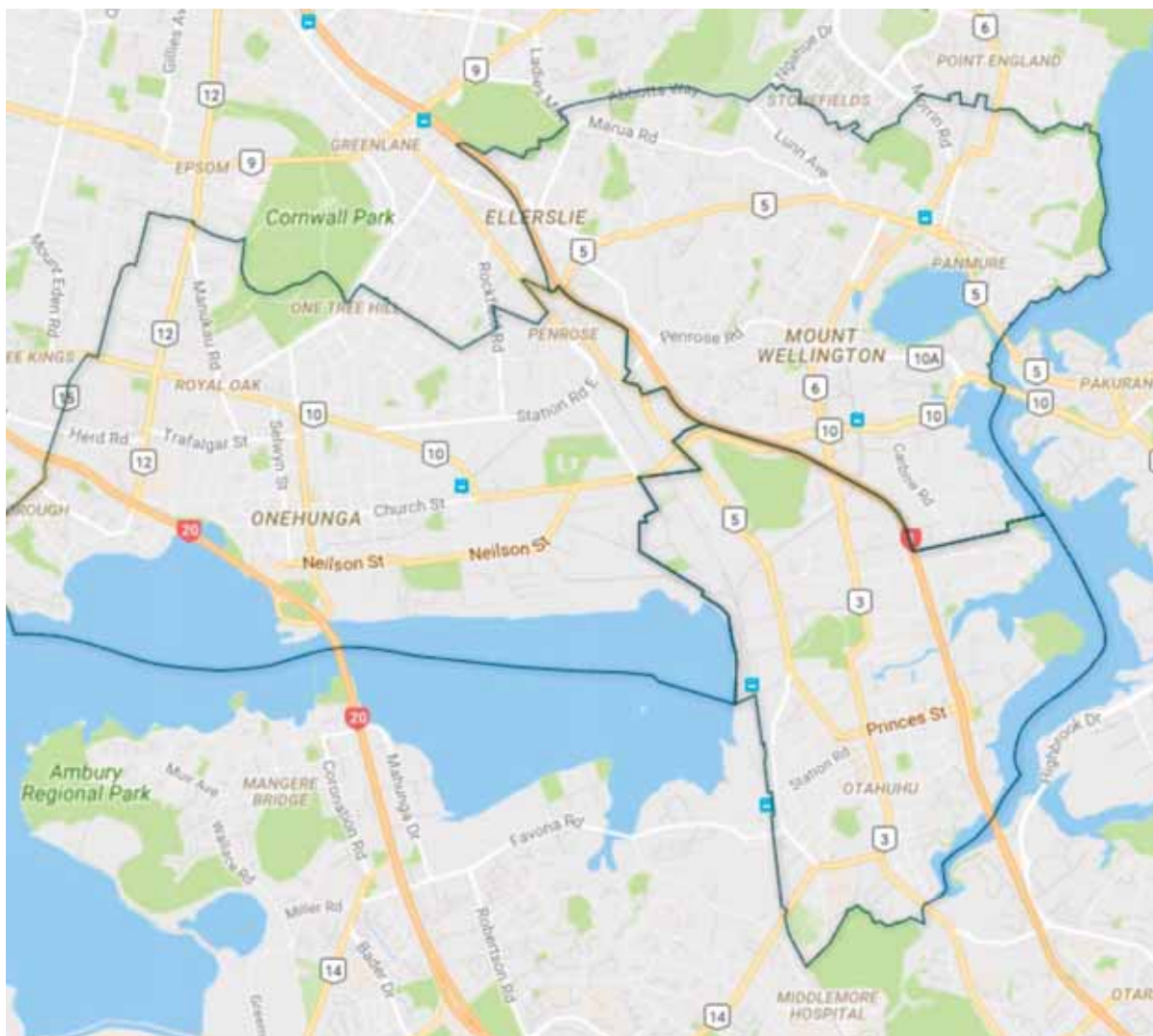
I propose an urban local board comprised of the Auckland Central, Newmarket and Glen Innes police station areas.

I foresee community demand for a separate, smaller, local board for the Auckland CBD area (Tamaki) separate from the Newmarket and Glen Innes police station areas (Orakei).

To accommodate that possibility I have changed northwestern boundary of the Newmarket police station area to include Parnell, following the edge of the Auckland domain and then the railway line around to Mechanics Bay, so that Parnell in an Orakei local board area.



## Mutukaroa Local Board



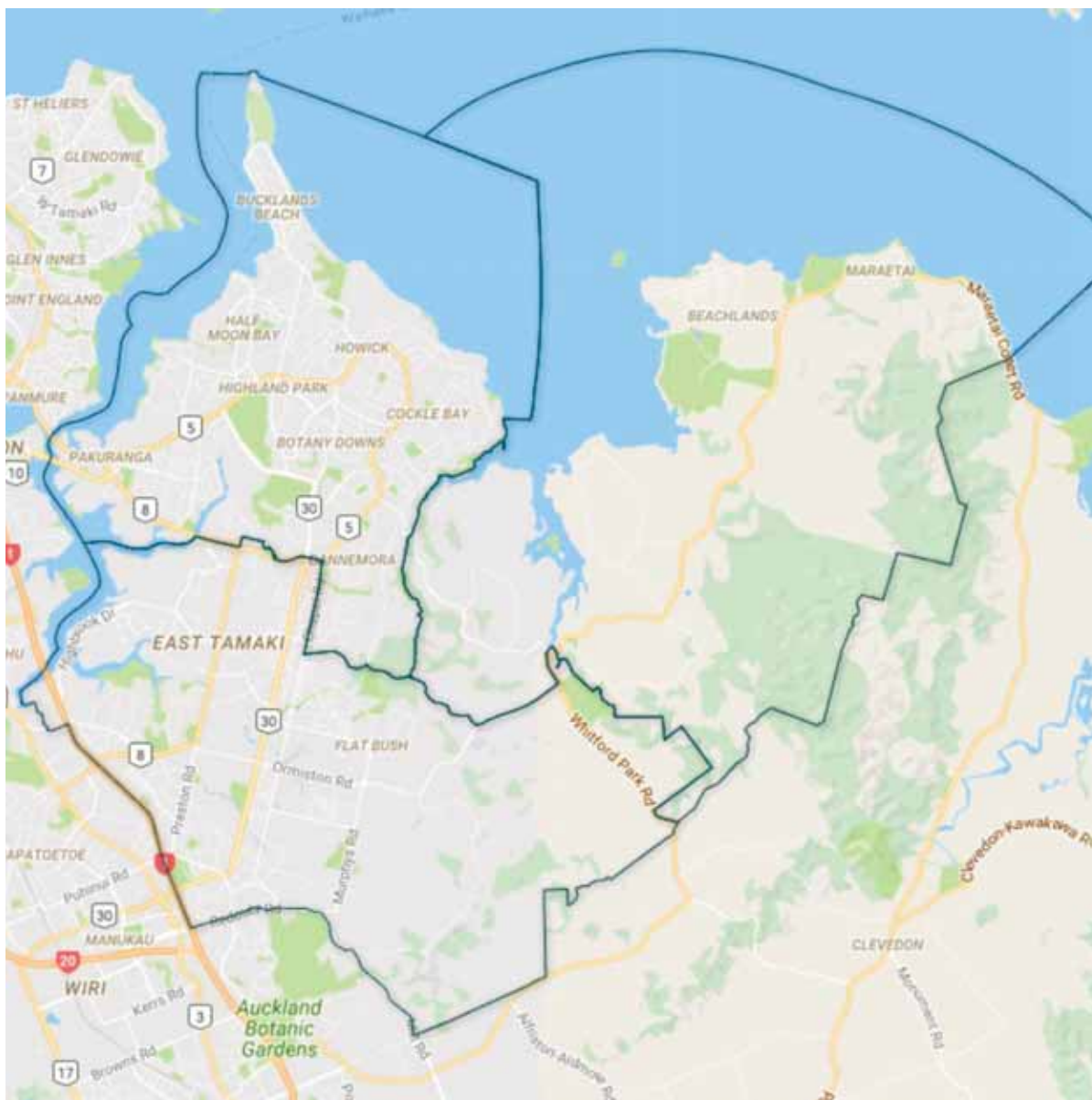
I propose a local board comprised of the Onehunga, Mt Wellington and Otahuhu police station areas.

The proposed name is that of the regional park at its centre (Hamlins Hill - Mutukaroa)

This area includes three critical points where Auckland's central isthmus joins the rest of the city: Mangere Bridge, the Otahuhu isthmus and two bridges at Panmure. It also has a complex mix of commercial, industrial and residential activities.



## Ohuiarangi Local Board



I propose a peri-urban local board comprised of the Howick, Otara and Beachlands police station areas.

I would suggest changing the western boundary so that it follows the Southern Motorway without the deviation at Bairds Road, as mapped by the police.

I have called the area Ohuiarangi, the Maori name for pigeon mountain, which appears on the LINZ list of official place names for the area. Another option might be Mangemangeroa - the name of a stream, south of Howick, that flows into Tamaki Strait.

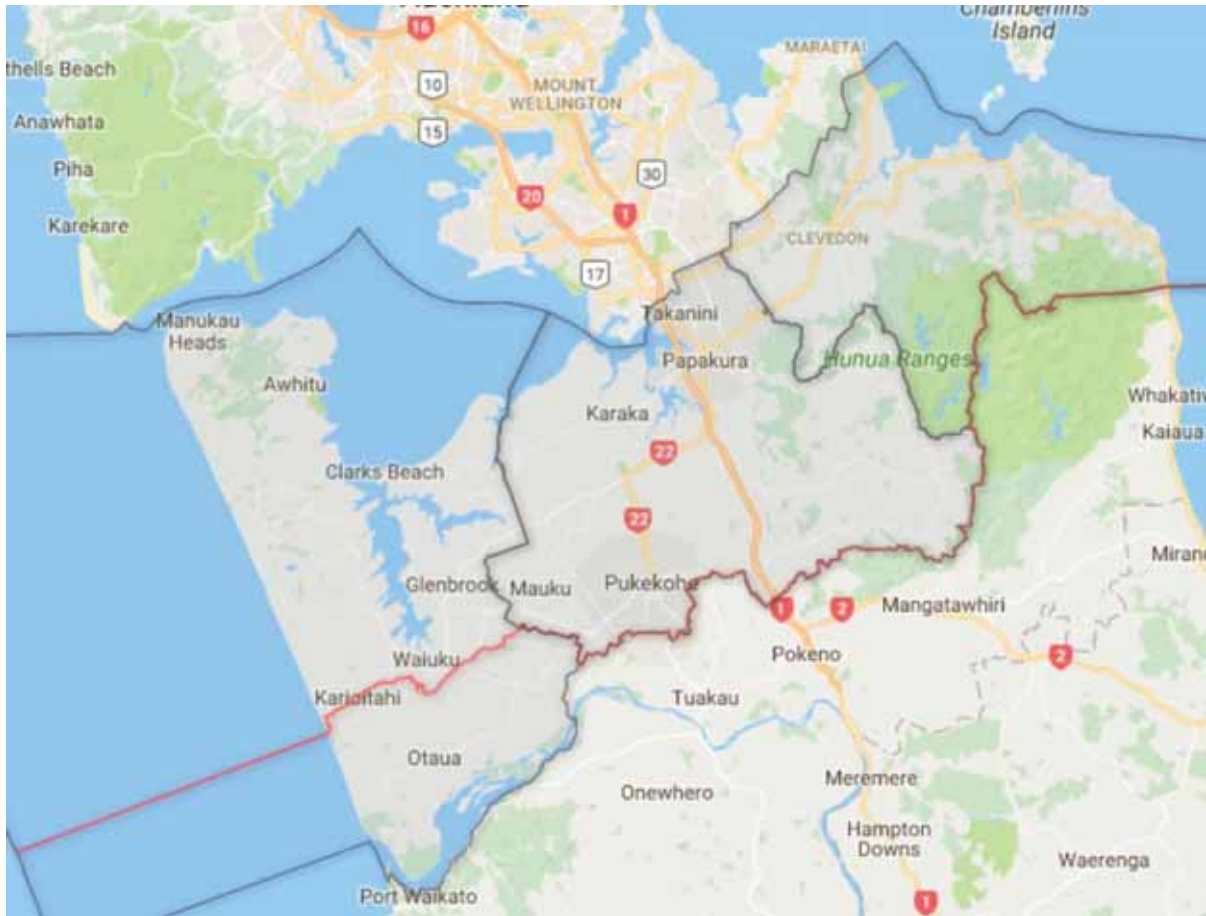
## Manukau Local Board



I propose an urban local board comprised of the Mangere, Airport, Manurewa and Papatoetoe police station areas (including the small part, north of Papatoetoe, bounded by the Southern Motorway and Tamaki Estuary).

This is roughly the western half of the previous Manukau City Council district.

## Three Southern Local Boards



I propose three local boards at the city's southern margin. This map shows these aligned, more or less, to each of the Papakura, Pukekohe and Waiuku police station areas. I am less confident that police station areas provide useful local government boundaries in this part of Auckland, so my proposal is to:

- **Pukekohe:** join Papakura and Pukekohe police station areas so that the southern transport corridor and future urban development zones come under unified management.
- **Hunua:** create a smaller rural local board for the Clevedon Valley and Auckland's part of the Hunua Ranges, demarcated to include Ardmere Airport in the Pukekohe area by following Ardmere-Alfriston Road, Mullins Roads, Ardmere Quarry Road and Hunua Road, as shown.
- **Waiuku:** redraw the western boundary of the Waiuku police station area along Kingseat Road and Clark's Creek, to include Waiuku Pa and Clarks Beach in the Waiuku Local Board area.

Extend Auckland's southern boundary by expanding the Waiuku police station area to the Waikato river, including the area shown as Otatau on this map.

# Appendix Two - extract from Royal Commission report





## 6. Community boards in the Auckland region

*This section summarises the current pattern of community board operations in the Auckland region. It reflects documentation and discussions with elected councillors, community board chairs, and council staff. None of the boards is exercising significant delegations. Rather than decision making, from rural Franklin District to the Hobson Community Board (which includes the Auckland central business district), the primary role is seen as looking outwards to the community and seeking to make a difference on its behalf.*

*The extent to which boards feel they are effective in doing this depends very much on whether or not they are integrated into their council's decision-making and public engagement processes. On the one hand are the boards in the western city, which are seen as a key component of the "Waitakere Way", which applies the principles of Agenda 21 to the processes of community engagement. On the other hand, boards in Auckland City feel marginalised and admit they seem to be adding only limited value. The variability in board operations and performance, identified earlier as stemming from the nature of the provisions relating to them in the Local Government Act, is laid bare in these examples.*

**6.1** This section looks at the current pattern of community boards in the Auckland region. Where possible and relevant, it also captures a little of their history and sets them in a wider context of the council's interaction with the community. It reflects documentation and discussions with elected councillors, community board chairs, and council staff.

### Franklin District

**6.2** There are two community boards.

**6.3** Waiuku-Awhitu Community Board (WACB) centres on the town of Waiuku, and also covers the adjacent farming areas of Aka Aka and Otua and the Āwhitu Peninsula. Some 60% of the board's area (rather more of its population of 14,571) is within the Auckland region.

**6.4** Onewhero-Tuakau Community Board (OTCB) centres on Tuakau and takes in Port Waikato and the extensive rural area to the south west of the district stretching south to Naikē. The board's community is in the Waikato region and has a population of 8,202.

**6.5** The delegated decision-making powers of the boards relate to planning and management of their reserves (WACB) and domain (OTCB) and maintenance of their towns' community halls. They make recommendations as to the latter's fees, operation, and capital spending. The boards are expected to take "a facilitation role in progressing Town Plans". The OTCB allocates pensioner flats in the ward in conjunction with a council staff member. There seems to be no great unhappiness that the delegated powers are few.

**6.6** The history of council-board relationships has not always been positive, although it is represented as having been good in recent years. There have been two occasions on which the council has moved, through its representation review, to disestablish the boards. On both occasions it met with significant resistance from the local communities.

Mayor, councillor, and community board chair alike spoke of a positive contribution from the boards in recent years. The following all seem to be making a contribution to this.

- There is an attitude on the part of council that the boards should be integrated into the system of governance and seen as **valuable and included**. As part of this a principal role for boards is to maintain a good understanding of local issues and to act as a conduit for communication to and from their communities. Members are expected to attend ratepayer and community meetings; to lead consultation on community outcomes; and to analyse and provide feedback to council on the Franklin Community Plan. The council undertakes to include board issues and recommendations on its agendas and requires the boards to monitor services in its area and report on issues/priorities with recommendations for action. By way of illustration, the OTCB states that it was “instrumental in facilitating the implementation of a local, special roading rate, which allowed accelerated improvements to local roads.”<sup>16</sup> The boards are also tasked “to feedback to the community on Council decisions.” Both boards have taken a lead role in working with the local business associations on the development and implementation of main-street programmes.
- There is **a passion** for their communities on the part of the board members, together with a strong, clear, and historically deep-rooted **sense of community**.
- There is a **strongly proactive** approach by boards to identifying and taking a lead in progressing key local issues that may or may not be traditional district council functions. Examples include facilitating community and physical development processes in an area of former steelworks rental housing with a low socio-economic status (the Hamilton Block); leading the reclamation of coastline from mangrove encroachment by working with regional and district councils, resulting in joint project funding and implementation; lobbying for and securing a bus service into Waiuku; and facilitating collaboration of the local college and adjoining rugby club and promoting to council the purchase of the surrounding O’Hara block of land (now this 17-hectare site is being planned for development of a major reserve and aquatic centre). This proactive approach is of particular note because individual board members take the lead on specific projects and work more in the mode of a project leader than a traditional elected member. (They convene meetings, access council staff, write reports, etc.)
- **Staff support** for the boards is evident. Although there is minimal support in Waiuku and Tuakau townships, board members have easy and direct access to specialist council staff. The comment was made that this depends on a relationship of trust and respect for each other’s time and priorities.

**6.7** The role of the boards may be understood in the context of the council’s consultation policy. This states, “effective consultation ... is *not a stand alone process* but part of current and on-going relationships with the various individuals, organisations

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16 Onewhero-Tuakau Community Board submission to Royal Commission, p. 1.

and groups across the District.” Six principles for consultation are identified that are congruent with the boards’ roles.

**6.8** In its submission the council states that community boards serve a useful function “by enabling participation for our widespread rural communities in cooperation with Council”. This healthy relationship between boards and councils is reflected in the design of the 2009 LTCCP process. Franklin District is treating its boards as both “an insider” and “an outsider”. As “insiders”, alongside council’s committees and management team, they are invited to contribute to the design of the process. As a key “outside” group they will be invited to participate substantively.

**Manukau City<sup>17</sup>**

**6.9** There are eight community boards, as shown in the following table.

Name of community board	Population	Comments
Botany	31,263	In same ward as Clevedon
Clevedon	12,279	37,000 ha, 2/3 of Manukau City’s area
Howick	39,438	
Mangere	55,266	
Manurewa	77,508	
Otara	34,257	
Pakuranga	38,301	
Papatoetoe	40,659	

**6.10** The boards have a short list of delegated decision-making powers. They relate to local reserves (and include approval of reserve concept plans, minor capital works from a board multi-activity budget, signage, details of tree plantings); parking restrictions on roads and car parks, location of pedestrian crossings and bus shelters and minor street works from their budget; and local community discretionary funding grants. The boards each submit to the annual plan process a proposed multi-activity budget. These averaged \$129,000 in the 2007/08 plan, 57% of this being minor capital works on roads and a further 31% capital works on reserves.

**6.11** There is a very much longer list of substantial matters that will be referred by the council to boards for “information/input”. The preamble to the list of delegations says, “Community Boards operate within Council’s delegations and as advocates for their communities to enhance local decision making ensuring local needs and aspirations are reported to Council and take an overview of services provided within their communities.”

<sup>17</sup> It is a matter of regret to me that the time available for discussions in the Auckland region did not allow me to meaningfully visit all the councils. Notwithstanding its lengthy history of deep and wide community engagement I made the decision to exclude Manukau City from my visits.



## Part 9. Setting Community Boards in Context

**6.12** In its submission the council suggests that community boards continue much as at present. Its table of “Who does what?” assumes regional, local (city) and community tiers with a reference to “advocacy on local needs” and “nil” being the most numerous entries under the community tier. “Involvement in decision-making” is listed under local parks, “Involvement in planning, scale, and design” under facilities development, and “some decision-making” under economic development.

### North Shore City

**6.13** Initial review of material suggested that the North Shore might provide an example of effective use of community boards in urban Auckland. There are six community boards as shown in the table below.

Name of community board	Population	Elected members	Appointed members	Comments
Albany		4	2	Largely serves an area of recent and ongoing development
Birkenhead-Northcote		3	2	Based on 2 pre-1989 boroughs
Devonport		4	2	Perhaps the most distinctive community of interest in the Auckland region
East Coast Bays		4	2	Homogenous area based on pre-1989 council
Glenfield		4	2	The least readily defined of the areas
Takapuna		4	2	Distinct communities, heart of pre-1989 identity

**6.14** North Shore City in its submission (p. 43) strongly supports its community boards and states it has given them “extensive delegations partly in recognition of the historically strong communities, and partly to foster a sense of community (“place making”) in more recently established neighbourhoods.”

**6.15** In reality the delegations to boards are far from being extensive. There are 32 “delegations” to boards but 24 of these provide for the boards to “provide advice” or “make recommendations”. The remainder include three matters where a resident can appeal to the board to review an officer’s decision. (These relate to existing leases/licences on council property, trees on council land overhanging private property, and minor traffic management provisions.) The most significant delegations relate to administration of local events and setting priorities for spending the board discretionary funds. These funds are currently

Albany Community Board	\$148,000
East Coast Bays Community Board	\$243,000

Glenfield Community Board	\$194,000
Birkenhead-Northcote Community Board	\$251,000
Takapuna Community Board	\$264,000
Devonport Community Board	\$115,000

**6.16** It seems that the delegations to boards have been progressively whittled away since they were first established in 1989. There are two forces at work in this. On the one hand more decisions have been delegated to officers, such as in the areas of tree removal, dog matters, and minor decisions on local roads and reserves. On the other hand it seems that the boards went through a period after the turn of the century when they were not highly regarded by some council elected members and delegations were shifted from boards to standing committees. (These comments could equally well apply to other councils in Auckland.)

**6.17** So is the city council incorrect when it states that boards have, “extensive delegations”? In the literal use of the word “delegations” it is, but the claim needs to be understood in the context that the council seeks to and does make significant use of the boards to help identify issues and to inform its own decision making. In effect the “delegations” are a commitment to engage with the boards and draw them into council governance in order to garner perspectives from the significantly different communities that comprise North Shore City.

**6.18** The submission from the Birkenhead-Northcote Community Board is representative of the six boards and looks at this relationship from a different perspective:

[Boards] are a valued conduit for the local community to access local government to raise issues of local concern. However the limited delegated authority and discretionary budgets that are currently available to Community Boards limits their effectiveness if they do not have the support of their Council. However if legislation were to empower Community Boards via funding and regulatory decision making powers they would be very effective and efficient.<sup>18</sup>

**6.19** In discussion with council elected members and staff, the conclusion is drawn that there is a desire to reflect the frustration of boards by increasing their delegations, but exactly what additional matters should be passed to the boards is hard to pin down.

**6.20** Although not explicit in council delegations each board works closely with and receives reports from the community coordinators funded via North Shore Community and Social Services.

**6.21** There is agreement from all parties as to the importance for boards of good staff support. The North Shore City model is for a team of three staff in an area office to be principally involved in supporting two boards: an area secretary (administrative role), a customer services manager (service delivery issues), and an area technical officer

<sup>18</sup> Birkenhead-Northcote Community Board submission to Royal Commission, p. 8.



(troubleshooting around infrastructure). There is also good access for the boards to the wider council staff organisation.

**6.22** The community board chairs have a substantial number of examples of how their boards have been proactive in addressing local issues and opportunities. The following are three examples, each different in nature. The provision of car parking and beach access to the Harbour had been a success of the Glenfield Community Board. This had involved land development, resource consent, importing of sand, using board funds and securing council backing to provide a new local amenity. Devonport Community Board brought together the police, naval authorities, and the community after a fatal traffic accident brought to a head a longstanding community concern relating to the driving habits of some naval cadets. East Coast Bays Community Board responded to the Long Bay-Okura Great Park Society's pleas for help in opposing a 5,000-acre development. The board made representations to the council, the Auckland Regional Council, and a central government Minister.

**6.23** In working with the community on issues, techniques include street corner meetings, letterbox drops, and lobbying local media for attention and support.

**6.24** The overall picture is of boards tapping into networks through the area of their communities. Board members are appointed to local organisations, attend meetings of residents and local interest groups, network with school principals, and “get about their patch”. At four of the boards, members will report each month as to their liaison activities and issues arising therefrom. There is an open forum at the start of the monthly board meeting when residents may raise any issues; although it is acknowledged that the contributions to these vary widely, with some boards seeing markedly more interest than others.

**6.25** This latter observation can be illustrated by contrasting the nature of the Devonport community, with its strong sense of history and identity, with Glenfield, which is seen to lack a focus and be hard to define; and with Albany, which has a planned centre but is mostly a product of development over the past 20 years. Also seen as undermining the “place-making” role of boards is the tendency for their boundaries to change as differential rates of development feeds population growth, breaching the statutory criteria for electoral fairness.

**6.26** There are many similarities to Waitakere City in the above picture.<sup>19</sup> Some but not all of the comments would also be representative of Auckland City. In terms of the Auckland region, however, a unique feature of North Shore City is that board members are actively involved in resource management hearings. Notified applications under the Resource Management Act are heard by a panel of community board members if they are deemed to be “local” in nature. In the case of city-wide applications the normal practice is for two out of seven of the panel members to be drawn from the appropriate community board. This is a significant stream of quasi-judicial activity for community board members.

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<sup>19</sup> The same should probably also be said of Manukau City, but given necessary limits to the scope of discussion interviews that council was excluded from the field research.

### Waitakere City

**6.27** There are four community boards as shown in the table below. The Waitakere Community Board covers the ranges and west coast areas and is quite different in character from the other three.

Name of community board	Population	Elected members	Appointed members	Comments
Henderson	40,047	5	2	Former borough area plus distinctly different Te Atatu Peninsula.
Massey	51,372	6	3	Previously distant neighbourhoods now supplemented by large areas of recent development.
New Lynn	49,842	5	2	Former New Lynn & Glen Eden Boroughs. Older areas but with massive intensification planned.
Waitakere	27,456	6	3	The ranges, west coast, and their more rural communities.

**6.28** The council in its submission (p. 49) supports “strong local community decision-making including the contribution of Community Boards.” This phraseology reflects the distinctive “Waitakere Way” developed by the “eco city” over the 19 years of its existence. The commitment to community boards seems just as strong as on the North Shore, and their role is similar in many ways, but in Waitakere City the boards are seen by some at council level as a part of wider machinery that is critical for engaging with the community at sub-city level. This machinery more generally involves a range of community engagement models to interact not simply with communities of place, but also with communities that take their primary identity from ethnicity or other demographic characteristic such as age.

**6.29** The Waitakere City culture is that such machinery for community interaction, based on the principles of Agenda 21 (the United Nations programme for sustainable development), is essential to their vision and the community boards are a key part of this machinery. It is probably fair to suggest that the importance of community engagement is itself one of the essential elements of the “eco city”.<sup>20</sup> The following extract is from a

<sup>20</sup> This is not to say that other cities do not see these relationships as important; they do. All of the councils in the region have significant mechanisms especially with regard to partnering with tangata whenua and other Māori. Manukau is rightly proud of its track record of embracing the diversity of its ethnic communities. The emphasis on the wider framework of community engagement, however, has been a foundational theme at Waitakere City since the council was established in 1989. (The writer witnessed this first hand as the adviser to the transition committee at that time.)

supplementary submission made by the council to the Royal Commission (and included in full as Appendix 3):

Alongside organisations such as Waitakere Pacific Board, Waitakere Ethnic Board and Council Committees such as Te Taumata Runanga and the Waitakere Youth Council, community boards provide Waitakere City Council close contact with our communities. They play an active, hands-on role in supporting the partnerships we have with numerous community organisations such as Massey Matters, Ranui Action Project and Project Twin Streams. Their detailed local knowledge is an invaluable source of information for Council in determining critical strategy based on the intimacies of place and local democracy.

**6.30** In this context it is not surprising that boards see themselves as having excellent support from and access to council staff. (The immediate support staff of three is the same model as described above for North Shore City, although in Waitakere City's case the staff are based in the council's head office.)

**6.31** As a matter of intent, all policy matters (whether local or city-wide) are considered at community boards prior to going to council's standing committees. "For example over the past 6 months just under 30% (22 of 74 = 29.7%) of the meetings serviced by the Council were Community Board meetings and just over 30% of all reports (104 of 336 = 30.9%) prepared for consideration were for Community Boards." (See Waitakere City's supplementary submission, Appendix 3.) The community board chairs have the right to attend and speak at meetings of council and its standing committees (where most decisions are made under delegated authority). This means that there are likely to be two appointed board members (councillors) and the board chair present to articulate local views.

**6.32** From the perspective of the community boards themselves, the emphasis seems to be placed on their role in giving voice to local views and to tackling local problems and opportunities. Several examples were given, three of which were written up by the Waitakere team following our discussion and are included in paragraphs 6.35–6.37 below. These examples were offered in the context of discussing the functioning of community boards. I include them not to suggest that community boards are essential to Waitakere City's style of community engagement but rather because they are illustrative of the diversity of local issues that require local leadership if they are to be resolved.

**6.33** In terms of their community engagement role the techniques used are generally those outlined in describing North Shore City. There seems, however, to be greater consistency in the style of operation of Waitakere City's boards than is evident in North Shore or Auckland Cities. For instance **all** boards hold open forums every month. There could be several factors contributing to this, but the following two are suggested: a stronger and clearer lead from the council in terms of its expectations of boards and the context in which they fit; and the lesser number of boards.

**6.34** While each board’s advisory role is extensive, its decision making under delegated authority is small. There is a relatively narrow range of decisions relating to local reserves, local events, and management of local streets.

**6.35 Example 1: Vodanovich Road Safety Improvements, Henderson**

**6.35.1 Problem:** The residents of Vodanovich Road, Henderson, had expressed their concerns about traffic speed, driver behaviour, accidents, and near misses in their street. The Henderson Community Board took a leadership role in advocating for the residents and setting up a process to resolve these issues. Vodanovich Road is a residential street, approximately 1.5 km long, with curves, hills, and dips along its length, major intersections, and several side roads.

**6.35.2 Response:** Residents attended the February 2006 Public Forum of the Henderson Community Board. As well as community board members, the assets management group manager, senior road safety officer, and traffic engineers were present at the meeting. Several residents spoke outlining the problems and demanding action from the community board. After hearing responses from the council officers present, the board resolved to meet with residents, councillors, and the police to discuss safety issues and work toward solutions.

**6.35.3** In the first week of March 2006, speed tubes were laid in Vodanovich Road to record speed and traffic volume data. The results confirmed that both high speed and traffic volumes were issues for the road.

**6.35.4** A residents’ meeting was convened by the community board chair Elizabeth Grimmer and attended by traffic engineers, assets management group manager, members of the road safety team, and New Zealand Police. The residents split into groups and brainstormed and discussed options for solving the problem. The focus was on what the residents wanted, not suggestions from the council officers. Ideas from the meeting were documented.

**6.35.5** A working group was set up comprising representatives of the residents, community board and council officers. This group met several times to discuss options for traffic calming.

**6.35.6** A further community meeting was held on 8 August 2006 to discuss and approve the proposed design that was prepared by council officers, which followed a holistic approach to the problem. Traffic calming was proposed through a number of methods including central islands, painted medians, and threshold treatments; in addition calming mechanisms included improved lighting, stop signs at major intersections, and reflectorised chevrons. The philosophy was to reinforce the residential aspect of Vodanovich Road and to discourage its use as a through-route.

**6.35.7** A safety campaign will be rolled out shortly. It includes blown-up photos of local children (including a child who had been hit by a vehicle). These will be sited on the road with captions such as “Slow Down”.



**6.35.8 Budget and Implementation:** There were over 200 submissions from Vodanovich Road residents to the 2006/07 annual plan. The community board made a submission for additional funds to be put aside for traffic calming, and with joint effort from the community and council officers, this resulted in \$150,000 being set aside in the 2006/07 annual plan. After the designs gained final approval from the community board in December 2006, construction started in February 2007 and was completed in mid-March 2007.

**6.35.9 Outcomes:** The outcomes of this work are a safer and more attractive street, speed reduction, and crash and near-miss reduction.

As the project has only just been completed, a full evaluation has not been done. Speed tubes can be laid to record speed data in the near future; however, it will be some years before crash data can be analysed to confirm the expected reduction in crashes for the area.

**6.35.10 Successes/Benefits**

- The community worked together with the community board.
- The consultation model has been developed that council officers intend to use in resolving future roading issues (e.g. Sunnyvale and Takapo Roads).
- There were positive outcomes and partnership between the community board, council, and the community.
- This project won the safety category of the New Zealand Community Board Best Practice Awards 2007.

**6.36 Example 2: Establishment of the Asian Support Group: New Lynn**

**6.36.1 Problem:** The safety of Asian residents in public places and in using public transport (particularly trains) had been of growing concern. There had been a number of muggings, robberies, and harassment of Asian residents. New Lynn Ward has 43% of Waitakere City's Asian residents, many of whom do not speak English or may have difficulty accessing police and other local support services.

**6.36.2** The New Lynn area will become a transit-oriented development, where it is planned that people, employment, and a transit hub will all form part of a high-density area. It is important at the earliest point to attend to emerging social issues around transport and safety concerns.

**6.36.3 Response:** About three months ago a Waitakere Asian Support Group was set up by a New Lynn Community Board member, a Chinese councillor, and local senior police officer. A couple of members of the Waitakere Ethnic Board were also invited to join the group to provide a bigger picture of issues for ethnic groups. There are plans to work with the local Citizens Advice Bureau. The group has already communicated the Waitakere initiative to the Asian community by way of communications and safety guidance to Chinese newspapers (5) and radio. The group will be undertaking a survey of the community and this is to be used to define



more specific responses. One of the initiatives members are planning is to set up a neighbourhood watch in Ambrico Place. In early September there will be a door-knocking appeal involving the community board and the police (with people able to speak Chinese).

**6.36.4** This response is also affiliated and supported by Safe Waitakere, an initiative with a focus on community safety that is funded by the council and central government (Ministries of Justice and Health).

**6.36.5 Outcomes:** The early outcome is an energised group that is drawing in other interested community leaders to establish a set of programmes for addressing safety issues in the Asian community. The New Lynn Community Board is taking a lead in this process working closely with the police and other community networks. The involvement of Councillor Peter Chan (Massey Ward) in the core group will provide a means to support any future annual plan funding bids.

### **6.37 Example 3: Improvements to the design of the Swanson railway station**

**6.37.1 Problem:** When the Glen Eden station pedestrian overbridge was constructed, there was significant community and elected member concern as to its scale, bulk, visual impact, and lack of fit with its context, particularly the Glen Eden heritage railway station. Consequently, council wrote to ONTRACK to ask it to reconsider plans for similar overbridges at Sturges Road, Ranui, and the Swanson station.

**6.37.2** ONTRACK responded by reviewing all of its plans for these overbridges. In the case of Sturges Road and Ranui, ONTRACK agreed with the council's recommendation that at-grade pedestrian crossings controlled by electronic gates would provide a safe crossing solution for pedestrians.<sup>21</sup> However, at the Swanson railway station ONTRACK could not approve an at-grade pedestrian crossing because double tracking terminates immediately west of the station. This means trains may need to be held in the station area while the track ahead clears, and could at times block a level crossing. The section of track at Swanson is signalled for bi-directional train operation; in addition, there are human factors issues involving risk-taking behaviour in the rail environment.

**6.37.3 Response:** ONTRACK was encouraged to engage with the Waitakere Community Board and the Swanson community in order to develop an overbridge option that was acceptable to the community, fitted with its context, and avoided the range of issues experienced in Glen Eden, where only very limited community engagement and no community board involvement had taken place.

**6.37.4** ONTRACK then made a presentation to the Waitakere Community Board on 4 March 2008, outlining the safety case for a grade-separated pedestrian rail overbridge at the Swanson station. In addition, a public open day was hosted by ONTRACK in the community room at the Swanson heritage station. The feedback from the community board and the community open day was that an overbridge

21 An at-grade crossing is where two or more routes meet at the same vertical level.

could be acceptable to the community if it was designed in a way that fitted with the context, particularly the heritage station building, and avoided the issues associated with the Glen Eden pedestrian rail overbridge. ONTRACK also established a reference group for the project involving community board members, community representatives, and council staff.

**6.37.5** The key concern of the community board (and the Swanson community) was that the length of ramps required to meet building code requirements for disabled access would have a similar negative visual impact as the ramps at Glen Eden. Sharon Davies, a disabled member of the Swanson community, advocated at the public forum section of the 6 May 2008 meeting of the Waitakere Community Board that lifts would be a better solution for people with disabilities because ramps, although compliant with the building code, are still difficult for disabled people and other people with reduced mobility to use. As a result, the Waitakere Community Board advocated, in its submission on the 2008/09 draft annual plan, that lifts be installed at Swanson railway station in preference to ramps in order to reduce the visual impact of the ramps and to better provide for access for people with reduced mobility.

**6.37.6** Officers reported to the 3 June 2008 meeting of the Waitakere Community Board on the proposed Swanson station pedestrian rail overbridge. As a result of officer advocacy based on the community board's preference for lifts, an offer by ONTRACK to fund the capital cost of lifts at the Swanson station was tabled at this meeting, subject to an organisation – either the Auckland Regional Transport Authority (ARTA) or Waitakere City – picking up the operating and maintenance costs of the lift. The report invited comment from the community board to be used to assist the council in its decision making. This gave the community board the opportunity to reinforce its advocacy for lifts at the Swanson station. Consequently, the chief executive of the council wrote to ARTA on 30 June 2008 requesting that ARTA fund the operating and maintenance costs of lifts at the Swanson station.

**6.37.7** ARTA responded positively on 23 July 2008 agreeing to fund the operation and maintenance of these lifts. This decision has allowed ONTRACK to proceed with planning for an overbridge with lifts and to discard the option of having ramps. ONTRACK is continuing to engage with the Swanson community and council staff on the design of the overbridge, which will be presented to the reference group, largely made up of members of the community board and the Swanson community.

**6.37.8 Outcomes:** The need for extensive and visually intrusive ramping was avoided at Swanson railway station, and a solution was agreed and funded by appropriate other parties that better meets the needs of the community, including people with disabilities that reduce their mobility. The solution did not result in a cost to ratepayers apart from community board and staff time in advocacy. ARTA and ONTRACK would have clearly seen the benefits of engaging with community boards and the community to achieve win-win situations to complex problems.

- 2) community boards as outlined in Section 7 above other than paragraphs 7.24–7.26, which relate to raising revenue; that is, with enhancements made in the following areas:
  - status
  - role and relationship with council
  - decision making
  - administrative and professional support
  - stable boundaries
- 3) community boards as in option 2 but with the addition of paragraphs 7.24–7.26 relating to raising revenue
- 4) no community boards.

**9.6** It needs to be stated that the evaluation of the current community board model reflects the current situation in Auckland. Some boards will fairly say that the evaluation does them a disservice. My thinking is strongly influenced by the ambiguity as to the functioning of boards and by the tendency for the boards to have become increasingly marginalised; almost 20 years after their establishment they have not carved out a sustained and clear role in the governance of the urban area.

**9.7** The benefits anticipated from the enhanced community board models will be seen by some as optimistic. I would point to some of the successful boards elsewhere in New Zealand that are operating in ways that have, by agreement, been enhanced well beyond the minimalistic framework of the Act; also to the truism that structures function better when their purpose is clear.

### **Conclusions from the models and recommendations**

**9.8** I have been asked to make recommendations. Accordingly

1. There will be expectations following from the work of the Royal Commission that Auckland local government will function more effectively. Although the current community board model has some merits it is too patchy and too limited in its effectiveness to be a part of the future to which citizens aspire. It should not be taken forward.
2. If there were to be no community boards, then a wide spectrum of voluntary bodies, informal mechanisms, and innovative styles of engagement might well result. This seems at first sight attractive and to have merit, but there are very significant risks and implications. The quality of the resulting informal machinery would tend to be a function of the capacity (social capital) of individual communities and so less advantaged communities would tend to be further marginalised. Significant resources, both elected and professional, would be diverted from a focus on strategic issues to invest time in community engagement; there is the risk of spreading the cream too thinly. I am tempted

to suggest that this approach would have greater merit than the current board operations but neither model is satisfactory.

3. **I recommend that the Royal Commission adopt an enhanced community board model as outlined in this report.** I am attracted to the “enhanced plus revenue raising” model. However a decision between that and the more limited enhanced model should rest on decisions as to the wider structural arrangements. Before choosing between these I would also wish to see some detailing as to how they would operate and a dialogue with a range of stakeholders in Auckland. In either case I would recommend that the approach developed by Queenstown-Lakes District with the Wanaka Community Board be used as a starting point. Although the latter is based on a philosophy of partnership with the council treating the board as a partner in the governance of the district, I recommend an approach that would see a partnership in the governance of the city (district) **and of the city council.**

**9.9** I have been asked to comment on “the upper practical limits on functions/ responsibilities appropriately to be given to a community board”; and, “What functions are not appropriately discharged by a community board?”

**9.10** The example of Wanaka Community Board<sup>34</sup> (and some others) suggest that under present legislation there are no limits to the decision making delegated to community boards other than the statutory restrictions (employment of staff, ownership of property, striking a rate, adopting various statutorily required plans, etc.). It is also relevant, as several submissions have pointed out, that several city councils in New Zealand have a smaller population (and potentially resource base) than do many Auckland community boards. In one sense, therefore, if statute were to permit, there may be no functions that boards could not practically undertake. This answer is not particularly helpful except insofar as it reminds us that boards could be sensibly asked to undertake a role far different from their present one.

**9.11** The more helpful answer to the question is that it needs to be addressed situationally. Paragraph 7.21 suggests decisions that could be delegated to community boards using the approach adopted in Christchurch during the years I had a close involvement in that council’s affairs. They are listed again here:

- oversight and implementation of all capital projects within the community other than those clearly serving a catchment that is 50% or more outside the community
- the power to enter into contracts for the purchase of materials, works, and services to a maximum of \$2 million
- the preparation, review, and change of management plans for all reserves other than those with a clear metropolitan function

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34 See the table in Appendix 2.

- exercise of council’s powers for traffic management on all local roads (i.e. those not carrying a network designation) in the community
- the oversight and implementation of community centres, community development, recreation and social programmes, and events within the community, except those with a clear metropolitan focus
- exercise of council’s powers to enter into leases and licences on council-owned land within the community except in the case of facilities clearly serving a catchment that is 50% or more outside the community.

9.12 Although the language was not used, this model was based on a paradigm of partnership and a recognition of the core strength of boards being that they were closer to the community and could reflect local differences. It also reflected a view that in a contiguous urban area there are city-wide systems that need to be planned, designed, and managed in an integrated way.

9.13 It is in implementing the latter concept that a range of difficulties tended to arise. It seems “black and white” that piped infrastructure, the primary transport network, and some facilities such as a major performance venues and an art gallery were “urban wide” in nature. But other facilities seem to be “shades of grey”. For example, should elderly person housing be seen as local to its neighbourhood or part of a metropolitan system? Major sports grounds have a wide catchment; local reserves are unknown beyond their immediate neighbourhoods; but what about medium-sized parks? Libraries have clear elements of local and city-wide. Do economic development and promotion have a relevant meaning at the local level?

9.14 Experience in Christchurch, however, clearly demonstrated that when undisputedly city systems such as sewage treatment or an 8,600-seat indoor entertainment centre have specific local impacts, then council was most unwise to make decisions without early involvement of the relevant community board in whose area a facility was located.

9.15 Turning to recommendation 3 in paragraph 9.8 I would envisage that, at a minimum, boards would undertake the functions listed in 9.11 above but, as stated in 9.8, the wider structural arrangements and the legal status of “enhanced community boards” will provide a critically important context. The following are matters that in my experience should not be the **responsibility** of “enhanced community boards” in the Auckland context (this is not to say that they should not have the right to fund a higher standard of service for their community):

- piped utilities and their associated sources or treatment facilities (the three waters)
- public transport, and major and arterial highways
- preparation and administration of district plans under the Resource Management Act
- building control and bylaws



- emergency management
- management of significant growth areas (greenfield) and redevelopment (brownfield), including preparation of structure plans
- non-local facilities including libraries and reserves (I use the term “non-local” for facilities that have a catchment 50% or more beyond the community area)
- economic development and tourism promotion.

9.16 Whether there should be a “super city” or whether regional and city councils should be retained is not part of my brief, but I have been requested to make comment on the issue from the perspective of the potential role of community boards in relation to the model.

Some comments are offered in Section 12. This matter would bear strongly not only on the functions for future forms of community boards but also potentially on their legal status.

## 10. Hauraki Gulf islands and rural areas

### Great Barrier Island and Waiheke Community Boards

10.1 Both these island community boards made detailed submissions. The chairman of the Great Barrier Island Community Board painted the following picture to headline and supplement his submission:

- Great Barrier Island is 90 km from Auckland city. It is an absolutely different environment. It has no reticulated services (power or water).
- The island has benefited financially from its relationship with Auckland and needs ongoing assistance; the 70% of the island that is in Department of Conservation ownership is exempt from paying rates.
- Decisions made on the island generally reflect local sensitivities and tend to be effective and often cost-effective, avoiding “over-engineering”.
- Although the board has few delegations there are significant council powers delegated to the five staff residing on the Island and they work closely with the board and community on an informal basis to inform their decision-making.
- Some decisions made in Auckland City have been effective, but there is a tendency for such decisions to fly in the face of the local context and interests through being designed with an urban perspective and imposing urban values on a very remote community. The Hauraki Gulf Islands Section of the district plan seems the most obvious example, resulting in an avalanche of objections, still to be resolved. For example, the notified plan requires a resource consent to be granted (at a cost to the applicant of some \$2,000) before a fund-raising event can be held at the local school.

- Great Barrier Island cannot “go it alone” (unless a solution is found to its funding shortfall). A community board or similar arrangement is appropriate to achieve the following general framework:
  - Implementation of projects and other spending on the island should be enabled. This should include spending for tourism marketing and information.
  - The island is quite different in nature from Waiheke Island and should have its own district plan. There should be significant input to its development and review from the island, although it would be adopted by an authority in Auckland.

**10.2** Waiheke and Great Barrier Islands differ very significantly. The nature of local government services is different, and yet from the viewpoint of preferred governance arrangements, their community board chairs reach similar conclusions. In the case of the Waiheke Community Board, the chair emphasised the following headline points:

- Waiheke is quite distinct as a community and very different from urban Auckland in environmental and social terms.
- At the same time it has strong links to Auckland City in terms of daily commuting, ownership of baches on the island, and some 80% of visitors to Waiheke Island coming from the Auckland urban area (with the need for infrastructure to accommodate a significant seasonal influx).
- The island has benefited from city-wide funding to support new and upgraded infrastructure such as the Oneroa sewerage scheme.
- Decision-making processes in “city hall” that bypass local input can seem strong in principle but miss important local context. A recent example cited related to the community board having the opportunity of input only after a council standing committee had set a course of action that would see large “wheelie bins” used for a curbside domestic refuse collection on Waiheke Island. In the view of the board, such a scheme lacked understanding of the number of steep driveways and older residents on the island.
- Notwithstanding the city council maintaining an office on the island with a dozen staff, the harmonious relationship between local board and council staff, spoken of on Great Barrier Island, was not described as existing on Waiheke Island.

From the submissions I have considered and discussion with the board chair, the most appropriate way forward for Waiheke seems similar to that for Great Barrier Island: namely, a community board or similar arrangement to achieve the following general framework:

- implementation of projects and the fine-tuning of other spending on the island
- significant input to development and review of the district plan covering Waiheke Island, with the plan being adopted by an authority in Auckland.

### Non-urban Auckland

10.3 The following are my recommendations.

10.4 **Franklin District.** See paragraphs 6.2–6.8. Franklin District’s characteristics are those of the “rest of New Zealand” rather than of the Auckland urban area. Its partial community board model is working to the general satisfaction of the parties involved. **I recommend it be excluded from any changes made to Auckland local government with regard to community boards.**<sup>35</sup>

10.5 **Rodney District.** See paragraphs 8.6–8.15. The Rodney District structure, running as it does without community boards, appears effective in that regard. I see no good reason for imposing change at the current time on a matter that sits with the discretion of the council. The future may be different, however, because the extent of growth anticipated for Rodney District is significantly greater than is the case in Franklin District. **If the Royal Commission adopts the recommendations in this report, then I would further recommend that an evaluation be undertaken as to whether the scale of growth anticipated is such as to give parts of Rodney District the character of the Auckland urban area.** If so, then the supplementary question would be whether there should be boundary adjustments to place the future urban areas of a larger scale within the Auckland urban authority (or authorities) and whether this would leave a viable, largely rural, Rodney District.

10.6 **Great Barrier Island: I recommend that an enhanced community board, as outlined in this report, be maintained on the island.**

10.7 **Waiheke Island: I tentatively recommend that an enhanced community board, as outlined in this report, be maintained to serve Waiheke Island and neighbouring islands.**

## 11. Is there an optimum size for community boards?

*This section addresses the question of “optimum size” for community boards. Understandably the question of optimum size for units of local government is often asked, but I am not aware of it ever being satisfactorily answered. The section reviews the opinions expressed by community boards in their submissions and recommends a process for addressing this question.*

11.1 There is an extensive literature on the relationship between the size of councils and the cost of service delivery that has been presented to the Royal Commission. My focus here, however, is to see what can legitimately be concluded as whether there is a size that is reached by a community board where it ceases to display the characteristics that make such boards effective.

35 No inference is intended to wider issues such as the boundary with Waikato region.

11.2 Community boards by their nature nest under the umbrella of an authority serving a larger area. As we have discussed in the enhanced community board model, their core strengths relate to their being accessible to the community and close enough to the grassroots to appreciate subtle local differences.

11.3 I am not aware of significant recent research on this subject.<sup>36</sup> The following are the views of existing community boards on the matter of population representation by boards:

- The Botany Community Board suggests an upper figure of 100,000 population.
- The Clevedon Community Board, in the context of a two-tier model, suggests an upper limit of 60,000 to 80,000.
- The Devonport Community Board is committed to a single community of interest within a board area, so sees “less than 20,000” as likely to be positive while expressing reservations as to the merits of board populations larger than 60,000.
- East Coast Bays Community Board believes that a board population should ideally be below 40,000.
- Eastern Bays Community Board submits, “While it is accepted that ‘no size fits all’, the Board considers from its experience that a board could be effective, given adequate support, with a membership of 4 or 5 based on a ratio of one board member for between 7500 and 9000 people.” This would be indicative of a board serving a population of 30,000 to 45,000.
- Eden-Albert Community Board suggests a ratio of 3,000 to 5,000 population per elected member. This would seem to limit board representation to a population of around 35,000.
- The chair of the Howick Community Board suggests 40,000 to 50,000.
- The Manurewa Community Board, whose population is currently approaching 80,000, recommends “super boards” with a population size of 100,000 to 150,000.

11.4 The key concept underlying a community is that of community of interest. The Local Government Commission in its *Guidelines to assist local authorities in undertaking representation reviews* (2005) has recommended that it be seen as “the area to which one feels a sense of belonging and to which one looks for social, service and economic support.” The commission continues:

A community of interest usually has a number of defining characteristics, which may include:

- a sense of community identity and belonging;
- similarities in the demographic, socio-economic and/or ethnic characteristics of the residents of the community;

36 That does not necessarily mean that there is none!

- similarities in economic activities;
- dependence on shared facilities in an area, including schools, recreational and cultural facilities, and retail outlets;
- physical and topographical features;
- the history of the area; and
- transport and communication links.

**11.5** One of the important questions for us is whether or not distinct but adjacent communities of interest can be effectively combined into an effective community board. The submission from the Auckland Region Community Boards Association argues, “The risk of poor decision making increases markedly when a Board area contains dissimilar communities of interest”.

**11.6** If this observation is correct, then boards would need to be very small in urban terms to be effective. In my own experience I have observed boards of around 60,000 population comprising several different communities of interest working effectively in Christchurch over a number of years. These boards had six directly elected members giving a board member to population ratio of 1:10,000.

**11.7** I recommend that the identification of possible boundaries for community boards can be done only with reference to the actual geography of the Auckland area. An appropriate process would be to first identify communities of interest in a strict sense and then to consider how these might be grouped together to form community board areas. In doing this it should be seen that a range of board sizes is appropriate, provided communities of interest are kept intact at the more local level.

**11.8** From my experience I would use 60,000 population as a flag; above this level a presumption could be adopted that the board’s area was in danger of becoming too large and so the burden of proof would be to justify the coverage of the proposed board. Given the realities of Auckland’s population, I would set a second flag at 40,000; below this figure the burden of proof would be to justify that the size of the proposed board’s area could not be increased by adding an adjacent community or communities of interest. Boundaries should be determined with an eye to likely future growth of population.

**11.9** The principle of combining communities of interest to form community boards means that it is likely to be useful to consider subdividing the community boards into wards for electoral purposes. Given the nature of local communities of interest, the tolerance of  $\pm 10\%$  in setting wards could be usefully increased to provide greater flexibility for wards to reflect communities of interest and to remain stable with population change.

## 12. Addendum: Two tiers or three?

**12.1** Whether there should be a “super city” or whether regional and city councils should be retained is not part of my brief, but I have been requested to make comment on the issue from the perspective of the potential role of community boards in relation to the model.



**12.2** If the Royal Commission were to adopt the recommendation for enhanced community boards, it might seem attractive to argue that city councils are not necessary, as significant functions could be legislated to “community councils”. From the perspective of this report, however, my view is that retaining Auckland’s city councils (although not necessarily four) is preferable. There are two reasons for this.

**12.3** First, even with the model of enhanced community boards with revenue powers, there are still a handful of significant functions that if placed at regional level would “clutter up” that authority and risk diverting its focus. Yet these functions would, in my view, either be beyond the capacity of a “community council” or inappropriate to its scale of activity. These include

- preparation and administration of district plans under the Resource Management Act<sup>37</sup>
- building control and bylaws<sup>38</sup>
- emergency management
- management of significant growth (greenfield) and redevelopment (brownfield), including preparation of structure plans
- non-local reserves and facilities, including libraries (“non-local” assets meaning those that have a significant catchment beyond the community council area)
- “local” (i.e. “non-regional”) economic development
- possibly the management of the highway network that is neither local nor regional.

**12.4** Secondly, a key role for city councils would be to support and provide capacity to community councils/boards. With a three-tier model, enhanced community boards would be part of the city council governance structure (see paragraphs 7.4–7.7). The city council would employ a professional staff and provide professional and administrative capacity to community boards via a partnership agreement. City councils would manage LTCCP and annual plan processes and collect rates. With a two-tier model a significant tension would arise: increasing the capacity of community councils suggests their size be increased whereas, as discussed above, maintaining their intimate relationship with the community provides an opposite dynamic.

**12.5** As a Mainlander I would also observe that there seems to be meaning to community of interest existing at the level of the four main segments of the urban area. Citizens identify themselves as for instance “Westies” or “from the Shore”; the councils themselves have developed very distinct cultures over the past 19 years. This represents social capital that might be lost in a two-tier model.

<sup>37</sup> I would expect community councils to be closely involved in the preparation and variation of plans, possibly also nominating a local member to hearing panels, but they should not be the planning authority.

<sup>38</sup> Again, community councils may have a power to enact local bylaws but the main stream of this activity would be city-wide.

## 13. Summary answers to questions posed in the brief for the project

**13.1** The approach adopted in this report is to present a narrative in a logical sequence, aimed at providing the Royal Commission with an understanding of the issues around community boards, with an evaluation of alternatives, and with clear advice. The latter reflects the understanding developed from discussions with staff of the Royal Commission as well as a reading of the brief. The purpose of this section is to set out the specific questions included in the project brief and to cross-reference them to the body of the report.

**Question 1.** “How are current community boards constituted in Auckland region, in terms of geographical coverage, populations, numbers of elected members, and delegated functions? (This data will be supplied by the Commission, to be written up by the contractor.)”

Answer 1. Section 6 describes the arrangement of community boards in the Auckland region and includes all data supplied to and sourced by the contractor.

**Question 2.** “What are the inherent strengths and weaknesses of community boards, in relation to community decision-making, representation and advocacy? (This will consider the perceptions of territorial authorities, community boards and others, from interview comments, submissions, the LGNZ research data, the contractor’s own experience, and literature.)”

Answer 2. The Oxford Dictionary defines “inherent” as “existing in something as a permanent, essential or characteristic attribute”. Much of the material in the report is aimed at addressing this question, which has been taken to be at the heart of the brief. Section 3 suggests that the legislation is such that community boards lack inherent characteristics and so lack inherent strengths and weaknesses. As a result their nature and operation is very varied and so perceptions of them are equally varied (see Sections 4–6). This view is central to the directions taken in the report.

**Question 3.** “Do community boards in Auckland region materially improve the performance of their territorial authorities in relation to the principles stated in section 14 of the Local Government Act 2002, in particular the ability of territorial authorities to –

- be efficient and effective
- make themselves aware of views of all communities
- take account of the diversity of the community and the interests of future communities
- provide opportunities for Māori to contribute to decision processes
- ensure prudent stewardship and efficient and effective use of resources

- take a sustainable development approach, taking into account the four well-beings, the need to maintain and enhance the environment, and needs of future generations?”

Answer 3. It is worthy of note that the wording of the question implies that boards are part of the council’s governance structure. The fact that they are not but would be more effective if they were is one of the recommendations of the report (see Section 7).

The short answer to this question from Section 6 is “Yes” in the cases of North Shore City, Waitakere City, and Franklin District (and probably Manukau City) and “No” in the cases of Auckland City, Rodney District, and Papakura District. In all cases where boards exist in the Auckland region they have become increasingly marginalised. The conclusion drawn is that the current community board framework is at best inconsistent in improving the performance of councils. The report then considers a more normative question in Section 7, which is entitled, “A framework for making community boards effective” before going on to offer an evaluation of local governance frameworks with and without boards in Section 9.

**Question 4.** “How could the performance and contribution of community boards in Auckland be improved? What is working well in other parts of New Zealand, and why? (Selected examples only.)”

Answer 4. This is covered in Sections 7 and 4 respectively.

**Question 5.** “What can community boards do well, and why? What are the upper practical limits on functions/responsibilities appropriately to be given to a community board? What functions are not appropriately discharged by a community board?”

Answer 5. This matter is alluded to in several places and explicitly addressed in paragraphs 9.9–9.16.

**Question 6.** “Is there an optimum size for the area or population served by a community board?”

Answer 6. This is covered in Section 11.

**Question 7.** “Do some communities have special needs (e.g. rural and islands), in terms of community decision-making, representation and advocacy?”

Answer 7. This is covered in Section 10.

**Question 8.** “What alternatives to community boards are available to promote community decision-making, representation and advocacy? What are the strengths and weaknesses of these? (This might include an examination of alternative mechanisms for engagement with the community through public forums, and groups such as residents, business, mainstreet associations and other interest groups.)”

Answer 9. This is the subject of Section 8. Insights also flow from the commentary of community board operations in Section 6 (see, for example, the discussion of Franklin District’s and Waitakere City’s approach to community engagement).

**Question 10.** “What model(s) do you recommend for community decision making, representation and advocacy to the Commission, setting out strengths and weaknesses?”

Answer 10. This is covered in Sections 7–11 and summarised in the Executive Summary.

## Appendices

### Appendix 1: Consultees and discussants

#### North Shore

Julia Parfitt	Deputy Mayor
Tony Holman	Councillor, Chair – Community Services and Parks
John McLean	Chairman, Albany Community Board
Jennifer Yorke	Chairman, Birkenhead-Northcote Community Board
Mike Cohen	Chairman, Devonport Community Board
David Cooper	Chairman, East Coast Bays Community Board
John Gillon	Chairman, Glenfield Community Board
David Thornton	Member, Glenfield Community Board
Richard Logan	Governance Policy Advisor
Alison Geddes	General Manager - Environmental Services
Steve Ironside	Corporate Planning Manager

#### Waitakere

Penny Hulse	Deputy Mayor
Gayle Marshall	Chair, New Lynn Community Board
Graeme Campbell	Director of Strategic Planning
Catherine Taylor	
Melissa Brown	
Rose Leonard	

#### Auckland City

David Hay	Deputy Mayor
Toni Millar	Councillor
Aaron Bhatnagar	Councillor
Richard Northey	Councillor
Bridget Graham	Chair, Maungakiekie Community Board
Richard Barter	Chair, Mt Roskill Community Board
Bruce Kilmister	Chair, Western Bays Community Board
Colin Davis	Chair, Eastern Bays Community Board
Paul Downie	Chair, Great Barrier Island Community Board
Ray Ericson	Chair, Waiheke Community Board



## Part 9. Setting Community Boards in Context

Teena Pennington      Manager, Strategy  
Christine Watson      Group Manager, Democracy Services

### **Franklin District**

Mark Ball      Mayor  
Dan Lynch      Councillor  
Bill Deed      Chair, Waiuku-Awhitu Community Board  
Sally Davis      CEO  
Ken Dyer      Communications Manager

### **Rodney District**

Penny Webster      Mayor  
Grahame Powell      Councillor  
Ross Craig      Councillor  
Pat Delich      Councillor  
Beverly Fletcher      Strategic planning  
Jacques Victor      Strategic planning  
Paul Garbett      Executive Assistant - Governance  
Warren MacLennan      Assistant CEO, Director Strategy & Policy  
Kim Gordon      Manager, Infrastructure  
David Low      Revenue Manager

### **Manukau City**

Grant Taylor      Director Strategy

### **Other consultees**

Mike Reid      Local Government New Zealand  
Yvonne Palmer      Chair New Zealand Community Boards' Executive Committee  
Donald Reizebos      CEO Local Government Commission  
Paddy Clifford      CEO Palmerston North  
Rob Williams      CEO Taupo District Council  
Peter Guerin      CEO Rotorua District Council  
Dave Adamson      CEO Southland District Council  
Duncan Field      CEO Queenstown-Lakes District Council  
Jim Palmer      CEO Waimakariri District Council  
Vyvien Maffey      Strategy & Partnerships, Kapiti Coast District Council

Thanks also to a dozen or more staff at the above councils who chased around to respond to questions often on a “today please” basis.

## Appendix 2: The Wanaka Community Board

### 1. Extract from report to Queenstown-Lakes District Council re Governance agreement with Wanaka Community Board

#### Background

During late 2003 and 2004 the Community Board considered the delegations of powers that Council was proposing to grant to it. During the later part of the discussion it was suggested that a statement of the joint responsibilities that Council and the Board have for governing the District would be appropriate. A series of drafts was prepared and circulated for discussion between Councillors and the Board Members prior to the recent election. It had generally received the agreement of most parties, following refinement through the drafting process. The latest draft is at a point where it is now necessary to consider it in a formal way and, if deemed appropriate, to recommend its adoption. The agreement was discussed and adopted with one change by the Wanaka Community Board at its meeting on 18 November 2004. A copy of the revised Governance Agreement is attached as an appendix to this paper.

#### Queenstown Lakes District Governance Agreement

##### Parties

The parties to this agreement are:

Queenstown Lakes District Council (the “Council”) and

Wanaka Community Board (the “Board”)

##### Purpose

This agreement aims to:

- Document the principles of partnership in governing the Queenstown Lakes District between the Council and the Board.
- Encourage communication, coordination and cooperation between the Council and the Board.
- Provide a mechanism for the Council and the Board to:
  - a) Enable democratic decision making and action; and
  - b) Promote the social, economic, environmental and cultural well being of the district.

##### Protocols for Governance, Communication and Coordination

- The Council and Board agree that they have a joint responsibility for the good governance of the district and that the best interests of the communities of the district are served when the Council and Board work cooperatively.

- Members of the Board may be appointed to Council Standing Committees to ensure that, in association with Wanaka Ward Councillors, there is Wanaka representation on each Committee.
- The Board will be consulted on significant policy and planning documents that impact on the Wanaka ward before the policies or plans are adopted as draft documents and notified for public comment. It is acknowledged that in some special circumstances, urgency may limit the applicability of this protocol.
- The Board and the Council will agree on levels of service to be provided in the Wanaka Ward. Where the agreed service levels differ from the district-wide service level adopted by Council then a rate differential may be applied to the Wanaka Ward to equalise the different level of service.
- The Wanaka Operations Manager will provide operational performance reports highlighting service delivery performance in the Wanaka Ward to each meeting of the Board. Board concerns regarding operational performance will be communicated to the Wanaka Operations Manager in the first instance and subsequently to Council's Chief Executive Officer if not resolved.
- Council's Chief Executive Officer will ensure that the Board is provided complete, timely and robust information and advice on which the Board can make its decisions.
- Appropriately qualified members of the Board may be appointed to any Hearings Panel to consider resource consent applications. This will require that the Board maintains an impartial position on resource consent applications at all times.
- Both parties will ensure that appropriate training and development is provided for Councillors and Members to ensure they have the necessary skills to undertake their governance and policy making responsibilities within local government.
- Both parties acknowledge that good governance requires them to consider community views and provide a balance of the different views and the trade-offs necessary.
- As far as is practicable the Council will delegate governance to the Board over matters concerning the Wanaka ward. The principles and details of delegations to the Board are contained in section 9 of the Governance section of the Delegations Register attached as Appendix 1. The Board will be consulted over any changes Council proposes to make to delegations to the Board.
- Where the Board is exercising its powers (either mandated or delegated) to make binding decisions on the community in areas of significance (as defined in Council's significance policy) it must follow the special consultative provisions of the Local Government Act 2002 in reaching its decision.

- Both parties agree that they will act consistently with the established Code of Conduct. Where the Board has been involved in reaching decisions made by Council then it will not publicly criticise those decisions.
- Both parties will ensure that where issues arise between them that they are communicated to the other party for action in the first instance.

**Process**

Mayor, Chair of the Board, Council’s Chief Executive Officer and the Wanaka Operations Manager will meet six-monthly to discuss and review the performance of the parties under the protocol and to specifically review service performance in the Wanaka ward and to review the resolution of Wanaka issues. The Mayor will regularly attend meetings of the Board to report on Council issues impacting on the Board. The Chair of the Board will attend Council meetings and report on Board issues impacting on the Council.

**Administration**

The Council’s Chief Executive Officer is responsible for the administration of this agreement.

**Review of Agreement**

The parties may consider and review this document at any time. Any proposal for change must be presented for consideration at the next available meeting of each party upon the request of any one of the parties. The request must be made in writing to the administrator and made at least two weeks before the next meeting date.

Both parties must ratify any proposed changes to this Agreement prior to them coming into effect.

This agreement will be placed on the agenda of the final meetings of both parties prior to the triennial election for the purpose of reviewing the document and recommending changes (if any) to the incoming Council and Board.

**Authority**

This agreement is signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2004 by the following.

Clive Geddes

Mayor

Queenstown Lakes District Council

\_\_\_\_\_

Bill Gordon

Chair

Wanaka Community Board

\_\_\_\_\_

## **2. Extract from the current Delegations Register Delegation to Wanaka Community Board**

### **Overview**

The two major philosophies behind this delegation are:

- (a) The Council will give the Board extensive delegation in return for the Board, and the Wanaka Ward, taking financial responsibility for several function areas;
- (b) The programming and funding of those activities will be governed by asset management plans, funding policies, long term financial strategy, investment and treasury policies.

### **Philosophy of Partnership**

The Council will treat the WCB as a partner in the governance of the District. Wherever possible the Council will give maximum delegation to the WCB where the community board is taking financial accountability for the decisions involved.

In return the WCB agrees to observe the parameters of the long term council community plan (ltccp) or annual plan each year and to practise sound financial management for activities delegated to it.

Where the WCB is taking financial accountability for a decision but cannot, for legal or other reasons, make the final decision itself, the Council will give the utmost weight to any WCB recommendation and will only review or overrule that recommendation if one or more of the following conditions exists:

- (a) the recommendation would mean that the LTCCP or annual plan budget would be exceeded without offsetting savings;
- (b) the recommendation is in breach of, or there is an argument whether the recommendation breaches a stated policy, standard, contract or precedent set by the Council;
- (c) the recommendation involves a rate that is collected on a district wide basis, thereby affecting all of the residents of the District;
- (d) the recommendation would create hardship or unfairness for a ratepayer or group of ratepayers;
- (e) the WCB or the Wanaka community are deeply divided over the decision;
- (f) the recommendation is unlawful or would create a legal liability not authorised by policy or the annual plan;
- (g) the action proposed would bring the Council into disrepute;
- (h) extraordinary circumstances exist which make the recommendation untenable.

The WCB will also be consulted on fundamental policy documents including asset management plans, funding policy, long term financial strategy, borrowing policies, etc.



### Delegation

To extent permitted by law the Wanaka Community Board will have authority to make decisions on, or make recommendations to the Council (as the case may be) on:

- (a) Rates and charges to be levied in the Wanaka Ward for which the Board takes financial responsibility and public accountability (i.e. those relate to water, sewerage, roading, tourism promotion and parking);
- (b) Other revenues to be collected in the Wanaka Ward which relate to the areas listed in (a) above;
- (c) The preparation of submissions to the draft LTCCP or annual plan relating to the Ward (including the prioritisation of proposals from community groups);
- (d) Any bylaws required for the safety or good governance of the Ward;
- (e) The use of borrowing to fund works or facilities in the Ward, where the Board takes financial accountability for the expenditure;
- (f) Any decision involving the use of the Public Works Act 1981 within the Ward;
- (g) Setting policy on the leasing or licensing of use of Council property;
- (h) Monitoring the performance of all contractors, budgets, performance measures and service standards set for the Ward;
- (i) The development of the district plan, long term financial strategy, funding policy, treasury policies and borrowing policies; and
- (j) Make decisions, subject to such general policies as are determined by the Council, and to the duties and powers set out herein, the following Council activities within the area of the Community:
  - i. Car Parking
  - ii. Cemetery
  - iii. Council owned buildings and property
  - iv. Footpaths
  - v. Temporary road closures for non-arterial roads, over 4 hours duration in the Wanaka part of the district
  - vi. Legislation relating to
    - Street names, parades, collections and special uses;
    - Waterways and waterfront special cases and concessions except for formal regulatory functions;
  - vii. Public toilets
  - viii. Recreation and reserve areas but not including preparation of management plans.
  - ix. Sports fields
  - x. Swimming pool
  - xi. Public information signage
  - xii. Street lighting
  - xiii. Trees on Council owned land
  - xiv. Elderly persons housing; and
  - xv. Other items not specified above that fall within the same general local interest category of Council activities within the Wanaka community.

These delegations MUST BE read subject to the following qualifications. The WCB's jurisdiction and authority will be limited in regard to the following decisions:

- Any decision delegated to an officer or contractor under Council delegations;
- Any services or facilities funded by any rate, charge or other revenue collected on a district wide basis;
- Any contract entered in by the Council for the good of the District as a whole;
- Any work, service, facility or payment that is not funded fully from revenue raised in the Ward;
- The power to employ staff
- Any decision where the Council records concerns about the authority of the Board to make that decision. In any such case the matter will be suspended until the dispute can be submitted to the full Council for determination;
- Any decisions involving the preparation of the Proposed District Plan which shall be in the hands of the Strategy Committee;
- Any matter where any Board member, or members, considering the issue could be seen to have an interest or bias;
- Financial contributions set in the District Plan or LTCCP or imposed in any resource consent application;
- Any decision that is contrary to policy set by the Council. Where the WCB considers that a policy is wrong, or requires amendment to provide for circumstances, which are not catered for, the Board will submit a proposal for amendment to the policy to the Council.

**Communications**

The WCB will, at all times, keep the Mayor and Chief Executive informed of their activities and will invite both of these parties to attend meetings in accordance with the protocol established between the Board and Council.

The Chief Executive will be the primary advisor to the Board and, in considering any matter, the WCB will utilise staff or contractors of the Council appointed to take responsibility for functional areas.

The Board will report monthly at the Council table on its activities.

## WCB Delegation Schedule

	Decision By'			
	Officer	WCB	Committee	Council
<b>Artworks</b>				
- Location		✓		
<b>Buildings and Property</b>				
- sale and purchase		✓	✓	✓
- service & operation		✓		✓
- maintenance	✓			
<b>Bylaws</b>		✓		✓
<b>Council policy</b>		✓	✓	✓
<b>Cemetery plan</b>				
- development and approval		✓		
- implementation	✓			
<b>District Plan</b>				
- Wanaka issues		✓	✓	✓
- implementation	✓			
<b>Elderly persons housing</b>				
- policy		✓	✓	✓
- design		✓		
- location		✓		
- purchase and sale				✓
- maintenance	✓	✓		
<b>Footpaths and walkways</b>				
- locations/priorities		✓		
- specification / LoS <sup>2</sup>		✓		✓
- maintenance	✓			
- trails trust		✓		
<b>Infrastructure<sup>3</sup></b>				
<b>Capital</b>				
- funding		✓	✓	✓
- planning		✓	✓	✓
<b>Operational</b>				
- location		✓		✓
- specifications/LoS		✓		✓
- maintenance	✓			
- design and build	✓			
<b>Land vesting as reserve</b>		✓		✓
<b>Lagarosiphon Control</b>				
- management plan		✓		
- implementation	✓			
<b>LTCCP</b>				
- preparation		✓	✓	✓
- adoption				✓
- implementation	✓			
<b>Memorials</b>				
- design		✓		
- location		✓		
<b>Operational matters</b>				
- emergency works	✓			

## Part 9. Setting Community Boards in Context

	Decision By <sup>a</sup>			
	Officer	WCB	Committee	Council
<b>Parking</b>				
- strategic planning		✓		✓
- time restrictions		✓		✓
- no stopping areas		✓		✓
- location of areas		✓		
- enforcement	✓			
- implement payment		✓		
- fund payment option		✓		✓
<b>Public information signage</b>				
- location		✓		
- specification				✓
- installation	✓			
<b>Public toilets</b>				
- locations		✓		
- specification / LoS		✓		✓
- maintenance and cleaning	✓			
<b>Reserve &amp; recreation areas</b>				
- management plans		✓		✓
- locations		✓		✓
- specification / LoS		✓		✓
- LoS trade-offs <sup>4</sup>		✓		
- maintenance	✓			
- conditions of hire		✓		
- concessions		✓		
<b>Rivers and Lakes</b>				
- speed limits		✓		✓
- enforcement	✓			
- concessions		✓		
- charges		✓		
- navigation aids	✓			
- structure design & location		✓		
<b>Roads</b>				
<b>Capital</b>				
- strategic planning		✓		✓
- funding		✓	✓	✓
- new seals		✓		
- re-seals	✓			
<b>Operational</b>				
- policy		✓		✓
- LoS trade-offs		✓		
- maintenance	✓			
- naming		✓		
- stopping				✓
- temporary closure pursuant to policy		✓		
<b>Minor safety works</b>				
- implement projects	✓			
- change priority of projects		✓		
- approve new projects		✓		✓

	Decision By <sup>1</sup>			
	Officer	WCB	Committee	Council
<b>Service delivery</b>				
- specification / LoS		✓		✓
- delivery	✓			
- monitoring		✓		
<b>Staff issues</b>				
- employment	✓			
- performance	✓			
- dismissal	✓			
<b>Street furniture &amp; paving</b>				
- policy and palette		✓		✓
- location		✓		
- purchase	✓			
- installation/removal	✓			
<b>Street lighting</b>				
- policy		✓	✓	✓
- location		✓		
- style		✓		
- purchase	✓			
- installation/removal	✓			
- under-grounding priorities		✓		
<b>Swimming pool</b>				
- location		✓		
- design		✓		
- operation	✓			
- funding		✓	✓	✓
<b>Trees on Council land<sup>5</sup></b>				
- location		✓		
- species		✓		
- planting	✓			

Table footnotes: <sup>1</sup>Ticks ✓ appear in each column where approval is required before the final decision is reached. The final decision is made by the body with the last tick (reading left to right along each row).

<sup>2</sup>Level of Service. <sup>3</sup>Infrastructure: reservoirs, ponds and pipe networks for water, storm water and sewerage.

<sup>4</sup>Specification trade-offs are where the WCB determines to trade-off the level of facility management between two or more assets at no overall change to the cost of service being delivered. <sup>5</sup>The delegation for authorising removal of trees on Council owned land in the Wanaka ward is with Councillor Middleton.

## Appendix 3: Community Boards in Waitakere City: Wider Issues

Prepared by Waitakere City Council, August 2008

### Introduction

At the Waitakere hearings, the Royal Commission sought further information from Waitakere City Council on the future role of community boards. This report includes specific information



on community boards and takes the opportunity to raise a number of issues about the three tiers of local government (regional, city and community).

Waitakere City's view, supported by national and international examples, is that all three tiers of governance are necessary and that each has a different and complementary role. Our consideration of the role of community boards is in the context of a stronger metropolitan tier and cities continuing to have an instrumental role in city land use, city infrastructure, community development and economic development. Within this context community boards have a key role in identifying and advocating for specific community needs and supporting local services.

In their submissions community boards in Waitakere supported Council's position on key areas of regional governance and the number of cities. Areas of particular focus for community boards included a unanimous call for an increase in delegations (but not necessarily for policy or rating capacity).

### **The Current Role of Community Boards Specific Activities**

In the context of their community advocacy and community interest responsibilities community boards have a formal participation in Council's policy and review activities. Overall about 30% of Council papers are placed on community board committee agendas for their consideration and feed-back. Through this process, community views are canvassed and reported back to the Council for inclusion in policy setting and decision making. They also have a formal role in Annual Plan/ LTCCP development and consultation processes in being invited to meetings and holding speaking rights.

Community Boards are supported in these Council activities by having membership on a number of internal committees as well as representing Council on a number of organisations (see Appendix B for a list of committees and organisations). For example they have been actively involved in Citizens Advice Bureau.

There has been traditional emphasis by community boards on geographical place and identity and they have had a solid participation in the development of parks and reserves. For example they have been responsible for developing Local Reserves Management Plans. They also have responsibility for minor parks projects within their ward, for which they receive Council funding.

This funding has been utilised for many neighbourhood projects that contribute to Council's Urban and Rural Villages Platform which has the objective that town centres are thriving places, providing exciting options for people to live, work and play. Such initiatives include parks seating and picnic tables; drinking fountains; children's playground equipment and recreation courts; arts projects; fencing, landscaping and planting; and some structural works such as small scale drainage, rubbish bins, footbridges, hand railing, signage and so on. For example, in the Annual Plan 2007/2008 Council allocated \$120,000 for Parks Capital Development Projects with an average sum of \$30,000 allocated per ward for projects of \$10,000 or less