

**AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBER
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON WEDNESDAY, 17 JUNE 2009
COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Council by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Council may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 **AUCKLAND GOVERNANCE - WAITAKERE CITY COUNCIL SUBMISSION ON LOCAL GOVERNMENT (AUCKLAND COUNCIL) BILL**

GLOSSARY

Local Government (Auckland Council) Bill (The Bill)

EXECUTIVE SUMMARY

The purpose of this report is to update the Council on the development of Waitakere City Council's submission on the Local Government (Auckland Council) Bill and to invite the Council to convene a workshop to further refine the submission content.

RECOMMENDATIONS

It is recommended that Council resolve to:

1. **Receive** Auckland Governance - Waitakere City Council Submission On Local Government (Auckland Council) Bill report.
2. **Agree** that the Council adjourn into a workshop to consider the Council's submission to the Select Committee on the Local Government (Auckland Council) Bill.
3. **Agree** that Te Taumata Runanga is authorised to make an independent submission to the Select Committee considering the Local Government (Auckland Council) Bill.

BACKGROUND

1. The Royal Commission on Auckland Governance was established by the Government to investigate, and make recommendations on, local and regional government arrangements for the Auckland region. The Council submitted to the Royal Commission in April 2008. The findings of the Royal Commission on Auckland Governance were released on 27 March 2009, and Central Government released their response on 7 April 2009.
2. At least three pieces of legislation are anticipated to give effect to the Government's decisions on Auckland governance. This includes the Local Government (Tamaki Makaurau Reorganisation) Act 2009 which was assented on 23 May 2009, and the Local Government (Auckland Council) Bill (the Bill) to which the Council is currently drafting a submission.
3. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 and Local Government (Auckland Council) Bill begin the process of transitioning existing councils to the unitary authority. The Bill provides for the governance structure of the Auckland Council, including:
 - The high level framework for the structure of the Auckland Council (number of wards and number of boards);
 - Direction and provision of powers for the Local Government Commission to determine boundaries of the wards and local boards and the number of local boards and their membership; and
 - Providing powers and functions to determine the final boundaries of the Auckland Region to the south.

4. Submissions to the Select Committee on the Local Government (Auckland Council) Bill close on 26 June 2009. It is suggested that Council officers incorporate comment from the proposed workshop and report the submission to the Council meeting scheduled to be held on 24 June 2009 for final approval.

DECISION MAKING

5. Council officers are currently drafting a Council submission to the Select Committee. The purpose of this submission endeavours to enhance local democracy, ensure the efficiency and effectiveness of the new Auckland Council and provide detail on changes to the Bill necessary to achieve this. The submission builds on work developed by Council officers and workshops held with Councillors and Te Taumata Runanga (governance working group) on 28 May 2009, 3 June 2009 and 9 June 2009.

STRATEGIC CONTEXT

6. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 establishes a single unitary authority to govern the entire Auckland region from 1 November 2010 and dissolves the existing local authorities from the close of the preceding day.
7. These governance changes have far reaching implications not only for the Auckland region, but also for the regions bounding the Auckland region and for the rest of New Zealand.

CONSULTATION

8. The drafting of this report is based on work undertaken to support the Council's submission to the Royal Commission on Auckland Governance and subsequent work on regional governance; and workshops held with Councillors and Te Taumata Runanga (governance subgroup) on 28 May 2009, 3 June 2009 and 9 June 2009.
9. Meetings are also scheduled with Community Boards to discuss Auckland governance matters including information on making a submission to the Select Committee.
10. The process of writing the submission to the Select Committee will draw on the expertise available within Council across all directorates and teams.

RESOURCES

11. All resources required for submissions to the Select Committee are covered from within existing budgets.

IMPLEMENTATION ISSUES

12. The Local Government (Auckland Council) Bill was introduced to parliament on 13 May 2009, with submissions to the Select Committee closing on 26 June 2009. This has provided a limited time for the Council to develop its submission to the Select Committee. However, three workshops have been held with Councillors and members of the especially established Te Taumata Runanga working group to gather input.

13. There are no other implementation issues related to this report.

AUCKLAND COUNCIL TRANSITION ISSUES

14. While the submissions process on the Local Government (Auckland Council) Bill may impact on the final content of the Local Government (Auckland Council) Act, the decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

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