



Auckland Council Local Governance Statement

April 2017

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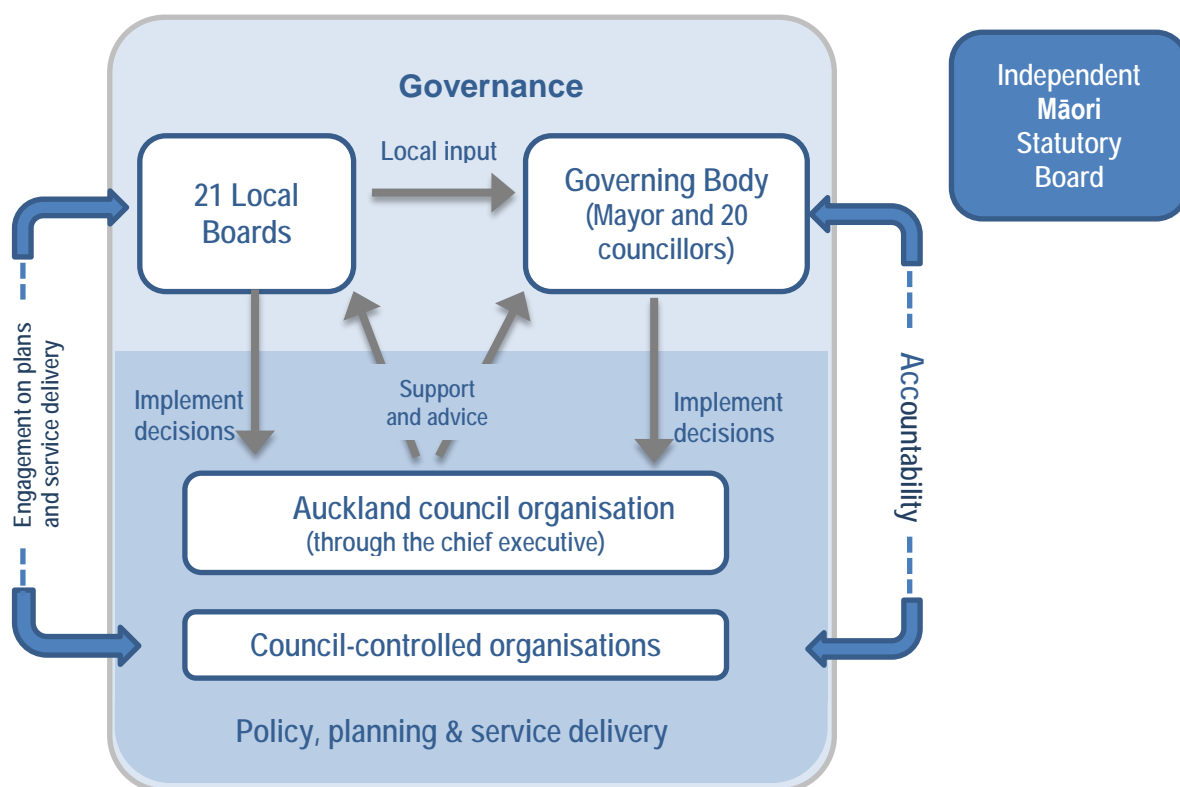
Amendments to the Governance Statement

No	Amended	Description

1. INTRODUCTION

1.1. Auckland Council at a glance

The Auckland Council comprises the governing body, local boards, the staff organisation and council-controlled organisations. It was established by the Local Government (Auckland Council) Act 2009, which also created the Independent Māori Statutory Board as a board that is independent of the council.



1.2. What this document contains

Section 40 of the Local Government Act 2002 requires the following for local governance statements:

- (1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—
 - (a) the functions, responsibilities, and activities of the local authority; and
 - (b) any local legislation that confers powers on the local authority; and
 - (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and
 - (c) the electoral system and the opportunity to change it; and
 - (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and

- (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*
- (f) governance structures and processes, membership, and delegations; and*
- (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and*
- (h) consultation policies; and*
- (i) policies for liaising with, and memoranda or agreements with, Māori; and*
- (j) the management structure and the relationship between management and elected members; and*
- (ja) the remuneration and employment policy, if adopted; and*
- (k) equal employment opportunities policy; and*
- (l) key approved planning and policy documents and the process for their development and review; and*
- (m) systems for public access to it and its elected members; and*
- (n) processes for requests for official information.*

The Local Government (Auckland Council) Act 2009 also requires the local governance statement to include a description and explanation of the Auckland Council's two-tier governance structure, and the how the decision-making responsibilities of the Auckland Council are shared between the governing body and the local boards.¹

This document sets out the information required in a way which will be helpful to readers.

1.3. He Puka Matarau, The Governance Manual

The Auckland Council's Governance Manual is an online, searchable guide to how the Auckland Council makes decisions. It outlines the council's structures, relevant laws and conventions:

<https://governance.aucklandcouncil.govt.nz/>

¹ Local Government (Auckland Council) Act 2009 section 7(2)

2. WHAT THE COUNCIL DOES

2.1. Functions of Auckland Council

A local authority has a broad range of functions under various Acts of Parliament. The key functions of Auckland Council are set out below under each Act that establishes them:

Local Government Act 2002

- Planning for community needs, particularly for infrastructure, public services and regulatory functions, with a power of general competence to undertake any activities to perform its role with particular regard to:
 - (a) network infrastructure
 - (b) public transport services
 - (c) solid waste collection and disposal
 - (d) the avoidance or mitigation of natural hazards
 - (e) libraries, museums, reserves, recreational facilities, and other community infrastructure.
- Making and enforcing bylaws to:
 - (a) protect the public from nuisance
 - (b) protect, promote, and maintain public health and safety
 - (c) minimise the potential for offensive behaviour in public places.
- Supporting and funding an independent board promoting issues of significance for Māori

Local Government Act 1974

- Providing local roads, footpaths, cycletracks, pedestrian malls, bus shelters (provided through Auckland Transport)
- Naming local roads
- Providing land drainage.

Local Government (Auckland Council) Act 2009

- The purpose of the Local Government (Auckland Council) Act 2009 is to:
 - (a) establish the Auckland Council as a unitary authority for Auckland
 - (b) set out the matters in relation to the Council's structure and functions, duties, and powers that differ from the general provisions applying to local authorities under the Local Government Act 2002 and certain other enactments
 - (c) provide the mechanism to adopt and monitor local board plans and local board agreements, and to adopt a local board funding policy to share funding between local boards
 - (d) establish Council Controlled Organisation arrangements for the management of transport and water supply and wastewater services for Auckland

- (e) require the Auckland Council to adopt a spatial plan for Auckland (now called the Auckland Plan)
- (f) establish arrangements to promote issues of significance for mana whenua groups and mataawaka for Tamaki Makaurau (including working with the Independent Māori Statutory Board)
- (g) set out requirements relating to substantive council-controlled organisations

Land Transport Act 1998

- Controlling the use of roads, including through bylaws, for example restrictions on parking, heavy traffic (provided through Auckland Transport).

Land Transport Management Act 2003

- Regional land transport plan (a function given specifically to Auckland Transport by the Act).

Reserves Act 1977

- Managing and controlling reserves.

Resource Management Act 1991

- Managing natural and physical resources sustainably through setting objectives, policies and rules that manage environmental effects of activities and which are incorporated into district and regional plans.

Building Act 2004

- Undertaking the role of a building consent authority with responsibility of ensuring compliance with the building code.

Dog Control Act 1996

- Making policy and enforcing bylaws relating to the control of dogs, such as prohibiting dogs in public places or requiring dogs to be on leashes.
- Classifying dogs as dangerous or menacing.

Health Act 1956

- Making and enforcing bylaws for the protection of public health
- Inspecting insanitary premises
- Registering food premises (under Food Hygiene Regulations).

Sale and Supply of Alcohol Act 2012

- Adopting a local alcohol policy in relation to location of licensed premises and maximum trading hours
- Appointing District Licensing Committees.

Gambling Act 2003

- Adopting a policy in relation to class 4 venues

- Deciding applications to increase machines in a class 4 venue.

Biosecurity Act 1993

- Managing plant and animal pests.

Prostitution Reform Act 2003

- Making bylaws relating to signage and location of brothels.

Waste Minimisation Act 2008

- Promoting effective and efficient waste management and minimisation
- Adopting and implementing a waste management minimisation plan.

Housing Accords and Special Housing Areas Act 2013

- Entering an agreement with the Minister² who has been given authority to administer the Act to work together to address housing supply and affordability issues
- Granting resource consents, in the role of authorised agency under the Act.

Civil Defence Emergency Act 2002

- Planning and providing for civil defence emergency management within the Auckland area.

2.2. Other legislation

Local Authorities are affected by other legislation as well. Appendix "A" contains a comprehensive list of legislation that affects Auckland Council.

Appendix "B" contains a list of local legislation that has arisen through legacy councils which confers powers on Auckland Council. Local legislation comprises Acts of Parliament that have come about through a bill promoted by a local authority. A local Act affects a particular locality only.

2.3. Activities

In order to perform its functions, the council undertakes many different activities. Information is provided about these activities in council's plans and reports, such as the long-term plan, annual plan and annual report. These documents can be found on the council's website. The activities of the council fall under the following broad headings:

2.3.1. Auckland development

- Regional planning
- Local planning and development
- Property development
- Waterfront development

² The Ministerial portfolio is not specified in that Act

2.3.2. Economic and cultural development

- Economic growth and visitor economy
- Regional facilities

2.3.3. Environmental management and regulation

- Regulation
- Solid waste and environmental services
- Local environmental management
- Stormwater management

2.3.4. Governance and support

- Regional governance
- Local governance
- Investment
- Organisational support

2.3.5. Parks, community and lifestyle

- Regional community services
- Local community services
- Regional parks, sport and recreation
- Local parks, sport and recreation

2.3.6. Transport

- Public transport and travel demand management
- Roads and footpaths
- Parking and enforcement

2.3.7. Water supply and, wastewater treatment and disposal

- Water supply
- Wastewater treatment and disposal

3. GOVERNANCE STRUCTURE, MEMBERSHIP AND DELEGATIONS

3.1. Local government in New Zealand

There are two tiers of local government in New Zealand –territorial authorities (district and city councils) and regional councils. Territorial authorities are responsible for districts and cities, whereas regional councils are responsible for larger areas (regions) comprising a number of territorial authorities. They largely have separate functions though these may overlap (for example, land use planning). Territorial authorities have a separately elected mayor, regional councils elect a chairperson from among their members.

A unitary authority is a territorial authority which also has the responsibilities, duties and powers of a regional council. NZ has eight unitary authorities. The Auckland Council is a unitary authority.

3.2. What is the governance structure of Auckland Council?

Section 1, "Introduction", provides a diagram showing the various components of Auckland Council - the governing body, local boards, council-controlled organisations, the Independent Māori Statutory Board and the staff organisation. The governing body and local boards provide the governance of Auckland Council.

A typical council has a single governing body, comprising a mayor and councillors, which is democratically accountable for decision-making³. The Local Government Act 2002, section 41, states:

"(2) A territorial authority must have a governing body consisting of members and a mayor elected in accordance with the Local Electoral Act 2001.

(3) A governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority."

The legislation setting up Auckland Council states⁴:

"Despite section 41 of the Local Government Act 2002, for the purposes of carrying out its functions, responsibilities, and duties and exercising its powers as a territorial authority and a regional council,—

(a) the Auckland Council has a two-tier governance structure comprising the governing body and the local boards; and

(b) the decision-making responsibilities of the Auckland Council are shared between the governing body and the local boards in accordance with sections 14 to 23 of this Act."

The governance of Auckland Council, therefore, consists of:

- a governing body, comprising the mayor and 20 elected members, having regional and regulatory responsibilities
- 21 local boards, who each elect their chairperson from among their members, having local responsibilities.

³ Local Government Act 2002 sections 39 to 48 and Schedule 7 contain the governance arrangements

⁴ Local Government (Auckland Council) Act 2009 section 7

This section looks at how decision-making is undertaken by the governing body and by local boards and includes information about their committees and their delegations of powers to committees and to staff. Separate sections give information about:

- council-controlled organisations (Section 12)
- the Independent Māori Statutory Board (Section 7.2)
- the management structure (Section 13).

3.3. Decision-making shared between governing body and local boards

Local boards are responsible for all decisions on non-regulatory activities, unless

- the impact of the decision will extend beyond a single local board area; or
- effective decision-making will require alignment or integration with other decisions that are the responsibility of the governing body; or
- the benefits of a consistent or co-ordinated approach across Auckland will outweigh the benefits of reflecting the diverse needs and preferences of the communities within each local board area.

Local boards are also responsible for:

- identifying and communicating the interests and preferences of the people in local board areas in relation to the strategies, policies, plans, and bylaws of the Auckland Council
- identifying and developing bylaws specifically for local board areas, and proposing them to the governing body
- the agreement reached with the governing body in respect of local activities for local board areas.

The governing body is responsible for:

- allocating decision-making for non-regulatory activities to local boards and to itself
- decision-making in regard to those non-regulatory activities it has allocated to itself
- decision-making in regard to regulatory matters
- decision-making in regard to transport networks and infrastructure
- decision-making relating to the council's capacity to provide services and facilities
- governance of council-controlled organisations
- financial management of the council
- the agreement reached with each local board in respect of local activities for local board areas.

Allocation and delegation are two different mechanisms through which local boards have decision-making responsibilities. Allocation of non-regulatory activities as described above implements the shared decision-making for local and regional non-regulatory decisions. The governing body and

each local board is separately democratically accountable for decision-making within their respective areas of responsibility.

Delegation is a mechanism whereby the governing body delegates a responsibility it has to others, including to one or more local boards. Under delegation, local boards are accountable back to the governing body for the exercise of the delegation.

3.4. Allocation of Decision-Making Responsibility for Non-Regulatory Activities

The governing body is responsible for allocating the decision-making of non-regulatory activities between itself and local boards. The allocation table setting out the decision-making responsibilities of the governing body and local boards is included in the council's long-term plans and annual plans.

The current allocations are contained in Appendix C

These are the decisions that local boards and the governing body make as a result of the shared decision-making structure.

3.5. Decision-making with Māori

The Local Government Act 2002 requires all councils to provide opportunities for Māori to contribute to decision-making⁵. A number of statutes that affect local government require councils to take Treaty of Waitangi principles into account when decision-making.

The Local Government (Auckland Council) Act 2009 establishes an independent Māori board (known as the Independent Māori Statutory Board). The Act requires the board to appoint two persons to council committees that deal with the management and stewardship of natural physical resources. The council may invite the board to make appointments to other committees⁶.

Legislation that puts into effect Treaty settlements, sometimes creates co-governance bodies. These have council and iwi representation. Existing co-governance bodies are:

- Ngāti Whatua Orakei Reserves Board
- Parakai Recreation Reserve Board
- Tūpuna Maunga o Tāmaki Makaurau Authority ("Maunga Authority")

See Part 7 for further information about the council's relationships with Māori.

3.6. Delegations

3.6.1. Overview

A council is permitted by statute to delegate some of its powers to others, including to committees and staff. A council is able to delegate to external persons or organisations some of its regulatory responsibilities, such as enforcement, inspection and licensing under bylaws.⁷

In the Auckland context, the governing body is also able to delegate to local boards. The effect of delegation is that a local board remains accountable to the governing body for the performance of the delegation (as compared to being democratically accountable for the performance of an

⁵ Local Government Act 2002, section 81

⁶ Local Government (Auckland Council) Act 2009, section 85

⁷ Local Government Act 2002 schedule 7, clause 32

allocated activity). The governing body has delegated to local boards some of its regulatory responsibilities, because it cannot “allocate” regulatory activities as part of the shared decision-making structure.

Auckland Transport may delegate decision-making and responsibilities to the governing body and local boards. There are currently no delegations in place.

3.6.2. Delegations made by the governing body

To committees

The governing body has delegated many of its responsibilities to committees. A description of the committee structure and the responsibilities of committees is provided in section 3.8. The full Terms of Reference for Committees document can be found on the council’s website.

To staff

The governing body has delegated operational responsibilities to staff. It does this by delegating in the first instance to the chief executive who then subdelegates to appropriate staff. Where legislation does not allow such sub-delegation (such as the Resource Management Act) the governing body delegates those responsibilities directly to staff. The governing body is responsible for the broad strategic view and it approves the annual budget. Staff have the role of implementing the decisions of the governing body⁸ and have been delegated appropriate powers. These powers include the ability to decide financial expenditure provided this is within budgets approved by the governing body.

To local boards

The governing body has delegated the following responsibilities to local boards:

- input into notification decisions for resource consent applications
- authorising the destruction of wandering stock on Great Barrier Island, in accordance with the Impounding Act 1955 is delegated to the Great Barrier Local Board
- decision-making on operational cemeteries on Great Barrier Island is delegated to the Great Barrier Local Board
- amendments to the Policy on Dogs in relation to any dog access rules in local parks, local beaches or local foreshore areas in their local board area
- making objections to liquor licensing applications under the Sale and Supply of Alcohol Act 2012
- making, amending or revoking alcohol bans, except in areas of regional significance.

To external persons or agencies

Examples of delegations to external persons or agencies:

- hearing and deciding resource consent applications by independent hearing commissioners
- enforcement of dog and noise control by private companies.

⁸ Local Government Act 2002 section 42 (2)

3.6.3. Delegations made by local boards

To staff

For efficiency reasons, local boards have delegated many responsibilities to staff. Each local board is democratically accountable for its allocated activities and decides what powers should be delegated to staff in order for staff to carry out operational functions.

3.7. Governing body and its committees

3.7.1. Members

The members of the governing body are contained in Appendix D

3.7.2. Committee structure and delegations to committees

The Mayor of Auckland has the power to establish committees and appoint the committee chairs.⁹ The detailed Terms of Reference for committees can be found on council's website¹⁰. The following section provides a summary of the governing body and its committees.

3.7.3. Governing body

The governing body oversees the implementation of the Auckland Plan, sets the direction for major strategic priorities/projects and ensures that this is reflected in the work programmes of the committees.

Legally the governing body cannot delegate¹¹:

- making a rate
- making a bylaw
- borrowing money or purchasing or disposing of assets unless it is in accordance with the long-term plan
- adopting a long-term plan, annual plan, or annual report
- appointing a chief executive
- adopting policies required to be adopted and consulted on in association with the Long-Term Plan or developed for the purpose of the local governance statement
- adopting a remuneration and employment policy.

The governing body also retains to itself:

- approving draft plans and bylaws prior to community consultation
- approval of the Unitary Plan
- the overview and refresh of the Auckland Plan
- relationships with the Independent Māori Statutory Board
- appointment of electoral officer
- governance documents including, standing orders, code of conduct, committee terms of reference.

⁹ Local Government (Auckland Council) Act 2009, section 9(3)(c) and (d)

¹⁰ http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/meetings_agendas/governing_body/Pages/home.aspx

¹¹ Local Government Act 2002, schedule 7, clause 32

3.8. Governing body committees

Membership of governing body committees is set out in Appendix E.

3.8.1. Committees of the whole and their reporting committees

There are three committees comprising the whole of the governing body (mayor and councillors, with two additional members appointed by the Independent Māori Statutory Board). Two have one or more committees which report to them.

Planning Committee

Finance and Performance Committee

Reporting committees:

- Strategic Procurement Committee
- Audit and Risk Committee

Environment and Community Committee

Reporting committee:

- Community Development and Safety Committee

3.8.2. Other standing committees

Appointments and Performance Review Committee

Regulatory Committee

Civil Defence and Emergency Management Committee

3.8.3. Joint committees

Auckland Domain Committee

Hauraki Gulf Forum

3.8.4. Independent Māori Statutory Board membership of committees

The Local Government (Auckland Council) Act 2009 requires the Independent Māori Statutory Board (IMSB) to appoint up to 2 persons to sit as members on each of the Auckland Council's committees that deal with the management and stewardship of natural and physical resources.¹²

The council may also invite the IMSB to appoint a person or persons to other committees of council.¹³

The IMSB has made appointments to the following committees:

- Planning Committee
- Finance and Performance Committee

¹² Local Government (Auckland Council) Act 2009, section 85(1).

¹³ Local Government (Auckland Council) Act 2009, section 85(2).

- Environment and Community Committee
- Regulatory Committee
- Community Development and Safety Committee
- Civil Defence and Emergency Management Committee
- Auckland Domain Committee.

The chair of the IMSB is an ex officio member of the Audit and Risk Committee.

The IMSB has determined that their role is to monitor council's performance and does not represent the views of Mana Whenua nor Mataawaka in their roles on Committees.

3.8.5. Advisory Panels

The Advisory Panels are established by the mayor under the mayor's powers to establish processes and mechanisms for the council to engage with the people of Auckland¹⁴.

Demographic panels:

- Pacific Peoples Advisory Panel
- Ethnic Peoples Advisory Panel
- Youth Advisory Panel
- Disability Advisory Panel
- Seniors Advisory Panel
- Rainbow Communities Advisory Panel

Other advisory panels:

- Rural Advisory Panel
- Heritage Advisory Panel
- Auckland City Centre Advisory Board

3.9. Local boards

3.9.1. Overview

Local boards have a significant and wide-ranging role; they make decisions on local matters, provide local leadership and enable strong local communities. Local boards have a strong connection to their communities and play an important role in shaping the place that they have been elected to serve.

There are three ways that legislation gives decision-making responsibilities to local boards:

- directly by legislation
- by allocation from the governing body, in the case of non-regulatory activities
- by delegation from the governing body (in the case of regulatory activities) or Auckland Transport (in the case of transport activities).

¹⁴ Local Government (Auckland council) Act 2009, section 9

Local boards are responsible for:

- decisions on non-regulatory local activities as allocated by the governing body through the long-term plan or annual plan process, for which local boards are fully autonomous and accountable to their communities
- adopting local board plans every three years in consultation with their communities and monitoring progress
- negotiating annual local board agreements with the governing body and monitoring local board agreements
- developing and monitoring annual work programmes
- identifying community preferences and priorities, representing their communities and building strong local communities
- engaging with their communities
- identifying and communicating the interests and preferences of local people on the content of regional strategies, policies, plans and bylaws to the governing body
- providing input to CCO plans and initiatives
- identifying and developing bylaws for the local board area and proposing them to the governing body
- collaborating with other local boards if their communities will be better served by doing so
- undertaking any additional responsibilities delegated by the governing body or Auckland Transport
- making delegations to the Chief Executive that relate to the responsibilities of local boards.

Local boards are accountable to the community for their allocated and statutory decision-making. Their decisions are open for scrutiny throughout the term by the media, commentators and the public. The media play a major part in forming the community's view of members' performance and the local board's performance as a whole.

3.9.2. Members

The local boards and their members are detailed in Appendix F

3.9.3. Local board committees

Some local boards have established committees. These are listed in Appendix G

4. ELECTORAL SYSTEM AND OPPORTUNITY TO CHANGE IT

4.1. Local authority elections

Auckland Council is a local authority. The Local Electoral Act 2001 sets out the law for electing the members of local authorities.

Elections must be held every three years. Election day is on the second Saturday in October.

The members to be elected are:

- Mayor of Auckland
- 20 members of the governing body
- members of 21 local boards

The election of district health board members and licensing trust members take place at the same time.

4.2. What is an “electoral system”?

An “electoral system” describes the system used for voting at local authority elections.

The Local Electoral Act 2001 provides two types of electoral systems:

- First Past the Post (FPP)
- Single Transferable Voting (STV)

4.3. First Past the Post¹⁵

Under this system, each voter may cast one vote per vacant position. For example, if there are four vacant positions to fill, a voter may cast up to four votes but no more than one vote per position.

Those candidates with the most votes are elected.

Auckland Council has used the FPP system to date.

4.4. Single Transferable Voting (STV)¹⁶

Under this system a voter ranks as few or as many candidates as they like. The voter only has one vote, but it is used according to the voter's preferences.

Under STV, a voter may express a first preference, a second preference, and so on. All voters' first preferences are counted and any candidate whose votes exceed an amount called the “quota” is elected. If all positions are not filled, the surplus proportion of votes for successful candidates are redistributed among the other candidates according to voters' preferences. If the positions are not

¹⁵ Local Electoral Act 2001 section 5A

¹⁶ Local Electoral Act 2001 s 5B; www.stv.govt.nz

filled by redistributing the surplus proportion of votes, the candidate with the fewest votes is excluded and that candidate's second preferences votes are also distributed among the remaining candidates according to voters' preferences counted. This process of redistributing votes continues until all positions are filled.

For a single-member vacancy, such as a mayoralty, an absolute majority is calculated instead of a quota. If no candidate is successful at achieving an absolute majority by counting first preferences, the candidate with the fewest votes is excluded and those votes redistributed according to voters' preferences. This process of excluding the candidate with the fewest votes continues until a candidate achieves an absolute majority.

The STV system is used for electing the district health boards.

4.5. Changing the electoral system

The electoral system to be used at the 2019 elections may be changed:

- by a resolution of the council prior to 12 September 2017¹⁷
- by at least 5% of the electors of Auckland demanding a poll on whether or not there should be a change of electoral system. Such a demand must be received by the council by 21 February 2018. The poll must be held no later than 21 May 2018¹⁸
- by the council deciding to hold a poll on whether or not there should be a change of electoral system. Such a resolution must be made by 21 February 2018. The poll must be held no later than 21 May 2018.¹⁹

If a demand for a poll occurs after these dates, the outcome would apply to the 2022 and 2025 elections and the poll could be held in conjunction with the 2019 elections.

¹⁷ Local Electoral Act s 27

¹⁸ Local Electoral Act s 29, 30, 32, 33

¹⁹ Local Electoral Act s 31, 32, 33

5. REPRESENTATION ARRANGEMENTS

5.1. What are representation arrangements?

Representation arrangements relate to the way that councillors and local board members are elected, and include:

- (i) how many members there are (number of councillors in the governing body and number of board members in each local board)
- (ii) whether the election of councillors is on a ward basis (or, for a local board, whether election of board members is on a subdivision basis)
- (iii) if there are wards or subdivisions, what the boundaries are and how many members there are in each
- (iv) the names of local boards²⁰
- (v) whether there are Māori wards.

The legislation that established the Auckland Council required the Local Government Commission²¹ to decide Auckland Council's representation arrangements for the 2010 election within parameters set by the legislation.²²

Some aspects of Auckland Council's representation arrangements (such as the boundaries of Auckland Council and the boundaries and number of local boards) can only be reviewed through a local government re-organisation process, rather than the statutory processes relating to the review of representation arrangements.

5.1.1. Auckland Council wards

Because of the variance in population, the number of councillors representing the people within each ward varies to ensure fair representation. The ratio of population per councillor needs to be similar across the whole Auckland area (within a margin of 10% unless there are special circumstances).

Wards were established considering:

- a sense of identity with, and belonging to, a community or communities
- the geographical area of the services provided for in a community
- the representation of community interests and achieving a fair ratio of elected representatives to population
- a legislative requirement to provide for single member wards in the rural areas of Rodney and Franklin (now repealed).

5.1.2. Local board areas

The legislation required the Local Government Commission to:

- establish local boards for Waiheke and Great Barrier Islands

²⁰ Local Government (Auckland council) Act 2009, s 103

²¹ www.lgc.govt.nz

²² The full determination of the Local Government Commission can be found on its website: www.lgc.govt.nz

- ensure that, so far as is practicable, the boundaries of local boards, and any subdivision of those areas, provide effective representation of communities of interest
- ensure that, so far as is practicable, the boundaries of wards and local board areas coincide.

The Local Government Commission determined that in order to support effective decision-making on local services, local board areas needed to:

- be an appropriate size
- have sufficient resource-generating capacity
- relate to local service delivery.

5.2. Review of representation arrangements

5.2.1. What can be reviewed

Auckland Council is required to conduct representation reviews at least once every six years and must have completed its first representation review by 8 September 2018²³. Any review must be conducted in accordance with the timeframes set out in legislation.

Representation arrangements that must be reviewed include:

- (i) whether councillors are elected on a ward (i.e. division of the district) basis, or for the district as a whole
- (ii) if applicable, the name and boundaries of each ward and the number of councillors to be elected in each ward
- (iii) whether local board members are elected on a subdivision (i.e. division of the local board area) basis or for the local board area as a whole, and the number of members in each local board (between five and 12)
- (iv) if applicable, the name and boundaries of local board subdivisions, and the number of members to be elected in each subdivision
- (iv) the names of local boards.

While other councils can review the number of councillors, the number for the Auckland Council governing body is fixed in legislation at 20. The timetable for a review of representation arrangements for the 2019 elections is as follows:

Due dates	
No earlier than 1 March 2018	Resolution setting out the council's proposals on the above
Within 14 days of resolution but no later than 8 September 2018	Notice of resolution providing at least one month for submissions is published
Within 6 weeks of close of submissions	Submissions considered and original proposal amended as decided

²³ Local Electoral Act 2001 s 19H; Local Government (Auckland council) Act 2009 s 103

20 December 2018	Appeals from those who submitted on the original proposal and fresh objections to any amendments are received
15 January 2019	Appeals and objections forwarded to Local Government Commission
11 April 2019	Appeals and objections determined by the Local Government Commission

5.2.2. Election at large or by wards and subdivisions

It is possible for some members to be elected on an at-large basis and others on a ward (governing body members) or subdivision (local board members) basis.

Election 'at-large' means that members are elected from the whole area (whether the whole district or whole local board area) and not on a ward or subdivision basis. This can encourage the member to act in the interests of the area as a whole.

Election on a ward basis (or subdivision basis for local boards) ensures there is an even spread of members, preventing a majority of members being elected from the same area.

5.2.3. Requirements for effective and fair representation ²⁴

Effective representation

When conducting representation reviews (except in relation to the naming of local boards), the council must ensure that the manner in which councillors and local board members are elected will provide "effective representation of communities of interest within the district".

The Local Government Commission Representation Review Guidelines provide further detail.

Fair representation

When looking at representation arrangements, the council must ensure that electors of any wards or local board subdivisions receive fair representation.

This relates to the population of each ward and subdivision compared to the number of elected representatives for each ward and subdivision. The ratio should be no more than 10% greater or smaller than the average.

The council may propose a scheme that does not comply with the ratio required for fair representation in certain circumstances, including where :

- non-compliance is needed to ensure effective representation of communities of interest within island or isolated communities
- compliance could limit effective representation of communities of interest within the district.

²⁴ Local Electoral Act 2001 s 19T, 19V

5.2.4. Māori wards²⁵

Auckland Council may, by resolution, divide the district into one or more Māori wards. If the Council decides to do so, it must give public notice of the right to demand a poll in which electors can vote on whether the district should be divided into Māori wards.

The council may decide to hold a poll or it may be demanded by a specified number of electors. If a valid demand is received, there are set timeframes for when the poll must be held and when it would take effect.

There are some limitations, for example if a poll was already held at the last triennial election, or will be held at the next one, or if another enactment requires the district to be divided into Māori wards.

If the result of a poll requires the division of the district into one or more Māori wards, there are set times when this must take effect.

If the district is to be divided into one or more Māori wards for the purposes of an election, the council must determine:

- (i) whether all members are to be separately elected from Māori wards and general wards, or whether some members are to be elected 'at large' with some separately elected on a ward basis; and if so, how many of each
- (ii) the number of members to be elected from Māori wards, and the number of members to be elected from general wards, determined in accordance with the formula set out in the legislation
- (iii) the names and boundaries of each Māori ward
- (iv) the number of members to be elected from each Māori ward and the number of members to be elected from each general ward.

Decisions in relation to the division of the district into one or more Māori wards must comply with the same requirements as when deciding on representation arrangements for general wards. The ratio of members to the Māori electoral population in each Māori ward must produce a variance of no more than plus or minus 10%.

The Council must also have regard to the boundaries of any existing Māori electoral district, communities of interest and tribal affiliations. The timetable for council to consider establishing Māori wards prior to the 2019 elections is as follows:

Due date	
23 November 2017	Council may resolve to include Māori Wards in the 2019 elections
30 November 2017	Notice of the resolution, advising right to demand a poll, is published
21 February 2018	Demand for a poll must be received
21 May 2018	Poll held if a valid demand is received

²⁵ Local Electoral Act 2001 s 19Z-19ZH

5.2.5. Reorganisation proposals

Whereas representation arrangements describe the number of members, wards and subdivisions within existing boundaries of local authorities, a local government reorganisation proposal considers changes to the number of local authorities and their boundaries. A reorganisation proposal may deal with any or all of the following matters:

- the union of districts or regions
- the constitution of a new district or region, including a new local authority for it
- the abolition of a district or region, including the local authority
- the alteration of the boundaries of any district or region
- the transfer of a statutory obligation from one local authority to another
- a proposal that a territorial authority assume the power of a regional council
- the establishment or abolition of a local board area
- the alteration of the boundaries of a local board area
- the union of two or more local board areas.

Local government reorganisation applications are made to the Local Government Commission. There is a prescribed process for how the commission must consider applications.

In the application stage, the commission first makes a decision whether to assess the application, before considering the affected area and whether there is demonstrable community support for reorganisation. Alternative applications are called for and considered alongside the original application and the existing arrangements, before the commission determines and notifies its preferred option. If the current arrangements are the preferred option, the process for that application ends.

If the preferred option is something other than the current arrangements, the application progresses to the proposal stage. At this stage, the commission prepares and consults on a draft proposal before deciding whether or not to issue a final proposal, or to issue a new draft proposal (which is then consulted on again). Final proposals are publicly notified including notice to affected electors that they have the right by petition to demand a poll, in which electors will vote on the final proposal.

If a poll is held and more than 50% of valid votes oppose the final proposal, the reorganisation proposal will not proceed. If more than 50% of valid votes support the proposal (or if no poll is called for) the final proposal will be confirmed by way of Order in Council, a transition agency set up, and a reorganisation scheme prepared.

Further information on the process can be found on the website of the Local Government Commission:

<http://www.lgc.govt.nz/the-reorganisation-process/>

Current applications for reorganisation in Auckland

The Local Government Commission has received two applications for reorganisation in the Auckland Council district since the Auckland Council was established in 2010.

- (i) Application from the Northern Action Group for a unitary authority for North Rodney – On 1 November 2013, the commission received an application for a North Rodney Unitary Council from the Northern Action Group. The commission agreed to assess the application in August 2015. On 14 April 2016, the commission determined that the affected area is the Auckland Council area and that there is demonstrable community support in the area for reorganisation. The commission therefore called for alternative applications for local government reorganisation in the Auckland Council area to be submitted by 24 June 2016. The Northern Action Group submitted a supplementary proposal in June 2016.

- (ii) Application from Our Waiheke for a unitary authority for Waiheke Island – The commission received an application for a unitary authority for Waiheke Island from Our Waiheke in December 2015. In March 2016, the commission agreed to assess the application, and then subsequently agreed, on 29 May 2016, to consider the application as an alternative application in the Auckland Council reorganisation process initiated by the North Rodney reorganisation application.

Further information on the process can be found on the website of the Local Government Commission:

<http://lgc.govt.nz/the-reorganisation-process/auckland/alternative-applications-for-the-auckland-council-area/>

6. ROLES AND CONDUCT OF ELECTED MEMBERS

6.1. Role of elected members

6.1.1. Mayor of Auckland

The mayor is the only member who is elected from across the whole region. The mayor provides an overall leadership role and chairs the meetings of the governing body.

Under section 9 of the Local Government (Auckland Council) Act 2009, the mayor responsibilities are:

- to articulate and promote a vision for Auckland
- to provide leadership for the achievement of that vision.

The role of the mayor includes:

- leading the development of council plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the governing body
- ensuring there is effective engagement between the Auckland Council and the people of Auckland, including those too young to vote.

To undertake these roles, the mayor has the following powers:

- establish processes and mechanisms for the Auckland Council to engage with the people of Auckland, whether generally or particularly (for example, the people of a cultural, ethnic, geographic, or other community of interest)
- appoint the deputy mayor
- establish committees of the governing body
- establish and maintain an appropriately staffed office of the mayor
- appoint the chairperson of each committee of the governing body; for that purpose, the mayor:
 - may make the appointment before the other members of the committee are determined
 - may appoint him or herself.

The mayor is a member of each committee of the governing body.

6.1.2. Deputy mayor

The deputy mayor is appointed by the mayor. The deputy mayor exercises the same roles as other governing body elected members. In addition, if the mayor is absent or incapacitated, or if the office of mayor is vacant, then the deputy mayor must perform all of the responsibilities and duties, and may exercise the powers of the mayor.

6.1.3. Committee chairs

The mayor may create one or more committees of the governing body, and appoint the chairperson of each committee. A committee chairperson presides over all meetings of the committee, ensuring the proper conduct of the meeting under the governing body's meeting standing orders and that the committee acts within the powers delegated by the governing body as set out in the council's Terms of Reference for Committees. A committee chairperson may be called on to act as an official spokesperson on a particular issue relevant to that committee.

6.1.4. Committee deputy chairs

The deputy chair is either appointed by the mayor or elected by the members of the committee of the governing body (if the mayor does not appoint a deputy chair). The deputy chair exercises the same roles as other elected representatives. In addition, if the chair is absent or incapacitated, or if the office of chair is vacant, then the deputy chair must perform all of the responsibilities and duties, and may exercise the powers of the chair.

6.1.5. Local board chair

The local board chair is elected by members of the local board. The chair undertakes a civic leadership role in the local board area and ensures the proper conduct of meetings under the local board's standing orders, acts as the spokesperson for the board and is civic head for local events.

6.1.6. Local board deputy chair

The deputy chair is elected by the members of the local board. The deputy chair exercises the same roles as other local board elected members. In addition, if the chair is absent or incapacitated, or if the office of chair is vacant, then the deputy chair must perform all of the responsibilities and duties, and may exercise the powers of the chair.

6.2. Role of the chief executive

The Chief Executive is appointed by the governing body in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the LGA 2002. The chief executive implements and manages the council's policies and objectives within the budgetary constraints established by the council.

The responsibilities of the chief executive are:

- implementing the decisions of the Auckland Council
- providing advice to the governing body and local boards
- ensuring that all responsibilities, duties and powers delegated to the chief executive or to any person employed by the chief executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- managing the activities of the council effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the council
- providing leadership for the staff of the council
- employing staff (including negotiation of the terms of employment for the staff).

The governing body agrees objectives with, and monitors performance of, the chief executive, through the Appointments and Performance Review Committee. This committee recommends the terms and conditions of employment (including remuneration) to the governing body.

6.3. Code of conduct

Legislation requires all elected members to adhere to a code of conduct adopted by the governing body.²⁶ Once adopted, a code may only be amended by a vote of the governing body, with at least a 75 percent majority.

The code sets out the council's understanding and expectations of how the mayor, councillors and local board members relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by, or is in the possession of, elected representatives. It contains details of the sanctions that the council may impose if an individual breaches the code. Copies of the full code of conduct may be obtained from the Democracy Services Department or from the council's website www.aucklandcouncil.govt.nz.

6.3.1. Conflicts of interest

All elected members are required to maintain a clear separation between personal interests and duties as a governing body member, member of a committee/subcommittee, or of a local board or local board committee, in accordance with the provisions identified in the Local Authorities (Members' Interests) Act 1968.

Elected members are required to complete a declaration of interest statement listing:

- (1) company directorships and controlling interests
- (2) interests (such as shares and bonds) in companies and business entities
- (3) any employment
- (4) beneficial interests in trusts
- (5) membership of community organizations, e.g. clubs, environmental protection organisations, churches or charitable bodies
- (6) appointments (except those made by the council) e.g. to a University council or Government agency
- (7) interests in land, whether as owner or tenant
- (8) debtors
- (9) creditors
- (10) travel costs paid by third parties
- (11) gifts received (including hospitality) over \$300
- (12) discharged debts over \$300 paid for by other parties.

Elected members also complete a Related Party Transactions declaration that is reported in the annual report.

6.3.2. Alleged breaches of the code of conduct

All complaints must be addressed to the Chief Executive. Any allegation of a breach of the Code must relate to Section 7 of the Code, be in writing, make a specific allegation of a breach of the Code and provide corroborating evidence.

An elected member may make a complaint alleging a breach of the Code of Conduct.

²⁶ Local Government Act 2002 schedule 7, cl 15; Local Government (Auckland Council) Act 2009, s 30

The Chief Executive may make a complaint acting on behalf of staff or on behalf of a CCO conveyed through that CCO's chief executive.

If a member of the public makes a complaint, the Chief Executive may determine whether the complaint constitutes a breach of the Code of Conduct. The Chief Executive may consult a convenor of the Independent Conduct Review Panel²⁷.

The Chief Executive advises the complainant of options available for resolving the complaint. Where the facts are clear and the breach is a first offence, an initial option may be a letter to the member from the Chief Executive advising that a complaint has been received.

The member should inform the Chief Executive of the action they have taken or propose to take in response to the complaint. The Chief Executive or the member shall inform the complainant of the action taken in response. Where alternative options do not, or are not capable of, resolving the complaint, the complaint will be referred to a convenor of the Conduct Review Independent Panel who will assign the complaint to a panel member or convenor. The panel member or convenor will endeavour to resolve issues by mediating between the parties or refer the matter to the Conduct Review Independent Panel for full investigation and recommendation to the governing body or local board as appropriate.

6.3.3. Responses to breaches of the code

There may be legal responses available. For example, if a member has breached the Local Authorities (Members Interests) Act, the complaint could be referred to the Auditor-General.

If no law has been broken, the governing body or local board may take the following action:

- censure
- removal of the elected member from representative bodies
- dismissal of the elected member from a position as chair or deputy chair of a committee.

A decision to apply one or more of these actions requires a resolution to that effect.

6.4. Other legislation relevant to conduct

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the chief executive and to abide by the current code of conduct and standing orders
- the Local Authorities (Members' Interests) Act 1968, which regulates the conduct of elected representatives in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- the Secret Commissions Act 1910, which prohibits elected representatives from accepting gifts or rewards that could be seen to sway them to perform their duties in a particular way
- the Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

²⁷ The council holds a list of persons who have agreed to sit on such a panel if required. The three convenors are: Sir Ian Barker, Judge Coral Shaw and Derek Firth.

6.5. Disputes between local boards and the governing body

For Auckland Council, the sharing of decision-making responsibilities between the governing body and local boards may result in disputes between them. Section 97 of the Local Government (Auckland Council) Act 2009 has allowed for this possibility. If one or more local boards is dissatisfied with a decision of the governing body regarding the allocation of non-regulatory activities under section 17(1) of the Local Government (Auckland Council) Act 2009, they must make reasonable efforts to reach a mutually acceptable and timely resolution of the dispute. In doing so they must have regard to the requirements of the Local Government (Auckland Council) Act 2009 and the current and future well-being of the communities of Auckland and the interests and preferences of the communities within each affected local board area.

If the dispute remains unresolved, the board or boards may apply in writing to the Local Government Commission for a binding determination on the matter.

7. RELATIONSHIPS WITH MĀORI

7.1. Mana whenua and mataawaka

Mana whenua are Māori with ancestral relationships in certain areas in Tāmaki Makaurau where they exercise customary authority.

Mataawaka are Māori living in the Auckland region whose ancestral links lie outside of Tāmaki Makaurau.

The Auckland Council recognises 19 mana whenua groups within Tāmaki Makaurau:

- Ngāi Tai ki Tāmaki
- Ngāti Manuhiri
- Ngāti Maru
- Ngāti Paoa
- Ngāti Rehua
- Ngāti Tamaoho
- Ngāti Tamaterā
- Ngāti Te Ata Waiohua
- Ngāti Wai
- Ngāti Whanaunga
- Ngāti Whātua Ngā Rima o Kaipara
- Ngāti Whātua o Ōrākei
- Patukirikiri
- Waikato-Tainui
- Te Ākitai
- Te Ahiwaru
- Te Kawerau a Maki
- Te Rūnanga o Ngāti Whātua
- Te Uri o Hau.

7.2. Independent Māori Statutory Board

7.2.1. Purpose

The Local Government (Auckland Council) Act 2009 establishes a board whose purpose is to assist the Auckland Council to make decisions, perform functions, and exercise powers by—

- (a) promoting cultural, economic, environmental, and social issues of significance for—
 - (i) mana whenua groups; and
 - (ii) mataawaka of Tāmaki Makaurau; and
- (b) ensuring that the council acts in accordance with statutory provisions referring to the Treaty of Waitangi.²⁸

²⁸ Local Government (Auckland council) Act 2009, section 81

7.2.2. Status

The Board is a body corporate and is separate and independent of the Auckland Council²⁹. It has chosen the name Independent Māori Statutory Board (IMSB).

7.2.3. Members

The Board members have a three-year term and are appointed by a selection panel. The current members are:

Mana Whenua representatives

David Taipari (chairman)

Liane Ngamane

Glenn Wilcox (deputy chairman)

Renata Blair

James Brown

Dennis Kirkwood

Terrence (Mook) Hohneck

Matāwaka representatives

Tau Henare

Tony Kake

7.2.4. Functions

The Board's general functions are to³⁰:

- act in accordance with its purpose
- develop a schedule of issues of significance to mana whenua groups and mataawaka
- advise the Auckland Council on matters affecting mana whenua groups and mataawaka of Tāmaki Makaurau
- work with the Auckland Council on the design and execution of documents and processes to implement the council's statutory responsibilities towards mana whenua groups and mataawaka of Tāmaki Makaurau.

The Board and the council are required to meet at least four times each financial year to discuss the board's and council's performance of their duties.³¹

7.2.5. Appointments to council committees

The legislation requires the board to appoint a maximum of two members to each council committee that deals with the management and stewardship of natural and physical resources. The council may also invite the board to make appointments to other committees.

²⁹ Local Government (Auckland council) Act 2009, section 82

³⁰ Local Government (Auckland Council) Act 2009, section 84

³¹ Local Government (Auckland Council) Act 2009, section 84(2) & 88(3)

7.2.6. Key programmes

Schedule of issues of significance

Legislation requires the IMSB to develop a schedule of Issues of Significance for mana whenua and matāwaka. The IMSB has completed this. It reflects issues for Māori in the jurisdictional boundary of the Auckland Council.

The document can be viewed at:

<http://imsb.maori.nz/index.php/key-programmes/schedule-of-issues-of-significance>

The Māori Plan

The plan takes a snapshot of the Cultural, Social, Economic and Environmental wellbeing of Māori communities. The Māori Plan is a 30 year plan based on Māori values and outcomes and includes the activity or action based plans in each of the four wellbeing domains, derived from the aspirations of Tāmaki Makaurau Māori.

The document forms part of the Schedule of Issues of Significance.

Treaty of Waitangi Audit

The audit was divided into two phases. The first phase included the development of the audit approach through a legal framework and set out the council's relevant statutory Treaty provisions and obligations. Auditors PwC (PricewaterhouseCoopers) then identified stakeholders and guidelines (expected best practice) as well as a recommended audit plan.

The second phase included input from Māori and council groups, including local boards and CCOs, as well as a framework for the agreed actions and recommendations.

The document can be viewed at:

<http://imsb.maori.nz/index.php/key-programmes/treaty-audit>

7.3. Co-governance entities

7.3.1. Ngāti Whatua Orakei Reserves Board

The Ngāti Whatua Orakei Reserves Board is established under the Ngāti Whatua Orakei Claims Settlement Act 2012. It is set up as a part of the return of land to Ngāti Whatua on the basis that the reserve land referred to as the whenua raNgātira is for the common use and benefit of Ngāti Whatua and the citizens of Auckland.

The Board has the powers of an administering body and a local authority under the Reserves Act 1977.

It consists of three members appointed by Ngāti Whatua and three members appointed by the Auckland Council. Costs are required to be met by Auckland Council.

7.3.2. Parakai Recreation Reserve Board

The Parakai Recreation Reserves Board is established under the Ngāti Whatua o Kaipara Claims Settlement Act 2013, following the signing of a deed of settlement.

The Board has the powers of an administering body and a local authority under the Reserves Act 1977.

It consists of three members appointed by Ngā Maunga Whakahii o Kaipara Development Trust and three members appointed by the Auckland Council.

7.3.3. Tūpuna Maunga o Tāmaki Makaurau Authority

The Tūpuna Maunga o Tāmaki Makaurau Authority (or Maunga Authority) is established under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014. The Authority had its inaugural meeting on 15 September 2014.

A Deed of Settlement was signed on 8 September 2012, between the Crown and a collective (known as the Tāmaki Collective) representing the iwi of Tāmaki Makaurau. The Act implements the Deed. The Deed recognises the rights of the iwi in regard to maunga (mountains), motu (islands) and other land.

The Tāmaki Collective represents:

- Ngāi Tai ki Tāmaki
- Ngāti Maru
- Ngāti Pāoa
- Ngāti Tamaoho
- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whanaunga
- Ngāti Whātua o Kaipara
- Ngāti Whātua Ōrākei
- Te Ākitai Waiohua
- Te Kawerau ā Maki
- Te Patukirikiri
- hapū of Ngāti Whātua (other than Ngāti Whātua o Kaipara and Ngāti Whātua Ōrākei) whose members are beneficiaries of Te Rūnanga o Ngāti Whātua, including Te Taoū not descended from Tuperiri.

The Maunga Authority membership consists of six members appointed by iwi, six members appointed by the Auckland Council and one member appointed by the Minister for Arts, Culture and Heritage.

The Maunga Authority has the powers of an administering body and local authority under the Reserves Act 1977 and has responsibility for:

- Matukutūruru
- Maungakiekie / One Tree Hill
- Maungarei / Mount Wellington
- Maungauika
- Maungawhau / Mount Eden
- Mount Albert

- Mount Roskill
- Mount St John
- Ōhinerau / Mount Hobson
- Ōhūiarangi / Pigeon Mountain
- Ōtāhuhu / Mount Richmond
- Rarotonga / Mount Smart
- Takarunga / Mount Victoria
- Te Tātua-a-Riukiuta.

7.4. Relationship agreements

Relationship agreements with Tāmaki Makaurau iwi are being developed. Relationship agreements support elements of the Auckland Plan strategic direction to “enable Māori aspirations through recognition of Te Tiriti o Waitangi / The Treaty of Waitangi and customary rights” through formal acknowledgement of the mutual interests of council and mana whenua. They are a means of documenting each party’s intention to work together respectfully and positively, and the development of the agreement itself may assist in mutual understanding.

The Governing Body has approved an agreement with Te Uri o Hau Settlement Trust. Te Uri o Hau rohe / tribal area includes the area from Mangawhai Heads to Te Arai Point across to Wellsford and out to Port Albert. The Rodney Local Board is a party to the agreement.

7.5. Whiria Te Muka Tangata – the Māori Responsiveness Framework

This was signalled in the Auckland Plan. It enhances and guides the council family’s responsiveness to Māori. One of the goals of the framework is to achieve effective Māori participation in democracy, placing emphasis on the council’s democratic structures and decision-making processes. For more information, on the Māori Responsiveness Framework, see Māori Responsiveness Framework on Auckland Council’s website³².

7.6. Māori impact statements in council decision-making reports

Reports for the governing body, local boards and their committees must include a Māori impact statement. This is so that decision-makers can take into account any impact on Māori in their decision-making. Māori impact statements should address:

- i) whether the issue requires communication or engagement with Māori and, if so, who was involved, what they said and the result
- ii) whether the issue relates to Māori wellbeing and, if so, the statement should explain the situation and the actions underway or intended and the expected outcomes
- iii) whether the issue provides or has the potential to contribute to the development of Māori capacity and, if so, the statement should explain the situation and the actions underway or intended and the expected outcomes

³² http://www.aucklandcouncil.govt.nz/Plans/LongTermPlan/VolumeOne/section_1341865502973.html

iv) whether the matter has benefits or adverse effects for Māori.

7.7. Cultural Impact Assessments

Under the Resource Management Act 1991, Auckland Council is responsible for promoting the sustainable management of its natural and physical resources.

When considering an application for resource consent, the council needs to recognise and provide for the relationship of Māori, their culture and traditions, with their ancestral lands, water, sites, wāhi tapu (sacred areas) and other taonga (treasures).³³

A Cultural Impact Assessment is a report prepared by Mana Whenua (or nominee) that documents their cultural values, interests and associations with an area and/or natural resource. This report helps identify the relationship of Mana Whenua with that specific area and/or natural resource.

The report outlines the potential impacts from the proposed activity on those values, and offers solutions to address those impacts.

Cultural Impact Assessments are required in regard to:

- discharges to air, land or water
- diverting, taking, using or damming water
- reclaiming or disturbing a river bed or the Coastal Marine Area
- extracting minerals
- removing mangroves
- disturbing land or clearing vegetation in a Significant Ecological Area (SEA)
- works close to sites or places of significance or value to Mana Whenua.

7.8. Auckland Plan

The Auckland Plan, the Auckland Council's document which sets out its strategic direction, devotes a chapter to Auckland's Māori. It establishes five priorities:

- (i) establish papakāinga in Auckland
- (ii) enable Tangata Whenua to participate in the co-management of natural resources
- (iii) explore partnerships with mana whenua to protect, identify and manage wāhi tapu sites
- (iv) enable Māori aspirations for thriving and self-sustained marae
- (v) support sustainable development of Māori outcomes, leadership, community and partnerships.

³³ Resource Management Act 1991, section 6

8. MEETING PROCESSES

This section describes how formal meetings are held and how the public can attend and take part.

8.1. Giving notice to members

8.1.1. Ordinary meetings

For ordinary meetings, at least 14 days' notice of the time and place of the meeting must be given to the members of the meeting, or given in accordance with an adopted meeting schedule. Notification of a schedule is notification of all meetings in the schedule.

8.1.2. Extraordinary meetings

Extraordinary meetings (meaning meetings for which notice as required for ordinary meetings cannot be given) can be called with three working days' notice, or a shorter period in exceptional circumstances, but no less than 24 hours' notice.

8.2. Giving notice to the public³⁴

8.2.1. Ordinary meetings

Public notice of all scheduled meetings in a month must be given at least 5 days and not more than 14 days prior to the end of the preceding month.

Alternatively, if a meeting is to be held after the 21st of the month, it can be notified not more than 10 working days nor less than 5 working days prior to the meeting.

8.2.2. Extraordinary meetings

Extraordinary meetings must be publicly notified as soon as practicable before the meeting is held. If this cannot be done, such a meeting must be notified as is reasonable in the circumstances. The general nature of business to be conducted at the meeting must be included in the notice.

8.2.3. Where to view public notices

The Auckland Council places public notices in the NZ Herald. Information about the schedule of meetings is also placed in the council's website.

If a meeting is notified and later cancelled, a cancellation notice will also be placed.

8.3. Public access to agendas and minutes

8.3.1. Agendas³⁵

Agendas for ordinary meetings are required to be publically available at least two working days prior to a meeting.

³⁴ The Local Government Official Information and Meetings Act 1987 (LGOIMA) s 46

³⁵ LGOIMA s 46A

An agenda for an extraordinary meeting, called by a resolution of the council, will be made available to the public as soon as is reasonable in the circumstances.

An agenda is the list of items to be discussed at the meeting. Auckland Council combines the list of items with staff reports for that meeting into the one document.

Any member of the public may inspect any open agenda and associated reports circulated to members. Members of the public may take notes or request a copy of the agenda or report. The chief executive may exclude reports or items from reports that are expected to be discussed in the meeting with the public excluded. These are indicated on each agenda.

8.3.2. Minutes³⁶

The public are entitled to view the minutes of a meeting at the council office.

A request for the minutes of a part of a meeting from which the public were excluded is treated as a request for official information. The minutes can only be withheld if there are relevant grounds in the Local Government Official Information and Meetings Act 1987.

8.3.3. Where to view agendas and minutes

Although it is possible to access agendas and minutes through public libraries, members of the public are encouraged to use the council's website. The website is a comprehensive repository of all formal political meetings. It includes copies of any presentations that are made at meetings.

8.4. Public attendance at meetings

8.4.1. Right to attend³⁷

The Local Government Official Information and Meetings Act 1987 (LGOIMA) requires meetings to be open to the public. The principle is that whenever the council exercises functions and powers given to it by Parliament under legislation this should be transparent and open to the public to observe.

The public has a right to attend the meeting but does not have an automatic right to participate in the meeting. Public rights to speak at meetings are discussed further at 8.5.

LGOIMA applies to any formal meeting of the governing body, or local board, or any committee which exercises a responsibility given through legislation.

A meeting at which no resolutions are passed is not a meeting that is subject to the requirement to be open to the public. This means that elected members are able to take part in workshops or briefing sessions and to have any other informal type of meeting without being required to provide for public attendance – provided no resolutions (decisions) are made.

8.4.2. Ability to exclude the public³⁸

The Local Government Official Information and Meetings Act 1987 gives councils the ability to exclude the public from parts of meetings when certain conditions apply. These conditions include that it is likely that conducting the meeting in public would lead to disclosure of information where there is good reason to withhold that information, or that the information is protected by legislation,

³⁶ LGOIMA s 51

³⁷ LGOIMA s 47

³⁸ LGOIMA s 48

or a decision is subject to appeal. A resolution to exclude the public must be passed which includes the legal reasons for excluding the public.

If members of the public are in the room when a resolution to exclude the public is passed, the chair will ask the public to leave the room for the duration of the item.

It is the practice of the council, once an item has been decided with the public excluded, to pass a resolution stating whether the report and decision can be restated in the public minutes.

8.4.3. Maintaining order³⁹

If a member of the public disrupts a meeting and will not obey the instructions of the chairperson to leave the meeting, the Local Government Official Information and Meetings Act 1987 allows the council to remove that person.

8.5. When the public can speak to a meeting

8.5.1. Standing orders

Although legislation does not require councils to allow members of the public to address meetings, many councils, including the Auckland Council, make provision in their standing orders for this.

8.5.2. Public Input at meetings of the governing body and its committees

With the exception of the Hearings Committee⁴⁰, a period of up to 30 minutes in total at each meeting, or such longer time as the governing body and any of its committees may determine, is set aside for public input at the commencement of meetings that are open to the public. The printed agenda indicates this as "Public Input".

Each speaker during the public input section of a meeting may speak for five minutes. This may be extended by resolution of the meeting if necessary.

Public Input is typically used to speak about:

- (i) a matter that is on the meeting agenda
- (ii) something that an organisation is doing in order to inform councillors
- (iii) an issue that is a concern
- (iv) a petition.

Public Input cannot be used to speak about:

- (i) decisions that have already made (Public Input is not an appeal provision)
- (ii) matters for which there is a separate public hearing process (fairness dictates that all submitters use the same process)
- (iii) matters which are being dealt with through a quasi-judicial process (which requires a set process that is fair to all parties)
- (iv) matters outside the responsibilities of the meeting or the Auckland Council.

³⁹ LGOIMA s 50

⁴⁰ The Hearings Committee is responsible for formal hearings and has separate processes for this

8.5.3. Process for requesting to speak at a meeting

An application setting out the subject matter is made to the Democracy Adviser for the meeting no later than two working days prior to the meeting, who will pass the application on to the meeting chairperson for approval. The contact details of the Democracy Adviser can be found on the agenda cover for the meeting. The chair of the meeting has discretion over accepting applications.

8.5.4. Public Forums at meetings of local boards

A period of up to 30 minutes, or such other time as the local board or any of its committees may determine, will be set aside for a public forum at the commencement of meetings which are open to the public. Each speaker during the public forum section of a meeting may speak for three minutes.

Deputations and presentations may also be made to the local board.

8.5.5. Other ways of addressing meetings

A member of the public can participate in the democratic process by making a written submission when submissions are called and speaking to the submission at a hearing. Submissions are invited on draft documents for:

- Unitary Plan
- Annual Plan and Long-term Plan
- Bylaws
- Other key policies and plans
- reserve management plans
- applications for consent and proposals for plan changes under the Resource Management Act.

See the council's website for a comprehensive list of plans, policies and strategies.

8.5.6. Presenters names recorded in minutes

As a public record, the minutes of meetings will record the names of submitters and presenters.

8.6. Standing orders

The members of a meeting must follow standing orders (a set of procedures for conducting meetings). The governing body and each local board adopts its own standing orders and can amend them by a vote of 75 percent of the members present. A meeting may suspend standing orders by a vote of 75 percent of the members present.

Examples of rules contained in standing orders:

- speaking time of members during a debate
- motions and amendments
- notices of motion by members
- voting
- Public Input.

The standing orders are based on the NZ Standard 9202:2003 but have been amended to accommodate provisions that are specific to the Auckland Council.

8.6.1. Governing body standing orders

Governing body standing orders can be viewed on the Auckland Council website:

http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/meetings_agendas/governing_body/Pages/home.aspx

8.6.2. Local board standing orders

Local board standing orders can be viewed on the Auckland Council website:

http://www.aucklandcouncil.govt.nz/EN/AboutCouncil/meetings_agendas/local_boards/Pages/home.aspx

8.6.3. Voting

All voting must be open⁴¹. The Standing Orders provide for three ways of determining a vote:

- on the voices
- show of hands
- by division (each member's name is called in turn and the member responds by voting for or against the motion).

Only when voting is called by division will the votes of individual members be recorded in the minutes, though the standing orders allow a member to request that a dissenting vote or abstention is recorded.

The Standing Orders allow chairpersons to have casting votes (an additional vote which is only used to break a tie).

8.6.4. Revoking previous decisions

A previous decision can only be revoked:

- at the same meeting as a result of new information
- at a subsequent meeting by way of a report from the Chief Executive or chairperson
- at a subsequent meeting by way of a notice of motion by a member, with the signatures of at least one third of the meeting.

8.7. Agendas and minutes

8.7.1. Agendas

Issues that need to be brought to the attention of members are contained in reports from council staff that are collated into agendas.

The chairperson of a meeting may also bring an issue to the attention of a meeting by way of a report.

A member of a meeting can give notice of a motion the member intends to move at a meeting. The notice of motion is included in the published agenda.

The requirements for public notice of meetings and public availability of agendas means that a meeting cannot deal with a matter that is not on the published agenda unless the process in the Local Government Official Information and Meetings Act 1987 is followed. This involves the

⁴¹ Local Government Act 2002, schedule 7, clause 24

chairperson explaining to the meeting why the matter was not on the published agenda and why it cannot be deferred to a subsequent meeting. The meeting must pass a resolution approving the additional item.

Agendas of all formal meetings are available on the council's website.

8.7.2. Minutes

Minutes are a record of proceedings of a meeting and are required to be kept. They are evidence of the proceedings of a meeting once they are authenticated by being formally confirmed at a following meeting⁴².

The minutes of Auckland Council meetings record the members present and absent, members arrival and departure times, apologies, declarations of conflicts of interest, movers and seconders of motions and amendments, resolutions passed and names of presenters. They are not a verbatim record of discussion.

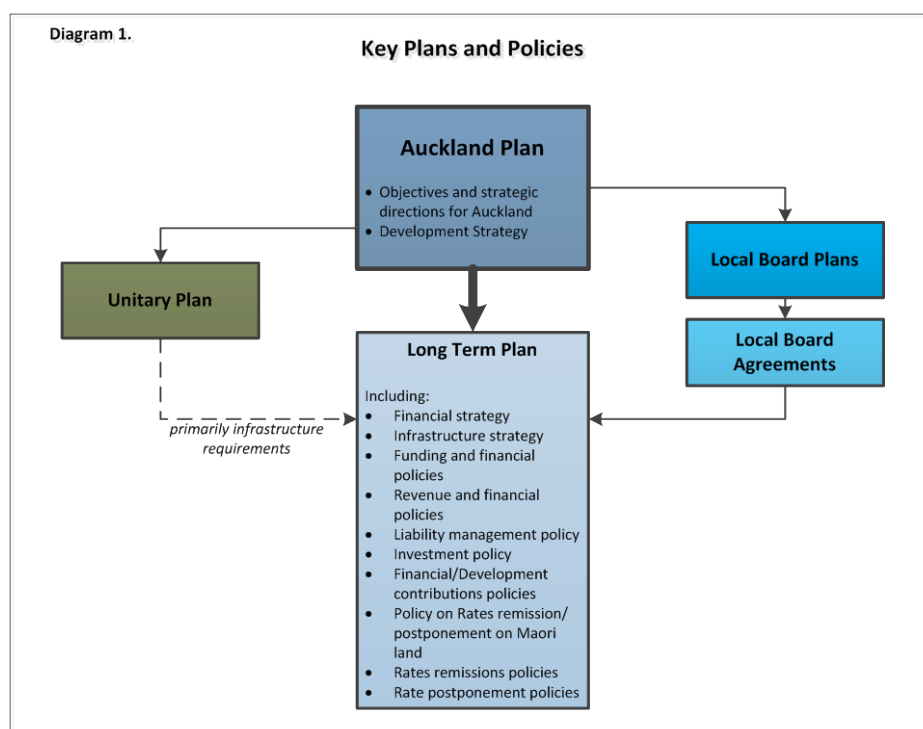
⁴² Local Government Act 2002, schedule 7, clause 28

9. KEY PLANNING AND POLICY DOCUMENTS

9.1. What are the key planning documents?

There are a number of plans and policies that make up Auckland Council's strategic framework. Some have a statutory basis, while others are developed to help achieve the council's vision. Each has a specific role and objective.

The following diagram shows the linkages between the key statutory plans and policies.



9.2. Governing body

9.2.1. Auckland Plan

The Auckland Plan sets a long term 30-year strategic direction for Auckland and its communities that integrates Auckland's social, economic, environmental and cultural objectives. Auckland's Development Strategy is a key element of the plan.

The plan is a plan for all of Auckland, and to be successful, needs a collaborative approach with central government and many other stakeholders, including the private sector and the community at large.

The plan is required by the legislation which established Auckland Council (the Local Government (Auckland Council) Act 2009). Amendments to the plan require use of the special consultative procedure in accordance with the Local Government Act 2002. Council must involve key stakeholders, as defined by the legislation, in any amendments to the plan.

9.2.2. Long-term Plan

A long-term plan is prepared every three years and sets out the council's projects and budget for 10 years. This funding provides for Auckland Council's implementation of the Auckland Plan, asset management plans, the infrastructure strategy and a range of other initiatives. The current long-term plan covers 2015-2025 and the next one (2018-2028) will be adopted in 2018.

The Local Government Act 2002 sets out the requirements for the long-term plan including the council's Financial Strategy, Finance and Funding policies, and rates remission policies among others (see diagram 1).

9.2.3. Annual Plan

Auckland Council's annual plan is produced each year of the intervening years (years two and three of the long-term plan), and is essentially a refresh of the financial information contained in the long-term plan for the year that it relates to. The Local Government Act 2002 sets out requirements for the annual plan, including applicable principles of consultation. Consultation documents are based on how the proposed annual plan differs from the current long-term plan.

9.2.4. Unitary Plan

The Auckland Unitary Plan will guide the development and quality of the city's built and natural environment over the coming decade. The Auckland Unitary Plan is the principal regulatory tool to implement the Auckland Plan's development strategy.

Developing and adopting the Unitary Plan was a significant undertaking under the Resource Management Act 1991 and special legislation. The Plan was notified in 2013, followed by further submission and hearings through September 2013 to April 2016. The [Auckland Unitary Plan Independent Hearings Panel](#) made its recommendations to Auckland Council in July 2016 which were then considered and determined by Auckland Council. The remainder of the Unitary Plan will become operative as remaining appeals to the Environment Court and High Court are resolved.

More information can be viewed at:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/home.aspx>

9.3. Local boards

9.3.1. Local Board Plans

[Local board plans](#) are three-year plans that set out the aspirations and priorities for each community and guide the decisions that each local board will make for their respective local board area over the next three years and beyond. Local board plans informed and influenced the development of Auckland Council's Long-term Plan.

9.3.2. Local Board Agreements

[Local board agreements](#) are negotiated between local boards and the governing body of Auckland Council and determine a local board's budget and funding for local activities for each financial year.

9.4. Other key plans and policies – non-statutory

A number of core non-statutory strategies and policies are developed by Auckland Council to help deliver the Auckland Plan and its objectives. Examples include:

9.4.1. City Centre Master Plan

The City Centre Master Plan is a 20-year vision to bring new energy and vibrancy to Auckland's city centre. It identifies opportunities for development and ways to make Auckland's city centre a more attractive place to live and work. It also addresses the importance of a greater connectivity between the city centre and suburbs in the city fringe such as Ponsonby, Parnell and Devonport and the regional centres of Newmarket and Takapuna.

9.4.2. Waterfront Plan 2012

The Waterfront Plan 2012 sets out the vision and goals for the waterfront and a range of short, medium and long-term initiatives that include a 20km promenade and cycleway along the edge of the waterfront, an innovation precinct at Wynyard Quarter, a 4.5 hectare park on Wynyard Point, and a light rail system from the Wynyard Quarter to St Heliers.

9.4.3. City Centre Retail Action Plan 2012 – 2017

The City Centre Retail Action Plan 2012 – 2017 is a joint initiative between Heart of the City and Auckland Council to improve the overall retail environment and experience and ensure that Auckland's retail offering stands alongside the world's best.

9.4.4. Area plans

[Area plans](#) are long-term (30-year) plans based on the same geographic areas as local boards. Once completed, they will help to implement the directions and outcomes of the Auckland Plan at a local level.

9.4.5. Sea Change - Hauraki Gulf Marine Spatial Plan

The Hauraki Gulf, known as Tikapa Moana and Te Moananui ā Toi, is recognised as a national taonga (treasure).

Mana whenua, central and local government, local communities and interest groups have worked together to create Sea Change – Tai Timu Tai Pari, a marine spatial plan designed to safeguard this treasure, which was released on 6 December 2016.

More information can be viewed here: <http://www.seachange.org.nz/>

9.5. Reports

9.5.1. Annual Report

The Local Government Act 2002 requires local authorities to prepare and adopt, for each financial year, an annual report containing information required by Part 3 of Schedule 10⁴³.

The purpose of an annual report is to compare actual activities against actual performance (as set out in the annual plan and the long-term plan) and to promote the council's accountability to the community. An annual report must be:

- completed and adopted (by resolution) within 4 months after the end of the financial year to which it relates
- made available to the public one month after its adoption.

⁴³ Local Government Act 2002, section 98

9.5.2. Pre-election report

New Zealand's councils are required by the Local Government Act 2002 to produce a report prior to each local government election.

The pre-election report includes a snapshot of the performance of the council and CCOs, key financial measures from the past three years and projections for the next three. It also includes highlights from the council's current 10-year budget, an outline of the council's investment programme and major infrastructure projects planned over the next three years and into the longer term.

9.5.3. Hauraki Gulf Forum – state of the environment report

The Hauraki Gulf Forum is established by the Hauraki Gulf Marine Park Act 2000 and is comprised of representatives of the Ministers of Conservation, Māori Affairs and Fisheries, Auckland Council, Hauraki District Council, Matamata-Piako District Council, Thames-Coromandel District Council, Waikato District Council, Waikato Regional Council and six representatives of tangata whenua.

The Forum publishes a state of the environment report regarding the Hauraki Gulf.

10. CONSULTATION POLICIES

10.1. Legal requirements

The Local Government Act 2002 sets standards for decision-making:

- when making significant decisions, the views of affected people need to be considered⁴⁴
- when consulting, those people who are affected by, or have an interest in, the decision should be provided with adequate information and an opportunity to present their views⁴⁵
- Māori must have the opportunity to contribute to decision-making.⁴⁶

10.2. Significance and engagement policy

10.2.1. Background

The council is required to adopt a "Significance and engagement policy"⁴⁷ setting out:

- The council's general approach to determining the significance of proposals and decisions
- criteria or procedures for assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences
- how the council will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable
- how the council will engage with communities on other matters.

The purpose of the policy is that the council and the community can identify significance and have clarity about how the council will engage with the community.⁴⁸

The council's Significance and Engagement Policy is here:

<http://acintranet.aklc.govt.nz/EN/departments/communications/Pages/SignificanceandEngagementPolicy.aspx>

10.2.2. Engagement

The policy sets out the principles guiding the council on how it will engage with the community.

The mayor has a legal responsibility to ensure there is effective community engagement.⁴⁹ Local boards are also responsible for communicating with local communities to help inform local decision making and communicate local views to the governing body on regional issues.⁵⁰

⁴⁴ Local Government Act 2002, section 78

⁴⁵ Local Government Act 2002, section 82

⁴⁶ Local Government Act 2002, section 81

⁴⁷ Local Government Act 2002, section 76AA

⁴⁸ Local Government Act 2002, section 76AA

⁴⁹ Local Government (Auckland council) Act 2009, section 9

⁵⁰ Local Government (Auckland council) Act 2009, sections 13, 16

10.2.3. General approach to determining significance

The governing body and local boards will consider the following matters when determining the degree of significance of a decision:

- the number of people affected, the degree to which they are affected and the likely impact of a decision
- whether this type of decision has a history of generating wide public interest within the local board area (for a local board decision) or Auckland or New Zealand generally (for a governing body decision)
- the impact of the decision on the governing body or local board ability to deliver on actions that contribute to the Auckland Plan, as well as any statutory responsibility
- the impact of the decision on intended service levels for a group of activities, including the starting or stopping of any group of activities
- the degree to which the decision or proposal can be reversed should circumstances warrant.

10.2.4. Thresholds

The council's thresholds relevant to determining significance are:

- creating a new group of activity;
- stopping carrying out a group of activity;
- increasing (by 33 per cent or more) or decreasing (by 20 per cent decrease or more) spending on a group of activity;
- transferring the ownership or control of our strategic assets.

10.2.5. Strategic assets

The council's strategic assets are those vital for delivery of its services to the community. These include whole networks of assets. There are also a few iconic assets which have strategic significance for the Auckland region. In addition the Local Government Act 2002 provides that shares in a port company and an airport company, and assets used to provide housing for the elderly, are strategic assets⁵¹.

The council's strategic assets:

- public transport network, including Britomart
- roading network
- stormwater network
- water and wastewater network
- parks network
- network of swimming pools
- network of community centres and halls
- community library network
- cemeteries, heritage scheduled buildings and structures
- freehold interest in waterfront land held by the Ports of Auckland Limited and the Auckland Waterfront Development Agency

⁵¹ Local Government Act 2002, section 5 (1) "Strategic asset"

- shares in substantive CCOs
- Auckland Central Library and the historical library collection
- Civic Theatre, Aotea Centre, Zoo, Viaduct Events Centre, North Harbour Stadium, Bruce Mason Theatre, Q Theatre, Auckland Art Gallery (including the art collection owned by Regional Facilities Auckland), Mt Smart Stadium and the council's contractual rights and interests in Auckland City Arena (known as Vector Arena)
- social housing network including housing for the elderly
- shares in Auckland International Airport Limited
- shares in Ports of Auckland Limited.

Strategic assets, as defined by the Significance and Engagement policy, that are owned and or managed by a substantive CCO are identified in the CCO accountability policy. CCOs must comply with the CCO accountability policy when making decisions in relation to strategic assets under their control.

11. BYLAWS

11.1. What are bylaws?

Bylaws are rules that the council⁵² has the power to make. They apply within the Auckland Council area and the council has a range of options to enforce them.

11.2. Auckland Council bylaws

Title of bylaw	Description	Commencement date
Alcohol Control Bylaw 2014	This bylaw aims to reduce alcohol related harm by controlling the consumption or possession of alcohol in public places. It also establishes the structure to make, review, amend and revoke alcohol bans which may prohibit drinking alcohol in public places during particular times.	18 December 2014
Animal Management Bylaw 2015	This bylaw enables Aucklanders to own animals in a responsible way while minimising impacts on neighbours, protecting public health and safety and protecting council land from damage.	1 September 2015
Cemeteries and Crematoria Bylaw 2014	This bylaw and related code of practice sets out a single approach to managing cemeteries and crematoria across Auckland.	1 November 2014
Dog Management Bylaw 2012	This bylaw contains dog owners' obligations that are additional to those already contained in the Dog Control Act 1996 and Animal Welfare Act 1999.	1 July 2013
Food Safety Bylaw 2013	The purpose of this bylaw is to increase the safety of food sold to the public.	1 July 2013 (amendments to bylaw came into effect on 1 March 2016)
Health and Hygiene Bylaw 2013	This bylaw and related code of practice ensures that commercial tattooing, body piercing, hair removal, indoor tanning, and pedicure/manicure services, and the premises where they are provided, are not potentially harmful for the health of the community.	1 July 2014
Navigation Safety Bylaw 2014	This bylaw sets out the rules for all water craft and people using Auckland's navigable waters.	25 October 2014

⁵² Auckland Transport also has the ability to make bylaws. See <https://at.govt.nz/about-us/bylaws/>

Outdoor Fire Safety Bylaw 2014	The purpose of this bylaw is to protect people, property and the environment from the risk of outdoor fires.	20 December 2014
Property Maintenance and Nuisance Bylaw 2015	This bylaw requires private property to be maintained in a way so as to avoid creating a nuisance	1 November 2015
Public Safety and Nuisance Bylaw 2013	This bylaw aims to address issues relating to public safety and nuisance, and inappropriate behaviour in public places.	26 May 2014
Signage Bylaw 2015 (joint with Auckland Transport)	This bylaw seeks to ensure that signage does not compromise vehicular or pedestrian safety, and that groups, individuals and businesses still have the opportunity to use public spaces to promote their service, product, goods or event.	1 October 2015
Solid Waste Bylaw 2012	This bylaw is part of a multi-pronged approach to reducing waste to landfill and to encourage a transformational shift in the way Aucklanders reduce, recycle, reuse and recover resources.	1 November 2012/31 October 2013
Stormwater Bylaw 2015	This bylaw provides a consistent regulatory approach for managing the public stormwater network across Auckland.	1 November 2015
Trade Waste Bylaw 2013	The purpose of this bylaw is to protect people and the environment from potential adverse effects of harmful substances discharged to the public wastewater system, and to provide for the efficient and effective operation of the public wastewater system.	1 July 2014
Trading and Events in Public Places Bylaw 2015	This bylaw enables the council to manage commercial activities in public places fairly and consistently across Auckland.	1 July 2015
Traffic Bylaw 2015	This bylaw covers traffic management in public places across Auckland, include parks, beaches, off-street parking facilities (e.g. at libraries and community centres) and council-owned car parking buildings.	1 August 2015
Water Supply and Wastewater Network Bylaw 2015	This bylaw is administered by Watercare Services Limited, and helps protect Auckland's water supply and wastewater network.	1 July 2015

11.3. Legacy bylaws still in place

Auckland Council has decided that some of the legacy bylaws (bylaws made by Auckland's former local authorities) should remain in force. The provisions of legacy bylaws that remain in force relate to the following topics:

- Freedom camping
- Electric and barbed wire fencing adjoining public land
- Wharves
- Construction in the road corridor and other public places and
- On-site wastewater management

For the provisions of legacy bylaws that remain in force and for more information see

<http://www.aucklandcouncil.govt.nz/EN/licencesregulations/Bylaws/Pages/confirmationoflegacybylaws.aspx>

12. COUNCIL-CONTROLLED ORGANISATIONS

12.1. Overview

CCOs are organisations in which council has the responsibility to appoint at least 50 per cent of the board of directors or trustees. The Auckland Council has six substantive CCOs. Council also has a number of non-substantive CCOs.

12.1.1. Substantive council-controlled organisations

A substantive CCO is defined⁵³ as a council-controlled organisation that is either wholly owned or wholly controlled by the council and:

- *either* is responsible for the delivery of a significant service or activity on behalf of the council
- *or* owns or manages assets with a value of more than \$10 million.

The substantive CCOs are:

- Auckland Transport (AT) (statutory entity)
- Auckland Council Investments Limited (ACIL)
- Auckland Tourism, Events and Economic Development Limited (ATEED)
- Regional Facilities Auckland (RFA)
- Development Auckland Limited (Panuku Development Auckland)⁵⁴
- Watercare Services Limited (WSL).

Auckland Transport was established under the Local Government (Auckland Council) Act 2009 as a statutory entity. (Note -this restricts the level of change that council can effect to the structure of AT unless there is a change to the legislation.) The legislative purpose of AT is “to contribute to an efficient, effective and safe Auckland land transport system in the public interest.” The governance structure of AT is also established by the legislation as between 6 and 8 directors appointed by Auckland Council of which up to two can be members of the governing body and , in addition 1 non-voting director appointed by NZTA.

Auckland Council Investments Ltd was established by Order in Council in 2010 to bring a strong commercial focus to the ownership and governance of council’s major investment assets. The Board of ACIL is made up of 3 directors. The investment assets that ACIL owns and manages are the shares in Ports of Auckland Limited (100%), Auckland international Airport Limited (22.4%, held by two subsidiary companies) and Auckland Film Studios Limited (100%)..

Auckland Tourism Events and Economic Development was established by Order in Council in 2010 to lift Auckland’s economic wellbeing, support and enhance Auckland’s contribution to the NZ economy and assist Auckland to compete internationally as a desirable place to visit, live, work, invest and do business. The ATEED Board has eight directors appointed by Council.

Development Auckland Limited (Panuku Development Auckland) was established by council resolution in 2015 following the completion of the CCO Review by the governing body through the long-term plan process. This entity is the result of the amalgamation of two former council CCOs - Auckland Council Property Ltd and Auckland Waterfront Development Agency. Its purpose is to

⁵³ Local Government (Auckland council) Act 2009, section 4

⁵⁴ In 2015 Auckland Council Properties Limited merged with the Auckland Waterfront Development Agency to form Panuku Development

contribute to the implementation of the Auckland Plan and encourage economic development by facilitating urban redevelopment that optimises and integrates good public transport outcomes, efficient and sustainable infrastructure and quality public services and amenities. Development Auckland is also responsible for managing council's non-service property portfolio and provide strategic advice on council's other property portfolios. It will recycle or redevelop sub-optimal or underutilised council assets and aim to achieve an overall balance of commercial and strategic outcomes. The Development Auckland Limited constitution allows for up to 9 directors.

Regional Facilities Auckland was established by Order in Council in 2010. RFA is a trust but is governed by a corporate trustee RFA Ltd which has a Board with up to 9 directors. RFA's objectives are to support Auckland as a vibrant city that attracts world class events and promotes the wellbeing of the communities of Auckland by engaging those communities and visitors in arts, culture, heritage, leisure, sport and entertainment venues. It is also tasked with continuing to develop, from a regional perspective, world class arts, culture, heritage, leisure, sport and entertainment venues as well as working with central government and Auckland Council to integrate and review legislation related to associated regional entities such as some of Auckland museums, performing arts, and community and rescue organisations.

Watercare Services Ltd was an existing entity and under the Local Government (Auckland Council) Act 2009 was given the responsibility of becoming the provider of wholesale and retail water and wastewater services. It has obligations to manage its operations efficiently with a view to keeping the costs of water and wastewater supply at minimum levels while maintaining the long-term integrity of the assets. Watercare is also prevented from paying a dividend or distributing any surplus to the council as owner. The Watercare constitution allows for up to 8 directors.

12.1.2. Other CCOs (non-substantive)

Non-substantive CCOs are less prominent in size and scale, but they provide a valuable service to a wide range of stakeholders and are key contributors to delivering council programmes and services. These include:

- Community Education Trust Auckland (COMET Auckland)
- Contemporary Art Foundation
- Mangere Mountain Education Trust
- Arts Regional Trust (ARTS)
- Mount Albert Grammar School Community Swimming Pool Trust
- Highbrook Park Trust
- Te Puru Community Charitable Trust.
- Manukau Beautification Charitable Trust

12.2. Governance

CCOs are governed by their boards of directors or trustees and are accountable to the council.

In the 2016-2019 electoral term, several council committees will review the performance of the CCOs and the projects governed by their boards.

- The Appointments and Performance Review committee:

This committee has the authority to appoint the directors, chairs and deputy chairs of CCO boards. It also approves policy related to CCO and CO board appointments.

- The Finance and Performance committee:

This committee approves Letters of Expectation, Statements of Intent (SOI) and any reporting against the SOI. It sets the level of ratepayer funding given to CCOs to carry out

their activities and approves policy (other than director appointment policy) relating to CCOs. ACIL reports any project specific issues to this committee.

- The Planning Committee:

Panuku Development Auckland, Watercare and Auckland Transport report on specific projects to this Committee.

- The Environment and Community committee:

A TEED and RFA report on specific projects to this committee.

CCOs are empowered to engage Māori in their decision making processes and practice to ensure Māori interests are considered in the achievement of the CCO's outcomes.

In December 2015, Auckland Council published guidelines for the governance of its Substantive CCOs. These are available in the [Governance Manual for substantive CCOs \(PDF 12.7MB\)](#). These guidelines are reviewed periodically with input from the CCOs.

12.3. Accountability policy

The Auckland Council must adopt a policy on the accountability of its substantive council-controlled organisations⁵⁵.

The policy must include a statement of the council's expectations with respect to council's and central government's objectives and priorities, specify any reporting and planning requirements, set out circumstances in which each CCO must conduct its business as if subject to Part 7 of the LGOIMA, and identify or define strategic assets.

This policy must be adopted and included by the council as part of its long-term plan and may only be amended via amendment to the long-term plan.

Additional accountability may be imposed by the council, including:

- letters of expectation
- quarterly reporting on performance against the SOI
- 10-year forecast
- requirement for prescribing the management of assets.

Substantive CCOs must give effect to the long-term plan and act consistently with other specified plans and strategies of the council⁵⁶.

12.4. Directors

12.4.1. Appointment of directors

Part 5, section 57 of the Local Government Act 2002 states:

- (1) A local authority must adopt a policy that sets out an objective and transparent process for—

⁵⁵ Local Government (Auckland council) Act 2009, section 90

⁵⁶ Local Government (Auckland council) Act 2009, section 92

- (a) the identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and
 - (b) the appointment of directors to a council organisation; and
 - (c) the remuneration of directors of a council organisation.
- (2) A local authority may appoint a person to be a director of a council organisation only if the person has, in the opinion of the local authority, the skills, knowledge, or experience to—
- (a) guide the organisation, given the nature and scope of its activities; and
 - (b) contribute to the achievement of the objectives of the organisation.

Councillors of the Governing Body and local board members are prohibited from appointment as directors on CCOs.

Where a director of a CCO is elected to be a member of the governing body or local board, he or she must resign the directorship prior to taking up the new position.

The council may appoint the chair and deputy chair of the CCO (excluding Auckland Transport).

12.5. Statements of intent

The council agrees statements of intent with each of its CCOs, which contain performance measures for the CCOs. The CCOs also have a role in helping achieve the objectives in the council's Long-term Plan and other strategic plans, such as the spatial plan.

12.6. Meetings of CCOs and public attendance

CCOs are required to agree an annual statement of intent and operating plan and report performance against it in two public meetings a year.

One meeting must be before 30 June to consider the draft statement of intent, and the other after 1 July to consider the CCO's performance under the statement of intent for the previous financial year. The board has to allow reasonable time for the public to address the meetings.

Most CCO boards provide for public attendance at their monthly meetings, although not required to.

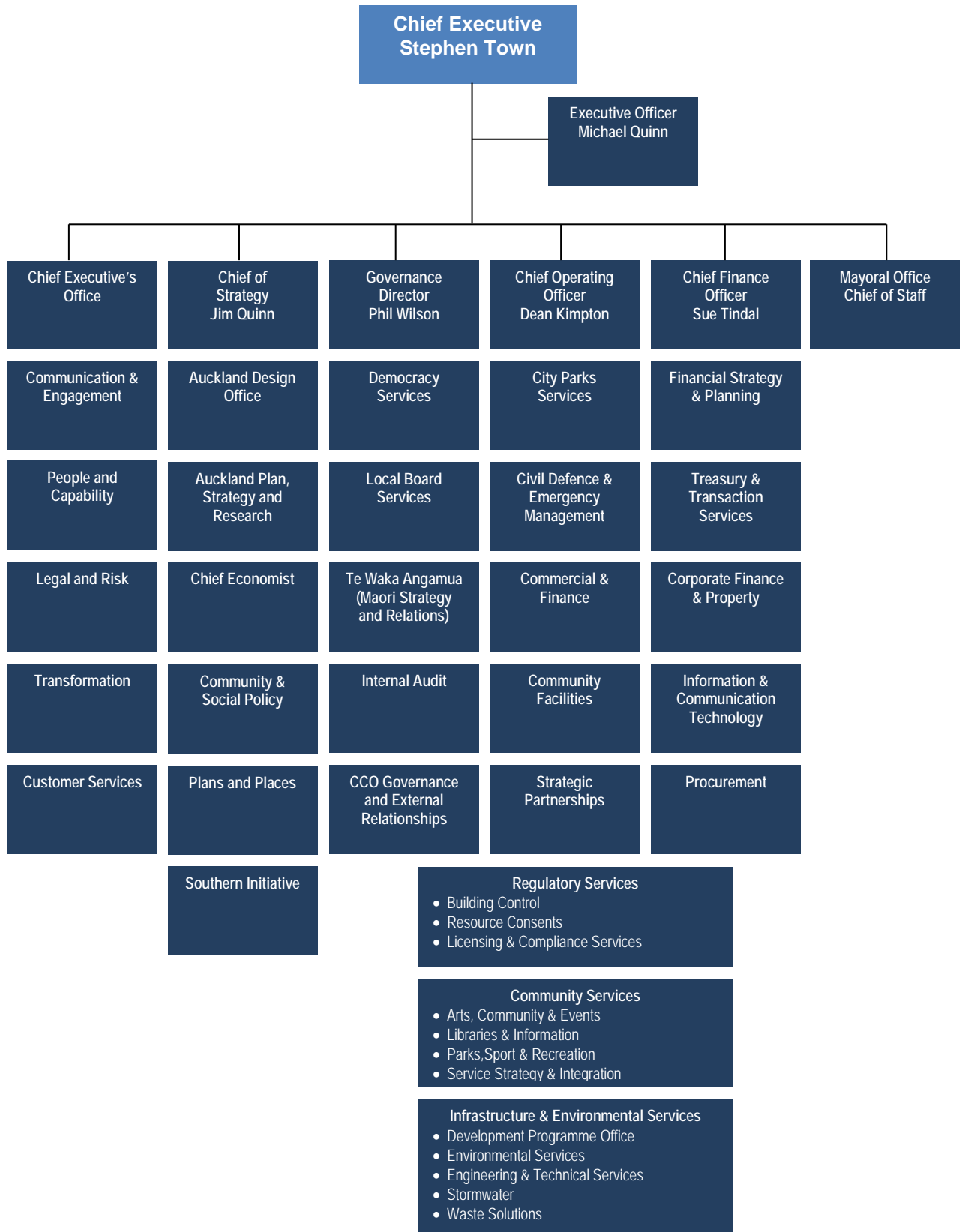
12.7. Further information

Further information is available on the council's website:

<http://www.aucklandcouncil.govt.nz/EN/Aboutcouncil/representativesbodies/CCO/Pages/Home.aspx>

13. MANAGEMENT STRUCTURE

13.1. Organisational chart



13.2. Division of responsibility between the council and management

The Local Government Act 2002 requires council to employ a chief executive whose responsibilities are to employ other staff on behalf of the council, implement council decisions and provide advice to the council.

Under the Act the chief executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the chief executive, rather than the mayor, councillors or local board members.

13.2.1. Remuneration and employment policy

The Local Government Act 2002 allows councils to adopt remuneration and employment policies. The council's remuneration policy was received and endorsed by the governing body in July 2014.

13.2.2. Equal Opportunities Policy

The Chief Executive has adopted an equal opportunities policy in regard to the recruitment of staff. Auckland Council, including CCOs, is committed to Equal Employment Opportunities and to attracting, retaining, developing and promoting the most qualified person regardless of:

- race
- colour
- gender
- age
- sexual orientation/preference
- nationality
- ethnic origin
- disability
- marital status
- employment status
- religious or ethical beliefs
- family status
- political or other organisation affiliation
- or any other characteristic prohibited by law.

Auckland Council/CCO supports and encourages:

- all employees and representatives being treated with respect and fairness
- achieving diversity in the workplace by employing people with a wide range of skills and talent and from all sectors of society.
- all employees and representatives being employed, promoted and rewarded according to their abilities and performance.
- recognition of the cultural values of Māori people and obligations under the Treaty of Waitangi, as well as cultural values of all others in the region

- recognition of the need for people with disabilities to be considered on merit and for their special needs to be recognised and wherever practical accommodated
- flexible working practices, which enable employees and representatives to balance their work and family commitments
- good employer principles as defined in the Local Government Act 2002.

14. REQUESTING OFFICIAL INFORMATION

14.1. Official information

The term “official information” refers to all information (with a few exceptions) held by a local authority.

The Local Government Official Information and Meetings Act 1987 (LGOIMA) requires all official information to be available to the public unless there are good reasons for withholding it.

Any person may request information from the council and any request for information is made under the LGOIMA. You do not have to say you are making a request under the LGOIMA.

Requests must be responded to as soon as practicable and no later than 20 working days (although there are certain circumstances where this time frame may be extended). The council may charge for official information under guidelines set down by the Ministry of Justice.

14.1.1. Requesting information

A request should include name, postal or email address and specific details of the information being requested.

Information can be requested in the following ways:

Phone: 09 301 0101

Fax: 09 301 0100

Email: officialinformation@aucklandcouncil.govt.nz

Online: www.aucklandcouncil.govt.nz/officialinformation

Post: Privacy and LGOIMA Team
Democracy Services
Auckland Council
Private Bag 92300
Auckland 1142

Or: In person at any of the council's service centres.

In brief, sections 10, 11, 13 and 15 of the LGOIMA provide as follows:

- requests should be made with “due particularity”; this means being as specific as possible about what information is being requested (rather than asking for all files about a general topic, which creates a large amount of work).
- it is the duty of the council to assist people making requests
- the council must convey its decision on whether to grant the request and whether a charge will apply as soon as practicable and no later than 20 working days
- information in documents may be made available by providing an opportunity to read it, by providing a copy of it or by providing a summary or excerpt. However, it should be made available in the way preferred by the person requesting it unless there are reasons for not doing so.

14.1.2. Refusal of requests for information

Where a request is refused the council must give its reasons and advise the person making the request that there is a right to have the decision reviewed by an Ombudsman.

Sections 6 and 7 of the LGOIMA give the following reasons for withholding information:

- making it available would be likely to prejudice the maintenance of the law, or endanger safety
- withholding the information is necessary to:
 - protect privacy
 - protect information where its release would disclose a trade secret or would prejudice the commercial position of the person who supplied, or who is the subject of, the information
 - avoid offence to tikanga Māori or avoid disclosure of wāhi tapu locations
 - protect an obligation of confidentiality where making it available would affect the future supply of information or would otherwise damage the public interest
 - maintain free and frank discussion or protect officers and members from harassment
 - maintain legal professional privilege
 - enable the council to carry out without prejudice or disadvantage commercial activities or negotiations
 - prevent the use of information for improper gain.

Section 17 allows requests to be refused for a number of reasons such as the information will soon be publically available, the information does not exist or cannot be found, or the information cannot be made available without substantial collation or research.

14.1.3. Charges for official information requests

The Act allows for charges to be set to cover costs of collating information. The council's charges are based on the guidelines of the Ministry of Justice. Briefly, the first four hours for collating information is not charged (then a rate of \$38 per half hour applies) and the first 20 pages are not charged (then a rate of 20 cents per page is applied). Charges can be reduced or waived in certain circumstances.

14.2. Complaints

The council regards complaints and compliments as important tools in improving its services to the public.

Complaints are usually of three basic types:

- those of a regulatory nature e.g. air or water pollution incidents or harbour management issues
- those related to the council's own services, libraries, rubbish, playing fields etc.
- those related to other service providers e.g. passenger transport contractors.

Complaints relating to the council's own services received in written or email form are dealt with through a standard procedure which includes advice to the chief executive, appropriate response to the complainant and process improvement (where possible).

15. CUSTOMER ENQUIRIES

<http://aucklandcouncil.custhelp.com/app/ask>

Phone: (09) 301 0101 (customer call centre 24 x 7)

Fax: (09) 301 0100

Letter: Auckland Council
Private Bag 92300
Auckland 1142

Courier: Mail room, Basement 1
135 Albert Street
Auckland 1010

Twitter: @AklCouncil (monitored 8am – 5pm excluding public holidays)

Customer service centres

Central

Bledisloe Lane, CBD
24 Wellesley Street
Auckland Central

Graham Street, CBD
35 Graham Street
Auckland Central

North

Albany
Upper Harbour Local Board
Office
30 Kell Drive
Albany

Birkenhead
Cnr Rawene Rd & Hinemoa St
Birkenhead

Devonport
Devonport Library
2 Victoria Road
Devonport

Glenfield
90 Bentley Ave
Glenfield

Hibiscus and Bays
Corner of Bute and Glen Roads
Browns Bay

Orewa
50 Centreway Road
Orewa

Takapuna
1 The Strand
Takapuna

Warkworth
1 Baxter Street
Warkworth

Whangaparaoa
9 Main Street
Whangaparaoa

West

Helensville
49 Commercial Road
Helensville

Henderson
Auckland Council Customer
Service Centre
6 Henderson Valley Road
Henderson

Huapai
296 Main Road (SH16)
Huapai

**Waitākere Ranges Local
Board office**
39 Glenmall
Glen Eden

Whau Local Board office
31 Totara Avenue
New Lynn

South

Manukau
(Temporary)
Ground Floor, Civic Building
31-33 Manukau Station Road
Manukau City

Ground Floor, Kotuku House
4 Osterley Way
Manukau City

Waiuku
King Street
Waiuku

Papakura
35 Coles Crescent
Papakura

Pukekohe
82 Manukau Road
Pukekohe

Hauraki Gulf Islands

Great Barrier Island
Hector Sanderson Road
Claris

Waiheke Island
10 Belgium Street
Ostend

Auckland Transport (general) (09) 355 3553 <https://at.govt.nz/about-us/contact-us/>

Auckland Transport (public transport) (09) 366 6400 <https://at.govt.nz/bus-train-ferry/>

Watercare (09) 442 2222 <http://www.watercare.co.nz>

16. APPENDICES

- 16.1. Appendix A: Other legislation affecting Auckland Council
- 16.2. Appendix B: Local legislation – former Auckland councils
- 16.3. Appendix C: Allocation of decision-making to localboards and the governing body
- 16.4. Appendix D: Members of the governing body
- 16.5. Appendix E: Governing body committee membership
- 16.6. Appendix F: Members of local boards
- 16.7. Appendix G: Local board committees

Appendix A: legislation affecting Auckland Council

A

Accident Compensation Act 2001
Airport Authorities Act 1966
Animal Welfare Act 1999
Animals Law Reform Act 1989
Animal Products Act 1999
Anti-Money Laundering and Countering Financing of Terrorism Act 2009
Arts Council of New Zealand Toi Aotearoa Act 2014
Auckland City Endowments and Reserves Act 1875
Auckland Domain Act 1987
Auckland Improvement Trust Act 1971
Auckland Regional Amenities Funding Act 2008
Auckland War Memorial Museum Act 1996

B

Biosecurity Act 1993
Building Act 2004
Building Research Levy Act 1969
Burial and Cremation Act 1964
Bylaws Act 1910

C

Charitable Trusts Act 1957
Charities Act 2005
Citizenship Act 1977
Civil Aviation Act 1990
Civil Defence Emergency Management Act 2002
Climate Change Response Act 2002
Commerce Act 1986
Companies Act 1993
Conservation Act 1987
Construction Contracts Act 2002
Consumer Guarantees Act 1993
Copyright Act 1994
Counties Insurance Empowering Act 1941
Credit Contracts and Consumer Finance Act 2003
Credit (Repossession) Act 1997
Crimes Act 1961
Criminal Disclosure Act 2008
Criminal Procedure Act 2011
Crown Minerals Act 1991

D

Disabled Persons Community Welfare Act 1975
Disputes Tribunal Act 1988
District Courts Act 1947
Dog Control Act 1996

E

Earthquake Commission Act 1993
Electoral Act 1993
Electricity Act 1992
Electronic Transactions Act 2002

Employment Relations Act 2000
Energy Companies Act 1992
Engineering Associates Act 1961
Environment Act 1986
Equal Pay Act 1972
Estate and Gift Duties Act 1968
Evidence Act 2006

F

Fair Trading Act 1986
Fees and Travelling Allowances Act 1951
Fencing Act 1978
Finance Act (No 2) 1941
Financial Advisors Act 2008
Financial Markets Conduct Act 2013
Financial Reporting Act 2013
Financial Service Providers (Registration and Dispute Resolution) Act 2008
Financial Transactions Reporting Act 1996
Fire Service Act 1975
Food Act 2014
Foreshore and Seabed Act 2004
Foreshore and Seabed Endowment Revesting Act 1991
Forest and Rural Fires Act 1977
Freedom Camping Act 2011

G

Gambling Act 2003
Gas Act 1992
Goods and Services Tax Act 1985
Government Roadway Powers Act 1989

H

Harbour Boards Dry Lnd Endowment Revesting Act 1991
Harmful Digital Communications Act 2015
Hauraki Gulf Marine Park Act 2000
Hazardous Substances and New Organisms Act 1996
Health Act 1956
Health and Safety at Work Act 2015
Holidays Act 2003
Housing Act 1955
Housing Accords and Special Housing Areas Act 2013
Housing Assets Transfer Act 1993
Housing Corporation Act 1974
Human Rights Act 1993

I

Immigration Act 2009
Impounding Act 1955
Income Tax Act 2007
Insolvency Act 2006
Interpretation Act 1999

J

Joint Family Homes Act 1964
Judicature Act 1908

K

KiwiSaver Act 2006

L

Land Act 1948
Land Drainage Act 1908
Land Transfer Act 1952
Land Transport Act 1998
Land Transport Management Act 2003
Lawyers and Conveyancers Act 2006
Libraries and Mechanics' Institutes Act 1908
Limitation Act 2010
Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Local Electoral Act 2001
Local Government (Auckland Council) Act 2009
Local Government (Rating) Act 2002
Local Government (Auckland Transitional Provisions) Act 2010
Local Government Act 1974
Local Government Act 2002
Local Government Official Information and Meetings Act 1987

M

Machinery Act 1950
Major Events Management Act 2007
Marine Mammals Protection Act 1978
Marine Reserves Act 1971
Maritime Transport Act 1994
Māori Commercial Aquaculture Claims Settlement Act 2004
Māori Language Act 1987
Marine and Coastal Area (Takutai Moana) Act 2011
Minimum Wage Act 1983
Municipal Insurance Act 1960
Museum of New Zealand Te Papa Tongarewa Act 1992

N

National Parks Act 1980
National Provident Fund Restructuring Act 1990
New Zealand Bill of Rights Act 1990
New Zealand Library Association Act 1939
New Zealand Maori Arts and Crafts Institute Act 1963
New Zealand Public Health and Disability Act 2000
New Zealand Railways Corporation Act 1981
Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014
Ngā Manuhiri Claims Settlement Act 2012
Ngāti Whātua o Kaipara Claims Settlement Act 2013
Ngāti Whātua Ōrākei Claims Settlement Act 2012

O

Oaths and Declarations Act 1957
Occupiers' Liability Act 1962

Ombudsmen Act 1975
Onehunga Reserves Act 1875

P

Parental Leave and Employment Protection Act 1987
Personal Property Securities Act 1999
Plumbers, Gasfitters and Drainlayers Act 2006
Port Companies Act 1988
Privacy Act 1993
Property Law Act 1952
Prostitution Reform Act 2003
Protected Disclosures Act 2000
Psychoactive Substances Act 2013
Public Audit Act 2001
Public Bodies Contracts Act 1959
Public Bodies Leases Act 1969
Public Finance Act 1989
Public Records Act 2005
Public Trust Act 2001
Public Works Act 1981

Q

Queen Elizabeth the Second National Trust Act 1977

R

Racing Act 2003
Railways Act 2005
Rates Rebate Act 1973
Rating Valuations Act 1998
Receiverships Act 1993
Remuneration Authority Act 1977
Reserves Act 1977
Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915
Residential Tenancies Act 1986
Resource Management Act 1991

S

Sale and Supply of Alcohol Act 2012
Secret Commissions Act 1910
Securities Act 1978
Securities Transfer Act 1991
Search and Surveillance Act 2012
Sentencing Act 2002
Smoke-free Environments Act 1990
Soil Conservation and Rivers Control Act 1941
Sovereign's Birthday Observance Act 1952
Stamp and Cheque Duties Act 1971

Standards and Accreditation Act 2015
State-Owned Enterprises Act 1986
Statistics Act 1975
Statutory Land Charges Registration Act 1928
Summary Offences Act 1981
Summary Proceedings Act 1957
Survey Act 1986

T

Tax Administration Act 1994
Te Kawerau ā Maki Claims Settlement Act 2015

Te Pire mō Te Reo Māori / Māori Language Act 2016
Te Ture Whenua Maori Act 1993
Te Uri o Hau Claims Settlement Act 2002
Telecommunications Act 2001
The Heritage New Zealand Pouhere Taonga Act 2014
Trade Marks Act 2002
Treaty of Waitangi Act 1975
Trespass Act 1980
Trustee Act 1956

U

Unit Titles Act 2010
Unsolicited Electronic Messages Act 2007

V

Vulnerable Children Act 2014

W

Wages Protection Act 1983
Waitakere Ranges Heritage Area Act 2008
Walking Access Act 2008
Waste Minimisation Act 2008
Weathertight Homes Resolution Services Act 2006
Wild Animal Control Act 1977
Wildlife Act 1953
Winston Churchill Memorial Trust Act 1965

Appendix B: local legislation – former councils

Auckland City council

Local Legislation Act 1927

Section 33 authorises Auckland City council to lease a portion of the Auckland Domain to the Auckland Bowling Club.

Section 33 specifies that the lease must be for a term or terms not exceeding 21 years.

Section 38 authorised Auckland City council to return Symonds Street Cemetery to the Hebrew community.

Local Legislation Act 1929

Section 30 authorises Mount Eden Borough council to grant a lease to the Mount Eden Bowling Club.

Section 30(1) specifies that the lease authorised is for a term of 21 years, with a right of renewal for a further period of 21 years, upon such terms as may be specified or approved by the Governor-General.

Local Legislation Act 1954

Section 25 provides for the purchase of Matiatia Wharf by the Western Waiheke Road Board.

Section 36 authorised the Auckland Metropolitan Drainage Board to transfer Motukorea Island to Auckland City Corporation to enable the island to be set aside as a public reserve.

Local Legislation Act 1955

Section 19 provides for the leasing of certain lands by the Auckland City council.

Section 19(2) empowered the council to lease the land to Northern Automobile Limited, but only until 1994.

Section 19(1) provides that the council should hold the lands as and for an endowment for the benefit of the inhabitants of the City of Auckland and not for any special purpose that the council should have.

Local Legislation Act 1956

Section 42 provides for certain leases granted to Auckland City Corporation by the Auckland Harbour Board.

Section 42(5) specifies that the Board and the Corporation are authorised and empowered to vary the terms of the lease.

Local Legislation Act 1959

Section 18(1) empowers Auckland City council to grant leases of all or any parts of the land described (by Auckland Registry lot number) in section 18(3).

Section 40 authorised Auckland City council to enter into an agreement with the Minister of Works with respect to Mangere Airport.

Section 40(1) provides for the council and any other local authority to enter into a subsidiary agreement relating to Mangere Airport.

Section 40(2) outlines what the subsidiary agreement could provide for.

Local Legislation Act 1961

Section 23 provides for the vesting of Smith Street in Auckland as an estate in fee simple, to adjoin other land vested in the mayor, councillors and citizens of the City of Auckland ("the Corporation") as an endowment for the improvement and benefit of the City of Auckland.

Section 23(2) empowers the Corporation to lease the land.

Section 23 provides that the vested land shall be held as an endowment for the improvement and benefit of the City of Auckland.

Local Legislation Act 1962

Section 22 authorised the Mount Albert Borough council to enclose and lease certain land.

Section 22(3) provides that all money received by the borough council by way of rent under the lease shall be paid into the general funds of the council.

Local Legislation Act 1963

Section 7 empowers Auckland City Corporation to deal with and apply the proceeds of the taking of various areas of land Grafton Road and Wynyard and d'Urville Streets. The Corporation will have powers of leasing and disposition, as well as the power of demolishing or erecting any buildings on any land pursuant to this section.

Section 7 provides that the net proceeds of the money received by the Corporation by way of compensation shall be paid into the Auckland Domain Trust Account, and shall be applied in or towards the cost of purchasing or otherwise acquiring land or the improvement of land.

Local Legislation Act 1965

Section 19 declared certain areas of endowment land to be a street vested in the council.

Local Legislation Act 1966

Section 24 authorises the Corporation of Auckland City to let or lease the Town Hall building. The Corporation shall have all such powers of leasing and disposition as it has under the provisions of the Acts listed in the section, as well as the powers set out in respect of its general and ordinary endowments.

Local Legislation Act 1972

Section 25 provided that an area of land owned in fee simple by Mutual Life and Citizens' Assurance Company Limited shall be dedicated as a street and vested in the council.

Section 25 provides that the land will re-vest to the owner if the land ceases to form part of St Lukes Road Regional Road.

Local Legislation Act 1978

Section 6 authorised the One Tree Hill Borough council to apply the proceeds from the sale of Lot 30 DP 4384, to the purchase of land and the development of buildings.

Section 6 provides that the proceeds will apply only to the purchase of land and the development of buildings associated with the borough council's activities or for either of these purposes.

Local Legislation Act 1979

Section 4 validates an illegal agreement and authorises the lease of land to the University of Auckland as a medical centre.

Local Legislation Act 1985

Section 2 authorised the Auckland Harbour Board to lease the Ferry Building, at such rent and upon terms it considers fit and without offering it for public application or ballot, or selling it by public auction or tender.

Manukau City council

Auckland Harbour Board (Half Moon Bay) Vesting and Empowering Act 1968:

An Act to vest in the Auckland Harbour Board a certain part of the Tāmaki Estuary in the Waitematā Harbour; to authorise the Board to reclaim a certain area thereof and to develop such reclaimed land for the purpose of a boat harbour; and to authorise the Board or the Manukau City council to reclaim a further area thereof and the Board to transfer such reclaimed land to the council.

Auckland War Memorial Museum Act 1996:

An Act to provide for the maintenance, management, development, ownership, and funding of the Auckland War Memorial Museum and its contents.

Clevedon Agricultural and Pastoral Association Empowering Act 1994:

An Act to enable the Clevedon Agricultural and Pastoral Association to sell land to the Manukau City council as recreation reserve and to provide for the future use of that land (being the subdivision and leasing of part of the land back to the Association).

Local Legislation Act 1986:

In section 4 the Manukau City council is authorised and empowered to grant to any person a licence to develop, use, and occupy, for boat harbour purposes, all or any part of the land shown marked "A" on SO Plan 67375 (being Pine Harbour Marina).

Museum of Transport and Technology Act 2000:

Provides for local authority participation in the governance and funding of the museum. Auckland appoints six members to the Auckland the Museum of Transport and Technology Board of Trustees.

North Shore City council

- Auckland Harbour Board (Devonport Wharf) Vesting and Empowering Act 1989
- Auckland Harbour Board (Reclamations) Empowering Act 1967
- Auckland Harbour Board and Birkenhead Borough Empowering Act 1907

- Auckland Harbour Board and Devonport Borough council Empowering Act 1905
- Auckland Harbour Board and Takapuna Borough council Empowering Act 1923
- Auckland Harbour Board Empowering Act 1944
- Auckland Harbour Board, Devonport Borough council and Devonport Domain Board Empowering Act 1918
- Auckland War Memorial Museum Act 1996
- Museum of Transport and Technology Act 2000
- Takapuna Borough Foreshore Vesting Act 1914
- certain provisions of the Local Legislation Acts between 1926 and 1992.

Waitākere City council

- **Waitematā City council (West Harbour) Empowering Act 1979:**
Authorised the former Waitematā City council to develop and operate the West Harbour Marina.

Appendix C: Allocation of decision-making to localboards and the governing body

Source of decision-making responsibilities

The governing body and local boards obtain their decision-making responsibilities from three sources:

(a) Statutory decision-making responsibilities

The governing body and local boards have statutory responsibilities under the Local Government (Auckland Council) Act 2009 (Act).

Governing body: The governing body is a local authority, and hence has the power of general competence under section 12 of the Local Government Act 2002. In addition, the governing body has specific statutory decision-making responsibility for the following:

- The regulatory activities of Auckland Council (such as Unitary Plan, consenting, and bylaws)
- Allocation of non-regulatory activities to either local boards or the governing body
- Agreeing local board agreements with local boards
- Emergency management, including rural fire services
- Compliance with the financial management requirements of section 101 of the Local Government Act (including the Annual Plan, the Long-term Plan, and financial policies)
- Acquisition and disposal of assets
- Regional strategies and policies (such as the Auckland Plan and the Local Board Funding Policy)
- Governance of Council-Controlled Organisations
- Appointment of the Chief Executive and maintaining the capacity of Auckland Council to provide its services and facilities
- Transport networks and infrastructure.

Local boards: The statutory role of local boards includes decision-making responsibility for the following:

- Adoption of local board plans.
- Agreement of local board agreements (with the governing body) and monitoring the implementation of local board agreements - this can include proposing a local targeted rate.
- Providing input into regional strategies, policies and plans
- Proposing bylaws for the local area
- Community engagement, consultation and advocacy.

These matters are not repeated in the allocation table.

Local boards are not local authorities but will act as such for specified allocated matters, or those matters set out in the Local Government (Auckland Council) Act 2009.

(b) Delegation of decision-making responsibilities

The governing body can also delegate some of its decision-making responsibilities to local boards. To date the governing body has delegated the following decision-making responsibilities to local boards:

- Exemptions under the Fencing of Swimming Pools Act 1987
- Input into notification decisions for resource consent applications
- Authorising the destruction of wandering stock on Great Barrier Island, in accordance with the Impounding Act 1955 is delegated to the Great Barrier Local Board
- Decision-making on operational cemeteries on Great Barrier Island is delegated to the Great Barrier Local Board.
- Amendments to the Policy on Dogs in relation to any dog access rules in local parks, local beaches or local foreshore areas in their local board area
- Making objections to liquor licensing applications under the Sale and Supply of Alcohol Act 2012
- Making, amending or revoking alcohol bans, except in areas of regional significance.

The governing body and local boards can also be delegated decision-making responsibilities from Auckland Transport. There are currently no delegations in place.

(c) Allocation of decision-making for non-regulatory activities

The governing body is required by legislation to allocate decision-making responsibility for the non-regulatory activities of Auckland Council to either the governing body or local boards, in accordance with principles contained in section 17(2) of the Act. This provides as follows:

- a. decision-making responsibility for a non-regulatory activity of the Auckland Council should be exercised by its local boards unless paragraph (b) applies:
- b. decision-making responsibility for a non-regulatory activity of the Auckland Council should be exercised by its governing body if the nature of the activity is such that decision-making on an Auckland-wide basis will better promote the well-being of the communities across Auckland because-
 - the impact of the decision will extend beyond a single local board area; or
 - effective decision making will require alignment or integration with other decisions that are the responsibility of the governing body; or
 - the benefits of a consistent or co-ordinated approach across Auckland will outweigh the benefits of reflecting the diverse needs and preferences of the communities within each local board area.

Decision-making for non-regulatory activities can only be allocated to either the governing body or to a local board. Where more than one local board has an interest in a local activity then section 16(3) of the Act provides that:

... a local board should collaborate and co-operate with 1 or more other local boards in situations where the interests and preferences of communities within each local board area will be better served by doing so.

The non-regulatory decision-making allocation is required to be identified in the Long-Term Plan and forms part of the special consultative procedure for the draft Long-Term Plan.

Allocation of decision-making for non-regulatory activities

The allocation of decision-making responsibility to the governing body and to local boards for the non-regulatory activities of Auckland Council is set out in the following tables.

Activity	Local board non-regulatory responsibilities Local boards are allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.	Governing body non-regulatory responsibilities The governing body is allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.
Governance and support	Local governance including: <ul style="list-style-type: none"> • decision-making and oversight of decisions on local activities • development of local policy positions such as determining areas in which activities may take place and local service specifications • submissions to government on legislation where it specifically relates to that local board area only • civic duties, engagements and functions in the local area, including citizenship ceremonies and recognition of volunteers. 	Regional governance including: <ul style="list-style-type: none"> • decision-making and oversight of decision on regional activities • submissions to government on legislation including official submissions of Auckland Council incorporating local board views • regional civic duties, engagements and functions.
	Explanatory notes: <ul style="list-style-type: none"> • Area plans will require a high degree of involvement from local boards. • A local board does not have the power to make submissions or objections on matters where the council is exercising its regulatory responsibilities unless specifically delegated by the governing body. • Local boards have a statutory role identifying and communicating the interests and preferences of its communities in relation to policies, plans and bylaws. Processes will need to be identified that enable a local board to fulfil this role where a delegation has not been given. 	
Auckland Development	Local planning and development including: <ul style="list-style-type: none"> • local place-shaping activities, including local leadership to create a local identity • local strategic visioning, policy making and planning within parameters set by regional strategies, policies and plans 	Regional planning including: <ul style="list-style-type: none"> • Auckland Plan, area plans and regional spatial priority areas focusing on growth development and key infrastructure priorities • regional strategies, policies and plans • Auckland-wide place-shaping activities, including regional leadership to create Auckland's identity.
	Street environment and town centres including: <ul style="list-style-type: none"> • maintenance of the local street environment and local centres, within parameters set by the governing body • improvements to the local street environment and town centres excluding any improvements that are integral to a transformation programme for the centres prioritised for growth as set out in the Auckland Plan • naming of roads pursuant to section 319(1)(j) of the Local Government Act 1974. 	Street environment and town centres including: <ul style="list-style-type: none"> • street environment and town centres strategy and policy, including the classification of town centres • transformation programmes for the centres that are prioritised for growth as set out in the Auckland Plan
	Business area planning including: <ul style="list-style-type: none"> • local economic development plans, projects and initiatives (including local centre branding and marketing and local business events) within parameters set by regional strategies and policies • Business Improvement District (BID) programmes, including the strategic direction (in partnership with the business association), establishment of new BIDs within the 	Economic development including: <ul style="list-style-type: none"> • regional economic development strategy and policy, such as Auckland economic development strategy, investment framework and BID policy • international relationships, including entering into new relationships and ending existing relationships • Auckland-wide economic development programmes and initiatives, including regional business events, and branding and marketing

Activity	Local board non-regulatory responsibilities Local boards are allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.	Governing body non-regulatory responsibilities The governing body is allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.
	parameters set by the BID policy and recommending BID targeted rates to the governing body	for the central city, metropolitan centres and centres prioritised for growth as set out in the Auckland Plan.
	<p>Explanatory notes:</p> <ul style="list-style-type: none"> Regional strategies and policies are not intended to be prescriptive or unduly restrict the decisionmaking role of local boards. Where they relate to local activities, they provide regional parameters within which local boards then make decisions on local activities. Development of the city centre waterfront is the responsibility of Waterfront Auckland / Development Auckland. Auckland Transport has significant decision-making responsibilities within the street environment and town centres A number of agencies will be involved in the delivery of transformation programmes. Major events, tourism and visitor centres, and business attraction and development are the responsibility of ATEED 	
<i>Parks, Community and Lifestyle</i>	<p>Local community services including:</p> <p><i>Arts and culture including:</i></p> <ul style="list-style-type: none"> the specific location, design, build and fit out of new local arts and culture facilities within budget parameters agreed with the governing body the use of local arts and culture facilities, including changes of use local arts and culture projects, initiatives and events local public artwork and local public art programmes local community funding and grants tailoring regional arts and culture programmes and events to local needs. 	<p>Regional community services including:</p> <p><i>Arts and culture including:</i></p> <ul style="list-style-type: none"> any new arts and culture facilities acquired for an Auckland-wide purpose or function the number and general location of all new arts and cultural facilities and the prioritisation of major upgrades to all existing arts and culture facilities the use of regional arts and culture facilities. regional arts and culture strategy and policy regional arts and culture programmes and events regional public artwork and regional public art programmes development, maintenance and access to the regional visual arts collection, including exhibitions and interpretive programmes region-wide community funding and grants regional arts and culture programmes, which can be tailored to local needs.
	<p><i>Events including:</i></p> <ul style="list-style-type: none"> attraction, development, delivery and promotion sub-regional events which are the responsibility of the local board in which the event is located, in collaboration with other affected local boards local events sponsorship, funding and grants tailoring regional events programmes to local needs. 	<p><i>Events including:</i></p> <ul style="list-style-type: none"> regional events strategy and policy, including region-wide events plan coordinating regional events, including attraction, development, delivery and promotion regional events sponsorship, funding and grants regional events programmes, which can be tailored to local needs.
	<p><i>Community development and facilities including:</i></p> <ul style="list-style-type: none"> plans, projects and initiatives specific to the local area tailoring region-wide community development and safety programmes in the local area facilitating community-led placemaking and development initiatives community advisory services 	<p><i>Community development and facilities including:</i></p> <ul style="list-style-type: none"> Auckland-wide community development strategy and policy Auckland-wide community development and safety programmes which can be tailored to local needs Auckland-wide community funding and grants. the number and general location of all new

Activity	Local board non-regulatory responsibilities Local boards are allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.	Governing body non-regulatory responsibilities The governing body is allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.
	<ul style="list-style-type: none"> local community funding and grants. the specific location, design, build and fit out of new local community facilities within budget parameters agreed with the governing body the use of local community facilities, including leasing and changes of use 	<ul style="list-style-type: none"> community facilities and the prioritisation of major upgrades to all existing community facilities the location design and use of any new community facilities developed for an Auckland-wide purpose social housing, such as housing for the elderly.
	<p><i>Libraries including:</i></p> <ul style="list-style-type: none"> the specific location, design, build and fit out of new local libraries within budget parameters agreed with the governing body the design and type of community facilities within local libraries the use of local libraries including local exhibitions, programmes and events within local libraries. 	<p><i>Libraries including:</i></p> <ul style="list-style-type: none"> libraries strategy and policy the number and general location of all new libraries and the prioritisation of major upgrades to existing libraries the libraries' collection policy and practice (including development and maintenance of all library collections) regional exhibitions, programmes and events within libraries the mobile library service the central library, other than the ground and first floors
	<p>Explanatory notes:</p> <ul style="list-style-type: none"> Definitions of local and regional events are set out in schedule 2 in accordance with the Auckland Council Events Policy. Regional events facilities and amenities are the responsibility of Regional Facilities Auckland (RFA). These include the Viaduct Events Centre, stadium management, The EDGE, Auckland Zoo and the Auckland Art Gallery. 	
Parks, Community and Lifestyle	<p>Local parks, sport and recreation including:</p> <p><i>Recreation facilities and initiatives including:</i></p> <ul style="list-style-type: none"> the specific location, design, build and fit out of new local recreation and sports facilities within budget parameters agreed with the governing body the use of local recreation facilities and initiatives including leasing and changes of use local recreation and sports programmes community funding and grants tailoring regional recreation and sports programmes to local needs. 	<p>Regional parks, sport & recreation including:</p> <p><i>Recreation facilities and initiatives including:</i></p> <ul style="list-style-type: none"> any new recreational facilities developed for an Auckland-wide purpose or function the number and general location of all new recreation and sports facilities (including sports stadiums) and the prioritisation of major upgrades to all existing recreation and sports facilities the use of regional recreation and sports facilities (including sports stadiums) coordination of the use of recreation and sports facilities on a regional basis regional recreation and sports strategy and policy regional recreation and sports programmes, which can then be tailored to local needs regional community funding and grants
	<p><i>Parks including:</i></p> <ul style="list-style-type: none"> the specific location of new local parks (including the prioritisation for acquisition) within budget parameters agreed with the governing body 	<p><i>Parks including:</i></p> <ul style="list-style-type: none"> any new parks acquired for an Auckland-wide purpose or function regional open space strategy and policy, including open space network plan and volcanic

Activity	Local board non-regulatory responsibilities Local boards are allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.	Governing body non-regulatory responsibilities The governing body is allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.
	<ul style="list-style-type: none"> • reserve management plans for local parks • local parks improvements and place shaping • the use of and activities within local parks, such as community events and community planting programmes • cemeteries that are no longer in regular active use and are functioning as local parks • naming of local parks 	<p>cones strategy</p> <ul style="list-style-type: none"> • reserve management plans for regional parks • the number and general location of all new parks and the prioritisation of major upgrades to existing parks (including sports fields within parks) • the use of and activities within regional parks • acquisition and divestment of all park land, including the disposal of surplus parks • coordination of the use of all sports fields on a regional basis • Open cemeteries
<i>Environmental Management and Regulation</i>	<p>Local environmental services including:</p> <ul style="list-style-type: none"> • local environmental initiatives and projects • facilitating community-led placemaking and development initiatives • local stormwater quality projects within regional frameworks • local waste management plans and projects within regional parameters set out in the Waste Minimisation and Management Plan • the Te Arai Drainage District, the Okahuhura Drainage Area and the Glorit Drainage District. This allocation of decision-making responsibility is to the Rodney Local Board. 	<p>Solid waste and environmental services including:</p> <ul style="list-style-type: none"> • regional environmental, heritage and urban design strategy, policy and guidelines • Auckland-wide environmental programmes and projects • waste management, including the Waste Minimisation and Management Plan • landfill management • environmental research and monitoring. <p>Stormwater management including:</p> <ul style="list-style-type: none"> • the stormwater network, including catchment management plans.

Relevant to each group of activities/ area	Local board non-regulatory responsibilities	Governing body non-regulatory responsibilities
<i>Fees and charges</i>	<p>Setting of fees and charges for local activities excluding:</p> <ul style="list-style-type: none"> • library collections fees and charges; and • any fees and charges for local activities that are set on a region-wide basis by the governing body in a regional policy. 	<p>Setting of fees and charges for governing body activities and:</p> <ul style="list-style-type: none"> • Auckland-wide fees and charges for local activities that are set by the governing body in a regional policy • library collections fees and charges.
<i>Service specifications</i>	<p>Setting of service specifications for local activities subject to any minimum service specifications that the governing body has decided, for policy reasons, to set on an Auckland-wide basis.</p>	<p>Setting of service specifications for governing body activities and minimum service specifications for local activities where the governing body decides to do so for policy reasons.</p>
<i>Procurement</i>	<p>Procurement for local activities excluding:</p> <ul style="list-style-type: none"> • procurement of major service delivery contracts (such as maintenance, security and cleaning contracts) for Auckland-wide local assets and facilities on a coordinated basis. 	<p>Procurement for governing body activities and</p> <ul style="list-style-type: none"> • procurement of major service delivery contracts (such as maintenance, security and cleaning contracts) for Auckland-wide local assets and facilities on a coordinated basis • the procurement policy for Auckland Council.
	<p>Explanatory notes:</p> <ul style="list-style-type: none"> • There are significant efficiencies to be gained by the governing body procuring some contracts on a larger scale or a coordinated basis. This is likely to cover areas like parks and facilities maintenance, 	

	<p>security and cleaning, which involve local and regional assets and facilities across Auckland. (The guidelines for procuring these types of contracts will be contained in the procurement manual⁵⁷. Procurement for most local activities will though, remain a local board decision-making responsibility)..</p> <ul style="list-style-type: none"> Local boards will set the service specifications as they relate to their local area as set out in the allocation above. 	
<i>Asset renewal</i>	Maintaining service capacity and integrity of local assets throughout their useful life in accordance with Auckland-wide parameters and standards set by the governing body.	Maintaining the service capacity and integrity of regional assets throughout their useful life and setting Auckland-wide parameters and standards for all asset management planning.
	<p>Explanatory notes:</p> <ul style="list-style-type: none"> The local board's asset renewal decision-making responsibility is within the framework and standards set by the governing body to ensure regional consistency 	
<i>Other activities of Auckland Council</i>		All other non-regulatory activities of Auckland Council.

Schedules 1 & 2: see full allocations in the current Annual Plan:

<http://www.aucklandcouncil.govt.nz/EN/PLANSPOLICIESPROJECTS/PLANSSTRATEGIES/Pages/Home.aspx>

⁵⁷ Titled "Group Procurement Policy"

Appendix D: Members of the governing body

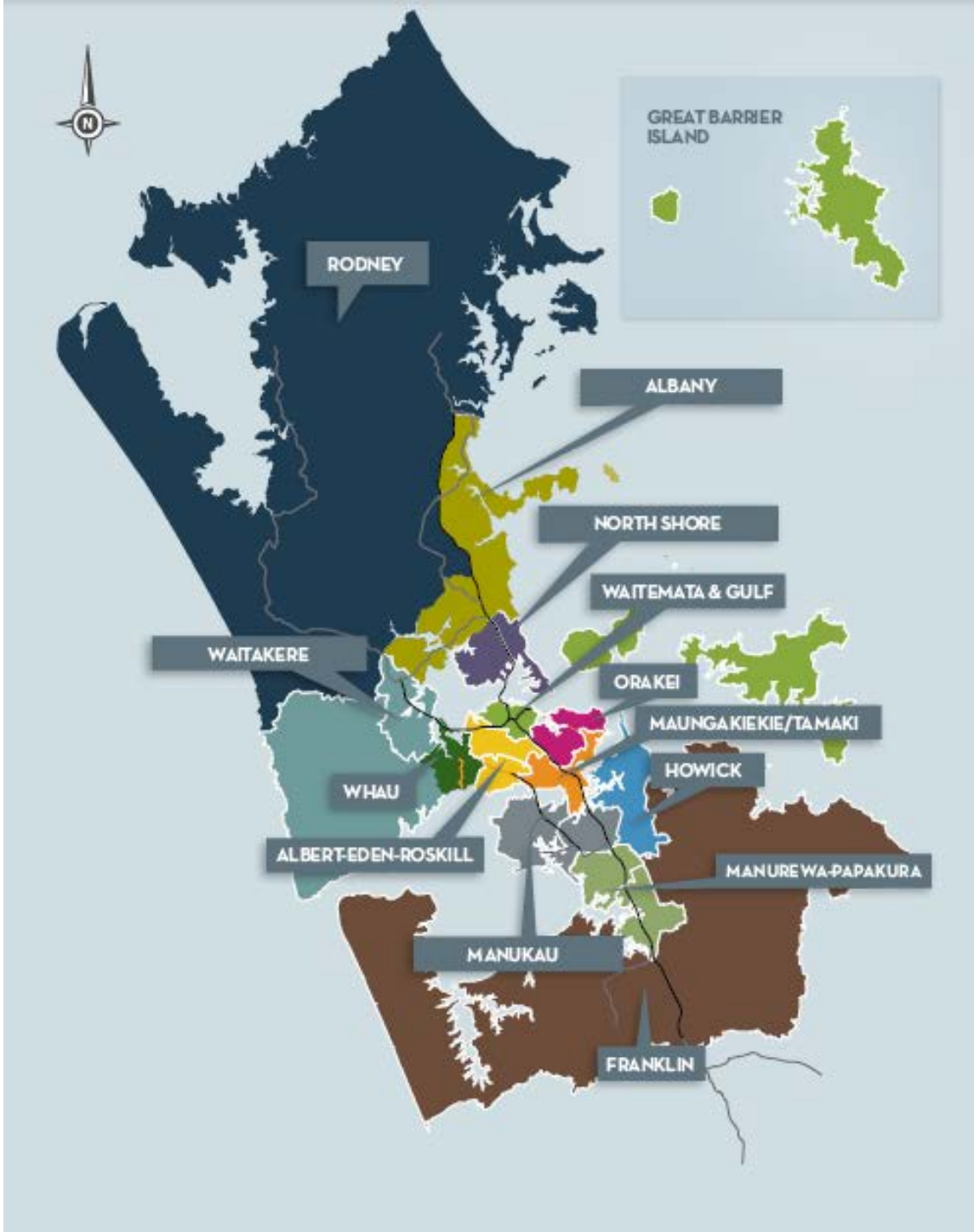
The governing body of the Auckland Council is made up of a mayor directly elected from across the whole of the Auckland region and 20 councillors elected from 13 wards. One or two members represent each of these wards.

Mayor of Auckland - Hon Phil Goff

Councillors

Ward	No	Representatives 2016–2019
Albany	2	Wayne Walker, John Watson
Albert-Eden-Roskill	2	Cathy Casey, Christine Fletcher
Franklin	1	Bill Cashmore
Howick	2	Dick Quax, Sharon Stewart
Manukau	2	Alf Filipaina, Fa'anana Efeso Collins
Manurewa-Papakura	2	Daniel Newman, John Walker
Maungakiekie-Tāmaki	1	Denise Lee
North Shore	2	Chris Darby, Richard Hills
Ōrākei	1	Desley Simpson
Rodney	1	Greg Sayers
Waitākere	2	Penny Hulse, Linda Cooper
Waitematā and Gulf	1	Mike Lee
Whau	1	Ross Clow

Map of wards



Governing Body	
Chair:	Mayor Phil Goff
Deputy:	Deputy Mayor, Bill Cashmore
Members:	All other councillors

COMMITTEES OF THE WHOLE WITH REPORTING COMMITTEES UNDERNEATH

Planning Committee
Chair: Cr Chris Darby Deputy: Cr Denise Lee Members: Mayor & councillors IMSB: two members

Finance & Performance Committee
Chair: Cr Ross Clow Deputy: Cr Desley Simpson Members: Mayor & councillors IMSB: two members

Environment & Community Committee
Chair: Cr Penny Hulse Deputy: Cr Alf Filipaina Members: Mayor & councillors IMSB: two members

REPORTING COMMITTEES

Strategic Procurement Committee
Chair: Cr Mike Lee Deputy: Cr Ross Clow Members: Crs Cashmore, Casey, Cooper, Filipaina, Hulse, Newman, Sayers Ex officio: Mayor, Deputy Mayor

Community Development & Safety Committee
Chair: Cr Cathy Casey Deputy: Cr Fa'anana Efeso Collins Members: Cr Clow, Filipaina, Hills, M Lee, Newman, Quax, Simpson, J Walker, W Walker, Watson Ex officio: Mayor, Deputy Mayor IMSB: two members

Audit and Risk Committee
Chair: Sue Sheldon* Deputy: Cr Greg Sayers Members: Cr Bill Cashmore, Paul Condor*, Cr Richard Hills, Bruce Robertson* Ex officio: Mayor, Chair IMSB * independent members

OTHER STANDING COMMITTEES

Appointments & Performance Review Committee
Chair: Mayor Phil Goff Deputy: Cr Christine Fletcher Members: Crs Darby, Hills, Hulse, Simpson Ex officio: Deputy Mayor

Regulatory Committee
Chair: Cr Linda Cooper Deputy: Cr Wayne Walker Members: Crs Collins, Hills, Newman, Quax, Stewart, Watson Ex officio: Mayor, Deputy Mayor IMSB: two members

Civil Defence Emergency Management Group Committee
Chair: Cr Sharon Stewart Deputy: Cr John Watson Members: Crs Clow, Collins, Hills, D Lee, Quax, J Walker Ex officio: Mayor, Deputy Mayor, all other councillors without voting rights IMSB: two members

Appendix F: Members of local boards

There are 21 local board areas which a total of 149 members.

Each of the 21 Boards must, at all times, have no fewer than five and no more than 12 representatives. Some local board areas have subdivisions to enable more direct community representation.

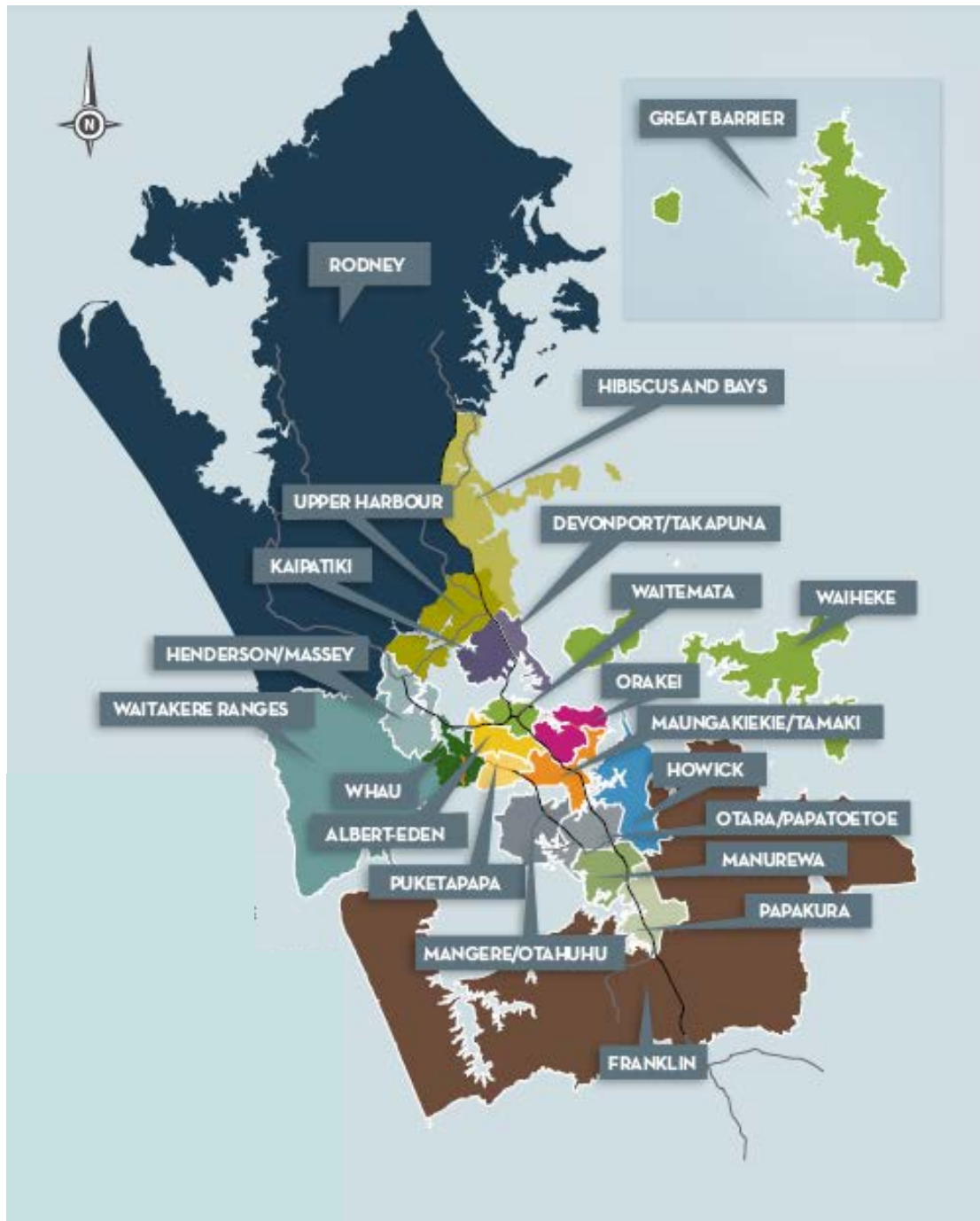
Each local board elects a chair and deputy chair from its members⁵⁸.

Local board areas (with subdivisions if they exist)		No	Local board members 2013–2016
Albert-Eden	Maungawhau	4	Lee Corrick, Peter Haynes, Rachel Langton, Benjamin Lee
	Owairaka	4	Graeme Easte, Glenda Fryer, Jessica Rose, Margi Watson
Devonport-Takapuna		6	Mike Cohen, Grant Gillon, Jennifer Mckenzie, Jan O'Connor, Michael Sheehy, George Wood
Franklin	Pukekohe	4	Andrew Baker, Alan Cole, Niko Kloeten, Murray Kay
	Wairoa	3	Malcolm Bell, Angela Fulljames, Amanda Hopkins
	Waiuku	2	Brendon Crompton, Sharlene Druyven
Great Barrier		5	Sue Daly, Jeff Cleave, Luke Coles, Izzy Fordham, Shirley Johnson
Henderson-Massey		8	Paula Bold-Wilson, Brenda Brady, Peter Chan, Warren Flaunty, Will Flavell, Matt Grey, Shane Henderson, Vanessa Neeson
Hibiscus and Bays	East Coast bays	4	Christina Bettany, David Cooper, Gary Holmes, Julia Parfit
	Hibiscus Coast	4	Janet Fitzgerald, Caitlin Watson, Vicki Watson, Mike Williamson
Howick	Botany	3	Mike Turinsky, Bob Wichman, Peter Young
	Howick	3	Jim Donald, John Spiller, Adele White
	Pakuranga	3	Gary Boles, Katrina Bungard, David Collings
Kaipātiki		8	John Gillon, Paula Gillon, Danielle Grant, Ann Hartley, Kay McIntyre, Anne-Elise Smithson, Lindsay Waugh
Māngere-Ōtāhuhu		7	Nick Bakulich, Carrol Elliot, Makalita Kolo, Tafafuna'i Tasi Lauese, Christine O'Brien, Lydia Sosene, Walter Togiamua
Manurewa		8	Joseph Allan, Simeon Brown, Stella Cattle, Sarah Colcord, Angela Cunningham-Marino, Angela Dalton, Rangi McLean, Ken Penney
Maungakiekie-Tāmaki	Maungakiekie	3	Don Allen, Bernie Diver, Debbie Leaver
	Tamaki	4	Josephine Bartley, Nerissa Henry, Chris Makoare, Alan Verrall

⁵⁸ Some local boards have appointed chairs for a portion of the three year electoral term with another member subsequently taking the position of chair

Ōrākei		7	Troy Churton, Carmel Claridge, Colin Davis, Toni Millar, Kit Parkinson, Rosalind Rundle, David Wong
Ōtara-Papatoetoe	Otara	3	Apulu Reece Autagavaia, Lotu Fuli, Mary Gush
	Papatoetoe	4	Ashraf Choudhary, Donna Lee, Ross Robertson, Dawn Trenberth
Papakura		6	Felicity Auva'a, Brent Catchpole, George Hawkins, Bill McEntee, Michael Turner, Katrina Winn
Puketāpapa		6	Anne-Marie Coury, Harry Doig, Julie Fairey, David Holm, Shail Kaushal, Ella Kumar
Rodney	Dairy Flat	1	Louise Johnston
	Kumeu	4	Brent Bailey, Cameron Brewer, Phelan Pirrie, Brenda Steele
	Warkworth	3	Tessa Berger, Beth Houlbrooke, Allison Roe
	Wellsford	1	Colin Smith
Upper Harbour		6	Uzra Casuri Balouch, John McLean, Margaret Miles, Brian Neeson, Lisa Whyte
Waiheke		5	Shirin Brown, Cath Handley, John Meeuwesen, Bob Upchurch, Paul Walden
Waitākere Ranges		6	Sandra Coney, Neil Henderson, Greg Presland, Steve Tollerstrup, Saffron Toms, Denise Yates
Waitematā		7	Shale Chambers, Adriana Christie, Pippa Coom, Mark Davey, Richard Northey, Vernon Tava, Rob Thomas
Whau		7	Derek Battersby, Catherine Farmer, Duncan MacDonald, Tracy Mulholland, Te'eva Matafai, David Whitley, Susan Zhu

Map of local board areas



Appendix G: Local board committees

Some local boards have created committees as follows:

Local board	Committee
Maungakiekie-Tāmaki	Te Oro Committee
Papakura	Pukekiwiri Paa Joint Management Committee
Rodney	Transport, Infrastructure and Environment Committee Parks and Recreation Committee

Joint Committees

Local Board Joint Committee	Local Boards
<p>Manukau Harbour Forum</p> <p>As a local board joint committee the forum can make decisions and provide direction to officers without seeking confirmation and/or ratification from the individual member boards.</p>	<p>Franklin Māngere-Ōtāhuhu Manurewa Maungakiekie-Tāmaki Ōtara-Papatoetoe Papakura Puketāpapa Waitākere Ranges Whau</p>
<p>Auckland Domain Committee</p>	<p>Waitemata Local Board jointly with Governing Body</p>